APPEARANCES

BOARD MEMBERS:
Liane Randolph, Chair
Sandra Berg, Vice Chair
John Balmes, MD
Hector De La Torre
John Eisenhut
Supervisor Nathan Fletcher
Senator Dean Florez
Assembly Member Eduardo Garcia
Davina Hurt
Gideon Kracov
Tania Pacheco-Werner, PhD
Barbara Riordan
Supervisor Phil Serna
Professor Dan Sperling
Diane Takvorian

STAFF:
Richard Corey, Executive Officer
Edie Chang, Deputy Executive Officer, Planning, Freight, and Toxics
Chanell Fletcher, Deputy Executive Officer, Environmental Justice
Annette Hebert, Deputy Executive Officer, Southern California Headquarters and Mobile Source Compliance
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Craig Segall, Deputy Executive Officer, Mobile Sources and Incentives
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Margaret Kim, Senior Attorney, Legal Office
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Gloria Pak, Air Resources Engineer, Low Emission Vehicle Regulations Section, STCD
Crystal Reul-Chen, Air Resources Engineer, Community Outreach and Enforcement Section, ED
APPEARANCES CONTINUED

STAFF:
Deldi Reyes, Division Chief, OCAP
Shobna Sahni, Manager, Low Emission Vehicle Regulations Section, STCD
David Salardino, Manager, State Strategy Section, OCAP

ALSO PRESENT:
Sam Appel, BlueGreen Alliance
Paul Augustine, Lyft
Shayda Azamian, Leadership Counsel for Justice and Accountability
Will Barrett, American Lung Association
Matthew Beyer, Union of Concerned Scientists
Joe Castiglione, San Francisco Transportation Authority
Connie Cho, Communities for Better Environment
Dillon Delvo, Little Manila Rising
Jerry Desmond, Metal Finishing Association of Southern and Northern California
Martha Dina Arguello, Physicians for Social Responsibility - Los Angeles
Steven Douglas, Alliance for Automotive Innovation
Evan Edgar, California Compost Coalition
Sean Edgar, Western States Trucking Association
Dan Garcia, South Coast Air Quality Management District
Catherine Garoupa White, PhD, Central Valley Air Quality Coalition
APPEARANCES CONTINUED

ALSO PRESENT:
Jo Kay Ghosh, South Coast Air Quality Management District
Adam Gromis, Uber
Kevin Hamilton, Central California Asthma Collaborative
Kyle Heiskala, Environmental Health Coalition
Thomas Helme
Katherine Higgins, South Coast Air Quality Management District
Juha Honkasalo, StepOne Tech, Ltd.
Dan Howells, Electric Vehicle Charging Association (EVCA)
Doug Ito, California Public Utilities Commission
Neil Koehler, Pacific Ethanol
Amy Kyle, PhD
Roger Lin, California Environmental Justice Alliance
Bill Magavern, Coalition for Clean Air
Julia May, Communities for a Better Environment
Andrew Meredith, State Building and Construction Trades Council of California
Adam Mohabbat, EVgo
Neena Mohan, California Environmental Justice Alliance
Simon Mui, Natural Resources Defense Council
Wayne Nastri, South Coast Air Quality Management District
Graham Noyes, Pearson Fuels
Luis Olmedo, Comite Civico del Valle
APPEARANCES CONTINUED

ALSO PRESENT:
Jesus Ortiz, South Gate resident
Sebastian Perez
Megan Richer, Via
Mark Roest, Sustainable Energy, Inc.
Laura Rosenberger Haider
Lizette Ruiz, South Gate resident, Community Environmental Health Action Team (CEHAT)
Jose Saldana
Dianne Sanchez, PhD, South Coast Air Quality Management District
Leah Silverthorn, California Chamber of Commerce
Senator Nancy Skinner, District 9, California State Senate
Sharifa Taylor, Communities for a Better Environment
Paulina Torres, Center on Race, Poverty, and the Environment
Kelly Trainor Gamino, South Coast Air Quality Management District
David Weiskopf, NextGen California
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PROCEEDINGS

CHAIR RANDOLPH: Good morning. The May 20th, 2021 public meeting of the California Air Resources Board will come to order.

Board Clerk, please call the roll.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair.

Dr. Balmes?

BOARD MEMBER BALMES: Here.

BOARD CLERK SAKAZAKI: Mr. De La Torre?

Mr. Eisenhut?

BOARD MEMBER EISENHUT: Eisenhut here.

BOARD CLERK SAKAZAKI: Supervisor Fletcher?

BOARD MEMBER FLETCHER: Fletcher here.

BOARD CLERK SAKAZAKI: Senator Florez?

BOARD MEMBER FLOREZ: Here.

BOARD CLERK SAKAZAKI: Assemblymember Garcia?

ASSEMBLY MEMBER GARCIA: Present.

BOARD CLERK SAKAZAKI: Ms. Hurt.

BOARD MEMBER HURT: Present.

BOARD CLERK SAKAZAKI: Mr. Kracov?

BOARD MEMBER KRACOV: Here.

BOARD CLERK SAKAZAKI: Dr. Pacheco-Werner?

BOARD MEMBER PACHECO-WERNER: Here.

BOARD CLERK SAKAZAKI: Mrs. Riordan?

BOARD MEMBER RIORDAN: Here.
BOARD CLERK SAKAZAKI: Supervisor Serna?
BOARD MEMBER SERNA: Here.
BOARD CLERK SAKAZAKI: Professor Sperling?
BOARD MEMBER SPERLING: Here.
BOARD CLERK SAKAZAKI: Ms. Takvorian?
BOARD MEMBER TAKVORIAN: Here.
BOARD CLERK SAKAZAKI: Vice Chair Berg?
VICE CHAIR BERG: Here.
BOARD CLERK SAKAZAKI: Chair Randolph?
CHAIR RANDOLPH: Here.

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

CHAIR RANDOLPH: Thank you. We are conducting today's meeting with Zoom and have organized the proceedings to mirror our normal Board meeting as close as possible, but understandably there will be some differences. We request your patience and understanding if any technical problems arise.

Interpretation services will be provided today in Spanish. If you are joining us using Zoom, there is a button labeled "interpretation" on the Zoom screen. Click on that interpretation button and select Spanish to hear the meeting in Spanish.

(Interpreter translated in Spanish)

CHAIR RANDOLPH: I will now ask the Board Clerk
to provide more details on today's procedures.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair.

Good morning, everyone. My name is Ryan Sakazaki and I am one of the Board Clerks. I will provide some information on how public participation will be organized for today's meeting. If you wish to make a verbal comment on one of the Board items or if you wish to make a comment during the open comment period, you must be using the Zoom webinar or calling in by telephone. If you are currently watching the webcast on CAL-SPAN, but wish to make a comment, please register for the Zoom webinar or call in. Information for both can be found on the public agenda.

To make a verbal comment, we will be using the raise hand feature on Zoom. If you wish to speak on a Board item, please virtually raise your hand as soon as the item has begun to let us know you wish to speak. To do this, if you are using a computer or tablet, there is a raise hand button. If you are calling in on telephone, please dial star nine to raise your hand.

Even if you have previously registered and indicated on which item you wish to speak on, please raise your hand at the beginning of the item, if you want to speak on it. If you do not raise your hand, your chance to speak will be skipped.

If you are giving a -- your verbal comment in
Spanish, please indicate so at the beginning of your testimony and our translator will assist you. During your comments, please pause after each sentence to allow for the interpreter translate your comment into English.

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

We will not show a list of commenters. However, I will be announcing the three next -- the three -- next three or so commenters in the queue, so you are ready to testify and know who is coming next. Please note, you will not appear by video during your testimony.

I'd like -- would like to remind everyone, commenters, Board members, and CARB staff to please state your name for the record before you speak. This is important in this remote meeting setting and it is especially important for those calling in to testify. We will have a time limit for each commenter. The normal time limit is three minutes, though this could change based on the Chair's discretion.

During public testimony, you will see a timer on the screen. For those calling in by phone, we will run
the timer and let you know when you have 30 seconds left and when your time is up. If you wish to submit a written comment today, please visit CARB's send-us-your-comments page or look at the public agenda on our webpage for links to these documents electronically. Comments will be accepted on each item until the chair closes the record for that Board item. I would like to give a friendly reminder to everyone to please mute yourself when you're not speaking to avoid background noise. If you experience any technical difficulties, please call (805)772-2715, so an IT person can assist. That number is noted on the public agenda.

Thank you. I'd like to turn the microphone back to Chair -- back to the Chair.

CHAIR RANDOLPH: Thank you.

As a friendly reminder, we are hearing the second item on the agenda, which is appointment of new members to the Environmental Justice Advisory Committee no earlier than 3 p.m. today and we are hearing the third item, the AB 617 community emissions reduction plan for Southeast Los Angeles no earlier than 4 p.m. today.

Before we start the first item on our agenda, I wanted to take a moment and acknowledge the new Deputy Executive Officers who joined our executive team over the last several weeks.
(Thereupon a slide presentation.)

CHAIR RANDOLPH: Along with Executive Officer Richard Corey, our current executive team has three Deputies with different responsibilities, Edie Chang, Chanell Fletcher, Annette Hebert, and our Chief Counsel Ellen Peter.

In addition, a new Deputy Executive Officer position for internal operations was created this year. And our inaugural Deputy for Internal Operations is Edna Murphy. Edna will oversee CARB's strategic planning enterprise-wide risk assessment, budgets, information technology, and internal racial equity initiatives for recruitment, hiring, and promotion among other responsibilities.

Last month, Rajinder Sahota became Deputy Executive Officer for Climate Change and Research. She will lead CARB's groundbreaking efforts to address climate change and will also promote our research efforts to find solutions to California's public health and climate challenges.

Our last new addition is Craig Segall, our Deputy for Mobile Sources and Incentives. Craig will lead the effort to electrify the transportation sector and address California's long-standing transportation inequities to achieve our goals for clean air, climate, and community
protection. And one tool to do so are our incentive programs which he will help lead.

So I want to thank Executive Officer Richard Corey for assembling such an you excellent team. And I wish to extend a warm welcome to our new leaders.

The first item on the agenda this morning is item number 21-4-1, the proposed Clean Miles Standard Regulation. This is the public hearing to consider the proposed regulation. If you wish to comment on this item, please click the raise hand button or dial star nine now. We will call on you when we get to the public comment portion of this item.

The Clean Miles Standard is the first-of-its-kind regulation. It will reduce emissions from on-demand ride-hailing services offered by transportation network companies, such as Uber and Lyft. Specifically, the proposed regulation will set greenhouse gas and electrification targets that transportation network companies, or TNCs, will be required to meet.

Prior to the pandemic, TNCs had experienced exponential growth in California as ride-hailing became an increasingly popular transportation option. Ride-hailing allows travelers to avoid driving and the hassle of parking, and for some even foregoing a vehicle altogether.

As the TNC market has grown however, so too has
concern about increased vehicle miles traveled and emissions, decreased transit use, and growing congestion in some locations. On a per passenger mile basis, the TNC fleet currently has higher carbon emissions than the overall California fleet, because of additional vehicle miles traveled per trip, even though TNC drivers on average use cleaner vehicles.

Ride-hailing shows promise as a clean transportation option and Uber and Lyft, the largest list TNCs by far, have made important commitments to electrify their services, and I applaud them for those goals. The proposed regulation targets will accelerate the use of zero-emission vehicles and reduce greenhouse gas emissions. In addition, the proposed regulation is designed to encourage TNCs to reduce VMT, including through investments in infrastructure to support active transportation and supporting connections to transit.

Electrifying ride-hailing services also presents an important opportunity to increase awareness and to accelerate the adoption of electric vehicles by passengers. Because each TNC vehicle provides rides to numerous passengers, TNCs can help increase exposure to and education about zero-emission vehicles to a great number of TNC riders.

In short, the proposed regulation provides many
benefits and I am pleased to hear this item today.

Mr. Corey, would you introduce the item?

EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

In 2018, the California Legislature passed Senate Bill 1014 by Senator Nancy Skinner directing CARB to adopt and the California Public Utilities Commission to implement, a greenhouse gas emission reduction program for transportation network companies, or as you noted TNCs, such as Uber and Lyft.

SB 1014 requires CARB to set targets to reduce GHG emissions on a per passenger mile basis and increase electric miles traveled on TNC platforms. TNCs must meet the targets starting in 2023.

And as you noted, Chair, one of the exciting things about the proposed regulations is the variety of actions TNCs could take to meet the GHG target. In addition to utilizing electric vehicles, the regulation incentivizes TNCs to reduce vehicle miles traveled by reducing miles driven without a passenger, also known as deadhead miles, as well as by increasing the number of passengers in a trip, or pooling, investing in active transportation infrastructure, and supporting connections to transit.

Today, staff will present the targets and other requirements of the proposed regulation, options the TNCs
can employ to achieve those targets, the environmental and economic impacts of the proposed regulation, as well as stakeholder feedback that was received throughout the public process.

In addition, staff will be proposing amendments to the originally released regulation to better align the outcome with the CPUC implementation process. These amendments will be subject to a 15-day public review and comment period following this hearing.

The Board item includes a resolution for adopting the proposed regulation and the changes.

After the CARB staff presentation, Doug Ito of the California Public Utilities Commission will present the PUC's next steps for conducting proceedings to implement the regulation. I'll now ask Gloria Pak of the Sustainable Transportation and Communities Division to begin the staff presentation.

Gloria.

(Thereupon a slide presentation.)

AIR RESOURCES ENGINEER PAK: Thank you, Mr. Corey.

Today, I will be presenting the proposed Clean Miles Standard Regulation, a first-of-its-kind regulation with the primary goal of reducing greenhouse gas emissions from ride-hailing services operated by transportation
network companies.

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AIR RESOURCES ENGINEER PAK: Before we get to the regulation, we'll be covering key background information on the Clean Miles Standard. This includes information on Senate Bill 1014, our regulation timeline, and background on ride-hailing trips from our baseline inventory that sets the stage for the proposed regulation. Then we will present the proposed targets as well as other important provisions. We'll also discuss emission and economic impacts before concluding with next steps and minor amendments we are proposing.

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AIR RESOURCES ENGINEER PAK: The proposed Clean Miles Standard is developed in accordance with Senate Bill 1014 by Senator Skinner, which directs the Air Resources Board to adopt and the Public Utilities Commission to implement targets that transportation network companies, or TNCs must meet. The targets of the regulation aim to reduce greenhouse gas emissions and increase the use of electric vehicles and are designed in a way to encourage TNCs to take action to reduce vehicle miles traveled or VMT.

The greenhouse gas target is express in the metric of grams CO2 per passenger mile traveled. The
electrification target is expressed in the metric of percent electric vehicle miles traveled. Increased electrification will also lead to a reduction in greenhouse gas emissions, as there is interaction between these targets. These targets will be imposed on passenger trip miles completed on ride-hailing platforms, which may include automated vehicle trips in the future. Goods and food delivery miles are not subject to this regulation.

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AIR RESOURCES ENGINEER PAK: This timeline shows statutory deadlines and CARB's regulatory development process beginning with the enactment of SB 1014 in the fall of 2018. In accordance with the statute, CARB staff presented the 2018 base year inventory at the January Board hearing in 2020. Today, we are bringing to the Board a proposed regulation that establishes electrification and greenhouse targets, which has been delayed from the original timeline of January 2021.

One important note is that the implementation of the program will be managed by the Public Utilities Commission as directed by SB 1014. Both agencies have been working hand in hand throughout the regulation development process. Public Utilities Commission staff will provide additional information on their proceedings following this presentation.
AIR RESOURCES ENGINEER PAK: Before we get into the base year data, we want to provide information on some key terms that describe segments of a ride-hailing trip that are relevant to this proposed regulation. We designed period one as the segment where the TNC driver is cruising while waiting for a ride match. This is also followed by a period two segment, which is when the driver is on their way to pick up the rider. Period three is the trip segment where a rider or riders are in the vehicle and on route to their destination.

AIR RESOURCES ENGINEER PAK: As required by SB 1014, staff established the base year inventory of TNC activity and emissions using 2018 data. CARB staff found that approximately 4.3 billion miles were driven on California roads that year by ride-hailing vehicles. This amounts to about 1.25 percent of the total light-duty vehicle miles traveled in California in 2018. Of the 4.3 billion miles, about 38 percent were deadhead miles where no passenger was in the vehicle. In other words, periods one and two trip segments, as described in the previous slide.

Also worth mentioning is that of the miles in which there were passengers in the vehicle, about
one-fifth were pool-requested miles. However, not all pool-requested trips are matched with other riders if the demand is not there.

The 4.3 billion miles were completed by approximately 600,000 vehicles. Roughly two percent of the California light-duty vehicle fleet. Since 2012 when TNCs began operating in California and until 2020, the growth of the ride-hailing sector has been exponential. We expect ride-hailing to continue their previous growth trajectory in the years after the COVID-19 pandemic.

--o0o--

AIR RESOURCES ENGINEER PAK: Now that we know the scale of the miles driven, what does that equate to in terms of emissions and how does ride-hailing emissions compared to the California fleet?

The key assumptions that were used to generate emission rates, including average vehicle occupancy and average fuel consumption, are detailed in the 2018 base year inventory report, which can be found on the Clean Miles -- Clean Miles Standard website.

In 2018, the TNC fleet, which includes all permitted TNCs in California, collectively emitted 301 grams of CO2 on a per passenger mile basis. Comparatively, the California fleet as a whole emitted 203 grams CO2 per passenger mile. Of the operating -- of the
TNCs operating in California, Uber and Lyft are by far the largest in scale. Though we see higher greenhouse gas emissions per passenger mile from the TNC sector compared to California as a whole, when it comes to average vehicle CO2 emission rates, vehicles operating on TNC platforms appear to be more efficient.

One of the key reasons for a lower CO2 emission rate for the TNC fleet is that their fleet mix was comprised of a higher percentage of hybrid. Another contributing factor is that TNC vehicles tend to operate at lower average speeds as was determined by a CARB data-logger study in 2019.

You may be wondering how the emissions on a per passenger mile basis are higher for TNC, when their vehicles CO2 emission rate per mile is lower and they are driving a more fuel efficient vehicles. It gets back to the 38 percent deadheading miles that are traveled without any passenger in the car. Those trip segments produce emissions without achieving any passenger mile.

The last point to note is that in 2018, TNCs contributed approximately one percent of the total light-duty greenhouse gas emissions in California.

--o0o--

AIR RESOURCES ENGINEER PAK: After establishing the base year emissions inventory, CARB staff developed
the annual electrification targets through a process of evaluating available zero-emission vehicle and infrastructure technology, readiness, and availability, modeling costs associated with switching to and operating a zero-emission vehicle and stakeholder input.

Using the base year trip data, staff evaluated TNC drivers' daily miles against current and projected electric vehicle ranges, as well as public charging infrastructure to ensure that the needs of TNC drivers could be met. Staff also determined that the projected number of zero-emission vehicles in California over the next decade is adequate to support this regulation. This regulation will not require an increase in zero-emission vehicle sales beyond what is projected based on current automaker regulations, although we do expect it to increase demand. Staff modeled optimized costs by assuming a one-year payback period. The upfront and ongoing cost assumptions were a result of a highly iterative process that resulted in the final output of eVMT targets proposed today.

The feedback we received through public workshops, topic-focused workgroups, and meetings with stakeholders further help shape the proposed regulation. Stakeholders include the TNCs, academic researchers, research labs, other industry experts, non-governmental
organizations, ride-share driver representative groups, and TNC drivers.

--o0o--

AIR RESOURCES ENGINEER PAK: The first set of proposed targets we are presenting today are the electrification targets. Electric vehicle miles traveled, or eVMT, are the fraction of miles traveled by battery electric and fuel cell electric vehicles. Plug-in hybrid vehicle miles do not count toward eVMT compliance. However, the TNC fleet still benefits from the high fuel efficiencies of plug-in hybrids as they contribute to lowering their greenhouse gas emissions.

--o0o--

AIR RESOURCES ENGINEER PAK: Shown here are the proposed minimum eVMT targets, which begin with two percent in 2023, which is the first compliance year, and flatlining at 90 percent in 2030 and beyond. To provide some context, the TNC's eVMT in the 2018 base year was less than one percent. The eVMT targets ramp up slower in the early years, relative to the later years, to account for the higher incremental cost of zero-emission vehicles before they reach cost parity with conventional vehicles in later years of the regulation.

It's important to note that the eVMT targets are expressed as a percentage of vehicle miles traveled and
are not the same as the percent of zero-emission vehicles in the fleet. To highlight that point, staff estimate that to achieve 50 percent eVMT in 2027, only 21 percent of the fleet would need to be electric.

In 2030, the 90 percent eVMT target can be met with a little less than half of the TNC fleet comprising of zero-emission vehicles. Put another way, in 2030, about 54 percent of vehicles operating on a TNC platform could still be an internal combustion engine vehicle. This is because a large portion of vehicles registered on TNC platforms do not log many miles, as many drivers work just a few hours a week or do not stay on the platform for long.

In 2018, over 60 percent of TNC drivers drove less than 5,000 ride-hailing miles, while just over 10 percent drove over 20,000 miles. In other words, the bulk of the Annual miles in the TNC fleets are logged by a small portion of drivers.

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AIR RESOURCES ENGINEER PAK: This slide provides a simplified eVMT compliance equation for the proposed regulation. The electrification target is a percentage of total miles driven by zero-emission vehicles relative to total miles driven by all vehicles. Only miles from period three trip segments are counted toward eVMT
compliance, which is when passengers are in the car. This is intended to protect against gaming of the system, such as excessive deadheading miles by zero-emission vehicles to increase the percent eVMT.

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AIR RESOURCES ENGINEER PAK: In addition to the minimum eVMT targets, a second compliance metric of grams CO2 per passenger mile traveled is included to encourage not only higher electrification, but also additional strategies, including the use of cleaner vehicles, increasing shared rides, improving system efficiency to reduce deadhead miles, enabling connections to transit, and investing in active transport -- transportation infrastructure. Some of these strategies may be granted optional greenhouse gas credits which we'll discuss later in this presentation.

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AIR RESOURCES ENGINEER PAK: The greenhouse gas targets are shown as the solid line with annual target valued below.

The greenhouse gas target reaches zero grams CO2 per passenger mile by 2030. These targets go beyond the greenhouse has reductions achieved by the -- by electrification alone, which is shown as the dashed line.

As mentioned in our background slide on SB 1014,
meeting the electrification targets will help companies meet the greenhouse target. Electrification targets set the floor and the greenhouse gas targets encourage further electrification and other strategies to fill the gap as shown at the yellow area.

This is where TNCs can use other reductions strategies and optional credits to achieve compliance. Greenhouse gas reduction strategies beyond electrification include increasing the portion of fuel efficient vehicles in the fleet, increasing and expanding shared rides, and reducing deadhead miles. Optional credits, which we will discuss later, are designed to encourage TNCs to participate and invest in connecting riders to mass transit modes and investing in infrastructure to support active transportation, such as micromobility options, walking, and biking.

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AIR RESOURCES ENGINEER PAK: How is compliance for the GHG target calculated? This slide shows the four variables that comprise the greenhouse gas compliance equation. Of these variables, the CO2 factor and the occupancy factor are key to lowering the TNC fleet's total emission rates. The lower the vehicle's fuel consumption, and the higher the number of shared rides, the lower the resulting grams CO2 per passenger mile.
The greenhouse gas equation is structured in a way that makes vehicle occupancy an important factor influencing compliance, as does lower vehicle CO2 emissions. Although shared rides have been suspended throughout the pandemic, staff believe that shared rides can return to pre-pandemic levels by the year 2023.

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AIR RESOURCES ENGINEER PAK: Another way to reduce greenhouse gas emissions is by earning optional credits that apply towards greenhouse gas compliance. Optional credits are offered for two actions, supporting connections to transit and dollars invested in bikeway or sidewalk infrastructure projects. Connected transit trips should make use of an integrated fare system, allowing a passenger to purchase multiple modes of travel through one app, whether that is a TNC app or a third-party app.

Through integrated fare data, TNCs must demonstrate that the passenger purchased a chained trip that includes a TNC vehicle, then a mass transit mode, or vice versa. For bikeway or sidewalk investments, TNCs must demonstrate that the project is part of an approved regional transportation plan. To use optional credits, TNCs must request them from the CPUC who will issue the credits to be applied towards compliance.

These optional greenhouse gas credits are
intended to encourage TNCs to engage in promoting the use of mass transit and to support the growth of safe active transportation infrastructure. Optional credits cannot be banked for future years. They must be used toward the same year in which they are earned. Optional credits are in the form of CO2 only and don't apply to eVMT compliance.

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AIR RESOURCES ENGINEER PAK: In developing the regulation, staff are proposing two exemptions and a flexibility. The first exemption is for small TNCs that operate at a scale of less than or equal to five million vehicle miles per year. These small TNCs will be exempt from meeting the electrification and greenhouse gas targets and therefore are exempt from the annual compliance report. They are not exempt, however, from continued annual data submittal, so they can be monitored annually.

To put into context, all small TNCs in 2018 had annual miles totaling approximately six million miles. And the largest of the small TNCs had annual miles totaling roughly three million miles. This exemption is provided to prevent undue burden on the small companies, such as those that provide small-scale specialized services for student transport and senior and health care
transport.

The proposed regulation also exempts miles requested and completed as wheelchair accessible vehicle trips. This was proposed from multiple stakeholders, who worry that there may not be enough zero-emission vehicle models available in this category.

Lastly, we are proposing a flexibility in the greenhouse targets by allowing the TNCs to carry forward credits that are earned from overcompliance of the greenhouse gas targets. These credits must be used in the subsequent three years after they are earned. This carry-forward provision does not apply to the optional greenhouse gas credits that were discussed in the previous slide. Optional credits must be used in the year -- in the year they were earned.

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AIR RESOURCES ENGINEER PAK: The estimated cumulative emission reductions from -- resulting from the proposed regulation are shown on this slide. The proposed regulation is estimated to achieve a total reduction of 93 tons of PM2.5 from 2023 through 2031. Nitrogen oxides, or NOx, would be reduced by almost 300 tons and greenhouse gas by 1.8 million metric tons in the same time frame.

To put these reductions into context, 2017 NOx emissions from California's light-duty vehicle sector was
184 tons per day. Greenhouse gas emissions from the light-duty sector was 424 million metric tons per day. By 2030, the TNC's actions from this proposed regulation will reduce statewide light-duty vehicle greenhouse gas by 0.38 percent.

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AIR RESOURCES ENGINEER PAK: The estimated emission reductions are based on increasing electric miles driven. Through our analysis, staff estimated that by 2035, the proposed regulation will result in TNCs contributing approximately two billion of the annual electric vehicles miles in California. Without the regulation, in other words, in the business as usual case, the share of electric vehicle miles by TNCs would be negligible.

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AIR RESOURCES ENGINEER PAK: Staff estimates that in 2030, the proposed regulation will provide a net savings of $215 million for the TNC industry. Over the period of the regulation, costs to the TNC industry are assumed to come from electricity, home charger installations, and the perceived opportunity costs of driving a zero-emission vehicle in TNC services.

Through direct engagement with TNC drivers, we were able to confirm that for most drivers, the upfront
cost of switching to a zero-emission vehicle is one of the
top barriers. Drivers were supportive of this regulation,
but emphasized that zero-emission vehicles must become
affordable and that vehicle charging options should be
improved.

When setting the stringency of the targets, staff
incorporated a set of assumptions that aimed to be more
protective of TNC drivers. For instance, staff assumed
that a low total cost of operation is necessary for
drivers who switch to zero-emission vehicles, so the
payback period was set to just one year. Vehicle
incentives and electricity rate assumptions were set
conservatively without being too overly optimistic in
future years. Staff also assumed that drivers who
normally purchase used conventional vehicles will also buy
used zero-emission vehicles.

In 2020, Uber and Lyft made public comments to
electrify their fleets by 2030. In doing so, the
companies have set the stage for a cleaner mobility future
and must now find ways to help the drivers on their
platforms switch to zero-emission vehicles. In
consideration of low and moderate income drivers, CARB
will continue to work alongside the Public Utilities
Commission to minimize adverse impacts from this
regulation and ensure that existing resources are shared.
AIR RESOURCES ENGINEER PAK: On this slide, we show an example for a TNC driver in 2027 who purchases a zero-emission vehicle. Here is how we calculate cost savings for this driver. The table on this slide shows a comparison of a gasoline vehicle on the left. And a zero-emission vehicle on the right. As we mentioned in the previous slide, capital cost can be a barrier to entry. We took into account incremental cost of a zero-emission vehicle over a conventional vehicle and assumed an annualized home charger cost and the upfront capital cost. We also applied a conservative amount of State purchased incentives that we believe may be available in that time frame. Federal incentives were not applied. Cost savings, which increase over time, are assumed to come from factors including lower fuel and maintenance costs and decreasing incremental vehicle price in later years.

The TNC driver in this example can potentially realize a savings of $1,670, if they're driving 20,000 miles in the year or a savings of about $2,200 if driving 30,000 miles. If this driver utilizes public charging as opposed to installing a home charger, we would see a slightly different amount of savings. Vehicle purchase incentives can change over time. In the lower right box,
we show the driver savings without any vehicle purchase incentives. In this example, the driver would save $170 to $712.

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AIR RESOURCES ENGINEER PAK: Throughout the public engagement process, staff -- CARB staff have achieved -- received a great deal of valuable feedback that we've taken into consideration for developing the proposal you are seeing today. During the 45-day comment period, we continued to receive feedback from stakeholders and we are highlighting some key positions here.

The TNCs have conveyed requests to include additional optional credits, to relax targets, to provide an off-ramp in the case of unexpected market conditions, and to provide additional public funding programs for vehicle purchases and charging infrastructure.

There are no plans to adjust targets as staff believe the targets as proposed appropriately -- targets are proposed appropriately striking a balance between having ambitious emission reductions goals and addressing concerns of impacts to low-income drivers.

From environmental advocates, we have received support for the proposed targets and received requests that the annual compliance report be made public.

Understandably, the labor and driver advocate groups have
pushed to have the regulation explicitly ensure that drivers do not bear any costs. TNC drivers have expressed that while they support the regulation, they are concerned about the cost of zero-emission vehicles. CARB staff would be supportive of TNCs bearing the cost of the regulation. However, we currently do not have the authority to explicitly require this.

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AIR RESOURCES ENGINEER PAK: In coordination with CPUC, staff were proposing changes to clarify CARB's and CPUC's roles and responsibilities. Modifications to the proposed regulation will be released to the public for a 15-day comment period. The 15-day changes will include a clarification that CPUC shall administer the optional and carryover greenhouse gas credits in consultation with CARB. CPUC also has the ability to add additional optional greenhouse gas credit categories during their proceedings.

In addition, we are deleting from our requirements that the TNCs must develop biennial compliance plans as CPUC will address this in their proceeding.

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AIR RESOURCES ENGINEER PAK: To wrap up today's presentation, we'll lay out the next steps for CARB in
this rulemaking process. CARB staff will support the CPUC proceedings, which will open this year. Staff will consider the issue of public disclosure of data and continue to monitor the issue of access to charging infrastructure, as well as electricity costs. Staff will continue to evaluate potential impacts to drivers through direct engagement and research contracts, as well as consider additional data requirements.

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AIR RESOURCES ENGINEER PAK: CARB staff are eager to present the proposed Resolution 21-10 to the Board. The text of the resolution can be found on the CARB rulemaking webpage. Once adopted, the Clean Miles Standard will reside in section 2490 in Title 13 of the California Code of Regulations.

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AIR RESOURCES ENGINEER PAK: Lastly, staff would like to thank all the colleagues at CARB, at the Public Utilities Commission, in academia, in the TNC industry, and finally the stakeholder community who committed their time and expertise to the making of this regulation over the last two and a half years.

Thank you.

CHAIR RANDOLPH: Thank you. Before we hear public testimony on this item, I would like to invite two
guest speakers to provide comments. First, I'd like to
welcome Mr. Doug Ito and to invite him to provide his
perspective on how the CPUC will move forward in their
proceedings to implement this regulation once adopted.

DOUG ITO: Thank you. Good morning, Chair
Randolph and members of the Board. My name is Doug Ito.
I'm the Director of the Consumer Protection and
Enforcement Division at the California Public Utilities
Commission. Thank you for inviting me here today to speak
on behalf of Commission staff.

Among other things, CPUC regulates transportation
network companies that provide passenger service or
compensation using online enabled applications in order to
connect passengers with drivers using their personal
vehicles.

SB 1014 recognized that CARB and CPU have
different expertise and authority and charged both our
agencies to work together with the public in developing a
new approach to reducing greenhouse gases from the
transportation sector.

CPUC and CARB staff have met regularly leading up
to the staff proposal that is before you today and we
appreciate the close coordination, particularly with
Joshua Cunningham and his team. And we look forward to
maintaining that collaboration as CPUC takes on the next
stage of implementing the Clean Miles Standard.

I'd like to take a moment to describe the Commission's next steps. The Commission rulemaking process is conducted through a formal proceeding that is initiated by the Commission through the adoption of what's called an order instituting rulemaking. Once the Commission opens the proceeding, it is guided by an assigned commissioner and an assigned administrative law judge. The judge provides direction to the parties on procedural issues, including how to participate in the proceeding, identifying the issue to be resolved, establishing the schedule and timing, and providing direction to parties for how to provide comment and proposals.

My staff and I will assist the assigned commissioner and the administrative law judge throughout the proceeding. And we anticipate facilitating and holding public workshops. We'll develop a staff proposal and then engage public stakeholders.

The timing of the proceeding will depend on the complexity of the issue. But near the end of the process, the assigned commissioner will issue a proposed decision that will come to the full Commission for a vote.

There are a few specific items identified in SB 1014 that CPUC will be tackling in our
proceeding. These include addressing the impacts of the Clean Miles Standard on low- and moderate-income drivers and individuals, ensuring that the program supports sustainable land use objectives, and advancing the State's transportation electrification goal. The Commission's process is designed to ensure that all interested parties are heard. And as we initiate our formal proceeding, we encourage all the stakeholders who have involved -- who have been involved in your proceeding, your rulemaking to continue your engagement in this issue with the Commission.

We're excited about the opportunities ahead and look forward to our continued partnership with you as we move towards a cleaner transportation sector in California.

Thank you very much.

CHAIR RANDOLPH: Thank you, Doug.

Next, I would like to welcome State Senator Nancy Skinner and invited her to provide her perspectives on this regulation proposal. Senator Skinner was instrumental in the development of Senate Bill 1014 in 2018 that directed CARB to prepare this proposal.

SENATOR SKINNER: Thank you, Chair. Let's see. I'm not sure why -- maybe there is a picture, but I can't see, but that's okay. Thank you, Chair Randolph, and the
whole Board, and staff for your diligent work to implement SB 1014, a bill that I authored in 2018 and that passed the Legislature and was signed into law.

So I think as you all are well aware and it's very unfortunate that emissions from the transportation sector are growing. And according to the Legislative Analyst, which the Legislature relies on a great deal for data, it showed a decline in transportation-related emissions between the years of 2006 to 2016, but unfortunately an increase beginning after '16.

And I think that we know that with pandemic and the drop in transit ridership, while the initial closures of the pandemic not only did they affect trans -- transit ridership, I mean there was less traffic, absolutely, so there would have been a drop in vehicle emissions. But however now, we've almost returned to pre-pandemic traffic use without the transit improvements and/or ridership return. So we are seeing a growth -- I'm sure when we collect the data, we will see a growth in emissions, which, of course, is very concerning to our air quality and our climate protection goals.

Now, we couldn't have predicted any of that when we did 2018, but the other factor that has been a factor is that our transportation network companies, our TNCs, or ride-hailing services as they're also known, have been
growing since they were introduced. They've been growing in terms of the VMT -- proportion of VMT they're responsible for and the number of vehicles that are on our roads that are those type of vehicles especially in our cities.

And, for example in 2018, the San Francisco Transportation Authority study showed that just TNC vehicles were responsible for 570,000 vehicle miles traveled within the San Francisco City limits every week day. Now, ARB's own data indicates that the emissions per passenger mile for ride-sharing vehicles is 50 percent higher than regular vehicles. And adding to these concerns is that TNC drivers, the other data shows, spends more than a third of their time in their vehicles, so driving in their vehicles without a passenger in the car.

So it is very, very essential to our important primate -- climate protection, traffic congestion, air quality goals to get a handle on this. And SB 1014, the Clean Miles Target for TNCs - that was our name for the bill - specified certain steps for ARB to take, which the staff member just laid out.

And I'm very, very pleased and proud of ARB for the progress that you've made, that the step one was to establish a baseline of emissions from TNC companies, which you just -- you finished last year in 2020. The
step two was to propose annual targets and goals for emissions reduction for passenger mile. And then the next step is for transportation network companies to submit plans for how they're going to meet those targets and goals for the PUC then to implement.

So I really want to applaud ARB for your recommendation and including in your materials or your proposals specific goals for increasing the ZEV miles traveled as part of your proposed targets, that your goal of 90 percent ZEV miles by 2030 is -- you know, I couldn't have asked for a better. That was what really many of us had in mind when we -- you know, that kind of direction is what we had in mind when we were proceeding through the Legislative process with this bill. And I think that there -- they are justified because the data shows that the emissions savings from electrifying a ride-hailing vehicle are three times greater than if we electrify the average vehicle in California.

So I really encourage the Board and the PUC to continue to support innovative ways for TNCs to reduce emissions in addition to these goals. And you -- perhaps more emphasis on using TNCs to do that last mile and connections to public transit, and, of course, it's incentives for active transportation.

Anyway, we have -- we have a great opportunity
here to have the -- this significant revolution in
transportation be a clean revolution rather than one that
is high emissions. And I really encourage the Board to
adopt the proposed emission targets and goals and really
thank you for your good work.

CHAIR RANDOLPH: Thank you, Senator Skinner. I
appreciate your leadership on this bill.

Dr. Balmes, did you want to say something before
we move on to our additional discussion.

BOARD MEMBER BALMES: Yes. Thank you, Chair
Randolph. I just want to say as one of Nancy Skinner's
constituents how proud I am of her continued leadership
with regard to clean transportation. So thank you, Nancy.

CHAIR RANDOLPH: Okay. I'm going to do something
a little out of the ordinary, because -- yes, I know
that's -- sorry -- because Board Member Sperling needs
to -- has an obligation like exactly between 12 and 1.
And so we're going to miss him for a short period of time
and I know he very much is -- has been keeping an eye on
this -- on this process and has some thoughts about it.
So before we go to public comment, I'm going to turn it
over to Dr. Sperling to make some comments.

BOARD MEMBER SPERLING: Thank you so much, Chair
Randolph. I really apologize, but, you know, we changed
our schedule for this meeting and I got caught with
earlier commitment.

So I want to say a few things. First, I do want to thank Senator Skinner also for taking the initiative on this. I had many conversations with her leading up to this bill. And so I'm, you know, very impressed with her commitment and her expertise on this topic, as you could tell from her comments.

I want to focus on what she said at the very end though. She said she'd like to see more focus on some of these other innovative things we can do with active transport, transit, you know, connected up. And that's the -- you know, the theme I want to add here. Before I do that, I do also want to thank the staff. You know, the staff did an incredible job on this bill, because they had to -- unlike almost all our other rulemaking -- this rulemaking, not bill -- unlike all other rulemaking that CARB does, this was, you know, starting from scratch. They had to do new research, get new data, entirely new ways of thinking about it. So they really deserve a lot of credit for what they came up with.

But I do want to say that I want to say that -- I want to say that a lot has happened in the last few years. And when we started this, we were really gung ho about making sure TNCs would be at the cutting edge, the leading edge of electrification. And what's happened since then
is, yes, electrification is more important than -- or zero emission is more important than ever. But what we've also come to appreciate is the other part of it, the VMT part, is much harder than we thought it was going to be. And, in fact, you know, we are in the process of adopting regulations that are going to ramp us up to a hundred percent ZEVs.

So I think that we ought to rethink at the margin a few -- a few of the proposals by the staff. And I know we're going to hear about it in the comment period. And hopefully, I'll be back for the very end. But in case I'm not, I want to put this on the table.

So there's two things. One is I think we need to rethink much more in terms of VMT sustainable cities part of this, and two, I am worried about the driver part of this, that -- because when we do all the cost analyses, we use numbers for charging that might not be correct for low income drivers using public charging. The number used was $0.19 per kilowatt hour, but for public charging, it's like $0.40, $0.50, $0.60 a kilowatt hour. And that might be brought down. So they're not going to say -- if they're using public charging, they're not going to be saving money with their EV.

We that have our own homes and home charging will, but not necessarily these drivers. So with those
two things in mind, the VMT and the drivers, here's what I suggest. Yes, we keep the targets that we've developed. I think staff did a great job. But how we can focus on the VMT side and the sustainability of our transportation and our cities, one would be to give -- allow more -- to allow -- not more, to allow credit for transit, and bikes, and scooters via the apps. You know, the way it's structured now is they actually have to pay for it.

But if they -- I would say that if someone reserves a scooter or reserves transit through the app, or安排s it through the app, then they should get credit, because this is part of what we're calling mobility as a service. And these companies are doing a great service in that sense of linking the modes together.

And it's a small thing, but I think it's sending a signal. Another thing is to give credit for partnerships in reducing charging costs. Because especially those at apartment buildings, and these dedicated fast charge hubs, this is going to be really problematic for these drivers, you know, the cost of electricity using public chargers. And they will need to do that.

And so the -- and the other -- and so -- and the other thing I would say -- the last thing I would say is that -- and I know this is going to sound controversial,
but listen -- listen to me here, we have a 90 percent
target being proposed, that 90 percent of the goal be
achieved with electrification. I suggest moving that back
to 75 or 80 percent. And this does not mean we reduce the
greenhouse gas emissions. What it does mean is it gives
more incentive for these other actions that Senator
Skinner was referring to. It means that it will give
incentive for pooling, for sharing of rides. It will give
more incentive for using the bikes and scooters. It will
be more incentive for transit.

And I think that's a really important message.

We are failing in reducing VMT. We're going to succeed on
the electrification on the ZEVs. I'm not -- I'm not
feeling good that we're going to succeed on the VMT. And
the VMT is more than VMT. It's about all of our cities.
It's -- it refers to all environmental justice. It refers
to everything about our cities and our life styles.

So those are the three things I'm going to
suggest, that is allow credits through apps, more credit
for helping reduce charging costs, and reduce that target
to 75 or 80. And when I say -- remember, reducing the
target does not reduce greenhouse -- the greenhouse gas
emissions target. It's only -- it's reducing the minimum
requirement for electrification. So thank you, Chair
Randolph, so much for your time. And that's it for me.
CHAIR RANDOLPH: All right. Thank you, Dr. Sperling. Okay. So I have thoughts about what you said, but we can talk about that after we have a chance to hear our public testimony.

So we'll now hear from the public who raised their hand to speak on this item. So Board Clerk, can you call the first commenters?

BOARD CLERK SAKAZAKI: Thank you, Madam Chair. We have ten people with hands raised. If you wish to make a comment on this item, please click the raise hand button or dial star nine if you're on the telephone. Just a reminder, if you do not raise your hand, we will not -- you will not -- you will not be identified to speak, so please raise your hand if you want to speak.

Our first three are Adam Gromis, Dan Howells, and Joe Castiglione. Adam, I have activated your microphone. You can unmute yourself and begin.

ADAM GROMIS: Hi. Can everybody hear me?

BOARD CLERK SAKAZAKI: We can.

ADAM GROMIS: Good morning. I'm Adam Gromis. I am lead global policy for sustainability at Uber. Thank you Chair Randolph and thank you Senator Skinner for your leadership in this important policy area. We also appreciate CARB staff's thoroughness on the analysis and the engagement in the industry. We recognize our industry
is rapidly changing. I think we've changed our platform
many times since this process began even two years ago.
So we appreciate the thoroughness.

We ourselves remain optimistic and supportive of
CMS over the long term. This regulation sets two new and
really important precedents. First, it's based on
real-world use of vehicles and emissions. We're honored
to be one of the first in this state or anywhere to be
held accountable to real world mobility performance. But
let's be clear, CMS only covers one percent of light-duty
vehicle emissions. So we hope this policy serves as a
template to address the rest of the 99 percent.

Second, carbon intensity, GHG per passenger mile,
is the right metric. To the points that Dr. Sperling
make -- made, if you make progress on a metric, it's not
just about reducing climate emissions. It's also about
increasing occupancy, reducing the ratio of vehicles to
people, and reducing inefficient vehicle miles. We have
appreciate the opportunity to make comments in support of
the comments that we've already submitted publicly.

To put that in context, we are not only aimed at
the zero carbon intensity goal by 2030, we want to make
sure that we, as a platform, serve a hundred percent of
the trips in the State by 2030 in zero-emission vehicles
on micromobility and on mass transit. We've taken four
initial steps in this decade-long marathon to get there: first, by creating new low or no emission products like Uber Green, which is now available in dozens of markets across California; second, by investing and providing resources to drivers to fill the financial gap to going electric. We've pledged 800 million from ourselves and our partners to make that easier for hundreds of thousands of drivers to make the switch in the next couple of years.

Third, we've made a commitment to expanding micromobility options in transit because this can't just be about four wheels. This has to be about two, and six, and however many wheels are on a train.

And fourth, we have to do it transparently. We're the first in the industry to release an emissions transparency report based on our rides. We issued it last year. We plan to do it every year.

Based on what we've done in that -- those actions, our comments serve to do a few things. One, we want to be very clear on the task. Second, we want to be innovate and align our interests with not just what we can control, but with others up and down the value chain. So we take a very, very sober look at the financial gap that drivers face. For all the reasons that have been mentioned previously, our analysis is more conservative than the staff's and we believe that particularly
low-income drivers face massive barriers to entry.

So we've proposed credit options that will help align our incentives with others in the value chain to make more BEV supply options available to them, more below market EV charging available --

BOARD CLERK SAKAZAKI: Thank you.

ADAM GROMIS: -- and more micromobility options available and transit options to riders.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Dan Howells. I should say to everyone, apologies in advance if I mispronounce your name.

Dan, I have activated your microphone. You can unmute yourself and begin.

DAN HOWELLS: Hi. Thank you. On behalf of the Electric Vehicle Charging Association, or EVCA, we thank you for the opportunity to comment on the Air Resources Board proposed regulation for the California Clean Miles Standard.

EVCA applauds the Board's work to help electrify transportation network company vehicle supply. As the Board considers the order for final adoption, we respectfully recommend strong consideration to be given to the continued need for State incentives to help with both EV and charging station deployment to fulfill the promise
of this regulation.

We request continued funding for vehicle purchase incentives through the Clean Vehicle Rebate Program, Clean Cars 4 All, and other clean vehicle purchase programs. With a focus on disadvantaged and low-income communities, these programs are critical to help expand the reach of the funding. Vehicle incentive programs must evolve to recognize and reward evolving vehicle ownership and use models. Expanding incentives -- incentive funding could allow new programs that support more fleet purchases, so that these vehicles can be made more available and more affordably for all drivers.

ZEV infrastructure incentives must help deploy infrastructure in urban mobility hubs to serve ride-hailing. Urban mobility hubs include downtown cores, and urban centers, airports and areas with large concentrations of multi-unit dwellings, and need robust infrastructure to serve ride-hailing.

TNCs should be incentivized to invest in ZEV charging and refueling infrastructure. EVCA supports the Board's decision to provide flexibility to TNCs by allowing them to earn credits towards compliance, if they invest in bike lanes and integration with public transit.

As noted in analysis by the Energy Commission, there's a lack of needing infrastructure for ride-hailing,
especially in downtown cores, airports, and motel unit
drilling -- dwellings, which will be critical to
supporting the implementation of the order.

Therefore, we would respectfully request the
Board adopt modifications to the order to offer a credit
against percentage eVMT targets for investments made by
TNCs and ZEV infrastructure. Thank you for consideration.

BOARD CLERK SAKAZAKI: Thank you. Our next
speaker is Joe Castiglione. After Joe, we have Neil
Koehler, Will Barrett, and Mark Roest.

So, Joe, I have activated your microphone. You
can unmute yourself and begin.

JOE CASTIGLIONE: Thanks so much. My name is Joe
Castiglione. I'm the Deputy Director for Technology,
Data, and Analysis for the San Francisco County
Transportation Authority. I want to first acknowledge and
thank CARB staff's really thoughtful work on this
challenge and this legislation that's really brought us to
this point. I want to call attention to a couple things
that we mentioned in our written comments. One is, you
know, the statute, as it's written, is very broad with
respect to inclusions of AVs and TNCs. And I think we
would ask that the -- CARB consider retaining the
statutory definition of a TNC and not expanding at this
point.
But I think I'd like to get into is some more of the specifics with respect to some of the improvements. Some of the things that we've said -- you know, I think it's really important to distinguish between what a pool trip is as a product versus what a pool trip is in terms of a vehicle having more, for lack of a better word, butts in seats. And as we see it presently, the incentives are really structured such that they encourage people to use pooled products, but that doesn't mean that the trips are really pooled.

And, in fact, as currently structured, the use of the fixed compliance occupancy factor removes any real incentive to get more butts in those seats, regardless of the actual occupancy. So we suggest that the use of the action occupancy, which is actually also in the required reporting and the appendix, be used in the place. And I think that would be a tremendous improvement to the implementation.

We really appreciate the improvement that have been made to the credit schemes, particularly with respect to the transit connection. With respect to bike and walk infrastructure credit investments, we really suggest that there should be a nexus between where the investments are being made on the ground and where the emissions and impacts are actually occurring.
Moving forward, I think what's most important is that we really do need to have transparent, data-driven analysis. And this means that data really does need to be publicly available, consistent with a number of recent determinations made by the Public -- California Public Utilities Commission.

And something that we've mentioned before as well is before we start talking about credit schemes, we -- or I should say rather, we should really only be thinking about the types and nature of credit schemes after we've had a chance to see how the project and the program actually works, and where it's effective and where it's not, so that then we can derive credit schemes that really will help us achieve the outcomes of this really important effort. And this sort of data transparency and transparency of analysis is really key.

So thank -- thank everybody who has gotten us to this point and we look forward to seeing how this moves forward.

BOARD CLERK SAKAZAKI: Thank you. Our next speaker is Neil Koehler. Neil, I have activated your microphone. You can unmute yourself and begin.

NEIL KOEHLER: Thank you very much, Chairwoman Randolph of other Chair -- other members of the Board. Appreciate the opportunity. My name is Keil Koehler. I'm
the co-founder of Pacific Ethanol, the largest ethanol producer in the state of California. And I'm also here representing the renewable fuels association, who is the largest trade association for the national industry. We very much support the concept of Clean Miles Standard, but we would strongly urge the inclusion of some additional compliance options, specifically a E85, 85 percent ethanol, be run in flex-fueled vehicles as a way to provide some additional optionality at a much lower cost than the purchase and operation of electric vehicle and an opportunity to reduce carbon emissions now.

Just a quick little bit of background on ethanol in California today. Under the Low Carbon Fuel Standard, where we have 10 percent ethanol blends and a rapidly increasing market penetration of E85, that the ethanol in the 10 years of the program has reduced the GHG emissions by 77 million metric tons from ethanol alone. It's the single largest contributor to fuels to reduce emissions. It's equal to about 35 percent of the total and it's getting better. We're 50 percent cleaner than gasoline today, average ethanol. And with the introduction of new technologies and very notably the opportunity to carbon capture and sequester the CO2 produced in the ethanol process, the biogenic CO2, we can get to near zero, if not negative.
So there's a great opportunity. The goal here is decarbonization. Very supportive of electrification, but want to make sure that we recognize the goal is decarbonization. And by allowing high blends of ethanol to generate compliance in this program and be part of future programs, clean car programs in California and the move towards zero-emission vehicles, we can get a lot larger bang for our buck in terms reducing the carbon emissions.

And while we're talking about bucks, I would also point out that ethanol has consistently been sold in California at a discount to gasoline. So as it relates to really making this an affordable program for low-income drivers, and for the consumers of California, adding an option that allows ethanol, which is a workhorse in reducing carbon emissions to be part of the Clean Miles Program, we think would be an excellent addition and augmentation to the proposal.

Thank you very much.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Mark Roest. After Mark, we have Steven Douglas, Graham Noyes, Bill Magavern. So, Mark, I have activated your microphone. You can unmute yourself and begin.

MARK ROEST: Okay. Thank you. So the first
thing is charging canopies -- charging batteries and canopies instead of paying $0.19, or $0.20, or $0.40 a kilowatt hour for electricity from the grid, it's better to provide as part of the provision for the drivers, it's better to provide solar canopies wherever they're needed for shade or over streets, and to have those feed stationary batteries, and to have those be able to do fast charges into the cars.

So this is all -- the next level is converting the existing vehicles to battery electric vehicle rather than only waiting for them to be turned over for new cars.

If you have a fairly recent car that is in good running condition and that is efficient, then it's good to put -- it's good to fake the engine out, take the fuel tank out, and put in batteries and electric motors instead.

Now, the batteries for that are marginal at the moment, but we are a battery technology start-up, and we are doing non-lithium batteries. And they expect that within a year or so, in fact, by the -- well with -- well before the requirements kick-in, we can be providing volume non-lithium batteries at 2,000 watt hours per kilogram or better.

And so -- and on the solar canopies in the -- by that time also, we will be able to provide 36 to 48
percent efficiency so canopies that are thin filmed and
take reflected and diffused light and work with it as
well.

So I'd like to see TNC VMT cuts -- okay, let's
see.

Another piece is regarding active transit. There
is -- there are structural designs and materials that can
make lightweight and low cost bicycle paths, you know,
elevated off -- you know, grade separated bicycle and
pedestrian paths and lanes. And they can also be done
above group rapid transit, so you could actually have a
stack. So that's sort of something to look forward to and
I'm open to talking to people about those.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Our next comment -- our next commenter is Steven
Douglas. I have activated your microphone. You can
unmute yourself and begin.

STEVEN DOUGLAS: Great. Thank you. Good
afternoon, Chair Randolph and members of the Board. I'm
Steve Douglas with the alliance for automotive innovation
representing car companies that produce over 95 percent of
the new vehicles sold in California.

Our 38 members also include automotive tier one
suppliers, technology companies, and other value chain
partners. Our members are committed to a net zero carbon and to electrifying the vehicle fleet. We submitted written comments with Electric Vehicle Charging Association and we support their comments today.

More broadly, we support the proposed Clean Miles Standard Regulation as the first step toward the aggressive electric vehicle targets that have been established by two governors, the Legislature, and this Board.

As part of Advanced Clean Cars II, we anticipate the Board will expand electric vehicle sales requirements. But as you well know, sales requirements are just one part of what's needed to reach the electrification targets.

First, the simple truth is sales require purchases and sales requirements should be matched to purchase requirements. So we support this regulation, but would recommend expanding it to include taxis.

Moreover, the Board should look to establish purchase requirements for public and private fleets in the light-duty sector, as Governor Brown directed almost three years ago. To my knowledge, the ARB's Advanced Clean Fleets Rule does not include light-duty vehicle categories, such as rental cars or large employers that Governor Brown identified.

In addition to the regulations being considered
today, reaching the goals of electrification will require building codes that consider charging in every new parking spot, dramatically expanded public hydrogen and electric vehicle charging, incentives that reduce the cost of vehicles so that the average consumers can drive electric, and addressing the electric and hydrogen fuel costs, which has been raised by Professor Sperling earlier.

Finally, outreach and education to increase consumer awareness and acceptance of advanced vehicles and the advanced technologies. In short, we have a lot of work ahead. Again, we support this regulation. We look forward to working with you and your staff.

Thank you.

BOARD CLERK SAKAZAKI: Thank you. Our next speaker is Graham Noyes. I have activated your microphone. You can unmute yourself and begin.

GRAHAM NOYES: Thank you. Greetings, Chair Randolph and Board members. My name is Graham Noyes. I'm a fuel and carbon law attorney. I'm providing today the comments of Pearson Fuels, the largest supplier of E85 fuel in California. E85 fuel is a high blend ethanol that can be used in flex-fuel vehicles.

I also represent StepOne, a Finnish flex-fuel vehicle conversion technology. They will also be providing a verbal comment to the Board. And both
companies have provided written comments as well. I also
serve as Executive Director of the Low Carbon Fuels
Coalition, a nonprofit dedicated to the expansion of
technology-neutral performance based low carbon fuel
policies. I must pose this question to the Board. Is
CARB establishing the best possible CMS program if the
program does not take advantage of estimated 42,000
flex-fuel vehicles in the existing TNC fleet, does not
leverage the hundreds of E85 stations that Californians
have spent millions to help build, does not include
ethanol, the fuel that has provided the most total tons of
greenhouse gas reduction in the LCFS program, and does not
recognize the one readily available greenhouse gas
reduction strategy that would actually save drivers and
average of $0.15 per gallon on a cost per mile basis?

To harness these free greenhouse gas reductions
and reduce the risks of unintended consequences that we've
heard discussed today, we request that the Board direct
staff to develop a provision that recognizes greenhouse
gas reductions from FFEs that use primarily E85 and meet
rigorous reporting and record keeping requirements. Based
on the LCFS average carbon intensity of ethanol in
California, such a provision would cut by one-third the
lifecycle greenhouse gas emissions on a per vehicle basis.

Based on the fuel, the very low carbon fuel that
Pearson Fuels supplies, the provision would actually cut by two-thirds the lifecycle greenhouse gas emissions from these internal combustion vehicles. Existing fuel card systems make implementation of such a program and oversight simple. And the provision could be structured as an early action crediting mechanisms and a pressure relief valve. We are not requesting any changes to the rest of the program.

As discussed in our written comments, CARB should include its E85 provision to meet its legal duties to achieve the maximum technology feasible greenhouse gas emissions to achieve cost effective greenhouse gas emissions to not disproportionately impact low impact low income communities, to consider alternatives that lessen the impact on small businesses, and can help the PUC to meet its obligations under SB 1014 to ensure negative -- minimal negative impact on low income and moderate income drivers.

We support Professor Sperling's recommendation that staff do some fine-tuning of the regulation. An FFE E85 crediting provision will reduce the likelihood of unintended consequences.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Bill Magavern. After Bill,
we have Sam Appel, Simon Mui, and David Weiskopf.

So, Bill, I have activated your microphone. You
can unmute yourself and begin.

BILL MAGAVERN: Thank you. And hello, Madam
Chair, and Board members. This is Bill Magavern with the
Coalition for Clean Air. We support the rule in front of
you today and urge you to adopt it with no weakening or
additional credits. As others have said, the staff have
done excellent work on this rule. They have done
excellent technical work and also run a process that was
very inclusive an open to public participation. And what
they've come up with is a very faithful implementation of
a law that we supported when it passed in 2018.

Much as I respect Dr. Sperling, it would be a big
mistake to rollback the stringency of the eVMT requirement
or to add additional credits, which would result in
emissions being higher.

We've seen with the ZEV standards that we have
too many credits that has caused a glut and weakened the
effectiveness of the rule. And we do not want to repeat
that mistakes with the Clean Miles Standard. And, in
fact, we need to keep the stringency up, so that the
companies will have to help their low income drivers to
get access to electric vehicles and charging
infrastructure, which will then allow those drivers to
realize the benefits of the savings on fuel and
maintenance that we know will be garnered by electrifying
of the vehicles.

When it comes to charging, we note that the Low
Carbon Fuel Standard already has strong incentives for the
installation of infrastructure. And so we don't need to
be redundant with what's incentivized through that and
through the programs by the CEC and others to provide the
infrastructure.

The staff proposal on stringency is actually
quite cautious and conservative, particularly in the early
years, when we think it could be stronger. So we urge you
to stay the course and adopt the rule, which I think could
become a model. In fact, I agree with Adam from Uber that
this rule could be a model for rules for other fleets.
And I agree with Steve from the automakers that we should
be looking at fleet standards for other light-duty fleets.

Thank you very much for listening to my comments.
And I also want to point out to you that Will Barrett from
the Lung Association was in the queue ahead of me and
seems to have been skipped over.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Sam -- Sam Appel. Sam, I
have activated your microphone. You can unmute yourself
and begin.

SAM APPEL: Hi. My name is Sam Appel. I'm the California State manager for BlueGreen Alliance. Good afternoon BlueGreen Alliance. Good afternoon Board Chair and Board members. Thank you for having me today.

First of all, I want to say that we have appreciated staff's engagement from the very beginning of the rule and we support the rule before you today. We came to the Air Resources Board around nine months ago at the coalition of environmental groups, union, and driver advocates with goals in mind, one, to push for a strong environmental standard on eVMT and GHG emissions, and then two, to hold companies accountable to pay for the rule, both in making the companies, the TNCs, the regulated entity and in holding TNCs accountable for paying for vehicle upgrades, not just offloading the cost of EV adoption onto low income drivers.

Staff has been excellent, the best I've seen in the last three years, working with the Board, engaging drivers, listening to advocates, and taking leadership from low income workers. What we've ended up with a medium strong rule on -- and our environmental allies can speak to this. We've also learned in the process that CARB does not have very much authority to implement the 1014 language to prevent harm to low income and moderate
income drivers in the rule. Instead, CARB has the ability to collect data that may support that end, which this rule certainly does and we very much appreciate that.

Our bottom line here is that the way to make the rule affordable in the big picture to drivers is to make companies pay. These companies absolutely can and must pay for this rule, not drivers, and these companies are well capitalized to do so.

To that end, the CPUC must step up in the forthcoming process and hold companies accountable to protect drivers. We hope Board members today can echo this call to action from the dais and emphasize the critical role of the PUC in the upcoming process. We believe this is a strong and effective rule and that the key to making -- to keeping drivers whole and to seeing economic and equity benefits from the rule is to hold the companies accountable to pay for it.

Thank you and I appreciate the time.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Simon Mui. I have activated your microphone. You can unmute yourself and begin.

SIMON MUI: Great. Thank you, Chair Randolph, for the opportunity to speak. I'm Simon Mui, Deputy Director with the Natural Resources Defense Council's Clean Vehicles and Fuels Group.
I just want to first off thank ARB staff for their years of hard work on this rule as well as Senator Skinner's leadership on this issue for so long. We really believe that the staff has provided a very thoughtful well-developed proposal and we support staff's overall proposal including the eVMT targets and the greenhouse gas emissions target for 2030.

I'm going to reserve most of my time to really focus on the care and conservatism ARB has taken in handling this question of the risk that TNCs simply pass on regulatory costs to their drivers and ARB's efforts to really design the standards to protect against this as its existing authority limits can allow.

First, I'm just going to note that the staff's design of the proposed standard should naturally provide a significant benefit to drivers and even bigger benefit of TNC companies incentivize the drivers to make the shift to ZEVs as the regulation is really intending to do.

You saw ARB's analysis showing that because of the savings from EVs, you could have drivers saving on net 1,700 to 2,200 annually depending on the distance they drive, even accounting for the higher cost of DC fast charging that Board Member Sperling had flagged earlier.

Second, ARB has set the requirements such that if TNCs choose to shift cost to drivers, the payback would
sill be achieved in one year or less, even assuming a gas
price of $2.70 a gallon. It's over $4 a gallon today.

We want to flag that the regulated party is also,
in fact, TNCs themselves, not the drivers. What the
proposed requirements does is put the onus on TNCs to
comply. And the main way we see that they should be
complying is to make it easier for drivers to get into a
ZEV and to support them.

ARB and PUC should strongly support additional
and necessary data collection and monitoring to make sure
that this is actually happening, that shifts aren't --
burdens aren't shifted to drivers.

Last, we don't see the need to develop additional
optional credit schemes at this time, particularly if
those schemes reduce the numbers of ZEVs actually
deployed. We don't see that this standard should be
handling the charging infrastructure gap. There are
plenty of other efforts going on, including efforts to
raise one billion in authorization in the Governor's
budget this year, work on EV infrastructure program, and
to LCFS capacity credits, which are valued at 80 million
this year alone, but under-utilized.

So in closing, we do see this standard should go
forward and be adopted by the Board.

Thank you.
BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is David Weiskopf. After David, we have our last six speakers, Megan Richer, a phone number ending in 292, Juha Honkasalo, Leah Silverthorn, a phone number ending in 856, and Will Barrett. So if you did not hear your name, you're not on the list, so please raise your hand. So David, I have activated your microphone. You can unmute yourself and begin.

DAVID WEISKOPF: Hi. Thank you very much. This is David Weiskopf for NextGen California. I'd like to repeat the thanks that others have expressed to the Board and especially to the staff for the hard work and the careful thought that has gone into this rulemaking.

I strongly agree with comments made by others that we should not be considering any measures that may provide additional flexibility or compliance options, or ways that would otherwise potentially weaken the targets that are set in this rule. And I say this primarily out of concern in response to some of the comments that have been raised today relating to protections for drivers.

I think that it is useful to keep in mind some of the assumptions that have gone into drafting this rule and how conservative they are. Simon Mui representing NRDC indicated the price of gasoline that was included in the assumptions being lower than it's been since 2005.
I note that the first several years of targets have fewer than one percent of drivers expected to switch to zero-emission vehicles. And even among those, only the ones for whom they would already see a financial benefit by making that shift with really no support, no assistance from the companies in doing so.

In the first year, that would result in only 0.1 percent of drivers driving zero-emission vehicles. For comparison, in 2018, the California statewide fleet had 1.3 percent zero-emission vehicles. The number of zero-emission vehicles on the road has at least doubled or tripled in that time, and the 0.1 percent goal would not actually be required to be met until 2023. So these targets I believe are very conservative and they're built around the idea that the companies are really not providing any assistance to their drivers.

I agree with the comments made by Sam Appel of BlueGreen Alliance that we should be asking the companies to really provide assistance to drivers in getting into zero-emission vehicles and gaining access to low cost charging and driving options. And really the only tool that the Board has available to encourage the companies to do that would be to increase the stringency of the early year targets to the point where the companies have actually a -- an incentive and a motivation to take
affirmative steps to meet the targets rather than rely on
the business-as-usual market dynamics and existing
incentives that are provided by the State and Federal
government.

Thank you very much for your time. I encourage
you to ask for that change to the rule, and otherwise to
adopt the rule in its current form.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Megan Richer. Megan, I have
activated your microphone. You can unmute yourself and
begin.

MEGAN RICHER: Hi. My good afternoon, Chair
Randolph and board members. Thank you for the opportunity
to provide comments today. My name is Megan Richer and I
am the Director of Policy at Via.

California cities and transit agencies have
partnered with Via to launch on-demand microtransit
services in urban, suburban, and rural areas. These
services help reduce single occupancy vehicle trips and
greenhouse gas emissions. They promote economic mobility
by connecting customers to businesses and workers to
employment. They build support for existing public
transit by increasing ridership. And they advance equity
and accessibility by providing more public transportation
options. You may have seen our deployments nearby. Sac
RT's SmaRT Ride and West Sacramento On-Demand.

We support CARB's thoughtful efforts to reduce emissions from TNC services, while supporting safe, reliable, and equitable transit services. We have four comments on the proposed regulation.

First, we strongly support credit for pooled rides and connections to existing transit. However, the proposed rule requires fair integration to receive credit for a connection to transit. This can be problematic for many transit agencies and cities. For example, a city deploying microtransit might not have the power to enable fare integration if existing transit services are run by a regional transit agency. Where fare integration is not an option, we suggest alternative ways to show a connection to mass transit trip.

Secondly, we respectfully request including credit for TNC trips provided exclusively on behalf of a government entity and paid for by a government entity. When a public entity deploys a microtransit service, it is doing so to provide a new form of public transportation that either fills a gap in the transit system or helps people connect to existing transit, all reducing VMT and emissions.

Third, Via strongly supports deploying EVs for microtransit. However, microtransit deployments typically
use minivans or similar sized vehicles, and currently there are no commercially available fully electric minivans, as long as this vehicle supply constraint exists, we suggest that CARB defers the prescriptive EV requirements for deployments that do not have available EVs.

And fourth, we support the proposed exemption for wheelchair accessible trips. All of our public sector microtransit deployments are wheelchair accessible. However, similar to minivans, there is a very limited supply of fully electric wheelchair vehicles. Therefore, we request extending this exemption to any trip in a wheelchair accessible vehicle, not just trips involving wheelchair users.

Thank you very much, the Board and staff, for developing a robust program to reduce emissions from TNC services. We look forward to continuing to work together to help reduce VMT and emissions.

BOARD CLERK SAKAZAKI: Thank you. Our next speaker is a phone number ending in 292. Your speaker should be active. You can unmute yourself and begin.

Phone number ending in 292, the code to unmute is star six. You can try that.

ADAM MOHABBAT: Am I unmuted now?

BOARD CLERK SAKAZAKI: Yep, we can hear you now.
ADAM MOHABBAT: Oh, great. Right on.

Good morning, Chair Randolph and Board members.

Adam Mohabbat here today on behalf of EVgo. EVgo is the nation's largest network of EV public fast charging stations. While traditionally focused on public light-duty charging, EVgo also supports the mover experience in the TNC electrification space having worked with GM, Uber, and Lyft on TNC-charging programs.

I want to acknowledge and thank staff for their very thoughtful and thorough analysis. I'm speaking today in support of the proposed Clean Miles Standard and advocate for its adoption by the Board.

As mentioned by Senator Skinner, we thank her for her leadership here as well. TNC drivers have outsized the potential to unlock clean air benefits as they drive on average three times more than personal use drivers.

Thus adoption of the standard will help accelerate the State's ability to meet its climate goals. EVgo would reiterate some of our written suggestions for the Board's consideration, first recognizing the importance of fast charging for TNC electrification. ARB should go ahead and coordinate with CEC to ensure that there's adequate charging infrastructure to support existing and new TNC drivers.

Looking at EVgo's own data, we've seen TNC
drivers disproportionately rely on fast charging as they drive more than a typical driver, charge more frequently. And fast charging is crucial to those who don't have access to charging at home, which is true for most TNC drives. ARB can support increased infrastructure by coordinating with the CEC to ensure that those investments in infrastructure are going and funded in a way that is targeted to support the Clean Miles Standard. ARB should also explore an extension of the FCI program beyond 2025.

Second, we support TNCs being incentivized with compliance credits to go ahead and invest in the charging infrastructure, where there are gaps in charging coverage. The state is currently projected to need 1.5 million chargers by 2030. And as the CEC reports, we're currently expected to fall short of that goal by more than 57,000 chargers. So by providing credits to TNCs to help financial public charging infrastructure, the Clean Miles incentives can really help leverage private sector dollars to simultaneously fund those chargers needed for ride share drivers, but also help the State meet some of those needed charging infrastructure for all light-duty drivers.

Lastly, with implementation of the Clean Miles Standard, the need to really continue important vehicle incentive programs, like CVRP and Clean Cars 4 All become doubly important. I will mention today that California is
the only state that -- excuse me, California just doesn't
a vehicle incentive that's geared towards --

BOARD CLERK SAKAZAKI: About 15 seconds.

ADAM MOHABBAT: -- TNC electrification.

So we'd recommend that the Board go ahead and
explore programs and existing programs that can be
tailored towards that.

Thank you.

BOARD CLERK SAKAZAKI: Thank you. Our next
speaker is Juha Honkasalo. I have activated your
microphone. You can unmute yourself and begin.

JUHA HONKASALO: Hello. I'm Juha Honkasalo from
StepOne Tech, LTD. First of all, I'd like to thank Chair
Randolph and members of the Board for this opportunity to
comment in this meeting. We applaud the work CARB staff
has done with the Clean Miles Standard. Thank you.

So StepOne Tech is a Finnish automotive clean
technology company specialized in retrofit alternative fuel
conversions with mission to enable sustainable private
transportation for everyone.

We have developed an E85 flex-fuel conversion
technology that meets today's emission and efficiency
requirements. Our EFlexFuel technology is designed
emissions vehicle durability and efficiency first. It's a
retrofit technology compatible with roughly 70 percent of
California's existing vehicle fleet, including most minivans, hybrids, and plug-in hybrids.

So our business model is to always work with regulators and our technology meets European Union's new vehicle emission standards. And furthermore, our internal testing has proven that it also meets the CARB standards and we are preparing to go through the CARB certification process.

With the install price below $800, an average TNC driver saves the same amount of money in fuel costs almost in a year, which is a great opportunity and a driver to give up fossil fuels.

So we have a great example from Europe where lately flex-fuel conversions have become popular. For example, in France, there are over a hundred thousand conversions made each year and they have successfully reduced the use of petroleum in the country.

And overall, in Europe, flex-fuel conversions are an important tool for both meeting CO2 reduction requirements and improving air quality, which both have been proven by research.

They provide immediate emission reductions, cost a couple of percentage of the price of new EV, and provide equality of access to sustainable private motoring. And also, the fueling infrastructure already exists, so no
public sector investments in that are needed.

   And for these reasons, policies like subsidies to
encourage conversions exist around Europe. So I would
like to thank you for this chance to talk about the
opportunity that flex-fuel conversions and E85 offer as a
tool to complement and accelerate the current emission
reduction strategies without putting too much burden for
lower and moderate income drivers. We want to be part of
the Clean Miles Standard. Thank you very much.

BOARD CLERK SAKAZAKI: Thank you.

   We have -- our next speaker is Leah Silverthorn.
After Leah, we have a phone number ending in 856, Will
Barrett, and a phone number ending in 528.

   So Leah, I have activated your microphone. You
can unmute yourself and begin.

LEAH SILVERTHORN: Thank you so much. This is
Leah Silverthorn with the California Chamber of Commerce.

   Good afternoon, Chair and members. I just wanted to
express that we remain concerned with regard to the
regulation for the reasons outlined in our letter,
primarily around flexibility around credits and also
wanted to reiterate the comments about ensuring sufficient
infrastructure for ZEVs.

   So I will let our letter speak for ourselves and
thank staff for their work on the bill -- the regulation.
Thanks.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is a phone number ending in 856. I have activated your microphone. Please state your name for the record and you can begin.

MATTHEW BEYER: Hi there. Are you able to -- are you able to hear me?

BOARD CLERK SAKAZAKI: Yep. We can hear you.

MATTHEW BEYER: Perfect. Good afternoon Chair Randolph and Board members. My name is Matthew Beyer, representing the Union of Concerned Scientists. On behalf of UCS's 44,000 supporters in California, over 1,500 of whom have added their name to our petition in support of a strong regulation, I am pleased to speak in support of the Clean Miles Standard that is before you today.

UCS is strongly supportive of efforts to reduce emissions from ride-hailing, as our research has found that the average ride-hailing trip currently produces 69 percent more greenhouse gas emissions than the trip it displaces.

This is a first-of-its-kind regulation, and a critically important policy reducing climate emissions from TNCs and other high-mileage fleets. The proposed standards are achievable and in keeping with commitments made by the ride-hailing companies, as well as the overall
direction of California policy towards rapid deployment of
zero-emission vehicles.

We want to take this time to thank CARB staff for
their hard work and efforts throughout this process to
incorporate stakeholder feedback and strengthen the rule
over the past year with focus on impacts for low income
drivers. If implemented carefully, this proposed rule has
the potential to provide significant benefits in GHG
reductions, air quality improvements, increased
availability of EV charging infrastructure, and savings
for ride-hailing drivers.

CARB's conservative cost assumptions and
decisions to create a slow ramp-up towards the overall
target already address concerns related to infrastructure
availability. The overall upfront costs that are -- that
is calculated by ARB including, the cost of charging
investments is pennies per mile, specifically less than
$0.04 per mile on average. This is a reasonable cost for
these companies to incorporate into their business.

To that point, eroding pollution benefits and
weakening targets of the proposed rule for investments
these companies should be making to comply is not
appropriate. We cannot force to compromise zero-emission
vehicle deployment for other solutions. Existing and
growing incentives that ride-hailing companies or charging
company partners can already access support charging infrastructure deployment now, such as the LCFS, CEC Clean Transportation Program, the Governor's budget, and President Biden's Build Back Better plan.

Finally, strong data reporting requirements are critical to ensure compliance with the standard and monitor impacts on drivers. We support additional work by CARB and the PUC to refine data requirements and urge information to be available to drivers and to the general public.

For all of these reasons, we urge you to adopt the rule today, and we look forward to continued conversation as the process moves to the PUC.

Thank you very much.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Will Barrett. I have activated your microphone. You can unmute yourself and begin.

WILL BARRETT: Thank you very much, Ryan.

I'm Will Barrett. I'm the Director of Clean Air Advocacy for the American Lung Association. Thank you for taking the time to hear my comments today. Overall, we believe that the Clean Miles Standard has been greatly improved throughout the public process and we support adopting the end goal targets as proposed by staff today.
The Lung Association supported Senate Bill 1014 by Nancy Skinner because of the capacity of this sector to generate significantly higher pollution levels per mile as noted in the presentation. We think that this policy really sits at the convergence of key efforts by CARB to accelerate ZEVs and to reduce vehicle miles traveled, both of which we know are critical to attaining our health protective clean air and climate standards.

We believe the Clean Miles Standard proposal really provides greater certainty that important health and air quality benefits will be achieved through specifically electrification, increasing efficiencies, and integrated connections to transit, micromobility, and active transportation modes.

So my comments are really largely to support the structure of the proposed rule, but also to call attention to the relatively modest requirements in the early years of the program. With respect to Dr. Sperling's opening comment and the comments of other stakeholders that have come before me, we really strongly caution against increasing credit options for infrastructure or otherwise, or for reducing the target stringencies that would ultimately reduce the real-world benefits of the rule.

As Mr. Magavern noted earlier, we've seen what happens in other programs when over-crediting occurs and
the real world health, and air quality, and climate benefits are diminished as a result.

   Our support for the policy is really grounded in this transition to zero-emission vehicles, and VMT reductions, and feel that adding additional credits, expanding credits, or reducing targets would really weaken the chances for the success of this rule, in terms of improving air quality, reducing air climate burdens, and spurring the transition to zero-emission technologies.

   Finally, I wanted to take just a quick moment to make a point on something in the presentation related to some stakeholders calls for off-ramps in the program. Obviously, we don't think that's appropriate. We think CARB has -- we've always appreciated that CARB has always been careful to develop ambitious and achievable standards, and regularly review the standards, and potentially adjust the standards as needed without defining a structure that essentially builds in a weakening of the rule down the road.

   So again, I just wanted to note that. It was in the presentation and really wanted to push back on the need for such a provision.

   Finally, we think that public annual compliance reporting is an important element of this ongoing assessment of the rule as it goes forward, ensuring driver
Finally, I just want to say again, we appreciate CARB's work and the staff's work and urge you to adopt the final rule with targets proposed by staff at a minimum. Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is a phone number ending in 528. After that, we have Paul Augustine. So phone number ending in 528, I have activated your speaker. You can please state your name for the record and begin.

Phone number ending in 528, are you there? So you're unmuted, but we can't hear you. Are you there? Oh, now you're muted. We're going to -- oh, you're unmuted now?

Okay. So we're going to move on to our next speaker Paul Augustine. Paul, I have activated your microphone. You can unmute yourself and begin.

PAUL AUGUSTINE: Thank you. Good morning, Chair Randolph and members of the Board. I'm Paul Augustine with team. I want to start by thanking CARB staff for leading a thorough and inclusive process over the past three years. Lift has actively participated in all public workshops and working group meetings organized by CARB. And we've consistently advocated for CARB to be aggressive
Lyft has submitted written comments and I wanted to briefly summarize them here. First, Lyft supports CARB's proposed EV and greenhouse gas targets for TNCs. We've advocated for aggressive targets that are consistent with our commitment to reaching 100 percent EVs on the network by 2030.

Second, we need to ensure that there is minimal negative impact on lower income drivers, specifically by reviewing the feasibility of the rules and targets every two years to ensure that the targets remain technically and economically feasible, and adapting existing incentives and developing new ones to support TNC electrification.

And finally, we need to work together to address the barriers of EV adoption. As we've outlined in our Path to Zero-Emissions Plan, and as we've discussed at length during the meetings with CARB and various stakeholders, it's going to take the work of all of us to achieve this goal, TNCs, policymakers, environmental groups, auto manufacturers, charging network providers and more.

So we urge you to adopt the rule today, and we look forward to continuing to work with CARB, PUC, and all stakeholders to accelerate the clean transportation
future.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

So we're going to go back to our phone number ending in 528. The code to unmute is star six.

Okay. You're unmuted, but we -- I can't -- we can't hear you.

So phone number ending in 528. It says you're unmuted, but we can't hear you through the -- through your speaker.

So if you want to submit comments today -- if you can't submit it orally, we can -- you can submit them through written comments on our docket. The

LAURA ROSENBERGER HAIDER: Can you hear me now?

BOARD CLERK SAKAZAKI: Yes, we can hear you now.

LAURA ROSENBERGER HAIDER: Oh, yeah. Ethanol is not low carbon. You know the standard corn is not carbon neutral. It emits more carbon than it sequesters. And the other thing I'd like to add is we need bicycle racks on Uber cars, but otherwise I really like your Clean Miles thing.

Thanks.

BOARD CLERK SAKAZAKI: Thank you.

Can we get your name for the record please.

LAURA ROSENBERGER HAIDER: Laura Rosenberger
Haider.

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

CHAIR RANDOLPH: Okay. Executive Officer Corey, are there any issues raised in the comments that you need to address before I close the record.

EXECUTIVE OFFICER COREY: No, Chair. Staff will be prepared to respond to Board Member questions, so no.

CHAIR RANDOLPH: Okay. Great. I'm going to close the record on this item. If it's determined that additional conforming modifications are appropriate, the record will be reopened and a 15-day Notice of Public Availability will be issued. If the record is reopened, the public will be able to submit written comments on proposed changes which will be considered and responded to in the Final Statement of Reasons. Written or oral comments received after this hearing date, but before that 15-day notice of is issued will not be accepted as part of the official record on the -- on this agenda item.

The Executive Officer may present the regulation to the Board for further consideration if warranted. And if not, the Executive Officer shall take final action to adopt the regulation after addressing all appropriate conforming modifications.

With that, the record is closed.
BOARD MEMBER FLETCHER: Thank you. Thank you, Chair Randolph. And I want to -- I want to start by thanking my former colleague from the Legislature, Senator Nancy Skinner for wading into this issue and beginning move things in at least a positive direction in terms of where we're headed. And so I'm very grateful for that work and very appreciate of that, but I do have some concerns with overall structure. And some of this is just more a statement of fact than perhaps anything that we can do as an agency.

You know, I think the goals that have been laid out or the goals I think -- I think if we go back and we look at the 2018 baseline, we're essentially aspiring by 2025, 2026 to get right where we were in 2018.

But I think my broader concern, as it relates to the achievement of the goals outlined, is the simple reality that we don't have a mechanism to ensure that this is not just passed on to the drivers. We don't have a mechanism to ensure that this doesn't just crowd out low income drivers. And there's no way for us to ensure that the TNCs actually bear the cost to address the air pollution and greenhouse gas emissions that they are creating, not only create, but they are profiting off of.

And I think we should have every assumption
moving into this that an industry that is predicated and
based on labor exploitation will simply find a way to
exploit their workers in order to do this, while when not
exploiting their workers and able to do it will be asking
us for additional subsidies to help them address the
environmental impacts that they profit from.

And so that -- it's -- I just have a little
frustration. I'm glad we're moving in this direction and
I think it's the right thing do, but I'm gravely concerned
about the additional impact that will be borne,
particularly by the drivers who are already misclassified
and our already underpaid and undercompensated, and the
continued effort to have government step in to subsidize
this.

We just went through this during the pandemic.
You have a body of workers that are fundamentally
misclassified, and because they're not employees for the
company, then they're not eligible for unemployment
insurance. So then what happens when they are unemployed
because of a pandemic, well then taxpayers step in with
trillions of dollars of pandemic unemployment assistance
to bear the full cost and weight of subsidizing what they
don't get already. And so I fear, as we go forward, we're
going to create a situation where those workers, will
continue to bear that full cost. And so I'm interested in
exploring, you know, perhaps additional legislative action that can ensure that as we move towards these environmental goals, the companies themselves are actually the ones that are paying for this transition and process.

I think the transparency piece is very important in terms of ensuring the data around compliance. And the tracking in mileage of that is very publicly accessible, so there can be some independent review. I have some concerns with PUC's ability to ensure enforcement. And we need to give a little time to let them assess what their process will be. But, in general, they're not historically an enforcement agency. And so I have a little concern and we're going to have to watch that very closely.

But the final point I want to make is echoing a little bit of what Dr. Sperling said, and that is that I think that there's a broader issue that as we explore TNCs we need to be very mindful of. And as we start structuring and thinking about structuring either incentives or penalties around things, I think we need to do this in a very wide open way about the broader impact of TNCs in our society. And this is not just that their emissions are three times higher, or 50 percent more, or any of the other types of things we do. I think we've got to look at what is the stated intention and purpose of
these companies.

If you go to Uber's public filings as a part of their IPO process, they were very clear that they are in business to take market share away from public transit. Before they offered their stock, they said that is a $1 trillion market that we are going to go after, meaning they are not inclined to figure out how to support transit. By their own actions and words, they exist to destroy transit. And they have been very clear about this, because they think that is market share that they can capture.

And so if we are not very intentional about how we set up this system, then we are going to be subsidizing the death spiral of transit. And as Chair of a transit agency, I think about this a lot. You know, if they come in to say we're going to be a competitor and we're willing to loose billions of dollars a year in order to capture market share, and then transit loses ridership and loses revenue, then we will lose service, which I think is the intention and the point.

And then we'll be stuck in an environment where we have more congestion, more greenhouse gas emissions, more air pollution, less transit services and options, and then we're not going to be able to go in and recreate those. And then what happens to the price at that point
and the impact on the consumers?

And so, I -- you know, I think as we move forward, you know, we really need to think about how we can possibly have this in a way -- look, we have stated goals around air quality. And the point Dr. Sperling made about congestion is very good, because not every VMT is the same when it comes to how much air pollution is created. A VMT that is highly congested is going to contribute much more significantly. And so as we start getting people out of transit into vehicles, one person in a car, we're going to significantly increase congesting.

And so I'm just mindful of how much we do in terms of subsidizing not only labor exploitation but subsidizing the potential negative impact and destruction of our public transit system, and potentially subsidizing increased air pollution and greenhouse gas emissions.

And so I think as we go forward, you know, a number of states have directly charged them per trip or per mile. And those are things that I think in California we need to explore how we do, part of which could be used to directly provide help and assistance to the drivers, in terms of the electrification of what we're doing, and part of this I think really needs to be designed around developing a system that will force the integration with transit.
I think that there can be a role for TNCs to play in augmenting transit and enhancing transit, right? I do see tremendous value, but I do not believe for one minute that they will get their on their own, because of their own stated filings and their own business model and approach.

And so I just think as we move forward, we have a lot we need to be mindful of, both in the actions we take as a Board and in what we advocate for in the Legislature.

Thank you.

CHAIR RANDOLPH: Thank you. I'm going to make a brief comment before I call on the other Board members, because I -- you know, I think Supervisor Fletcher raised an interesting issue about the relationship with transit. And I think that relates to part of what Dr. Sperling was talking about in terms of credit, because as the -- as the regulation is structured right now, there -- you know, it needs to be -- it basically needs to be, you know, a verified transit trip as opposed to sort of a crediting system, which allows for more options and more flexibility. So I think that's a key thing that we need to be thinking about as we have this discussion.

And I'll also just note that to my mind given the slow kind of ramp up, appropriately so, for the percentage of eVMT, I'm not really seeing the need to lower the
standard towards the end of that trajectory from 90 to 80 or 75, but I'd be interested in hearing other Board members' thoughts on that.

Okay. Supervisor Serna is next.

BOARD MEMBER SERNA: Great. Thank you, Chair.

First, I want to add to the thanks that others have mentioned for the great work that staff has done bringing this, I think, very thoughtful approach to us. However, I remain very frustrated.

In my briefings with staff and discussions with the industry leading up to today, there was a lot of concern that I expressed about what I consider missing data and some really important missing data. To me, this is as much an environmental justice issue as any of the other perhaps more -- more obvious ones. But there is a real important angle from an environmental justice standpoint that we need to consider as a Board when it comes to this regulation. And both Supervisor Fletcher and Professor Sperling have made mention of it and that is as it relates to the drivers.

Some of the questions that I asked during my briefing was can you tell me, Uber, you know, do you have any breakdown of income of your drivers? How about a breakdown of where they live? Do they live -- you know, what percentage live in multi-family housing versus
single-family housing? Do you have any racial or ethnic desegregated data about who is driving and making use of your application for income purposes? And speaking of income, do you have any idea of the breakdown in your drivers in terms of who supplements a principal source of income versus driving as a principal source of income?

So there's a lot of missing data here and it's very frustrating to be asked to kind of fly blindly, quite frankly. And all that is very important to know, because -- especially as it relates to people of color that are perhaps lower income that are living in multi-family units. The prospect of implementing this regulation is going to affect them so much differently than someone that is, you know, augmenting their principal source of income, who's not a person of color, who lives in a single-family detached home, where they can enjoy, you know, level 2 overnight charging.

So the implications of how this is implemented is going to affect people very, very differently. And I just wanted to clarify my thought process and the process on this. And there may be others as well that share the concern, but it's one that we cannot ignore in our -- in our deliberations. And I offer that as a -- perhaps a point of discussion by others.

Thank you, Chair.
CHAIR RANDOLPH: Okay. Board Member Hurt is next.

BOARD MEMBER HURT: Thank you, Chair. And to the point that was just made, I absolutely share those same concerns and frustrations. How does this impact our drivers? Are we disproportionately affecting people who are -- people of color here in California? We have no data, no demographics. We're not requiring it, so how are we going to properly evaluate this standard that we're creating?

So I actually was going to start off with that question to staff. What statistics or demographics do we have? I hear that the TNCs may not collect that. And so what are our plans to collect these demographics, so we can earnestly say in the statement that we hold in our resolution, which says we do not disproportionately impact people of any race, culture, income, or national origin.

And I'll stop there before I continue on with any comments. I would love to hear from staff on that.

EXECUTIVE OFFICER COREY: I'll ask Dr. Jennifer Gress, who's chief overseeing the reg to respond.

Jen.

STCD CHIEF GRESS: Good afternoon. Thank you for the question. You know, unfortunately, there are data -- big data gaps. We don't have income or exact location, or
a lot of demographic data. The one piece of information
that we do have is zip code data. So we -- we're able to
analyze what percentage of drivers live in low income or
disadvantaged communities.

BOARD MEMBER HURT: Okay. Thank you. I think
that's a real blind side for us. We need to figure out
how we make that a requirement or ask the TNCs moving
forward that they start collecting that information. So
many other comments are surrounded around driver costs.
And for me, in particular, very concerned about the
charging aspects. As Board Member Serna talked about, a
lot of the folks who are driving are low income. They're
in multi-housing units. The charging infrastructure in
those spaces are not well done.

I know here in my own area, RCCA is working
really hard with the LCFS credits to equally take part in
that, and put it in a program that supports that area, but
that is so far down the road. So for implementation in
the next year, a couple years, it's just going to really
hit the drivers hard. Some other thoughts that I have
around this is not creating the standard, which by the way
I think it needs to be done in this area, that
transportation, everybody needs -- we need to look at that
and impact those spaces, but the implementation and
compliance. And TNCs thus far haven't had the best track
record. You know, I would be remiss if I didn't talk about the initiative around Prop 22 and how that's kind of worked out and the confidence I have in the TNCs actually making sure that drivers are protected. And that again, the disproportional impact of people of color is not what will happen in the implementation of the standard. So I'll leave it there to say that I have a lot of concerns. I do think we need to create a standard, but I also think that this needs to be monitored closely. We need to commit to come back in a couple of years to see who this burden has fallen upon and so that we can earnestly say that this is not disproportionately impacting the very people that we're trying to help into this transitioning economy of ZEV deployment.

So I'll leave it there. Thank you.

CHAIR RANDOLPH: Thank you, Board Member Hurt. I'll just note that this is going to be an important ongoing effort in terms of the implementation of this regulation, because it's an odd structure that has us set the standard and the PUC do the implementation. So that creates sort of unique challenges. I mean, it gives us an opportunity to kind of be clear with the PUC, you know, the issues that we're concerned about, that we're thinking about, that all of the stakeholders are going to be thinking about.
But at the end of the day, it's going to be kind of, you know, the responsibility going forward rests with them. And as you noted, Board Member Hurt, I mean, we can continue to monitor that. As they get their structure in place, we'll have the opportunity to see how it's playing out and share our thoughts as it's moving forward.

Okay. Board Member Takvorian.

BOARD MEMBER TAKVORIAN: Thank you, chair.

I want to also appreciate the staff's good work. And I think as Dr. Sperling described it, it really is groundbreaking. And I really want to echo the previous comments made by my colleagues regarding the State's ability to enforce this regulation, our concerns about driver protection, and the lack of charging infrastructure especially for low income drivers, and especially in environmental justice communities.

I really share the concerns expressed about CARB or PUC's ability to enforce this regulation. And that causes me to be very reluctant to grant the optional credits proposed in the rule and certainly not approve any additional credits as has been suggested.

I'd say that the targets are quite modest and pretty conservative, especially in the early years, as has been pointed out. But while I'd like to see higher targets, I can't in good conscience support that, when we
have very little assurance that the TNCs will actually provide significant and meaningful support to the drivers to transition to EVs.

If they do step up in a significant way in the first few years, we could reconsider the targets, especially in light of falling EV prices. But until the TNCs have demonstrated their commitment to meet the early targets with feasible and effective plans that do not put the burden on the drivers, I wouldn't support increasing those targets.

I'm concerned about the optional credits in the rule, given the lack of strict requirements and the difficulty with enforcement. I believe these credits will be hard to manage and aren't necessary frankly for companies who could spend $200 million on a ballot proposition opposing protection of their drivers.

So I like the concepts of integrating the TNCs into the transit system, but I don't believe they should receive credits that allow them to reduce less. And I think that we really need to get the transit agencies, as Supervisor Fletcher has articulated, into this conversation to ensure that this is done in a way that truly advances transit and doesn't simply put more riders in more ride-share cars.

So I think the charging infrastructure barriers
are especially problematic for drivers from low income communities and those that live in multi-family housing with no ability to install chargers. And so the TNCs really need to demonstrate their strategies to assist in that regard, as well as in the others that I've mentioned.

So those are my comments and appreciate everyone's hard work on this.

Thank you.

CHAIR RANDOLPH: Thank you.

Dr. Balmes.

BOARD MEMBER BALMES: Thank you, Chair.

And Ms. Takvorian just stole my line about companies that could spend over $200 million to keep their business model, which is, as Supervisor Fletcher said, based on labor exploitation. Those 200 plus million dollars could buy a lot of EVs for their -- or support buying EVs for their drivers.

And I just -- I'll be quick, because my previous Board members have articulated my points. Every single Board member so far that's spoken has been concerned about the impact on drivers and has brought up the infrastructure being the electricity charging costs that low income drivers living in multi-unit housing will bear.

Dr. Sperling actually, you know, presented numbers that suggest that low income drives won't even
benefit from driving ZEVs if they have to use public charging infrastructure at current prices at any rate. So I think that there's a consensus emerging on the Board -- among Board members that there's inadequate protection for drivers -- low income drivers.

We may not have the authority to ensure that protection, but I want to go on record as saying that I'm very concerned about that. And, you know, I don't even understand why the CPUC is implementing this. I mean, I'm sure there are good reasons. And, you know, Chair Randolph used to, you know, be on the PUC, you can probably articulate those, but I just don't get it. I understand it's part of the law, but it doesn't make any sense to me.

CHAIR RANDOLPH: I mean, the short answer to that question is that -- that the PUC has overall authority over these entities and the bill is kind of an exception to that rule in the sense that it gives us the authority to set the standards. So that's kind of the basic framework. But, you know, I definitely hear --

BOARD MEMBER BALMES: It still seems craze to me.

CHAIR RANDOLPH: I definitely hear what you're saying. I will say, you know, on the infrastructure piece, it is -- there is a -- you know, there is a lot of work and effort going on amongst a lot of agencies around
this infrastructure question. And that's sort of, you know, part of my hesitation about allowing a credit for these companies to make infrastructure investments because there is a lot of infrastructure investment at that's happening and there's a lot of careful kind of coordination, and thinking about that, and rolling that out. And so I kind of don't -- I am -- you know, I am a little concerned about giving them the ability to do less of their, you know, GHG reduction by putting money into the vast bucket of infrastructure that is -- there is already a fair number of resources and those resources are increased even more within the May revise, which is -- which is a positive thing.

So, okay, I'll go to Dr. Pacheco-Werner.

BOARD MEMBER PACHECO-WERNER: Thank you, Chair, and thank you to staff, and thank you to our stakeholders who have worked with staff to get us to this place.

I think that for me as, you know, a health equity researcher, for me when we're doing things with equity in mind, it's always also about disproportionate impact. And right now, I don't see -- to the comments that my fellow Board members have made and some that I've made to staff, I -- you know, I don't see how the credits are structured to help that disproportionate impact, which is on the drivers, who do live in multi-family housing dwellings,
who are particularly low income.

And so I know -- and, you know, I mean, I definitely support bike and sidewalk investment. And I also recognize that if this is going to have a disproportionate impact on the drivers, then the credits should reflect that as well.

Thank you.

CHAIR RANDOLPH: All right. Thank you.

Dr. Sperling.

BOARD MEMBER SPERLING: So I did miss some of the conversation. So actually jump right in, if I'm saying the wrong thing.

(Laughter.)

BOARD MEMBER SPERLING: All right. You know, so there's -- I think this driver thing, you know, I start -- I started raising that early. I am very worried about it. And frankly, I don't know what the answer is. The only thing that we've -- I think that we've discussed that's -- is this idea of letting -- having the TNCs get more credit for investing in public charging and maybe we can -- I guess, it's going to be up to the PUC eventually, but limiting it to somehow figure out how it is for the benefit of the drivers in someway.

And, you know, Chair Randolph, you did say that there's lots of money and lots of interest. But actually
during this hour, I was partly in a conversation with Commissioner Monahan from -- who is sort of responsible for that. And I've been spending a lot of time looking at it. And I have to say on the one hand, you know, the Biden Administration and the State are targeting money for charging infrastructure, but on the other hand, it's really unfocus -- unfocused. It's really unclear how it's going to happen, who's going to be responsible, where the money is actually going to go.

So I -- for all those reasons, I think we, you know, should be sending a signal. We have to do something. You know, the only signal I think I've heard, maybe others said it, was somehow giving more, you know, credits or the TNCs directly helping the drivers with charging, fast charging in particular.

And the other item -- so earlier, I said in the other -- one of the other items I had said earlier is about more credit in the -- for use of apps for a transit. And I think that goes to some of the other things people were saying.

But the one I would really -- so I would -- I would argue for that. But what I would argue for most, and I there's probably misunderstanding about this, is changing the minimum requirement for electrification. And I think it fits with all the -- all the concerns that are
being raised here. And reducing the minimum requirement
for electrification does not change the requirement for
greenhouse gas emissions. All it does is mean that -- so
the way it's now, if it's 90 percent, the TNCs have almost
no incentive to do anything else, because they have to do
it with electrification. They have to meet 90 percent of
it with electrification, so they don't really have an
incentive to do all these other things that we're talking
about.

But if we reduce it to 75 or 80 percent, then
they do have an incentive -- more of an incentive to focus
on pooling, to focus on working with transit, to work --
you know, all these other good things. And I just
think -- the more and more I think about it how important
it is, because we are really struggling on the VMT side to
the point of failing and dealing with that.

And we have a vision, we have a plan on the
electrification side. The TNCs are a tiny part of it, but
they are part of it. But on the VMT side, we don't have a
good plan. You know, SB 375 has not really worked, you
know, in terms of getting the reductions we hoped. It's
gone in the other direction.

So I think this sends a strong signal. And this
is a model for other states and other entities. I think
it's really important to send the signal that we are
really committed to working on these other goals and increasing -- integrating the TNCs with transit, reducing VMT, encouraging the linkage with micromobility with you know, walking, active transportation.

So, you know, I think it's important. I'd really like to make that a point to be considered here. And I'm open to the staff coming up with a response.

CHAIR RANDOLPH: Okay. Why don't we hear from Board Member Hurt and then I'm going to ask staff to share their thoughts on the credit issue and then the -- and the question of charging the target.

BOARD MEMBER HURT: Thank you, Chair. Just with some of the comments, a question popped in my mind a little bit around the current credits and this discussion of investment, and bikeway, and sidewalk infrastructure, as one of the options. I think it was in Attachment A in particular, the discussion around that. And so I wanted to ask staff, what have the TNCs said about the likelihood that they would use credit in a way that supports the public transportation network system? Are there any initial thoughts or comments that they've expressed about that public integration that we keep hoping they will do, but not have -- but they have not definitively said or have they?

STCD CHIEF GRESS: What we've heard from the
companies is they are interested in integrated fare payment systems. And so they are more likely to use the credit option related to transit-connected trips. They've also expressed probably less interest in the credit regarding investment in active transportation infrastructure.

BOARD MEMBER HURT: Thank you, Chair.

CHAIR RANDOLPH: I'm going to ask staff a couple of questions to clarify. First, how is the credit related to transit structured currently or in the proposed 15-day change that mentioned in your presentation and how would that contrast with a -- a kind of broader kind of mobility credit structure as articulated by Dr. Sperling?

STCD CHIEF GRESS: Yeah. Thank you. So the -- as structured in our proposal, it would be that the transit ride-hailing trip connection would be if a -- if a person books on an -- using an integrated fare app, a transit trip and a ride-hailing trip at the same time, such that those trips would be linked, that trip would get credit.

That is a smaller subset than what Board Member Sperling is talking about, or at least as I understood it to be, which would be any transit trip or any micromobility trip booked on an app.

CHAIR RANDOLPH: Okay. Thank you. That's
helpful, because I do think it is -- it is useful, as the representative from Via mentioned, to maybe have some more flexibility around how you book those trips and taking a look at potential ways that we can, you know, be a bit more flexible in that credit structure.

And then the next question I want to ask is I would love to get staff's thoughts on the -- reducing the eVMT target, because I -- as I mentioned earlier, I think before you came back, Dr. Sperling, you know, given that this is a relatively lengthy trajectory, I just -- I'm not quite seeing the benefit of changing the standard at the end of that trajectory. So I really want to understand sort of what staff's thinking is about that, because I know you've given it a lot of thought.

STCD CHIEF GRESS: Yeah. Thank you for the question. So I'll start by saying the size of the gap looks small, but in reality, keep in mind, that the 90 percent eVMT target is only about 46 percent of vehicles in 2030. And so in a zero grams per mile GHG target in 2030, it would require basically a hundred percent electrification just to give you some sense that that gap is actually more significant than it looks on the -- on the chart we presented.

You know, I think for us, the electrification target is important, because it provides certainly in
terms of what will happen as a result of the regulation and in terms of the emission reductions. And the gap is still significant enough where we believe other actions by the companies will be incentivized.

CHAIR RANDOLPH: Okay. Thank you.

Okay. So thinking about this discussion, I have a couple of thoughts. One is, you know, I think it would be useful -- I mean, first of all, recognizing that it's our responsibility to set the standard and it's the PUC's responsibility to implement. You know, perhaps we could direct some somewhat stronger language in the resolution that we would be supportive of strategies in implementation to assist drivers as this -- as this is being implemented. So that's suggestion number one.

Suggestion number two is I am not inclined to suggest a credit related to infrastructure deployment, but I would be interested in, as you know, thinking about can the transit connection credit be not just an integrated fare system, but an app structure. And I think we should keep the eVMT target the same.

So do any Board members want to share any thoughts along those lines or perhaps make a motion along those lines?

Board Member Berg.

VICE CHAIR BERG: I would appreciate a
clarifying -- on a clarifying question. It's my understanding that in the 15-day changes, the PUC will also be able to look at additional credits. And so certainly through their discussions and how they might see assuring driver protection, they could take up some of these issues as well. Do I understand that correctly?

CHAIR RANDOLPH: I believe that is correct.

STCD CHIEF GRESS: That is correct.

CHAIR RANDOLPH: Okay. Great.

VICE CHAIR BERG: Okay. And with ahead and move the item, Madam Chair.

CHAIR RANDOLPH: Supervisor Serna had his hand up. Can I -- do you mind if I just ask him to comment and then --

VICE CHAIR BERG: Got it all, and then --

CHAIR RANDOLPH: Okay. All right. Thank you. Supervisor Serna.

BOARD MEMBER SERNA: Thank you.

So I wanted to respond to some of your suggestions, Chair, and get some clarification. I think you've heard from a number of us the frustration surrounding missing data or the lack of data that we consider fairly important to understand the true implications of how this affects drivers. And, of course, you just made mention of maybe some language changes that
address the driver impact angle generally.

So I'm just seeking clarification. Would you include that language change, something to the effect of direction to acquire and expand our data sets, so we can make those evaluations in the future?

CHAIR RANDOLPH: What -- can I ask staff sort of what our options would be around that in terms of authority? Would that be sort of language encouraging the CPUC to engage in more data collection or how would that work?

STCD CHIEF GRESS: Yeah. I'm going to -- I'll start and then I'm going to have our attorney on this jump in as well. This is a question actually we're in the process of evaluating too, as we've been thinking about how do we move forward on -- in tracking driver impacts as a result of the regulation. We started thinking about that. There are probably some limitations, but we are actively looking at this question.

Rhead, do you want to add anything?

CHAIR RANDOLPH: Well, can I make a suggestion? You know, one option would be to say that it is -- you know, it's the desire of the Board to collect as much data as possible to evaluate the impact of this regulation on drivers and that we should do everything within CARB's authority and encourage the PUC to do everything within
their authority to collect that data. And that way it's clear that it's a -- you know, it is the desire of the Board, and we want to explore all of our options, and that we also encourage the PUC to do the same.

VICE CHAIR BERG: That works.

BOARD MEMBER SERNA: Chair, could I make just one suggestion there. It's just a one-word suggestion, "socioeconomic" data, just to be clear.

CHAIR RANDOLPH: Got it. Okay.

VICE CHAIR BERG: And, Madam Chair, I do think we need to put in there with respect that we will hold the privacy of drivers and -- because this is a huge privacy issue and I'm a little leery without any legal guidance here. This is a privacy issue and there are very, very big privacy laws, and we need to be mindful of that aspect too.

CHAIR RANDOLPH: Okay. All right. So we can say consistent with privacy concerns and obligations, because it's both. I think it's both, you know, legal obligations, but also, you know, I think we need to be mindful of delving into folks private information.

Okay. Vice Chair Berg.

BOARD MEMBER DE LA TORRE: Do we have a second, Chair?

CHAIR RANDOLPH: I don't think she's actually
made the motion just yet, so...

BOARD MEMBER DE LA TORRE: Okay.

VICE CHAIR BERG: So I want to -- I guess I want
to come back. I did hear from you, Chair, that there
wasn't appetite to change the standard. And so I want to
be -- I don't want to just override and -- is that
correct?

CHAIR RANDOLPH: Yes, and I think that's the
consensus that we don't want to change the standard.

VICE CHAIR BERG: Okay,

BOARD MEMBER SPERLING: Could we have a vote
on -- of the Board on that in terms of the minimum eVMT as
a -- you know, and I would articulate it as a way of
encouraging pooled services, you know, by the TNCs
encouraging transit, encouraging the use of walking and
other modes.

CHAIR RANDOLPH: Okay. So why don't we do this,
why don't -- Board Member -- Dr. Sperling, why don't you
make a motion to change the standard. We'll vote on that
motion and then we'll do a motion on the larger
resolution.

BOARD MEMBER SPERLING: Okay. So I don't believe
this is changing the standard, but I make a -- I would
suggest changing the minimum EV requirement that is
assigned to the TNCs, but not changing the overall
greenhouse gas target, just changing the eVMT minimum requirement as a way of incentivizing more investments in pooled services, you know, meaning not single passenger, but multi-passenger service as a way of incentivizing transit -- more use of transit and more use of walking in micromobility.

CHAIR RANDOLPH: Is there a second?

VICE CHAIR BERG: I'll second. Berg seconds.

CHAIR RANDOLPH: Okay. Clerk, can you please call the roll.

BOARD CLERK SAKAZAKI: Yes, Madam Chair.

BOARD MEMBER TAKVORIAN: I'm sorry. Was there -- I'm sorry. I didn't raise my hand, but did you specify a revised target? I didn't hear that.

BOARD MEMBER SPERLING: I'll say 80 percent of the target met by eVMT as opposed to 90.

CHAIR RANDOLPH: Yeah. And that is 80 percent in the final year as opposed to --

BOARD MEMBER SPERLING: Yeah. With a trajectory leading up to that.

BOARD MEMBER TAKVORIAN: And did you say specifically how you thought that would incentivize transit use or were you suggesting additional credits? I'm not clear on that.

BOARD MEMBER SPERLING: Not additional credits.
Just the way it's structure now, it just -- it would provide incentive to do all those other things that Senator Skinner referred to.

VICE CHAIR BERG: Professor Sperling, I think it would be helpful if you could connect for the Board your sense -- I mean, your studying, that the greenhouse gas staying at a hundred percent -- a hundred percent reduction by 2030 is a mandate to continue to electrify the fleet, but just increases that gap that does encourage those other modes of transportation and that's why you done feel that it is a compromise in weakening the regulation.

BOARD MEMBER SPERLING: Yeah. Correct, it does not change or weaken the required reduction. It just incentivizes -- by reducing the minimum E-mile requirement, it incentivize -- it provides an opportunity to focus on like pool -- just pooling, so like Lyft and Uber have gotten rid of their pooling services, you know, because of the pandemic, but that is absolutely a -- in my mind, that's absolutely essential to the future of this industry, is that they do pooling.

And so I'm trying to create, however I can, incentives for them to do the pooling as probably the most important, but it's to use -- connect with transit, connect with walking.
CHAIR RANDOLPH: Okay. Board Clerk, can you please call the roll on the motion.

BOARD CLERK SAKAZAKI: Yes, Madam Chair.

Dr. Balmes.

BOARD MEMBER BALMES: Just a preface. I'm not sure that going from 90 to 80 percent is really going to incentivize what Dr. Sperling wants, so I'm going to vote no.

BOARD CLERK SAKAZAKI: Mr. De La Torre?

BOARD MEMBER DE LA TORRE: No.

BOARD CLERK SAKAZAKI: Mr. Eisenhut?

Supervisor Fletcher?

BOARD MEMBER FLETCHER: Fletcher, no.

BOARD CLERK SAKAZAKI: Supervisor Fletcher says no.

Okay. Senator Florez?

Ms. Hurt?

BOARD MEMBER HURT: No.

BOARD CLERK SAKAZAKI: Mr. Kracov.

BOARD MEMBER KRACOV: No.

BOARD CLERK SAKAZAKI: Dr. Pacheco-Werner?

BOARD MEMBER PACHECO-WERNER: No.

BOARD CLERK SAKAZAKI: Supervisor Serna.

BOARD MEMBER SERNA: No.

BOARD CLERK SAKAZAKI: Mrs. Riordan?
BOARD MEMBER RIORDAN: No.

BOARD CLERK SAKAZAKI: Professor Sperling?

BOARD MEMBER SPERLING: Yes.

BOARD CLERK SAKAZAKI: Ms. Takvorian?

BOARD MEMBER TAKVORIAN: No.

BOARD CLERK SAKAZAKI: Vice Chair Berg?

VICE CHAIR BERG: Yes.

BOARD CLERK SAKAZAKI: Chair Randolph?

CHAIR RANDOLPH: No.

BOARD CLERK SAKAZAKI: Madam Chair, the motion is defeated.

CHAIR RANDOLPH: Okay. So now we are ready for a motion on the resolution itself.

And Vice Chair Berg when you make your motion, can you specify whether you want to just go ahead and have the PUC considering any additional credits or if you want to provide direction around more flexibility around the transit and potential micromobility credits.

VICE CHAIR BERG: So, Chair Randolph, I wasn't going to add anything regarding the PUC. My understanding that that was already in the 15-day package.

CHAIR RANDOLPH: Yes. Yes, that's right. I guess I was just making the point are you going to -- are you going to include in your motion any modification to the credits as proposed by staff other than the PUC being
able to do credits or --

VICE CHAIR BERG: I would include in my motion as all the discussion and what I believe that the Board has indicated, that they are interested in having staff, during the 15-day time period, look at the connection of transit -- broadening that transit credit in a way that you had mentioned.

CHAIR RANDOLPH: Okay. So it wouldn't be required to be an integrated fare system, but would be required to go through a fare app or an app of some kind --

VICE CHAIR BERG: Yes.
CHAIR RANDOLPH: -- as related to transit.
VICE CHAIR BERG: -- as related to transit to increase the connectivity to transit specifically.

CHAIR RANDOLPH: Perfect. Okay.
VICE CHAIR BERG: And then we also included language on gathering the additional data for us to be able to measure. You said it beautifully and appropriately, regarding the drivers and -- as well as protecting their privacy within all the privacy laws, but really understanding and closing those data gaps.

And so the motion to approve would include the narrow increase on credits for connecting transit, along with encouraging working with the PUC and within our own
jurisdiction on increasing our data collection to close
the data gaps on these very important driver issues.

CHAIR RANDOLPH: And can I just request that you
add one more line around just general encouragement to the
CPUC in the implementation of the regulation to do as much
as possible to address impacts on drivers.

VICE CHAIR BERG: Absolute. And I absolutely
would include one more thing and that is what I
overwhelmingly heard is staff will stay very close to this
and bring back to this Board any concern or anything we
can do additionally in support of the PUC or in any
capacity we have to make sure that there is not a negative
impact on the low income drivers.

CHAIR RANDOLPH: Perfect. Excellent motion.

BOARD MEMBER DE LA TORRE: I will second all of
that. De La Torre.

CHAIR RANDOLPH: Okay. Dr. Pacheco-Werner, did
you need to say anything? Your hand is up.

BOARD MEMBER PACHECO-WERNER: Oh, I just -- I had
a question just because I -- I mean, there's a lot that
we're directing over to CPUC, but I guess, you know, in
the last slide of the presentation they talked about what
was in their purview to do versus what was in our purview
as makers of the regulations, and then as implementing the
regulation. So I just -- we're like off-loading a lot.
And so I'm -- I don't -- is that the intention of -- is that the spirit of this -- of how was created. And if it is, that's fine. I just wanted clarity on that.

CHAIR RANDOLPH: I think it is, because I do think that they -- you know, they are going to be the ones that have the authority over data collection as we understand it. We are directing staff to explore what options we have around data. So we will definitely continue to do that, so we're holding on to that option as well.

We are consistent with the staff presentation. The 15-day changes will include the opportunity for the CPUC to consider credits. And I think that's appropriate, because, you know, there may be credits that it makes sense for them to structure as part of their regulatory strategy. And we can continue to engage around that. So I think this is sort of consistent with the bifurcation.

BOARD MEMBER PACHECO-WERNER: Thank you. That's just what -- I just wanted to be clear on that.

Thank you.

CHAIR RANDOLPH: And Board Member Takvorian.

BOARD MEMBER TAKVORIAN: Thank you. I just have a question about the addition related to credits for transit connectivity. I wonder if "credits" could be changed to "mechanisms". I just worry that we're assuming
that the mechanisms should be credits. And I'm interested in exploring whatever other ways there are for expanding transit connectivity. And I'm not sure that credits are the only way. So I heard a lot of frustration related to what our authority is and how we can influence and require the TNCs to do more. So it would be helpful to me if that could be expanded to mechanisms instead of just credits. And I wonder if the maker of the motion would be open to that.

CHAIR RANDOLPH: So you're saying it would be inclusive of credits, but to the extent that there are other mechanisms, that would be within our authority you would want to include those. Is that -- am I understanding that correctly?

BOARD MEMBER TAKVORIAN: I would just change the word to mechanisms and we understand that that could be credits, but it could be other things as well, so that we have a full evaluation or we encourage the PUC to take a full evaluation of any other mechanisms, because I heard a lot of concern about additional credits that -- and burdening drivers, and not actually reducing GHGs and air pollution. So I'm trying to find a way to move forward with this motion and allow for that consideration, but not express the Board's support for additional credits, because I didn't hear that.
CHAIR RANDOLPH: Well, I thought -- my understanding was that the Board was supportive of the notion of credits for transit. And the only modification that I think I was trying to make was to make it so that if you had instances where there wasn't an integrated fare system that you would still have an opportunity for those transit credits to be obtained. So that is -- so that is sort of as I understand the current state of play.

I will ask Vice Chair Berg what her thoughts are on amending the motion.

VICE CHAIR BERG: Well, it is a pretty narrow -- it's a pretty narrow definition that we are looking at here, so I don't consider it truly to be an expansion of the credits. I really believe it is a definition to earn all credits that have to do with transit. And I'd be interested in making sure staff -- what does staff think we're saying, because that's often where it's lost in translation. And so I appreciate Ms. Takvorian's comment, but if staff could jump on here and either reaffirm that you understand what we're saying or if we are still -- if we're confusing the situation.

STCD CHIEF GRESS: Well, I'll tell you what I understood and then you can correct me if I did not understand you correctly. But what I had understood the Chair to say is having a -- taking our linked trip
concept, but making sure that we were considering a broader set of ways in which that linked trip could be booked and I think that the comment letter she was referring to was Via's comment that, you know, they can't necessarily do an integrated fare payment system, so could there be like a paper option or some other evidence to demonstrate the linked trip?

VICE CHAIR BERG: So --

CHAIR RANDOLPH: That is exactly what I was thinking.

VICE CHAIR BERG: Me too. And so is that a mechanism to Ms. Takvorian's point or is -- give us the right words here, so that we are not sending a signal that we're broadening credits in a big way -- in a way.

CHAIR RANDOLPH: I would just say I think introducing the word "mechanism" might confuse things more.

VICE CHAIR BERG: Well, it seems to me. Does that help clarify for you?

STCD CHIEF GRESS: Yeah. I think the -- what I'm hearing is wording around, you know, allow -- exploring flexibility in how the linked trip is demonstrated or purchased.

VICE CHAIR BERG: Does that help, Ms. Takvorian?

BOARD MEMBER TAKVORIAN: Yes, very much. I hear
additional credits, so that's what I was stuck on and --

VICE CHAIR BERG: I understand and that's why I wanted to talk it through.

BOARD MEMBER TAKVORIAN: That was fantastic.

Thank you so much.

CHAIR RANDOLPH: Okay. Great. All right. We have a motion. We have a second.

Clerk, can you please call the roll.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair.

Dr. Balmes?

BOARD MEMBER BALMES: Yes.

BOARD CLERK SAKAZAKI: Mr. De La Torre?

BOARD MEMBER DE LA TORRE: Yes.

BOARD CLERK SAKAZAKI: Mr. Eisenhut?

Supervisor Fletcher?

Supervisor Fletcher?

BOARD MEMBER FLETCHER: Aye.

BOARD CLERK SAKAZAKI: Fletcher says aye.

Senator Florez?

Ms. Hurt?

BOARD MEMBER HURT: Aye.

BOARD CLERK SAKAZAKI: Mr. Kracov?

BOARD MEMBER KRACOV: Yes.

BOARD CLERK SAKAZAKI: Dr. Pacheco-Werner?

BOARD MEMBER PACHECO-WERNER: Yes.
BOARD CLERK SAKAZAKI: Mrs. Riordan?
BOARD MEMBER RIORDAN: Aye.
BOARD CLERK SAKAZAKI: Supervisor Serna?
BOARD MEMBER SERNA: Aye.
BOARD CLERK SAKAZAKI: Professor Sperling?
BOARD MEMBER SPERLING: Aye.
BOARD CLERK SAKAZAKI: Ms. Takvorian?
BOARD MEMBER TAKVORIAN: Aye.
BOARD CLERK SAKAZAKI: Vice Chair Berg?
VICE CHAIR BERG: Aye.
BOARD CLERK SAKAZAKI: Chair Randolph?
CHAIR RANDOLPH: Yes.
BOARD CLERK SAKAZAKI: Madam Chair, the motion passes.
CHAIR RANDOLPH: Okay. Thank you.
All right. I'm discombobulated here.
Okay. So now, I think what we were thinking of doing, because the conclusion of our overall meeting is going to be quite late after our 3 p.m. agenda item and then our 4 p.m. agenda item, that we thought we would provide the opportunity for open comment to occur now on any item of interest within the jurisdiction of the Board that's not on today's agenda.
So please raise your hand or dial star nine, if you are on the phone, if you wish to comment at our open
public comment period. Okay. Board Clerk, will you please call on any commenters?

BOARD CLERK SAKAZAKI: Thank you, Madam Chair. We have three people with hands currently raised. Sean Edgar, Jerry Desmond, and a phone number ending in 050. So first we have Sean. I have activated your microphone. Can you unmute yourself and begin.

Sean Edgar, you can -- now you can unmute yourself, if you are there?

Okay. Sean, it looks like you're still muted. If you're having technical difficulties, there is a phone number on screen here, and you can dial -- dial this number and access code. Looks like you're unmuted now.

SEAN EDGAR: Hi, Ryan. Can you hear me now?

BOARD CLERK SAKAZAKI: We can.

SEAN EDGAR: Great. Thank you. This is Sean Edgar on behalf of the Western States Trucking Association. And just here to let you know about our April 8th letter that we submitted to the docket regarding the Advanced Clean Fleets, or ACF, proposal that will be coming to you later this year.

As noted in the last item, the time cost and infrastructure barriers for electrification are huge and we have offered some constructive comments that I just would like to touch on for a few moments as the Board is
getting ready and staff getting ready to publish that
proposal over the summer.

The ACF proposal presented at the March 2021
workshops would damage the trucking industry in general
and Western States Trucking Association members
specifically by imposing a new unfunded mandate for which
there's inadequate financial resources, infrastructure,
and grid reliability identified by CARB staff.

The Advanced Clean Truck Regulation that you
approved just last year identified that the funding
required for new vehicle charging stations would exceed
$9.6 billion. This was before the Governor's Executive
Order or the conversation that you just had about the TNC
companies.

The CARB analysis of the payback period for the
ZEV fleet owner was rapid due to the avoided cost of
purchasing diesel fuel. However that analysis does not
identify how the upfront cost of infrastructure is funded.
CARB indicates that the Senate Bill 350 funds may provide
in the range of $600 million dollars. However, there is
still an unfunded and unidentified mandate for the
remaining $9 billion.

During the ACT Regulation process, the Trucking
Engine Manufacturers, or EMA, informed CARB that charging
infrastructure must be in place before a ZEV truck is
manufactured and delivered or it cannot operate.

And keeping in mind that the 2024 model year, which is the 2023 manufacturing year is only about 18 months away and that the current time frame talking to utility providers is about 18 months away from constructing projects that would begin today. We have a huge gap not only in the resources side, but also on the time side of that construction project.

Finally, to touch upon the electricity grid problems that are apparent, we know that the current electricity grid is failing to deliver electric reliably to meet today's load demand. And I would expect, just as you would see, over this summer, we're going to have peak demand problems.

So, Chair, you focused on the interagency work and that is great. And my contribution there would be that the Board needs to sponsor a Manhattan style project if you're going to be successful in this area. The answer that alphabet soup agencies are talking to each other and everybody is talking about it does not keep the lights on and ensure that there's adequate electricity to charge electric vehicles. Thank you for your time.

BOARD CLERK SAKAZAKI: Thank you. Our next speaker is Jerry Desmond. I have activated your speaker. You can unmute yourself and begin.
JERRY DESMOND: Hi. Can you hear me, please?

BOARD CLERK SAKAZAKI: We can.

JERRY DESMOND: Thank you. Chair and members, this is Jerry Desmond on behalf of the Metal Finishing Associations of Southern and Northern California. We would like to bring to the board's attention, our concerns with proposed regulatory language that has just now been released for the update to the Airborne Toxic Control Measure for hexavalent chromium.

As written, the update will ban decorative chrome plating on July 1, 2024, hard chrome plating on July 1, 2028, and chromic acid anodizing on July 1, 2033. We believe it's critical to recognize that these bans will shift hex chrome plating to other states and countries, where there are less, if any, controls. It will therefore increase emissions.

Our customers from Original Equipment Manufacturers to aerospace and defense industries can easily have their hex chrome plating conducted in Arizona, Nevada, Texas, Mexico, and other locations. Bans will move significant jobs and businesses away from our state. Also, the bans don't change what our customers require. Our OEM customers require decorative hex chrome plating for the consumer marketplace. Our aerospace and defense industry customer require functional chrome plating to
meet strict, federal, MIL-SPEC requirements.

And there is an effective alternative. You know, metal finishing shops in Southern California are investing significant dollars to install and operate new measures as required by the recently enacted South Coast Air Quality Management District Rule 1469 to further reduce the minimal amount from our facilities.

It's our recollection that this Board back then supported the South Coast rulemaking. In contrast, this new proposed statewide ban will override the rule and strand the assets of many facilities as they are conducting these investments, maybe even stopping the investments.

It's important to note that emissions have been reduced over the years to the extent that chrome metal finishing comprises less than one percent of total chrome(VI) emissions from the entire state. This is prior to South Coast's adoption of its Rule 1469. And we estimate that extension of the South Coast rule and its controls to the other regions of the state will further reduce emissions statewide by an estimated 94 percent. We therefore remain engaged and committed to working with the Board and staff as we have in each of the previous rulemakings addressing hexavalent chromium to develop an updated rule that protects public health.
Thank you.

BOARD CLERK SAKAZAKI: Thank you.

We had a phone number ending in 050, but they seem to have disconnected, so that concludes the list of open commenters. So Madam Chair, back to you.

CHAIR RANDOLPH: Okay. Thank you. All right. So we will now be adjourning the Board meeting until 3 p.m., when we will take up our next agenda item.

Thank you.

BOARD CLERK SAKAZAKI: Everyone, I'd just like to give a friendly reminder to please mute and turn off your videos and -- but stay on the call and we'll be back at 3 p.m.

Thanks.

(Off record: 1:55 p.m.)

(Thereupon a lunch break was taken.)
AFTERNOON SESSION

(On record: 3:00 p.m.)

CHAIR RANDOLPH: All right. Thank you very much. Okay. Welcome back.

As a reminder, we are conducting this afternoon's meeting with Zoom and have organized the proceedings to mirror our normal Board meeting as closely as possible, but understandably there will be some differences. We request your patience and understanding if any technical problems arise.

Interpretation services will be provided in Spanish. If you are joining us using Zoom, there is a button labeled "interpretation" on the Zoom screen. Click on that interpretation button and select Spanish to hear the meeting in Spanish.

(Interpreter translated in Spanish)

CHAIR RANDOLPH: For those who are just joining us, I will ask the Board Clerk to provide more details on our procedures.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair.

Good afternoon, everyone. My name is Ryan and I am one of the Board Clerks. I will provide some information on how public participation will be organized for this -- today's meeting. If you wish to make a verbal comment on one of the Board items or if you wish to make a comment during
the open comment period, you must be using the Zoom webinar or calling in by telephone. If you are currently watching the webcast on CAL-SPAN, but wish to comment, please register for the Zoom webinar or call in. Information for both can be found on the public agenda.

To make a verbal comment, we will be using the raise hand feature on Zoom. If you wish to speak on a Board item, please virtually raise your hand as soon as the item has begun to let us know you wish to speak. To do this, if you are using a computer or tablet, there is a raise hand button. If you are calling in by telephone, please dial star nine to raise your hand.

Even if you have previously registered and indicated which item you wish to speak on, please raise your hand at the beginning of the item. If you don't raise your hand, your chance to speak will be skipped. If you are giving a verbal comment in Spanish, please indicate so at the beginning of your testimony and our translator will assist you.

During your comment please pause after each sentence to allow the interpreter to translate your comment into English. When the comment period starts, the order of commenters will be determined by who raises their hand first. I will call each commenter by name and then activate each commenter when it is their turn to speak.
For those calling in, I will identify you by the last three digits of your phone number.

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

We will have a time limit each commenter. The normal time limit is three minutes, though this could change based on the Chair's discretion.

During public testimony, you will see a timer on screen. For those calling in by phone, we will run a timer and let you know when you have 30 seconds left and when your time is up. If you require Spanish translation for your comment, your time limit will be doubled.

If you wish to submit written comments today, please visit CARB's send us your comments page or look at the -- or look at the public agenda on our webpage for links to send these documents electronically. Comments will be accepted on each item until the Chair closes the record for that Board item.
I'd like to give a friendly reminder to everyone to please mute yourself when you're not speaking to avoid background noise. If you experience any technical difficulties, please call (805)772-2715 so an IT person can assist.

This number is noted on the public agenda.

Thank you. Madam Chair, I'd like to turn it back to you.

CHAIR RANDOLPH: All right. Thank you. The next item on the agenda is Item 21-4-2, appointment of new members to the AB 32 Environmental Justice Advisory Committee. If you wish to comment on this item, please click the raise hand button or dial star nine now. We will call on you when we get to the public comment portion of this item.

AB 32 directs the Board to focus on implementing our rules in such a way that we also provide co-benefits, including reducing criteria pollutants and toxic emissions, particularly in disadvantaged communities.

As we begin working on updating the AB 32 Climate Change Scoping Plan, we will be reconvening the Environmental Justice Advisory Committee to help us continue to make progress on this front, particularly as we are looking at new approaches to reducing greenhouse gas emissions.
I'm very pleased that this group of individuals is willing to undertake this critically important work. Since starting this job, I have met with many people who participated in the EJAC process in the 2017 Scoping Plan and other previous scoping plans, and they expressed to me that they came away feeling that their views and recommendations were not adequately reflected in the scoping plan itself.

This 2022 plan presents an opportunity to approach this work in a collaborative way. I have appreciated in the EJAC selection process that Chanell Fletcher, the Deputy Executive Officer for Environmental Justice, has been in close and constant contact with Rajinder Sahota, the Deputy Executive Officer for Climate Change and Research, whose team will be developing the scoping plan.

In my discussions with both Rajinder and Chanell, I have been impressed at the level of coordination to date and I am looking forward to seeing how that will benefit the development of the plan as we get started. This plan represents more than just thinking about where we are on the way to our 2030 goals, but also how we chart a path to carbon neutrality by 2045.

We have more tools in our toolbox than we did in the last scoping plan update, like SB 100, and the
Governor's Zero-Emission Vehicle Executive Order and other regulatory steps CARB has taken in the intervening years. This is a generation scoping plan and I'm looking forward to convening the EJAC and beginning this work in a collaborative way.

Mr. Corey, would you please introduce this item?

EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

And as you noted, AB 32 directed the Board to convene an Environmental Justice Advisory Committee of at least three members by July 1 of 2007 to advise the Board in developing the scoping plan and any other pertinent matters to implement the California Global Warming Solution Act -- Solutions Act of 2006.

We did so in 2007 to advise on the development of the initial scoping plan. The Board convened the Committee in 2013 to advise the Board on the development of the first update to the scoping plan. The Committee also advised the Board in the development of the 2017 Climate Change Scoping Plan.

Staff is proposing to reconvene the Committee to advise the Board on the development of the 2022 Scoping Plan update. Staff received and evaluated the nominations from the environmental justice organizations and community groups and is proposing new additional Committee members representing regions of the state with most significant
exposure to air pollution, including communities with minority populations or low income populations.

I'll now ask Trish Johnson of the Executive Office to give the staff presentation.

Trish.

(Thereupon a slide presentation.)

STAFF AIR POLLUTION SPECIALIST JOHNSON: Thank you, Mr. Corey. Today, I will be presenting the appointment of new members to the AB 32 Environmental Justice Advisory Committee.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Today, I will provide a background on the AB 32 Environmental Justice Advisory Committee and staff's proposal to reconvene the Committee for the 2022 Scoping Plan Update.

I will also present CARB's approach to working with the Committee, members who are returning to serve on the Committee, our process for soliciting new members, the application review process, the criteria to select new members, the principles of environmental justice, proposed new members, areas not currently represented on the Committee, comments received, and staff's recommendation.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Assembly Bill 32 directed CARB to convene an Environmental Justice
Advisory Committee to advise the Board in developing the Scoping Plan and any other pertinent matter in implementing the Act. The Advisory Committee shall be comprised of representatives from communities in the state with the most significant exposure to air pollution, including, but not limited to, communities with minority populations, or low income populations, or both.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Pursuant to AB 32, CARB convened the first Environmental Justice Advisory Committee of 10 members with alternates in January 2007 to advise it on the development of California's initial Climate Change Scoping Plan and other AB 22 program areas. AB 32 directs CARB to update the Scoping Plan at least once every five years. Therefore, a 13-member committee was convened in 2013 to advise CARB on the development of the first scoping plan update.

Most recently, the 13-member committee was reconvened in 2015 to advise the Board on the development of the 2017 Climate Change Scoping Plan.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Staff is proposing to reconvene the Environmental Justice Advisory Committee to advise in the development of the 2022 Scoping Plan update. The goals for the Committee include advising...
CARB as it evaluates progress towards the 2030 greenhouse
gas emissions target and to chart a path for getting to
carbon neutrality no later than 2045.

CARB recognizes community leadership in the AB
617, or Community Air Protection Program, and will be
incorporating best practices and lessons learned from that
program.

CARB also recognizes progress made by the Senate
Bill 350 Disadvantaged Communities Advisory Group that was
convened in 2018. And the EJAC's recommendations from the
2017 Scoping Plan serve as a starting point for
identifying lessons learned from that process.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Since
the last Environmental Justice Advisory Committee, CARB
has appointed a Deputy Executive Officer for Environmental
Justice. Under her leadership, CARB is focused on moving
away from a top-down approach to one that centers on
actively building relationships and trusting community
expertise, advancing community-driven solutions, and
partnering and co-creating with the community and
residents in the most impacted communities to create a
more just and sustainable future.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Four
previously-appointed members of the Committee will be returning to serve, including Martha Dina Arguello from Physicians for Social Responsibility, Los Angeles, who has served on the Committee since its inception in 2007. Additionally, Kevin Hamilton from Central California Asthma Collaborative, Mayor Rey Leon from the LEAP Institute, and Luis Olmedo from Comite Civico del Valle will be returning, all of which who have served on the Committee since 2013.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Now, I'll describe the process for soliciting new members. On April 12th of this year, staff proposed to our website and emailed broadly the solicitation for EJAC member applications. The email distribution list included CARB's environmental justice, AB 617, climate change, and sustainable freight email lists, and we graciously acknowledge our colleagues at CalEPA, and the Public Utilities Commission who also shared the solicitation through their networks.

CARB also posted the solicitation to the environmental justice blog. Applications were received by CARB's Office of Environmental Justice, and staff's recommended new Committee members were posted to the Committee's website one week ago after Applicants were...
notified by email.

Other dates pertinent to today's public meeting process are also shown here.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: CARB's Office of Environmental Justice received 68 applications by the 5 p.m. deadline on May 3rd of this month. The review panel consisted of representatives from CARB's Executive Office, CalEPA, and existing Committee members.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: The criteria to select new members included the following:

Per AB 32 representatives must be from communities in the state with most significant exposure to air pollution, including, but not limited to, communities with minority populations, or low income populations, or both. CARB strives for regional representation on the committee, including representatives from faith-based organizations, neighborhood organizations, nonprofit organizations, and tribes.

For the 2022 Scoping Plan update, CARB specified expertise in transportation; fossil gas grid and electricity grid decarbonization and infrastructure; natural and working lands; clean fuels and technology; and public health.
STAFF AIR POLLUTION SPECIALIST JOHNSON:

Additional criteria includes that new members should complement the perspectives of existing active Committee members and no personal conflict of interest, whether it be financial interest, personal activity, or relationship that could impair the ability to act impartially and in the best interests of the Committee. Committee members should be rooted in environmental justice principles. The principles of environmental justice are described in the next set of slides.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: The delegates to the First National People of Color Environmental Leadership Summit held in Washington D.C. in October 1991 drafted and adopted the following 17 principles of environmental justice. Since then, these have served as defining principles for the growing grassroots movement for environmental justice.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Principle One, environmental justice affirms the sacredness of Mother Earth, ecological unity, and the inter -- interdependence of all species and the right to be free from ecological destruction.
Two, environmental justice demands that public policy be based on mutual respect and justice for all peoples free from any form of discrimination or bias.

Three, environmental justice mandates the right to ethical, balanced, and responsible uses of land and renewable resources in the interests of a sustainable planet for humans and other living things.

Four, environmental justice calls for universal protection from nuclear testing, extraction, production, and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.

Five, environmental justice affirms the fundamental right to political, economic, cultural, and environmental self-determination of all peoples.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Six, environmental justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.

Seven, environmental justice demands the right to participate as equal partners at every level of decision
making, including needs assessment, planning, implementation, enforcement, and evaluation.

Eight, environmental justice affirms the right of all workers to be a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.

Nine, environmental justice protects the rights of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Ten, environmental justice considers governmental actions of environmental injustice a violation of international law, the Universal Declaration on Human Rights, and the United Nations Convention on Genocide.

Eleven, environmental justice must recognize a special legal and natural relationship of native peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

Twelve, environmental justice affirms the need for urban and rural ecological policies to clean up and
rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities and provided fair access for all to the full range of resources.

Thirteen, environmental justice calls for the strict enforcement of principles of informed consent and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

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STAFF AIR POLLUTION SPECIALIST JOHNSON:

Fourteen, environmental justice, opposes the destructive operations of multi-national cooperations[SIC].

Fifteen, environmental justice opposes military occupation, repression, and exploitation of lands, peoples and cultures, and other life forms.

Sixteen, environmental justice calls for the education of present and future generations, which emphasizes social and environmental issues based on our experience and an appreciation of our diverse cultural perspectives.

And 17, environmental justice requires that we as individuals make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and to make the conscious
decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: The proposed seven new Committee members are as follows:

Connie Cho, Communities for a Better Environment;
Dillon Delvo, Little Manila Rising; Catherine Garoupa White, Central Valley Air Quality Coalition; Thomas Helme, Valley Improvement Projects; Neena Mohan, California Environmental Justice Alliance; Sharifa Taylor, Communities for a Better Environment; and Paulina Torres, Center on Race, poverty, and the Environment.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: Staff recognizes that there are some geographies and ethnicities that are not represented in today's proposal and areas where the Committee had membership previously. These include tribal representation, Bay Area, Inland Empire, Sacramento, and the San Diego Western California Mexico border.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: CARB's Office of Environmental Justice received four comments about reconvening the Committee. The Central Valley Air
Quality Coalition suggested permanence. The EJAC should be established as a standing Committee of CARB. Increase compensation to sustain engaged participation from EJAC members. At least four San Joaquin Valley representatives, given the number of disadvantaged communities in the San Joaquin Valley as defined by CalEnviroScreen. And the EJAC playing a role in all of CARB's programs to work toward comprehensive integration of equity and a justice-centered approach.

The second comment staff received from Central California Asthma Collaborative raised compensation for EJ organizations who sacrifice their leader's time for the Committee. The comments specified 10,000 per year paid quarterly, and based on attendance and participation in lieu of the present per diem and travel expense reimbursement. Members could choose one or the other.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: The third comment was provided by Little Manila Rising and recognized that the practice of soliciting applications for this and other advisory bodies generally comes to the attention of people who are already engaged with CARB or the Cap-and-Trade Program. CARB should intentionally recruit from underrepresented communities and seats should be reserved for representatives from the worst pollution
burdened percentiles as identified by CalEnviroScreen. Ensuring equitable access is the agency's responsibility.

The fourth comment was submitted by the California Environmental Justice Alliance, or CEJA. CEJA's letter highlights the need to ensure meaningful community participation throughout the Scoping Plan process and the following four key topics from the 2017 EJAC recommendations that are still overdue implementation and also required by law.

One, prioritize direct emission reductions for most enabling emissions through replacement with zero-emission renewable, which is also necessary to meet climate and equity goals.

Two, evaluate the full social cost savings and benefits of greenhouse gas reduction measures.

Three, include direct regulation of greenhouse gases and co-pollutants from refining and oil and gas production facilities. Foremost, a phaseout of oil extraction as directed by the Governor, in addition to planning decommissioning, of oil refinery -- refining.

And four eliminate offsets.

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STAFF AIR POLLUTION SPECIALIST JOHNSON: In conclusion, staff recommends that the Board approve the seven individuals proposed to serve on the Environmental
Justice Advisory Committee and discuss addressing gaps in
the Committee.

Now, I'd like to introduce the first of two guest
speakers. Martha Dina Arguello is Executive Director of
Physicians for Social Responsibility, Los Angeles.

MARTHA DINA ARGÜELLO: Good afternoon. Hello,
Trish. Good Afternoon, Madam Chair and members of the
Board. I am excited to be back on the EJAC and excited
because over the years with subsequent Scoping Plan, our
ability to engage has increased and the ability to work
with CARB staff and the Board I have seen the shift and
the change.

And so I am forever hopeful and always determined
to make sure that this experience with the Environmental
Justice Advisory Committee lives up to the promise that
was rooted in AB 32 that we helped craft; that AB 32
measures would not negatively impact or make things worse
for our communities. And that is a promise that we have
yet to meet for many of our communities that are most
deeply impacted by air pollution and the impacts of
climate change.

And while we have seen some progress in our
ability to work in partnership with CARB staff and Board
member, more is needed. We have seen how the addition of
EJ Board members has created more opportunities for EJ
communities to be heard.

And we're looking forward to working again with Board and staff to protect the health and well-being of communities that are still waiting for the clean air benefits of climate policies.

During this second EJAC, like I said, we worked closely with the CARB staff to conduct outreach to EJ communities and we saw CARB staff learn things like popular education and community organizing. And we saw the excitement and the -- that magic that happens when you engage in a real way with communities. But we need more of that magical engagement and listening.

We want to make sure that more of our recommendations are actually incorporated into the next scoping plan and we want to be in a different and deeper partnership with CARB staff. We want to do a pre-scooping, so that we can actually, before we get to a scoping plan, understand how staff is thinking of things, but also give us an opportunity to bring the best EJ science that we can to the process, so that we are actually reducing emissions, but also using the best available science and understanding the relationship between air pollution, and greenhouse gas emissions, and not being so focused on greenhouse gas emissions that we miss other key pollutants that are actually driving health
disparities in our communities.

We also want to be in deep partnership with CARB. If we are to achieve environmental justice and unravel the history environmental racism that has been reflected in environmental policies, we have to start at home. And so we want to work with you.

Given the letter that your staff wrote, we want to be a partner with you in changing that culture. You cannot remove environmental racism, if you have problems of institutional racism with your organization.

And again, we want to be a partner with you. We also believe that we should be a permanent committee overlooking being a partner with you as you achieve environmental justice.

And again, we also want to remind the technical and science staff that there's deep knowledge and scientific validity to the lived experience of environmental justice communities. And there has to be more listening, because we need holistic solutions that promote just transition, rapid emissions reductions, and a real formation. If we're going to move beyond our dependence on fossil fuel, if we're going to actually get the reductions that we need to save the planet and our communities, you must listen to the environmental justice communities. We -- you must work in partnership with us...
and we're ready to do that.

I don't know what more proof you need that -- you know, I keep signing up every year and I do see progress, but we want to work with you to see more. And I'm really excited about working with new members of the Committee and our old stalwarts on this Committee, but we've got a lot of work to do and it's time to listen to the environmental justice communities.

Thank you.

STAFF AIR POLLUTION SPECIALIST JOHNSON: Thank you.

The second guest speaker is Dillon Delvo, Executive Director of Little Manila Rising in Stockton.

DILLON DELVO: Good afternoon, CARB board. My name is Dillon Delvo as Trish said. And I am the Executive Director and co-founder of Little Manila Rising in Stockton.

And for complete transparency I am extremely honored that CARB staff would recommend me for the Environmental Justice Advisory Committee and a little in disbelief I'd even be considered for this role. You see, Little Manila Rising was formed in 2000 in response to the destruction of one of the last remaining blocks in -- of the Little Manila historic site, which was home to the largest population of Filipinos in the world outside of
the Philippines from the 1920s to the 1960s.

Freeway development in the 1960s destroyed Little Manila like many other communities of color throughout the nation. And as myself and my old friend Dr. Dawn Bohulano Mabalon just finished college and we're returning to our hometown of Stockton, once again, there was wrecking ball parked in front of one of the last remaining blocks of Little Manila.

It was too late to save that block. But when the city designated the last remaining block into a redevelopment project, we -- to create a strip mall, we organized and we stopped it. And since then, we got involved in educational equity projects, our co-founder Dr. Dawn Mabalon published her both Little Manila is in the Heart, which is now being used in universities throughout the nation, to teach the story of first generation Filipino immigration to America.

And then fast forward to 2016 and the Greenlining Institute made us aware that our historic site was in the 99th percentile for asthma-related issues in California. And my reaction was, and what is a historic preservation and educational equity org supposed to do about that?

But then they spoke about cap-and-trade, and that in a community that has experienced disinvestment for over 50 years, any kind of investment would make it that much
harder to destroy. And so we counted over 120 empty tree
wells in the sidewalks of the neighborhood and wrote a
grant Application to put trees in them. But the same city
who wanted to destroy us, refused to partner with us.

At that point, I said we are not going into
environmental justice. It's not our expertise. It's not
our strength and frankly I gave up on it.

But in 2018, we would lose our co-founder, Dr.
Dawn Bohulano Mabalon to an asthma attack at the young age
of 46. Dawn was born and raised in South Stockton not too
far from I-5 in a formally redlined community. And we had
to learn in a very difficult way that environmental
justice was something we shouldn't give up on.

Through Dawn, who was diagnosed early in her life
with asthma, we learned that in order to save her life at
46, someone needed to intervene when she was seven. We
learned that Stockton has some of the highest asthma rates
in California and. We learned that in a community whose
parents just accept that their child has asthma, because
all the other children have asthma, it doesn't have to be
that way.

And lastly, we learned that it isn't just crooked
cops that won't let our communities breathe. Dawn was the
first Filipino woman to receive a Doctorate in history at
Stanford University. Her next book was to be a biography
of Larry Itliong, the man who started the Delano grape
strike, and was one of the greatest -- which was one of
the greatest social justice movements in American history.
The week she passed away, she was supposed to be
presenting to the U.S. Commission on Civil Rights in
Washington D.C. on the Filipino community's role in the
farm labor movement.

Suffice to say, our community lost a lot to
asthma. And in bureaucratic spreadsheets, her data point
equals to one. And so we wrote a grant proposal named the
Dr. -- named the Dr. Dawn Mabalon Asthma Initiative for AB
617 funds that focused on youth -- on youth-lead
community, education on air quality, and asthma for South
Stockton. From that success, and thank you for granting
that, we were able to start an in-home asthma mitigation
program, where we do traditional asthma mitigation stuff,
but we also believe that parents with newly diagnosed
children have the right to know who the largest polluters
in their area is and provide pathways for their voices to
be heard.

We also partake in and brought South Stockton
residents to Stockton's AB 617 steering committee. And
after a year and five months into the process, I really
wonder if true justice is even possible through very
bureaucratic and political systems.
And I think that this is at the center of why I applied for the Environmental Justice Advisory Committee. Like AB 617, the community steering committee, can justice really come from something that's just advisory? Is this going to be about real justice or creating justice theater? Is it this just about the ability to check off the community engagement box on some accountability form? I look forward, if granted the opportunity, to helping answer those questions with you and with the other folks on that committee. And I understand that those questions need to be answered immediately, because like a child who can't read after the third grade, there are ramifications that go way band educational policy.

The same is true for a seven year old with underdeveloped lungs. And there are children turning seven years old every day and they can only do it once.

In the end, I'm actually not that surprised that a guy like me involved in historic preservation, because of a wrecking ball, is here, because in marginalized communities all across California, there are wrecking balls parked all over those neighborhoods and they are parked in front of our children breathing the same marginalized air.

Thank you for the consideration of my application.
STAFF AIR POLLUTION SPECIALIST JOHNSON: Thank you to all returning, proposed, and former EJAC members who are here for today's meeting. Now, I'll turn it back to Chair Randolph.

CHAIR RANDOLPH: Thank you. Thank you, Trish and thank you to Dillon and Martha, those were -- those were great remarks.

Does -- so we would normally go to public comment, but Supervisor Serna and Dr. Balmes you both have your hands up, so did you want to say something before public comment?

BOARD MEMBER Serna: I did. Thank you, Chair. I'll be brief. I just wanted to see if Craig or someone else can give us a reminder about the discretion that the Board has relative to the composition of the EJAC. In other words, I believe the statute kind of gives us a floor, in terms of the numbers and the composition, but not necessarily a ceiling. And if I'm mistaken, please let me know, but there may be, in the course of our discussions later, after we hear from the public, there may be some interest in expanding the EJAC too. So I think it would be wise to maybe get some clear advice from our legal team before we hear from the folks that I know are eager to comment on this.

CHIEF COUNSEL PETER: Yeah.
CHAIR RANDOLPH: And I'll just jump in really quick before Ellen responds, is that my understanding is that we can expand the Committee to make sure that we reach out and fill-in some of those areas that staff identified, like the Inland Empire, and Sacramento, and San Diego, and hopefully also some tribal representation.

So my understanding is that we could ask for the staff to solicit some more applications and expand the Committee. And we could delegate to the Executive Officer to do that final selection, so that we can make sure we compete started.

But I'll let Ellen confirm that, because that is my understanding.

CHIEF COUNSEL PETER: That's correct. There is a floor, as you pointed out Supervisor Serna, not a ceiling. And the path forward that Chair Randolph just suggested is totally appropriate.

BOARD MEMBER SERNA: I assume, Ellen too that means that we could consider expansion of the Committee, also not just in terms of geography, but also subject-specific membership?

CHIEF COUNSEL PETER: Sure. I mean, you can -- you can give direction to -- there's a timing issue, so in terms of moving ahead, the suggestion from the staff was to delegate it to the Executive Officer to select people,
so we don't have to wait to another Board member -- Board
meeting, and then it could start in early June, which I
understand was the plan.

   But you can set out different parameters that you
want them to address. Yes, that's correct.

   BOARD MEMBER SERNA: Great. Thank you. Thank
you, Chair.

   CHAIR RANDOLPH: Thank you.

   Dr. Balmes.

   You're muted.

   BOARD MEMBER BALMES: Thank you, chair. Just --
I didn't want to wait till after the public comments to
thank Martha and Dillon for their comments. As a Board
member who's very much committed to moving CARB more
towards an ally for environmental justice a facilitator
for environmental justice, I appreciate Martha who has
been a long appropriate critic of CARB saying that we've
made progress, even though we way a lot to do. And I
really welcome her continued participation on EJAC, as
well as hopefully the AB 617 Consultation Group that I
chair.

   And I also want to welcome Dillon's heartfelt
comments with regard to his participation in EJAC. And
he's interested in being on the AB 617 Consultation Group.
I'm getting back to him about that. But just really good
to hear these two EJ voices before we hear public comment.

Thank you.

CHAIR RANDOLPH: Okay. And then Supervisor Fletcher and then we'll go to public comment.

BOARD MEMBER FLETCHER: Yeah. Thank you. Just to follow up on Supervisor Serna's comments, I think it would -- I think it would be good to add voices, obviously not just because San Diego is one of them, one of the ones left off. And I know it's not just because Sacramento was left off, Supervisor Serna mentioned that, but to make sure we have that geographic spread along with the tribal. I also think as a Board, we ought to add a labor seat. I think that the, you know, alignment between allies, and labor, and the environment is one that we need to try and hold fast to as best we possibly can.

And I think in a Board this size with this many folks, it would be appropriate to have one dedicated labor voice there as well.

CHAIR RANDOLPH: Okay. Thank you. All right. Now, we will hear from the public, who raised their hands to speak on this item. Will the Board Clerk please call the commenters.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair. We have 11 people with their hands raised at this time. I'd like to remind everyone, if you wish to speak on this
item to please click the raise hand button or to dial star
nine if you're on the phone.

Our first three speakers are Kevin Hamilton,
Neena Mohan, and Connie Cho.

So Kevin, I have activated your microphone. You
can unmute yourself and begin.

KEVIN HAMILTON: Good afternoon, Madam Board
Chair, members of the Board. Thank you for entertaining
this motion today and this idea. I think the time has
really come for EJAC to move to that next level and become
a permanent committee, and hopefully we can see that
happen in the very near future.

I think there are so many issues coming before
this agency that dramatically impact disadvantaged
communities at low income and communities of color across
the state of California, which unfortunately now make up
40 percent or more of Californians, that this -- view this
lens is critical to have available to look through, and
that this Committee needs to have the resources and the,
I'll call it, authority or certainly the purview to
comment on these things and make recommendations to the
Board, and to convey information back to their communities
and bring information up from the communities, either
directly through resident discussions or through local
community-based organizations, who know their communities
better than any of us ever could.

So again, I want to thank you for this. I appreciate being reappointed assuming that that happens. I've been on the EJAC now since 2011 and I have found the experience to be very rewarding and it has educated me beyond what I ever thought would happen, and helped me to better understand the problems that California faces here, both in the near future and a hundred years from now, and how we must build in those solutions now and get them moving rather than continuing to delay even five years is too long.

So again, I thank you for the time and wish you a good day.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Neena Mohan. I have activated your microphone. You can unmute yourself and begin.

NEENA MOHAN: Thank you. Good afternoon, Chair Randolph, members of the Board. And CARB staff. My name is Neena Mohan and I'm the Climate Justice Program Manager at the California Environmental Justice Alliance or CEJA. Thanks for the opportunity to provide comment. And I also really appreciate staff nominating me to the EJAC to represent our alliance.

CEJA is an alliance of 10 grassroots
environmental justice organizations, including some of the most poverty and pollution burdened communities in our state. We really appreciated CARB's Resolution 20-33, which outlined its commitment to racial equity and social justice. And as someone who may be joining the EJAC, my hope is that CARB will fulfill this commitment by ensuring that staff provide greater weight to the recommendations of the EJAC in this scoping plan update. I also hope that CARB can outline a public process to evaluate and include these recommendations in the plan itself.

Now, after what I've seen from the 2017 process, where CARB didn't include any of the EJAC's recommendations into the scoping plan, I'm really looking forward to this iteration as an opportunity to do better and do right by EJ communities. It's essential for the Board to course correct at this critical climate and equity juncture to not repeat past injustices.

There needs to be meaningful community engagement that reflects key principles of environmental justice. And thanks so much, Trish, for reading those out one by one. I thought that was really great. But I want to reemphasize the demand, the right to participate as equal and meaningful partners in shared decision-making.

I also hope that we get to see adequate resources and technical assistance for the EJAC, so we can engage
more equitably and that there's an opportunity to be involved throughout all stages of the development of the plan. And I have to stress that this requires collaboration with Industrial Strategies Division and working against siloed efforts.

As I look forward to working in good faith partnership with CARB, I hope the Board can provide some assurance that the EJAC recommendations will receive greater weight in this and future scoping plans.

It's also important that the EJAC and the Board are able to communicate regularly and have frequent EJAC updates during Board meetings. I'm honestly so honored to be nominated for this appointment, elevate our members' local concerns to a statewide level, so as to better inform this process.

I'm hopeful to feel that shift in confidence that my efforts and the efforts of my fellow nominees will be for something, and that they will truly create a difference in the communities that we serve.

Thanks for the time.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Connie Cho. After Connie, we have Sharifa Taylor, Luis Olmedo, and Paulina Torres. So Connie, I have activated your microphone. You can unmute yourself and begin.
CONNIE CHO: Good afternoon, Board Chair Randolph and members of the Board. My name is Connie Cho and I serve as a community lawyer with Communities for a Better Environment. I'm grateful to the staff for this opportunity to be nominated to the EJAC and I commend CARB's intention to take a new approach imbued with environmental justice principles in this Scoping Plan.

I wanted to share with you and the public directly what our hopes are in being a part of this process. CBE works directly with community residents that live in the most polluted industrialized areas of California. We organize in Wilmington, Southeast Los Angeles, as well as East Oakland and Richmond in the Bay Area. We also anchor multiple, local, regional, and statewide collaborations including the Richmond Our Power Coalition, Protect the Bay, Local Clean Energy Alliance of the Bay Area, and Soma Workforce Development Outreach.

Many of our staff were born and raised and still live in these disproportionately pollution-burdened communities. I'm here to uplift their lived experience. The lived expertise of our communities in Wilmington and Richmond, low income communities of color, predominantly black and Latinx who suffer disproportionately from chronic illness, cancer, asthma, injuries from explosions, fires, toxic contaminants, death, and now COVID-19, all
because of past State-sanctioned racism of redlining and
current State emissions control policy that actually
facilitates the accumulation and concentration of
devastating co-pollutants in these communities.

So our frontline refinery communities have so
much at stake in this Scoping Plan. As a member of the
Committee, I hope to focus on emission reductions for
industrial sources and transitions in electricity and
energy sector, as seven of the ten largest greenhouse gas
sources of the 2017 cap-and-trade total were refineries.

Wilmington has five of those refineries in or
near its border and one of the largest urban oil fields.
Richmond is home to the Chevron refinery with two other
Bay Area refineries close by.

Regardless of what happened in -- whatever
happened in the 2017 Scoping Plan process, this time
around, to the credit of this Board, the 2022 Scoping Plan
must be developed under CARB Resolution 20-33, which
emphasizes CARB's mandate to analyze and reduce air
pollution and greenhouse gas emissions in disadvantaged
communities and communities of color. This mandate gives
our communities hope and it's why I'm here.

With this mandate, I look forward to deeply
engaging with CARB staff in all the technical details.
With this mandate, I hope that the Board can provide
adequate technical resources for the Committee to support a deeper, more meaningful partnership with CARB staff early on, and right away, and throughout this whole process.

And ultimately, I hope that the Board will give great weight and priority to the Committee's recommendations. This is an extraordinary responsibility, and an urgent moral imperative, and a historic opportunity to protect those communities who have borne and suffered so much for the rest of us.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Sharifa Taylor. I have activated your microphone. You can unmute yourself and begin.

AIR POLLUTION RESEARCH SPECIALIST TAILOR:

SHARIFA TAYLOR: Hi, everyone. My name is Sharifa Taylor. I am a Northern California researcher for Communities for a Better Environment. I'm grateful for this opportunity to speak today and to introduce myself as one of the proposed EJAC members or the 2022 Scoping Plan process.

The 2017 Scoping Plan identified the transportation sector as the largest source of greenhouse gas emissions with industry as the second largest source. Two of our four service communities, East Oakland and
Southeast LA, are both disproportionately impacted by transportation and industrial pollution. East Oakland is affected by particulate matter pollution from I-580, I-880, the Oakland Airport, in addition to stationary source pollution from heavy industry that has been in the area for over a century.

Because of both sources of pollution in East Oakland residents experience higher rates of asthma and a ten-year lower life expectancy than other Alameda County residents. East Oaklanders also have less biking and walking pathways than West or Central Oaklanders, making it difficult for safe travel using clean transportation alternatives.

Residents of the Huntington Park, South Gate, Maywood, and Bell communities of Southeast LA are also affected by stationary and heavy mobile pollution from sources such as Alameda rail corridor, diesel trucks on the I-710, Exide lead contamination, and dozens of other facilities.

Southeast LA residents also have a shorter life expectancy than other Los Angeles residents, in addition to higher rates of asthma and lung cancer. I'm hopeful that my participation with EJAC will embrace CARB's resolution 2033 in the development of the 2022 scoping plan to bring about cleaner and healthier air for the
disadvantaged communities and communities of color who are the most impacted by the effects of climate change.

I look forward to the opportunity to advocate for resolutions in this plan that are more aggressively aiming to the reduction of the impact of transportation and industrial emissions on these already burdened communities.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Luis Olmedo. Luis, I have activated your microphone. You can unmute yourself and begin.

LUIS OLMEDO: Yeah. Hello. Good afternoon members the Board, Madam Chair. I am honored to be asked to serve once again the EJAC. I will show up with spirit of helping bring environmental justice experience as part of my assignment, and I will be a productive member of the EJAC to help us achieve the best possible outcomes and produce recommendations that this Board can act on.

I would like to thank Chanell Fletcher, Trish Johnson, Ryan Atencio, as well as Executive Officer Richard Corey for their persistent effort to change the troubled history of the California Air Resources Board that predates the Executive Officer and perhaps all members of this Board. And I commend the commitment of
this Board for transforming the culture of the agency to be more equitable and responsive to environmental justice.

As a returning member, I know firsthand the significant investment that went into developing the first scoping plan. As I recall, Trish Johnson was fully committed to making sure the EJAC had all the tools it needed to succeed administratively and logistically.

However, this is where I ask the Board and the Executive Director, deputies, division chiefs, and managers to provide all necessary support to Chanell Fletcher, Trish Johnson, and the entire environmental justice program so that the EJAC -- that the EJAC will require in order to succeed.

A great start would be -- would have been today to hear from the Division that is tasked with actually writing the plan. I would have liked to have heard from the Division -- in that Division that they understand environmental justice principles that we have been discussing today, so they will incorporate them into our work.

Once again, I'm honored and grateful. I will show up with commitment to the duty I'm being invited to carry out. Thank you for your support on this appointment and the endeavor that comes with it.

BOARD CLERK SAKAZAKI: Thank you.
Our next speaker is Paulina Torres. After Paulina, we have Catherine Garoupa White, Thomas Helme, and then a phone number ending in 345.

So Paulina, I have activated your microphone. You can unmute yourself and begin.

PAULINA TORRES: Good afternoon, Madam Chair Randolph and members of the Board. My name is Paulina Torres and I'm a staff attorney at the Center on Race, Poverty, and the Environment. I have worked alongside frontline community groups in Kern and Tulare counties on the array of pollution issues they disproportionately face, many, if not all of which, are relevant to this Scoping Plan.

I am deeply appreciative that CARB staff is recommended me to serve on the EJAC, and I look forward to amplifying the voices of these communities as we embark on this next scoping plan. I have so much to look toward to if given the opportunity to serve, but I want to particularly mean that I look forward to working with CARB staff and this Board to ensure that EJAC recommendations are given greater weight and prioritized.

I want to honor the diligence, wisdom, and efforts of past EJAC members. I know some of whom will continue on and guide the prospective members, and look forward to working with CARB to conduct an analysis of the
2017 EJAC recommendations that were ultimately rejected.

Most of all, I am eager to engage in meaningful community participation and to share my experiences with CARB having spent my entire legal career working directly with impacted residents.

CARB can ensure that all EJ community voices are heard by providing resources and technical assistance, not to just the EJAC, but to the EJ communities as well. I am so honored to be nominated to serve on the EJAC and equally as hopeful of what we can accomplish to ensure that this Scoping Plan is reflective of the needs and priorities of EJ communities in the valley and statewide.

Thank you for your time.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Catherine Garoupa White.

I've activated your microphone. You can unmute yourself and begin.

CATHERINE GAROUPA WHITE: Good afternoon, Chair and members of the Board. I'm Catherine Garoupa White, Director of the Central Valley Air Quality Coalition, or CVAQ. CVAQ supports the proposed candidates because they have a strong background, relationships, and demonstrated leadership in California's environmental justice movement.

We do not believe industry should be represented on the EJAC due to the inherent conflict of interest and
holding employment at an entity that is subject to CARB regulations.

I personally am humbled to be nominated amongst so many mentors and environmental justice movement leaders. I would be honored to share my perspectives working for clean air and equity, particularly related to geospatial analysis and community development, as well as in addressing emissions from agriculture and energy production, which are major sources in the San Joaquin Valley that are disproportionately located in communities of color and with lower incomes.

I want to underscore from CVAQ's letter the request for the permanence of the EJAC to support holistic integration of equity into all of CARB's efforts. CVAQ also supports additional outreach and recruitment to include underrepresented geographies and areas of expertise.

As the Scoping Plan gets underway, we envision the EJAC will contribute expertise on impacts, challenges, and holistic solutions generated alongside frontline communities, and in return that recommendations generated will -- generated will directly inform and be integrated into the Scoping Plan.

Trust and relationship building will be vital for setting a foundation for authentic dialogue with CARB
staff writing the Scoping Plan. Throughout the process, EJAC members should have a clear sense of how and where recommendations have been integrated and if recommendations are not integrated, why.

We appreciate CARB's continued efforts to incorporate environmental justice principles, perspectives, and priorities into all of your efforts, which the EJAC is an essential component of. We remain committed to working in partnership with the Board and staff toward that end.

I would particularly like to thank Trish Johnson and the EJ Division for her prompt communication and technical support during the application process.

Thank you again for the recommendation for the appointment to the EJAC and for the opportunity to comment.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Thomas Helme. I have activated your microphone. You can unmute yourself and begin.

THOMAS HELME: Hello, everybody. Thank you, Board Chair. I don't have a whole lot to add. I want to agree with everything that I've heard from the other already existing EJAC members and those, along with me, that have been recommended. I'm honored and humbled to be
recommended for an EJAC position. As someone who's from Stanislaus County, about a half a million people, you know, in a State of 45 million, I'm glad that someone like myself can lend their voice to this very important process, as a part of valley improvement projects in Stanislaus County, which, like I said, we have a smaller population.

But, you know, out of the 94 census tracts that we have in the county, about 30 of them, about a third, of the county is ranked in the 90th to 100th percentile of CalEnviroScreen. Sixty, so about two-thirds of the entire country is considered a disadvantaged community. And we have seven census tracts just around Modesto that are in the 99th percentile of CalEnviroScreen in our highest categories are in particulate matter, pesticide exposure, asthma, contaminated drinking water, poverty, unemployment, and housing burden. So I'm definitely going to be lending my voice in living in these communities to having friends, and family and, co-workers, and acquaintances in these communities.

I've -- in addition to my work at VIP I've also been fortunate enough to work as a coordinator for the California Environmental Justice Coalition, which is made up of over 70 groups now -- grassroots groups from all over the state, from Southwest LA, to Imperial Valley, to
rural Northern California, Mendocino County, the Bay Area, and the San Joaquin Valley as well, and want to thank -- there are too many people to thank but all of the mentors and people that have helped me along in the last eight or nine years that I've been doing environmental justice work that have taught me a lot, and have, you know, truly helped bring me to this point that I can be part of such an important conversation that the State needs to be having.

I share the same hope that a lot of people also share and expressed. I also have a lot of the same concerns. It was mentioned the letter from CEJA that was sent out, CEJA. Many of our members have signed on to that and have the same concerns about Advisory Committee and being part of the EJAC at the air district. You know, we know what advisory means and sometimes how it gets looked at.

So I will participate in good faith though, but I share the same hopes and concerns as you've already heard.

Thank you for letting me speak.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is a phone number ending in 345. After that, we have Roger Lin, Jose Saldana, and Andrew Meredith.

So phone number ending in 345, I'm going to
activate your speaker. Please state your name for the record.

Phone number ending in 345. The code to --

EVAN EDGAR: Hello.

BOARD CLERK SAKAZAKI: Oh, there we go. Hello.

EVAN EDGAR: Hello, Chair and Board members. My name is Evan Edgar of Edgar Associates representing the California Compost Coalition for the last 20 years and we've been at each -- at the table for each and every Scoping Plan update, and we've attended EJAC in the past, and we look forward to the 2022 process to fully understand the great strides we have all made together in the recycling compost world.

Today, we submitted to CARB staff, the California Compost Coalition submitted a net zero greenhouse gas report that states that in 2018 data, we were 3.7 times net zero on greenhouse gases and by 2030, implementing current policies, we'll be at 9.9 times by 2030. So we feel like we've made a lot of strides in the past and look forward to a robust future.

But the waste sector is not about landfill gas. It's about preventing methane production by removing food and green waste from the landfill and making products out of them. We're in the transportation sector now, because we make our own renewable natural gas out of the food...
waste that used to go to landfills and we put them in our fleet on near zero NOx fleet.

We're in the energy sector. We generate renewable energy from biomethane, biomass, and solar. We're in the agricultural sector making organic certified compost and sequestering carbon and biochar into healthy soils. We are committed to reduce short-lived climate pollutants by over 40 percent by 2030 and we're heavily invested in alternative landfills, and we have built a circular economy around SB 1383 in the near term, which is removing 75 percent of all organics from the landfills by 2025.

With the current policies that CARB is promoting, it's disrupting our circular economy by preventing some deep greenhouse gas reductions today. We believe that we can continue on the pathway of renewable natural gas with a light- and heavy-duty electrification of some vehicles. We don't have to wait till 2045 to be carbon neutral. The waste sector that I represent is carbon negative and carbon neutral today.

So we're opposed to continue to invest in carbon negative fuel and compost use and we urge CARB to provide additional incentives and less regulatory burdens to the waste sector to continue to be net zero with zero waste, making organic compost.
When it comes to environmental justice issues for hauling, recycling, composting, and bioenergy production. We are -- we are getting off landfills. We're getting off diesel fuel. We're getting off NOx air emissions. We're getting off pesticides. We're off fertilizers. And we're developing an edible food recovery program in priority populations.

So we believe that working with EJAC and attending the meetings in the future, we can better understand each other and we can promote environmental poetic justice for all.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Roger Lin. I have activated your microphone. You can unmute yourself and begin.

ROGER LIN: Chair Randolph, members of the Board.

Roger Lin. I'm an attorney with the California Environmental Justice Alliance. Our alliance with the support of several other environmental justice organizations and coalitions from up and down the state submitted a comment on this item that you should all have before you.

I have three points to highlight. First, social justice inequity demands that the Board meaningfully engage the EJAC. The comments includes a timeline
highlighting the significant work that the EJAC puts into
crafting and delivering 198 recommendations on the 2017
Scoping Plan. None of these recommendation were adopted.

I understand the work that staff put in to
consider these recommendations, but none were
substantively or adequately adopted. And the final plan,
contrary to one of the recommendations, even kicked
environmental justice considerations into the appendix.

Community engagement must not be a simple check
box. As we heard from staff just now, one key principle
of environmental justice demands the right to participate
as equal and meaningful partners in shared decision
making.

The bar has been set very low 0 out of 198.
Quite simply, CARB must do better this time around and
thank you to staff for acknowledging so.

Second, we look forward to working with staff to
determine how to better integrate environmental justice
into this process. In the meantime, there are at least
four -- the four outstanding recommendations from 2017
that staff cited that are in urgent need of implementation
and also required by law. CARB is overdue in implementing
these recommendations and should start straight away.

Third and finally, I offer one recommendation.
We know that Industrial Strategies Division, ISD, is
overseeing the Scoping Plan update. We have also heard that parts of the update have already been drafted. I acknowledge the Chair's comments on coordination between ISD and the EJ Division staff, but where is ISD today? How will ISD work with the EJAC?

As one example, we understand that ISD is holding technical modeling for the RPS or implementation of SB 100. That will certainly inform the plan.

Our organizations participated in the SB 100 rulemaking process and found significant deficiencies in that modeling. If ISD does correct those deficiencies or otherwise share refinements with other divisions and the EJAC, they will leave the EJAC and the Board in the dark on those deficiencies, which can only result in continued environmental injustice and the disregard of equity.

Overall, I stress that it is just not possible to meet California climate goals without also following our equity policies. The Board must course correct at this critical juncture. Please appoint these new members and thank you for the time.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Jose Saldana. Jose, I've activated your microphone. You can unmute yourself and begin.

JOSE SALDANA: Thank you. Thank you for this
opportunity. As you move forward, I ask you to consider one community's experience with the previous EJAC. During the last EJAC, two meetings were held in Sacramento. Both were held at a location that is at the intersection of two very well-off communities. Although these communities are very nice neighborhoods, they are two miles from one of the most disadvantaged communities in Sacramento. This disadvantaged community also has one of the highest concentrations of people of color, monolingual Spanish speakers, and permitted sources of emissions. For good measure, they even have a hefty 95 percentile for hexavalent chrome in the drinking water.

They didn't participate in the last EJAC community meetings. I believe this community was not informed about the benefits and dis-benefits of cap-and-trade, including California climate investments and co-pollutants of GHGs. Both AB 617 and California climate investments continue to miss them to this very day.

For the people living between Fruitridge and 47th Lemon Hill, Fruitridge Manner, Rainbow Park, and the Flats, their voices continue being missed and very little has changed in five years.

Regardless, that didn't stop a scoping plan from being drafted and submitted partly in their name. The
Scoping Plan mentioned hearing from Sacramento's most disadvantaged, and several careers within CARB and EJ groups were launched because of that connection to community. It could be argued that the EJAC process stole our voice at worse and took it for a joy ride at best. Even EJAC groups and alliances missed us, kind of like Bayo Vista today.

Thank you again for this opportunity to share the truth for those that want to know. I also share it because saying justice is being achieved is the fastest way to continue ignoring these communities. I sincerely wish this EJAC the best. I'm a big fan of many of them. Thank you, Madam Chair, and Board members.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Andrew Meredith. After Andrew, we have Julia May, Kyle Heiskala, and Shayda Azamian.

Andrew, I have activated your microphone. You can unmute yourself and begin.

ANDREW MEREDITH: Thank you, Madam Chairman, members of the Board. Andrew Meredith with the California State Building and Construction Trades Council.

Can you hear me okay?

BOARD CLERK SAKAZAKI: It's little choppy.

ANDREW MEREDITH: Okay. Sorry. I'm getting a
lot of feedback.

As an organization, we have a long history of being at the forefront of (inaudible) technologies, including in the renewable energy markets. Our members build the vast majority of renewable energy projects in California. And we are engaged on the front end of offshore wind development, as well as the carbon capture push in California.

This portfolio of experience makes our perspective truly important, as the EJAC drafts the final advisory document, the California Air Resources Board.

Through our affiliated unions, you work constantly to elevate workers to the middle class by offering fair wages, comprehensive benefits, and dignity in the workplace. Our membership ranks nearly half a million strong, includes 70,000 apprentices across the wide array of construction crafts, 70 percent of whom are people of color, many of whom reside in some of the communities of significance identified as relevant for the Scoping Plan.

In addition, over 95 percent of all women currently enrolled in a registered apprenticeship program in California are enrolled in one of our programs. We practice what we preach as an organization when it comes to enforcing our industry and our workers expect and
deserve a place at the table in regard to California's push towards addressing climate change.

I personally submitted an application to serve on EJAC that highlighted my Qualifications. I reside in Tehama County, a country that has been around and an often overlooked contributor to air pollution impacts caused by climate change, which is wildfires. Aside from personal qualifications, I believe my application addressed the advertised desire to engage quote, "Representatives that have expertise in transportation, fossil gas grid, and electricity grid decarbonization".

I doubt any organization can better speak to these segments of the history than ours can. And I believe my appointment is crucial in terms of providing workers in these industries a voice to this important process.

As an organization, we congratulate those recommended by staff to serve on EJAC. We just humbly ask that you would consider lending our voice in this important process.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Our next speaker is Julia May. Julia, I have activated your microphone. You can unmute yourself and begin.
JULIA MAY: I'm Julia May, Senior Scientist at Communities for a Better Environment. And we support the approval of the new members to the EJAC and we appreciate the staff, the existing EJAC, and also the Board in bringing on these wonderful new members.

Today, I want to highlight the Wilmington, Carson, West Long Beach example, which has the highest concentration of oil refining on the west coast and 95 percent people of color. There are not only very high transportation emissions, but the South Coast District found refinery emissions even higher for many pollutants in this area.

It should be shocking to us that in this day and age, this community still faces many fossil fuel expansions. Thus, there's a disconnect between State climate policy and local permitting that needs to be fixed.

This community is a great example of serious changes needed in the new scoping plan away from dirty energy towards zero-emission transportation and toward a phaseout of oil refining and oil drilling, which occurs directly next to houses.

Past scoping plans did not discourage refinery expansions. In fact, they enabled it through cheap cap-and-trade credits. And as hard as we all work on AB
617, it cannot make up for such expansions. Statewide, the combination of refining oil extraction and fossil fuel transportation are the largest sources of greenhouse gases in co-pollutant emissions.

This fossil fuel chain has made little progress toward decarbonization compared to progress made in electricity. We cannot meet the steep 40 percent cuts by 2030 that are needed this time around, unless we cut production of the fossil fuel chain. This is the only way to meet smog and equity standards as well.

So we urge CARB to listen closely to the EJAC's recommendations to stop expanding fossil fuels in EJ communities, build healthy communities, and plan a just transition with high road jobs to clean energy. Please affirm these wonderful new EJAC nominees and we look forward to a great process this time around. And we appreciate all of your work on this. Thanks.

BOARD CLERK SAKAZAKI: Thank you.

Our last three speakers are Kyle Heiskala, Shayda Azamian and, Amy Kyle. If you haven't -- if you didn't hear your name and you want to speak, please raise your hand now. So Kyle, I have activated your microphone. You can unmute yourself and begin.

KYLE HEISKALA: Hello. Thank you. I wanted to acknowledge the great nominees that the staff have put
forward today for the EJAC. My name is Kyle Heiskala. I'm the Climate Justice Policy Advocate with the Environmental Health Coalition. And the Environmental Health Coalition represents some of the communities hit hardest by pollution in the state of California, particularly diesel particulate matter and particulate matter from industries in the portside communities of Barrio Logan and National City.

I really wanted to highlight that in moving forward through the CARB Scoping Plan process, that it's critical to elevate environmental justice communities and the proposed appointments to the EJAC we're supportive of, because they are rooted in these environmental justice communities, across the state, as well as representing organizations like CEJA and others doing the work every day in the frontline communities that will be hit hardest and first by the climate crisis.

Please prioritize goals and policies moving forward, as a part of this Scoping Plan that -- look at transportation goals, including zero emission infrastructure for mass transit, so that we can achieve our greenhouse gas reductions, while simultaneously reducing toxic air pollution in our environmental justice communities.

Thank you for your consideration, we're
supportive of the EJAC appointments and look forward to participating in the CARB scoping plan process as it moves forward. We would also appreciate a further outlined clear process of how an EJAC recommendations will be analyzed by staff, and if there are additional resources that can be attributed to the EJAC staff, and the members, so that they can successfully be the link between environmental justice communities and the CARB Board.

Thank you so much for your time.

BOARD CLERK SAKAZAKI: Thank you.

And apologies if I mispronounced your name, when I called you -- when I called it.

Our next speaker is Shayda Azamian.

Shayda, I have activated your microphone. You can go ahead and begin.

SHAYDA AZAMIAN: Thank you. Thank you, Chair Randolph and members uplifting the need to strengthen EJAC's recommendations going forward and to staff for coordinating your cross-teams clearly to make that happen. My name is Shayda Azamian and I'm with the Leadership Counsel for Justice and Accountability. We work with communities all over California from the Coachella Valley all the way up to Merced.

I'm pleased to see this strong group of nominees for the EJAC and the conversation about giving room for
hear EJAC members who are still interested in joining. We agree with the comments already made about the real community partnerships required to do this work, and that those drafting to the Scoping Plan, the Industry Strategies Division, should be here and in close coordination with the EJAC from here on.

We reinforce the request that CARB set a process by which the EJAC's recommendations will be formally reviewed by those staff, actually drafting the Scoping Plan, and that they are adopted in the Plan. We also understand that the Scoping Plan is focused on a specific set of greenhouse gases (inaudible).

We urge CARB staff to develop a plan that is responsive to the disproportionate pollution burden in the state and urge CARB to consider the reality of greenhouse gases and air pollutants being emitted together, sharing similar sector sources, and sharing similar climate interests. This is why an Environmental Justice Advisory Committee exists as part of this process, because there is an unjust interwoven disproportionate impact of greenhouse gases and air pollutants in communities across California.

Importantly, we're eager to see how the EJAC and this Board will guide our state beyond an equitable pollution trading system, such as cap-and-trade and go deeper than surface level technological interventions.
Importantly, emissions reductions strategies in the 2022 Scoping Plan must go beyond control technologies and derive emission reductions directly from improved or changed industrial practices. In coordination across jurisdiction with other State agencies and in partnership with community members, we urge CARB to listen to the EJAC in this regard and begin to describe in the Scoping Plan what transitions are so urgently needed across industries, across sectors, producing considerable amounts of California's emissions to achieve the 2030 targets, and ultimately an entirely zero-emissions economy.

We additionally request that the EJAC and CARB consider adopting key measures developed within the AB 617 community emissions reduction plans and that are supported by the 617 community at-large of statewide policy.

We look forward to working with you in this process to set the most viable and just climate strategy for our State for the next several years, and to providing detailed community-based recommendations sooner for the Scoping Plan.

Thank you.

BOARD CLERK SAKAZAKI: Thank.

Our next speaker is Amy Kyle. I have activated your microphone. You can unmute yourself and begin.

AMY KYLE: Thank you. Amy Kyle. And I've -- I'm
an environmental health scientist retired from UC Berkeley. I don't deserve to be the last speaker here, so I hope someone else will follow me. But I have done a lot of work on metrics related to environmental justice and the various areas of authority for CARB related both to air emissions for toxics and also related to climate strategies with two different iterations of EJAC.

And so I wanted to say, you know, I appreciate so much what you're doing here. This is an amazing slate of people and an amazing charge from the Board. But I just want to say there is a lot of work to do here to really align what CARB is supposed to do to what it actually is doing, in a way that will allow you to see what's happening in terms of environmental justice, in terms of you need to be able (inaudible) the policy goals, to the actions, to the metrics, to the evaluation.

And we just haven't made -- didn't make much progress on this in the first iterations. I've appeared before you several times in the last few years talking about air toxics metrics, and inventories, and how those need to be improved to be able to -- be able to see what's actually going on and measure it in a way that's meaningful.

But there are a lot of other aspects to this, including the modeling. And some of them I have to say
are extremely resistant to this kind of an approach. So it's going to be the tools you're using, but also integration across both the institutional boxes and the disciplines that you have, between the economics and the transportation stuff, and the health stuff. It's going (inaudible). It's really -- I wanted to say that we haven't gotten very far on that in the years that we've been working on this program.

And I think it's very much needed and that you have the talent here to do it. So I hope that the staff and the Board will be able to spend the time and provide the leadership to make sure that this actually is done in a way that fully represents what's necessary to achieve greater equity and justice in these programs. So thank you for the opportunity to comment.

BOARD CLERK SAKAZAKI: Thank you.

We have one more commenter, a phone number ending in 528. I've activated your speaker. You can dial star six to unmute yourself and begin.

Number ending 528 you're unmuted, but we can't hear you.

Okay. Now, you're remuted, so if you dial star six.

LAURA ROSENBERGER HAIDER: Can you hear me now?

BOARD CLERK SAKAZAKI: We can hear you now.
LAURA ROSENBERGER HAIDER: Can you hear me now?

BOARD CLERK SAKAZAKI: Yes.

LAURA ROSENBERGER HAIDER: We need AB 617 to help with air monitoring, and finding violations, and to fund 12 volt battery-operated electric stoves also. We need to further reduce both greenhouse gases and toxic air pollution because the cumulative impact of the new steam injection oil drilling and fracking happening now or also we ban new oil wells.

All right. Thanks.

BOARD CLERK SAKAZAKI: Thank you.

Madam Chair, that concludes the list of commenters for this item.

CHAIR RANDOLPH: Thank you. Okay. Thank you to all the public commenters. I will now close the record on this item and turn it over to Board discussion.

Board Member Riordan was the first with her hand up.

BOARD MEMBER RIORDAN: Thank you, Madam Chair. I neglected to ask the staff when they briefed me. Obviously, I'm interested in some representation from quote the Inland Empire, which is Riverside and San Bernardino counties, big area. We do suffer from a lot of pollution here. And my hope is that maybe we could reach out and find someone to become a part of this group. Now,
in fairness, maybe people did apply and others felt that there were better names to include, but I would request that.

CHAIR RANDOLPH: Thank you. As -- I completely agree with that as we talked about before. I think when -- as the resolution comes up, I'm going to ask staff to add some language to expand the Committee and solicit applications for at least four additional members from the Inland Empire, Sacramento, San Diego, and tribal communities, and delegate to the Executive Officer the authority to make the formal appointments so that we have --

BOARD MEMBER RIORDAN: Great.

CHAIR RANDOLPH: -- plenty of time in the process, and would be happy to hear input from other Board members as well about anything that they would want to add as well. Okay.

BOARD MEMBER RIORDAN: Okay. Than you, Madam Chair.

CHAIR RANDOLPH: All right. Thank you.

Board Member Takvorian.

BOARD MEMBER TAKVORIAN: Thank you, Chair Randolph. Appreciate it. I just want to thank all of the speakers who we just heard from. I think if there's any doubt that there's amazing expertise, and Dedication, and
knowledge in the environmental justice community, just this small selection of environmental justice experts really is -- it really proves that we have such a broad and deep array of knowledge, and expertise, and commitment that we can really be grateful for that. And so I wanted to thank all of the speakers who came forward today and thanks to all of the staff who have led this effort to recruit representatives for the EJAC and to the returning EJAC members who have worked enormously hard during the previous scoping plans.

These are incredibly generous and gracious people who have signed up yet again to do this work, even though there are significant challenges for us to overcome. But I think that they are the -- exactly the right people, in addition to the creative and inspiring new people who have volunteered and have been selected. So I'm really, really supportive of the recommendations that have been made.

I have three areas of comment that I just want to go through quickly. And the first is the Scoping Plan strategy. And while I appreciate having the EJAC recommendations before us, and as I said I support them, I find this item to be really out of context with the overall Scoping Plan strategy.

And I appreciate your comments, Chair Randolph, in regards to the reports of the lack of integration and
recognition of the EJAC during the previous process. And I'm glad to hear that the Deputy Directors are working together to create a more effective and equity-centered process, so that there can be a better outcome.

That said, I'm just confused as to why we haven't seen a strategy and timeline presented to the Board as a first step to provide information on the methodology, the timeline, and the strategy for the Scoping Plan, and then subsequently for the EJAC integration. I believe that Martha Arguello referred to this as pre-scoping, which I think is a very good term for it. And I think it should be implemented with the EJAC and also with the Board.

So the Board should have input into the approach that will be taken with the Scoping Plan. So my first request is I would like to request the staff provide a presentation at the next Board meeting on the strategy for development of the Scoping Plan, so that we're all up to speed on what the strategy is and what the timeline is. That would be my first request.

Secondly, on the EJAC structure and functioning, I agree with the recommendations that have been made for EJAC to be a standing committee. And I actually suggested this during the 2017 Scoping Plan process. And it's unfortunate that it wasn't taken up during that period, because now we could be experiencing something a bit
different, if we had an ongoing EJAC. I think they would be able to give us much better advice and be in a better position to inform the Scoping Plan, but we are where we are.

So I'd like to request and renew my request to explore establishing EJAC as a CARB standing committee and request that the Board ask the staff to come back with a response to this proposal to enable the Board to discuss it and decide if this is the direction that we'd like to go together.

I would also like to request in response to some of the comments that we've heard that compensation be provided to both the Scoping Plan EJAC - I'll call it that - and for the potential permanent EJAC, so that when we hear the report back on a permanent committee, we would also hear what the options are for compensation.

I think that the last area I would like to talk about is integration with the -- with the Scoping Plan -- the EJAC integration of the Scoping Plan. I had the opportunity to participate with the EJAC since the very first committee. And the implementation of the EJAC resources and community outreach has really improved considerably. So I would agree with the comments that we're made that really it has gotten so much better over the years.
But fortunately, as you heard, the 2017 Scoping Plan did not thoroughly evaluate or integrate the EJAC recommendations. They were simply not incorporated, despite the enormous work of the EJAC and the staff. And this is a fundamental change that really needs to occur. And I think as the Leadership Counsel letter said, we need to center equity and environmental justice. And I really believe that CARB has advanced its environmental justice work a lot since 2017.

And I really think we should respect that effort, which includes the work of the CARB staff overall, the Board, and the community members who have participated on multiple fronts focused on reducing emissions in EJ communities.

So towards that end, I would request that we -- that we make the respect for the EJAC work quite focused by integrating the review of the 2017 recommendations as a starting place and that we really put those on the table and that they get the evaluation and analysis that they deserve in 2017 and should get now.

I would also suggest that we include the CERPs under 2017. I mean, I'm sorry, under AB 7 -- 617, sorry. Too many 17's here. And if you want to note that the direct emission reductions was the foremost recommendation and CARB has executed the 617 program in -- and it's
resulted in 14 community emission reduction plans that have or will soon be submitted to the Board. And by definition, these plans must focus on direct emission reductions and I believe should be included as a baseline, along with the EJAC recommendations.

So I'd like to see how that can be included in the plan that the staff bring forward, as to how they're going to execute the EJAC -- I'm sorry, the Scoping Plan.

So, lastly, I do -- I do support the appointment recommendations approving the individuals that have been recommended and rounding them out with the remaining positions. And I would agree with Supervisor Fletcher that we add a labor representative as well, and that we delegate that to the Executive Officer to fill out the Board -- that standing committee. Thank you so much.

CHAIR RANDOLPH: Okay. Thank you.

Supervisor Serna.

BOARD MEMBER SERNA: Thank you, Chair.

So I'm -- I was very heartened to hear you kind of beat me and others to the punch here in terms of expanding the EJAC to include those parts of the state that weren't initially put forth by staff. I think it's important that we do have some geographic representation from the areas that have been identified. And so I'm glad to hear you specifically mention, of course, Sacramento,
which is the area that I represent here on this Board.

So to the extent that I can be of any help, I'm certainly -- I certainly want to make sure staff can lean on me, if necessary, to help with that.

And I also do agree with Supervisor Fletcher and Ms. Takvorian as well. I think labor deserves a place at the table. It was unfortunate that it was difficult to hear the one caller representing, I believe it was the trades, so it was kind of difficult to understand the position that was being advocated. But I think what I gleaned from it was that there's a sense that labor has been a very important partner in ensuring that the Scoping Plan is reflective of a wide array of interests that have, you know, rightful concern for advancing environmental justice as it relates to the plan, so I think they deserve a place at the table.

And other than that, I want to thank staff and certainly the folks that have been reappointed or are being suggested for reappointment. I want to thank them for their previous service and look forward to a process and an EJAC that we can look back on and say it was done right, it was done with people that were committed to the purpose of the EJAC, and that reflect the broad spectrum of our geographies here in the state of California.

So thank you, Chair
CHAIR RANDOLPH: Thank you. Board Member De La Torre.

BOARD MEMBER DE LA TORRE: Thank you, Chair.

I also want to thank the nominees for the positions on the EJAC. Thank you very much for volunteering, for wanting to be a part of this. We look forward to your service. I also want to be supportive of those additional positions, the five that have been mentioned, the Inland Empire, San Diego, Sacramento, tribal lands, and labor. I'm very supportive of expanding the group to include those five.

I also appreciate that staff already spoke to this. And I think it's the right thing to do to have ISD and the Environmental Justice Section of CARB synching up, as we're going to move forward. I think it makes perfect sense. And to figure out how we're going to move forward. I also agree -- you know, to me, it's just natural, and I'm sure it was going to happen anyway, that we conduct a review of the last cycle, and all of its aspects, recommendations, different discussions that took place last time, and that those could be looked at by EJAC, by our staff, as we set up this next cycle. But I don't want to pre-suppose what that group is going to do. And so I'm not supportive of dumping a bunch of mandates on this new group.
2021 is very different. We have a lot of things that have changed. For one, we know for a fact that there were three underperforming areas, underperforming sectors in greenhouse gas emissions, the transportation sector, natural and working lands, and short-lived climate pollutants, meaning methane, hydrofluorocarbons, black carbon. And that to me is where we need to be focused for these -- for this next decade.

If we know that those three sectors did not perform and did not have significant reductions, then that's where we need to start. And so my bias is with what we've already learned from the 2020 cycle of hitting the mandate of AB 32 to get to 1990 levels, which we did three years early, but we know that we fell short in those three sectors.

And so, to me, this next Scoping Plan and everything we're doing -- I know we're aiming toward 2045, but we can't get to 2045, if we don't get to 2030 first. And so, to me, that's where the focus needs to be for everyone involved, the EJAC, our staff, outside stakeholders, who may engage in this process. It's very, very important that we do that.

Again, I mentioned the diversity is very, very important as we move forward. And so I think those geographic recommendations are very important.
And so with that, I'm supportive of this group. I'm supportive of expanding it. And I look forward to the opportunities to work together. And hopefully this time, we're in better synch as we move forward. And hopefully, we have a little more prioritization and focus than we did last time.

Thank you.

CHAIR RANDOLPH: Thank you.

Dr. Balmes.

BOARD MEMBER BALMES: Thank you, Chair. I'll try to be brief. So first off, I want to extend my appreciation to staff, especially staff in the Office for Environmental Justice, who I work pretty closely with in terms of AB 617 implementation. And I particularly want to give a shout-out to Trish Johnson, who is part of the glue that connects CARB staff with EJ stakeholders.

I agree with Ms. Takvorian's plea for a standing EJAC. I think we've -- I know we have EJAC, because it's part of AB 32. But I think if we've learned nothing in the last few years about our move towards equity and racial environmental justice, we need a standing committee. So I'm very supportive of her recommendation.

I'm also happy to hear that Chanell and Rajinder are talking to each other. But I agree we Mr. Olmedo, you know, it would be good to have Rajinder here - maybe she,
you know, is and I don't see her - you know, listening to this discussion, because I greatly respect her technical expertise. And, you know, she puts her heart and soul into the scoping plan development, but it's really on the technical side and we need to have her appreciate the -- and her team, not just her, appreciate the depth of concern and need for the environmental justice participation in the process.

I agree with Martha when she was asking for a pre-scoping plan engagement of EJAC, because if we do more than pay lip service to the principles of environmental justice, then the EJ community needs to be at the table right from the start.

It doesn't mean that they're going to get everything that they want, but they should be able to participate from the start. So I basically am agreeing with most of what Ms. Takvorian said better.

Thank you.

CHAIR RANDOLPH: Thank you, Dr. Balmes. And I'll just note that Rajinder is, in fact, here and listening to this meeting. So thank you.

BOARD MEMBER BALMES: Very good.

CHAIR RANDOLPH: Dr. Pacheco-Werner.

BOARD MEMBER PACHECO-WERNER: Hi, everyone. And I FYI you may hear a little voice in the background.
Just, you know, thank you to all the public commenters and in agreement with my colleagues about expanding the membership. And I think that, you know, again, I hate to kind of beat a broken record, but when it comes to health equity, we always have to think about disproportionate impact and be intentional about that.

And for me, when I think about disproportionately impacted communities, there is a racial component to that by CalEPA in their latest CalEnviroScreen draft released a preliminary analysis of the racial breakdown of the most impacted communities. And they found that 90 -- of those census tracts that are most impacted -- the 10 percent most impacted, they're comprised of 90 percent of people of color and 10 percent white.

And so, I -- while I agree that geographic location is important, I think this -- we can't shy away from this additional layer while we think about representation. And I know that many of these organizations that are already part of this EJAC that we'll be approving today represent communities of color, but I'd really like if we're all really adhering to those, you know, EJ values that it -- that proportionality of race also be reflected.

For me, it's always coming back to the thing, you know, not about us, without us. And so I really feel like
making sure people -- we don't shy away from having more Latino reputation, Black representation, Pacific Islander, Native American, other Asian communities will be an important next step.

And I would also say my second comment was about really the expectations going into the Scoping Plan. And I know that Trish and team do just such an amazing job, but I'm just -- I'm just curious here, because so much has already been started from last year, the Executive Orders, this year's budget, and so there's already a lot of things that we're coming into that are sort of guardrails that I think it's important to reset expectations, not that I want to say nothing -- you know, that we should'nt be thinking big and we shouldn't be thinking about breaking out of those barriers, absolutely, but I also feel like there's an expectation piece that we haven't really talked about about what are all the things that we actually have to have in that plan already, right?

So thank you, Chair, for allowing me to make those comments.

CHAIR RANDOLPH: Okay. Supervisor Fletcher is next.

BOARD MEMBER FLETCHER: Thank you. I'll be super brief. I appreciate -- one, I want to thank all of the proposed new members. I enjoyed hearing your presentation
and talk and really appreciate the commitment you have to these issues and what you'll bring and appreciate the addition of the -- or consideration of the addition for the geographic spots, the tribal and labor seats. I think those will help us.

And then just want to echo Board Member Takvorian's point. I think it would be good to have an update on the Scoping Plan at our next Board meeting, along with exploring making this a standing committee.

So thank you all.

CHAIR RANDOLPH: And Board Member Hurt.

BOARD MEMBER HURT: Thank you, Chair.

I'd like to thank the members who have recommitted their time, and their experience, and the new applicants as well. I think as a newer Board member, I really am tabula rasa about how things are working. And so I look forward to meeting all of you and working with the EJ community in this space.

Definitely expand the membership. I did see on the PowerPoint that the Bay Area was listed. So I don't want to miss that opportunity that we also include them, when we think of the geography and making sure that that representation is there. I did see Sharifa Taylor. I think she's from Richmond, but just making sure.

I also support labor representation. I would
suggest that the labor representation maybe comes from a highly impacted community, so another layer of importance. Definitely want to have regular updates from the EJAC. We can include it in our agenda items. I think it's important that we work hand in hand in making -- improving air quality for all communities, especially the highly impacted ones.

I'll also echo the sentiment that it should be a standing committee. I agree. And there should be a formal process, and support, and compensation. And so I think there's a longer road ahead to really formalize this process, because we do need to uplift those voices. We need to connect the dots to real action, and improve air quality from start to finish for all our communities.

And going a little bit to someone who spoke with regards to expectations. Completely agree that we need to have a deeper and longer conversation about the process, so people do not feel like they're wasting their times, because they are putting a lot into making a difference for their community and others. So a real focus and just thinking deeply about what folks should expect out of this process. And I look forward to learning and understanding more.

Thank you.

BOARD CLERK SAKAZAKI: Vice Chair Berg.
VICE CHAIR BERG: Thank you very much. I am going to go ahead and jump in here. I so appreciate all my fellow Board members' comments and especially the comments of our new people and returning people to the EJAC. I've worked with many of them. They are dynamos in this area. I look forward to getting to know the new members.

I just really want to highlight two things and I do say this almost every meeting of this type. And I so appreciate that Dr. Pacheco-Werner beat me to it, and that is truly on the expectation, and that Ms. Hurt expanded on that even, that it's a longer road of really what is our longer term goals and how should we get there.

It might be great for those of us that were here in 2017. One of the things we did do on the last meeting is there was a subset of Board members that actually attended a couple of the meetings with EJAC to truly go over the ideas and -- and look at. And there's no question these are heartfelt, absolute, true systemic problems that disadvantage. And they are systemically broken. So that is true.

What we have is there are many, many layers of who's responsible and quite frankly who has the authority to do what. And nobody likes to hear that, including me, because it feels like you're kicking the can down the road
or saying, gee, I'd like to, but there's not much I can do. And that's just not true.

But I am really hopeful that -- and we have done this now for the third time, that we will be able to bring expert -- that the experts that come, including those of us that ultimately need to make decisions based on a lot of factors, we can hear each other, we can learn from -- as Mr. De La Torre said, let's figure out what didn't work, so we don't repeat that. And I know we have a dynamic team at staff. There's no question that this EJAC Committee is teeing up to be one of the most dynamic.

But it is those expectations and it is how can we form up what can we do, what do we need to be able to help connect, put pressure where we can, and truly be able to end this process with not what we heard from testimony that nothing got done last time. I'll pull -- I'll pull the notes, but boy, I'm certainly not going to come this time that nothing got done.

So I know my fellow Board members absolutely would concur with that. And we look forward, Madam Chair, to participating along with staff and the best outcome possible.

CHAIR RANDOLPH: Okay. Board Member De La Torre, I want -- I actually had some comments. Do you want to say something really quick before I go or --
BOARD MEMBER DE LA TORRE: Yeah, just -- yeah, I just wanted to clarify one thing, because it was said multiple times that somehow the plan had already been written or part of the plan had been written and that just isn't true. There isn't anything that's been written. The only thing that has begun is what we mentioned, that Rajinder in ISD, and Chanell in the EJ group are talking and working together and trying to figure out how they're going to move ahead. But there is nothing in writing. There's nothing pre-ordained. And so, you know, this group working with our staff is going to guide us. And so to Ms. Takvorian's point, you know, we will be getting a report from our wonderful staff, about how they plan to proceed over the next two years almost, year and a half on this process. So I think that's very, very important that we be very transparent about that.

Thank you.

CHAIR RANDOLPH: Okay. I'm going to make a few quick comments before I call on Board Member Florez. A couple things briefly. I completely agree with Board Member Takvorian that a presentation from staff about the -- you know, the plan for the plan would be really great. I think the next Board meeting might be a little soon, because I think it would be really beneficial for the staff to have a conversation with the EJAC in advance
of that presentation, but I will just sort of echo that I think there needs to be a presentation, and staff can sort of figure out the timing of that.

I do think having some discussion and analysis around a standing committee structure would be really good to have. I felt like that's probably a little less time sensitive, because I think if we create a standing committee, we need to be thinking about kind of what their charter is and sort -- and since the Scoping Plan is kind of job one, we know that, for sure, so, you know, we'll have to think about that. But I do think staff should present, you know, some options around that, options around compensation, understanding -- so perhaps the compensation piece could be part of the strategy presentation, because I want to understand -- you know, my understand is that there are some options that staff is working on. Add so I really want them to kind of land the plane on those and present them to us, so we know the lay of the land.

I think -- my gosh, I love what Dr. Pacheco-Werner said about expectations. I think it's really important, because when I look at the 2017 document, there is a lot of discussion of recommendations that were things that we could not do on our own or areas where we needed to coordinate with others. And that's
just the reality. And so I just want to make sure that
maybe early in the process there's some conversation
around that, so that there's an understanding of that.

Lastly, before I call on my colleague, with
regard to a labor member, I think that that is a good
suggestions, but my understanding is that member would
have to sort of qualify under the other statutory
provisions in the -- in the statute. So just sort of --
you know, just in terms of clarifying expectations, it
would have to be someone who meets the qualifications
under the statute. So I would encourage staff to take a
look at that, do some outreach, and see if they can find
someone who hits that sweet spot.

Okay. I'm done. Sorry.

Board Member Florez.

I was just so ready to talk that I just had to
go.

BOARD MEMBER FLOREZ: Yeah. Well, unfortunately,
you took all my points, so I have nothing to say now.
(Laughter.)

BOARD MEMBER FLOREZ: Madam Chair, I just wanted
to say one thing. All great points. But I think to
Diane's point, I think just from a compass perspective, I
think Hector mentioned transparency. And I'm not so much
worried about that. It just feels like we go wrong when
we're asking EJ to react to anything as opposed to, you
know, like here' our plan, here's what we think, here's
something for you to consider. You know, I think if it
doesn't bubble up, even in the process that you've named,
where EJ is part of this, you know, kind of partnership in
this process, that's where I think things go a little
better. It's a little rougher and I think it's hard --
it's -- you know, it's a hard process, but it feels like
you get more buy-in early as opposed to, you know, so what
do you think, and we now have three options for you, or
these are things that the Board have come -- has come up
with.

You know, I think what I heard Martha say early
on, though she didn't say it directly - Arguello - was,
you know -- and the others had said, hey, we're ready to
serve, and a lot of enthusiasm is simply, you know, they
want to start now, and they'd like to start early, and
they'd like to start bottom up in the entire structure of
trying to build this up. I know that's a hard process,
but I think if we can direct staff as much as possible in
that early stage to jointly come up with, you know, these
types of things that the Board will look at next, I think
we're going to be in a good place, a much better place
than trying to, you know, get a reaction or how do you
feel about this. That's just my two cents.
CHAIR RANDOLPH: I would agree with that, which is why I was thinking it would be useful for staff to have a conversation with the EJAC before the strategy is presented to us as a group.

BOARD MEMBER FLOREZ: Yeah. Yeah. Thank you.

CHAIR RANDOLPH: Yeah. I think that's a really good point. Thank you.

Okay. I think -- I think that covers most, if not, all the comments. So is there a motion to approve the resolution with the direction to staff to do some solicitation and recruit additional members from the underrepresented areas, including looking for an opportunity to add a representative of labor to the group.

BOARD MEMBER BALMES: So moved.

BOARD MEMBER RIORDAN: Second.

CHAIR RANDOLPH: Right.

Clerk, will you please call the roll.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair.

Dr. Balmes?

BOARD MEMBER BALMES: Yes.

BOARD CLERK SAKAZAKI: Mr. De La Torre?

BOARD MEMBER DE LA TORRE: Yes.

BOARD CLERK SAKAZAKI: Mr. Eisenhut?

Supervisor Fletcher?

BOARD MEMBER FLETCHER: Fletcher, aye.
BOARD CLERK SAKAZAKI: Senator Florez?
BOARD MEMBER FLOREZ: Florez, aye.
BOARD CLERK SAKAZAKI: Ms. Hurt?
BOARD MEMBER HURT: Aye.
BOARD CLERK SAKAZAKI: Mr. Kracov?
BOARD MEMBER KRACOV: Yes.
BOARD CLERK SAKAZAKI: Dr. Pacheco-Werner?
BOARD MEMBER PACHECO-WERNER: Yes.
BOARD CLERK SAKAZAKI: Mrs. Riordan?
BOARD MEMBER RIORDAN: Aye.
BOARD CLERK SAKAZAKI: Supervisor Serna?
BOARD MEMBER SERNA: Aye.
BOARD CLERK SAKAZAKI: Professor Sperling?
Ms. Takvorian?
BOARD MEMBER TAKVORIAN: Yes.
BOARD CLERK SAKAZAKI: Vice Chair Berg?
VICE CHAIR BERG: Aye.
BOARD CLERK SAKAZAKI: Chair Randolph?
CHAIR RANDOLPH: Yes.
BOARD CLERK SAKAZAKI: Madam Chair, the motion passes.
CHAIR RANDOLPH: Okay. Thank you.
All right -- and again, thank you so much to the members of the Committee. We're really excited to be working with you and I hope to, as one of the Board
members was saying, I think looking for as many
opportunities to meet with the EJAC as we can I think
would be great.

So, okay, thank you very much.

The last item on our agenda is Item number
21-4-3, the AB 617 Community Air Protection Program,
Community Emissions Reduction Program for South East Los
Angeles.

If you wish to comment on this item, please click
the raise hand button or dial star nine now. We'll call
on you when we get to the public comment portion of the
item.

We are considering the first of four community
emission reduction programs for the communities selected
in 2019 to be in the Community Air Protection Program.
The three remaining community emissions reduction programs
will be considered at later Board meetings. The Community
Air Protection Program provides a community-focused
approach to improve air quality and public health in
communities that have been disproportionately burdened by
unhealthy impacts of air pollution.

The Southeast Los Angeles community emissions
reduction plan was developed in collaboration by the
community steering committee, community members, the South
Coast AQMD, and CARB. The plan was developed over the
course of a year and adopted by the South Coast AQMD Board in December last year.

Since then, implementations of key actions to reduce exposure and emissions has been ongoing. Because of the community focus of these local programs, we tend to structure these Board items a little differently. First, we're going to hear from a few community steering committee members, then we'll be hearing from the South Coast Air Quality Management District, and CARB staff regarding the community emissions reduction program for the community. After the presentation, we'll take public testimony and then the Board will vote on whether or not to approve the CERP.

So having said that, let's get started with the community of Southeast Los Angeles. I will now turn it over to Liliana Nuñez, Air Pollution Specialist, to introduce our first featured speaker.

Go ahead and begin when you're ready.

OCAP AIR POLLUTION SPECIALIST NUNEZ: Thank you, Chair Randolph. First up, we have Jesus Ortiz, a South Gate resident, to share his thoughts on the community emissions reduction plan.

Jesus, whenever you're ready.

JESUS ORTIZ: Got it. Okay. Hello, everyone.

Good evening. My name is Jesus Ortiz, a member of the AB
67 community steering committee for the Southeast LA region, and a resident of the City of South Gate.

As we all know, the Southeast LA region has been heavily impacted by air toxics. Throughout my childhood I would frequently see diesel trucks near my school and that's because of the multiple fulfillment centers located next to my school. That is just one of many examples why I decide to pursue a degree in political science. I wanted to have the ability to represent my community. And thanks to AB 617, it has fueled that drive to -- fueled that drive, because I have seen the potential a community can have when given a voice.

It has definitely brought our communities together on an issue we all face. With that being said, I am thrilled to be able to share with you my experiences throughout the AB 617 process. It was definitely a roller coaster. I believe we had only one in-person meeting before we moved to virtual meetings. Although it was difficult, the South Coast AQMD and CARB members did do a great job making themselves available to the committee on and off the clock.

Working with both agencies and the residents -- and the residents of my community, it was extremely exciting as they shared new ideas and perspectives that I've never thought about. Having the ability to express
how we felt, while being guided by the experts was
definitely great. I really enjoyed being a part of this,
because it is like no other. It has given my community
and the surrounding communities a voice.

With a lot of community input, we were able to
pinpoint the most toxic sources within our communities,
which has lead to the development of our CERP. Alongside
that, the great aid and the information provided by both
CARB and the South Coast AQMD, we were able to form
specific work groups that targeted a certain issue outside
of AB 617. An example of that can be the formation of the
catalytic converter work group, which seeks to educate our
communities and -- on the deterrence of theft and the
brainstorming that we can -- on how we can alleviate a
problem, such as the theft of catalytic converters.

This community-based initiative has really stood
out from many other Assembly bills, because the
development of the CERP has been solely centralized
through the -- through the individuals living in the
environmental justice communities.

Lastly, our frontline communities have expressed
our concern and pinpointed them specifically. This has
resulted in the development of our CERP. I'm excited to
hopefully see this five-year plan through and I am
committed to keep on working with the South Coast AQMD,
CARB, and my community to keep on bringing emissions in our community down.

It is crucial that the Board considers approving our plan, as our CERP was developed by the people and it is for the people.

Thank you.

OCAP AIR POLLUTION SPECIALIST NUNEZ: Thank you, Jesus for sharing with us.

Next, we have Lizette Ruiz from the South Gate and Community Environmental Health Action Team. She's also a South Gate resident.

LIZETTE RUIZ: Thank you. Good afternoon, members of the Board, CARB staff, and members of the public. Thank you for this opportunity.

Today, I would like to share my opinion on the AB 617 process. My experience working with my colleagues in the South East LA AB 617 community steering committee was generally very positive. In 2017, I first attended the local meeting held here at South Gate Park, during which various community members and local stakeholders outlined their air quality concerns. Although we weren't selected during year one, we were very excited to learn about our selection for year two.

I have enjoyed that the discussion process has
been very inclusive for those attending and liked that
presentations were made, so that everyone had a better
understanding on the topics at hand before making any
important decisions. I also liked that the -- there was
staff presence and community presence with individuals
that are very knowledgeable, ready to answer both our
questions, and questions from other members of the public.

I have also enjoyed the pro -- that the process
allowed us to be very inclusive to areas that didn't
necessarily first fall within the community bounding --
boundary that was first set, and that we were able to
expand the borders, and we were also able to add areas of
interest, and welcome public participation from members in
those areas.

I am personally excited that there is going to be
a more extensive community monitoring pollution plan. Our
area -- our area has a history of having heavy industrial
facilities not abide by legal rules, which may be lenient
as it is. These industries have been able to operate
without proper permitting or proper oversight such as
Central Metal, Exide, and the chromium emissions that have
been recently detected coming out of Paramount chrome
plating facilities.

There have also been a few industrial fires and
air quality disasters, such as the Delta fuel spill that
have worried many members of my community as we weren't informed when they were happening and didn't know what dangers were being posed to us, as they were happening.

I feel that having these monitoring systems on hand, instead of having to rely on the only permanent monitoring -- air monitoring station nearby, which is all the way in Compton, would be a huge asset for our community. I am hopeful that we will be better to able pinpoint and address pollution hot spots, while they occur in our communities.

I also appreciate that my community's concerns regarding our exposure to dangerous contaminants are addressed within the CERP, particularly heavy metals, the horrendous odors that we get from local rendering facilities, pollutants from truck traffic and our bordering freeways, local railways, and that we are able to address concerns with general industrial facilities.

Also important is adding more green space, which we desperately need in our communities. As a member that grew up and lives in this community with the long history of having been negatively disproportionately affected by pollution from the aforementioned sources, it is the great endeavor to develop a plan that adequately reduces emissions with a very limited financial resource. Having said that, I would like to push for more funding to
adequate -- adequately meet our emission reductions goal.

One very important method of pollution reduction for many of us in Southeast LA is to have more zero-emission trucks, which unfortunately currently we are very limited due to the funding that is currently available.

Having said that, I really do encourage you to pass our CERP, because we have worked really hard, and it hasn't been easy for us -- a lot of us who have 9 to 5 jobs attend these meetings, but, you know, we still find the time and find the way whether we're calling in while we're coming home from work. We made it happen and this has seriously been our blood, sweat, and tears, so I really do hope you pass our CERP.

Thank you.

OCAP AIR POLLUTION SPECIALIST NUNEZ: Thank you, Liz. I really appreciate you sharing with us.

And now, Dr. Dianne Sanchez from South Coast Air Quality Management District will give us an overview of the plan.

Thanks, Dianne.

DIANNE SANCHEZ: Thank you, Liliana.

Good afternoon, Chair and members of the Board.

My name is Dr. Dianne Sanchez. I'm an Air Quality Specialist in the Community Air Programs at South Coast AQMD and it truly is my pleasure to present an overview of
the South East Los Angeles community emission reduction plan.

So as our community members have stated, this plan was developed over the year of 2020 with the guidance of the 39 community steering committee members, or the CSC members. And during 2020, staff held nine CSC meetings, two technical advisory group meetings, and over 40 individual meetings to help gather input from the CSC. And so some of that input included identifying the top air quality priorities in the community.

So as was stated before, this included reducing emissions from truck traffic and freeways, from rendering facilities, metal processing facilities, general industrial facilities, railyards and locomotives, and other concerns like increasing green space. I would really like to highlight the truck traffic and freeways as this was by far the community's top air quality priority.

And so we used various strategies to address these concerns. Some of those included rules and regulations from South Coast AQMD and CARB. For example, we committed to initiating the rule development process to address housekeeping and best management practices at metal recycling plants.

We also used focused enforcement, for example, conducting quarterly heavy-duty truck enforcement sweeps
in collaboration with CARB, conducting air monitoring, allocating incentives and incentive opportunities to the community. For example, we recently conducted a budgeting exercise with the CSC to determine the distribution of year three Community Air Protection Program funds between different projects. And so our CSC prioritized zero-emission trucks, green spaces, and school air filtration systems.

Other strategies we used included collaborations with other agencies and the community and public information and outreach.

And so the community emission reduction plan for Southeast LA includes 46 different actions that will go towards reducing emissions or exposure in the community. And some examples of these emission reduction strategies for mobile sources includes CARB collaborating with South Coast AQMD to conduct quarterly truck enforcement sweeps; providing outreach to small businesses, for example independent truck owners, and operators, and local fleets for incentive funds where we will prioritize zero-emission trucks where they are commercially available; and collaborating with the CSC to identify and prioritize no idling sign placement in the South East LA community.

For stationary sources, some of our actions include: initiating the rule development process to
address housekeeping and best management processes at metal recycling facilities in order to reduce fugitive emissions; conducting air monitoring to help identify any elevated levels of toxic -- of air toxic metals and supporting efforts to identify any potential sources of emissions of these metals; and making referrals to the appropriate agency when issues are found during inspections that may fall outside of South Coast AQMD's jurisdiction, for example, referring to the Water Board or DTSC, Cal/OSHA, land use agencies, or public health agencies as well.

Some exposure reduction actions we have include identifying and prioritizing schools that are exposed to truck emissions that might benefit from the installation of air filtration systems and other actions that would provide community benefits include collaborating with non-profits, local and regional agencies, to provide letters of support, and air quality information for urban greening funding opportunities, and evaluating opportunities to use future settlement funds to support the community green space projects. So these are just a few examples of the 46 total actions that we have in the CERP to reduce emissions and exposure in the community that were developed with the guidance of the community themselves. And so from these actions, we do expect
emission and exposure reductions.

So by 2025, we expect to reduce over 150 tons per year of NOx and one ton per year of diesel particulate matter. So by 2025, this would constitute a 32 percent reduction of NOx and a 58 percent reduction of diesel particulate matter from the 2018 baseline. And by 2030, we would have reduced almost 300 tons per year of NOx and four tons per year of diesel particulate matter and that would leave us with a 41 percent reduction of NOx and a 74 percent reduction of diesel particulate matter from the 2018 baseline. I want to note that the estimated emission reduction targets from our plan include reductions from projected incentive projects.

And so that concludes my overview for the community emission reduction plan for Southeast LA. Our team will be happy to take questions at the conclusion of the presentations. And again, I just want to thank the CSC so much for all of their guidance, and input, and very hard work that they put into this plan.

Thank you.

CHAIR RANDOLPH: So I see Board Member Kracov's hand up. And as our South Coast AQMD Board Member, I assume you wanted to take a moment to follow up on Dr. Sanchez's presentation.

BOARD MEMBER KRACOV: Yes. Thank you. Sorry,
I'm off screen right now, Chair. I have a family event, high school volleyball playoffs actually at Warren High School in South East Los Angeles. I'm driving to Downey for the game, but wanted to chime in. I want to thank all the CSC participants, our staff, Dr. Sanchez, the CSC members that spoke to us tonight, my friend of many years, Lizette Ruiz for presenting.

As the South Coast member, I support approval of this CERP tonight. There was broad support, Board members, during the process for this CERP. This was a smooth process leading to adoption of the CERP at our District Board. So I wanted to make those brief comments.

Now, of course, we have to implement the CERP and that's going to be the real challenge. Sometimes it's hard enough just to write the plans, but it's actually harder to implement them to show actual emissions reductions as 617 intends. So looking forward to that part of it. I think our Board here at CARB at the State level has an important role in that, not just for this CERP, but all the other ones to show that they meet their promise.

At the South Coast I'm proud that we're embarking on some of the hard work to get the CERP going. One of the measures you'll note is the warehouse rule, the Indirect Source Rule for warehouses which our Board passed...
with broad support two weeks ago, so we're going to try to
do the hard work at the South Coast to make this plan all
it can be and look forward to working with this body and
our staff at CARB to oversee that work.

Thank you, Chair.

CHAIR RANDOLPH: All right. Thank you. And I
will turn the floor back to Liliana.

OCAP AIR POLLUTION SPECIALIST NUNEZ: Thank you,
Chair Randolph. So thank you Dr. Sanchez and thank you
Gideon for those remarks.

One second.

(Thereupon a slide presentation.)

OCAP AIR POLLUTION SPECIALIST NUNEZ: All right.
I would like to express my gratitude to both Lizette and
Jesus for providing valuable insight as residents and
steering committee members. And a special thanks to the
steering committee as a whole and the South Coast Air
Quality Management District staff for all of their efforts
in developing the community emissions reduction program
for Southeast Los Angeles.

This plan is the result of extensive community
collaboration and we commend them for their work. This is
the eighth community emissions reduction program the Board
is acting on. And today's action by the Board continues
the effort statewide to improve air quality in
disproportionately burdened communities.

Today, I will present CARB staff's review and our recommendations for this community's emission reduction plan. As we've done before in other community emissions reduction programs already approved by the Board, CARB staff compared the plan to statutory requirements and blueprint criteria. And we also considered the comments we heard during steering committee meetings and other outreach events, including a virtual community workshop hosted by CARB in April.

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OCAP AIR POLLUTION SPECIALIST NUNEZ: Before going into the key strengths, I just want to show where the community is. This Southeast Los Angeles community in blue is located just south of the community, in green, East -- that's the East LA/Boyle Heights/West Commerce community, which was selected in the first year of the program.

And as you can see, there are areas where the communities overlap. Consequently, these communities have similar sources of concern and some of the measures that were adopted in the Southeast LA plan will also benefit the East Los Angeles/Boyle Heights/West Commerce community and vice versa.

Now, zooming into the Southeast LA map, we see
the community boundary in blue and this focuses on places in the community where residents live, work, attend school and spend most of their time. The pink boundary is referred to as the emissions study area. And it's an extension designed to recognize additional air pollution sources that impact the community, as Liz mentioned in her remarks. This is the portion of the boundary that overlaps with the East LA community.

And as Dianne mentioned earlier, there were six air quality priorities identified by the community. Those are trucks and freeways, rendering facilities, lack of green spaces, metal processing facilities, railyards, and industrial facilities in general. As part of staff's review of emission reduction programs, it's important we identify best practices or key strengths that can be applied to other communities in the state to help our program grow and improve.

This plan was well prepared by the steering committee and the District. And on this slide, I'll go over a few of its strengths. The South Coast District was only able to hold one steering committee meeting in person before the stay-at-home orders were enacted.

Essentially, throughout the development of the emissions reduction program, the District and the steering committee were able to build a collaborative relationship.
over Zoom to identify the community's air pollution concerns and develop strategies to address them.

These strategies include various actions in the plan that are meant to be complementary. For example, actions to address metal processing facilities include regulatory actions, incentives, public outreach on best management practices, and employing air monitoring to identify elevated levels of air toxic metals.

Another example, as Board Member Kracov just mentioned, is the Indirect Source Rule for Warehouses that was recently adopted by the South Coast District Board earlier this month. This facility-based regulatory approach for mobile sources is a major accomplishment, not just for the Southeast Los Angeles community but for many communities in the South Coast Basin.

Additionally, there are robust enforcement actions included in the plan and I'll go over some of those in the next slide.

Lastly, based on CARB Board recommendations for the first year community emission reduction programs in the South Coast, to refine the metrics to track progress, each action in the southeast Los Angeles plan now identifies at least one metric to measure the advancement of strategies to address air quality concerns.

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OCAP AIR POLLUTION SPECIALIST NUNEZ: Now, I'll highlight for the Board some of the enforcement commitments and statewide actions led by CARB in the emissions reduction program to help improve air quality in the Southeast Los Angeles community.

CARB hosted an initial scoping meeting with a group of interested steering committee members and South Coast District staff to review and understand the ideas of enforcement and enforcement outreach in the community. This brought about the commitment to establish CARB's Community Pollution Enforcement Workgroup for heavy-duty trucks and other vehicles in Southeast LA.

Some of the actions the workgroup will undertake include collaborating with local municipalities and law enforcement to help establish truck routes, no idling ordinances, zoning to relocate truck parking away from local neighborhoods, and greening to help separate people from idling within the community. And CARB and interested steering committee members are working to develop a catalytic converter theft deterrence and education program in the community.

Statewide measures that will come to the CARB Board in the near future will directly benefit the Southeast LA community, as it is highly affected by freeways railyards. These include: bringing zero-emission
drayage trucks to railyards as part of the Advanced Clean Fleets Regulation; the in-use locomotive regulation, which aims to accelerate the adoption of advanced cleaner technologies, including zero-emission technologies for locomotive operations; and amendments to the chrome plating Airborne Toxic Control Measure.

And in Southeast LA, CARB enforcement has also committed to enhanced efforts at railyards to enforce the existing Cargo Handling Equipment and Transport Refrigeration Unit Regulations.

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OCAP AIR POLLUTION SPECIALIST NUNEZ: The District and steering committee members have put significant effort into the plan development and we recognize that the plan is a culmination of an extensive amount of work within aggressive deadlines, further exacerbated by the stay-at-home orders. Since the adoption of the plan by the South Coast Board in December 2020, we've continued to see ongoing progress. However, we did hear concerns during the development process, and in response, we've identified areas for CARB, the District, and the steering committee to work together.

First, during the development of the plan, the steering committee had the desire to further engage on discussions for the actions in the general industrial
sources chapter to better understand the various types of industrial sources and their emissions in the community.

To expedite this process, while ensuring the community is provided enough information to make informed decisions, the District should hold -- should provide the steering committee the necessary data in between their quarterly meetings to support strategy development and the decision-making process.

Second, throughout the state, communities are asking for more transparency around incentives projects funded in AB 617 communities. As a result, the South Coast District has engaged the Southeast Los Angeles community steering committee in participatory budgeting for the community identified projects.

Staff recommends the South Cost AQMD continue this participatory budgeting process to identify community priorities for incentives projects. And also, we recommend the Air District hold incentives specific workshops for the steering committee when developing the community identified projects.

Next, the near-term enforcement strategies in the plan address community concerns, including actions to conduct enforcement sweeps for applicable mobile sources -- source rules such as truck idling. However, truck idling concerns do not necessarily correlate to the
observed non-compliance data. Based on prior enforcement activity, the majority of the vehicles are compliant with the commercial idling regulation.

In the future, providing the community steering committee the opportunity to examine mobile enforcement data early in the process will establish a baseline from which the steering committee can choose how best to use the available enforcement resources for future years.

Furthermore, action -- enforcement actions identified during the CARB's Community Pollution Enforcement Workgroup activities should be considered by the District and the steering committee to help refine enforcement strategies in the plan during implementation.

Lastly, the community expressed their desire and need for data to better understand air pollution in the community. There are a variety of data tools that CARB has developed or is developing that are meant to help communities understand regulations, control technologies, community air monitoring, enforcement activity, and other resources.

So we are proposing CARB staff hold workshops for the community to explain the value of the tools and how they work. These are tools such as the Enforcement Data Visualization System, which is a user-friendly way to access and visualize CARB's enforcement activities on a...
The Technology Clearinghouse, which AB 617 required CARB to develop. It identifies the best technologies for reducing emissions and the Board will receive an informational presentation at the June hearing on the Technology clearinghouse.

Another tool also mandated by AB 617 is AQ-VIEW. It's a single central hub for viewing the current air quality across the state, including data collected as part of AB 617 monitoring efforts.

Again, these recommendations are intended to strengthen the implementation of the Southeast Los Angeles plan and to help future communities during their planning process.

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OCAP AIR POLLUTION SPECIALIST NUNEZ: Considering these actions to strengthen the implementation and the steering committee support for the final plan, staff recommend that the Board approve the Southeast Los Angeles community emissions reduction program and direct CARB staff and the Air District to work with the steering committee to implement the recommendations presented today, and outlined in the CARB staff report, and Resolution 21-12.

Finally, we're also recommended the Board direct
the District to provide updates on the measurable progress made towards these actions in their annual reports that are required by AB 617.

This concludes today's presentation and I would like to thank our guest speakers once again for their time and continued commitment to the Southeast Los Angeles community.

Chair Randolph, I'll turn it back to you.

CHAIR RANDOLPH: Thank you very much.

We will now hear from the public who raised their hands to speak on this item. Will the Board Clerk please call on commenters.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair.
If you wish to comment on this item, please click the raise hand button on Zoom or dial star nine if you're on the phone.

We do not -- we currently do not have any people with their hands raised, so we'll give it a couple moments if anyone wants to raise their hand for a comment.

Okay. We have one person Sebastian Perez. I have activated your microphone. You can go ahead and begin.

SEBASTIAN PEREZ: Hi. Good afternoon, everyone. I actually just recently -- my name is Sebastian Perez. I'm a resident of South Gate and I actually just recently
joined the community steering committee for Southeast LA in April. But I can tell that the members who have been working on this CERP for the past year are really dedicated and they have the -- they have their best intentions for our community. So I do want -- I do humbly request that the Board accept the CERP as it stands. I think it is a good reflection of the community's priorities, given our budget and what we need to see in South East Los Angeles.

Truth be told, I -- for so many years, I didn't realize that the environment was or included the built environment. I thought it was something that was cordoned off in National Parks where cacti like grow and rabbits like dart about. But realizing how intersectional different policy areas and issues that harm overburdened communities like ours shorten our life spans, especially during this pandemic that we're experiencing makes all these efforts to improve our air quality more urgent, like as urgent as these things needed to be done two decades ago if not sooner.

So with that, humbly, I do ask you to please accept the CERP. And that is all that I have to say.

Thank you.

BOARD CLERK SAKAZAKI: Thank you.

Madam Chair, that concludes the list of
commenters for this item.

CHAIR RANDOLPH: All right. Thank you. Okay. I
will now close the record on this agenda item. And if
Board members have a question or comment, please go ahead
and click the raised hand symbol. And I believe Dr.
Balmes raised his hand first

BOARD MEMBER BALMES: Thank you, Madam Chair. I
really want to express my actually true happiness about
this particular CERP process. I think we have learned,
over the last few years of AB 617 implementation, how to
do things better. So I really want to first express my
appreciation for the community steering committee members
who have worked hard and well with both CARB staff and Air
DISTRICT staff.

Second, I want to compliment the South Coast Air
Quality Management District staff who have been involved
with this process, because I think this has gone smoother
than other CERP processes in the South Coast.

And I especially want to extend appreciation to
CARB staff, because Liliana exemplifies how we've moved
towards a more community engaged and listening to
community voices right from the start of the process.

So, you know, I'm sure that there were bumps in
the road, and, you know, we're seeing a final product
that, you know, looks pretty good. But I do really think
this is an example of how the process can be done right. And I really appreciate how much better we are for -- with regard to approving this CERP than almost everyone that we've had to approve before.

You know, the fact that there aren't a bunch of people wanting to complain about things is really a testament to the process.

So I will stop there and Mr. De La Torre is actually a resident of the area, so he can speak from personal experience.

CHAIR RANDOLPH: Okay. Board Member De La Torre.

BOARD MEMBER DE LA TORRE: Thanks for that segue John. It's perfect.

I do, in fact, live in South Gate. I'm a life-long resident. It's the core of this District. I also want to thank Liliana and the committee for bringing this forward and AQMD. Gideon, I appreciate that you're our South Coast person, but I'm the South Gate person. So I'm really pleased with this package. And frankly as a life-long resident, there's nothing about this set of recommendations that surprises me.

Goods movement is first, second, third priority for these communities. We -- we're just in the wrong place. We're in between the ports and the railyards with God knows how many warehouses. In fact, on the slide that
(inaudible) and the middle photo, four blocks from my	house. I walk by it every morning when I do my morning
walks. So I saw it. I'm like, hey, I know that place.
So it is absolutely important that we support this. I'm
very supportive of it.

And I think the enforcement request is very
important and I know Todd Sax has put together for our
other AB 617 communities. And this is exactly what we
wanted to happen, right, where we identify a set of
solutions for one 617 community that can be applied in
other 617 communities, so we don't start from scratch
over, and over, and over again.

We don't have to reinvent the wheel. So I would
start there with Todd and the Enforcement Division's
recommendations just to get the ball rolling. We don't
need to wait, you know, months and months to make up
solutions here. It's in the CERP. We can get started on
it.

And then the other key piece that I noticed was
the goods movement incentives and investments. And the
timing again here is perfect. In the recent budget
proposal, there is $1.8 billion dollars in next year's
budget that hopefully the Legislature will support,
Assemblyman Garcia, and -- we don't have a Senate
representative for over six months now by the way, but
Eddie you're here, so you get to hear it.

That we have $225 million for drayage trucks and infrastructure. We've got 400 million for clean trucks, buses, and off-road. We've got 250 million for transit and school buses. We've got 150 million proposed for Clean Cars 4 All and equity, which would be absolutely in these communities. We have half a billion dollars in clean transportation program and ZEV infrastructure.

So it's a really robust package and we all -- we, the Board, and all of the advocates who are watching here today can reach out to your legislators and ask them to support this package, because it is the biggest package. The time is now. We haven't had this opportunity before. Three years ago, we couldn't say we're ready to spend this money on zero-emission heavy-duty vehicles. Today, we can. There are at least a half a dozen manufacturers producing zero-emission heavy-duty trucks for sale this year, this calendar year. So we can fulfill that promise to communities like South Gate, to communities like South Fresno, to communities like Shafter, and up and down -- West Oakland that have requested this very same action.

So I'm very, very pleased that we've gotten to this point. I'm glad that -- and it doesn't surprise me that the people from my community were proactive, and productive, and cooperative, and collaborative to put this
package together.

We're not about drama. We're about getting stuff done. So thank you very much again Liliana and the committee members. And when the time comes, I'd be happy to make the motion to support the CERP.

Thank you.

CHAIR RANDOLPH: Thank you.

Vice Chair Berg.

VICE CHAIR BERG: Well, I just have to add on to Mr. De La Torre's comments, and specifically I just want to call out our three people that -- our three community members that came, and presented, and testified. It truly -- our job here is to support you. And so as you came so enthusiastic about this plan, and it is a community plan, that's all I'm listening for, and to make sure that we believe you have the resources to do it.

So Lizette, and Jesus, and Sebastian, who just joined, you guys did an awesome job. Thank you very, very much. It warms my heart. I was very involved in the Boyle Heights, because I have a business there and family that lives there, so I'm neighbors. And really looking forward to all the great work that South Coast and this community is doing.

So congratulations. Congratulations, Hector. I know you were the spirit behind this a lot too. And so I
will second the motion when we're ready, Madam Chair.

CHAIR RANDOLPH: Board Member Kracov.

BOARD MEMBER KRACOV: Yeah, I'm still in the car here, probably driving right past Hector's community there in South Gate on my way to Downey. I don't have my talking points in the car and was remiss not to identify Hector's leadership, probably one of the most important environmental leaders, you know, here in the area, certainly in the South East. So thank you, Hector, for your leadership. Also, of course, Cristina Garcia, the author of 617, you know, this is her community as well. So we're blessed to have this kind of leadership.

Dr. Balmes, too, I know is putting in yeoman's work on the Blueprint. And the success of the Blueprint also moving forward is going to be a critical foundation. Working with CARB staff, I know Liliana, and Deldi, and the other folks in the 617 group to really uplift this work and make it as successful as can be. So I just want to add a couple of those points before the reception on phone gets lost, but did want to uplift all those folks.

CHAIR RANDOLPH: Thank you.

Okay. I think we may be ready for a motion.

BOARD MEMBER DE LA TORRE: I move that we approve the CERP for the Southeast L.A. County community.

VICE CHAIR BERG: Add Berg seconds.
CHAIR RANDOLPH: Okay. Clerk, can you please call the roll.

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

BOARD MEMBER BALMES: Yes.

BOARD CLERK SAKAZAKI: Mr. De La Torre?

BOARD MEMBER DE LA TORRE: Yes.

BOARD CLERK SAKAZAKI: Mr. Eisenhut?

Supervisor Fletcher?

BOARD MEMBER FLETCHER: Fletcher, aye.

BOARD CLERK SAKAZAKI: Senator Florez?

BOARD MEMBER FLOREZ: Florez, aye.

BOARD CLERK SAKAZAKI: Ms. Hurt?

BOARD MEMBER HURT: Aye.

BOARD CLERK SAKAZAKI: Mr. Kracov?

BOARD MEMBER KRACOV: Yes.

BOARD CLERK SAKAZAKI: Dr. Pacheco-Werner?

BOARD MEMBER PACHECO-WERNER: Yes.

BOARD CLERK SAKAZAKI: Mrs. Riordan?

Mrs. Riordan?

CHAIR RANDOLPH: You're muted.

BOARD MEMBER RIORDAN: Sorry, I'm muted.

Aye

BOARD CLERK SAKAZAKI: Thank you.

Supervisor Serna?
BOARD MEMBER SERNA: Aye.

BOARD CLERK SAKAZAKI: Professor Sperling?

BOARD MEMBER SPERLING: Yes.

BOARD CLERK SAKAZAKI: Ms. Takvorian?

BOARD MEMBER TAKVORIAN: Congratulations to everyone. Aye

BOARD CLERK SAKAZAKI: Vice Chair Berg?


BOARD CLERK SAKAZAKI: Chair Randolph?

CHAIR RANDOLPH: Yes.

BOARD CLERK SAKAZAKI: Madam Chair, the motion passes.

CHAIR RANDOLPH: All right. Thank you for that and congratulations to the community in Southeast Los Angeles. That's wonderful and looking forward to helping you implement this plan going forward.

Okay. We already had our open comment period in -- earlier in the meeting, so the May 20th, 2021 CARB Board meeting is now adjourned.

Thank you.

(Thereupon the Air Resources Board meeting adjourned at 5:45 a.m.)
CERTIFICATE OF REPORTER

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 4th day of June, 2021.

JAMES F. PETERS, CSR
Certified Shorthand Reporter
License No. 10063