

VIDEOCONFERENCE MEETING

STATE OF CALIFORNIA

AIR RESOURCES BOARD

ZOOM PLATFORM

THURSDAY, OCTOBER 28, 2021

9:02 A.M.

JAMES F. PETERS, CSR
CERTIFIED SHORTHAND REPORTER
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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

Assemblymember Eduardo Garcia

Davina Hurt

Gideon Kracov

Senator Connie Leyva

Tania Pacheco-Werner, PhD

Barbara Riordan

Supervisor Phil Serna

Dan Sperling, PhD

Diane Takvorian

STAFF:

Richard Corey, Executive Officer

Edie Chang, Deputy Executive Officer, Planning, Freight,
and Toxics

Chanell Fletcher, Deputy Executive Officer, Environmental
Justice

APPEARANCES CONTINUED

STAFF:

Annette Hebert, Deputy Executive Officer, Southern California Headquarters and Mobile Source Compliance

Edna Murphy, Deputy Executive Officer, Internal Operations

Rajinder Sahota, Deputy Executive Officer, Climate Change and Research

Craig Segall, Deputy Executive Officer, Mobile Sources and Incentives

Ellen Peter, Chief Counsel

Ambreen Afshan, Environmental Justice Program Manager

Heather Arias, Division Chief, Transportation and Toxics Division (TTD)

Michael Benjamin, Division Chief, Air Quality Planning and Science Division (AQPSD)

Matthew Botill, Division Chief, Industrial Strategies Division (ISD)

Richard Boyd, Assistant Division Chief, TTD

Karen Buckley-Huber, Branch Chief, Community Planning Branch, Office of Community Air Protection (OCAP)

Catherine Dunwoody, Division Chief, Monitoring and Laboratory Division (MLD)

Ugo Eke-Simmons, Air Resources Engineer, TTD

Ariel Fideldy, Section Manager, South Coast Air Quality Planning Section, AQPSD

Michael Fitzgibbon, Branch Chief, Atmospheric and Climate Strategies Branch, Research Division (RD)

Bonnie Holmes-Gen, Branch Chief, Health and Exposure Assessment, RD

Alexandra Kamel, Senior Attorney, Legal Office

APPEARANCES CONTINUED

STAFF:

Robert Krieger, Branch Chief, Risk Reduction Branch, TTD

Toshiriro Kuwayama, Section Manager, Atmospheric Process Research Section, RD

Cassandra Lopina, Section Manager, Technology Assessment Section, OCAP

Abigail May, Senior Attorney, Legal Office

Gabriel Monroe, Senior Attorney, Legal Office

Brian Moore, Section Manager, Community Planning Section, OCAP

Nehzat Motallebi, Staff Air Pollution Specialist, Air Quality and Climate Science Section, RD

Cory Parmer, Section Manager, Off-Road Diesel Analysis Section, AQPSD

Sam Pournazeri, Branch Chief, Mobile Source Analysis Branch, AQPSD

Heather Quiros, Assistant Division Chief, Enforcement Division(ED)

Deldi Reyes, Director, OCAP

Todd Sax, Division Chief, ED

Elizabeth Scheehle, Division Chief, RD

Daniel Sloat, Criteria Pollutant and Air Toxics Reporting Section, AQPSD

Ken Stroud, Branch Chief, MLD

Sylvia Vanderspek, Branch Chief, Air Quality Planning Branch(AQPSD)

Fang Yan, Section Manager, On-Road Model Development Section, AQPSD

APPEARANCES CONTINUED

ALSO PRESENT:

Yasmine Agelidis, Earthjustice

Martha Dina Argüello, Physicians for Social Responsibility
- Los Angeles

Shayda Azamian, Leadership Counsel for Justice and
Accountability

Angie Balderas, Inland Region Equality Network

Daniel Barad, Sierra Club California

William Barrett, American Lung Association

Cliff Berg, Visa, U.S.A.

Brian Biering, Dairy Environmental Justice Fund

Michael Boccadoro, Dairy Cares

Cory Bullis, FLO

Teresa Bui, Pacific Environment

Todd Campbell, Clean Energy

Christopher Chavez, Coalition for Clean Air

Nicole Cheng

Paul Cort, Earthjustice

Jon Costantino

Cameron Demetre, TechNet

Cesar Diaz, ChargePoint

Dani Diele, Agricultural Council of California

Dominic Dimare, Blink Charging

Veronica Eady, Bay Area Air Quality Management District

APPEARANCES CONTINUED

ALSO PRESENT:

Sean Edgar, Clean Fleets

Sophie Ellinghouse, Western States Petroleum Association

Ben Perkins Foss, Volta

Jay Friedland, Plug In America

Ben Granholm, Western Propane Gas Association

Richard Grow

Laura Rosenberger Haider

Kevin Hamilton, Central California Asthma Collaborative

Tyler Harris, Ventura County Air Pollution Control
District

Ryan Hayashi, San Joaquin Valley Air Pollution Control
District

Kyle Heiskala, Environmental Health Coalition

Thomas Helme, Valley Improvement Projects, California
Environmental Justice Coalition

Kevin Ruano Hernandez

Matt Holmes, Little Manila Rising

Dylan Jaff, Electric Vehicle Charging Association

Stephen Jepsen, Southern California Alliance of Publicly
Owned Treatment Works

Kelsey Johnson, Rivian

Tom Jordan, San Joaquin Valley Air Pollution Control
District

Ryan Kenny, Clean Energy

Chris King, Siemens

APPEARANCES CONTINUED

ALSO PRESENT:

Amy Kyle, PhD

Julia Levin, Bioenergy Association of California

Bianca Lopez, Valley Improvement Projects

Ryan Mack

Ian MacMillan, South Coast Air Quality Management District

Bill Magavern, Coalition for Clean Air

Nayamin Martinez, Central California Environmental Justice Network

Adam Mohabbat, EVgo

Marc Monbouquette, Enel X

Pete Montgomery, California Carbon Capture Coalition

Wayne Nastri, South Coast Air Quality Management District

Daniel Nepstad, Earth Innovation Institute

Brent Newell, Public Justice

Luis Olmedo, Comite Civico del Valle

Cynthia Pinto-Cabrera, Central Valley Air Quality Coalition

Paula Torrado Plazas, Physicians for Social Responsibility - Los Angeles

Paulina Torres, Center on Race, Poverty and the Environment

Patricio Portillo, Natural Resources Defense Council

Brandon Price, Maas Energy Works

David Reichmuth, Union of Concerned Scientists

APPEARANCES CONTINUED

ALSO PRESENT:

Nicole Rice, California Natural Gas Vehicle Coalition

David Rothbart, California Association of Sanitation Agencies

Mariela Ruacho, American Lung Association

Sasan Saadat, Earthjustice

Leah Silverthorn, California Chamber of Commerce

Mikhael Skvarla, California Council for Environment and Economic Balance

Matt Smoot, SureCan, Incorporated

Mary Soleki, AJW

Robert Spiegel, California Manufacturers and Technology Association

Ritobrata Sur, PhD, Indrio Technologies

Robina Suwol, California Safe Schools

Alison Torres, Eastern Municipal Water District

Eileen Tutt, California Electric Transportation Coalition

Sam Wade, Coalition for Renewable Natural Gas

Francesca Wahl, Tesla

Catherine Garoupa White, PhD, Central Valley Air Quality Coalition

INDEX

	<u>PAGE</u>
Call to Order and Roll Call	1
Roll Call	1
Opening Remarks	2
Item 21-11-1	
Chair Randolph	6
Executive Officer Corey	8
Staff Presentation	9
Sam Wade	28
Leah Silverthorn	29
Robert Spiegel	30
Julia Levin	32
Daniel Nepstad	34
Mikhael Skvarla	37
Michael Boccadoro	38
Mary Soleki	40
Pete Montgomery	42
Brian Biering	44
Jon Costantino	45
Dani Diele	46
Laura Rosenberger Haider	48
Shayda Azamian	48
Board Discussion and Q&A	50
Item 21-11-2	
Chair Randolph	61
Executive Officer Corey	63
Staff Presentation	65
Yasmine Agelidis	94
Daniel Barad	96
Ian MacMillan	98
Sasan Saadat	101
William Barrett	103
Sophie Ellinghouse	106
Ryan Kenny	108
Bill Magavern	110
Ryan Mack	113
Tyler Harris	115
Tom Jordan	117
Jon Costantino	121
David Rothbart	122
Brent Newell	125
Ben Granholm	127
Nicole Cheng	129

INDEX CONTINUED

	<u>PAGE</u>
Item 21-11-2 (continued)	
Paul Cort	130
Shayda Azamian	132
Alison Torres	135
Mariela Ruacho	137
Stephen Jepsen	139
David Reichmuth	141
Sean Edgar	143
Teresa Bui	145
Mikhael Skvarla	147
Michael Boccadoro	148
Todd Campbell	150
Nicole Rice	153
Brandon Price	155
Kevin Hamilton	157
Board Discussion and Q&A	159
 Afternoon Session	 188
 Public Comment	
Ritobrata Sur	188
Cliff Berg	191
Cameron Demetre	192
Matt Smoot	195
Ben Perkins Foss	197
Cesar Diaz	199
Marc Monbouquette	202
Francesca Wahl	203
Dominic Dimare	205
Sean Edgar	206
Dylan Jaff	209
Kelsey Johnson	210
David Reichmuth	211
Patricio Portillo	213
Jay Friedland	215
Bill Magavern	218
Cory Bullis	219
Sasan Saadat	221
Adam Mohabbat	221
Eileen Tutt	223
Todd Campbell	224
Chris King	226
Board Discussion	227
 Item 21-11-3	
Chair Randolph	245

INDEX CONTINUED

	<u>PAGE</u>
Item 21-11-3 (continued)	
Executive Officer Corey	247
Staff Presentation	250
Panel 1	264
Board Discussion and Q&A	307
Staff Presentation	324
Panel 2	329
Board Discussion and Q&A	352
Matt Holmes	365
Robina Suwol	368
Christopher Chavez	369
Shayda Azamian	371
Bianca Lopez	375
Amy Kyle	377
Luis Olmedo	379
Catherine Garoupa White	381
Kevin Hamilton	383
Board Discussion and Q&A	385
Item 21-11-4	
Chair Randolph	387
Executive Officer Corey	391
Staff Presentation	392
EJAC Presentation	393
Matt Holmes	415
Catherine Garoupa White	418
Richard Grow	421
Kyle Heiskala	423
Cynthia Pinto-Cabrera	425
Luis Olmedo	428
Todd Campbell	429
Shayda Azamian	431
Thomas Helme	434
Board Discussion and Q&A	436
Adjournment	444
Reporter's Certificate	445

PROCEEDINGS

1
2 CHAIR RANDOLPH: Good morning. The October 28th,
3 2021 public meeting of the California Air Resources Board
4 will come to order.

5 Board Clerk, will you please call the roll?

6 BOARD CLERK ESTABROOK: Dr. Balmes?

7 BOARD MEMBER BALMES: Here.

8 BOARD CLERK ESTABROOK: Mr. De La Torre?

9 Mr. Eisenhut?

10 BOARD MEMBER EISENHUT: Here.

11 BOARD CLERK ESTABROOK: Supervisor Fletcher?

12 BOARD MEMBER FLETCHER: Fletcher here.

13 BOARD CLERK ESTABROOK: Senator Florez?

14 BOARD MEMBER FLOREZ: Florez here.

15 BOARD CLERK ESTABROOK: Assemblymember Garcia?

16 ASSEMBLYMEMBER GARCIA: Present.

17 BOARD CLERK ESTABROOK: Ms. Hurt.

18 BOARD MEMBER HURT: Present.

19 BOARD CLERK ESTABROOK: Mr. Kracov?

20 BOARD MEMBER KRACOV: Here.

21 BOARD CLERK ESTABROOK: Senator Leyva?

22 SENATOR LEYVA: Here.

23 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

24 BOARD MEMBER PACHECO-WERNER: Here.

25 BOARD CLERK ESTABROOK: Mrs. Riordan?

1 BOARD MEMBER RIORDAN: Here.

2 BOARD CLERK ESTABROOK: Supervisor Serna?

3 BOARD MEMBER SERNA: Here.

4 BOARD CLERK ESTABROOK: Professor Sperling?

5 BOARD MEMBER SPERLING: Here.

6 BOARD CLERK ESTABROOK: Ms. Takvorian?

7 BOARD MEMBER TAKVORIAN: Here.

8 BOARD CLERK ESTABROOK: Vice Chair Berg?

9 VICE CHAIR BERG: Here.

10 BOARD CLERK ESTABROOK: Chair Randolph?

11 CHAIR RANDOLPH: Here.

12 BOARD CLERK ESTABROOK: Madam Chair, we have
13 quorum.

14 CHAIR RANDOLPH: Thank you. It's great to be
15 meeting with everyone today. In accordance with the
16 Assembly Bill 361, we are conducting today's meeting
17 remotely with Zoom. We have organized the proceedings to
18 mirror our normal Board meeting as closely as possible,
19 but there will be some differences. We request your
20 patience and understanding, if any technical problems
21 arise.

22 A closed captioning feature is available for
23 those of you joining us in the Zoom environment. In order
24 to turn on subtitles, please look for a button labeled
25 "CC" at the bottom of the Zoom window, as shown in the

1 example on the screen now. I would like to take this
2 opportunity to remind everyone to speak clearly and from a
3 quiet location, whether you are joining us in Zoom or
4 calling in by phone.

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

10 (Interpreter translated in Spanish.)

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

13 BOARD CLERK ESTABROOK: Thank you, Chair.

14 Good morning, everyone. My name is Katie
15 Estabrook and I am one of the Board clerks. I will
16 provide some information on how public participation will
17 be organized for today's meeting. If you wish to make a
18 verbal comment on one of the Board items or if you want to
19 make a comment during open comment period at the end of
20 today's meeting, you must be using the Zoom webinar or
21 calling in by phone. If you are currently watching the
22 webcast on CAL-SPAN, but you do wish to comment, please
23 register for the Zoom webinar or call in. Information for
24 both can be found on the public agenda.

25 To make a verbal comment, we will be using the

1 raise-hand feature in Zoom. If you wish to speak on a
2 Board item, please virtually raise your hand as soon as
3 the item has begun to let us know You wish to speak. To
4 do this, if you are using a computer or tablet, there is a
5 raise-hand button. If you are calling in on the
6 telephone, dial star nine to raise your hand.

7 Even if you have previously registered and
8 indicated which item you wish to speak on, please raise
9 your hand at the beginning of the item that you wish to
10 speak on. And if you don't raise your hand, the chance to
11 speak may be missed. If you will be giving your verbal
12 comment in Spanish and require translation, please
13 indicate so at the beginning of your testimony and our
14 translator will assist you. And during your comment,
15 please pause after each sentence to allow for the
16 interpreter to translate your comment into English.

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

23 We will not be showing a list of commenters.
24 However, I will be announcing the next two or three
25 commenters in the queue, so you are ready to testify and

1 know who is coming up next. Please note that you will not
2 appear by video during your testimony.

3 I would also like to remained everyone,
4 commenters, Board members, and CARB staff to please state
5 your name for the record before you speak. This is
6 important in the remote meeting setting. It is especially
7 important for those that are calling in by phone to
8 testify on an item.

9 We will have a time limit for each commenter.
10 The normal time limit is three minutes, though this could
11 change based on the Chair's discretion. During public
12 testimony, you will see a timer on the screen. For those
13 calling in by phone, we will run the timer and let you
14 know when you have 30 seconds left and when your time is
15 up. If you require Spanish translation for your comment,
16 your time will be doubled.

17 If you wish to submit written comments today,
18 please visit CARB's send-us-your-comments page or look at
19 the public agenda on our webpage for links to those
20 documents electronically. Comments will be accepted on
21 each item until the Chair closes the record for that item.

22 I would like to give a friendly reminder to our
23 Board members and our CARB staff to please mute yourself
24 when you are not speaking to avoid any background noise.

25 Also, when you speak, please speak from a quiet

1 location. If you experience any technical difficulties,
2 please call (805)772-2715 so an IT person can assist you.
3 This number is located on the public agenda.

4 Thank you. I'll turn it back to you, Chair
5 Randolph.

6 CHAIR RANDOLPH: Thank you.

7 The first item on the agenda is Item number
8 21-11-1, which is an informational update on the
9 Intergovernmental Panel on Climate Change Sixth Assessment
10 Report: Findings and Implications for California.

11 The Intergovernmental Panel on Climate Change, or
12 IPCC, is the United Nations body that assesses the climate
13 system and climate change, its implications and potential
14 future risks, as well as pathways for adaptation and
15 mitigation options.

16 The recent IPCC report highlights the challenges
17 we will face in combating climate change as its
18 consequences become more extreme and widespread, as global
19 greenhouse gas emissions continue to exacerbate global
20 warming.

21 The science and data are clear that California is
22 already experiencing the impacts of climate change. In
23 some regions, California faces both existing and expected
24 climate risks from coastal sea level rise, water supply
25 shortages, drought severity, increasing frequency and

1 severity of wildfires, and extreme events. Such climate
2 risks not only affect our environment, but the health and
3 safety of our residents.

4 Climate change is and will continue to be most
5 severely felt by the poorest and most vulnerable people in
6 any population and we must help these communities to
7 reduce environmental hazards and become more resilient in
8 the face of these threats.

9 While we still have the opportunity to prevent
10 catastrophic climate change related disasters, we must act
11 now and we must act aggressively. The information from
12 the previous IPCC assessment reports have been
13 incorporated into California's strategies, and having such
14 international perspective on any program is critical,
15 particularly on topics surrounding climate change.

16 Fundamental to our success on air quality and
17 climate is our focus on strong science and data to inform
18 our policies and programs. And as we consider action
19 towards achieving carbon neutrality and eventually net
20 negative emissions, we must continue to rely on the latest
21 science and data to inform our plans and regulations.

22 And while California often ranks as one of the
23 strongest economies in the world, our greenhouse gas
24 emissions are less than one percent of the global total.
25 As a result, we must continue to coordinate and

1 collaborated -- collaborate with like-minded partners to
2 address this global threat.

3 Mr. Corey, will you please introduce this item?

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

5 On August 2021, the IPCC released the first part
6 of the Sixth Assessment Report, or AR6, "Climate Change
7 2021: The Physical Science Basis", issued from Working
8 Group 1. The IPCC AR6 provides an update on the latest
9 assessment of the human influences on the wide range of
10 climate characteristics, including extreme events, such as
11 droughts and wildfires on both global and regional scales.

12 Scientist are observing, as you noted, changes in
13 earth's climate in every region and across the whole
14 climate system. These changes are unprecedented in
15 thousands, if not hundreds of thousands of years, and the
16 report projects that climate change will continue to
17 affect all regions around the world in the coming decades.

18 The report also shows that climate actions still
19 have potential to determine the future course of climate.
20 Stabilizing the climate will require strong, rapid, and
21 sustained reductions in greenhouse gas emissions and
22 reaching net zero carbon dioxide emissions. Limiting
23 other greenhouse gases and air pollutants can also benefit
24 both health and climate.

25 Staff will provide a high level summary of the

1 key findings of the recent IPCC report and how California
2 can continue to lead and collaborate with subnational and
3 national governments to address the global issue that
4 climate change is.

5 A key strength of this agency and its programs is
6 that science and data inform our policies. The latest
7 IC -- IPCC report offers several scientific observations
8 and findings that can help guide our climate programs and
9 protect public health and the economy.

10 I'll now ask Dr. Nehzat Motallebi of the Research
11 Division to give the staff presentation Nehzat.

12 (Thereupon a slide presentation.)

13 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

14 Thank you, Mr. Corey. Good morning, Chair
15 Randolph and the member of the Board. My name is Nehzat
16 Motallebi and I will provide an informational update on
17 part of the Sixth Assessment Report that was recently
18 released by Working Group 1 of the Intergovernmental Panel
19 on Climate Change, or IPCC, talk about the implication of
20 the future climate change for California, as well as our
21 path to achieving the State climate goals.

22 --o0o--

23 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

24 CARB leadership is using science to uphold the
25 highest scientific integrity when making decision on air

1 quality and climate change policies. Over the past 50
2 years, CARB has informed health-based air quality
3 standard, air pollution exposure reduction pathway, air
4 pollution control and mitigation strategy, climate change
5 oriented-policy, and greenhouse gases emission reduction
6 opportunities.

7 CARB's scientific expertise and dedication have
8 also fostered action around subnational and national
9 government to address air quality and climate change
10 issue. CARB will continue conducting research on the
11 causes and effect of air pollution emission and climate
12 mitigation, and potential solution using the best
13 available science and technology.

14 --o0o--

15 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: The
16 years of the CARB's informed data-driven decision led to
17 the improvement in regional air quality and public health.
18 Los Angeles, one of the most populated city in California,
19 experienced reduction in ozone design value over 40
20 percent and annual PM2.5 level of over 60 percent below
21 early 1990 level.

22 The air quality improvement is met with the
23 estimated statewide reduction in cancer risk associated
24 with the exposure to diesel particulate matter and six of
25 the major toxic air contaminants below 75 percent of what

1 California were exposed to in the early 1990s.

2 Despite progress, the intense heat wave and
3 widespread wildfire smoke caused Southern California to
4 experience worst air pollution reading and highest number
5 of the health-damaging bad air days since mid-1990s.
6 California is proof that science-based decision-making can
7 effectively address complex air quality problem, but there
8 are more that needs to be done to protect public health
9 and environment.

10 --o0o--

11 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: The
12 GHG emission inventory is further evidence that California
13 set ambitious climate target that have overall benefited
14 the state. The California GHG emission return to 1990
15 levels four years earlier than AB 32 2020 target and
16 continue to decrease further.

17 The trend demonstrate that the economy carbon
18 intensity, or the amount of the carbon emitted per million
19 dollar of production, is declining in California. From
20 2000 to 2019, California economy carbon intensity
21 decreased by 45 percent, even while the gross domestic
22 product, or GDP, increased by 63 percent. We must
23 continue to rely on science to make much measurable
24 progress to protect our air quality, climate, environment,
25 and health.

1 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

2 This figure illustrate the core reason behind the
3 climate change. The long-term record demonstrate that
4 average global carbon dioxide concentration in atmosphere
5 near 1800 was around 280 ppb -- ppm. Industrial
6 Revolution led to the activity that emit more greenhouse
7 gases into the atmosphere and have since increased the
8 carbon dioxide level to approximately 50 percent from
9 pre-industrial era to 417 ppm, which currently increasing
10 at least 2 ppm every year.

11 Carbon dioxide is a primary cause of global
12 warming, because of its ability to absorb the sun energy
13 and trap it within our atmosphere. Since the carbon
14 dioxide can remain in atmosphere for hundred of thousand
15 years, the carbon dioxide will accumulate over time,
16 worsening global warming. This is unprecedented in our
17 recent history and we must address ongoing and already
18 emitted GHG emission to reduce its effect.

19 --o0o--

20 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: In
21 August 2021, IPCC Working Group 1 released part of the
22 Sixth Assessment report of AR6 titled, "Climate Change
23 2021: The Physics[SIC] Basis", which reaffirm with high
24 confidence that there is a near linear relationship
25 between cumulative anthropogenic carbon dioxide emission

1 and the global warming they cause.

2 The temperature response to increase carbon
3 dioxide level in atmosphere is a critical metric that
4 provide foresight into the potential adverse impact of
5 climate change.

6 The report assessed the climate response to five
7 GHG emission scenario that covered the range of the
8 possible future development of anthropogenic driver of
9 climate change and predict that temperature will reach 1.5
10 degrees centigrade above the pre-industrial level by 2040
11 under all GHG emission scenario.

12 To stabilize human-induced global temperature
13 increase, we must achieve net zero CO2 emission and
14 realize strong reduction in other GHG emission to give us
15 more time to get there. The global surface temperature
16 will decline once net zero GHG emission is achieved and
17 sustained.

18 --o0o--

19 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

20 Many characteristic of climate change depend on
21 the level of the global warming, but the consequence may
22 different from region to region. For example, Arctic Sea
23 ice that holds substantial amount of the water could melt
24 away as a result of increased temperature, leading to the
25 loss of the habitat, coastal erosion, and changes in

1 weather pattern.

2 It is very likely that human-induced global
3 warming led to the retreat of glacier -- Arctic glaciers
4 since 1990. Arctic is projected to experience the highest
5 increase in temperature at about three times the rate of
6 other region. The amount of the Arctic Sea ice area has
7 since reached to its lower level in last decade.

8 Next.

9 The Arctic will practically -- the Arctic will
10 practically be ice-free in September, at least once before
11 2050 under all GHG emission scenario and could practically
12 remain ice-free near 2050. There are concern that melting
13 could also release additional GHG into atmosphere,
14 therefore significantly amplify climate change.

15 --o0o--

16 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: The
17 effect of the temperature and subsequent melting of Arctic
18 Sea ice will lead to an eminent sea level rise with its
19 rate now nearly triple what it was between 1901 and 1971.
20 Under all GHG emission scenario, it is expected that the
21 average rise in the sea level will double that of the 2020
22 within the century.

23 As we can expect, average rise in sea level to
24 double within the century. Extreme sea level event like
25 tidal wave and storm surge along the coastal are projected

1 to occur annually at more than half of the tidal gauge
2 location by 2100.

3 Coastal area will experience more frequent and
4 severe coastal flooding in low-lying area and coastal
5 erosion, which will lead to the loss of the land,
6 resources, and life. And sea level rise of around two
7 meter by the end of this century cannot be ruled on --
8 cannot be ruled out when considering ice-sheet
9 instability.

10 --o0o--

11 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

12 However, achieving goal net zero carbon dioxide
13 emission is challenging and will require additional
14 intervention and time. Short-lived climate pollutant, or
15 SLCP, are relatively short lived and can add up up to as
16 much climate forcing as carbon dioxide, which suggests
17 that reducing SLCP can lead to quicker slow down of global
18 warming and would give us more time to address global
19 carbon dioxide emission reduction challenges. The joint
20 report by United Nation Environment Program and World
21 Meteorological Organization find that tackling CL --
22 CLCPs[SIC] is a key in maintaining the global mean
23 temperature well below two degrees Centigrade while
24 addressing near-term warming and allow longer time climate
25 stabilization.

1 But the bottom line still require that the world
2 to achieve -- to achieve sustained CO2 emission reduction
3 to prevent irreversible damage to our environment. SLCP,
4 such as methane and halogenated gas are expected to
5 increase in coming year, which highlight the need for
6 immediate action to give humanity the best chance at
7 developing a remedy. Any additional delay would lock in
8 more emission from equipment use and waste degradation.

9 --o0o--

10 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

11 IPCC reports that all the region would feel the
12 impact of climate change with significant human and
13 economic loss that far outweigh the cost of climate
14 action. The international community now increasingly
15 recognize that environmental degradation and climate
16 change could potentially result in population displacement
17 on a scale that the world is currently ill-equipped --
18 ill-equipped to prevent or address effectively.

19 Changes in snow, ice, river flooding, storm,
20 drought, fire are projected to impact transport, energy,
21 production of tourism throughout the world. The intensity
22 of these changing behavior will continue affect
23 livelihood, agriculture, water system, and sensitive
24 ecosystem.

25 --o0o--

1 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

2 Limiting global warming to one point degree
3 Centigrade by end of the century is still within the reach
4 but require transformational changes. Scientists believe
5 that if we can cut global GHG emission in half by 2030 and
6 reach net zero by middle of this century, we can halt and
7 possibly reverse the rise in global surface temperature
8 and move away from irreversible damage to our environment.
9 There is a still a path, but we need to aggressively act
10 now to cut global GHG emission while achieving net zero in
11 parallel.

12 --o0o--

13 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: I
14 will now speak how climate change will affect California.

15 --o0o--

16 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: It
17 is beyond any reasonable doubt, California -- it is
18 without any reasonable doubt, climate change will affect
19 human health, economy, and quality of the life in the
20 coming decade. The impact of the climate change are
21 largely determined by the population vulnerability and
22 resilience. Since -- hence, the burden are more likely to
23 be felt disproportionately by the community. Poor air
24 quality from more frequent and intense wildfire can make
25 us more vulnerable to respiratory diseases, including

1 COVID-19.

2 Record-setting fire can also directly affect
3 human health and damage the property, land, and the
4 surrounding ecosystem. The multi-billion dollar
5 agricultural industry, which is one of the cornerstone of
6 California will be hard hit by extended drought and
7 extreme weather event, which put them in the high risk.

8 The well-being of public health, the economy, and
9 climate are all interconnected even just within
10 California.

11 --o0o--

12 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

13 Most significantly on health damage -- most
14 significantly on health, climate change is creating a wide
15 range of serious health and environmental concerns.
16 Vulnerable population already experience adverse health
17 impact from weather extreme, such as from heat, drought,
18 and wildfire. An increase in the incidence of
19 vector-borne disease has been linked to the climate
20 variability and is expected to increase further. Climate
21 change will continue to be most severely felt by the
22 poorest and most vulnerable population and we must help
23 these community to reduce environmental hazard and become
24 more resilient in the face of these threat.

25 --o0o--

1 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

2 California wildfire are getting worse, with the
3 increase fire risk, higher frequency of occurrence, larger
4 area burn, and longer fire season. Tracking with the
5 rising temperature, California's 2020 fire season has also
6 been record breaking, not only in the total amount of the
7 acres burned, but also wildfire size that destroy over
8 10,000 structure and caused over 12 billion in the damage.

9 Because of this wildfire, California's city --
10 cities dominated the top 10 city with the worst air
11 quality in the U.S. in 2020. This year is already second
12 biggest year on the record for wildfire in California,
13 burning nearly 2.5 million acres in more than 7,800 fire
14 across the state.

15 --o0o--

16 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: The
17 effect of extreme drought have already started hurting
18 agricultural productivity, decreasing our water
19 reservoirs, and damaging our sensitive ecosystem. We can
20 expect more extreme drought to continue into the end of
21 21st century with decreased precipitation from fewer
22 non-atmospheric river storm and long-term decline in
23 groundwater, which cannot be recovered readily.

24 California droughts condition not only affect
25 places like San Joaquin Valley, but also Sierra and

1 surrounding ecosystem that rely on snow reserve as a
2 source of the water.

3 --o0o--

4 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

5 California SB 32 called for a 40 percent
6 reduction from 1990 levels by 2030. When Biden
7 administration announced its climate change target, it
8 sent a signal that the U.S. would embrace action on
9 reducing GHG emission. This slide put the California and
10 U.S. 2030 target into perspective. They are almost
11 identical in ambition in the contents of reduction from
12 1990 level.

13 Beyond the base case, there are minor scope
14 differences. During the -- due to the legislative
15 direction, we include emission for power imported and
16 consumed in the state and do not account for any sinks,
17 since they would be included in the separate natural and
18 working land inventory. As such, our scope include more
19 source and no sink compared to the federal scope.

20 California has shown a portfolio of policies,
21 thoughtful design, and delegate implementation that rely
22 on strong enforcement to yield meaningful result. Our
23 program are being looked by other state and country as
24 they have delivered real GHG reductions.

25 --o0o--

RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

California leader -- California leading passenger vehicle GHG emission regulation have led to expanded emission benefit beyond our border. Section 177 of U.S. Clean Air Act allows other states to adopt California vehicle standard, if their state have ambient air quality non-attainment area.

Currently, 13 other state have adopted our GHG regulation. This represents over 36 percent of U.S. passenger vehicle sales share when combined with California market. This leadership from California has not only resulted in emissions reduction from select state, but has also influenced federal action under prior administration. President Obama first followed the California original Pavley regulation and then partnered with CARB to create a stronger national GHG regulation through 2025.

CARB is now preparing a regulation proposal for hundred percent zero-emission vehicle and plug-in hybrid electrical vehicle sales by 2035. Staff continue to work with the partner states to ensure they remain on board and possibly to attract other state. This broader market help push automaker into larger technology investment that drives the innovation.

--o0o--

1 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

2 Trucks are the largest single sources of air
3 pollution from vehicle statewide. Seventy percent of
4 Californians live in the area that have unhealthy air.
5 That air pollution coming from truck comes at the large
6 cost to the community and to the economy in the form of
7 the asthma, hospitalization, cancer, and now a link to the
8 Alzheimer. And they are a significant contributor of GHG.

9 Six state are working toward adopting all
10 heavy-duty regulation, which more than doubled the
11 California GHG reduction. While zero-emission vehicle
12 requirement are not yet being considered by U.S. EPA, this
13 State-level action provide a foundation to more for -- to
14 move forward at the national level. As with the action on
15 the light-duty vehicle, the state level partnership will
16 remain important to provide market certainty and alignment
17 on infrastructure and alignment -- and alignment to the
18 infrastructure.

19 --o0o--

20 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

21 Action to reduce SLCP emission are also being
22 realized in the state. Hydrofluorocarbon, or HFC, are
23 used as a refrigerant for the air conditioning and the
24 refrigerant are fastest growing GHG, as they are replacing
25 older refrigerant. The Refrigeration Management Program

1 require facility within -- with the re -- with the
2 refrigerator system containing more than 50 pound of the
3 high-GWP refrigerant to conduct and report periodic leak
4 inspection and promptly repair leaks. To date, 16 states
5 have adopted California regulation, thereby reducing
6 national refrigerant emission.

7 Methane is emitted through the leakage from
8 natural gas system and the -- and the life -- livestock
9 operation, among others. It has a direct influence on
10 climate and contribute to growing global background
11 concentration of tropospheric river -- tropospheric ozone.

12 As required by SB 1383, California enacted
13 methane emission reduction plan by reducing statewide
14 methane emission by 40 percent from 2013 level to 2030.
15 Its short life -- lifetime and high GWP that -- high GWP
16 means that its emission reduction can provide climate
17 benefit within a few decades. Carbon Mapper will help
18 overcome technology barrier and will provide more timely
19 data identifying methane and carbon dioxide sources to
20 support mitigation effort.

21 --o0o--

22 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

23 IPCC indicate that an estimated 20 percent of
24 total anthropogenic GHG emission drive from agriculture,
25 forestry, and other land use. These net emissions are

1 mostly due to deforestation, land-use change, peatland
2 destruction, and agricultural emission. Forests
3 devastated by the drought may lose their ability to store
4 carbon over much longer period than previously thought.

5 IPCC places CO2 capture and storage in the
6 context of the climate change mitigation option with the
7 highlight on both biological and mechanical sink.

8 These option -- these option include, but not
9 limited to, improve and sustain forest management,
10 increased soil organic carbon content and carbon capture,
11 and usage storage. Importantly, net negative must reflect
12 global, national, regional action across all sector for
13 meeting global budget identified in IPCC.

14 The IPCC report maintain that some region may be
15 net sink, while other region net source, but it is global
16 GHG budget that ultimately drive climate change.

17 --o0o--

18 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

19 Staff is in the middle of developing 2020 Scoping
20 Plan update that is due to the Board by end of the 2022.
21 As part of that effort, staff is developing a set of the
22 scenario to chart a path toward achieving carbon
23 neutrality and assessing progress toward the 2030 target.
24 In developing scenario, staff will consider the latest
25 science, statutory requirement, direction in executive

1 order and the government -- Governor, as well as EJ
2 Advisory Committee recommendation and public comment.

3 We will look at two endpoint of carbon
4 neutrality, 2035 and 2045. All scenarios will either
5 drastically reduce or eliminate fossil fuel combustion.
6 We will have scenario that either include or exclude
7 carbon capture and sequestration and direct air capture.

8 In parallel modeling effort -- in parallel
9 modeling effort, staff will evaluate how to reduce
10 emission and increase sequestration in natural working
11 land sector.

12 --o0o--

13 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI: As
14 far, we have held nine joint agency CARB workshops and
15 seven EJ Advisory Committee meeting to inform Scoping Plan
16 development process.

17 Looking ahead, CARB will continue to hold public
18 workshop, two standing monthly EJ Advisory Committee
19 public meeting, as well as community engagement meeting.
20 Starting early next year, we will schedule joint Board and
21 EJ Advisory Committee meeting and informational updates
22 meeting, along with the update on Draft Scoping Plan in
23 June of 20 -- 2022 and Final Scoping Plan for Board
24 discussion and vote later in the year.

25 --o0o--

1 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

2 Over the next few months, the Board will be asked
3 to consider several staff recommendation and take action.
4 This slide includes some of the major item and will come
5 before the Board that will reduce both harmful local air
6 pollution and also reduce GHG. While Scoping Plan provide
7 actionable blueprint for action, it is the design and
8 implementation of the measure that ultimately drives
9 action on reducing air pollution and GHG emission.

10 --o0o--

11 RD STAFF AIR POLLUTION SPECIALIST MOTALLEBI:

12 This conclude staff presentation and we look
13 forward to the discussion.

14 Thank you.

15 CHAIR RANDOLPH: Thank you for the presentation.
16 We will now hear from the public who raised their hands to
17 speak on this item.

18 Will the Board Clerk please call the first few
19 commenters.

20 BOARD CLERK ESTABROOK: Yes. Thanks, Chair. We
21 currently have seven people with their hands raised to
22 speak on this item. The first three are Sam Wade, Leah
23 Silverthorn, and Robert Spiegel. I will be calling out
24 the next few commenters as they come.

25 And, Sam, I have activated your microphone. You

1 can unmute yourself and begin your comment.

2 SAM WADE: Thanks very much, Katie.

3 Hello, Chair Randolph and Board members and
4 thanks for the opportunity to comment today. My name is
5 Sam Wade. I'm the Director of Public Policy for the
6 Coalition for Renewable Natural Gas and we're the national
7 trade association for the RNG industry.

8 The IPCC report identifies methane and recovery
9 from solid waste management as one of the best short term
10 win-win policies. In fact, it has an entire chapter,
11 chapter six, dedicated to the challenges of short-lived
12 climate forcers. And you saw on slide 10 of today's
13 presentation, the report makes it clear that methane is
14 the heavy hitter within the SLCs and that agriculture and
15 waste management are the primary sources of non-fossil
16 methane.

17 Methane reductions are very advantageous as a
18 near-term GHG reduction strategy. The 2021 global methane
19 assessment from the UN Environment Program and the Climate
20 and Clean air Coalition, shows that human-caused methane
21 emissions can reduce -- be reduced by up to 45 percent
22 this decade, and that there are powerful local air
23 pollution co-benefits from methane reduction globally.

24 And all these findings align well with the
25 ongoing short-lived climate pollutant reduction strategies

1 already underway in California due to existing law. The
2 hard work on minimizing methane from organic waste
3 conducted by CARB, CalRecycle, CDFA, CEC, and CPUC, in
4 part by promoting renewable natural gas projects is
5 working. However, we need to accelerate that effort and
6 not delay or backtrack to reach even our near term 2030
7 goals.

8 In the forthcoming Scoping Plan, the Board should
9 double down on important policies, like the Low Carbon
10 Fuel Standard, grants for anaerobic digestion facilities
11 that process organic wastes, and gas utility procurement
12 of RNG. Doing anything less than that, ignores the
13 science that underpins the dire warnings from the IPCC
14 report and risks missing a critical opportunity to reduce
15 methane and therefore near-term warming.

16 Thank you very much.

17 BOARD CLERK ESTABROOK: Thank you.

18 Leah, I've activated your microphone. You can
19 unmute yourself and begin.

20 LEAH SILVERTHORN: Good morning, Chair and
21 members. Leah Silverthorn with the California Chamber of
22 Commerce. Thank you so much for that informational update
23 on the IPCC report. We look forward to Governor Newsom's
24 and CARB's participation in the UN conference next week
25 and what comes out of that. I did want to emphasize that

1 while emission cuts are certainly important, there is a
2 burgeoning tech market starting to develop and investors
3 are interested in making those investments in California
4 and elsewhere.

5 So I appreciated the slide that detailed the
6 importance of both the IPCC's emphasis on emissions cuts,
7 but also in emission sinks. And I think that whatever
8 CARB is doing in this space, it should ensure that
9 California companies are provided the appropriate
10 incentives, whether policy or otherwise, to make these
11 investments in climate emissions reduction technology,
12 including CCUS, including carbon encapsulation, and future
13 technologies that we may not even be aware of.

14 So thank you again for all your work in this area
15 and we look forward to the next couple of weeks.

16 BOARD CLERK ESTABROOK: Thank you.

17 Our next speaker will be Robert Spiegel. After
18 Robert will be Julia Levin, Daniel Nepstad, and Michael
19 Skvarla.

20 Robert, I have activated your microphone. You
21 may unmute yourself and begin.

22 ROBERT SPIEGEL: Thank you, Katie, and thank you,
23 members. Good morning. Robert Spiegel, Senior Policy
24 Director for the California Manufacturers and Technology
25 Association, or CMTA. And we appreciate the opportunity

1 to provide a public comment related to the IPCC Sixth
2 Assessment Report.

3 It is absolutely important that collectively the
4 global community heed the findings and observations
5 provided in the report. However, let us not forget that
6 California is only about a one percent contributor and our
7 state has been taking corrective and preventative action
8 for about more than a decade. It is imperative that
9 California act, and we have done so, and we will continue
10 doing so. California's leadership in combating climate
11 change will not be judged on how well individually we meet
12 our goals, but whether we can forge a path that other
13 states and nations can follow.

14 So California must develop a comprehensive
15 approach that explores a broad range of options to achieve
16 carbon goals in a cost effective and technologically
17 feasible manner. If we want others to follow California,
18 we have to demonstrate that it works. We're transforming
19 our economy via energy policy, and that is a monumental
20 and important task.

21 Ultimately, it's one that requires us to use all
22 the tools at our disposal, to minimize leakage, encourage
23 economic investment within the state, and also show the
24 world that economic development and environmental
25 stewardship are not mutually exclusive.

1 With that, CMTA appreciates this opportunity and
2 we will continue our partnership to find solutions as part
3 of the 2022 Scoping Plan update.

4 Thank you very much.

5 BOARD CLERK ESTABROOK: Thank you.

6 Julia Levin, I have activated your microphone.
7 You can unmute yourself and begin.

8 JULIA LEVIN: Thank you very much and good
9 morning, Madam Chair and members of the Board. Julia
10 Levin with the Bioenergy Association of California.

11 I, too, want to thank the staff for their
12 presentation on the latest IPCC report, and particularly
13 underscore the urgency of reducing methane and other
14 short-lived climate pollutant emissions. As President
15 Biden and the President of the European Commission
16 recently stated in a joint statement, and I am quoting
17 directly, quote, "Rapidly reducing methane emissions is
18 the single most effective strategy to reduce global
19 warming in the near term". "The single most effective
20 strategy".

21 As climate scientists around the globe have said
22 reducing short-lived climate pollutant is the last lever
23 we have left to avoid catastrophic climate change, so it
24 is really critical that we keep short-lived climate
25 pollutant reductions front and center and we strongly

1 agree with Sam Wade's comment to that effect.

2 The Air Board's own report to the Legislature
3 earlier this year on the cost effectiveness and overall
4 effectiveness of the State's climate investments
5 underscores how beneficial and how cost effective the
6 State's investments in reducing methane are. By far, the
7 two most cost effective of all of the State's investments
8 have been in reducing emissions from dairies and from
9 diverted organic waste and we need to continue and
10 accelerate those investments.

11 That brings me to my second point, which is a
12 petition that was filed this week asking the Air board to
13 exclude dairy methane from the Low Carbon Fuels Program.
14 Not only would that fly in the face of the science, which
15 only underscores the urgency of reducing dairy methane and
16 other methane sources, but it would contradict the plain
17 language of SB 1383, the State's short-lived climate
18 pollutant law. That law requires a number of incentives
19 for dairy biomethane reductions including specifically
20 incentives under the Low Carbon Fuel Standard.

21 So granting petitioner's application would
22 contradict the plain language of SB 1383, as well as the
23 science, and the petition should be rejected.

24 My third and last point is back to the IPCC
25 assessment and the staff presentation this morning. While

1 we strongly support the focus on methane, California's
2 largest source of short-lived climate pollutants is black
3 carbon. And they are also far more damaging to public
4 health. State law, SB 1383, requires that California
5 reduce anthropogenic black carbon emissions 50 percent by
6 2030, even more than the requirement for methane
7 reductions. And yet, the staff presentation this morning,
8 and most of the presentations in the development of the
9 next scoping plan, completely omit any mention of black
10 carbon reductions.

11 So we urge the Air Board to incorporate black
12 carbon, as well as methane, much more fully in our climate
13 plans moving forward. We've got to address those
14 emissions to meet State law and to meet our overall
15 climate goals.

16 Thank you.

17 BOARD CLERK ESTABROOK: Thank you.

18 Daniel Nepstad, I have activated your microphone.
19 You can unmute yourself and begin.

20 DANIEL NEPSTAD: Good morning, Madam Chair and
21 Air Resources Board. It's -- I enjoy this opportunity to
22 provide testimony on this critical issue.

23 I'm a scientist, a forest scientist, Executive
24 Director and Founder of the Earth Innovation Institute
25 with headquarters in the Bay Area, and a former lead

1 author of the IPCC SR5.

2 One of the biggest contributions that California
3 can make to climate change solutions is to activate and
4 invest in its partnership with tropical forest states and
5 provinces around the world. That partnership was launched
6 in 2009 in the context of AB 32 and the international
7 offset provision.

8 To illustrate the potential impact of this
9 partnership, let me go to a place I hold very dear, the
10 Amazon forest. It contains in its trees and its wood
11 bark, roots, and leaves an amount of carbon that, if
12 released to the atmosphere, would be equivalent to the
13 last decade of human economy-wide global emissions.

14 But it also effects our weather everywhere. So
15 much energy is converted into water vapor through the
16 Amazon forest that it affects the global circulation.
17 Flying rivers they're sometimes called, that can affect
18 our rainfall patterns, temperatures here in California.

19 The partners that California -- partnerships that
20 California established are moving forward, even though the
21 financial mechanism is not yet in place. They are starved
22 for finance. Just to give one example, the State of
23 Montegrosso, which is twice the size of California, has
24 reduced deforestation 80 percent. In doing so, it's kept
25 three billion tons of CO2 out of the atmosphere. It is

1 now formally committed to a net neutral economy by 2035.

2 To get there, it's going to need about four or
3 five billion dollars coming from forest carbon
4 transactions. I've -- and achieving that finance is
5 exactly what is needed to prevent a tipping point in the
6 Amazon. Amazon rainfall is generated in part by the
7 forest itself. That has received much greater attention
8 under the new IPCC report, the importance of tipping
9 points in the Amazon, and the Arctic, and elsewhere to
10 really control climate change.

11 California is extremely well positioned to
12 reactivate its partnership with states and provinces
13 around the world and to do that taking the Tropical Forest
14 Standard approved by the Board in 2019 and getting it
15 regulated and operational.

16 Thank you very much.

17 BOARD CLERK ESTABROOK: Thank you.

18 Our next speaker will be Mikhael Skvarla. After
19 Mikhael will be Michael Boccadoro, Mary Soleki, and Pete
20 Montgomery.

21 Just a reminder that if you would like to comment
22 on this item, please raise your hand in Zoom or dial star
23 nine.

24 Mikhael, I have activated your microphone. You
25 can unmute and begin.

1 MIKHAEL SKVARLA: Thank you. My name is Mikhael
2 Skvarla. I'm with the Gualco Group here on behalf of the
3 California Council for Environment. I'd like to thank you
4 guys for the presentation today.

5 In general terms, California started this race in
6 2006 and a little bit before that with the Renewable
7 Portfolio Standard and major regulations being promulgated
8 in 2009. We've made great progress in the decade and a
9 half that we've pursued climate change policies and
10 continue to make progress with all the rulemakings and
11 proceedings that are taking place this year.

12 With the IPCC Sixth Assessment, it's clear that
13 we need every tool in the toolbox from renewable
14 electricity to renewable gas, forestry management, methane
15 mitigation, carbon capture and sequestration, hydrogen.
16 And then we also need the lines, wires, and pipelines to
17 move the zero carbon electrons and molecules to their end
18 users. Infrastructure is going to be the key to this next
19 decade.

20 Technological feasibility and cost effectiveness
21 are also statutory requirements in California's climate
22 policies and key tenets of AB 32. They protect the
23 working class families and small businesses from being
24 overly burdened with the financial costs of pursuing these
25 climate reductions. We all need to protect the jobs and

1 the economy from environmental and economic leakage.
2 Leakage is not just the loss of economic benefits, but
3 also loss of those environmental protections that happen
4 within our borders.

5 California is a small piece of a much larger
6 issue. Our leadership comes from soundly designed and
7 functioning programs that can be emulated and easily
8 adopted in other jurisdictions. In this next decade, we
9 need to continue to focus on linkage and exportable policy
10 design, such as well designed cap-and-trade, the Renewable
11 Portfolio Standard, and our Low Carbon Fuel Standard.

12 Again, I want to thank you guys for this
13 presentation today and look forward to hearing more.

14 Thank you.

15 BOARD CLERK ESTABROOK: Thank you.

16 Michael, I have activated your microphone. You
17 can unmute yourself and begin.

18 MICHAEL BOCCADORO: Thank you. Michael
19 Boccadoro, Executive Director of Dairy Cares.

20 We heard this morning about the importance of
21 rapidly reducing methane as our best opportunity to
22 counteract global warming and improve air quality. The
23 science is clear that reducing methane from livestock is
24 part of the solution to stave off catastrophic impacts.
25 California is now the world leader in reducing dairy

1 methane emissions. The State has invested \$700 million of
2 State funds. And that has been matched nearly 2 to 1 --
3 being matched nearly 2 to 1 by the dairy sector in
4 California for a total investment of approaching \$2
5 billion. It's a massive investment and one that is paying
6 huge dividends.

7 Dairy digesters are the most cost effective and
8 successful climate investment being made by the State of
9 California. CDFA's Dairy Digester Program has received
10 just 2.1 percent of the investments under the State's
11 climate investment portfolio and is achieving a full 29
12 percent of the reductions of all investments to date. I
13 want to make that point perfectly clear. 2.1 percent of
14 the funds is leading to 29 percent of the reductions to
15 date with more than 2.2 million tons of reduction
16 annually. And it's really important to understand that's
17 all methane, which is critical as we just heard this
18 morning.

19 Other states are looking to California leadership
20 and are beginning to follow our lead in developing
21 programs of their own, including LCFS programs of their
22 own. California's efforts are fully consistent with the
23 Biden administration's Climate-smart ag policies and goes
24 beyond the 30 percent global methane pledge signed by our
25 own nation and the European Union and a number of other

1 countries.

2 California's approach is also fully consistent
3 with the report we talked about this morning, the IPCC
4 report. It's also fully consistent with the UN global
5 methane assessment, which came out a number of months ago,
6 which underscores the importance of dairy digesters as a
7 core strategy to achieve needed reductions in the
8 livestock sector. Chair Randolph this morning referred to
9 strong science and data to inform our policies. We agree.
10 The science and data strongly support development of dairy
11 digesters as the leading way to reduce methane.

12 Stay the course. You're well on your way to
13 achieving the State's goals, which are critical to
14 achieving California's overall climate policies.

15 Thank you and we appreciate the opportunity to
16 comment today.

17 BOARD CLERK ESTABROOK: Thank you.

18 Mary Soleki, I have activated your microphone.
19 You can unmute yourself and begin your comment.

20 MARY SOLEKI: Thanks, Katie.

21 Hello, Chair Randolph and Board members. I'm
22 Mary Soleki from AJW and we represent several emerging
23 clean technology and climate leaders. The presentation
24 that you provided here this morning was very useful. It
25 wove together the recent IPCC report with California's

1 action plan. And all jurisdictions should be using the
2 IPCC report as a similar call to action.

3 Slide 14 says it all, the imperative to act now.
4 AJW and your clients wholeheartedly support CARB moving as
5 expeditiously as possible to curb the impacts of climate
6 change by maintaining the timeline and targets of CARB's
7 programs and accelerating where possible.

8 I want to point out that CARB started its
9 informal work on a 2022 Scoping Plan update over two years
10 ago already, back in August of 2019. The process started
11 with workshops on rapid decarbonization and other
12 advancements. This work -- this work has been done in
13 coordination with all stakeholders and other agencies.

14 So when CARB completes this scoping plan in late
15 2022 as intended, that will make the development process
16 over three years long. This seems to me to walk the line
17 between deliberative and moving quickly in the face of
18 climate's existential threat. I'm encouraged by CARB's
19 intentions to continue with the Scoping Plan timeline and
20 want to thank you for the careful process the agency has
21 conducted for the last two years already.

22 The market-based programs within CARB's
23 jurisdiction are achieving or even overachieving their
24 mandates on decarbonization. To boot, they're also
25 providing air quality benefits, especially the LCFS by

1 reducing the use of fossil fuels on-road and around the
2 State.

3 Thank you for your time this morning.

4 BOARD CLERK ESTABROOK: Thank you.

5 Our next speaker will be Pete Montgomery. And
6 after Pete, the last three commenters with their hands
7 raised, at this time, are Brian Biering, Jon Costantino,
8 and Danny Diele.

9 Pete, I have activated your microphone. You can
10 unmute yourself and begin.

11 PETE MONTGOMERY: Good morning. Thank you Chair
12 Randolph, Board members, and staff. Pete Montgomery on
13 behalf of the California Carbon Capture Coalition. We
14 appreciate the engagement with ARB over these last period
15 of time on the Scoping Plan update. And as we've stated
16 numerous times, the Scoping Plan update should reflect
17 policies that are rooted in data, science, and
18 economically achievable technology.

19 And in the report we were discussing this
20 morning, the IPCC Sixth Assessment Report, it was made
21 clear that the range of actions that are needed,
22 including -- included carbon capture, utilization, and
23 sequestration.

24 Numerous other expert analyses have also
25 identified CCUS as a critical component of successful

1 climate action strategies in California, including
2 analysis from Stanford, from Lawrence Livermore National
3 Labs. And the Biden admission has also highlighted the
4 key role that CCUS can play in national efforts to reduce
5 greenhouse gas emissions.

6 California is uniquely positioned to benefited
7 from taking a leading roll in demonstrating the
8 significant contributions that CCUS can make to the state
9 climate efforts. Our state has an abundance of safe,
10 high-quality, geological, sequestration capacity.
11 California industries possess a depth of technological
12 capability and technical expertise to quickly and safely
13 deploy CCUS in ways that will drive down emissions and
14 create and preserve thousands of high quality, high wage
15 jobs across the state.

16 We appreciate the CARB presentation today
17 highlighting the findings of the most recent IPCC report
18 and the recognition that CCUS has an important role to
19 play in California's efforts. We look forward to working
20 with CARB and all stakeholders to ensure that California
21 is taking full advantage of the range of technologies in
22 existence today to help support achievement of State
23 climate goals.

24 Thank you.

25 BOARD CLERK ESTABROOK: Thank you.

1 Brian Biering, I have activated your microphone.
2 You can unmute and begin.

3 BRIAN BIERING: Good morning, Chair Randolph,
4 members of the Board. My name is Brian Biering. I'm here
5 this morning on behalf of the Dairy Environmental Justice
6 Fund. I'd like to echo the comments of Mr. Boccadoro and
7 others on the importance of addressing methane emissions
8 in the short term and appreciate the Board's recognition
9 of the methane reduction potential in California, as an
10 effort to reduce and minimize effects of climate change in
11 the near term.

12 I also want to respond to Ms. Levin's comments
13 concerning the petition to change the LCFS rule to
14 basically exclude dairy digesters. That would be
15 catastrophic, both to the investments that dairy digesters
16 developers have already made and dairy digesters reliance
17 on the LCFS program, as well as emission reductions that
18 are still needed within the dairy sector.

19 The Air Resources Board's preliminary SLCP
20 analysis of dairy methane emissions found that the efforts
21 to date have resulted in two million metric tons of CO2
22 equivalent reductions. But there's still a lot more work
23 to be done. There's approximately seven million more
24 metric tons that must be reduced to reach the SB 1383
25 goals.

1 The LCFS regulation is going to play very
2 critical role in facilitating those reductions. It is a
3 robust regulation that's been supported by science, facts,
4 and more than five rulemakings to develop that regulation.
5 So we would encourage the Air Resources Board to continue
6 to support that regulation and reject the petition that
7 was referenced by Ms. Levin.

8 Thank you.

9 BOARD CLERK ESTABROOK: Thank you.

10 Jon Costantino, I have activated your microphone.
11 You can unmute yourself and begin.

12 JON COSTANTINO: Good morning, Board and
13 Chairman -- Board and Chair. Jon Costantino on behalf a
14 variety of liquid and gaseous fuel clients. I wanted to
15 echo many of what was said already. I think -- I don't
16 disagree with anything that's been testified yet. My
17 point is -- my main point is that the policies are
18 working. Look at slide 4, and you can see that things are
19 working, cap-and-trade, LCFS, price on carbon. The
20 examples of just my clients, including bioenergy CCS
21 projects, industrial heat decarbonization, refinery
22 conversions, electrification, renewable natural gas, the
23 signals that are being sent, the stability of the program,
24 the leadership that's been established is making a
25 difference.

1 I just want to point out lastly that this all
2 takes time. It takes financing, and planning, and
3 approval, and permitting. And it's really key that the
4 State of California in its -- in its efforts to accelerate
5 its goals don't veer left, veer right too hard, because
6 then these policy decisions have impacts on financing, and
7 permitting, and funding, and eventually getting the
8 projects built that need to be done.

9 So with that, I will -- I'll cede my time. Thank
10 you.

11 BOARD CLERK ESTABROOK: Thank you.

12 Dani Diele, I have activated your microphone.
13 You can unmute and begin.

14 DANI DIELE: Good morning. My name is Dani Diele
15 from the Agricultural Council of California. Ag Council
16 is a member-supported organization that advocates for more
17 than 15,000 farmers across California. Thank you for your
18 time this morning.

19 As previously mentioned, we also recognize the
20 importance of reducing methane emissions in the near term.
21 The livestock and dairy community has made significant
22 progress towards reaching the goals set out in SB 1383.
23 Yet, it has been discussed that there should be a move
24 away from traditional biofuels, such as biogas captured
25 from landfills, dairies, and wastewater facilities.

1 It is important to note the significant
2 investment the State has already made in dairy biofuel
3 transition. The State should continue this commitment
4 because of the significant methane reductions achieved
5 through this program and the potential biofuel benefit.

6 As stated, California is on the forefront of
7 designing and implementing programs that reduce greenhouse
8 gas emissions. Dairy digesters is one of these programs.
9 Digesters continues to be one of the most effective tools
10 in reducing methane emissions. Through the development of
11 digesters alone, California dairies will reduce more than
12 2.2 million metric tons of greenhouse gas per year.

13 Further, this program is oversubscribed showing that there
14 is more potential for reductions through this program.

15 As previously mentioned, digesters alone have
16 achieved more emission reductions than any other
17 California climate investment, representing 29 percent of
18 all emissions reductions, despite its funding allocation
19 of only 2.1 percent. As we look at the goal of rapidly
20 reducing emissions, it is important that we recognize that
21 digesters is the most cost-effective investment of any
22 program in the fight against climate change.

23 Thank you for your time.

24 BOARD CLERK ESTABROOK: Thank you.

25 And we have one more commenter, a phone number

1 ending in 528. Please state your name for the record and
2 then you can begin your comment.

3 Are you there?

4 It does look like you have unmuted yourself, but
5 we cannot hear you on this end.

6 Try dialing star six.

7 Okay. Do that one more time. It looks like that
8 muted you.

9 Okay. Unfortunately, I cannot hear you on this
10 end, so I'm going to ask that you maybe try to call in for
11 the open comment, so that we can try again for that item.

12 LAURA ROSENBERGER HAIDER: Can you hear me now?

13 BOARD CLERK ESTABROOK: Oh, yes, I can.

14 LAURA ROSENBERGER HAIDER: Oh, yeah. The excess
15 solar energy should be converted to green hydrogen to
16 replace gasoline. And there should be a minimum energy
17 performance standard for home appliances, so that they
18 would work off solar.

19 All right. Thank you.

20 BOARD CLERK ESTABROOK: Thank. And we do have
21 one more hand that went up. Shayda Azamian. I have
22 activated your microphone. You can unmute and begin.

23 SHAYDA AZAMIAN: Thank you. My name is Shayda
24 Azamian, and I'm with Leadership Counsel for Justice and
25 Accountability.

1 I'm here just to make a short comment that there
2 really does need to be more understanding between
3 community members, the agricultural community, local
4 districts, and CARB about dairy digester technology before
5 CARB and other agencies continue to permit dairy digesters
6 in California, and specifically the valley, a region which
7 continues to be the most polluted region in the country
8 and is in dire need of transitions across industries to
9 more sustainable practices.

10 We continue to urge agencies to stop its
11 permitting of dairy digesters in the valley and across
12 California. And we should all be very cautious that dairy
13 digesters do not lead to real emissions reductions in
14 greenhouse gases, in short-lived climate pollutants, or
15 toxic pollution and that dairy digesters are, in fact,
16 increasing local pollution by incentivizing increased herd
17 sizes by the thousands.

18 Breathing in the San Joaquin Valley, merely
19 existing in the valley, remains a lethal issue for most
20 impacted communities. So the valley has to be pursuing
21 the most sustainable zero-emission technologies and dairy
22 digesters do not fall within that.

23 Thank you and look forward to commenting on this
24 and future items today.

25 BOARD CLERK ESTABROOK: Thank you.

1 Mark Henin, I have activated your microphone.
2 You can unmute and begin.

3 Mark, are you there?

4 Please try unmuting in Zoom. If you're on a
5 tablet or computer, and then -- no. All right.

6 Chair, that looks like that is the end of
7 commenters for this item.

8 CHAIR RANDOLPH: All right. Thank you very much.
9 Now, it's time for Board discussion on this item.

10 Board Member De La Torre has your hand up.

11 BOARD MEMBER DE LA TORRE: Yes. Thank you.
12 Because this is an intergovernmental report and from --
13 comes from Washington D.C., it reminded me of something
14 that happened in the 1960s actually. And it's always good
15 to remember how we got into this mess. And actually, I'll
16 predate that another one from the 1950s, which is Edward
17 Teller, who is the father of the hydrogen become. In
18 1959, he warned that the oil and gas industry directly
19 about global warming and sea level rise in a presentation
20 that he entitled energy patterns of the future, and I
21 quote, "Carbon dioxide's presence in the atmosphere causes
22 a greenhouse effect". This is 1959 and he was speaking to
23 the oil and gas industry. So when we get this pushback on
24 whether climate change is happening, the advertising, all
25 of that stuff, clearly going back to the late 50s, we

1 knew. They knew.

2 So fast forward to 1965, President Johnson's
3 Science Advisory Committee did a report that warned of the
4 impacts of pollution and the human role in increasing
5 atmospheric CO2, which would cause melting icecaps, rising
6 sea levels, acidification of water sources, and more.
7 This is 1965, not unlike this intergovernmental report
8 that we have in front of us.

9 But here's -- here is the punch line, the
10 American Petroleum Institute's President, at the time,
11 1965, Frank Ikard, agreed with the study from the
12 President's science report. Now that wouldn't happen
13 today. Today, they would pick it apart and point out
14 little things and try to cast doubt on the science of a
15 national report or international report for that matter.

16 So Frank Ikard, again head of the American
17 Petroleum Institute, 1965, says, "One of the most
18 important predictions of the report is that Carbon dioxide
19 is being added to the earth's atmosphere by the burning of
20 coal, oil, and natural gas at such a rate that by the year
21 2000 the heat balance will be so modified as possibly to
22 cause marked changes in climate beyond local or even
23 national efforts. 1965, head of the American Petroleum
24 Institute acknowledging everything that's come to pass.

25 So I -- as I was hearing the report, I knew about

1 this speech from this API President, and I thought it just
2 was important to know where we've been, how did we get
3 here, and, you know, when -- what did they know and when
4 did they know it? Well, clearly, they've known it for
5 several decades and now it's about finding the solutions
6 collectively as we move forward.

7 Thank you.

8 CHAIR RANDOLPH: Thank you.

9 Professor Sperling.

10 BOARD MEMBER SPERLING: Well, thank you. Let me
11 and on to that statement. And I want to, first of all,
12 reaffirm the importance of what we just heard this IPCC
13 process. I personally was a part of that process. I was
14 a lead author for it, you know, for about 10 years. And
15 it is so important, because it's reaffirming the role of
16 science and that is the history of CARB. That's the
17 history of CARB and that's the strength of CARB. And
18 that's why we've been so successful over the years. And
19 so I think it's really important to reaffirm, and
20 understand, and appreciate the importance of science.

21 Now, having said that, the science we used to
22 deal with was much easier than the science we're dealing
23 with now, the science of local air pollution, and --
24 because we learned over the years that the most effective
25 way of dealing with local pollution almost entirely was

1 technical fixes, you know, the smokes -- fixing the smoke,
2 you know, end of the -- top of the smoke stack, the end of
3 the tailpipe. And almost all of our solutions have
4 been -- have been along those lines, these small technical
5 fixes that were extremely effective. Our cars are 99
6 percent more lower emitting than they were before we
7 started this process, and the same with trucks.

8 So climate is much more difficult. We're talking
9 about the entire economy. There are no simple technical
10 fixes. And so it's perhaps even more important that we
11 focus on the science as we go forward. And it's not
12 simple. You know, science is not definitive. You know,
13 back in 1955, you know, they had a general idea of climate
14 change, but really it's only been in the last decade or so
15 where we've come to really appreciate exactly the nature
16 of climate change, and the role of humans in it.

17 Okay. So my third point -- so I have three
18 points here. My third point is that repeat, you know,
19 that notion in the staff report that California is only
20 one percent of the problem. But as we've heard is while
21 we're one percent, we do suffer excessively from climate
22 change more than many -- most places. But on top of that,
23 we have been a model, we have been a leader, and we have
24 been a partner.

25 Now, the partner part of it we're going to have

1 to get a lot better at, but we've been truly a model and a
2 leader. You know, we've developed -- you know, you just
3 look at this suite of policies, the Cap-and-Trade, the
4 LCFS, ZEV rules, incentives, and our partners that have
5 done the Renewable Portfolio Standards for electric
6 utilities, which actually has been more effective than
7 everything we've done, by the way, but we're going to
8 catch up. And so it's -- we have been a model. But now,
9 we have this suite of policies in place and now we just
10 have to strengthen them, fix them in little ways as we go
11 forward.

12 And a very important point on this is that I have
13 not heard at all today, and it's often not in the
14 discussions about climate, is at least for
15 transportation -- surface transportation, cars, trucks,
16 buses, this will not cost us money. This is going to save
17 consumers money. It's going to save the economy money.
18 And it won't be immediately, but within about five or six
19 years, tip -- you know, in an aggregate way, we're going
20 to be saving the economy money. And that really
21 highlights the importance of this transition to
22 electrification, and that's what it's all about,
23 electrification of our vehicles.

24 Now, I do want to -- so we should move really
25 quickly. In fact, Europe and China are -- have moved much

1 faster than us. They had 20 percent market share for EVs
2 the last few months in both Europe and China. And so we
3 think we're pretty good in California. We used to be the
4 leader. Now, we're only about 10, 11 percent. So much
5 lower than those much larger populations.

6 Now, we are about to adopt new rules and
7 implement new ones and I think that's going to put us back
8 in a leadership role, but I do want to -- the one caution
9 note. So I think the ZEV rules are exactly right.
10 That's -- we're on the right path, but I think -- I do
11 want to caution about this carbon neutrality. We
12 definitely are headed toward carbon neutrality. That has
13 to be the goal. The question is how fast?

14 And, you know, I'll say frankly 2035 makes no
15 sense. And I know that goes against a lot of what people
16 are saying. It would be so disruptive. And again,
17 remember, we're dealing with the economy here, the entire
18 economy. This is not like local pollution, you know,
19 simple technical fixes. This is the entire economy.

20 So, yes, you know, strongly committed. There are
21 some things that are, you know, more effective than
22 others. And let's figure that out. Let's use the science
23 to figure that out and do it right.

24 Thank you

25 CHAIR RANDOLPH: Thank you.

1 Dr. Balmes.

2 BOARD MEMBER BALMES: Thank you, Chair Randolph.

3 I'll try to be brief, but as the public health
4 member of the Board, I would derelict if I didn't
5 emphasize the impacts climate change on health, which are
6 finally getting recognized beyond California. I think
7 we've recognized because of our wildfires that are
8 directly related to climate change, that there are health
9 effects. You know, it's not just the environment. It's
10 the health of humans. And who is most impacted? Our
11 vulnerable communities that are already disproportionately
12 exposed to air pollution.

13 The climate gap is the term that's used for low
14 income communities of color who bear the brunt in this
15 country of climate change impacts on health. But around
16 the world, it's, you know, low-income countries that have
17 contributed very little to the overall problem of
18 greenhouse gases in the atmosphere that are suffering the
19 most health impacts.

20 So I just want to remind everyone that climate
21 change mitigation policies are about improving public
22 health, not just improving the environment.

23 Thank you.

24 CHAIR RANDOLPH: Thank you.

25 Board Member Hurt, you had your hand up earlier.

1 Do you still want to speak?

2 BOARD MEMBER HURT: Sure. Thank you. It's
3 clear, you know, this is not a drill. It's code red for
4 us to continue to transform and change all the sectors of
5 our society to a more sustainable and equitable way of
6 living. And I think we really need to keep those highly
7 impacted communities, communities of color, low-income and
8 front-line communities at the forefront for solutions that
9 work, and I think that will be the test.

10 California's economy continues to grow as we
11 implement vital climate action and adopt regulations to
12 improve the state's climate resiliency. And I think it's
13 an important message that we need to emphasize. Dr.
14 Sperling said a little bit to it and that's the reason why
15 I lowered my hand. But, you know, the cost of climate
16 change far exceeds the cost of transitioning to a green,
17 resilient economy. The cost of climate change is
18 astronomical. And so I think we need to keep that in our
19 mind as we move as quickly as we can forward.

20 I'm going to be really honored to participate
21 starting this weekend in Scotland at the COP26. And I
22 think it's really a grand opportunity to listen, learn,
23 and exchange ideas. California has a good story to tell.
24 We've had a lot of accomplishments, but we still have a
25 long way to go.

1 And so I think the public expectation about what
2 will happen in that space in Scotland is high and it's
3 going to shape political and investor perceptions for the
4 future. But again, California has been a leader and we've
5 shown that public and private investments can make a
6 difference. And I want to emphasize we can do this and
7 still keep the economy going and growing, as long as we
8 keep those highly impacted communities at the forefront.

9 Thank you.

10 CHAIR RANDOLPH: Thank you.

11 Dr. Pacheco-Werner.

12 BOARD MEMBER PACHECO-WERNER: I definitely agree
13 with Board members that -- that it -- the import -- about
14 the importance of staying on course on what works and
15 keeping in mind those that have been disproportionately
16 impacted by pollution.

17 I do also think that it's important to think
18 about those who often get left behind in fast-paced policy
19 (inaudible) which tend to be the rural communities, those
20 with low literacy and low disposal income, and those who
21 lack digital and language access.

22 And so I think coordination among agencies and
23 keeping everybody accountable to make sure that we are all
24 transitioning into these new economies, into technologies
25 together will be important, so that we don't keep

1 perpetuating the inequities that often we are trying to
2 remedy with policies.

3 Thank you.

4 CHAIR RANDOLPH: Thank you.

5 Do any other Board members -- would any other
6 Board members like to speak?

7 Okay. Seeing none, I'll just say a few words.
8 Obviously, that presentation was sobering, but also, you
9 know, a clear inspiring call to action in terms of our
10 work here at CARB and with our communities and our sister
11 agencies.

12 I agree with the comments of other Board members
13 that there are opportunities for technical fixes, but
14 there also need to be opportunities for community-based
15 solutions as we make the transitions we need to make. I
16 completely agree that the -- we save costs in the short
17 term, but we also need to recognize that not everyone is
18 going to be able to bear those costs equally, so I think
19 it's our responsibility as policymakers to ensure that the
20 communities that are most impacted have the assistance and
21 the strategies needed to address the increase in costs
22 that will come from this transition in the short term, in
23 order to save money in the long term. So I think that's
24 important.

25 And then lastly, I will note there was a lot of

1 conversation in the presentation about the importance of
2 achieving carbon reductions through our natural and
3 working lands. And I think that's going to be a very,
4 very important strategy going forward. We've already
5 achieved opportunities in terms of removing carbon through
6 natural lands. Supporting actions to increase
7 sequestration in forests is very important and provides
8 ecosystem, and biodiversity, and watershed benefits.

9 And our Cap-and-Trade Program has supported the
10 achievements in terms of sustainable management of forests
11 to achieve that sequestration, but -- and also, you know,
12 I had the opportunity to meet with some tribal members
13 from both California and Oregon the other day who pointed
14 out what a huge opportunity the forest offset program has
15 been for them, but also how challenging it is to get these
16 projects approved, and the amount of time and work that
17 goes into putting together these projects.

18 But there are clearly still concerns about the
19 offset program, about all of the different factors that go
20 into the approval of offset projects, and the
21 additionality and sustainability of all of those projects.
22 And so I think that's a really important conversation to
23 have. As we discussed, we rely on science as much as we
24 can. And we always have to be open to looking at that
25 science and doing the analysis we need to do.

1 So the Scoping Plan is going to provide an
2 opportunity to discuss all of these issues. But after the
3 Scoping Plan is done, I think that gives us some time to
4 really dive deep into some of the various aspects of our
5 programs. It would give an opportunity for staff to take
6 a look at some of the task force recommendations that were
7 mandated by AB 398, and, you know, really take a look at
8 some of the ongoing concerns and engage in a public
9 discussion and process around the forestry program.

10 And so I'm really looking forward to working with
11 staff to kick-off that process, so that we can ensure that
12 we have full public engagement around that as a key issue
13 and then other key issues that CARB will be dealing with
14 in the coming years as it relates to our natural and
15 working lands. We always have to be open to continued
16 conversation and continued adjustments in all of our
17 programs.

18 So with that, I think we are ready to move on to
19 our next Board item, that is item number 21-11-2, the 2020
20 Mobile Source Strategy.

21 If you wish to comment on this item, please click
22 the raise-hand button or dial star nine now. We will call
23 on you when we get to the public comment portion of this
24 item.

25 Since the creation of CARB over 50 years ago,

1 this agency has been leading the way in mobile source
2 controls and other programs to reduce harmful emissions
3 from vehicles, as Dr. Sperling was discussing earlier, and
4 in so doing has provided healthier air for millions of
5 Californians.

6 In more recent years, our zero-emission vehicle
7 programs have accelerated the development and deployment
8 of the technologies that are needed to reduce air
9 pollution across California and lessen climate impacts
10 around the world.

11 Last year, Governor Newsom signed an Executive
12 Order that created a first-in-the-nation goal that by 2035
13 all new cars and passenger trucks sold in California will
14 be zero-emission vehicles, while also setting similar
15 goals for greening California's heavy-duty vehicles and
16 off-road equipment.

17 The 2020 Mobile Source Strategy is a critical
18 first step toward meeting the goals laid out in the
19 Governor's Executive Order. This strategy builds on our
20 2016 Mobile Source Strategy, at the direction and
21 leadership of Senator Skinner, in Senate Bill 44, which
22 directs CARB to regularly update the Mobile Source
23 Strategy with the latest State targets in mind.

24 The 2020 strategy provides our most current
25 thinking on the mobile source emission reduction pathways

1 needed to meet California's air quality, climate, and
2 community risk reduction goals.

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

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

5 The Mobile Source Strategy that we developed in
6 2016 identified pathways and actions for reducing mobile
7 source emissions to meet air quality standards, achieve
8 greenhouse gas emission reduction targets, reduce
9 petroleum consumption and significantly decrease community
10 health risk by 2030.

11 Since the release of the 2016 Strategy four years
12 ago, we've made tremendous progress in developing and
13 adopting many of the regulations and programs envisioned
14 in that strategy, including the Board's adoption of the
15 Advanced Clean Truck and Heavy-Duty Omnibus Regulations.
16 But even so, as you all know, we must do much more to
17 accelerate the transition to California's on- and off-road
18 fleets to the cleanest technologies possible, if we are to
19 meet our air quality and climate goals.

20 The 2020 Mobile Source Strategy continues the
21 multi-pollutant scenario planning approach pioneered by
22 the 2016 Strategy. The proposed strategy meets the
23 requirements of California Senate Bill 44, which requires
24 an update to our Mobile Source Strategy and is consistent
25 with Executive Order N-79-20, which Governor Newsom signed

1 last year and you mentioned.

2 In this 2020 Strategy, we have identified a suite
3 of programmatic concepts that, if adopted, would enable
4 the State to achieve the technology trajectories that will
5 maximize criteria pollutant and greenhouse gas reductions
6 going to zero emission everywhere feasible, and to cleaner
7 combustion with renewable fuels only where zero-emission
8 technology is not yet available.

9 In developing this latest Mobile Source Strategy,
10 we've take into account not only the need to meet the
11 State's long-term goals, but also the importance of
12 striving to meet near-term air quality commitments.

13 Likewise, the 2020 Mobile Source Strategy
14 recognizes that community concerns must be part of the
15 process when developing and implementing proposed
16 technology pathways especially as we move into the
17 development of the 2022 State SIP Strategy.

18 Moving forward, the programs and concepts in the
19 2020 Mobile Source Strategy can be incorporated in other
20 planning efforts, including State Implementation Plans,
21 the 2022 Climate Change Scoping Plan update, and community
22 emission reduction plans developed as part of Assembly
23 Bill 617 Community Air Protection Program.

24 A significant next step for many of the concepts
25 in the 2020 Mobile Source Strategy will be developing them

1 into SIP measures -- enforceable SIP measures for the next
2 State SIP Strategy, which we're already developing and
3 we'll bring to you all, the Board, for consideration
4 mid-next year.

5 I'll now ask Ariel Fideldy of the Air Quality
6 Planning and Science Division to give the staff
7 presentation.

8 Ariel.

9 (Thereupon a slide presentation.)

10 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

11 MANAGER FIDELDY: Thank you, Mr. Corey. Hello, Chair
12 Randolph and members of the Board. I last briefed you in
13 December 2020 and I'm glad to be back in front of you
14 today to present for the final time on the 2020 Mobile
15 Source Strategy.

16 This strategy outlines the technology mixes and
17 timelines for transforming California's transportation and
18 off-road equipment sectors. This effort serves as a
19 critical policy roadmap for achieving our many air
20 quality, climate, and community risk reduction mandates.

21 --o0o--

22 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

23 MANAGER FIDELDY: Senate Bill 44, or SB 44, was the
24 genesis of what we bring before you today and required
25 CARB to update the Mobile Source Strategy every five years

1 with the first update due by January 2021. This bill was
2 passed by the California Legislature and signed into law
3 in September of 2019.

4 More specifically, SB 44 requires the update to
5 include a strategy for the deployment of clean medium- and
6 heavy-duty vehicles for the purpose of meeting federal
7 ambient air quality standards and reducing motor vehicle
8 greenhouse gas emissions. This bill also directed that
9 the strategy should include emission reduction goals for
10 2030 and 2050 consistent with air quality and climate
11 goals, in addition to various other requirements.

12 --o0o--

13 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
14 MANAGER FIDELDY: The 2020 Mobile Source Strategy builds
15 upon the 2016 Mobile Source Strategy and is a conceptual,
16 scenario-based approach for developing the upcoming State
17 Implementation Plans, or SIPs, and will complement
18 measures being developed for the Scoping Plan and other
19 efforts.

20 Our 2020 Strategy consists of scenarios and
21 trajectories for the various mobile sectors that
22 illustrate the technology mixes needed for the State to
23 meet its many air quality and climate commitments.

24 We want to note up front that the scenarios and
25 concepts included in the 2020 Strategy are bold, but are

1 needed if we want to attain a mid-term SIP requirements
2 and longer term climate goals. This scenarios are
3 aggressive, because the state's public health and climate
4 goals are aggressive and it is important that with a
5 document like the 2020 Mobile Source Strategy, and at the
6 start of planning for the next round of SIPs, to not
7 undershoot the emission reduction targets.

8 --o0o--

9 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
10 MANAGER FIDELDY: The State of California has an ambitious
11 suite of clean air requirements and climate goals we are
12 working to meet over the next 30 years. This graph shows
13 the various State Implementation Plan attainment years for
14 South Coast and San Joaquin Valley, the two areas with the
15 most challenging ozone and fine particulate air quality in
16 the nation.

17 There is also an immediate need to reduce
18 emissions and exposure in the State's most highly
19 impacted, low income, and disadvantaged communities.
20 Climate goals include the mid-term target in 2030 for 40
21 percent reduction in greenhouse gas emissions below 1990
22 levels and longer term targets in 2045 for carbon
23 neutrality and 2050 for greenhouse gases 80 percent below
24 1990 levels.

25 --o0o--

1 AQPSSD SOUTH COAST AIR QUALITY PLANNING SECTION

2 MANAGER FIDELDY: In addition to all the goals laid out in
3 the previous slide, last year, recognizing the severity of
4 the climate crisis and the need for immediate action,
5 Governor Newsom signed Executive Order N-79-20. This
6 order established a first-in-the-nation goal for a hundred
7 percent of California sales of new passenger cars and
8 trucks to be zero emission by 2035.

9 In addition, the Governor's order set a goal to
10 transition 100 percent of the drayage truck fleet to
11 zero-emission by 2035, all off-road equipment, where
12 feasible, to zero emission by 2035, and the remainder of
13 the medium- and heavy-duty vehicles to zero emission,
14 where feasible, by 2045.

15 CARB is committed to achieving these goals, and
16 the 2020 Strategy is an important first step in moving us
17 forward.

18 --o0o--

19 AQPSSD SOUTH COAST AIR QUALITY PLANNING SECTION

20 MANAGER FIDELDY: As can be seen on this slide, staff has
21 provided many opportunities for public input and feedback
22 on the 2020 Strategy. We began the process in March 2020
23 when he held our first public webinar at which preliminary
24 scenarios were presented and discussed with stakeholders.

25 The following month, we presented the preliminary

1 scenarios and concepts to the Board in April to obtain
2 your feedback and also allow for additional public input.
3 Staff released the workshop discussion draft document in
4 late September of 2020 for public comment and then held
5 our second webinar several weeks later.

6 In November of 2020, we released the draft 2020
7 Mobile Source Strategy, in advance of our last
8 informational update to the Board the following month.

9 Taking into account feedback from late 2020 from
10 the Board and public workshops, staff revised the 2020
11 Mobile Source Strategy document and released a revised
12 draft in April of 2021, followed by a third public webinar
13 in May.

14 Public interest and engagement at all of our
15 Mobile Source Strategy webinars has been high, with more
16 than 200 participants attending each.

17 Finally, this past month, staff released the
18 final iteration of the 2020 Strategy in advance of today's
19 hearing. In developing the 2020 Mobile Source Strategy,
20 we also consulted with other State agencies as directed in
21 SB 44.

22 --o0o--

23 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
24 MANAGER FIDELDY: Over the course of the last year, in
25 response to what we've heard from both the public and the

1 Board, we've made significant updates and additions that
2 are now included in the final 2020 Strategy.

3 As outlined here, we have added a chapter to the
4 document focused on near-term benefits needed to meet
5 2023, 2024, and 2031 SIP attainment targets. A chapter
6 was also added on environmental justice and outlined the
7 various concepts that MSS could provide benefits to
8 various types of disadvantaged communities.

9 Staff also expanded the discussion on the actions
10 that are needed at the federal level to reduce emissions
11 from national and international sources, like locomotives,
12 ocean-going vessels, and aviation. We also fleshed out
13 the section and strategy areas that are available to
14 pursue reductions in vehicle miles traveled or VMT.
15 Finally, there were other updates to scenarios and minor
16 details as needed.

17 --o0o--

18 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
19 MANAGER FIDELDY: As I just mentioned, in response to
20 Board direction last December and public comments, staff
21 also added a chapter on the final version of the 2020
22 Strategy on near-term benefits of CARB's recently adopted
23 and soon-to-be adopted programs.

24 Attainment of the ozone and fine particulate
25 matter, or PM2.5, standards is going to rely on getting

1 significant reductions of oxides of nitrogen, or NOx.
2 This table shown on this slide will summarize the
3 near-term measures described in the MSS for the on-road
4 and off-road sectors that are expected to provide NOx
5 emission reductions by 2023, 2024, and 2031.

6 Starting with items that were measures in our
7 last Mobile Source Strategy and State SIP strategy, this
8 includes adoption of Advanced Clean Cars II for on-road
9 light-duty vehicles, Advanced Clean Trucks and Heavy-Duty
10 Omnibus for heavy-duty trucks and buses, and potential
11 reductions from U.S. EPA's Clean Trucks Plan.

12 For the off-road sector, prior 2016 SIP measures
13 include the on OGV At Berth Rule, amendments to the Small
14 Off-Road Engines Regulations, the upcoming Transport
15 Refrigeration Unit action, and next year's action on
16 zero-emission forklifts.

17 The Heavy-Duty Inspection and Maintenance
18 Program, while included as a measure in previous SIPs, has
19 been significantly expanded since what was envisioned at
20 the time and current emission reduction estimates,
21 including early deployment of PEAQS systems, are much
22 higher than those included in the past SIPs.

23 The rest shown here in dark green and marked with
24 an asterisk are new measures developed after the 2016
25 State SIP strategy, including the Advanced Clean Fleets

1 regulation for on-road. New measures for the off-road
2 sector include amendments to the commercial harbor craft
3 regulation, the in-use locomotive regulation currently
4 being workshopped, potential amendments to the cargo
5 handling equipment regulation, and new directions being
6 pursued in the construction and mining equipment sectors.

7 As you can see, under their programs listed here,
8 we'll achieve about 5.5 tons per day NOx reductions in
9 2023 in South Coast and 11.55 tons per day in San Joaquin
10 Valley in 2024. By 2031, we will achieve 63 to 67 tons
11 per day NOx reductions in South Coast with about 40
12 percent of these reductions coming from the new measures.

13 Beyond the items listed here and described in the
14 2020 Mobile Source Strategy, there are many newly
15 identified actions that I will discuss later in this
16 presentation that are being considered through the
17 development process for the 2022 State SIP Strategy.

18 While the new SIP strategy will be targeting
19 emission reductions needed to attain the 70 part per
20 billion ozone standard, we understand the importance of
21 reducing emissions for near-term attainment, especially in
22 the South Coast and the San Joaquin Valley, and to reduce
23 emissions and exposure in communities of concern across
24 California.

25 --o0o--

AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

MANAGER FIDELDY: Mobile sources and the fossil fuels that power them continue to contribute a majority of the ozone precursors like NOx. And they are the largest contributor to greenhouse gas emissions in California.

The charts here show 2017 statewide NOx emissions on the left and greenhouse gas emissions on the right broken down into the specific mobile sectors, with on-road shown in the dark green color, off-road in light green, and stationary and area sources in gray.

--o0o--

AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

MANAGER FIDELDY: The scenarios and trajectories -- technology trajectories outlined in the 2020 strategy would lead to significant reductions in mobile source emissions of NOx and greenhouse gases. Under the MSS scenarios, diesel PM, NOx, and greenhouse gases would all reduced more than 65 percent from base year levels by the relevant target outyears. And the on-road fleet would be dramatically transformed, such that 85 percent of passenger cars would be ZEV and PHEV in 2045, and 77 percent of heavy-duty trucks and buses would be ZEVs in 2045.

--o0o--

AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

1 MANAGER FIDELDY: Although the 2020 Strategy will provide
2 statewide and regional emissions benefits, we are keenly
3 aware that emissions from mobile sources have a
4 disproportionate impact on disadvantaged communities and
5 people of color, many of whom live adjacent to
6 transportation corridors and freight facilities.

7 The scenarios and concepts in the 2020 Strategy,
8 especially those covering in the freight sector, have the
9 potential to reduce emissions and exposure in communities
10 of concern. The strategy seeks rapid transition to
11 zero-emission technologies statewide across numerous
12 sectors, but we know that we need to act even more quickly
13 and target the introduction of zero-emission vehicles in
14 the communities that for generations have been bearing the
15 brunt of combustion emissions.

16 We intend for the 2020 Mobile Source Strategy to
17 inform not just regional air quality plans, but also AB
18 617 community emission reduction plans, and other efforts
19 to address historic air quality inequalities across
20 California.

21 --o0o--

22 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
23 MANAGER FIDELDY: We simply cannot attain our clean air
24 and climate targets in California without prompt and
25 decisive action by the federal government to further

1 control emissions from trucks, trains, locomotives, and
2 aircraft. Federal action to address these sources is also
3 needed to improve health in communities living near
4 transportation corridors and freight hubs, many of which
5 are low-income, disadvantaged, communities of color. As
6 can be seen on this plot, NOx emissions from mobile
7 sources under State control in the South Coast Air Basin
8 have decreased 75 percent relative to 2000 and are
9 projected to continue decreasing as we implement the
10 programs CARB has on the books and adopt additional mobile
11 source regulations.

12 Without new emission standards at the federal
13 level, the emissions for primarily federal-regulated
14 sources is expected to decline only slightly over the next
15 decade, such that they surpass emissions from California
16 regulated mobile sources before 2030.

17 In addition to the actions that CARB staff is
18 working on, action from federal and international entities
19 is fundamental to meeting all of the state's goals.

20 --o0o--

21 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
22 MANAGER FIDELDY: For a little bit more detail, this slide
23 will show an example of one of the scenarios that staff
24 have developed for the 2020 Strategy. The scenario
25 illustrates the evolving mix of cleaner heavy-duty trucks

1 needed to meet California's air quality and climate goals
2 over the next 30 years.

3 Each portion of this graph will represent a
4 different type of truck technology starting with the
5 pre-2010 model year and will show how these older trucks
6 and, including these and the 2010 certified engines would
7 be phased out under the MSS scenarios.

8 The next portions here are the zero-emission
9 trucks, which have started to penetrate into the fleet and
10 will continue to occupy a growing share of the fleet into
11 the future from both adopted regulations like the Advanced
12 Clean Trucks Program and through accelerated turnover
13 through new incentives and new regulations, including the
14 proposed Advanced Clean Fleets Regulation.

15 Finally, there are cleaner combustion trucks
16 certified to meet CARB's Heavy-Duty Omnibus Regulation or
17 federally certified to a potential U.S. EPA standard,
18 assumed for the purposes of this scenario to be set at
19 0.02 grams per brake horsepower hour in alignment with the
20 final Heavy-Duty Omnibus Standard.

21 Starting on the far left side of the graph, we
22 see that the current heavy-duty truck fleet in California
23 consists primarily of pre-2010 and 2010 certified internal
24 combustion trucks with small numbers of zero emission and
25 advanced clean trucks.

1 Moving to the far right side of the slide, we see
2 that the truck fleet will need to transition by 2050 to
3 much cleaner technologies, primarily zero emissions, but
4 with a limited number of clean combustion trucks in some
5 vocations. Across the top of the chart, we have listed
6 the resulting percentage of clean combustion and
7 zero-emission vehicles on the road for the target years of
8 2031, 2037, and 2045. This shows, for example, that by
9 2045, 77 percent of the trucks on the road will need to be
10 zero emission with 22 percent being cleaner combustion
11 vehicles. This scenario was developed consistent with the
12 Governor's Executive Order by assuming 100 percent of new
13 vehicle sales are zero emission starting in 2035.

14 We developed multiple scenarios for the
15 heavy-duty category, but only this scenario shows the
16 level of technology transformation necessary to meet both
17 our midterm air quality goals, as well as our long-term
18 climate change goals.

19 With the population of heavy-duty vehicles
20 represented, you can see in the solid green and green and
21 white striped sections that this aggressive scenario
22 resulted in a total of about 830,000 heavy-duty ZEVs
23 statewide in 2045. While this number of ZEVs seems
24 ambitious, we are seeing more and more new models of
25 zero-emission vehicles being introduced into the

1 marketplace. There are currently consider 16 commercially
2 available models of heavy-duty Class 7 and 8 zero-emission
3 trucks in North America. CALSTART estimates in their
4 Zero-Emission Technology Inventory Tool that within the
5 next two years, we could see over 20 models of heavy-duty
6 zero-emission trucks on the market and more than 80 models
7 of medium-duty zero-emission trucks.

8 Zero-emission technology is out there and it's
9 rapidly evolving, and as can be seen in our scenario here,
10 it's what is needed for us to meet not just our air
11 quality but also our climate goals.

12 --o0o--

13 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

14 MANAGER FIDELDY: This slide translates the heavy-duty
15 technology penetration scenario shown in the previous into
16 NOx emission trends, with business as usual emissions from
17 the heavy-duty truck fleet represented by the dashed brown
18 line and anticipated emissions under clean fleet
19 transition represented by the solid teal blue line. The
20 arrows shown -- the arrows show the anticipated emission
21 benefits from this fleet turnover with NOx emissions
22 result -- reductions increasing from 67 percent in 2031 to
23 94 percent by 2045.

24 --o0o--

25 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

1 MANAGER FIDELDY: The 2020 Strategy includes scenarios
2 like the one I just went over for heavy-duty for all
3 on-road and off-road mobile sectors. This slide
4 summarizes the assumptions we made in developing all of
5 these scenarios.

6 In alignment with EO N-79-20 and SB 44, for
7 light-duty vehicles we are assuming 100 percent ZEV and
8 PHEV sales in 2035, along with 25 percent reduction in
9 statewide VMT per capita by 2035 relative to 2005. For
10 heavy-duty vehicles, we are assuming 100 percent
11 California fleet purchases being ZEV starting in 2035
12 combined with cleaner combustion. For the smaller
13 off-road engine categories, the scenarios assume a full
14 transition to zero emission by 2035. And for the heavier
15 off-road categories, the technology mixes assume zero
16 emission wherever feasible and cleaner combustion engines
17 along with low carbon fuels in the hard-to-electrify
18 sectors.

19 --o0o--

20 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
21 MANAGER FIDELDY: The scenarios in the 2020 Mobile Source
22 Strategy will provide significant emission reductions,
23 especially in the mid and longer terms. These pie charts
24 show the baseline emissions under current programs in the
25 SIP target years of 2031 and 2037, along with the

1 estimated reductions in statewide NOx emissions that could
2 be achieved under the MSS scenarios when including all
3 sectors.

4 Including station area -- stationary and area
5 source emissions, the graph shows a 49 percent reduction
6 in NOx by 2031 and 51 -- 56 percent by 2037. Keep in mind
7 these carts do not take into account actions the districts
8 are also working on to control emissions from stationary
9 and area-wide sources, so there is potential for even
10 greater overall emission reductions than is shown here.

11 --o0o--

12 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
13 MANAGER FIDELDY: Achieving the technology trajectories
14 and emissions reductions in the MSS scenarios has the
15 potential to provide substantial health benefits in
16 communities near freight facilities and across California
17 over the next 30 years. CARB staff conducted an analysis
18 of the potential annual statewide health benefits from the
19 PM2.5 reductions estimated under the scenarios. The slide
20 here details the potential annual health benefits in 2050,
21 the endpoint of the scenarios in the document. As you can
22 see, we expect that implementation of the 2020 mobile
23 source strategy will each year provide between 3,700 and
24 4,100 fewer premature deaths, 1,700 fewer emergency room
25 visits, and 725 fewer hospital admissions, not to mention

1 programmatic concepts, the 2022 State Strategy for the
2 State Implementation Plan, or State SIP Strategy.

3 Staff initiated the public process for the State
4 SIP Strategy over the last couple of months, and it's
5 through the State Strategy that we will further develop
6 the MSS concepts into formal SIP measures to support the
7 air quality plans for attaining the 70 parts per billion
8 ozone standard by 2037.

9 Given that this next round of SIPs are due to
10 U.S. EPA in August of 2022, it's imperative that CARB
11 staff focuses efforts going forward on translating the
12 concepts in the 2020 Mobile Source Strategy into
13 enforceable measures in the 2022 State SIP Strategy that
14 can be submitted to U.S. EPA next summer.

15 --o0o--

16 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
17 MANAGER FIDELDY: Diving into this a little more, this
18 slide provides a graphical representation of the process
19 of how the programmatic concepts included in the 2020
20 Mobile Source Strategy form the basis for actions that
21 lead to actual air quality improvements. The concepts for
22 each sector that we have in the 2020 MSS are high level
23 and will continue to be developed as staff engages with
24 the public and stakeholders.

25 SIP measures require more detail and specify

1 timelines in order to establish the federally-enforceable
2 commitments. Beyond that, each item will go through a
3 formal rulemaking process including draft rule or program
4 language, staff reports, economic and environmental
5 analyses, and public workshops, working groups, and
6 hearings prior to being proposed to the Board for adoption
7 as a program to be implemented in California.

8 Implementation dates and timelines are firmly
9 established as a part of that development and adoption
10 process, which then define the point at which the
11 regulation will be able to reduce emissions and provide
12 real air quality benefits in communities across the state.
13 This process is almost never a straight line and the
14 public engagement for regulation or program is, in many
15 cases, happening in parallel with the development our
16 planning documents.

17 This iterative process, beginning with the
18 concepts and ending with air quality improvement, can take
19 five to 10 years from start to finish.

20 --o0o--

21 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
22 MANAGER FIDELDY: As a Board, you have recently adopted a
23 number of regulations that are expected to provide
24 significant emission reductions and air quality
25 improvements. Some of the programs that have moved

1 forward in their development process that were measures in
2 our previous 2016 State SIP strategy are listed here.
3 These key regulations have all been adopted by the Board
4 in the past year or will be brought to the Board for
5 consideration through 2022.

6 For light- and medium-duty vehicles, a key
7 undertaking will be the Advanced Clean Cars II. This
8 suite of proposed new vehicle regulations builds on the
9 first iteration of the Advanced Clean Cars Program and
10 will include enhanced ZEV regulations to move beyond early
11 adopters, and enhanced LEV regulations to reduce emissions
12 from current combustion technologies.

13 For heavy-duty vehicles, the recently adopted
14 Advanced Clean Trucks Regulation set sales targets
15 beginning in 2024 that will serve as a substantial first
16 step towards getting significant numbers of heavy-duty
17 ZEVs onto California roads.

18 Recognizing that it will take time to transform
19 the fleet, another key strategy will be cleaning up the
20 remaining combustion technology. This will be
21 accomplished through programs such as the Heavy-Duty
22 Omnibus Regulation that will require lower NOx emissions
23 from newly manufactured diesel engines, phase 2 greenhouse
24 gas regulations, and the future Heavy-Duty Inspection and
25 Maintenance Program, which staff continues to evaluate for

1 opportunities to achieve early reductions. There is also
2 ongoing rulemaking to drive adoption of zero-emission
3 technology for SORE, forklifts, and other off-road
4 sections, and also reduce emissions from consumer
5 products.

6 In addition to all of these things, previous SIP
7 measures to achieve reductions from incentivized turnover
8 of vehicles and equipment. Incentives are ongoing efforts
9 and will continue to be vital to attainment of air quality
10 standards into the future.

11 --o0o--

12 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

13 MANAGER FIDELDY: Looking forward, this slide will outline
14 the potential measures that staff is considering for
15 inclusion in the 2022 State SIP Strategy. Three weeks
16 ago, we released a draft measures document that included a
17 description of the measures currently being considered for
18 the next round of ozone plans.

19 Starting with on-road mobile sources, this
20 includes the Advanced Clean Fleets Regulation, and the new
21 motorcycle emissions standards. There is also a suite of
22 potential measures for the off-road sector, including a
23 Tier 5 standard for off-road equipment, and potential
24 spark ignition marine engine standards.

25 Staff is also looking at options for reducing

1 emissions from primarily federally regulated sources,
2 including the in-use locomotive regulation currently under
3 development, as well as potential controls for aviation
4 and ocean-going vessels beyond CARB's existing at berth
5 and fuels requirements.

6 Finally, there are potential measures for other
7 sources, including consumer products and space and water
8 heaters. This list is a starting point and we expect that
9 as we work with the local air districts to flesh out the
10 full emission reduction needed from State sources, and
11 identify carrying capacities for the various areas, that
12 this list will grow.

13 --o0o--

14 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
15 MANAGER FIDELDY: Beyond the items listed on the last
16 slide, staff has received suggestions from the public for
17 State measures to be included in the 2022 State SIP
18 Strategy, through our outreach and engagement efforts thus
19 far, some of which are highlighted in this table.

20 Many of the items listed here have been included
21 or discussed as part of various community emission
22 reduction programs developed by selected communities,
23 together with the air district partners, under CARB's AB
24 617 Community Air Protection Program. Staff is exploring
25 the ways in which these concepts could be included as SIP

1 measures in the 2022 State SIP Strategy and is continuing
2 to take feedback and additional suggestions from the
3 public.

4 As you can see, the suggested measures include
5 the On-Road Heavy-Duty Vehicle Useful Life Strategy
6 discussed by the Board at the September hearing, along
7 with a number of other on-road mobile strategies, as well
8 as potential strategies targeting reductions from
9 stationary and area sources.

10 --o0o--

11 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
12 MANAGER FIDELDY: While CARB and the district are working
13 to identify all potential actions within our jurisdictions
14 to reduce emissions across sectors, actions are needed at
15 the federal and international levels in order to achieve
16 the magnitude of emission reductions necessary to attain
17 the 70 part per billion ozone standard in our extreme
18 non-attainment areas and across the state.

19 Staff is collaborating with U.S. EPA staff and
20 will continue to do so. But the need for immediate action
21 by U.S. EPA and other agencies on interstate on-road
22 heavy-duty vehicles preempted off-road equipment,
23 locomotives, aviation, and ocean-going vessels cannot be
24 overstated. We have only 15 years to attain these
25 federally mandated air quality standards. Attainment is

1 challenging, if not impossible, without action by U.S. EPA
2 and other federal entities to control emissions from
3 sources under their respective authorities.

4 --o0o--

5 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

6 MANAGER FIDELDY: Having walked through all of the
7 measures and actions included in our draft measures
8 document that we are considering for inclusion in the 2022
9 State SIP Strategy, we want to also summarize some of the
10 feedback we've heard at our workshops.

11 Staff held a kick-off workshop on the 2022 State
12 SIP Strategy in July and just last week held a second
13 workshop at which we took a deep dive into all of the
14 potential SIP measures. We have received feedback during
15 these workshops and through other individual meetings with
16 various public stakeholders. The local air districts
17 generally voiced strong support for potential CARB action
18 on primarily federal regulated sources, especially a
19 statewide vessel speed reduction program for OGVs.

20 From many advocates, we heard strong support for
21 the incorporation of AB 617 CERP measures in the SIP,
22 especially the heavy-duty useful life strategy. They also
23 requested additional requirements to transition the
24 light-duty fleet to zero emissions and accelerated action
25 on all fronts.

1 Industry expects -- expressed concern with the
2 ability of ZEV-driving measures to provide near-term
3 reductions and express support for potential zero-emission
4 appliance standards.

5 --o0o--

6 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
7 MANAGER FIDELDY: One other thing we wanted to highlight
8 for you today is the need for contingency measures, which
9 we touched on at the September Board hearing. The federal
10 Clean Air Act, together with court decisions in the last
11 five years, have made it clear that SIP contingency
12 measures must be already adopted with triggering
13 provisions and themselves provide for the reductions
14 required for contingency. Staff is exploring options for
15 a triggered contingency measure in the context of all the
16 other actions being pursued as SIP measures and will
17 initiate the public process in the coming months as
18 directed by the Board.

19 --o0o--

20 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION
21 MANAGER FIDELDY: Throughout SIP development, CARB staff
22 is working very closely with the local air districts. We
23 kicked off the process for development of the 70 ppb ozone
24 SIPs over two years ago, and since that time, we have been
25 having regular working groups with district staff, as well

1 as numerous additional meetings with the various district
2 teams on foundational technical work, including emission
3 inventory development, air quality modeling, and many
4 other SIP requirements.

5 We work with the districts throughout development
6 of plans for attaining new air quality standards and
7 continue to work together after the plans have been
8 adopted, as we move through implementation and enforcement
9 of regulations.

10 One significant example of our collaboration with
11 the districts is CARB staff's engagement over the past
12 year with South Coast AQMD staff in holding a series of
13 mobile source working groups to help with the development
14 of the District's next Air Quality Management Plan. CARB
15 and District staff have jointly held multiple public
16 working group meetings on heavy-duty trucks, construction
17 and industrial equipment, aircraft, and ocean-going
18 vessels, all of which have helped to inform the concepts
19 and potential SIP measures that I've outlined for you
20 today.

21 Close collaboration between district and CARB
22 staff is vital to SIP development process and we will
23 continue to work over the next year with our district
24 partners to further define the emission reductions and
25 measures that are needed for attainment of the federal air

1 quality standards.

2 --o0o--

3 AQPSSD SOUTH COAST AIR QUALITY PLANNING SECTION
4 MANAGER FIDELDY: Moving forward, staff will continue to
5 provide opportunities to engage on the 2022 State SIP
6 Strategy. As previously mentioned, staff kicked off the
7 process in July with our first public workshop. We then
8 released our draft measures document in early October
9 before hosting our second public workshop just last week
10 on October 19th.

11 Moving forward, we are planning for a release of
12 the full draft 2022 State SIP Strategy in the winter
13 timeframe prior to an informational update to the Board in
14 early spring 2022, and a third public workshop. We will
15 then be releasing the proposed 2022 State SIP Strategy in
16 the early summer for Board adoption prior to the August
17 3rd SIP due date for the 70 part per billion 8-hour ozone
18 standard.

19 --o0o--

20 AQPSSD SOUTH COAST AIR QUALITY PLANNING SECTION
21 MANAGER FIDELDY: In terms of next steps, we intend to
22 transmit the 2020 Mobile Source Strategy to the relevant
23 policy and fiscal committees of the Legislature, as
24 directed by SB 44. As I've described here today, the 2020
25 strategy scenarios and concepts establish a roadmap that

1 has the potential to achieve significant benefits, but
2 this is only the beginning of the process.

3 Over the next year, staff will further develop
4 the MSS concepts into proposals for SIP enforceable
5 measures and commitments through the 2022 State SIP
6 Strategy. Elements of the 2020 Strategy will also be
7 incorporated into the 2022 Scoping plan and other
8 CARB-planning efforts.

9 Staff is continuing to work with the districts to
10 firmly define the levels of emission reductions needed for
11 attainment of the 70 ppb ozone standard in the South Coast
12 Air Basin, the San Joaquin Valley, and many other areas of
13 the state.

14 We will be continuing the process as a part of
15 the State SIP Strategy development, while also beginning
16 the public process on development of contingency measures
17 in the coming months.

18 Finally, for the 2022 State SIP Strategy, we will
19 come back to the Board with an informational update in the
20 first quarter of next year, as we continue forward on our
21 path towards identifying all the measures needed to
22 provide the critical reductions needed from
23 State-regulated sources.

24 --o0o--

25 AQPSD SOUTH COAST AIR QUALITY PLANNING SECTION

1 MANAGER FIDELDY: Thank you, Chair Randolph and members of
2 the Board.

3 CHAIR RANDOLPH: Okay. Thank you. Before we go
4 to public comment and Board Member comment on this item,
5 we need to take about a 10-minute break to deal with some
6 technical issues. So we will be back at about 11:20 --
7 11:20, 11:22. Okay. All right. Thanks.

8 (Off record: 11:12 a.m.)

9 (Thereupon a recess was taken.)

10 (On record: 11:26 a.m.)

11 CHAIR RANDOLPH: All right. Welcome back from
12 the break. Thank you for your patience. It is now time
13 for public comment on the Mobile Source Strategy item.

14 Board Clerk will you please call the first few
15 commenters.

16 BOARD CLERK ESTABROOK: Yes. Thank, Chair. We
17 currently have 22 people with their hands raised to speak
18 at this time. If you wish to verbally comment on this
19 item, please raise your hand or dial star nine now. And I
20 apologize in advance if I mispronounce your name.

21 The first three speakers will be Yasmine
22 Agelidis, Daniel Barad, and Ian MacMillan.

23 Yasmine, I have activated your microphone. You
24 can unmute yourself and begin your comment.

25 YASMINE AGELIDIS: Thank you so much. Good

1 morning, Chair Randolph and Board members. My name is
2 Yasmine Agelidis with Earthjustice.

3 And CARB's Mobile Source Strategy framework is so
4 important, because it sets a path for California to be
5 able to meet the state's air quality and climate goals.
6 It's a grounding document based on scientific reviews and
7 analyses, that then informs the development of other
8 planning efforts, including the State Implementation Plan,
9 the Scoping Plan, the community emissions reduction plans,
10 and importantly, CARB's own rulemakings on mobile sources.

11 Today, we ask that the Board vote to approve the
12 2020 Mobile Source Strategy that staff has proposed today.
13 Even though we believe that the Mobile Source Strategy
14 should be even more assertive in order to address our dire
15 air quality and climate needs, it is the right move to get
16 the strong clean air assumptions outlined in the strategy
17 on our books as soon as possible.

18 Now, once the Mobile Source Strategy is adopted,
19 it is critical that CARB staff actually rely on the
20 assumptions in that analysis and that key rulemakings that
21 are currently under way match the emissions reductions and
22 sales targets assumed in the Mobile Source Strategy.

23 However, right now, many of the regulations
24 currently in development do not match these targets,
25 including most notably the Advanced Clean Fleets Rule and

1 the Advanced Clean Cars II rule among others.

2 So our ask today is that CARB Board members take
3 this time to direct staff to make sure that the rules that
4 staff are currently working on and all future rules match
5 the Mobile Source Strategy. So, for example, the Mobile
6 Source Strategy clearly states that a hundred percent of
7 all truck sales in California must be zero emissions by
8 2035. Yet, in the Advanced Clean Fleets Rule, staff have
9 proposed that a hundred percent of all truck sales be zero
10 emissions by 2040, five years later.

11 And this five year gap does create meaningful
12 differences, including that it would allow tens of
13 thousands more new combustion trucks to be sold that would
14 remain on California's roads beyond 2045, which is when
15 CARB and the Governor require all trucks to be zero
16 emissions.

17 Similarly, right now, there's also a large gap
18 between the Mobile Source Strategy and the sales
19 requirements in the Advanced Clean Cars II rule, which
20 means that we're foregoing ozone and GHG reductions that
21 we need in order to have a chance at meeting our air
22 quality and climate targets.

23 So just to summarize, we have two asks today,
24 first, that the Board vote to adopt the 2020 Mobile Source
25 Strategy, and second, that the Board direct staff to make

1 sure that the key rulemakings that it's already working on
2 and all future rulemakings match the Mobile Source
3 Strategy.

4 Thank you.

5 BOARD CLERK ESTABROOK: Thank you.

6 Daniel Barad, I have activated your microphone.
7 You can unmute and begin.

8 DANIEL BARAD: Thank you. Good morning. Daniel
9 Barad on behalf of Sierra Club California and our 500,000
10 members and supporters statewide. Thank you very much for
11 the opportunity to comment. As the Mobile Source Strategy
12 highlights, the transportation sector is responsible for
13 40 percent of the State's GHG emissions and more than 75
14 percent of its NOx emissions. Meanwhile, 28 million
15 Californians live in areas that exceed the federal ozone
16 and PM2.5 standards.

17 The Mobile Source Strategy makes represent --
18 recommendations that represent the bare minimum actions
19 CARB must take to decrease the state's transportation
20 emissions. The Board should view these recommendations as
21 the regulatory floor, not the ceiling, and should advance
22 more ambitious policies whenever possible.

23 In the upcoming year, CARB has opportunities in
24 the Advanced Clean Cars II and Advanced Clean Fleets
25 rulemakings to pass policies that rapidly bring emissions

1 from the light- and heavy-duty vehicle sectors down to
2 zero.

3 As Yasmine also highlighted, these current drafts
4 are not in line with what the Mobile Source Strategy says
5 is necessary. The Mobile Source Strategy calls for 50
6 percent of light-duty vehicles sold in the State in 2027
7 to be zero emission, but the current draft of the ACC II
8 rule would not hit that mark until 2030.

9 To work towards the state's electrification goals
10 in the heavy-duty sector, the Mobile Source Strategy also
11 shows that a hundred percent of heavy-duty vehicles sold
12 in the state must be zero emission by 2035. The current
13 ACF draft does not hit these sales milestones until 2040.
14 The rapid transition of California's vehicle fleets to
15 zero emission is not just necessary to achieve our
16 long-term carbon neutrality goals, but it is also crucial
17 for meeting attainment standards and to cleaning the air
18 in the short-term.

19 While these regulations are not the only tools
20 that CARB has to reduce vehicle emissions, they are by far
21 the most effective. Limited tools, such as incentives,
22 will be needed to transition more difficult-to-decarbonize
23 sectors to zero emission.

24 We urge CARB to adopt the Mobile Source Strategy
25 today, and at the very least, CARB should trust its own

1 work on the Strategy and align its current rulemakings
2 with its own findings.

3 We look forward to continuing to work with the
4 Board, members, and staff to clean the air in the state
5 and to slow the climate crisis.

6 Thank you very much.

7 BOARD CLERK ESTABROOK: Next, we will have Ian
8 MacMillan. After Ian will be Sasan Saadat, and William
9 Barrett, and Sophie Ellinghouse.

10 Ian, I have activated your microphone. You can
11 unmute yourself and begin.

12 IAN MACMILLAN: Thank you for the opportunity to
13 comment on the proposed Mobile Source Strategy. My name
14 is Ian MacMillan and I am Assistant Deputy Executive
15 Officer with South Coast AQMD.

16 We appreciate the willingness of CARB staff to
17 engage with us on the development of this document and in
18 related SIP-planning processes. We also recognize the
19 value of the approach taken in the MSS to comprehensively
20 evaluate the level of vehicle turnover needed to meet
21 federal and State air quality standards.

22 We cannot lose site of the statutory mandate to
23 protect the public from smog and toxic diesel pollution
24 today. CARB recognizes this need. Just four years ago,
25 CARB committed in the previous Mobile Source Strategy to

1 reducing NOx emissions from mobile sources in South Coast
2 by 113 and 111 tons per day in 2023 and 2031.

3 South Coast AQMD relied on this commitment when
4 we adopted our 2016 AQMP. We had no choice. With limited
5 regulatory authority over mobile sources, we have to rely
6 on CARB, the State Legislature, and the federal government
7 to meet air quality standards. Absent action from these
8 entities, our residents will continue to suffer from poor
9 air quality and our region could face substantial economic
10 impacts from federal sanctions.

11 The current proposed MSS does not address CARB's
12 previous commitment for 2023 nor is it clear that the MSS
13 will be sufficient to meet the 2031 or 2037 ozone
14 deadlines. Even if federal air quality standards cannot
15 be meet on time, we both have an obligation, legally and
16 to the public, to meet them as quickly as possible. In
17 addition to not laying out how the mandates of the Clean
18 Air Act will be achieved, the proposed MSS does not appear
19 to meet the requirements of SB 44, which authorized the
20 development of the MSS, in particular for coordinating
21 plans to meet federal air quality standards and for
22 evaluating cost effectiveness.

23 The analysis of potential costs of our transition
24 to a zero-emissions future is critical. There are
25 multiple pathways to achieve that vision and some

1 necessarily will be more expensive than others. We
2 disagree with those who would argue that these costs are a
3 reason not to act. Rather, we recommend that a
4 comprehensive analysis be conducted of the anticipated
5 all-in costs for these potential pathways. The most cost
6 effective pathways can then be pursued, and importantly,
7 new policy actions can be developed to reduce costs as
8 much as possible.

9 Making cleaner technologies more affordable is
10 critical, given the significant scale of vehicle turnover
11 that is needed. South Coast AQMD stands ready to continue
12 its partnership with CARB and achieving clean air. We
13 stand side by side with CARB in pushing for widespread
14 conversion of fleets to zero emissions as soon as
15 feasible.

16 However, this partnership must come with a shared
17 understanding of the obligations we both face.
18 Non-attainment is not only South Coast AQMD's burden to
19 bear, achieving clean air requires collective action by
20 South Coast AQMD and the State and federal government.
21 Given CARB's authority and mandate, it must lead.

22 However, this leadership must not prioritize
23 long-term goals over previous commitments and federal and
24 State statutory mandates for near-term action.

25 Thank you very much.

1 BOARD CLERK ESTABROOK: Thank you.

2 Sasan Saadat.

3 SASAN SAADAT: Thank you, members of the Board.
4 Sasan Saadat with Earthjustice. It's surreal to hear the
5 last presentation on the IPCC findings and the need for
6 transformational change and now to be here before you
7 asking that your transportation regulations actually align
8 with your own staff's research of what's needed to meet
9 the state's goals.

10 Staff knows that their proposed regulations for
11 cars and trucks fall way short of the Mobile Source
12 Strategy. They don't deny it. Instead, their response
13 has been that the gap for reaching our State goals could
14 maybe be filled by some other indirect policy measures.
15 We keep hearing it doesn't actually have to get done all
16 by one rule, as if other policies could come to the
17 rescue.

18 This is impossible to believe by anyone who's
19 actually read the Mobile Source Strategy, which already
20 relies to an unrealistic degree on policies that CARB has
21 even less control over. For example, the Mobile Source
22 Strategy assumes that we will spend money we don't yet
23 have to accelerate the turnover of 8,500 trucks to zero
24 emission every year starting this year. As a reminder,
25 CARB's current ambition is 800 trucks. And on cars, the

1 Mobile Source Strategy says for cars to do their equal
2 call share, 16,000 of them need to be turned over every
3 year in the South Coast alone. That's a ten-fold increase
4 compared to what the basin achieves through Clean Cars 4
5 All or the worst excuse that low carbon fuels or carbon
6 dioxide removal can sop up the difference.

7 Not only would those do nothing for our
8 environmental injustice, but those finite solutions are
9 already barely enough to address the much more challenging
10 sectors like shipping and aviation. And we can't pretend
11 that they're going to bail out cars and trucks too.

12 Please don't take this to mean that we oppose
13 passing the Mobile Source Strategy. That's not what I'm
14 saying. What we're saying is that the Mobile Source
15 Strategy is the bare minimum our regulations need to match
16 and that it would be insane to believe that other measures
17 could plug an even wider gap left by undershooting our
18 sales requirements.

19 If CARB actually believes other measures could
20 happen to deliver the needed sales requirements, then
21 their should be no concern about securing that with a
22 regulatory mandate. CARB should either require the
23 outcomes it knows are necessary or admit to the Governor
24 and millions of Californians breathing unhealthy air that
25 they don't believe the goals are achievable, and that they

1 view them merely as aspirational.

2 I know you cannot take that latter view. I know
3 you also believe that we can actually achieve this
4 transformation. And I know you, like me, must tell
5 yourself that every time you watch the common catastrophes
6 around us unfold. I know you must tell it to yourselves
7 each time you feel a pit in your stomach reading up
8 apocalyptic headlines thinking of your family's future.
9 And I know that you can take confidence in your own
10 staff's cost analyses that prove that this transformation
11 is within our reach.

12 So if you also believe the State's goals are not
13 merely words, then please make the Mobile Source Strategy
14 real by passing rules that align with it. Please honor
15 your commitments to the public to deliver this
16 transformation by directing your staff to design rules
17 that at a minimum match the Mobile Source Strategy. It is
18 the bare minimum we must do to do -- in the mammoth tasks
19 that remain ahead of us.

20 Thank you.

21 BOARD CLERK ESTABROOK: Thank you.

22 Will Barrett, you can unmute yourself and begin.

23 WILL BARRETT: Thank you. This is Will Barrett.
24 I'm the Director of Clean Air Advocacy with the American
25 Lung Association. And we believe that the Mobile Source

1 Strategy concepts really do provide a good base for the
2 State SIP and the State Scoping Plan that's going to come
3 up next year. The focus on diesel clean-up, zero
4 emissions, healthy transportation, and targeting clean-up
5 in our most impacted and disadvantaged communities is
6 critical.

7 I'm going to comment today just on two elements,
8 legacy diesel fleets, and VMT reductions. So at the
9 September hearing and throughout the Mobile Source
10 Strategy development process, public health and clean air
11 advocates raised the need for a comprehensive program to
12 retire trucks reaching full useful life milestones. We
13 greatly appreciated Mr. De La Torre, Mr. Kracov, and
14 Senator Leyva raising this issue and the urgency of this
15 issue at that time.

16 While the Advance Clean Fleets Rule proposes to
17 retire drayage trucks at useful life, a retirement policy
18 must be expanded fleet-wide. Ultimately, we and our
19 health partners call for a comprehensive retirement to be
20 included in the SIP as a clear measure in the SIP and
21 expanded within the Advanced Clean Fleets Rule.

22 We appreciate in the presentation that the
23 retirement concept was included on the list of potential
24 new SIP measures. But really, we look to the Board to
25 ensure a comprehensive truck retirement program is

1 included in the SIP.

2 Like the Heavy-Duty Inspection Maintenance
3 Program that you'll hear in December, the retirement
4 program could complement and really far surpass the
5 benefits of many of the measures approved in the past few
6 years by the Board in terms of reducing NOx, PM, and
7 protecting lung health in our most impacted communities.

8 On the issue of vehicle miles traveled, the
9 Mobile Source Strategy really did a great job of expanding
10 the discussion of VMT measures that were -- we need to see
11 implemented. And we appreciate Dr. Sperling's comments on
12 this along the way throughout the development of the
13 rule -- or the strategy.

14 Building on what's in the Mobile Source Strategy,
15 we feel that the Scoping Plan and the SIP really have to
16 provide clear measures for building healthier communities,
17 reducing VMT, and expanding mobility choices. We know
18 that ongoing increases in VMT are eating into the benefits
19 of cleaner fuels and vehicles, and limiting opportunities
20 to improve community health and resilience.

21 The Lung Association and the Local Government
22 Commission submitted a joint comment letter noting that
23 the Mobile Source Strategy lays out these good directions
24 for VMT reduction, and we encourage you to bring these
25 into the SIP, into the Scoping Plan, and really, you know,

1 take what's in the Mobile Source Strategy several key
2 strategies are noted, increasing transportation choices
3 and access, authorizing equitable pricing of
4 transportation, and really aligning State funding and
5 land-use planning with VMT and pollution reduction targets
6 is key. We also know that there needs to be partnership
7 with local and regional governments as well.

8 So in closing, really want to just say thank you
9 for the work that's gone into the Mobile Source Strategy.
10 It really is important to get a hold of the transportation
11 pollution reductions we know we need, especially in our
12 most impacted communities.

13 Thank you to Ms. Fidely and the staff for all of
14 your work on this. Thank you.

15 BOARD CLERK ESTABROOK: Thanks.

16 Next will be Sophie Ellinghouse. After Sophie,
17 we will have Ryan Kenny, Bill Magavern, and Ryan Mack.

18 Sophie, I have activated your microphone. You
19 can unmute and begin.

20 SOPHIE ELLINGHOUSE: Great. Thank you. Good
21 morning, Chair Randolph and members of the Board. As
22 Katie just mentioned, my name is Sophie Ellinghouse. And
23 I am the Director of California Policy at the Western
24 States Petroleum Association.

25 WSPA believes that progress towards

1 sustainability -- sustainable energy future is best served
2 by an inclusive dialogue. And that's why we're both
3 disappointed and concerned that CARB staff has not
4 incorporated or addressed some of our recommendations.
5 For successful, scalable emission reduction, California
6 must approach our shared future intentionally and allow a
7 seat at the table for all stakeholders.

8 I just briefly want to go over two of our main
9 concerns. First, the 2020 Mobile Source Strategy fails to
10 address some of the requirements of SB 44, which were
11 outlined in the presentation earlier. In this regard, the
12 Mobile Source Strategy falls short of meeting California's
13 near-term obligations under the federal Clean Air Act for
14 both the San Joaquin Valley and South Coast Air Basin in
15 2023 and 2031.

16 Second, the Mobile Source Strategy fails to
17 recognize new generations of low carbon fuels being
18 introduced now in California, which we note that these
19 fuels are encouraged by State's own LCFS program.

20 Just a quick elaboration. Over the past year,
21 WSPA has submitted four comment letters into the record
22 that specifically provided examples of these new
23 technology and fuel combinations. In fact, WSPA
24 commissioned Ramboll to conduct a study, which showed the
25 deploying low-NOx vehicles running on renewable fuels,

1 which are now commercially available, the Mobile Source
2 Strategy could actually allow criteria air pollutant
3 reductions sooner as required under the SIP, including
4 local benefits for AB 617 communities.

5 Unfortunately, we have seen no reference, or
6 acknowledgement, or incorporation to consider these
7 strategies for lower carbon fuels within the 2020 Mobile
8 Source Strategy, while the LCFS Program and Scoping Plan
9 have shown their potential for both on-road and off-road
10 sources.

11 With all of that said, WSPA respectfully requests
12 that the Board direct staff to reconsider our comments and
13 incorporate low-NOx engine technologies and lower carbon
14 fuels in this Mobile Source Strategy in the 2021 Mobile
15 Source SIP effort as well as related rulemakings.

16 Thanks.

17 BOARD CLERK ESTABROOK: Thank you.

18 Ryan Kenny, you may unmute and begin.

19 RYAN KENNY: Yes. Hi. Good morning, Chair
20 Randolph, members of the Board. My name is Ryan Kenny
21 Clean Energy. Our company is the largest provider of
22 renewable natural gas transportation fuel in the country.

23 And I'd like to just comment on this update
24 version of the Mobile Source Strategy. We don't think it
25 meets the direction that was given to the Board -- by the

1 Board to staff last December, which includes the expansion
2 of the strategy on near-term efforts focused on meeting
3 the SIP targets and also providing benefits to
4 disadvantaged communities.

5 This Mobile Source Strategy focuses on long-term
6 programs and long-term goals. And as mentioned
7 previously, it does not really focus on 2023 attainment.
8 It's mostly on 2031 and mostly even further on 2037
9 attainment. The Mobile Source Strategy per SB 44 requires
10 a comprehensive strategy for the deployment of medium- and
11 heavy-duty vehicles, and that is not covered much in here
12 on -- for the near term. And also the Executive Order,
13 which is used as justification for the Mobile Source
14 Strategy in part requires electrification in the
15 heavy-duty space by 2045 where feasible. And where
16 feasible is not -- there's no safety net in the Mobile
17 Source Strategy should heavy-duty electrification not be
18 met by even 2045.

19 I also want to mention too that the Mobile Source
20 Strategy relies heavily on federal involvement and also
21 mentions the lack of time to really meet 2023 attainment.
22 However, we have been talking about this since before the
23 2016 Mobile Source Strategy. And there has been plenty of
24 time to meet those goal for 2023. And now we're looking
25 down the barrel of 2031.

1 The Mobile Source Strategy also does not include
2 what was in the 2016 Mobile Source Strategy, which was
3 900,000 low-NOx trucks to be deployed by 2030. That has
4 been taken out. So the Mobile Source Strategy as it is
5 before you does not include the cleanest engine available
6 today and the cleanest fuel. Renewable natural gas is up
7 to carbon negative and it's completely missing in the
8 proposed measures in the Mobile Source Strategy.

9 Slide 13 of your presentation says it all. It
10 mentions heavy-duty ZEV penetration will not really start
11 until 2031. And again, here we are in 2021, 10 years
12 before that, without any near-term emission reductions
13 from heavy-duty ZEVs. We ask to be included in the
14 regulatory programs, especially the State Strategy for the
15 SIP and Advanced Clean Fleets to complement those programs
16 and get near-term emission reductions today.

17 Thank you for considering my comments.

18 BOARD CLERK ESTABROOK: Thank you.

19 Bill Magavern, I have activated your microphone.
20 You can unmute and begin.

21 BILL MAGAVERN: Thank you. Good morning. Big
22 Magavern with the Coalition for Clean Air. We supported
23 SB 44 in the Legislature and we've been actively involved
24 in the Mobile Source Strategy process. And there are so
25 many important measures included in it that we expect to

1 be supporting in the next few years. And I'm definitely
2 encouraged to see the addition of more robust measures to
3 reduce vehicle miles traveled in this version of the
4 strategy.

5 But despite everything that's in here, it's clear
6 that we need to do more. And we need to do more at the
7 federal, State, regional, and local levels to reduce
8 pollution from mobile sources. We need only look at the
9 situation right now at our major ports to see the impacts
10 that transport is having on our communities, where we have
11 ships backed up off the ports of Los Angeles and Long
12 Beach, burning their fuel at anchor, and then putting the
13 goods onto trucks, which are burning mostly diesel fuel.
14 And we know that the impacts of these emissions are not
15 borne proportionately, but have a disproportionate impact
16 on low-income communities of color like those around the
17 ports of Los Angeles and Long Beach.

18 So there is a pressing need to do more. And
19 we're not asking you to delay or change this Mobile Source
20 Strategy, but this discussion is a good opportunity to
21 give some direction on additional items that should go
22 into the State Implementation Plan.

23 As we discussed at last month's Board hearing,
24 and as Will Barrett said just a few moments ago, the best
25 way, the way to get the most additional emission

1 reductions from mobile sources is to have a useful life
2 strategy for on-road heavy-duty trucks, that they be
3 retired from California roads after the expiration of the
4 useful life, which is defined in law as 800,000 miles, no
5 greater than 18 years and no fewer than 13 years.

6 That measure will do a lot to help us get closer
7 to actually delivering healthy air, especially in the
8 South Coast and San Joaquin air districts, which need it
9 the most.

10 Also, when it comes to light-duty, we think that
11 the Advanced Clean Cars II measure could ramp up more
12 quickly, that we need to get more ZEVs in the 2026 to 2030
13 period. And secondly with light-duty, we should have a
14 fleet strategy. In addition the Clean Miles Standard,
15 there are other fleets which could be required to ramp up
16 their purchases of light-duty zero-emission vehicles.

17 So we commend those items to you and thank you
18 for listening.

19 BOARD CLERK ESTABROOK: Thank you.

20 Next will be Ryan Mack. After Ryan, we will have
21 Tyler Harris, Tom Jordan, and Jon Costantino.

22 Ryan, I have activated your microphone. You can
23 unmute yourself and begin.

24 RYAN MACK: Hello, members of the Board. My name
25 is Ryan Mack. I'm a proud graduate of the California

1 Maritime Academy and currently run a maritime think tank.

2 I preside in the Long Beach area and have
3 witnessed firsthand the backlog of ocean-going vessels
4 building up off our coast. Diesel engines, especially
5 marine engines, are least efficient at idle. These
6 ocean-going vessels often have two or three auxiliary
7 power units and when adrift are required to be running one
8 main engine due to Coast Guard coastwise and safety
9 regulations.

10 According to the ARB emissions impact of recent
11 congestion at California's ports published on June 23rd,
12 to 2021 rated vessel peak NOx generation for February 2021
13 at over 10 tons per day. This report cited a maximum of
14 40 vessels per day. We are now nearing triple that
15 number.

16 Based on data just presented, CARB regulations
17 reduce emissions by 63 tons of NOx per day with 40 percent
18 of that coming from new regulations. Mathematically, that
19 works out to 25.2 tons of NOx per day with new
20 regulations. I fear that these vessels at anchorage will
21 completely negate the positive benefits outlined in the
22 Ocean-Going Vessels at Berth Regulation as well as the
23 Commercial Harbor Craft Regulations.

24 After reading both the CHC and OGV proposed
25 regulations, it's clear that more work needs to be done to

1 understand the needs of the maritime industry. The ARB
2 needs to work with California maritime companies to
3 understand the unique nature of marine transportation and
4 develop new technologies that are truly feasible.

5 The CHC regulations cite the Cal Maritime Tier 4
6 Feasibility Study. However, the study clearly states that
7 most vessels cannot be upgraded to Tier 4. Despite this,
8 the CHC Regulations will regulate California-based
9 maritime companies out of business.

10 I agree that nitrous oxide, sulfur oxide, and
11 particulate matter needs to be reduced, but I fear that
12 this regulation will drive marine innovation out of
13 California.

14 If we want to move ocean-going vessels off our
15 coast, then we need to take a series look at short sea
16 shipping. This method of transportation can reduce
17 emissions by up to 90 percent when compared to diesel
18 trucks and requires no new technologies to implement. The
19 cargo volumes exist for this method of transportation to
20 be feasible, but shippers and freight forwarders must be
21 incentivized or mandated to use this method. This is a
22 proven concept and works on the east coast as well as in
23 Europe.

24 I highly encourage the ARB to take a serious look
25 at short sea shipping, as I believe it is the key to

1 solving our supply chain crisis, as well as significantly
2 reducing diesel emissions throughout the state.

3 Thank you for your time and consideration. If
4 this is something that ARB would like to hear more about,
5 please feel free to contact me. Thank you so much.

6 BOARD CLERK ESTABROOK: Thank you.

7 Tyler Harris, you may unmute and begin.

8 TYLER HARRIS: Thank you. Can you hear me?

9 BOARD CLERK ESTABROOK: Yes, we can.

10 TYLER HARRIS: Okay. Chair Randolph and members
11 of the Board, thank you for the opportunity to comment.
12 My name is Tyler Harris and I am a supervising air quality
13 engineer with Ventura County Air Pollution Control
14 District. Our Air Pollution Control Officer, Dr. Laki
15 Tisopulos submitted written comments on this item.

16 I want to commented CARB for preparing a
17 comprehensive and far-reaching strategy for reducing air
18 pollution from mobile sources. Ventura County is a
19 serious non-attainment area for the federal 70 ppb ozone
20 standard and is a non-attainment area for the California
21 ozone standard.

22 Emission reductions from mobile sources are
23 absolutely necessary for Ventura County to achieve
24 attainment of these health-based standards. A large and
25 growing portion of our ozone precursor emissions in the

1 Ventura County inventory is from ocean-going vessels, such
2 as container ships, car carriers, and other large cargo
3 vessels that transit the near-shore waters off the Santa
4 Barbara channel and surrounding area.

5 The Mobile Source Strategy under consideration
6 today addresses ocean-going vessels, but the focus is on
7 advanced technology engines, which are expected to begin
8 visiting California ports in 2030 or later. Since Ventura
9 County's statutory deadline for attaining the federal
10 ozone standard is in 2027, with need emission reductions
11 from ocean-going vessels sooner.

12 In our written comments, Ventura County APCD
13 proposes CARB develop regulations limiting the speed of
14 ocean-going vessels in California's coastal waters to 10
15 knots. Such regulations could reduce ozone precursor
16 emissions and particular nitrogen oxides by approximately
17 6.5 tons per gay. These emission reductions require no
18 new technology and will happen immediately on the
19 effective date of speed restrictions.

20 We believe a speed limit of 10 knots for
21 ocean-going vessels should be considered a reasonably
22 available control measure under federal Clean Air Act once
23 it is technically feasible (inaudible) will likely advance
24 the attainment date of Ventura County for the federal
25 ozone standard by at least one year.

1 A reasonably available control measure must be
2 adopted under California's federal Clean Air Act
3 responsibilities. It is also clear that reducing the
4 speed of ocean-going vessels is the only (inaudible)
5 method for obtaining near-term emission reductions in the
6 source category.

7 Thank you for your consideration.

8 BOARD CLERK ESTABROOK: Thank you.

9 Tom Jordan, I have activated your microphone.
10 You may unmute and begin.

11 TOM JORDAN: Good morning, Chair Randolph and
12 members of the Board I am Tom Jordan, Senior Policy
13 Advisor with the San Joaquin Valley Air District.

14 Thank you -- thank you for the opportunity to
15 comment on the 2020 Mobile Source Strategy. It is our
16 understanding that this document will help guide CARB's
17 update to its State SIP Strategy that will be adopted next
18 year. So the opportunity to review and comment on this
19 (inaudible) has been (inaudible).

20 The San Joaquin Valley has significant air
21 quality challenges and we need significant ongoing
22 reductions from all categories in order to meet federal
23 ozone --

24 CHAIR RANDOLPH: Mr. Jordan, can you hold on for
25 one moment, we're having a bit of a technical issue. Hang

1 on for one second.

2 TOM JORDAN: Thank you. I was having difficult
3 on my end as well.

4 CHAIR RANDOLPH: Okay. We have fixed the
5 problem, Mr. Jordan. Please go ahead.

6 TOM JORDAN: All right. Thank you, Madam Chair.

7 So, the San Joaquin Valley, as you guys are all
8 aware, faces significant air quality challenges and we
9 need significant emission reductions from all categories
10 in order to meet federal ozone and PM2.5 standards.

11 Mobile source emissions contribute the majority
12 of the NOx emissions in the valleys, so the Mobile Source
13 Strategy is critical to our success. This is particularly
14 true when you look at goods movement. And the valley is
15 the main north/south corridor in the state. I-5 and
16 Highway 99 not only serve as a farm-to-market route for
17 valley goods, but we also see significant pass-through
18 from heavy-duty trucks.

19 Health studies have shown that the detrimental
20 health impacts that mobile sources and diesel PM has on
21 residents living near these goods movement corridors and
22 given the number of disadvantaged communities in the
23 valley that are clustered along these routes, it is
24 vitally important that we make progress on reducing
25 emissions from those sources.

1 We commented on the earlier drafts of the mobile
2 Source Strategy and we appreciate that the CARB staff has
3 expanded the discussion on the need for near-term emission
4 reductions for areas like the San Joaquin Valley and South
5 Coast. However, I do have a couple of observations for
6 the documents before you today.

7 First of all, we do realize that the valley --
8 the valley's need for near-term emission reductions in the
9 24-25 time frame, as well as South Coast's near-term
10 reductions are a significant challenge, but we think it's
11 a challenge that can be met.

12 As outlined in your staff's analysis, even with
13 the Governor's Executive Order and aggressive efforts to
14 deploy zero-emission heavy-duty trucks, internal
15 combustion heavy-duty equipment will be part of the fleet
16 for decades to come. With that in mind, CARB should
17 include a focus in the Mobile Source Strategy and
18 resources to ensure that these legacy internal combustion
19 trucks utilize the cleanest technologies possible.

20 Additionally, the 2020 Mobile Source Strategy
21 relies heavily on -- for near-term reductions on the
22 Heavy-Duty Truck Inspection and Maintenance Program that
23 has been under development.

24 In the valley, 11 out of 11 and a half tons that
25 we are going to get from mobile source reductions in the

1 near term come from this one measure alone. Given that,
2 we think it's vitally important that we all understand how
3 those reductions will be achieved by the I&M Program, and
4 that we continue to monitor the Program to ensure that
5 it's meeting the goals necessary to actually achieve those
6 near-term reductions.

7 Thank you again for the opportunity to comment on
8 the 2020 Mobile Source Strategy and we look forward to
9 continue working with CARB staff on the development of the
10 upcoming State Mobile SIP Strategy.

11 Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Next, we have --

14 CHAIR RANDOLPH: Board Clerk.

15 BOARD CLERK ESTABROOK: Yes.

16 CHAIR RANDOLPH: Katie, I'm going to go ahead and
17 give folks the call to raise their hands, cause we're
18 going to close the queue in about five minutes. So if you
19 want to comment on this item, please make sure that you
20 have your hand raised.

21 Thanks. Bye.

22 BOARD CLERK ESTABROOK: Thanks.

23 So we -- next will be Jon Costantino. After Jon
24 will be David Rothbart, Brent Newell, and Ben Granholm.

25 So Jon, I have activated your microphone. You

1 can unmute and begin.

2 JON COSTANTINO: Thanks, Katie.

3 Chair Randolph and members of the Board, thank
4 you for the opportunity to speak today. There's a lot of
5 really important items in this Mobile Source Strategy,
6 including off-road and light-duty. My comments are
7 directly related to near-term heavy-duty reductions that
8 are achievable and being left off the table.

9 I have to respectfully disagree with staff that
10 this Mobile Source Strategy builds upon the 2016 strategy.
11 That strategy included 900,000 low-NOx trucks to deal with
12 that big gray block in the middle of slide 13 that was
13 referenced earlier. And that whole strategy went off the
14 table. And as was mentioned before, it's a technology
15 that's available today and the Omnibus Rule is hopeful
16 that diesel gets to where natural gas, renewable natural
17 gas, low carbon fuel is today.

18 The presentation showed that there is a whole --
19 there's a goal of 800,000 ZEV heavy-duty trucks by 2045.
20 The previous plan had 900,000 low NOx by 2030. So I think
21 the ask here is that renewable fuels, low carbon fuels,
22 existing low-NOx technology be added into this Mobile
23 Source Strategy, because as was stated, this will go --
24 this plan will go into the SIP, will go into the Scoping
25 Plan, will be used for years to come. And if it's -- if

1 this cleanest technology is not even mentioned or -- as an
2 acceptable alternative, then it's an opportunity lost.

3 And I'll sort of wrap up with the way air
4 pollution control has historically worked is you go for
5 the best -- best available control technology, which in
6 this case is zero-emission heavy-duty. Well, when that's
7 not available, you don't default to the status quo, which
8 is diesel. You go to the next best thing.

9 So in stationary source world, you go best
10 available control, then the very next thing, and then the
11 very next thing. And this Mobile Source Strategy seems to
12 say we're going for the home run, and if we don't get it,
13 we're going to stick with the status quo of diesel.

14 So I think you need the interim measure of
15 renewable natural gas low NOx heavy-duty to help as a
16 backstop to both near-term and as the combustion fleet
17 ages over the years.

18 Thank you.

19 BOARD CLERK ESTABROOK: Thank you.

20 David Rothbart, you may unmute and begin.

21 DAVID ROTHBART: Thank you. Good afternoon,
22 Chair Randolph and Board members. I'm David Rothbart and
23 I'm representing the California Association of Sanitation
24 Agencies, or CASA. CASA members are public, local
25 agencies responsible for providing wastewater treatment

1 for over 90 percent of the sewerred population across
2 California. The wastewater treatment process produces a
3 non-fossil fuel biogas that can be used as a low carbon
4 fuel that also removes diesel trucks from the road
5 immediately. I want to emphasize immediately.

6 In this light, CASA is concerned that SB 1383's
7 efforts to reduce methane emissions from landfills will be
8 unsuccessful without the ability to use biogas in
9 vehicles. Specifically, this is related to California's
10 New Source Review requirements CalRecycle had planned on
11 food waste being processed at compost facilities. These
12 requirements -- new Source Review requirements will limit
13 that ability. Fortunately, waste water treatment plants
14 have existing digestion capacity to take all this food
15 waste, so we could achieve the methane reductions sought
16 after by SB 1383.

17 Unfortunately, these same NSR requirements are
18 going to limit how much biogas can be used at a stationary
19 source. So the upshot is to be successful SB 1383, we
20 need a home for this low carbon biogas to be used in
21 vehicle fuels. So I really encourage CARB to work with
22 CalRecycle and the air districts to find a way to have low
23 carbon fuels used in vehicles.

24 The other issue that our members have
25 specifically in South Coast and other extreme

1 non-attainment areas, like South Coast had expressed, is
2 the Mobile Source Strategy does not have enough reductions
3 included in it. It only proposes 5.7 tons per day
4 reductions by 2023. South Coast needs over a hundred tons
5 per day reductions.

6 That's something, if we do not achieve
7 attainment, I want to emphasize, that there will be
8 penalties. There will be withholding of highway funding.
9 And for my employer, the Los Angeles County Sanitation
10 Districts, we've calculated the penalty upon our
11 facilities would be over \$1 million per year until we
12 achieve attainment.

13 It makes a lot of sense to find ways to get to
14 attainment as quickly as possible. If we only look at
15 electrifying mobile sources, we're actually foregoing
16 emission reductions we need now in the communities that
17 need it right now. So I really encourage you to work with
18 all the entities, looking at all these regulations and
19 find a way to get emission reductions as quickly as
20 possible.

21 And we're not opposed to electrification, but
22 let's look at all the tools in the toolbox to get to clean
23 air as quickly as possible.

24 Thank you very much.

25 BOARD CLERK ESTABROOK: Thank you.

1 Brent Newell, you may unmute and begin.

2 BRENT NEWELL: Good afternoon, Chair Randolph and
3 members of the Board. My name is Brent Newell and I'm an
4 attorney with Public Justice. Thank you for the
5 opportunity to comment today on the 2020 Mobile Source
6 Strategy.

7 I have three points to share. First, yesterday,
8 several organizations filed a petition for rulemaking to
9 amend the Low Carbon Fuel Standard to remove all fuels
10 derived from factory farm gas from the Low Carbon Fuel
11 Standard. Factory farm gas is what the industry has
12 branded manure to energy or biogas. The problem with the
13 Low Carbon Fuel Standard and factory farm gas is that CARB
14 has inflated the greenhouse gas reductions associated with
15 that by excluding all the upstream and downstream
16 emissions with the production of methane at dairy and hog
17 operations. This creates the illusion that factory farm
18 gas achieves negative emissions reductions.

19 CARB is also allowing reductions that would have
20 happened any way to account for the generation of LCF
21 credits. This is because there are other financial
22 mechanisms funding factory farm gas, including the Dairy
23 Digester Research and Development Program and the Aliso
24 Canyon methane settlement agreement. These
25 non-additional, illusory reductions should not count in

1 any pollution trading scheme. And factory farm gas
2 operations pollute San Joaquin Valley communities while
3 producers of transportation fuels are allowed to emit
4 excess greenhouse gas emissions by using these inflated
5 and illusory factory farm gas LCFS credits.

6 In the alternative, the petition asks for CARB to
7 amend the LCFS to define the pathway for factory farm gas
8 and mandate the exclusion of non-additional credits. So
9 what does this have to do with the 2020 Mobile Source
10 Strategy. My following second and third points answer
11 this question.

12 First, CARB needs to revise the greenhouse gas
13 inventory for emissions from fuels to the extent they rely
14 on the negative emissions that CARB incorrectly ascribes
15 to factory farm gas. A helpful illustration of this
16 problem are Tables 19 and 20, and especially figure 56,
17 which is located on page 201 of the draft strategy.

18 Figure 56 shows how the inventory for natural gas
19 as a fuel is assumed negative until 2033, when factory
20 farm gas can no longer be used to generate LCFS credits.

21 My third point, for the reasons stated in the
22 petition, CARB should further prioritize zero-emission
23 transportation sources and not authorize factory farm gas
24 as a fuel source for electric vehicles or for gas-powered
25 heavy-duty trucks.

1 Thank you very much.

2 BOARD CLERK ESTABROOK: Thank you.

3 Ben Granholm, you may unmute and begin.

4 BEN GRANHOLM: Well, good afternoon, Chair
5 Randolph and board. My name is Ben Granholm on behalf of
6 the Western Propane Gas Association. Thank you for the
7 opportunity to comment today.

8 WPGA would like to align ourselves with comments
9 made by a number of previous speakers working to clean
10 California's air and help the state meet its greenhouse
11 gas emission goals and NOx reduction goals. WPGA, along
12 with, you know, many others are strong supporters of clean
13 energy. And we appreciate the time and effort that the
14 Board and staff have dedicated to the Mobile Source
15 Strategy.

16 Unfortunately, we respectfully believe that the
17 proposed strategy is inherently flawed, as much of it
18 focuses on solely moving to zero emission or electric.
19 When data shows that low-NOx technologies and renewable
20 fuels can provide equal to or, in some cases, even greater
21 emissions reductions at a lower more efficient cost to
22 fleet owners.

23 WPGA advocates for supporting all low carbon
24 solutions, based on the full fuel cycle to address
25 environmental challenges, specifically propane, which

1 provides reliability, affordability, stability, and
2 resiliency, which are all key when looking to transition
3 California's transportation sector to cleaner fuels.

4 We believe that low-NOx technologies in the on-
5 and off-road sector using renewable fuels must be a vital
6 piece of any strategy to reduce emissions in the
7 transportation sector. As you've heard from us before,
8 both during public comment and in meetings with staff,
9 renewable propane's carbon intensity is on par with that
10 of electric and provides vital reliability and resiliency
11 for goods movement.

12 Renewable propane is a drop-in solution, meaning
13 there is no added infrastructure costs for fleets
14 transitioning from conventional to renewable, which will
15 result in greater immediate emission reductions.

16 WPGA would respectfully urge the board to rethink
17 the path CARB is currently taking toward emissions
18 reductions and include low-NOx and renewable fuels as a
19 vital strategy in the upcoming forklift rule, and all
20 strategies regulating the on- and off-road sectors.

21 We appreciate your work and look forward to
22 continuing that work as the State strives to reduce
23 greenhouse emissions through comprehensive green energy
24 solutions.

25 Thank you.

1 BOARD CLERK ESTABROOK: Thank you.

2 Our next three speakers will be Nicole Cheng,
3 Paul Cort, and Shayda Azamian.

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

6 NICOLE CHENG: Hello. Thank you to the Board for
7 this opportunity to comment and for the staff's work on
8 the Mobile Source Strategy.

9 I wanted to echo the need to approve for the
10 Mobile Source Strategy, mainly because we believe it
11 provides much needed guidance to reduce greenhouse gas
12 emissions, reduce vehicle miles traveled, and provides
13 leadership in future transportation decisions.

14 I also want to echo the comments from Clean Air
15 Coalition and American Lung Association around the
16 importance of vehicle miles traveled reduction strategies.
17 As it states in the document and the multiple CARB staff
18 reports, emission reductions for the transportation sector
19 can not be met without reduction from -- without reduction
20 of vehicle miles traveled.

21 And since we touched on the State Implementation
22 Plan, we highly urge that the approval of the Mobile
23 Source Strategy will mean that there are more VMT
24 reduction strategies in the State Implementation Plan and
25 other CARB regulatory plans.

1 Thank you so much again.

2 BOARD CLERK ESTABROOK: Thank you.

3 Paul Cort, you may unmute and begin.

4 PAUL CORT: Good afternoon. My name is Paul
5 Cort. I'm the Director of the Right to Zero Campaign at
6 Earthjustice. I am here today with my colleagues to
7 support approval of the Mobile Source Strategy and to ask
8 you again to tell staff that the upcoming fleets and cars
9 rules must match the strategy.

10 Beyond the simple fact that the Mobile Source
11 Strategy is not, in fact, a strategy if CARB does not
12 actually follow it, I want to offer three reasons why
13 ensuring CARB's regulations match the Mobile Source
14 Strategy is important.

15 The first reason is that we can. EU countries
16 are showing us today that higher sales targets of
17 zero-emission vehicles are achievable. So committing to
18 the Mobile Source Strategy is a way for California to
19 reclaim its leadership in this space.

20 Second, being clear that CARB is committed to the
21 actual Mobile Source Strategy is key to its success. At
22 this point, the biggest challenges to transitioning away
23 from combustion to a zero-emission future are more about
24 investment than technology, and the key to unlocking that
25 investment is certainty.

1 If you are a facility manager looking for
2 headquarters approval to install depot chargers or an EVSE
3 company looking for investors, the worst thing CARB could
4 do is approve a Mobile Source Strategy and then
5 immediately abandon it by proposing regulations that do
6 not match it. It undermines certainty and confidence in
7 the future.

8 If you believe we need complementary policies and
9 investments for strong zero-emission mandates to succeed,
10 you should ask yourself whether we are more likely to see
11 those policies and investments if CARB signals that it is
12 not really committed to implementing its adopted strategy.

13 Finally, the rules outlined in the Mobile Source
14 Strategy are not just necessary for California, they are
15 necessary for other states as well. Many of our 177
16 partners have their own statutory obligations to clean the
17 air and meet greenhouse reduction targets.

18 The math of what is necessary in California is
19 consistent across most of these states. Strong California
20 standards that match the Mobile Source Strategy are the
21 only realistic path for them to succeed as well.

22 It is up to California to lead and to move the
23 market to make it possible for everyone. Please tell
24 staff that the upcoming proposed fleet and cars rules must
25 do what is necessary to clean the air, meet our greenhouse

1 gas commitments by matching the assumptions of the Mobile
2 Source Strategy.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Our next speaker will be --

6 CHAIR RANDOLPH: Board Clerk.

7 BOARD CLERK ESTABROOK: Yep.

8 CHAIR RANDOLPH: I just want to remind folks that
9 this your last chance to raise hand to go into the queue.

10 BOARD CLERK ESTABROOK: Okay. Thanks. So the
11 witness list is now cutoff.

12 So Shayda Azamian will be our next speaker.

13 After Shayda will be Alison Torres, Mariela Ruacho, and
14 Stephen Jepsen.

15 Shayda, you may unmute and begin.

16 SHAYDA AZAMIAN: Thank you. My name is Shayda
17 Azamian with Leadership Counsel for Justice and
18 Accountability. Thank you for the opportunity to comment
19 on the draft Mobile Source Strategy.

20 I'd first like to further comments made by Brent
21 at Public Justice and speak on the role of dairy biogas
22 and strategy in the recent petition and letter that was
23 submitted to CARB. We do have serious concerns about the
24 proposed strategy's reliance on dairy-produced fuels. The
25 strategy elevates a variety of tactics to reduce mobile

1 source emissions in disadvantaged communities.

2 However, it fails to address the impact of
3 dairies especially on disadvantaged communities. The
4 strategy includes an increased reliance and production of
5 dairy-produced fuels. Dairy digesters are not a clean
6 technology for reducing short-lived climate pollutants
7 and, in fact, they incentivize significant methane
8 emissions and pollution. Dairies, especially those of
9 scale, required to even generate dairy-produced fuels
10 crowd thousands, sometimes more than 10,000 animals in a
11 single facility. This concentration of livestock has a
12 massive and demonstrated impact on nearby residents
13 ranging from polluted air, water unfit for human
14 consumption, and odor and flies so potent that residents
15 often cannot leave their homes.

16 These communities are the same communities the
17 proposed strategy claims to protect in the name of
18 environmental justice. By expanding the use of
19 dairy-produced fuels, the proposed strategy would
20 undermine its own stated goals by entrenching polluting
21 technology and agricultural practices in environmental
22 justice communities.

23 In fact, this proposal would likely result in an
24 increase in pollution burden and greenhouse gas emissions
25 by incentivizing the expansion of these dairies in order

1 to generate manure and methane for profit, as we are
2 currently seeing dairies in Merced County.

3 The strategy's reliance on dairy-produced fuels
4 is premised upon the carbon intensity analysis as part of
5 the Low Carbon Fuel Standard. We have raised elsewhere
6 many times that this analysis fails to account for the
7 full lifecycle of the fuels, including the emissions from
8 the cattle themselves and the handling of digesters.

9 As such, the substantially negative carbon
10 intensity reported through the LCFS analysis inaccurately
11 inflates the climate benefits for dairy-produced fuels and
12 hides substantial ongoing greenhouse gas emissions.

13 For these reasons, and as you can see in the
14 petitioner and letter we were sent listed in with
15 partners, we urge CARB to exclude dairy-produced fuels
16 from the Mobile Source Strategy.

17 Moving on to an additional topic within the
18 strategy, we appreciate CARB's recognition of the lethal
19 impacts of trucks in disadvantaged communities and agree
20 with commenters today pushing for a feasibly strong
21 Advanced Clean Fleets Rule. However, we continue to see
22 rules framing natural gas, biofuels, and other dirty
23 tech -- dirty fuels that still emit dangerous levels of
24 pollution as near zero-emission technologies. And the
25 Mobile Source Strategy underpins this continued branding

1 of natural gas.

2 We urge CARB to discontinue branding natural gas
3 and biofuels as near zero, especially in its upcoming
4 rules and in the Mobile Source Strategy.

5 Thank you for the time to comment and I urge CARB
6 to include the actions that I and EJ partners have just
7 described to direct intentional benefits and reparations
8 to impacted communities.

9 BOARD CLERK ESTABROOK: Thank you.

10 Alison Torres, you may unmute and begin.

11 ALISON TORRES: Good afternoon, Madam Chair and
12 Board members. My name is Alison Torres with Eastern
13 Municipal Water District. EMWD is a water, wastewater,
14 and recycled water agency located in western Riverside
15 County with a 555 square mile service area serving more
16 than 827,000 people. Our four wastewater treatment plants
17 currently treat a combined total of approximately 46
18 million gallons per day.

19 I appreciate the opportunity to comment here
20 today on the Mobile Source Strategy. The implementation
21 of the concepts in the 2020 Mobile Source Strategy will
22 heavily impact our agency as an essential public service
23 provider. A reliable, available, and resilient equipment
24 options are extremely important to our agency, as an
25 essential public service, especially as our state more --

1 moves towards electrification in numerous areas.

2 We support California's climate goals as well as
3 strategies to meet near-term attainment with the criteria
4 pollutant standards. We also support ZEV technologies
5 where feasible, but we have not seen these technologies
6 commercially available for our specialty heavy-duty
7 equipment. It is critical that essential public services
8 maintain the ability to obtain equipment essential to
9 provide water and wastewater services. Our facilities
10 collect and treat waste water.

11 A natural by-product of our wastewater treatment
12 process is wastewater biogas, which is a non-fossil,
13 renewable, low carbon transportation fuel and must go
14 somewhere. Beneficial use as a low carbon non-fossil fuel
15 is a technology available today and should be included in
16 the State Strategy.

17 We urge CARB to include these near zero-emission
18 strategies in the Mobile Source Strategy to provide
19 pathways to near-term reductions and attainment goals, and
20 ensure technol - technologically feasible options that
21 provide resilience to public services.

22 I appreciate the consideration of our comments,
23 and as a member of the both CASA and SCAP, EMWD strongly
24 supports the comments made here today by those
25 representatives.

1 Thank you.

2 BOARD CLERK ESTABROOK: Thank you.

3 Mariela Ruacho, I have activated your mic, you
4 can unmute yourself and begin.

5 MARIELA RUACHO: Hi. Can you hear me?

6 BOARD CLERK ESTABROOK: Yes, we can.

7 MARIELA RUACHO: Perfect. Hi. Chair and Board
8 members. I am Mariela Ruacho from the American Lung
9 Association. Thank you for the opportunity to comment
10 today. California continues to have unhealthy air
11 quality. In fact, the Lung Association's State of the Air
12 report found that California is home to seven of the 10
13 most ozone-polluted cities in the United States, and six
14 of the 10 most impacted by particle pollution. Some of
15 the locations are Los Angeles, Fresno, Bakersfield, and
16 the Bay Area to name a few.

17 We know that there are inequities when it comes
18 to the burden of unhealthy air for many of our most
19 vulnerable residents. Low-income communities, Black and
20 Brown communities face increased health impacts. We
21 support the staff's work and appreciate the effort that
22 has gone into the Mobile Source Strategy. We view today's
23 hearing as an opportunity to move on to the State
24 Implementation Plan, the Scoping Plan, and associated
25 measures. I'd like to make two quick points for your

1 consideration related to ongoing rules on zero-emission
2 vehicles.

3 We appreciate staff continuing to develop the
4 Advance clean cars 2 Rule to achieve a hundred percent ZEV
5 sales by 2035. We note that the proposals shown in the
6 workshops to date rely on much lower sales requirements in
7 earlier years for the -- of the program, when compared to
8 the Mobile Source Strategy modeling. We believe CARB
9 should develop ZEV regulations consistent with the Mobile
10 Source Strategy with higher levels of ZEV sales in earlier
11 years to ensure program success.

12 We also noted that -- we also note that the ZEV
13 assumptions for heavy-duty -- for the heavy-duty sector
14 are more ambitious in the Mobile Source Strategy than the
15 staff proposes for the Advanced Clean Fleets Rules.
16 Again, we call on the Board to set stands that are at
17 least or as ambitious as the sales projections in the
18 Mobile Source Strategy to maximize health benefits and
19 communities most impacted by pollution.

20 In closing, we thank the staff and Board members
21 for completing this Mobile Source Strategy process today
22 and moving on to the measures that will clean air for all
23 of us.

24 Thank you.

25 BOARD CLERK ESTABROOK: Thank you.

1 Our next speaker will be Stephen Jepsen. After
2 Stephen will be David Reichmuth, Sean Edgar, Teresa Bui.

3 Stephen, I have activated your microphone. You
4 can unmute and begin.

5 STEPHEN JEPSEN: Hello. This is Steve Jepsen the
6 Executive Director for the Southern California Alliance of
7 Publicly Owned Treatment Works, or SCAP. We represent
8 over 80 public water, wastewater, recycled water agencies
9 in Southern California. Wastewater treatment plants
10 generate a non-fossil biogas as part of the process of
11 cleaning the public's wastewater to protect public health
12 and the environment.

13 This wastewater-derived, non-fossil biogas is
14 currently used in a few ways, including generating on-site
15 heat and power for the treatment plant and as a low carbon
16 truck and vehicle fuel, which has 90 percent less NOx than
17 diesel fuel.

18 State greenhouse gas reduction policies, such as
19 SB 1383, will divert food waste away from landfills to
20 existing digesters at wastewater treatment plants in order
21 to reduce methane discharges to the environment.

22 These plants are located in all types of
23 communities. This will significantly increase the amount
24 of waste-derived, non-fossil biogas generated. Using this
25 low carbon renewable fuel source to power our essential

1 public service, maintenance, and emergency equipment will
2 expedite the transition from diesel-powered trucks.

3 The wastewater derived renewable gas engines and
4 equipment we need to maintain wastewater systems are very
5 specialized, but they are currently available and in some
6 cases already in use with renewable natural gas engines,
7 whereas zero-emission equipment are not available for our
8 specialized needs, and based on communication with
9 equipment suppliers not feasible with current
10 technologies.

11 We are not opposed to zero-emission light-duty
12 vehicles and many of our agencies already have them in
13 their fleets. To achieve clean air goals and be
14 consistent with federal Clean Air Act requirements, we
15 need to use all the low-emission technologies available,
16 especially in non-attainment air districts.

17 In summary, the wastewater sector has a
18 non-fossil renewable fuel source derived from society's
19 waste that cannot be turned off. Engines and our
20 specialty equipment that can use this fuel already exist.
21 Embracing this non-fossil renewable fuel will expedite
22 getting diesel trucks off the road, allow the wastewater
23 sector to continue our mission of protecting public health
24 and be consistent with Federal Clean Air Act requirements.

25 We ask that CARB policies include the wastewater

1 sector's non-fossil, wastewater derived, renewable natural
2 gas fueled vehicles and equipment as part of a clean air
3 solution.

4 Thank you for the opportunity to comment today
5 and we support previous comments by David Rothbart for
6 CASA and Alison Torres for Eastern Municipal Water
7 District.

8 BOARD CLERK ESTABROOK: Thank you.

9 David Reichmuth, you may unmute and begin.

10 DR. DAVID REICHMUTH: Hi. My name is David
11 Reichmuth and I am speaking on behalf of the Union of
12 Concerned Scientists. First, I'd like to thank staff for
13 all their work on the Mobile Source Strategy and urge the
14 Board to adopt the strategy. But I have to highlight the
15 disconnect between the Mobile Source Strategy and some of
16 the regulations that are under development, specifically
17 the electrification of on-road vehicles in the Strategy is
18 not being reflected in regulations under development.

19 For example, there's a tremendous disconnect
20 between the Mobile Source Strategy, which shows 40 percent
21 ZEVs and PHEVs by -- sorry plug-in electric vehicles by
22 2025. Yet, the light-duty ZEV target in ACC II is now
23 below 25 percent for model year 2026. The Mobile Source
24 Strategy also hits 70 percent ZEVs by 2030, while the ACC
25 II regulation right now doesn't hit 50 percent until 2030.

1 So I mean the Mobile Source Strategy is clear
2 that even an aggressive ZEV Program alone is insufficient
3 to meet the State's goals, so there's really no room for a
4 weak ACC II or ZEV regulation.

5 So the Board needs to ask why sales targets
6 consistent with the Mobile Source Strategy are not
7 included the ZEV rule, not even as alternative scenarios.
8 We shouldn't waste the effort that has been put into the
9 Mobile Source Strategy and we can't treat it as merely
10 aspirational. It actually needs to be used to guide ARB's
11 work. The science is clear that we need to act now and
12 ARB's regulations need to be consistent with the Mobile
13 Source Strategy.

14 Finally, the Mobile Source Strategy and the ACC
15 II analysis should assess cumulative emissions not just
16 annual rates or single-year targets like a hundred percent
17 light-duty vehicle electrification by 2035. This is
18 especially true for GHG emissions, since cumulative GHG
19 emissions are the driver for climate change.

20 I'd like to thank you for your attention to this
21 effort and again would like to urge the Board to adopt the
22 Mobile Source Strategy.

23 Thank you.

24 BOARD CLERK ESTABROOK: Thank you.

25 Our next speaker will be Sean Edgar. Sean,

1 please unmute yourself and begin your comment.

2 SEAN EDGAR: Hi. Good afternoon. Can you hear
3 me?

4 BOARD CLERK ESTABROOK: Yes, we can.

5 SEAN EDGAR: Great. Thank you. This is Sean
6 Edgar. I'm the Director of Clean Fleets based here in
7 Sacramento. I've been working on mobile source strategies
8 since the first document was developed. I've taken my red
9 pencil to this version and I would give a solid D minus,
10 based on the staff discussion that the purpose of this
11 document was to describe meeting attainment.

12 And really all you need to know is what you heard
13 from the major air districts in the state. Both South
14 Coast and San Joaquin laid out their objections to the
15 document that's proposed, in that it does not help them
16 meet attainment. You heard San Joaquin talk about the
17 need for clean low-NOx vehicles, the purchase of which are
18 currently stalled based on the bad market signals that
19 CARB has put out.

20 You heard South Coast tell you that the
21 vehicle -- the proposed plan does not meet Senate Bill 44.
22 It doesn't help them get to attainment and that it really
23 removes the 2016 commitment that the Board had to clean
24 low-NOx vehicles.

25 So similar to other speakers, I also observed

1 that near-term emissions reductions are essentially left
2 off the table, especially for the waste industry. We're
3 about 50 percent of the collection fleet, especially in
4 the urban areas have already migrated away from diesel.
5 CARB and the air districts have no better friend for the
6 last 20 years than the waste industry.

7 This plan unfortunately stalls progress and
8 really provides no linkage to 1383, as you've heard by
9 others. You heard from the wastewater industry, a
10 provider of essential public service, of their objections.
11 And I will add -- echo their remarks on behalf of the
12 solid waste industry. We know that the organics diversion
13 mandates are serious. We know that family-operated
14 companies are going into a bank, and borrowing, and
15 bonding money to make local carbon-negative projects,
16 making their own fuel, putting it back in the collection
17 vehicles. You heard compelling testimony from Mr. Wade
18 and Ms. Levin on the last item, from Mr. Rothbart on this
19 item. And unfortunately, the plan as proposed I believe
20 is a solid D minus, and really it's a drop back to diesel
21 plan unfortunately.

22 So there are three recommendations that I'll ask.
23 First of all, don't ignore the waste industry's
24 contribution and the need for RNG and 1383 contributions
25 in the future. Tell staff to model the RNG benefits and

1 include a transition plan in the upcoming ACF proposal,
2 the Scoping Plan, and the forthcoming State Implementation
3 Plan documents.

4 Also, you heard AQMD talk about the need for
5 all-in costs, estimate in terms of what all-in costs are
6 on future programs, and specifically cost effectiveness
7 needs to be part of this discussion going forward.

8 I don't believe that ZEVs are going to be cost
9 effective in the near future, so this plan needs to have a
10 home for RNG. Thank you very much.

11 BOARD CLERK ESTABROOK: Thank you.

12 Our next speaker will be Teresa. After Teresa,
13 will be Mikhael Skvarla, Michael Boccadoro, and Todd
14 Campbell.

15 Teresa, I have activated your microphone. You
16 can unmute yourself and begin.

17 TERESA BUI: Thank you so much. Good afternoon.
18 My name is Teresa Bui with Pacific Environment. We're an
19 environmental non-profit with a consultative status at the
20 International Maritime Organization. Thank you, Ariel,
21 for the great presentation.

22 We're -- our comments are the -- specific to the
23 marine vessels. The Mobile Source Strategy is focused on
24 long-term goals and it's not ambitious enough. Ships are
25 one of the worst air polluters in California and will

1 surpass heavy-duty trucks in about a year. And in this
2 area surrounding the San Pedro Bay, OGVs and harbor craft
3 constitutes as one of the top three sources of cancer risk
4 because of the diesel particulate matter.

5 So what we're asking is for CARB to accelerate
6 the hundred percent zero-emission transition for the
7 off-road marine vessels by setting emission standards and
8 fleet phase-in requirements to reach a hundred percent
9 zero emission for OGVs by 2045.

10 The LA City Council already is considering a
11 resolution for ship it zero for the OGVs. And just this
12 Tuesday, Amazon, Ikea, and Unilever have committed to
13 moving their products off of fossil fuel ships and
14 purchasing a hundred percent zero-emission ocean shipping
15 by 2040.

16 And for the commercial harbor craft part, we urge
17 CARB to set all ferries, tugboats, dredges, and barges on
18 an electrification pathway now, and require full
19 electrification by 2035 for all the harbor crafts.

20 So with that, we're not asking to delay the
21 Mobile Source Strategy, but we are urging you to consider
22 in all of your different tools to set a more ambitious
23 standard.

24 Thank you so much.

25 BOARD CLERK ESTABROOK: Thank you.

1 Mikhael, I've activated your microphone. You can
2 unmute and begin.

3 MIKHAEL SKVARLA: Thank you. Mikhael Skvarla
4 with the Gualco Group here on behalf of the California
5 Hydrogen Coalition. I want to thank the Board and staff
6 for this opportunity.

7 One main overarching issue is infrastructure.
8 With the transition to zero-emission vehicles,
9 infrastructure is going to be the key and most important
10 thing that we can do in the next decade. We appreciate
11 ARB staff and the recent self-sufficiency report. I
12 wanted to highlight that an additional \$300 million beyond
13 the AB 8 funds that have been already allocated will bring
14 the light-duty hydrogen sector to self sufficiency. This
15 is an incredibly low cost when compared to other
16 technologies that the State has adopted and supported
17 through their commercialization and think that we should
18 double down while the budget years are good to make sure
19 that these funds are appropriated in the next year with
20 the reauthorization of AB 8.

21 Additionally, I want to emphasize the positive
22 policy work that the Low Carbon Fuel Standard has -- and
23 the signals that it has sent to this market. The
24 light-duty HRI crediting, hydrogen, refueling,
25 infrastructure crediting, through the LCFS has

1 tremendously expanded the use of renewable fuels, as well
2 as underlined the investment opportunity there.

3 We would like to continue to work with staff and
4 the Board to make sure that an additional two and a half
5 percent is extended to the heavy-duty sector in the next
6 year to two years to make sure that we have enough stuff
7 in place for the Advanced Clean Fleets, so that people can
8 make the decision to use hydrogen trucks, buses, and,
9 vehicles in the future.

10 Thank you.

11 BOARD CLERK ESTABROOK: Thank you.

12 Michael Boccadoro, you may unmute and begin.

13 MICHAEL BOCCADORO: Thank you. Michael
14 Boccadoro, Executive Director of Dairy Cares. I wasn't
15 planning to speak on this issue today, but felt compelled
16 after the false narrative offered by Mr. Newell and others
17 about the petition was filed yesterday.

18 I want CARB to fully recognize what this petition
19 is asking of you. It's asking you to ignore what we heard
20 this morning about the importance of rapidly reducing
21 methane as our best opportunity to counteract global
22 warming and improve air quality. It's asking you to
23 ignore the clear science that reducing methane from
24 livestock is part of the solution to stave off
25 catastrophic impacts. It's asking you to abandon being

1 the world leader in reducing dairy methane emissions.
2 It's asking you to ignore what the IPCC and UN are
3 recommending. It's asking you to strand \$700 million that
4 the State has invested and another \$1.3 billion that the
5 industry will be matching the State funding on. It's
6 asking you to abandon the most cost effective and
7 successful climate investment being made by California.
8 It's asking you to abandon market-based approaches that
9 are clearly working.

10 Understand, without these markets, these projects
11 cannot and will not be implemented. Massive consolidation
12 and leakage will occur, and global livestock methane
13 emissions will increase as dairy production simply shifts
14 to other regions of the country and world where per unit
15 production of emissions is much higher with every gallon
16 of milk produced. And often in developing countries, this
17 involves deforestation to make room for increased
18 livestock and feed production.

19 They're asking you to abandon the partnerships
20 that Mr. Sperling alluded to, a partnership with the Biden
21 administration, which is clearly working on market-based
22 incentives to climate-smart dairy and climate-smart
23 agriculture.

24 They're asking you to ignore what Chair Randolph
25 referred to this morning, strong science and data to

1 inform our policies. The data and science are clear and
2 support the development of digesters as a leading way to
3 reduce methane. We need to move beyond polarizing
4 petitions, rhetoric, and ideology and follow the
5 science-seeking solutions that are technologically,
6 economically, and politically sound and achievable.

7 Unfortunately, the petition is long on polarizing
8 rhetoric and void of any science, data, legal basis. And
9 finally, as Ms. Levin suggested this morning, it's fully
10 inconsistent with Senate Bill 1383.

11 Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Our next speaker will be Todd Campbell. After
14 Todd, our final three speakers are Nicole Rise, Brian[SIC]
15 Price, and Kevin Hamilton.

16 Todd, you may unmute yourself and begin.

17 TODD CAMPBELL: Good afternoon, Chair Randolph
18 and members of the Board. Clean Energy -- this is Todd
19 Campbell, Vice President of Public Policy and Regulatory
20 Affairs for Clean Energy.

21 Clean Energy and our clean tech space partners
22 are committed to a zero-emission future and we are
23 demonstrating our commitment with actual investments in
24 renewable fuels, and hydrogen fueling, and electric
25 charging stations.

1 That said, when a Mobile Source Strategy
2 emphasizes the health benefits of 2050, the presentation
3 to me starts to lose someone like me who has spent the
4 majority of my career toward protecting public health
5 because we should care equally about how communities are
6 being impacted today.

7 As a historian, there's a famous saying that if
8 we don't learn from our history, we are bound to repeat
9 it. The zero-emission vehicle light-duty program was
10 initiated in 1990 and market penetration remains in the
11 single digits. So I'm just trying to be a little bit
12 realistic in terms of where we're going in the future.

13 Whether we want to admit it or not, this proposal
14 relies heavily on technology projections and estimates
15 that have yet to prove themselves in the heavy-duty truck
16 space, the number one source of pollution for NOx in our
17 most vulnerable regions. This state needs a safety net.
18 We, as an industry, are committed to achieving significant
19 emissions reductions today and well into the future for
20 the state's number one source of pollution, heavy-duty
21 trucks. To do so, we must include low-NOx trucks as an
22 option, not remove it from inclusion from prior Mobile
23 Source Strategy plans that once called for 900,000 low-NOx
24 trucks to be deployed.

25 The Clean Air Act is a statutory mandate to

1 protect public health. Both the South Coast and the San
2 Joaquin air districts rely heavily upon CARB to deliver
3 life-saving tons of NOx and toxic emissions reductions.
4 The current proposal does not recognize CARB's prior
5 commitment to 2023. Specifically achieving less than 0.1
6 tons per day from zero-emission drayage and Advanced Clean
7 Fleets rules by 2023 is not acceptable.

8 This plan certainly does not meet the statutory
9 requirements of SB 44 that requires that the 2016 Mobile
10 Source Strategy be updated to include a comprehensive
11 strategy for the deployment of medium- and heavy-duty
12 vehicles for the purpose of meeting air quality standards
13 and reducing GHG emissions.

14 Successful attainment of Clean Air Act standards
15 by our districts will require actual State and local
16 coordination and cooperation, not just lip service. We
17 cannot afford to agree to disagree. We certainly should
18 not prioritize long-term goals over near-term commitments.
19 We need to do both to deny the largest threat to air
20 quality and climate change, which is black carbon,
21 otherwise known as diesel.

22 Please include low NOx as a tool within the
23 Mobile Source Strategy and I thank you for your time.

24 BOARD CLERK ESTABROOK: Thank you.

25 Nicole Rice, you may unmute yourself and begin.

1 NICOLE RICE: Thank you. Good afternoon Chair
2 Randolph and members. This is Nicole Rice, the President
3 of the California Natural Gas Vehicle Coalition.

4 I want to associate myself with the comments that
5 were just made by Tom -- Todd Campbell from Clean Energy,
6 and to emphasize a few points that were made.

7 So in the presentation we saw this morning and as
8 required under SB 44, it is important to have a
9 comprehensive and inclusive strategy in order to achieve
10 federal attainment and reduce greenhouse gas emissions.
11 We cannot accomplish this without including all clean
12 transportation fuels and technologies that are
13 commercially available, which is why we join in the chorus
14 of urging staff and the Board to expressly include low-NOx
15 trucks into the Mobile Source Strategy, as a near-term
16 strategy to achieve these emission reductions in the near
17 term, and as an alternative under the strategy, so that as
18 zero-emission vehicles are currently not available or
19 cannot meet the duty cycle demands of existing vehicles in
20 fleets or are experiencing production delays, that low-NOx
21 trucks would be an alternative and an option to be used.
22 This will send a clear signal to the market to start
23 investing in cleaner transportation solutions, which is
24 the goal.

25 And I know there is a prevailing view that

1 zero-emission truck deployment in the heavy-duty sector is
2 just around the corner, but we are hearing every day in
3 the news and in the field that this is still years off.
4 And, in fact, that there is data to suggest otherwise, we
5 would appreciate hearing that information and seeing that
6 data, because as we talk to OEMs, manufacturers, and
7 fleets daily, we have heard that it could be at least a
8 decade before we see full commercial deployment of
9 zero-emission trucks.

10 The Governor's Executive Order requires that the
11 transition happen with heavy-duty and medium-duty trucks
12 where feasible. And when you have a situation where you
13 have technology that is not available, that it has delayed
14 production, that cannot replace the duty cycle for
15 existing vehicles, then that is a signal that it is not
16 feasible.

17 We should not allow the status quo, which is the
18 use of diesel to continue to be an acceptable alternative,
19 when we have cleaner technology available today that can
20 meet the goals. We continue to urge the Board to listen
21 to local air districts and their needs, and once again, to
22 include the use and deployment of low-NOx heavy-duty
23 trucks under the Mobile Source Strategy.

24 Thank you.

25 BOARD CLERK ESTABROOK: Thank you.

1 Brandon Price, you may unmute yourself and begin.

2 MR. PRICE: Good afternoon, Chair Randolph and
3 members of the Board. My name is Brandon Price and I am
4 the Director of Environmental Commodities at Maas Energy
5 Works. Maas Energy Works is one of the largest developers
6 of dairy biogas projects in the state of California.

7 And I'm here really to echo the comments made
8 earlier by Michael Boccadoro of Dairy Cares and the
9 earlier speakers in the first agenda item addressing the
10 Scoping Plan. Really, what we heard this morning is that
11 the main issue we need to be addressing is our methane
12 emissions. And the proposal submitted through the
13 petition yesterday to remove dairy biogas from the LCFS is
14 simply not an answer. It is not -- and will not lead us
15 to the greenhouse gas reductions that we need as a state.

16 You know, I can talk from experience as working
17 with a number of dairy farmers here in California and
18 across the country that without the LCFS Program, these
19 dairy projects simply will not get built. You know,
20 echoing on Michael's point earlier that without the LCFS,
21 these projects -- nobody will be investigating capital
22 into these projects and methane emission reductions simply
23 won't occur. And the point made in the petition that
24 there is inaccurate calculation of avoided methane
25 emissions through the LCFS is just simply inaccurate. The

1 petition seems to ignore the fact that these -- that these
2 dairy farms are actually emitting methane today, which is
3 a powerful short-lived climate pollutant, and that these
4 projects that we are actually investing real capital into
5 is reducing those methane emissions and providing real
6 impacts for climate change.

7 And what we need to recognize is that California
8 is only one aspect of the global -- wider global
9 emissions. And if California proposes this type of
10 policy, there will be significant methane leakage as other
11 states will not adopt similar policies and other dairy
12 farms across the country will not invest in these types of
13 projects either.

14 So we need to be good stewards of sound policy
15 that actually drives reduction in methane emissions and
16 not actually incentivizing dairies to continue to emit,
17 which if the -- if the Board approves this petition, dairy
18 farmers will not -- you know, will not seek to reduce
19 methane emissions. They will just continue to
20 uninhibited.

21 So I urge the Board to reject this petition and
22 allow dairy -- and allow dairy farmers to continue the
23 progress made.

24 Thank you.

25 BOARD CLERK ESTABROOK: Thank you.

1 Our final speaker is Kevin Hamilton. Kevin, you
2 may unmute and begin.

3 KEVIN HAMILTON: Good afternoon. Kevin Hamilton
4 from Central California Asthma Collaborative.

5 I want to first start out by supporting the
6 petition, but addressing the regulation proposed here
7 today, the strategy.

8 Light- and heavy-duty OEMs are launching fleets
9 of EVs starting in the 2021 to 2023 period. CARB staff
10 are aware of this, yet still aim for only 25 percent in
11 2025 new light-duty ZEV sales, even though OEMs have
12 indicated they can meet a higher target. I don't
13 understand why that's happening and that needs to change.
14 We need to move that target up 25 -- 2025 target should be
15 easily approaching 50 percent.

16 With regard to HD ZEVs, we see a sales target of
17 a hundred percent by 2035, but the pathway there is
18 uncertain in this plan and needs to be developed more
19 fully. And the incentives that might support this need to
20 be clearly described and signal the industry
21 appropriately.

22 With rare exceptions, we oppose near-zero fuels
23 and fuel technology as they require expensive
24 infrastructure and equipment investment, which will be
25 outdated within 10 to 15 years, especially when ZEV

1 solutions are readily available for most of these duty
2 cycles.

3 With regard to methane reduction, methane
4 reduction should first emphasize prevention of its
5 formation. Various supporters of the climate pollutant as
6 a transportation fuel would have you believe that this is
7 inevitable and yet science also provides us with pathways
8 that would markedly reduce its production. Yet, the State
9 continues to pour millions even billions of dollars into
10 end-use solutions, rather than primary prevention.

11 Our approach to this is prevent the methane from
12 forming in the first place. What's leftover, we have to
13 capture and use. Utilization of that needs to be spread
14 across different industries and technologies and I think
15 we have a lot more work to do there.

16 The primary one we see as beneficial, certainly
17 here in the dairy industry and what's already proven out
18 in the water world and in the landfill world is recovering
19 those gases and using it to power equipment on the
20 facilities to create electricity to replace diesel engines
21 on the facilities. We're not seeing that happen in the
22 dairy industry and that's a real problem.

23 So why isn't that happening, and why aren't we
24 investing in that, and why aren't we investing in
25 preventing methane from forming in the first place in

1 those organic processes? I have no idea, but we need to
2 move forward with that.

3 The technology is there to today. Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Chair, the concludes the list of commenters.
6 I'll turn it back to you.

7 CHAIR RANDOLPH: All right. Thank you. I'm
8 going to bring this discussion to the board. Senator
9 Leyva and then Board Member Kracov.

10 SENATOR LEYVA: Thank you, Madam Chair. Good
11 afternoon, everyone. I want to thank everyone for this
12 great discussion. I want to thank staff for both
13 presentations, this presentation and the previous
14 presentation. We heard staff member Motallebi when she
15 talked about trucks and saying that they are the single
16 largest source of GHGs. And when we hear that, I think
17 that makes us all realize, if we haven't before, that this
18 is where we can make a significant difference. This is
19 where we can really move the needle so to speak. And I
20 think we have, but I think we can do more.

21 I would like to bring to the attention of the
22 Board a letter that myself and several colleagues
23 submitted yesterday. I believe the letter was forwarded
24 to you this morning. And the letter -- the thrust of the
25 letter is is that there just must be more done to protect

1 our communities from trucking pollution. When you read
2 the letters, you will read that 70 percent of Californians
3 live and breathe unhealthy air, 70 percent. That is
4 just -- it's just shocking.

5 So everything we're doing is working, because I
6 vacillated between hopefulness and despair in both of
7 these presentations. There are some things that we are
8 doing really well. But my God, we have to do more and we
9 have to do it faster.

10 When Mr. Balmes talked about public health, this
11 is absolutely a public health crisis, which we all know.
12 I also want to thank Board Member De La Torre for the
13 history -- the brief history he gave us on the oil
14 industry. They have known. They have known for 40 years
15 that it is problem and we can't just blame them, because
16 we have allowed them to continue to pollute. We have to
17 say no to all of these pollutants. We have to be more
18 aggressive.

19 I wore my "Be Bold" shirt today, because I think
20 we have to be bolder in what we're doing and I know we can
21 do it. Sometimes there's a saying that I like to refer
22 to. It's not a lack of how-to, it's a lack of will-to.
23 We have to have the will to do everything we can to reduce
24 the truck pollution on our roads.

25 I appreciate everyone who called in with their

1 very thoughtful comments as a current sitting legislator,
2 I just want people to know that I stand ready to do
3 whatever I can to help us move along this goal of turning
4 over trucks. We have to get combustion engine trucks off
5 the road. Even at the rate we're going, in 2045, we will
6 still have one million combustion engine trucks on the
7 road. That's bad.

8 So we have to figure out how we can do this
9 faster. I am ready to help in any way that I can. I know
10 everyone on the Board is committed to this. And thank you
11 to everyone again who called in on public comment.

12 Thank you, Madam Chair.

13 BOARD CLERK ESTABROOK: Thank you, Senator Leyva.
14 Board Member Kracov.

15 BOARD MEMBER KRACOV: Thank you, Chair and thank
16 you (inaudible).

17 CHAIR RANDOLPH: We can't quite hear you.

18 BOARD MEMBER KRACOV: (Inaudible.)

19 CHAIR RANDOLPH: You're cutting -- you're cutting
20 in and out.

21 BOARD CLERK ESTABROOK: Board Member -- Board
22 Member Kracov, I think if you can try using the same audio
23 from that you have your video feed in.

24 CHAIR RANDOLPH: Are you still there?

25 Okay. I think we may need to come back to him.

1 Dr. Sperling.

2 BOARD MEMBER SPERLING: Thank you very much.

3 So I'm going to be a little policy wonk-ish here.
4 I have one tiny idea and one huge idea. So I'll start
5 with the tiny.

6 One idea that I did not hear from anyone, but I
7 think is a really compelling important one is with
8 aviation, that why don't we bring intrastate aviation into
9 the LCFS. And we've given credit offsets for aviation
10 fuels -- sustainable aviation fuel. But I think that goes
11 way back to the beginning when we didn't really know how
12 to handle aviation, but -- anyway, so that's one idea.

13 Here's the big idea and this is -- I've been
14 waiting 10 years to say this, and that is that as many
15 people know, the SIP process is fundamentally flawed, but
16 it is federal law, so we have to follow it, but it's
17 fundamentally flawed in the sense that it does not address
18 the actual health impacts on people. It does not address
19 exposure. Basically, what it says is if there's one
20 monitor in one region that's out of compliance, then we
21 call the whole region out of compliance and
22 non-attainment. That's -- you know, it came about because
23 in 1970, they didn't have the sophistication in data or
24 models to do it any differently, but now we do. So I
25 was -- when 617 was passed, I was very excited, because

1 the principle behind 617 -- AB 617 is to focus on exposure
2 to focus on health impacts and that's the principle it's
3 built on.

4 So what I'm going to suggest is -- so we have to
5 keep complying with the Clean Air Act and the SIP rules,
6 but at the same time, we can, in a very formal way, focus
7 on where are the health impacts and restructure many of
8 our incentives, regulations, policies to really benefit
9 those who are impacted.

10 Now, we kind of do that with 617, but, you know,
11 that's just for a certain number of communities, but
12 there's many other people that are impacted by unhealthy
13 air, as we've just heard many times today. So there
14 are -- the staff is already starting to work in that
15 direction a little bit. And I just want to endorse it and
16 actually elevate it to be more formal.

17 So we do have -- we have some kind of small
18 proposals to accelerate regs that are -- to accelerate the
19 implementation of regs in those impacted communities.
20 That's probably the best example I know, but -- well, we
21 also -- incentive money we direct towards, you know, what
22 we call the 617 communities. But we can restructure some
23 of these regs and these incentives. We can do things.
24 There's a concept geofencing. So let's identify the
25 communities, the neighborhoods that are especially

1 impacted. And like with trucks, like the Senator was just
2 talking about, let's make sure those trucks don't go
3 through those neighborhoods. And we can use either
4 pricing. We can use technology. There's different ways
5 of doing that.

6 So it is -- when 617 was passed, I said this is
7 revolutionary, but -- and it started the path, but I guess
8 what I'm saying is let's really go all in on it and do
9 it -- and do it right, and still comply with, you know,
10 the Feds. We've got to do what we have to do, but let's
11 do what's right also.

12 Thank you.

13 CHAIR RANDOLPH: Thank you.

14 I just wanted to check and see if we have Board
15 Member Kracov back.

16 BOARD MEMBER KRACOV: I hope so, Chair. Can you
17 hear me?

18 CHAIR RANDOLPH: Yes, now we can hear you.

19 BOARD MEMBER KRACOV: Thank you so much, Chair.
20 And thank you, Dr. Fideldy -- Ms. Fideldy, Dr. Benjamin,
21 and the team for working so hard and being so thoughtful
22 about the Mobile Source Strategy documents, and all the
23 terrific commenters today and in the docket. I'm
24 traveling, making these comments today, in Redlands in
25 Riverside County. I probably should have taken the call

1 from -- or asked to take the call from your home Board
2 Member Riordan, but instead, I'm in a Famous Dave's
3 Barbecue off Lugonia Avenue, so I apologize, Chair, for
4 the bad cell service.

5 Colleagues, the South Cost Air Basin that I
6 represent on this Board is in extreme non-attainment for
7 ozone smog. This is the worst in the nation. Our
8 District sent in a letter today noting that mobile sources
9 make up more than 80 percent of the smog-forming emissions
10 in our region and that medium- and heavy-duty trucks
11 amount for only six percent of the on-road vehicle
12 population, but 72 percent of the NOx emissions from
13 vehicles.

14 And just four years ago in the previous Mobile
15 Source Strategy, CARB committed to reducing NOx for mobile
16 sources by 113 tons a day in 2023, and 111 tons a day in
17 2031 in the South Coast Air Basin alone and our staff
18 determined then that approximately 31,000 heavy-duty model
19 year 2023 and older vehicles would need to be turned over
20 in the South Coast before their end-of-life time.

21 Colleagues, we are way behind in these
22 commitments. Our own CARB analysis, we saw it in
23 PowerPoint slide 13. If somebody could pull that back up
24 while I'm talking, it would be great. Slide 13. It shows
25 that after accounting for all of CARB and EPA's current

1 and proposed regulations, by 2031 still over half of the
2 heavy-duty truck fleet will still consist of older diesel
3 vehicles.

4 This loophole in time between our Truck and Bus
5 Rule at the end of 2022 and our forthcoming Fleet Rule
6 this regulatory gap, this poisonous persistence of diesel
7 trucks means that we likely cannot meet attainment in the
8 South Coast, not in 2023, 2031, or even 2037. This is the
9 worrying fact that we face in the agenda item today,
10 colleagues.

11 And our Los Angeles ports are doing us no favors
12 at all. A September report from our staff here at CARB
13 found that increased cargo congestion at the ports this
14 year resulted in 14 and a half extra tons a day of
15 smog-causing NOx and now the emissions may even be higher.
16 I read yesterday's article from the Long Beach Post, the
17 fact is our long -- our low-income communities of color in
18 the South Coast are literally choking on goods movement
19 traffic.

20 CARB is doing so much, working so hard,
21 regulations on ocean-going vessels, ACF, Omnibus, TRUs,
22 and rules next year, I&M, in-use locomotives, harbor
23 craft. The South Coast District also is working hard. We
24 passed a rule to clean up warehouses and we're actively
25 looking now at MOUs and Indirect Source Rules to reduce

1 freight industries injurious impacts at the ports, and
2 railways, and neighborhoods throughout our region. And
3 hopefully, the federal NOx rules for trucks will be in
4 place soon.

5 Now, some write to Governor Newsom on the eve of
6 the Glasgow summit, that we should rollback and, in fact,
7 cancel all of our labor and environmental regulations. I
8 sympathize that compliance is difficult, yet that approach
9 takes us backwards. We need to look ahead to a better
10 world. And if we can see it through, the fact is that the
11 goods movement industry, critical to the California
12 economy will be on, in fact, a stronger more sustainable
13 foundation for future growth.

14 So finishing up, let's look forward to a pivot
15 from the Mobile Source Strategy today to our statewide SIP
16 Strategy next year in Q1 or Q2, as identified in the last
17 few slides today, pages 27 and 28. Let's get all these
18 measures in a compliant statewide SIP that truly pencils
19 out. Lets do the tough work together, colleagues, on the
20 SIP enforceable and rule-based, and hold ourselves
21 accountable to close the regulatory gap.

22 Forgive me in advance, but I'll probably be on my
23 soap box then too. This is job number one, priority
24 number one for any South Coast rep to this Board. And we
25 heard from the other districts today too, Valley, Ventura.

1 In particular, let's focus on the heavy-duty
2 vehicle useful life regulation for mandatory retirement of
3 old tractor trucks after the SB 1 useful life, and
4 incentive problems to fund this. These measures were
5 identified on slide 22 today and we heard from folks like
6 Bill Magavern about the useful life measure.

7 We in the South Coast will be counting on your
8 support, colleagues, please, to be bold, as Senator Leyva
9 said, for these measures as part of the upcoming SIP.

10 As page 140 of the Strategy document today
11 indicates to meet our targets in '21 and '37 require
12 additional reductions through accelerated scrappage of
13 older and high emitting vehicles. We need to get the
14 dirty diesels off the road soon for attainment, for public
15 health.

16 I imagine we all would like to see ozone
17 attainment in our lifetimes, no? And our Mobile Source
18 Strategy, enforced in the upcoming SIP, is the single
19 critical element. So let's get to work. Let's go for it.
20 And again, I want to thank staff so much for their efforts
21 today.

22 Thank you, Chair.

23 CHAIR RANDOLPH: Thank you.

24 Supervisor Serna.

25 BOARD MEMBER SERNA: Thank you, Chair. That's

1 going to be a difficult set of comments to follow, but I
2 do appreciate what my colleague, Member Kracov, stated so
3 eloquently. I also wanted to share an idea. I guess it's
4 best explained in the form of a question though for staff.
5 And it really has much to do with the comments that were
6 made by, I think, a handful of commenters today about the
7 wastewater treatment connection and the fact that, you
8 know, there's this opportunity to use biogas for -- if I
9 understood their argument clearly, to use it for low-NOx
10 truck fuels or for heavy-duty fuels.

11 What I didn't hear in our staff presentation nor
12 did I hear from those speakers, however, was the
13 possibility or the prospect of actually using biogas for
14 hydrogen generation and whether or not that should be in
15 our strategy in terms of the other connection with the
16 fact that we have legislation that is going to require
17 diversion of food waste now. So we have -- we have a
18 feedstock that is going to be much more sustainable in the
19 future. And it seems to me that the possibility of having
20 a more robust infrastructure around hydrogen production
21 and hydrogen fueling for fuel cell vehicles, both light-,
22 and medium-, and heavy-duty would be a missed opportunity
23 in the context of the Strategy.

24 And I'm speaking a bit from local experience. I
25 also serve on a local sanitation district board of

1 directors here and we're actually having the conversation
2 now. This is not science fiction. This is something
3 that's been done around the state, albeit not -- not --
4 there aren't a whole lot of examples, but we're having the
5 discussion here in the Sacramento region about how best to
6 use the biogas from our regional facility to actually
7 augment, add to the availability of hydrogen, specifically
8 for fuel cell vehicles.

9 So I don't know if staff is prepare to respond to
10 that, but I'd like to hear whether or not there's some
11 opportunity to include that in the Strategy.

12 Thank you.

13 CHAIR RANDOLPH: Mr. Corey, did you want to first
14 say anything?

15 EXECUTIVE OFFICER COREY: Yeah. I'll take a
16 quick shot at it. So a few points that the Supervisor
17 mentioned. In terms of the efforts on renewable natural
18 gas, no doubt we're going to be in natural gas, both on
19 transportation - we use it today for garbage trucks and
20 other trucks as well - as well as stationary in natural
21 gas in the existing commercial and residential fleet.

22 What we're trying to do though is ensure that the
23 gas that's generated gets into the pipeline and there's an
24 opportunity -- a progressive opportunity on the stationary
25 side, because the use on transportation will decline over

1 time, as we transition to electrification.

2 So that is playing out, but there's a connection
3 here and I'll wrap-up on this point, Supervisor, and that
4 is there's a connection on 1383, basically the diversion
5 of organics from landfills. One of the paths is to direct
6 those organics to wastewater treatment facilities to
7 process there also generating renewable natural gas. And
8 considerable work that's taken place to think about that
9 methane renewable natural gas as an energy carrier, just
10 as you noted, and reforming it at a fuel cell or other
11 sources to generate renewable hydrogen, so for either
12 transportation or stationary applications.

13 So there's considerable work to do still on the
14 infrastructure side, just on the 1383 example I gave. The
15 view of the opportunities to generate renewable natural
16 gas and the opportunities for its application and role it
17 could potentially play in terms of our needs, which I
18 would say will be growing needs for renewable hydrogen,
19 both on the transportation side and on the stationary
20 side, are well taken.

21 In fact, both Deputy Executive Officer Sahota and
22 I were just meeting with the CalRecycle yesterday, the
23 Director, about these issues, basically the connections
24 between CARB's work, the Scoping Plan, and 1383, and the
25 work that CalRecycle is doing, basically the integration

1 between agencies in terms of how do we better handshake
2 these efforts in terms of long game, in terms of where
3 we're going on transportation and the stationary side.

4 So maybe I'll end on that point.

5 CHAIR RANDOLPH: All right. Thank you.

6 Board Member Takvorian.

7 BOARD MEMBER TAKVORIAN: Thank you, Chair. I
8 just want to thank everyone from the staff, to public
9 commenters, to fellow Board members for this amazing
10 report. There's clearly a lot of support for the adoption
11 of the Mobile Source Strategy. It may not be universal,
12 but it's very broad. And I think that's a huge
13 achievement.

14 So I wanted to point out a few things that I
15 think are real improvements from the last Strategy that
16 we, the Board, saw. And there's a very meaningful
17 analysis and considerations of environmental justice in
18 this -- in this strategy.

19 It's much more comprehensive and broader than the
20 previous Mobile Source Strategy and it's much more focused
21 on the amount and the impact of pollution on low-income
22 communities of color. And I just wanted to acknowledge
23 that and really represent that this is -- this really
24 represents a lot of movement and change within CARB, I
25 think. And so I think we should all celebrate that and

1 acknowledge it.

2 The health analysis I think is much improved. We
3 all know that cancer, respiratory, and heart disease are
4 all exacerbated pollution and the health disparities are
5 really clear in communities of color. This historical
6 discriminatory rulemaking at really every level of
7 government has not only disadvantaged communities of
8 color, but has cost lives with thousands of premature
9 deaths.

10 So it's important that we -- that we recognize it
11 and acknowledge that, and I think the report does a good
12 job of it. And as the staff presentation on the IPCC
13 report and the Board comments indicated -- excuse me -- we
14 need to take stronger action and we really need to take it
15 now. The Mobile Source Strategy gives us one of the
16 opportunities to demonstrate our commitments. And I
17 really align with Senator Leyva's comments that we really
18 need to be bold.

19 So on the concern side, I would like to hear
20 staff's response about the lack of alignment with the ACC
21 and ACF rules. Those I think are coming pretty fast and
22 this gives us this opportunity to really do more. So I
23 wanted to hear your thoughts about that, since I know you
24 pointed out that those comments had come forward.

25 I also want to endorse the inclusion of a truck

1 retirement strategy within the Mobile Source Strategy as
2 Board Member Kracov has very well described. This is a
3 great opportunity. It's something that we can do right
4 now to accelerate reductions in pollution that threaten
5 public health. And again, in California's most vulnerable
6 and pollution-impacted communities.

7 And we know that the trucking industry is a
8 dominant source of harmful pollution in all of our
9 communities and these health disparities really are
10 emergencies that need to be addressed right away. And if
11 we could adopt this retirement strategy, we really could
12 serve our communities in such an important way.

13 I think the other thing about trucking is that
14 incentives really need to be focused on low income and
15 independent drivers. These are the ones that have put
16 their life savings into these trucks. It's going to be
17 very difficult for them to make this transition and we
18 need to focus our incentives and our assistance on
19 those -- on those truckers.

20 Moving to transportation and housing, which I
21 know the report references, it also imposes and often
22 reinforces longstanding racial and economic injustices by
23 placing a disproportionate burden on low-income
24 Californians. It's very true, and there are a variety of
25 opportunities for preventing future land use

1 incompatibility. It was mentioned in almost every single
2 one of the CERPs, so we know that it's something that
3 folks are aware of and that they want to change.

4 The reality, however, is that due to
5 discriminatory decision making, environmental justice
6 communities are at the intersection of multiple freeways
7 and adjacent to warehouses and ports all sources of mobile
8 source pollution. So those structures aren't going
9 anywhere any time fast. And so the communities that are
10 there, we want to retain, and we need to reinforce and
11 support them.

12 So the strategies in the Mobile Source Strategy
13 have to compensate for the historical legacy of decisions,
14 because new land use regulations will not alleviate the
15 health burden on these communities. And so I really think
16 that that's another call for why these strategies have to
17 be bolder. I totally support focusing on land use as
18 well, but it just isn't going to have the impact that we
19 need to have right away.

20 And lastly, I look forward to the discussion
21 later today and in the future on the Scoping Plan, because
22 I think that the emphasis on Mobile Source Strategy and
23 transportation-oriented strategies really needs to be more
24 prominent in the Scoping Plan. So I look forward to that
25 as well. So those are my comments. Thank you very much.

1 CHAIR RANDOLPH: All right. Thank you.

2 So Craig Segall, would you like to address
3 this -- the question of alignment and the -- and ACC II
4 and ACF very briefly?

5 DEPUTY EXECUTIVE OFFICER SEGALL: Sure. What
6 I -- what I'll very briefly say is that I agree. I think
7 there is a lot more that we can do. There -- this will
8 necessarily be a portfolio approach. So there's a
9 question about how much stringency can we get out of those
10 two rule sets? There's also how much can we do with
11 additional sets of rules, including the, I think, really
12 interesting idea that Senator Leyva proposed earlier
13 today, what we can do with incentives, and what we can do,
14 as Board Member Takvorian has observed, on land use, VMT,
15 and other strategies.

16 So I think we need to press in every front.
17 We'll be doing that over the course of the public process.
18 And I think we need to figure out all of the tools we can
19 bring to bear here, including making those rules as
20 stringent as possible. So I appreciate it.

21 CHAIR RANDOLPH: All right. Thank you.

22 Dr. Balmes.

23 BOARD MEMBER BALMES: Thank you, Chair. And I,
24 too, want to thank a number of people for their discussion
25 today. I want to commend the staff for the revision of

1 the Mobile Source Strategy to include more about near term
2 emission reductions and the inclusion of an environmental
3 justice chapter.

4 I want to thank all the thoughtful comments that
5 I heard during the testimony. Even though people are
6 often at odds, I appreciated the degree of thoughtfulness
7 of their comments and I heard the various positions and
8 I'm taking them in.

9 I want to thanking Professor Sperling for
10 acknowledging the revolutionary nature of AB 617 and the
11 fact that it really was -- is focused on reducing health
12 disparities through reduce -- reduction of exposures not
13 just emissions.

14 And then Ms. Takvorian as usual laid out the
15 public health benefits of focusing on reducing diesel
16 emissions in our most impacted communities of color, so I
17 won't go back -- I won't got there. She did it so well.

18 I do want to kind of take a big picture approach
19 following from what Board Member Kracov said. Yes, we
20 have a huge lift to get to our goals with both climate
21 change and air quality. And I appreciate the Mobile
22 Source Strategy being more bold than maybe it was in the
23 past, but I don't think it's bold enough, because the
24 costs of moving forward at the speed we need to move to
25 turnover combustion-powered cars and trucks to ZEVs, you

1 know, the costs are incredible. And I don't see this
2 Board or this State really, really making the commitment
3 to the level investment that is going to be needed to get
4 anywhere near these goals. I mean, the number of trucks
5 that have to be turned over in the South Coast and across
6 the state is immense.

7 And, you know, I agree with Paul Cort, it's
8 really not about the technology. It's about the
9 investment. And I'm just saying as one Board member that
10 we need to do -- we really need to invest more than we
11 have considered.

12 And, you know, I'm also very concerned about the
13 infrastructure costs. You know, it's not just about the
14 vehicles as somebody said. You know, the infrastructure
15 costs -- I have a battery electric vehicle and I have
16 trouble getting it charged outside of my home. How are we
17 going to do all the charging for these heavy-duty, and
18 light-duty, and medium-duty trucks that we need to get on
19 the road?

20 And I don't -- I realize that's a little bit out
21 of our bailiwick, but I think it's an important component
22 of a mobile source strategy that I think wasn't focused on
23 enough in the document. I said this to staff, you know,
24 during my briefing, but I wanted to say it publicly now.
25 And, you know, near-term reductions of diesel emissions,

1 everybody has been saying we need that. Well, you know, I
2 know we're trying hard to have cleaner diesels, but
3 there's a huge number of legacy diesels out there, a huge
4 number. So I very much support a useful life truck
5 retirement as has been suggested by, I think, Mr. Kracov,
6 Ms. Takvorian, Will Barrett, Bill McGovern -- Magavern.
7 But that -- I don't even think that's enough.

8 You know, I think we have to figure out how to
9 get the current diesel fleet cleaner, because we don't
10 have -- we won't have a ZEV fleet, no matter how hard we
11 try, in time to really make a difference in terms of
12 reducing diesel emissions, especially those impacting our
13 low-income communities of color.

14 So I see a disconnect between our desire to move
15 to ZEVs, which is totally appropriate, and I'm a hundred
16 percent supportive of, and the fact that diesel emissions
17 are going to be around for a long time.

18 So that's where I think that the Mobile Source
19 Strategy -- and I'm not beating up staff. I think they
20 did a great job. But I think as a Board, as a state, we
21 need to come to terms with the fact that it's going to
22 take major investment, which I don't see yet. So I think
23 I'll stop there before I get into anymore trouble.

24 (Laughter.)

25 CHAIR RANDOLPH: All right. Supervisor Fletcher,

1 you're up.

2 BOARD MEMBER FLETCHER: Thank you. I'll be
3 brief. So many of the points I wanted to make have been
4 made and at times multiple points over. I just want to
5 add on to my support, echoing in part Dr. Balmes and so
6 many others that have talked about the useful life of some
7 of these older diesel trucks, you know, a decade or so
8 old. How we can more rapidly and more quickly replace
9 those and have it be complementary to everything else
10 we're doing, both in Advance Clean Fleet, the inspection
11 programs, really aligning with some of the legislative
12 input we've heard on this issue and I think that's
13 something as a Board we have to tackle and look forward.

14 The second thing is I just want to mention that
15 some of the VMT strategies, you know, we're really trying.
16 In the short run, we know how long it is going to take to
17 get the electrification of the transportation sector, both
18 with the Executive Order with that just applying to new
19 vehicle purchases and how long that will take to phase-in
20 along with points we just heard from Dr. Balmes about the
21 challenges surrounding charging infrastructure and all of
22 that. And so really between now and whenever that point
23 at which we have an entirely electrified zero-emission
24 transportation sector, we've got to continue to focus on
25 VMT issues and how we align and support those issues

1 around lowering VMT.

2 As Chair of a transit agency, it still remains
3 incredibly hard to get dedicated funding to construct new
4 transit projects. And I'm not even talking about rail,
5 dedicated bus lanes. Zero-emission buses continue to be
6 very expensive. You've got to build out the charging
7 infrastructure. Like transit agencies are killing
8 themselves to both try and increase service in ways people
9 will use it and be able to make the investments there.

10 Those are things we know will lower VMTs. And so
11 I think continuing to assess and look at some of these VMT
12 strategies can be a helpful component, in addition to
13 everything else, a lot of really on-point comments we've
14 heard from a number of Board members.

15 CHAIR RANDOLPH: Thank you.

16 Dr. Pacheco-Werner.

17 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.

18 I just wanted to briefly say that I do think that
19 there's a world in which we allow the waste management of
20 the world to plan for the use of their fuel and look more
21 closely at the issues raised by the groups working with
22 impacted communities to ensure we have all of the facts on
23 these types of fuels before moving forward on our next
24 vote. And we really can't see the Mobile Source Strategy
25 as a separate aspirational document to the SIP.

1 I want to reemphasize what I've said before that
2 we all have responsibilities for the SIP. We cannot leave
3 the districts alone and pursue paths that set them up to
4 fail.

5 The useful life measure I think is a way in which
6 we can thread the use of natural gas from those places,
7 which already have infrastructure in place by the trucks
8 that are available online today and not just available to
9 order and our extremely important goal of reaching our
10 zero-emission goals by 2045.

11 I think Dr. Balmes alluding to the infrastructure
12 is key, in particular when it comes to 24-hour trucking
13 operations. And we can't brush these practicalities away,
14 but I think we can address those and also respond to what
15 communities are telling us terms of needing clean air now,
16 without further sacrificing them, particularly as some
17 mentioned stronger investments now in the technologies
18 that we can rollout right now.

19 Furthermore, I want to thank you to all the staff
20 for your hard work on this and really thank you to each
21 and every one of the commenters. We're hearing you and we
22 look forward to continuing to address the issues that
23 you've raised today on all fronts. Really appreciate you.
24 Thank you.

25 CHAIR RANDOLPH: Vice Chair Berg.

1 VICE CHAIR BERG: Thank you very much. You know,
2 I so appreciate Senator Leyva starting out with her "Be
3 Bold" red. And Senator, I'll turn on my video for you,
4 because see I am coordinated in "Be Bold" as well, and
5 yet, I also appreciated the fact of expressing the range
6 of emotion of such inspiration and hopefulness and such
7 overwhelmingness, and specially when we have testimony
8 that -- of really smart and very dedicated people that say
9 let's push this to 50 percent by 2030, a hundred percent
10 within three years.

11 And the problem that I see is that we need a
12 little bit more of a unified position. And I got to
13 thinking about, you know, an historical bold move that
14 we met -- that we did as a country. And, of course, we go
15 back to when President Kennedy -- and since my good friend
16 Hector De La Torre was quoting history, who said we choose
17 not to go to the moon in this decade, and this was his --
18 from his famous speech in 1962 -- and do other things not
19 because they are easy, because they are hard. And then we
20 landed on the moon in 1969. But we did not do that with
21 multiple agencies, multiple jurisdictions, with funding
22 year after year unknown. No. We assigned that to one
23 agency, well funded. Citizens accepted the risk,
24 including space capsules that sank in the ocean. We had
25 to start all over again. Heaven forbid those three

1 deaths, because the -- things caught fire.

2 We were willing to do it. And so, I start with
3 Senator Leyva and all of my colleagues that are just so
4 spot on. But -- and with Dr. Balmes, I can't agree more.
5 I feel like we are in such a vice and staff is in such a
6 vice, being so polarized between this cry for absolute
7 acceleration, and yet we don't have the ability to do
8 that.

9 And what is crucial to me is that we have to get
10 this right, because all eyes are on us, especially in the
11 United States. And I'm not suggesting we slow down. I am
12 just saying that the next five years is going to be the
13 make or break as to how fast we go forward, how quickly
14 can we get in in infrastructure, how quickly can we get
15 these trucks and get through the first generation to get
16 the next generation of the duty cycle, how quickly are we
17 going to listen to our vocational people and what they
18 need, and build on these things because there will be
19 failures. You can count on it. And if we don't have the
20 stamina to get through the failures, to get to the
21 success, we're going to go over the cliff and the rest of
22 the United States isn't going to go at all.

23 We have to succeed at this. We have to. And so
24 I'm very committed. I'm probably more cautious, but we
25 have to be inclusive. Our vulnerable communities have to

1 become number one on this technology. I really
2 appreciated what Dr. Sperling suggested. It does also
3 remind me that maybe one size doesn't fit all regulations.
4 Maybe there is an opportunity to think outside the box and
5 take South Coast or San Joaquin Valley and accelerate in
6 some way in those two regions that need it most. I think
7 we do need to think a little bit more outside the box.

8 And then we do have to understand that things
9 like useful life, a really important concept, the
10 consequence to that is only to small and medium-sized
11 people that use trucks in small- and medium-size, because
12 they're the ones that keep those trucks for longer. And
13 so we will -- Amazon are trucking, because only large
14 companies will be able to make this transition in this
15 amount of time that we want to. And we have to step up
16 along with all the people that have been pushing us to say
17 to small- and medium-sized businesses that need these
18 trucks, I'm sorry, we have made this public health
19 decision.

20 So I appreciate the passion and I am fully
21 committed, but I really do feel that we're all in and we
22 all have to stand up and agree when we have the
23 consequences.

24 So thank you, Madam Chair.

25 CHAIR RANDOLPH: Thank you, Vice Chair Berg.

1 I just want to echo a lot of what my fellow Board
2 members said. A lot of really great, inspiring, and
3 insightful comments and a lot of thoughtfulness that was
4 raised. In particular -- I don't want to repeat anything,
5 but in particular I'm very intrigued by Supervisor Serna's
6 comments about renewable gas as an opportunity to generate
7 hydrogen. And I will definitely follow up with you to
8 learn a little bit more about the work that you're doing
9 in that -- in that space, because I think that's an
10 exciting opportunity.

11 So my understanding, and Executive Officer Corey
12 correct me if I'm wrong, is that we do not need to
13 actually take a formal vote on this plan, that we can
14 forward this to the Legislature pursuant to SB 44?

15 EXECUTIVE OFFICER COREY: That's correct.

16 CHAIR RANDOLPH: Okay. That is correct.

17 All right. Now, so staff you will now be
18 forwarding that to the Legislature.

19 Logistics. Our Board Clerk has not had a break
20 and I think there's probably a lot of hungry people. So
21 my proposal is that we go ahead and take a 45-minute lunch
22 break and then come back for a round of public comment,
23 because the second part of our Board meeting will likely
24 go quite late, and so I figured I would give folks an
25 opportunity to do public comment, and then we will take up

1 our 4 p.m. Board item at 4 p.m.

2 So that would mean that we would come back at
3 2:20 and do some public comment and then our next Board
4 item will be at 4 p.m. All right. That's it. Thank you.

5 (Off record: 1:37 p.m.)

6 (Thereupon a lunch break was taken.)

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1 The core technology was developed by me and my
2 colleagues at Stanford University after a decade of
3 research. Indrio makes two main types of sensors, sampled
4 or open path gas sensors we call Zephyr, which can be used
5 for environmental sensing. We have delivered several
6 units of these sensors to CARB with Walter Ham
7 and(inaudible).

8 And the second type of sensors from Indrio are
9 developed -- deployed directly inside the high temperature
10 exhaust of vehicles, locomotives, ships, power plants, et
11 cetera, we call igneous. Our igneous sensors are
12 currently under development.

13 Our Zephyr sensors are currently being piloted by
14 CARB staff to flag high emitting trucks on the road as a
15 part of your Portable Emissions Acquisition System
16 program, commonly referred to as PEAQS. Our Igneous
17 sensor technology is currently under development for
18 studying NOx an ammonia emissions for Portable Emissions
19 Monitoring System, or PEMS, and OBD applications in
20 vehicles.

21 We're currently funded by the National Science
22 Foundation, NSF, and the U.S. Department of Energy, DOE,
23 to develop these sensors. We have also received a portion
24 of the grant provider by CARB to the UC Riverside CE-CERT
25 team led by Dr. Kent Johnson to contribute ten of our next

1 generation sensors for their studies.

2 These Igneous sensors can play a critical role in
3 your near-zero NOx heavy-duty diesel engine emission
4 standards program. Our sensors can detect ultra low
5 levels of NOx without interference from ammonia, which is
6 a fundamental problem in achieving accurate controls and
7 next generation after-treatment systems. My company has
8 been working with different engine manufacturers to test
9 and validate our technology and we welcome your support in
10 this endeavor.

11 Other applications for the sensor from Indrio
12 Technologies include Continuous Emissions Monitoring
13 Systems, or CEMS, monitoring at power plants, oil
14 refineries, and other industrial sources, fence line
15 monitoring of methane, ammonia, and other gases around
16 refineries, oil and gas fields, and similar facilities.
17 Indrio technologies is also researching sensor
18 applications for hydrogen infrastructure.

19 Indrio technologies develops tools to support
20 CARB's goals. Please consider us for small business
21 grants and other funding opportunities. We welcome any
22 advice, direction, and support you can provide to us as we
23 are a California-based start-up company. We are available
24 to meet with you and your staff at any time to further
25 discuss our sensor technologies and welcome you to visit

1 our -- and tour our facilities in San Jose, California.

2 Please visit our website and indriotech.com and
3 contact me at rsur@indriotech.co or via cell at
4 (408) 410-7486.

5 Thank you very much for your attention and my
6 team at Indrio Technologies look forward to working with
7 you and your staff to support your air quality and climate
8 change goals.

9 BOARD CLERK ESTABROOK: Thank you.

10 Our next speaker is Cliff Gallagher. Cliff, you
11 may unmute yourself and begin.

12 CLIFF BERG: Thanks. This is Cliff Berg, not
13 Cliff Gallagher. Hopefully, that is correct. If there's
14 not a Cliff Gallagher out there. I was unmuted, so I want
15 to thank the Board. Cliff Berg here in behalf of Visa,
16 U.S.A. Visa, as you may know, is a national financial
17 technology leader in our country and is headquartered in
18 San Francisco, California.

19 I am here today in their behalf to explain to you
20 why the Board should not require EMV chip readers as part
21 of your requirements. The payment landscape has largely
22 shifted to contactless technology and beyond and requiring
23 a particular technology really is just unworkable. Open
24 payments are the wave of the future and important to
25 expanding the state's network of EV charging stations.

1 Visa's latest data shows nine out of 10 of the
2 top card issuers are rolling out contactless cards. Four
3 hundred million contactless cards are in the U.S. market,
4 which is quadruple the number two years ago and we're
5 projecting 450 million by the end of 2021.

6 On the issue of equity, the underbanked can
7 utilize solutions such as Square Cash with no monthly
8 fees, no bank account needed, load cash onto mobile
9 devices, while the unbanked can use the Square Cash app
10 cash card, which allows people to load paper cash onto a
11 contactless card at many participating merchants.

12 For these reasons, we urge you not to require EMV
13 chip readers, an expensive and outdated technology, that
14 really would be pointless. So thank you very much.
15 Appreciate the time.

16 BOARD CLERK ESTABROOK: Thank you.

17 Our next speaker will be Cameron Demetre. After
18 Cameron will be Matt Smoot, Ben Foss, and Cesar Diaz.

19 Cameron, I have activated your microphone. You
20 can unmute yourself and begin.

21 CAMERON DEMETRE: Dear, Board Members. My name
22 is Cameron Demetre. I'm the Executive Director for
23 California and the Southwest at TechNet. TechNet is the
24 national bipartisan network of innovation economy CEOs and
25 seniors executives. Our diverse membership includes

1 dynamic American businesses, ranging from the
2 revolutionary start-ups to some of the most recognizable
3 companies in the world. We represent over four million
4 employees and countless customers in the fields of
5 Internet -- or information technology, E-commerce, sharing
6 and gig economies, advanced energy, cybersecurity, venture
7 capital, and finance.

8 TechNet supports the industry proposal as
9 referenced in their letter to Chair Randolph to expand the
10 types of credit card readers that public charging stations
11 can use under the CARB rules to allow contactless readers
12 in addition to EMV chip readers. The financial technology
13 market is quickly evolving to meet the needs of consumers
14 and provide consumers with new secure and reliable payment
15 systems and financial tools.

16 We have several financial technology companies,
17 which in recent years have launched digital wallets and
18 payment products you might be familiar with that you can
19 pay with your smartphone, or via QR code, or contactless
20 payment, including, amongst many others, Visa.

21 I wish to share some of the latest stats from
22 Visa that you just heard from Cliff as well on contactless
23 payments and how rapidly they're issuing credit cards that
24 allow for contactless payments. Nine out of ten card
25 issuers are rolling out contactless cards. In 2017, Visa

1 embarked on an initiative to -- in the U.S. to stimulate
2 the contactless payments. At the time, there were only 15
3 million contactless Visa cards in the U.S. Fast forward
4 to July 2021, there are 372 million contactless Visa cards
5 in the U.S. alone. Visa expects to get 450 million
6 contactless Visa cards in the U.S. by the end of this
7 year.

8 And since 2017, there's been a 900 percent
9 increase in contactless transactions. In April of 2021,
10 the U.S. was the fourth largest market in terms of monthly
11 contactless transactions. And as of July 2021, the U.S.
12 is now the third largest country in terms of monthly
13 contactless transactions.

14 With this abundantly clear and widely adopted
15 trend and innovation expected to continue, I encourage the
16 Board and staff in their technology study to look at
17 Emerging peer-to-peer payment platforms that have
18 accelerated even since 2019, such as the growing adoption
19 of mobile transfers via consumers. Some have been
20 historically under and unbanked.

21 When it comes to equity, these services helped
22 users receive their stimulus payments and direct deposits
23 through these platforms, which they can access from the
24 ease of their mobile phones. Thank you for your time and
25 we appreciate CARB's continued efforts to electrify the

1 transportation sector and support innovation in achieving
2 their long-term climate goals.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Matt Smoot, you may unmute yourself and begin.

6 MATT SMOOT: I want to thank you for the
7 opportunity to address the Board today. My name is Matt
8 Smoot from SureCan, Incorporated. We are a portable gas
9 can manufacturer and I'm coming before the Board today to
10 request a change or an exemption in the testing procedures
11 to allow caps to remain on the spouts during the diurnal
12 testing. The inventor and owner of SureCan got tired of
13 using hard-to-use gas cans that spill gas every time you
14 use them, so he invented the SureCan.

15 SureCan is unlike any gas can in the market. It
16 is designed with a flexible spout that rotates 180 degrees
17 and releases fuel from the bottom of the can, so you no
18 longer have to tip the can to dispense fuel. It has a
19 thumb trigger at the top of the can that activates a vent
20 that is allowed -- that allows the fuel to flow smoothly
21 without glugging, and gives the user the ability to
22 control the flow with ease, and thus reducing spilling to
23 near zero.

24 CARB's mission is to promote and protect public
25 health, welfare, and ecological resources through

1 effective reduction of air pollutants, while recognizing
2 and considering the effects of the economy. SureCan helps
3 fulfill that mission.

4 The biggest problem with portable fuel can
5 containers is not the hydrocarbons that are released while
6 the fuel is being stored, because those hydrocarbons are
7 released when the fuel is dispensed, it is the fuel that
8 is spilled on the ground when dispensing the fuel.

9 The EPA estimates that 17 million gallons of gas
10 is spilled each year filling lawn mower equipment. That
11 is 35 percent more than Exxon Valdez, which spilled 11
12 million gallons. If you take the population of California
13 versus the United States, that means two million gallons
14 of gas is spilled each year on the ground in California.

15 I want to ask for a chance -- a change to the
16 testing procedure or an exemption to be able to accept the
17 results of the diurnal test with our spout caps on. With
18 our spout caps on, we pass the diurnal test. I know that
19 California -- California's goal is to eliminate gas. But
20 until that goal is achieved, let's focus on dramatically
21 reducing the amount of gas that is spilled by rewarding
22 innovation that helps eliminate or dramatically reduce the
23 spills. The SureCan has done that.

24 With the change or exemption to the diurnal
25 testing procedure, SureCan can be introduced into the

1 California market and dramatically reduce or eliminate the
2 two million gallons of gas that is spilled each year from
3 portable gas cans.

4 A video demonstrating the ease of use with the
5 SureCan has been uploaded to the docket. I appreciate
6 your consideration in this matter.

7 Thank you.

8 BOARD CLERK ESTABROOK: Thank you.

9 Ben Foss, you may unmute yourself and begin.

10 BEN FOSS: Thank you very much. My name is
11 Benjamin Perkins Foss and dI work for Volta, an electric
12 vehicle charging company based in San Francisco. I'm here
13 today to speak on behalf of an industry coalition that is
14 interested in the letter that we have delivered to the --
15 to Chair Randolph. In particular, we want to talk about
16 CARB rules about contactless readers in electric -- in
17 electric vehicle charging payments and putting them in
18 addition to the EMV mag stripe readers that are currently
19 in the marketplace and is a requirement.

20 We are interested in this, because of a couple of
21 specific points. We believe that this will increase the
22 reliability that electric vehicle charging users have in
23 terms of doing their payments. It means that people will
24 be able to use a safe, reliable technology through
25 contactless payment that allows them to make their

1 payments without using mag stripe, which can be a lot less
2 effective.

3 It will allow you to reach many more people from
4 the perspective that there are over 372 million
5 contactless cards in the United States as of July of this
6 year. And as we heard earlier from Visa, they plan to
7 expand the number of cards that they have issued, such
8 that there will be over 450 million contactless payment
9 cards by the end of this year.

10 We would also highlight that this is a payment
11 method that is on the rise in California transit. The
12 California Department of General Services has actually
13 recently issued an RFP to help transit providers in the
14 state acquire the necessary hardware and software to
15 support contactless payment. And so this is a technology
16 that we anticipate seeing more and more in the
17 marketplace.

18 If California wants to achieve its goals of
19 getting more charging available for more people and having
20 it be more reliable, this is a great path forward and we
21 would like to refer the Chair to the letter that we have
22 submitted and supported from both Volta and from our
23 larger industry coalition.

24 Thank you very much.

25 BOARD CLERK ESTABROOK: Thank you.

1 Our next speaker will be Cesar Diaz. After Cesar
2 will be Marc Monbouquette, Francesca Wahl, and Dominic
3 Dimare.

4 Cesar, I have activated your microphone. You may
5 unmute and begin.

6 CESAR DIAZ: Good afternoon, Board and Chair. My
7 name is Cesar Diaz. I'm with ChargePoint. ChargePoint is
8 a provider of DC Fast and Level 2 charging stations and
9 network services.

10 I'm here to strongly urge you to modify the
11 existing EVSE regulations to allow for both EMV chip or
12 EMV contactless credit card technology to comply with EVSE
13 regulations. This is an issue that impacts an entire
14 industry as we seek to deploy reliable, secure, and cost
15 effective EV charging stations that will be in place for
16 years to come. Just today at the federal level, the House
17 draft the Build Back Better bill allows public charging
18 stations using 30C tax credit to use EV contactless to
19 comply with the credit card reader provisions.

20 Contactless technology is here and widely
21 available today. Visa and others have already said that
22 by the end of the year, there will be 450 million
23 contactless cards in the U.S. And Pulse, a Discover card
24 company, estimates that 94 percent of all debit cards will
25 be contactless by 2023.

1 EMV chip readers will increase the cost of
2 deploying charging stations. These costs will be passed
3 on to the EV drivers similar to how the cost of our milk
4 increases when the cost of fuel rises. As cited in CARB's
5 own study in 2019, installing an EMV chip reader will cost
6 \$327, plus the annual maintenance of 227 over a 10-year
7 life span equals \$3,000 per station.

8 When you consider the one million charging
9 stations the CEC estimates will be needed between now and
10 2030 to meet California's goals, the cost of this
11 regulation will add \$3 billion to an entire industry. EMV
12 chip readers are less secure than contactless. Adding the
13 chip reader will expose EV charging systems to credit card
14 fraud or theft, such as skimming and shimming. In fact,
15 Experian, whose mission is to drive financial inclusion,
16 and advisors consumers to use contactless features or to
17 use mobile payment methods, such as Apple or Google Pay,
18 whenever possible to avoid inserting the card in a chip
19 reader.

20 Unlike the gas station experience, many public
21 charge stations are in unsupervised locations placing
22 customers who would use EMV chip readers at a greater
23 risk. EMV chip readers will not increase taxes. As
24 stated earlier, contactless credit cards are readily
25 available from all major providers. Adding an EMV chip

1 reader will not alone increase access to the unbanked or
2 underbanked.

3 CARB notes in final statement for reason that
4 regulations of EMV chip readers alone may not increase low
5 income access to charging stations. The coalition
6 supports access for all and we want to deploy EV charging
7 as fast as possible in a cost-efficient manner. Data
8 presented to carbon in 2019 by one of the two existing EV
9 charging service providers with EMV chip readers showed
10 that only one percent of charging stations were initiated
11 by a physical credit card.

12 That means that 99 percent of charging stations
13 were initiated using one other -- or the other payment
14 methods readily available. As payment methods continue to
15 evolve, we encourage CARB to allow our industry to
16 innovate, expand payment options, and keep stations that
17 are tied to EMV chip readers from being deployed by having
18 the contactless option.

19 Thank you for your time and we look forward to
20 working with you respectfully.

21 Thank you.

22 BOARD CLERK ESTABROOK: Thank you.

23 Marc Monbouquette. You may unmute yourself and
24 begin.

25 And it looks like you're on the phone.

1 MARK MONBOUQUETTE: Good afternoon.

2 BOARD CLERK ESTABROOK: Yep, go ahead.

3 MARC MONBOUQUETTE: Okay. Thanks. Good
4 afternoon, Chair Randolph and Board members. My name is
5 Marc Monbouquette and I'm with Enel X. We're a provider
6 of EV charging technologies and part of the coalition of
7 EVSE companies providing comments today.

8 So Enel X joins our industry colleagues in
9 supporting an option for contactless credit and debit card
10 readers alongside EMV chip readers in the CARB regulations
11 for public EV charging stations, as described in a recent
12 letter to Chair Randolph.

13 So as my colleagues have noted, contactless cards
14 are becoming a ubiquitous feature of retail transactions
15 and will only continue to grow in proliferation.
16 Contactless cards bring many benefits in terms of security
17 and ease of use. A chief of concerns to Enel X is
18 allowing flexibility for providers to install payment
19 hardware that reflects the evolution of payment methods,
20 rather than locking in the single solution that is already
21 becoming outdated.

22 We note that review of payment technologies that
23 was launched at the initial Board approval of the
24 regulations in 2019 has not yet been completed. And as
25 Mr. Foss from Volta noted, other State agencies are

1 starting to look at deploying contactless payment
2 technologies for transit customers. So we see a lot of
3 similarities in deploying these solutions for EV charging.

4 We appreciate the opportunity to provide comments
5 today and as always appreciate the Board's leadership in
6 overseeing the transition to electrified transportation.
7 We urge your consideration of contactless technology for
8 public charging.

9 Thank you.

10 BOARD CLERK ESTABROOK: Thank you.

11 Francesca, you may unmute yourself and begin

12 FRANCESCA WAHL: Good afternoon, Chair Randolph
13 and members of the Board. My name is Francesca Wahl and
14 I'm with Tesla. We're, as you all may know, both a
15 manufacturer of electric vehicles and a provider of EV
16 charging infrastructure in California. Similar to my
17 colleagues from the other companies, I'm here today to
18 speak regarding the CARB rules on EV charging payment
19 options that were recently brought forward for additional
20 modification and consideration by the industry coalition.

21 Tesla currently has approximately 245
22 fast-charging stations, known as super chargers, with
23 3,574 ports in California. This represents approximately
24 50 percent of the fast-charging capacity available to EV
25 drivers in California today. Per statute, Tesla is

1 actually not subject to the regulation before you.
2 However, Tesla has an interest in the implementation of
3 this regulation on payment standards, given Tesla vehicles
4 and our EV customers also represent a significant portion
5 of the California EV market.

6 Overall, we support the industry proposal to
7 expand the types of credit card readers that public
8 charging stations can use under the CARB rules to allow
9 for contactless readers, in addition to the EMV magnetic
10 stripe chip readers. As many have noted, payment
11 technologies and consumer preferences on them are changing
12 rapidly, especially since the initial discussion of this
13 regulation. And it's important for the Board to be able
14 to consider these changes prior to the rules going into
15 effect.

16 For us, providing a seamless and transparent
17 customer charging experience has always been key. And
18 it's one of the primary objectives in our development of
19 our fast-charging network in California. During Tesla's
20 recent earnings calls and in previous years, there has
21 been discussion regarding the potential opening of the
22 Tesla network to other EV drivers. The current regulatory
23 framework, however, on payment standards provides a
24 significant disincentive for ever opening the network to
25 non-Tesla drivers in California, so we take that into

1 consideration in those discussions.

2 Therefore, along with the other charging
3 providers and those statements articulated regarding the
4 current state of the technology, we appreciate
5 consideration of this item by the Board and your
6 leadership on this issue in expanding payment options for
7 EV drivers in California.

8 Thank you.

9 BOARD CLERK ESTABROOK: Thank you. Our next
10 speaker will be Dominic Dimare. After Dominic will be
11 Sean Edgar, Dylan Jaff, and Kelsey Johnson.

12 Dominic, you may unmute yourself and begin.

13 DOMINIC DIMARE: Thank you. Dominic Dimare here
14 on behalf of Blink Charging, also an EV charging company
15 doing business here in California. I join -- am a member
16 of the coalition of companies in support of our efforts to
17 allow and have the amendments -- or excuse me, regulations
18 amended to allow contactless payments for EV charging in
19 California.

20 I endorse and support all the comments that
21 you've heard prior and only add that ARB has been a leader
22 in adopting technologies in its mission to clean the air
23 and protect the environment and public health and safety,
24 and that our request for the allowance of contactless
25 payments as part of the regs that govern EV charging in

1 California is consistent with its past practice of being a
2 leader in the adoption of technologies as they develop to
3 make ease of use easier for consumers, citizens, and
4 California.

5 So once again Dominic Dimare on behalf of Blink
6 in support of our efforts to amend the regulations as they
7 apply to EV charging stations to allow contactless
8 payments.

9 And I thank you for your time and your
10 consideration of this matter.

11 BOARD CLERK ESTABROOK: Thank you.

12 Sean Edgar, you can unmute yourself and begin.

13 SEAN EDGAR: Good afternoon, Can you hear me?

14 BOARD CLERK ESTABROOK: Yes, we can, but there is
15 feedback if there's another device that you have the audio
16 coming in on.

17 SEAN EDGAR: Great. Thank you. This is Sean
18 Edgar the Director of Clean Fleets and I capture from the
19 prior spirited Board comments just before the break that
20 the following items were really focused. First, billions
21 of new investment to begin the transition to ZEV trucks is
22 needed, but unfunded. Dr. Balmes made that point pretty
23 clearly. Small- and medium-truck fleet owners will not
24 get to the cleanest trucks available on their own. I
25 think Vice Chair Berg did a good job of describing that.

1 Collaboration and buy-in is really needed from all
2 stakeholders. Mr. Kracov's testimony was on point, as
3 well as all Board members I think can agree on that. And
4 then finally, the waste organics to biogas pathway and
5 perhaps the hydrogen after that, Supervisor Serna talked
6 about that, Dr. Pacheco-Werner and the Chair also express
7 and interest in learning more about that.

8 So as a student of history that has spent the
9 last 31 years in waste transportation and public policy,
10 I'm just going to offer a few perspectives on this,
11 because I've spent the last 21 years implementing the
12 Diesel Risk Reduction Plan of the year 2000 and our
13 members have spent several hundreds of millions of dollars
14 to exceed that plan.

15 So I'm just going to take a brief walk down
16 memory lane. First, when I worked at Lawrence Livermore
17 National Laboratory, Director Emeritus Edward Teller
18 provided us staff with occasionally history lessons.
19 Among those lessons he told me personally was that he was
20 the uncle of hydrogen bomb and not the father. This was
21 in recognition that it took a massive team and
22 collaboration, as Vice Chair Berg alluded to.

23 I reiterate my prior testimony to the Board that
24 a Manhattan style project is needed and you need to be at
25 the tip of the spear not simply a bystander or note taker

1 in that process. PG&E, as an example, announced their
2 Marshall Plan. Can we do both? If so, how are we going
3 to do both? And your Mobile Source Strategy is inadequate
4 to describe that at all.

5 Second, the waste companies that I'm proud to
6 represent are a large part of the \$1 billion investment
7 over the past 20 years in low-NOx trucks and are in the
8 process of bonding, borrowing, and paying for long-term
9 loans toward the 20 to 40 billion dollars that your sister
10 agency, CalRecycle, estimates for the organics diversion
11 under Senate Bill 1383. So a one-size-fits-all ZEV
12 mandate on an industry that's approaching a 50 percent
13 transition away from diesel and black carbon is really not
14 welcome at this time, especially when the conversion of
15 your food and green waste to biogas to the tank of a
16 low-NOx, carbon-negative truck is delivering benefits to
17 all Californians every day of the week that you set your
18 waste out to the curb for us to collect.

19 Force-feeding technology that is not ready for
20 our duty cycle has new unfunded costs in the hundreds of
21 million of dollars just in our sector and forces the
22 abandonment of RNG projects underway is no way for the
23 Board to get the collaboration that you need. You heard
24 from CASA and other public agencies that are in the same
25 boat. Once again, your Mobile Source Strategy has been

1 inadequate to address the concerns of South Coast or San
2 Joaquin in this manner.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Dylan Jaff, you can unmute yourself and begin
6 your comment.

7 DYLAN JAFF: Hi. Good afternoon, Chair Randolph
8 and Board members. Thank you for the opportunity to
9 address the Board today. My name is Dylan Jaff and I'm
10 commenting on behalf of the Electric Vehicle Charging
11 Association also known as EVCA. EVCA is made up of 12
12 leading EV charging industry member companies and one
13 zero-emission autonomous fleet operator with the goal of
14 advancing clean transportation systems in which market
15 forces of innovation, competition, and consumer choice
16 drive the expeditious and efficient adoption of EVs and
17 deployment of EV infrastructure.

18 Echoing the comments made by our industry
19 partners, EVCA strongly supports the industry proposal, as
20 referenced in our letter to Chair Randolph, to expand the
21 types of credit card readers that public charging stations
22 can use under the CARB rules to allow contactless readers
23 in addition to EMV chip readers and respectfully request
24 reconsideration of this regulation.

25 Thank you.

1 BOARD CLERK ESTABROOK: Thank you.

2 Our next speaker will be Kelsey Johnson. After
3 Kelsey, we will have David Reichmuth, Patricio Portillo,
4 and Jay Friedland.

5 Kelsey, I have activated your microphone. You
6 can unmute yourself and begin.

7 KELSEY JOHNSON: Great. Thanks, Katie. Good
8 afternoon, everyone. Thank you to Chair Randolph and the
9 Board for the opportunity to comment. My name is Kelsey
10 Johnson with Rivian Automotive. We're a U.S. based
11 electric vehicle manufacturer, as well as an electric
12 vehicle service provider developing our own charging
13 stations. My comments today are to voice Rivian's support
14 for amending the current EVSE standards regulation to
15 allow for EMV chip reader or contactless credit card
16 payment technology for both DCFC and L2AC product
17 categories.

18 The support, as you've heard from my various
19 colleagues, are in line with various industry trends that
20 were outlined in the industry coalition letter and
21 subsequent communications to Chair Randolph, as well as
22 the current draft legislation that's being considered by
23 both the U.S. Congress and the European Commission, both
24 of which specifically call out contactless payments for
25 EVSEs as a viable qualified method of payment.

1 If the Board is not willing to move ahead with
2 this suggested change, we support the industry coalition's
3 proposal for CARB to suspend the regulations pending the
4 outcome of the technology review that's currently underway
5 and leverage those learnings to evaluate both DCFC and
6 L2AC requirements upon completion.

7 Thank you again for the opportunity to comment
8 and we look forward to discussing this topic in the
9 future.

10 Thank you.

11 BOARD CLERK ESTABROOK: Thank you.

12 David, you can unmute yourself and begin.

13 DR. DAVID REICHMUTH: Hi. My name is David
14 Reichmuth and I'm speaking on behalf of the Union of
15 Concerned Scientists. I'd like to comment on the EVSE
16 regulations.

17 I think we all know that access to charging is
18 critical to enable transportation electrification and to
19 ensure access having multiple payment methods at the
20 charging station are critical. You know, for EV
21 enthusiasts, early adopters, people with five or six
22 credit cards in their wallet, you know, app based and tap
23 based systems are probably likely the easiest to use. But
24 for a lot of the new ER drivers that we're going to be
25 getting over the next five to 10 years, they may not want

1 to invest the time and effort to figure out the details of
2 EV charging and apps. And we need to make this as easy
3 and familiar as possible. And access is also an equity
4 issue as not everyone has access to a tap payment card.

5 So to be clear, the proposed requirement does --
6 to have a chip reader does not preclude tap or mobile
7 payments. Again this is a false choice that's being
8 presented. It's not about chip readers or contactless
9 readers. They can be -- both be used.

10 And this really isn't a theoretical issue. It's
11 one that I've seen in practice. You know, the last time I
12 was charging my car, the charger would not work with the
13 tap reader. You had to use an app. I saw somebody else
14 pull up and they had to like go through their phone and
15 try to download new apps, figure out what their log-in
16 was, et cetera.

17 You know, having a chip-based card reader means
18 that somebody that doesn't have a tap card or the all apps
19 can still charge. It means it's someone who is in an
20 underground parking garage, someone without a data plan,
21 and someone with a bad or no cell signal can still charge
22 the car, as long as they have the most simple basic chip
23 regard that almost everyone has right now.

24 And chip readers are not some new or challenging
25 technologies. The companies in this space have had lead

1 time to incorporate the readers. And as we look to
2 broaden the EV market having this sort of simple zero
3 friction payment method is important for access.

4 So again, this doesn't -- having the requirement
5 for a chip reader does not preclude having mobile payments
6 or any other new technology. What it does do is ensure
7 that the broadest amount of drivers can potentially use an
8 EV charging station, and that's what the regulation should
9 ensure.

10 Thank you for your time.

11 BOARD CLERK ESTABROOK: Thank you.

12 Patricio, you may unmute yourself and begin.

13 PATRICIO PORTILLO: Yes. Thank you. Good
14 afternoon, Chair Randolph and members of the Board. My
15 name is Patricio Portillo speaking on behalf of the
16 Natural Resources Defense Council here really in strong
17 opposition to what are frankly pretty bizarre and
18 nonsensical requests to modify CARB's EVSE payment
19 standards.

20 Now, end-running the outcome of CARB's regulatory
21 process, you know, which was the result of robust
22 stakeholder review, would undermine equitable access by
23 undoing what we think to be very sensible requirements to
24 provide easy and consistent payment options that serve all
25 drivers. Customers should be able to pay for charging the

1 same way they pay gas stations or parking meters. They
2 shouldn't be resigned to a technology that many customers
3 lack.

4 CARB explicitly evaluated the appropriateness of
5 contactless payments in the rulemaking process, and
6 ultimately decided that allowing companies to install
7 contactless readers in lieu of chip card readers would
8 leave underbanked and low-income drivers behind. To meet
9 California's statewide goals of creating a mainstream
10 market for electric vehicles, increasing access to EVs for
11 low-income households and residents in disadvantaged
12 communities, it is imperative that all drivers have
13 convenient and reliable access to electricity as a
14 transportation fuel where they live, work, and play.

15 Notably, these payment standards merely -- they
16 merely set a floor. You know, charging station providers
17 are still free to exceed these minimum requirements and
18 install any additional payment options they desire, such
19 as contactless card readers.

20 Although the landscape of payment technology is
21 slowly changing, unbanked or underbanked drivers relying
22 on prepaid debit cards still face barriers to paying for
23 charging without chip card readers. Many prepaid debit
24 cards available today still lack contactless capability.
25 And the majority of prepaid debit cards still aren't

1 compatible with mobile wallets, like Apple Pay or Google
2 Pay. If these drivers can't pull up and pay for charging
3 with their prepaid debit cards without calling a 1-800
4 number, we'll be making EVs even less accessible to low
5 and moderate income drivers.

6 Leapfrogging the EMV chip card readers without a
7 technology review and independent evaluation of the
8 current ability of contactless cards to equitably serve
9 the broader EV market would effectively be an end-run
10 around the rulemaking process. The appropriate solution
11 is to meet the market where it is today, while allowing
12 for changes in the future if and when the market changes.
13 And that's exactly what the technology review would do.

14 Thank you and I appreciate the opportunity to
15 comment today and look forward to working with ARB to
16 achieve California's climate, air quality, and equity
17 goals.

18 BOARD CLERK ESTABROOK: Thank you.

19 Our next speaker will be Jay Friedland. After
20 Jay our final four speakers are Bill Magavern, Cory
21 Bullis, Sasan Saadat, and Eileen Tutt.

22 Jay, you can unmute yourself and begin.

23 JAY FRIEDLAND: Thank you very much. Good
24 afternoon, Chair Randolph, ARB Board members, ARB staff.
25 My name is Jay Friedland and I'm the Senior Policy Advisor

1 for Plug In America. We're a non-profit advocating for
2 hundreds of thousands of EV drivers. I'm representing a
3 broad coalition, which includes EV charger manufacturers,
4 EV charging networks, environmental groups, and consumer
5 organizations. And we speak for an even broader group who
6 want to become EV drivers, especially those in underserved
7 communities.

8 We were the original sponsor of Senator Corbett's
9 SB 454 in 2013 which created the ARB EVSE regulation.
10 We've been working on this consumer protection issue for
11 more than ten years and with ARB staff for the last four.
12 They have tried hard to balance the concerns of all the
13 stakeholders.

14 Imagine how you would feel if you pulled into a
15 gas station and didn't know if it would take your credit
16 card, or debit card, or prepaid card for payment and how
17 much the fuel costs. And then in order to fuel, you had
18 to download an app, or call an 800 number, or find a
19 specific prepaid tap card, or join a club just to fill
20 your car. SB 454 was created to make sure this didn't
21 happen.

22 Card readers, and I do want to include that, you
23 know, in terms of EMV chips credit, debit, and prepared,
24 are the most basic ways to solve the issue of never
25 leaving any driver stranded at a public charger. In fact,

1 in the recent report, Electrify America indicated that
2 one-third of their transactions via cards. Consumers will
3 buy more EVs, if we eliminate this barrier and fueling is
4 a familiar experience, which is what the regulation does.

5 We're here today to encourage not relitigating
6 the important work that ARB staff and this Board did two
7 years ago. We have two core principles, one to ensure
8 open and universal access to publicly available charging
9 stations, especially given many of them were deployed with
10 public taxpayer funding, and two, to ensure that open
11 access takes into consideration the needs of disadvantaged
12 communities, many of whom do not possess smartphones,
13 credit cards, bank accounts, and yet are considering
14 purchases of EVs to save their -- on their transportation
15 costs.

16 This underserved consumers will not have broad
17 access to prepaid contactless cards for potentially a
18 number of years, as EMV chip cards, prepaid cards, are
19 just entering the market after almost 10 years.

20 The regulations opponents you'll hear from today
21 want you to believe their cost to add card readers would
22 place an extreme burden on them, while other fuel options,
23 you know -- but we believe that while other fuel options
24 still have card readers, EV charging should provide this
25 basic access feature. Isn't it reasonable to ask them to

1 provide real open access meeting the consumers where they
2 are, rather than where they say they will be.

3 Thank you again for your consideration and I'm
4 also happy to answer questions, if you have questions.

5 BOARD CLERK ESTABROOK: Thank you.

6 Bill Magavern, please unmute yourself and begin.

7 BILL MAGAVERN: Thank you. Bill Magavern with
8 the Coalition for Clean Air weighing in on this topic of
9 the EV charging payments. And I agree with the comments
10 of Dave Reichmuth, Patricio Portillo, and Jay Friedland,
11 so I'll be brief.

12 You know, I also remember the law that called for
13 this regulation and I remember that its author, Senator
14 Corbett, came to the Board to testify in support of the
15 regulation. I believe that was in 2019. And now with the
16 rule scheduled to go into effect in just about two months
17 from now is certainly not the time to diverge and change
18 course.

19 In fact, one of the key pillars of smart
20 regulation is regulatory certainty. And so I would think
21 that by now since new charging installations will be
22 required by January 1st to have the equipment, I would
23 think that that equipment has been ordered. And so to
24 pull the rug out from under the regulation now would be a
25 real mistake.

1 The main goal that we have in this is to
2 democratize electric transportation. We want it to be
3 accessible to all Californians, even those who are
4 unbanked or may not have smartphones. And for those
5 folks, we need to make the charging accessible. They
6 shouldn't have to download an app in order to charge their
7 cars. I don't think Californians would tolerate that
8 situation if, in order to fuel a car with gasoline, they
9 had to download an app.

10 So please stay the course and continue with this
11 smart and sensible rule. Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Cory Bullis, you can unmute and begin.

14 CORY BULLIS: Good afternoon Chair and Board
15 members. Corey Bullis on behalf of FLO. We are also a
16 manufacturer and provider of EV charging stations and we
17 have over, you know, 50,000 stations sold and deployed
18 across North America.

19 I would like to first just take a moment to say
20 we want to thank the Board for their work on this
21 development of this regulation. It's been a long process.
22 It hasn't been an easy process. And we're certainly
23 appreciative of the fact that the Board is working
24 expeditiously to try to accelerate its completion of the
25 technology assessment, given how pertinent and relevant it

1 is to our manufacturing and deployment of stations in
2 California.

3 You know and I certainly acknowledge the comments
4 made by a lot of my colleagues from NRDC, and Plug In
5 America, and Coalition for Clean Air, and others, because
6 I think we all share a vision here that is to help drivers
7 to get infrastructure deployed. I think we care about the
8 success and the future of this industry. I think
9 ultimately we are aligned with our industry colleagues
10 that technology has been evolving for some time in the
11 payment industry here and that it's important that we
12 continue to focus on what's happening now in the
13 technology space and what's -- and how that's only
14 becoming even more prevalent in terms of contactless
15 payment.

16 The truth is I don't think we're trying to
17 present this as a binary choice. It's more to say that
18 contactless cards are here, and they're here to stay, and
19 they're only increasing in prevalence. And so by
20 mandating EMV chip readers, you know, we're ultimately
21 getting saddled with additional costs, and operations and
22 maintenance complexities that we don't think truly
23 furthers the market when it comes to deploying and scaling
24 up EV charging infrastructure.

25 So thank you for your consideration today.

1 BOARD CLERK ESTABROOK: Thank you.

2 Sasan Saadat, you can unmute and begin.

3 SASAN SAADAT: Thank you. Yeah. Sasan Saadat
4 with Earthjustice. And I'll keep my comments brief,
5 because mostly we'd like to echo the comments made by
6 Union of Concerned Scientist, NRDC, Coalition for Clean
7 Air.

8 Really our comments are just that anyone on the
9 Board that considers themselves an environmental justice
10 champion, anyone whose vision of clean mobility extends
11 beyond the affluent and early adopters should just stand
12 by these requirements. Bending to these last minute
13 demands, which are frankly really unbecoming of the EVSE
14 industry, which models itself as a -- as partners and
15 access to clean mobility, would be unjust.

16 We're not requiring you to take away contactless
17 payment. We're just making sure that everyone has access
18 to EVSE charging, so please just stay the course.

19 Thank you.

20 BOARD CLERK ESTABROOK: Thank you.

21 Eileen Tutt, you can unmute and begin.

22 It looks like Eileen dropped off.

23 Let's go next to Adam Mohabbat.

24 ADAM MOHABBAT: Hello. Good afternoon, Chair
25 Randolph, Board members, and staff. Adam Mohabbat here

1 with EVgo. We are the nations largest network of public
2 EV fast charging stations and really appreciate the
3 opportunity to comment today.

4 First, we'd like to thank staff and Board members
5 for their time and willingness to discuss EVSE standards,
6 as well as moving expeditiously on the technology already
7 by staff. It is important for us to note that while EVgo
8 is in position to comply with the currently requirements,
9 we concur with the industry proposal that allowing
10 contactless credit card readers to fulfill the minimum
11 credit card payment methodology requirement is frankly
12 good policy and would allow industry to scale deployment
13 of infrastructure on an accelerated case, while adding
14 accessibility to all drivers.

15 In addition to what other industry stakeholders
16 have mentioned today, I would mention that California is
17 likely to receive hundreds of millions of dollars in
18 infrastructure funding from the bipartisan infrastructure
19 package happening on the federal level. And this funding
20 will allow for contactless as an option to fulfill their
21 respective credit card reader requirements.

22 So really, we would encourage congruence between
23 ARB's requirements and that of the federal funding. Thank
24 you for your consideration and we look forward to
25 continued engagement with ARB to help decarbonize our

1 transportation sector and bring cleaner air benefits to
2 us. Thank you.

3 BOARD CLERK ESTABROOK: Thank you.

4 Eileen, I see that you're back on. You can
5 unmute yourself and begin.

6 EILEEN TUTT: Thank you. My name is Eileen Tutt
7 and I am the Executive Director of the California Electric
8 Transportation Coalition.

9 I do want to echo the comments made by Plug In
10 America with regard to the card reader, or chip reader, or
11 the choices between how consumers pay. I think it is -- I
12 think what's important here is the process. CARB has a
13 very thorough and inclusive process that where changes are
14 made to regulations on a regular basis to update them to
15 more adequately represent the technologies that are
16 available in today's market. So I'm not going to suggest
17 one way or the other that we should have card readers or
18 chip readers. I think we need to -- if we want to make
19 modifications to the regulation, it's a fair request, but
20 that doesn't mean we, you know, put on hold the regulation
21 that is in current -- currently in place in order to
22 provide more equitable access to charging infrastructure
23 to all Californians.

24 So while I understand that the technology
25 advancements are moving fast, and it's important that we

1 recognize that, I also think that the CARB process
2 inclusivity and any equity requirements are all -- were
3 all considered during the very extensive public process.
4 And it is important not to just modify those regulations
5 randomly a month before they're -- or two months before
6 they're about to go into place. So although I have some
7 sympathy and I understand the technology advancements, I
8 also support the original CARB staff proposal, the CARB
9 Board action. And if we are going to change that action,
10 then I think it requires a whole public process and not
11 letters to the Chair of the Air Resources Board or letters
12 from the Legislature. I think those are important, but
13 they cannot change a regulation that was adopted by the
14 full Board and was supported by many, many interested
15 stakeholders.

16 So thank you very much.

17 BOARD CLERK ESTABROOK: Thank you.

18 Our next two speakers will be Todd Campbell and
19 Chris King. Todd, you may unmute yourself and begin.

20 TODD CAMPBELL: Good afternoon, Chair Randolph
21 and members of the Board. Todd Campbell, Vice President
22 of Public Policy and Regulatory Affairs for Clean Energy.

23 You know, I just wanted to further comment on
24 today's Mobile Source Strategy, and that -- many Board
25 members mentioned that we need to get combustion trucks

1 off the road and we don't disagree. We think ultimately
2 we need to move zero-emission platforms. You know, I
3 think what we're trying to say is we need to set the bar
4 higher when it comes to combustion technology and make
5 sure that we don't choose a diesel truck known to cause
6 cancer and reproductive harm, that we don't choose a
7 diesel truck that we know is the number one source of
8 pollution, that we create scenarios where fleets if they
9 cannot find a zero-emission truck or a near zero-emission
10 truck as defined under the Advanced Clean Fleet Rule as
11 operational if feasible or commercially available, that
12 they're able to get into a low-NOx truck that cuts NOx
13 emissions by 90 percent, that can use a renewable fuel
14 system, renewable natural gas, which is a negative carbon
15 fuel. That provides immediate relief to disadvantaged
16 communities today.

17 We are very concerned that our Attorney General
18 Bonta is going to the Environmental Protection Agency
19 arguing for a 0.02 gram standard in 2027. We already meet
20 that standard. We don't know if diesel can meet that
21 standard. And I think that that's why that lobbying
22 effort is going forward. I also am very concerned that my
23 reports from them still are that battery electric
24 technology and hydrogen technology isn't around the
25 corner. It's going to take some time, and that's okay. I

1 mean, we're willing to put in the work, but what do we do
2 in the meantime? What do we do in terms of charming?

3 Our customers are telling us, for example - in
4 fact our members are telling us - that they have
5 facilities in Southern California that would demand 119
6 megawatts of power to power the 329-fleet vehicle
7 operation. And they're a 24 hour, 7 operation. I was a
8 Mayor that put in a 329-megawatt facility, the Magnolia
9 Power Plant. It's a combined cycle natural gas plant in
10 Burbank that supplied power to five cities. One facility
11 taking 119 megawatts is significant. So there needs to be
12 some major coordination to be able to move to zero.

13 In the meantime, all we are saying is don't let
14 us fall through the cracks. Don't let the communities
15 fall through the cracks by just accepting the baseline.

16 Thank you.

17 BOARD CLERK ESTABROOK: Thank you.

18 Chris King, you can unmute yourself and begin.

19 CHRIS KING: Thank you, Chair and the Board. I'm
20 Senior Vice President eMobility at Siemens, and we are one
21 of the largest manufacturers of EVSEs globally and are
22 actually building a plant in California where we expect to
23 manufacture over a million units over the next few years,
24 adding to our existing base where we -- of employees,
25 where we employ over 4,000 Californians in good-paying

1 clean tech jobs.

2 I wanted to express our support for maintaining
3 the current regulation around credit card readers for
4 EVSE. We were an active participant in the process -- the
5 lengthy process and very open and active stakeholder
6 process to adopt the regulation and continue to support it
7 for the very reason that open payment remains a
8 significant issue. There's range anxiety being able to
9 find a charger and then there's charge anxiety, being able
10 to use it when you actually find the charger, and that's
11 being able to pay for it, if it's a public charger, of
12 course. So again, we continue to support the regulation
13 and thank you for the opportunity to comment.

14 BOARD CLERK ESTABROOK: Thank you. Chair
15 Randolph, that concludes the commenters.

16 CHAIR RANDOLPH: All right. Thank you. I have a
17 couple of board members who would like to speak. Board
18 Member Florez.

19 BOARD MEMBER FLOREZ: Thank you, Madam Chair. I
20 just want to say a couple comments and I do have a request
21 for the consideration of the Chair and the Board, but
22 first let me say, in my time on the ARB, I guess in those
23 years I've learned a couple of things. The first is the
24 Board, under Mary Nichols and now you Madam Chair, we have
25 a tendency to always look to the future. Almost on every

1 issue, we make these very large leaps.

2 And, in fact, I think my colleague Diane will
3 remember I think it was my first Board meeting where we had
4 a very strenuous conversation regarding the jump from CNG
5 buses to electrified buses. And I remember the arguments
6 were, you know, the data tells us today that -- and the
7 infrastructure speaks to CNG, but I remember us all
8 talking about what the future is going to look like, and
9 without much data in hand, you know, we kind of leaped to
10 why would we ask people to build more CNG facilities when
11 we know we're going to turn the corner and we're going to
12 electrify our buses, and our fleets, and everything else.
13 And I remember that contentious debate late into the
14 evening, it felt like, really about what the choices were
15 for the Board and whether we're going to look out to the
16 future, in some cases or not. So I just want to make sure
17 I feel like that has always been a guiding principle for
18 us.

19 The second principle, since I've been on the
20 Board, is using good data. In fact, we're a science based
21 board. We always rely on the science, sometimes the
22 science cuts way one. Sometimes it cuts the other, but I
23 always feel like the Board's been good about being
24 flexible enough to utilize data. And in this case, the
25 discussions seems to be around technology, chip,

1 contactless, you know, whatever that may be, but it feels
2 to me like we have an upcoming technology review that is
3 incomplete. It's still not here. Very hard for us to
4 make that leap without something like that in hand.

5 So it's interesting to hear folks say keep things
6 the same, you know, even though we know the future is
7 going to be there, you know, we're better with just
8 keeping the rule. But in this case, it's kind of like the
9 CNGs. You know, it's kind of like saying to -- in my
10 view, it's kind of like saying to the companies put
11 something in the ground that you're probably going to have
12 to service for 10 years, five years. It's going to be out
13 of date, but yet, the whole time we knew we were going to
14 made you switch. We're going to make you go to electric.
15 In this case, we're going to make you go to contactless.

16 And I guess my worry is in that type of thinking
17 with very little data in hand, with, you know, a
18 technology discussion that's yet to be had or presented,
19 you know, it feels like we're in this really odd space for
20 the next five months, where, you know, the data may show
21 lots of these folks that were on earlier today have done a
22 good job of rattling the cages. I don't know if any of
23 you are -- you know, have gotten the calls that I've
24 gotten from folks - i'm sure you all have - legislators,
25 people involved in the industry, EJ groups, others.

1 But I think this -- I think the reason we're
2 having so much trouble with this is that it really is a
3 choice about whether we're going to make people do stuff
4 that we all know is going to change. We all know it's
5 going to cost money. Like the CNG buses, they were
6 saying, you know, if we go to electrification, it's going
7 to cost riders more money. You know, in this case, we're
8 saying, you know, build the old infrastructure and service
9 this, costs will go up even according to our own reports,
10 and those folks who are worried about affording it, it's
11 actually going to be more.

12 You know, those are the kind of things I worry
13 about. So I don't really -- you know, in some sense, it's
14 interesting to hear groups, EJ groups, business groups,
15 and others kind of switch places, you know, depending on,
16 you know, this particular issue.

17 I would say that our two guiding principles that
18 we've always utilized should be a good, you know, compass
19 us. You know, we should look to the future. We should
20 really think hard about whether we have the data in hand,
21 and the studies, and the things necessary to make a big
22 decision like infrastructure on anything, CNG, charging
23 stations, dairy digesters, you know, things that we've
24 talked about today.

25 You know, we make big bets here, but it feels

1 like we always have something to rely on in terms of the
2 science. I'm not sure we have that today. So I'm going
3 to request that we have an information item next month at
4 our November 19th meeting to just get an update, you know,
5 try to figure out in some sense where we're at. And I do
6 know we're heading into that January 1st implementation
7 stage. And I know some folks want to -- that not to
8 happen. And I know the other folks today said it should
9 happen, but we're the Board, and it feels like if we're
10 not comfortable with what the data, and the technology,
11 and the thrust of what we've always done is telling us, no
12 slight on anyone. It just feels like we should try to
13 struggle with what that nexus looks like.

14 If our study isn't going to be done till January,
15 and it's been reviewed, it's been in place that we've
16 asked for since '19, it kind of feels like bad on us if we
17 aren't waiting for data that would give us a better
18 decision that actually has to do with true infrastructure
19 going into the ground. And if the data cuts the other
20 way, then, you know, bad on companies and let's move
21 forward.

22 But it just feels like -- Madam Chair, it just
23 feels like as a request, if we can just put this on the
24 agenda for the 19th meeting of November, when we come
25 back, you know, allow our staff to continue to do what

1 they do well, which is pull people in and try to find
2 things that work. And if the report is the same, then the
3 report is the same. But I do feel like at least from my
4 perspective, you know, it would be good to get an update.
5 I'm not saying a motion to change the rule in January.
6 I'm not saying put it off. I'm not -- you know, I think
7 I -- my comments earlier kind of point to that's a big
8 decision we have to make.

9 But I would say we've done it, in many cases. I
10 mean, you know, this whole electric bus thing and CNG
11 always sticks in my mind as this huge leap. In fact, I
12 remember my colleague Diane saying we know it's coming, so
13 why are -- why are we waiting for the interim? We do the
14 same with all of the arguments we have on natural gas.
15 You know, we have -- we make these leaps.

16 But in this case, it seems like we are sticking
17 to what the state of State is today. And I'm worried that
18 if we're looking for EV adoption, if we're looking for
19 people to really take this on, you know, we should have
20 both for sure, but we shouldn't leave one out. I mean,
21 that's kind of my overall thought and thrust.

22 So just request, I don't know if -- I would love
23 to hear what my other colleagues how they feel about it,
24 but it just feels like just at least agendizing this for,
25 you know, a discussion would be great. And if the staff

1 could please, you know, obviously meet with these
2 stakeholders, it would save us a lot of calls, and
3 letters, and all the things that we all get on contentious
4 items.

5 But it does feel, and it's never an issue, I know
6 for Richard and staff to meet with folks, but I would also
7 request that that happen as well.

8 Thank you.

9 CHAIR RANDOLPH: All right. Thank you.

10 I'll just note a few things before I turn this
11 over to my colleagues who want to speak on it as well.
12 There were a lot of good comments made. I want to
13 particularly note, I thought Eileen Tutt's comments were
14 excellent. I mean she pointed out that the technology is
15 moving and we understand that, but we also need to
16 understand that there is a process. The Board adopted the
17 regulation based on an extensive public process. And now
18 staff has a technology review underway that unfortunately
19 is taking longer than I would have hoped, but will not be
20 ready unfortunately for November.

21 So as we think about this issue and how we want
22 to move forward, I'm hesitant to put it on the agenda for
23 November, because we won't have any new data. We won't
24 have any information until closer to January. And so I
25 think what the Executive Officer has proposed, which I

1 think makes a lot of sense, is get that technology review,
2 have the opportunity to get some input from folks, some
3 additional data from folks, and then the Board can
4 agendize this item after that and sort of lay out a path
5 forward based on what we see in that technology review.

6 So I think that kind of achieves the goal of
7 taking a look at this issue and trying to make sure we're
8 as up-to-date as possible, but also recognizing that this
9 all needs to be part of the standard regulatory process of
10 really engaging with all of the stakeholders to understand
11 what the various issues are.

12 And I really appreciate commenters who pointed
13 out that there is nothing in the rule that precludes the
14 addition of contactless, so long as the chip readers are
15 still available for the broader swath of customers. And
16 the technology review I think will help us understand what
17 the pace of that transition is and what point we can start
18 feeling confident that other types of payments will be as
19 ubiquitous as the chip readers are at this point.

20 And I do think it's important in the conversation
21 around that technology review to understand sort of what
22 we're looking for, like what do we want to see in terms of
23 adoption and trying to understand what most customers
24 need. So I'm hoping that the technology review itself or
25 input from the Board after seeing the technology review

1 can help inform kind of the standard that we're going to
2 be looking for as we -- as we think about reopening the
3 regulation.

4 And then lastly, I will note. I think -- I
5 completely agree with the point that, you know, we should
6 certainly meet with companies, and stakeholders, and make
7 sure that we're conveying as much information as possible,
8 and that we're receiving as much information from them as
9 possible. So I certainly want to keep those lines of
10 communication open.

11 So I see several Board member hands up. So Dr.
12 Pacheco-Werner is next.

13 BOARD MEMBER PACHECO-WERNER: Thank you, Chair
14 and thank you for what you're offering. I do think that
15 we do need to consider it and I do understand the need to
16 have the open process that we need to have. I would just
17 ask that when we have the review come back to us, that
18 part of it includes talking to actual unbanked people.
19 Because while I understand and I am very committed to
20 equity, the unbanked people that I interact with through
21 my work on -- in COVID don't use chip cards. They use
22 Zelle, they use Cash App.

23 And so I do think that there's a little bit of a
24 dysfunctional rescuing happening that like my colleague
25 Dean has talked about, you know, really let's base it on

1 data and facts on the ground, as well as these broader
2 swaths of where technology is going as a whole. Let's
3 actually talk to and understand who the people that we're
4 trying to get equity for actually live and experience on a
5 daily basis.

6 Thank you.

7 CHAIR RANDOLPH: Thank you.

8 Board Member Riordan.

9 BOARD MEMBER RIORDAN: Thank you. I need to
10 unmute myself.

11 I'd just like to agree with you, Madam Chair, and
12 to understand we have sort of a difficult situation,
13 whereby we don't have the technology report in front of
14 us. It should and hopefully will be done in January. And
15 I hope that staff will move it forward as fast as they
16 can. But I would feel very uncomfortable making any kind
17 of a decision at this point in time and believe that until
18 we see that technology report, I couldn't possibly make a
19 rational decision at this moment and would think that it
20 is best to have that input that you talked about as well
21 with the stakeholders and to, you know, follow through on
22 people who actually use these that we're trying to help be
23 a part of the electrification of automobiles, and probably
24 in this case many of them who we want to encourage.

25 And particularly, there's going to be a secondary

1 market very soon and people who may not have access to
2 credit cards we'll want to encourage them and we won't be
3 encouraging them if we put some road blocks in their -- in
4 their way. So I would definitely want to wait. And I've
5 told those who have spoken to me, part of the industry,
6 that I would just simply have to have that report before I
7 would ever want to make a decision, if I were to change
8 what we already have on the books.

9 Thank you.

10 CHAIR RANDOLPH: Thank you.

11 Board Member Hurt.

12 BOARD MEMBER HURT: Thank you, Chair.

13 Dr. Pacheco-Werner hit my comments. And I just
14 want to uplift what she said, which I think is really
15 important for all of us is to truly get an accurate
16 picture of what equity and access is in this space by
17 understanding how unbanked individuals are paying for all
18 things in this environment. And also, I'd like to get the
19 data around how folks in highly impacted communities are
20 paying for everyday purchases, so that we can really
21 understand the lay of the land on this topic.

22 I want to uplift also the comments with regards
23 to getting that technology review faster than ever. I
24 know it's been on the table for a bit, but I want us to
25 use our monies wisely and use it towards infrastructure in

1 a way that complements all the work that we're doing here
2 and not putting us back as it has been expressed by
3 Senator Florez.

4 So again, getting a clear picture about equity
5 and access and how folks are spending money in highly
6 impacted communities I think is the data we need along
7 with that of technology.

8 CHAIR RANDOLPH: Board Member De La Torre.

9 BOARD MEMBER DE LA TORRE: Thank you.

10 I will echo the comments of my colleagues who are
11 committed to following through on the regulation that we
12 approved, that we went through a whole process with and
13 that we need. If we're going to have an intelligent
14 discussion, having that data the report, is vital to that.
15 Otherwise, essentially, you know, if we -- whether it's in
16 November or December, we would essentially be having a
17 conversation like what we just had for the last 45
18 minutes.

19 So having, you know, a bunch of folks expressing
20 their opinions is not a substitute for a full, robust CARB
21 process, like we had leading up to this regulation that's
22 going to kick-in in January. Once we have new data, once
23 that -- once we've touched on those points that some of my
24 colleagues just mentioned, then we can have a discussion
25 about whether we expand, or modify, et cetera.

1 And I find it interesting that there's this
2 fixation on the payment method. I think it's more
3 important to focus on the service itself. I, for one,
4 have gotten a lot more complaints from people who have EVs
5 trying to get charging infrastructure, trying to get the
6 charging infrastructure to work for their vehicle up and
7 down the state of California, and I've never heard from
8 them about payment problems. The problem is with the
9 service.

10 So I'd love to have a conversation about all of
11 these charging companies and the service that they are
12 provided or not to consumers.

13 Thank you.

14 CHAIR RANDOLPH: Thank you.

15 Board Member Kracov.

16 BOARD MEMBER KRACOV: Yes, I also agree for the
17 need. We're talking about all of this in response to
18 public comment on a non-agendized item. It's not the way
19 to do it. And I appreciate Board Member Florez's comments
20 about trying to get to the bottom of this before the
21 regulations starts to take effect. On the other hand, it
22 has to be a well-informed process. And it's interesting
23 to hear from Board members Pacheco-Werner and Hurt, you
24 know, that many of the unbanked possibly are not using the
25 chips in the first place.

1 So I'm looking forward to this being and
2 agendized item soon, that have the information on --
3 again, we don't want to be investing in costly
4 infrastructure without the promised technology review that
5 I think was the subject of the Board meeting, of course,
6 before I was on the Board. When that happens, also
7 interested in metrics. You know, what are the goal posts
8 here to satisfy our staff and to satisfy our Board about a
9 certain technology, whether it be contactless or
10 otherwise? What is the metric that we're trying to
11 satisfy to show that something has the kind of acceptance
12 that can be used.

13 So hopeful that when our staff get back to us,
14 this concept of the metric vetted by the stakeholders and
15 openly by the Board, can be discussed.

16 Thank you, Chair.

17 CHAIR RANDOLPH: Thank you.

18 Dr. Balmes.

19 BOARD MEMBER BALMES: Very quickly, because I
20 know we need a break, I just want to endorse Board Member
21 De La Torre's comment about service. It was just ironic
22 to meet, I just attended the Institute for Transportation
23 Studies future of transportation and climate conference at
24 Asilomar, and neither one of the two charging stations --
25 I won't mention the company, so as not to embarrass them,

1 neither one of them worked. It was pretty ironic at a
2 future of transportation discussion.

3 And I -- you know, up and down California, as
4 a -- I said this morning, as a battery electric vehicle
5 driver, I'm incredibly frustrated about trying to get, you
6 know, access to decent charging. Half the time the
7 chargers, you know, don't work and I -- or if they work,
8 you have to call in an 800 number to get access to it, and
9 that's even with the -- a company card that you're
10 supposed to tap. So that -- I just couldn't resist
11 chiming in after Hector.

12 CHAIR RANDOLPH: Thank you much very much.

13 Well, at the risk of making the technology review
14 add more information, I will say I thought Board Member
15 Hurt and Dr. Pacheco-Werner's comments were really spot
16 on. To the extent we can get some information about how
17 folks are actually accessing, that would be excellent.

18 So I think I hear a plan going forward that, you
19 know, we will bring this back to the Board not right away
20 in November, but after we have some more data and some
21 more information to discuss. And in the meantime, I'm
22 sure our Executive Officer will make our staff available
23 to meet with those who are interested in this regulation
24 and the implementation of it.

25 So with that, we will be taking a break and our

1 next agenda item will begin at 4 p.m.

2 Thank you.

3 (Off record: 3:35 p.m.)

4 (Thereupon a recess was taken.)

5 (On record 4:02 p.m.)

6 CHAIR RANDOLPH: All right. Welcome back. As a
7 reminder, I'm going to go through the meeting procedures
8 again for those of you who are just joining us today.

9 So in accordance with Assembly Bill 361, we are
10 conducting this evening's meeting with Zoom. And I've
11 organized the proceedings to mirror our normal Board
12 meeting as closely as possible, but there will be some
13 differences and we request your patience and
14 understanding, if any technical problems arise.

15 A closed captioning feature is available for
16 those of you joining us in the Zoom environment. In order
17 to turn on subtitles, please look for a button labeled
18 "CC" at the bottom of the Zoom window, as shown in the
19 example on the screen now.

20 I would like to take this opportunity to remind
21 everyone to speak clearly, and from a quiet location,
22 whether you are joining us in Zoom or calling in by phone.
23 Interpretation services will be provided in Spanish. If
24 you are joining us using Zoom, there is a button labeled
25 "Interpretation" on the Zoom screen. Click on that

1 interpretation button and select Spanish to hear the
2 meeting in Spanish.

3 (Interpreter translated in Spanish.)

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

7 BOARD CLERK ESTABROOK: Thanks, Chair.

8 Good evening, everyone. My name is Katie
9 Estabrook and I'm one of the Board Clerks. I will provide
10 some information on how to participate -- how the public
11 participation will work for today's meeting. If you wish
12 to make a verbal comment on one of these Board items in
13 Zoom, you will need to raise your hand or -- raise your
14 hand if you're calling in the Zoom webinar or if -- dial
15 start nine if you're calling in by phone.

16 If you are currently watching the webcast on
17 CAL-SPAN, but you do wish to comment, please register for
18 the Zoom webinar or call in. Information for both can be
19 found on the public agenda. To make a verbal comment, we
20 will be using the raise hand feature in Zoom. If you wish
21 to speak on a Board item, please virtually raise your hand
22 as soon as the item has begun and let us know you wish to
23 speak. To do this, If you are using a computer or tablet,
24 there is a raise hand button. If you are calling in on
25 the telephone, dial star nine to raise you hand. Even if

1 you've previously registered and indicated which item you
2 wish to speak on, please raise your hand at the beginning
3 of the item that you wish to speak on. If you don't raise
4 your hand, your chance to speak will be missed.

5 If you'll be giving your verbal comment in
6 Spanish and require translation, please indicate so at the
7 beginning of your testimony and our translator will assist
8 you. During your comment, please pause after each
9 sentence to allow for the interpreter to translate your
10 comment into English. When the comment period starts, the
11 order of commenters will be determined by who raises their
12 hand first. I will call each commenter by name and then
13 activate each commenter when it is their turn to speak.
14 For those calling in, I will identify you by the last
15 three digits of your phone number.

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

21 I would like to remind everyone, commenters,
22 Board members, and CARB staff to please state your name
23 for the record before you speak. This is especially
24 important if you are calling in by phone.

25 We will have a time limit for each commenter.

1 The normal time limit is three minutes, though this could
2 change based on the Chair's discretion. During public
3 testimony, you will see a timer on the screen. For those
4 calling in by phone, we will run the timer and let you
5 know when you have 30 seconds left and when your time is
6 up.

7 If you require Spanish translation for your
8 comment, your time will be doubled. If you wish to submit
9 written comments today, please visit CARB's
10 send-us-your-comments page or look at the public agenda on
11 our webpage for links to send these documents
12 electronically. Comments will be accepted on each item
13 until the Chair closes the record for that item.

14 I would like to give a friendly reminder to our
15 Board members and our CARB staff to please mute yourself
16 when you are not speaking to avoid background noise. And
17 also when you do speak, please speak from a quiet
18 location.

19 If you experience any technical difficulties,
20 please call (805)772-2715 so an IT person can assist you.
21 That number is located on the public agenda. Thank you.
22 I'll turn it back to you, Chair Randolph.

23 Thank you.

24 The next item on the agenda is item number
25 21-11-3, informational update on the AB 617 Community Air

1 Protection and Air Toxics programs. If you wish to
2 comment on this item, please click the raise hand button
3 or dial star nine now. We will call on you when we get to
4 the public comment portion of this item.

5 AB 617 is a significant step to transform
6 California's air quality programs to address air pollution
7 disparities at the community level. AB 617 requires
8 enhanced stationary source reporting requirements for both
9 criteria and toxic air pollutants, accelerated retrofit of
10 pollution controls on certain stationary industrial
11 sources, increased penalties, greater transparency and
12 availability of air quality and emissions data, and
13 incentive funding to reduce emissions and exposures
14 locally within communities ahead of regulation deadlines.

15 AB 617 is also helping to refocus the Air Toxics
16 Program to prioritize reducing toxics exposures in
17 communities most impacted by air pollution.

18 To realize the goals of community air protection
19 and the Air Toxics Programs, CARB is taking a holistic
20 approach that brings in staff from multiple CARB divisions
21 to improve air quality in our communities. Together,
22 staff works to create and foster strong working
23 relationships between community members, community
24 advocates, air districts, and industry.

25 Just as AB 617 and the Air Toxics Program demand

1 a new approach to air quality planning, this update will
2 take a new form for this Board. There will be panels
3 representing some of our community members, air district
4 partners, and key CARB division partners, so that we can
5 hear directly from those who are instrumental in
6 understanding the challenges and working toward the
7 successful implementation of these programs.

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

9 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

10 Just three years ago, the Board approved The AB
11 617 program blueprint, the statewide strategy called for
12 in the law that has guided the now 15 communities in the
13 program. Expectations were high, but we know three years
14 is a short time to see improvements in air quality. CARB
15 and air districts have been in the business of air quality
16 protection for over 50 years, on climate for over 20, and
17 at a focused community scale for only about four, the
18 first year, which was spent in launching the program.

19 Tonight's item, as you noted, sets the stage for
20 the necessary program refinement and resetting. AB 617
21 calls on CARB and air districts to take significant action
22 to address disproportionate air pollution burden suffered
23 by disadvantaged communities, and in the process,
24 developed a new model for reducing air pollution exposure
25 and emissions at the community level. And just as

1 important, working at the community scale has taught CARB
2 and air districts many lessons, the importance of
3 community engagement and co-learning is fundamental to a
4 successful and effective program.

5 AB 617 has been a catalyst for necessary growth
6 and change. For example, the commitment to a pesticide
7 notification program as a priority in the emission
8 reductions plan for Shafter has led to the Department of
9 Pesticide Regulation to move forward on a statewide
10 notification system, a system that will benefit many
11 communities.

12 Tonight, as you noted, you'll hear from a
13 coordinated update from our Office of Community Air
14 Protection and Air Toxics Program. Both programs rely on
15 each other. For example, our Air Toxics Program reviews
16 community emission reduction plans to better understand
17 community priorities and guides its work.

18 Since the early 1980s, our comprehensive Air
19 Toxics Program has focused on identifying and controlling
20 toxic air contaminants, informing the public of
21 significant emissions of air toxics from stationary
22 sources and assessing and reducing the health risks from
23 those exposures. The Air Toxics Program addresses the
24 health impacts of air toxics exposures to communities, and
25 includes measures to protect children and other sensitive

1 receptors.

2 Both the AB 617 and Air Toxics Programs require
3 air districts, CARB, and communities to work together to
4 be successful. Within CARB, we rely on staff from many
5 divisions to carry out the requirements of these programs.

6 In today's update, we're fortunate to have the
7 opportunity to hear from external and internal partners
8 directly through two panel discussions, as you noted. The
9 first panel will highlight community environmental justice
10 leaders who participate on AB 617 community steering
11 committees, some of who have also worked to institute
12 positive change through AB 617 community air grants or
13 supplemental environmental projects. We'll also hear the
14 valuable insights and experiences of three air district
15 representatives who are front-line public servants charged
16 with implementing the AB 617 community emissions reduction
17 and air monitoring plans.

18 The second panel, CARB staff, represents many
19 divisions who work on both air toxics and community air
20 protection programs. Staff will share their experiences
21 and strategies supporting key aspects of the Community Air
22 Protection Program as well as how the AB 617 program has
23 changed they way they do their work.

24 We'll also hear about the work that is being done
25 within the Air Toxics Program as well as efforts to extend

1 program benefits to other disadvantaged communities across
2 the state.

3 Chanell Fletcher, our Deputy Executive Officer of
4 Environmental Justice, will moderate the panels. AB 617
5 requires us -- requires us to rethink the way we have
6 historically engaged with stakeholders. The charge to
7 ensure that no California residents are left behind as we
8 work to achieve our air quality goals is rooted in equity,
9 and we cannot be successful in advancing equity if we do
10 not work effectively with others.

11 I'll now ask Deputy Executive Officer Fletcher to
12 introduce the panels and guide the panel discussions.

13 Chanell.

14 (Thereupon a slide presentation.)

15 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
16 Richard. So as Richard shared, I'm the Deputy Executive
17 Officer for Environmental Justice and I am responsible for
18 the integration of environmental justice and equity across
19 CARB, which is a very big job.

20 Our environmental justice and our equity team
21 focuses on working with programs throughout CARB to
22 support their capacity to better engage with communities.
23 And for AB 617, our environmental justice unit was
24 instrumental along with the Office of Community Air
25 Protection in launching the AB 617 Program three years

1 focus on PM2.5 and toxic air contaminants. So tonight,
2 we'll also hear an update from our air toxic programs,
3 which is led by our Transportation and Toxics Division.

4 Both the Air Toxics Program and the Community Air
5 Protection Program rely on other divisions within CARB, so
6 our second panel will feature a number of key Division
7 partners. They'll share how we work together within CARB
8 to advance the goals of AB 617 and how the program has
9 changed the way they do their work.

10 To set the table for our first panel, I'll ask
11 Deldi Reyes, the Director of the Office of Community Air
12 Protection, to share some background about our work with
13 our community and air district partners.

14 OCAP DIVISION CHIEF REYES: Thank you so much,
15 Chanell. And I do just want to note that for you and I,
16 we've started at CARB in our respective roles together on
17 February 1st. It's been nine months. It has flown by.
18 And I just want to thank you for your leadership and your
19 vision. It has been a joy, and a pleasure, and a learning
20 experience to work under you in this program.

21 Thank you.

22 Good afternoon, Chair Randolph and Board members.
23 What I'd like to share with you is informed by the nine
24 months I've served in this role as the Director of OCAP,
25 where I've learned a lot from air districts and community

1 leaders, and also through the recent convening organized
2 by UC Davis, but finally, and most importantly, by what is
3 presented in the People's Blueprint.

4 Our goal tonight is to share with you a broad
5 overview of where we are now four years into the program.
6 Then in December, we will provide our annual update
7 report, which will be informed by the convening, our
8 review of air district-submitted annual reports, and our
9 own reflections and analysis.

10 As Richard noted, our purpose now is to set the
11 table for the deliberation that will form -- inform a
12 reset and strengthening of the Community Air Protection
13 Program. Future proposals we bring to you will be shaped
14 by engagement with partners and stakeholders.

15 I'd like to reflect on the purpose of AB 617.
16 For those who follow clean air law, AB 617 represents a
17 novel approach, clean air protection at the community
18 scale. For those who understand the history of racism in
19 this country and the origin of environmental injustice, we
20 understand why the law calls for a community-focused
21 approach and why the law calls for CARB and air districts
22 to use all existing authorities, permitting, enforcement,
23 and rulemaking to address both mobile and stationary
24 source emissions in communities.

25 Again, the reason for this is that although air

1 collaboration and shared goals.

2 A key to doing that is sharing power across air
3 districts, CARB, and communities, addressing conflicts,
4 and taking actions that are consistent with community
5 priorities. This is also why we see such a strong focus
6 in the People's Blueprint on conflict resolution and
7 collaboration.

8 I have a small but powerful example of sharing
9 power. This example focuses on process. Process is
10 important in that more equitable processes are more likely
11 to lead to more equitable outcomes. When community
12 steering committees first began to meet and engage with
13 air districts and CARB, the value and role of the
14 third-party facilitator was not readily accepted by most
15 air districts. However, over time, we've seen a common
16 practice emerge on relying on third-party facilitators to
17 support decision-making.

18 In the last few months, we've seen two air
19 districts engage in highly inclusive efforts to share
20 power in the selection of facilitators, inviting community
21 co-leads to review and edit the Request for Proposals and
22 to participate in interviews of facilitator candidates,
23 and in each case facilitators were selected that were
24 ranked the highest by the community.

25 Just two weeks ago, we brought to you the

1 emission reductions plan for the Portside community.
2 There were many factors that led to the development by
3 this community of a strong plan. Adequate time to build
4 trust, shared and ambitious goals, high capacity and a
5 clear vision from environmental justice community leaders,
6 an air district willing to share power, and a trusted
7 third-party facilitator.

8 Our second strategy is to better understand
9 community history, concerns, and priorities. One change
10 that Chanell and I made in the operation of the program
11 was to make clear to the staff of the Office of Community
12 Air Protection that their role is to engage with those air
13 districts and community members. We also set expectations
14 internally and with air districts that communities have an
15 open door to communicate with us directly without gate
16 keeping by any party.

17 I'd like to address the criticism that too many
18 CARB staff attend community meetings. Sometimes we hear
19 this and sometimes we hear that not enough staff attend.
20 The reality is that many CARB divisions have important
21 roles to play in this program, as you'll hear during our
22 second panel. It really is an integrated and cross-agency
23 effort for us, as is also represented by our partnership
24 with the Department of Pesticide Regulation and the Office
25 of Environmental Health Hazard Assessment.

1 The promise of AB 617 is that it calls for a
2 renewed focus at the community scale using every authority
3 we have. This is our third strategy. Again, I emphasize
4 it, because we did not get the new authority to, for
5 example, regulate pesticides that we did not already have.
6 But as we heard from Richard, the catalyst that spurred
7 DPR's current move to adopt the statewide pesticide
8 notification program came from the hard work of
9 communities in Shafter.

10 And we do see that air districts are using their
11 authorities in focused ways in communities. You'll hear
12 more about that in our first panel and we will include
13 additional statewide commitments in the next update to the
14 blueprint.

15 Our fourth strategy is about building capacity,
16 both through funding for community air grants. And you'll
17 get to hear from some of the recipients of those air
18 grants in our first panel. Also under 617, we are
19 responsible for increasing the transparency and
20 accessibility of air quality data, including stationary
21 source permitting. Specifically, the statutory
22 requirement to ensure that existing stationary sources are
23 retrofitted with the best available control technology, or
24 BARCT.

25 We're currently working with air districts to

1 develop a frequently asked questions and answers
2 reference, based on questions we hear from communities
3 about stationary source permitting, including BARCT. The
4 questions we heard surfaced during over 14 interviews with
5 community members last month. And we've been working
6 closely with air districts to develop responses to the
7 many questions that were identified.

8 We plan to publish responses to an initial set of
9 these questions by November 18th and we intend to continue
10 working with air districts and U.S. EPA to complete this
11 effort by the end of this year.

12 As Richard noted, last month marked the
13 three-year anniversary of the approval by this Board of
14 the program blueprint, the statewide strategy that AB 617
15 called on CARB to develop. CARB developed the program
16 blueprint in the first year of the program and much
17 criticism has been levied at this document. For example,
18 it is true that equity is not explicitly mentioned and
19 that while environmental justice is included as a term,
20 it's used only to describe organizations that should be
21 engaged with.

22 But in acknowledging this criticism, it's
23 important to note that CARB's statewide strategy does, in
24 fact, recognize inequity and attempts to address it. For
25 example, we see today that in many of the 15 community

1 steering committees, the majority of members are
2 residents. This is called for in the blueprint. That's
3 just one example in the third year community of
4 Arvin/Lamont, Fuller Acres, and Hilltop, 76 percent of the
5 71 steering committee members are residents.

6 AB 617 calls for the blueprint to be updated
7 every five years, in this first round, by September 2023.
8 Members of the AB 617 Consultation Group did not want to
9 wait that long. They called on CARB to begin this process
10 early. A small group of environmental justice leaders
11 within the consultation group emerged to take on the
12 drafting of the People's Blueprint. CARB committed to
13 this effort by providing facilitation and technical
14 writing support. This is an example of sharing power, so
15 that we can shift the starting point for the deliberation
16 that will result in a program blueprint 2.0.

17 The People's Blueprint was completed in
18 mid-September and it can be found on CARB's webpage. In
19 it, we see strong themes of accountability, equity, civil
20 rights, and capacity building for air districts, CARB, and
21 communities.

22 Our plan is to support the consultation group in
23 productive discussions of the People's Blueprint, so as to
24 inform staff development of the program blueprint 2.0 that
25 will be brought to this Board for consideration in 2022.

1 Next slide, please.

2 --o0o--

3 OCAP DIVISION CHIEF REYES: We understand that
4 legislators, the public, and communities are eager for
5 change and want to see results. As Richard noted, CARB
6 and air districts have been in the business of local scale
7 air quality improvement for only four years. The first
8 year was to launch the program.

9 A key takeaway from this slide is that of the 15
10 communities selected to date, only seven are in their
11 second year of implementation. When a community is
12 selected for the program, it represents at least an
13 11-year commitment for both CARB and air districts, one
14 year or longer as necessary to write a plan, five years to
15 implement it, and another five to monitor the impact of
16 implementation.

17 Next slide.

18 --o0o--

19 OCAP DIVISION CHIEF REYES: What can we say now
20 about emissions expected to be reduced via the hundreds of
21 strategies contained in the 11 approved emission reduction
22 plans?

23 Every year, annual progress reports are provided
24 to CARB by air districts for communities in the program.
25 Reports include estimates of anticipated emission

1 reduction benefits to each community from both local and
2 statewide measures with PM2.5, diesel particulate matter,
3 volatile organic compounds and nitrogen oxides.

4 These estimates are updated every year based on
5 the level of implementation for each measure in each
6 emission reduction program. Here's an example looking at
7 just PM2.5.

8 Together, for all 11 communities that are in the
9 implementation phase, we see that 75 tons of total PM2.5
10 emission reductions are anticipated to occur within these
11 communities from either baseline 2024 or 2025 emission
12 levels. And as a reminder, each ton of PM2.5 is about the
13 same as taking a thousand Class 8 heavy-duty diesel trucks
14 off the road. And you can see some of the examples of
15 strategies to achieve these reductions on the right.

16 So the statute and previous Board direction were
17 clear, we are to consider our work with the 15 communities
18 and others that will be selected as opportunities to learn
19 what works, as well as what doesn't, and apply those
20 lessons elsewhere. That's the only way to expand the
21 benefits to disproportionately impacted communities more
22 equitably. And we know that work to advance equity cannot
23 be done in isolation. We must do this in partnership with
24 those whom we work to benefit. And this means being open
25 to experimenting and learning from each other.

1 In addition to direction from the Board, we've
2 been paying close attention to community insights and
3 intentions for this program, as reflected in the People's
4 Blueprint and elsewhere. Again, that's the purpose of our
5 conversation, to air what's working and what needs to be
6 strengthened.

7 In addition to the four strategies I described,
8 we also have to integrate some lessons. First, we must
9 appreciate that better health is what communities want.
10 That's the end goal of improving air quality and efforts
11 to reduce both emissions and exposures are essential.

12 Equity needs to be the primary lens through which
13 we do this work. Second, sharing power. From priority
14 setting of strategies, to participatory budgeting, to
15 shared design of exchange of practices and strategies is
16 essential. CARB and air districts should support
17 community-led efforts to share knowledge, solutions, and
18 training. And we must issue a call to action and an
19 invitation to partner to other agencies, such as those
20 charged with land-use decisions, transportation planning,
21 and pesticides regulation.

22 Most critically, all of our work with communities
23 in the program must drive the implementation of strategies
24 that benefit more communities outside of the current
25 competitive model of community selection.

1 To sum up again, our sharing of this overview is
2 to set the table for continued deliberation and
3 discussion. We know this will inform a reset and
4 strengthening of our program at the community scale. For
5 the communities currently in the program, it means
6 refining our approaches in keeping with the feedback we're
7 hearing and for the many communities that are eligible but
8 not yet selected, it means we need to come up with
9 strategies to scale up what we've learned, as the law
10 intended.

11 The community leaders and air district
12 representatives on our first panel this evening have been
13 deeply involved in implementing the program. We'll now
14 hear directly from them.

15 Chanell, I'll hand it back to you to moderate
16 that discussion.

17 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
18 Deldi.

19 BOARD MEMBER BALMES: Could I just jump in for a
20 second, Chanell?

21 (Laughter.)

22 BOARD MEMBER BALMES: Sorry.

23 DEPUTY EXECUTIVE OFFICER FLETCHER: I guess so.
24 Go for it.

25 BOARD MEMBER BALMES: No. Sorry to interrupt.

1 But I just -- just like Deldi praised you, I have to
2 praise Deldi. You know having worked with her for, I
3 don't know, since she came on board with regard to AB 617
4 and especially the consultation group, I really appreciate
5 her spirit and commitment to the program.

6 So I just had to say that.

7 DEPUTY EXECUTIVE OFFICER FLETCHER: No, you took
8 the words right out of my mouth so -- in an unscripted
9 moment. So high five for that. Oh, you just went off
10 camera, so you couldn't high five me back. That's okay.

11 I think Dr. Balmes said what I wanted to say as
12 well, which is that it's been such a pleasure, I think, to
13 work with Deldi, to learn from Deldi. And I think, you
14 know, as she pointed out we both started on February 1st.
15 And so it's been I think -- it's been great to have a
16 partner in this work. So Deldi is off camera. Dr. Balmes
17 is off camera, but I just wanted to say thank you, Dr.
18 Balmes, for jumping in. And I think Deldi I hope you know
19 that like I feel the same way about working with you.

20 With that said, I'm excited for us to hear from
21 the panelists. So panelists if your cameras aren't
22 already on, feel free to go ahead and turn them on. I
23 think everybody -- Nayamin has hers on. Yay, Ryan has his
24 on. There we go, Angie, Kevin, awesome.

25 Okay. Everybody's cameras are on. I'm going to

1 ask that folks if you guys can please introduce yourself
2 and briefly tell us about your connection to AB 617.

3 And Angie, we'll start with you.

4 ANGIE BALDERAS: All right. Hello, everyone.
5 Good after -- good evening. My name is Angie Balderas.
6 My pronouns are she, her, hers. I am a longtime resident
7 here in the IE. I was born in LA, but raised IE for over
8 about three decades. I belong to the San Bernardino,
9 Muscoy CSC and I'm a community organizer, where I've been
10 organizing here in the region for about 25 years or so,
11 but I'm still 21, so just keep that in mind.

12 (Laughter.)

13 ANGIE BALDERAS: But I'm very excited to be here
14 and talk with you all. So thank you for having me.

15 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
16 Angie. I feel you. I'm still 21 too, so we're on the
17 same page there.

18 Nayamin, you are next up.

19 NAYAMIN MARTINEZ: Okay. Buenas tardes. Good
20 afternoon. Nayamin Martinez. I'm the Executive Director
21 of the Central California Environmental Justice Network or
22 CCEJN for short. And I have been involved in
23 implementation of AB 617 in multiple roles. I am part of
24 the South Central Fresno steering committee. I have been
25 also -- the organization that I work for has been a

1 recipient of two AB 617 grants. And then I have also been
2 part of the People's Blueprint writing team. And finally,
3 I'm part of a research project that is trying to evaluate
4 the implementation of AB 617 in Shafter and Fresno.

5 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
6 Nayamin. And I was just thinking as you were going
7 through all your roles, I was like, wow, that is like so
8 much. We are glad and honored to have both you and Angie
9 on.

10 And, Kevin, you are next.

11 KEVIN RUANO HERNANDEZ: Good evening, everyone.
12 My name is Kevin Ruano Hernandez. My pronouns are he,
13 him, el. I am college student and also an environmental
14 justice organizer representing Richmond and San Pablo and
15 also the community steering committee over here in
16 Richmond and San Pablo. It's great to be here. I
17 actually don't know what else to say. It just -- I feel
18 really grateful to be here.

19 Thank you.

20 DEPUTY EXECUTIVE OFFICER FLETCHER: Well, we are
21 grateful to have you as somebody from the Bay Area --
22 reflect the Bay Area there.

23 Paula, you are next.

24 PAULA TORRADO PLAZAS: Thank you. Good
25 afternoon, everyone. My name is Paula Torrado Plazas and

1 I am with Physicians for Social Responsibility, Los
2 Angeles based in Los Angeles, and have been working with
3 South Los Angeles communities to deal with capacity around
4 air quality and community air monitoring. Our
5 organization has been recipient of two CARB community air
6 grants twice as well. And we participate in both the AB
7 617 Consultation Group and the EJAC. I think Martha is
8 here and she represents the EJAC. And we have been
9 involved in -- or the organization has been involved,
10 because obviously not me, in the AB 617 process since AB
11 32 and all the way up to AB 617 was passed. And we're
12 also the co-leads of the AB 617 South LA community
13 steering committee.

14 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
15 Paula. We are grateful, PSR-LA, for all that you guys
16 continue to offer and to give to CARB in terms of wisdom
17 and input. Those are our community representatives. I'm
18 going to turn it over to our air district representatives
19 and I am going to start with Veronica.

20 VERONICA EADY: Hello, Chanell. Hello,
21 everybody. I'm Veronica Eady. I am Senior Deputy
22 Executive Officer of Policy and Equity at the Bay Area Air
23 Quality Management District, quite a mouthful.

24 The AB 617 work is under my portfolio. And I
25 will also note -- as many of you know, I worked at CARB

1 when AB 617 was first passed and had the great joy of
2 working with some great folks at CARB to build the
3 infrastructure of the program.

4 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
5 Veronica. And, yes, she was my predecessor, so I'm always
6 eternally grateful and happy. Like it's (inaudible) with
7 Veronica.

8 Wayne, you are up.

9 WAYNE NASTRI: Thanks, Chanell. I'm Wayne
10 Nastri. I'm the Executive Officer with the South Coast
11 Air Quality Management District. I grew up in one of our
12 community steering -- in one of our communities
13 designated. And 617 has been a very important program.
14 You know, we testified at the onset, I remember, with
15 Richard and with Steve Cliff when 617 was being discussed.
16 And I think that there was a lot of promise for the
17 program. And our District has the most communities
18 throughout the state of any district. So we do have a
19 pretty good experience and base in terms of the diversity
20 of communities and type of issues that we're faced with
21 and I look forward to talking about those a little bit
22 later this evening.

23 Thank you.

24 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
25 Wayne.

1 And, Ryan, you are going to round us out.

2 RYAN HAYASHI: Thank you so much, Chanell. It's
3 a pleasure to here. Good evening -- or afternoon
4 everyone. My name is Ryan Hayashi. I'm a Deputy Air
5 Pollution Control Officer with the San Joaquin Valley Air
6 Pollution Control District.

7 Similar to Wayne, I, too, grew up in the South
8 Central AB 617 community. One of the tasks when I
9 became -- stepped into this position was to oversee the
10 work. And I couldn't be any more appreciative both for
11 the opportunity, because this program is so important, and
12 it holds a special place for me. I really appreciate the
13 opportunity to work with all the community members and,
14 you know, receive the feedback and, you know, work with
15 them to really improve the air quality and the health
16 outcomes for the people that live in those communities.
17 And I'm just really happy to be able to speak on that a
18 little bit later as well.

19 Thank you.

20 BOARD MEMBER FLETCHER: Thank you all so much for
21 being here with us. And I think I keep getting good
22 evening good afternoon confused because it's only 4:30,
23 but it feels like it's evening.

24 I'm going to start off with kind of our first
25 question for our panelists. And we'll start kind of with

1 I think our community representatives and then I'll shift
2 the question a little bit when we get to our air district
3 representatives.

4 But with the community representatives, I'm
5 really curious to hear how has AB 617 brought your
6 community together to work on air quality issues? And
7 we'll start with you Angie.

8 ANGIE BALDERAS: I think it's -- well, for us, I
9 believe it's -- I mean, we have always been working on
10 these issues, I mean, grassroots organizing and folks on
11 the ground who have been, you know, work on environmental
12 issued and air quality. But to bring us together as in
13 the aspect of building a bridge with agencies like
14 yourselves, like AQMD and CARB. I think that's something
15 that's been pretty new to our communities. I feel like
16 the CSC has been successful in building a bridge between
17 South Coast and the community. It's helped open lines of
18 communication and established some trust.

19 I mean, is it all great? I mean, there's a lot
20 of work to be done, right? But I think we're heading in
21 a -- you know, in some direction, but I really think
22 that -- that, you know, CARB and AQMD really, really -- I
23 believe someone said earlier that it's a fundamental thing
24 for you all to really, really work with community, but I
25 think it's vital. I really think it's supposed to be

1 community led. And what does that look like for you all?

2 I mean, this is nothing about checking off boxes.
3 This is really, really, really like what does that look
4 like? How do we let the experts on the ground show us how
5 it's done?

6 And to step back and take a moment and be like,
7 okay, they've been doing this not for luxury, not because
8 they're getting paid, but because this is, you know, a
9 survival for folks over here. Folks are trying to live
10 out here. Folks are dying every day. So this is not
11 something we just, oh, okay, folks are getting paid to do
12 this. Folks have to fight, because that's the only choice
13 they have. So, you know, in building these relationships
14 with community and so forth, I really think, you know,
15 CARB, and AQMD, and others need to really, you know,
16 breakdown, like what does that look like? Does that look
17 like really fund -- bringing funding, bringing resources,
18 and what does that look like, the relationship?

19 Just as a simple thing as relationship. Ask
20 yourselves, have you all had -- you know, folks from CARB,
21 AQMD, have you all really had a one-on-one with me? Have
22 you all really taken the time to sit with your CSC members
23 and really, really talk to them, and -- you know, we have
24 to have the mentality that we're not the -- we're not the
25 ones leading this. The community is, so how do we work

1 alongside them, you know?

2 And that's with respecting folks time. You know,
3 folks are, you know, working two, three jobs trying to
4 make ends meet. They would love to volunteer. They would
5 love to be outreaching for this, for the CSC meetings,
6 canvassing for this, being on a core meeting for this,
7 bringing all CSCs together. I mean, there's so much we
8 could be doing, so many resources that we need. Funding,
9 what does that look like?

10 And so for -- I mean, I could get into it a
11 little bit more. I'll let some folks jump in, but I think
12 we need genuine, authentic relationships with community.
13 We can't just be talking about it. We've got to be about
14 it. And if you're just here to check off boxes, that's
15 not going to work, because you're going to get what you
16 give. And, I mean, like I said, folks are just trying to
17 survive, so this is not something folks take lightly.

18 So thank you.

19 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
20 Angie. And I was seeing Nayamin, she was nodding a lot.
21 And then to Nayamin to you if you want to build off of
22 what Angie was already sharing.

23 NAYAMIN MARTINEZ: Wow. Echo to everything that
24 Angie shared. I will just elaborate a little bit more my
25 personal experience here in the Central Valley.

1 So I think that definitely having the residents
2 move from one side of the table, where they were only able
3 to give public comments at the end of a meeting, to being
4 at the table where decisions are made is significant.

5 That, to me, is probably the main difference about AB 617.

6 However, you know, the process has had, you know,
7 ups and downs, and many things that have worked, but
8 others that can be and should be improved. I think that
9 for CCEJN we're a network, so we have always been used to
10 collaborate with other organizations from across the
11 state. But with AB 617, it became more intentional. And
12 I think it has been critical to learn how other things
13 have been done in other regions and then try to bring some
14 of those best practices to our area. And allow me to give
15 some concrete examples.

16 In February 2020, there was a convening led by UC
17 Davis in their university when we still were able to meet
18 in person. And that was an eye-opener. I almost fell off
19 my chair when I heard that in other communities, they were
20 paying the residents a stipend, something that we were not
21 doing.

22 They were co-leads in the process, something that
23 we were not doing, that they were doing participatory
24 budgeting processes, something again that we were not
25 doing in the Central Valley. Fast forward since then, a

1 lot of those things that we learned about, we have been
2 able to bring to our communities. Now, we're paying the
3 stipend to residents. A parenthesis, my personal opinion,
4 it is not enough. We are paying them a stipend for the
5 monthly meetings. But for goodness sake, it's so -- it's
6 a marathon of meetings. We have some committee meetings.
7 We have agenda setting meetings. We have -- so I think --
8 I hope that we should give more retribution for the
9 enormous amount of time that residents are putting into
10 this.

11 I think that we have been able to move from, you
12 know, just being spectators to actually a colleague model.
13 Right now, the most recent community, Arvin-Lamont, it's
14 really going really good in that regard. We went through,
15 you know, like practices. We were -- I have to say I was
16 at some point invited to be co-host. I didn't like that
17 model, because we were tokens. We were only allowed to
18 say welcome to the meeting, goodbye, and thank you for
19 being here. I mean, that is participation? That is not
20 meaningful participation to me.

21 So I'm glad that we're making strides in the
22 right direction. However, in terms of the budget, I do
23 still have to say that unfortunately we do not have a
24 participatory budgeting processes in the San Joaquin
25 Valley and that is something that we are still working

1 with air district and with CARB to fix, because, you know,
2 one thing is to say you are at the table to make decisions
3 and suggest CERP strategies. But if we don't know how
4 much money is allocated -- could be allocated for that,
5 and we don't have the power to decide how to allocate the
6 money, then I think we're not really fulfilling the spirit
7 of AB 617 at its, you know, full extent.

8 And, you know, the other thing I think we have
9 done differently, how we have been brought with other
10 stakeholders to together, at least that is new to me, is
11 being at the table with industry and business
12 representatives.

13 Some experiences have gone well. You know, I was
14 surprised that, you know, in Fresno, business reps were
15 okay with some of the strategies that we suggested. They
16 were okay with us moving a million dollars from the
17 locomotive to urban greening projects in South Central
18 Fresno. I hope I could say the same about pesticides. We
19 were able to sit at the table with Farm Bureau
20 representatives through the invitation of the former DPR
21 Director, but that didn't take us anywhere. And
22 unfortunately, I'm very saddened to say that on the
23 contrary, industry, in some instances, have been not only
24 not willing to be at the table and be respectful, but
25 actually engaging in very dirty campaigns.

1 I'm sad to say that CCEJN and me personally were
2 targets of a slandering campaign by ag industry reinforced
3 by Tulare County Ag Commissioners, and that is not fair.
4 So my own experience of meeting at these tables has ups
5 and downs. It has its positive, but it has its negatives
6 as well.

7 So, I mean, I could be hear all night, because I
8 have a lot to say about AB 617. I'll leave space for
9 others.

10 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
11 Nayamin so much. I did want to check in and, Kevin, did
12 you have any thoughts on that first question?

13 KEVIN RUANO HERNANDEZ: Yeah, definitely. I
14 mean, my experience with AB 617, I mean, as a young
15 person, it's very -- just like a new experience for me,
16 you know, working with stakeholders and working with these
17 community members and like learning more about how do we
18 really uplift these voices and like really like capture
19 these, you know, community members' voices, these
20 underrepresented community members, who've, you know, been
21 in the community for so long and haven't really had, you
22 know, a word on the table.

23 You know, despite if they're pro, you know,
24 industry, or they're activists, like they -- their voices
25 are -- like deserve to be on the table. And so that's one

1 thing that AB 617, or my CSC, is focusing on is uplifting
2 voices and hosting town halls. However, we're still in
3 the planning phase. You know, we're still in like the --
4 we're still in the first -- like the first step. And, you
5 know, though it's going slow, I feel it has progress for
6 us just to like learn how to like include more voices on
7 the table, and, you know, experiment like how do we really
8 be able to fulfill our mission, how do we -- our vision,
9 our missions statement, and like not just say, like, we're
10 going to be doing something, but, you know, like being
11 assured that we are going to do it.

12 And so as a young person, if I'm being honest,
13 it's super overwhelming, you know, just meeting like a lot
14 of people. And I'm a college student. I'm a full-time
15 college student. I work three jobs. It's like -- it's a
16 lot. You know, it's a lot. And, you know, going through
17 these meetings, like these are the meetings that I feel
18 like me personally I have to be in, mainly because this is
19 my community. Like my personal goal, as an environmental
20 justice organizer, is to fulfill health equity for my
21 community, not just my community, but all disadvantaged
22 communities all across California and maybe all across the
23 country.

24 But, I mean, yeah, I mean, we're really focusing
25 on, you know, uplifting these voices. And if I'm being

1 honest, it's not always rainbows and sunshine. It's not
2 always going to be like that, and that's the truth of it.
3 You know, how do we just like -- not even find the middle
4 ground, but like really just hold ourselves accountable
5 for like -- for everything, you know, in the end. You
6 know finding how can we hold industry accountable however
7 the Air District -- and also ourselves as community
8 members, because at the end of the day, we also are
9 contributing to climate change and also the pollution.

10 But, you know, we also need to confront these
11 problems head on and just have this conversation. And so,
12 however one thing that I am like holding within me is just
13 mainly just -- well, two things, is even though like
14 things are looking really bad, there's still time to like
15 turn things back around and, you know, make things better.
16 Another thing is just really prioritizing listening as the
17 first step, listening to community voices, and really just
18 listening to those who are underrepresented.

19 And so I just want to emphasize that and that's
20 one of the things that I brought to my co-chairs and like
21 the committee as well just like focusing how do we uplift
22 these underrepresented voices in our -- in our community?
23 And hopefully we could be a model for, you know, different
24 other future AB 617 areas all across California.

25 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,

1 Kevin. Paula, I saw a lot of nods there too, so I wanted
2 to see kind of what's your response to that question and
3 then feel free to build on it obviously what you've heard.

4 PAULA TORRADO PLAZAS: Yeah. Thanks, Chanell.
5 Yeah, I think a lot has already been mentioned by Angie
6 and Nayamin and Kevin. But I think one of the things that
7 I wanted to mention is that starting the process or at
8 least for South LA that a community that has had so much
9 organizing -- environmental justice organizing around air
10 quality, economic justice, it was challenging to get the
11 resources necessary to get South LA voices to the mic, to
12 get the communities being heard.

13 And while AB 617 has a lot of challenges and it's
14 not perfect as a program, and it's working as it was made
15 to -- made to be, it gave us -- it gave South LA
16 communities' voices and other communities that platform to
17 focus our energy, and resources, and capacity on --
18 towards trying to get to solutions, towards being more
19 effective at this paradigm of air quality regulation
20 from -- all the way from AB 32 focusing on co-pollutants
21 and greenhouse gases all the way to AB 617.

22 And I think the way we're looking at it now and
23 how it brought our community together to work on 617 is
24 that it's a mixed blessing. While it has given us a lot
25 of opportunities to be at the mic, and to be at the

1 decision-making table, and participation in air quality
2 pollution and regulations decisions, it's also come at the
3 expense of extractive relationships between regulatory
4 agencies and communities, where we see that the resources
5 are just not enough and the resources need to be extended
6 and expanded for communities to -- and in the community
7 steering committees to actually have the support that they
8 need to be effective and shift the relationships that AB
9 617 has -- yeah, has had with communities towards one that
10 is more effective, towards one that is co-designing,
11 co-developing, co-governance.

12 And I really resonate with what Kevin said around
13 listening and taking a step back, because, you know, as we
14 went into this process and we're fairly -- we're a fairly
15 new community. We were just elected, South LA. We
16 quickly realized how much work that was needed towards
17 being engaged fully in this process. It's a lot of work,
18 so committee meetings as Nayamin said, and, you know, we
19 spent almost kind of full time in this -- in this issue.
20 And it's like how do we shift that power dynamic and how
21 do we step back and listen to the communities to build
22 trust, so that we can get to really effectively start
23 putting to the table the solutions that the communities
24 actually want.

25 Because we are seeing in the spaces that we have

1 in South LA that folks are asking good questions and
2 they're interested. But the bureaucracy of the process,
3 the -- like I said, the exploitative nature of the program
4 and the commitment needed of -- from AB 617 is making
5 folks feel disengaged and disempowered. And I think
6 that's a really important key thing that we need to
7 address in terms of how do we want to re-shift the
8 program.

9 But I guess I'll say again, it's a platform that
10 has given the community an opportunity to be part of the
11 process of building a path towards healthier and thriving
12 communities for all. And then the last thing I'll say is,
13 you know, the competitive nature of AB 617 is one thing
14 that PSR-LA has always brought up, because, you know,
15 South LA was just selected. And we've been at this fight
16 for, you know, many years. PSR-LA has been working with
17 South LA for over 15 years around these issues.

18 And so how many of other communities are in the
19 same page that have not been selected? How do we start
20 getting to translating solutions to other communities?

21 So I think we need to get back to expanding the
22 resources needed to the community steering committees to
23 get to real solutions, step back from regulatory agencies
24 to build trust and get to solutions.

25 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you.

1 Okay. And I just got my text message about time,
2 so I'm going to shift over to the Air District
3 representatives. And I'm going to -- I'm going to change
4 the question a little bit to how has AB 617 changed the
5 way you approach your work on air quality issues and
6 priorities?

7 And I will -- I'll start with Veronica, then
8 we'll go to Wayne, and then we'll go to Ryan.

9 VERONICA EADY: Okay. Great. Thanks, Chanell.
10 Well, first of all, you know, in the early 2000s and 2004,
11 so the Air District had its CARE Program, which is
12 Community Air Risk Evaluation Program that kind of had a
13 similar approach to AB 617 and it focused on the localized
14 air pollution. When AB 617 was passed, we put our
15 resources into AB 617.

16 And it's been really interesting from an air
17 district perspective. First of all, we've had to realize
18 and acknowledge that every community is different. So,
19 you know, the approach that we have in West Oakland is not
20 necessarily the approach that's going to work in Richmond
21 and it's not necessarily the approach that would work in
22 East Oakland.

23 So every community is different and it's required
24 us to think differently and give the community a chance to
25 lead, you know, based on the sources in their community,

1 the culture, the principles that they function on. So
2 that's been really interesting for us.

3 We've also heard a lot from the communities that
4 we work with around training. And it's not just, you
5 know, training and capacity building that the communities
6 need or we think that the communities need, it's training
7 our staff. So we have invested in developing trainings
8 around AB 617, around environmental justice and the
9 principles of environmental justice, structural racism,
10 community problem solving. And when we put those
11 trainings on - we just did one yesterday - we have our
12 staff learning side by side with the community members on
13 our steering committee.

14 So, you know, we're not just talking to Richmond
15 steering committee members. We're talking to our own
16 staff to make sure that our staff is grounded in
17 environmental justice and that there's a shared
18 understanding of what these principles are.

19 So, for example, with respect to participatory
20 budgeting, we've been really interested in that and we
21 have staff that will be putting through participatory
22 budgeting training. But we really want to make sure that
23 when we do a larger effort -- like right now, we're
24 sticking our toe in the water and learning a little bit
25 about it.

1 But, you know, ultimately, we're going to be
2 doing a training -- a larger training effort with our
3 staff and with the steering committee. I think that
4 that's really important for -- to develop a shared
5 understanding, so that when, you know, Ms. Margaret Gordon
6 is talking about participatory budgeting, we understand
7 what she's talking about and have the same context and
8 concept of what that is.

9 Some of the other things are -- and, you know,
10 I'm kind of sticking with Richmond a little bit. It's
11 great to be here with Kevin. We decided that although --
12 and we decided with the community not the air district
13 alone. But although, you know, there are sources in
14 Richmond that everybody knows about, we can agree that
15 there are major sources in Richmond, whether it's, you
16 know, the Port of Richmond, or, you know, a railyard, or a
17 refinery. That doesn't really necessarily mean that we as
18 an air district have a good understanding of -- or the
19 same understanding the community has about what those
20 sources are.

21 So we created a small grant fund for
22 community-based organizations not necessarily people on
23 the steering committee, but to do community organizing to
24 bring residents to the table, so that they can be
25 identifying the sources in their community.

1 So we're using a -- I guess it's called air
2 pollution and community asset mapping tool called Social
3 Pinpoint. And the organizations that we're funding, and
4 there's six of them, are doing community organizing.
5 They're talking to residents and residents are going to
6 this portal and they are marking what the assets are in
7 their community.

8 So whether it's a place where people gather, like
9 a church, or it's a source of pollution, like a parking
10 lot or some kind magnet source, we're able to allow the
11 community to lead us to those sources that we might not
12 yet be aware of.

13 So those are just a couple of things that I
14 wanted point out, but I guess the larger thing is that it
15 has taught us that we need to be working with communities
16 and we need to be partnering with communities, and that
17 means sharing power. Sharing power is not always a
18 comfortable thing for a regulatory agency, but we've got
19 some great folks like Kevin G. who's here, who have helped
20 us to learn how to share power.

21 And I want to say that it is a continuum. I
22 can't say that we know how to share power in every
23 instance or that we're going to do it perfectly, but we've
24 taken a step back and it's required us to really humble
25 ourselves as an organization to be able to take direction

1 and really honor the democracy of the communities that
2 we're working with.

3 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
4 Veronica.

5 That's like I was just like pausing, because I
6 was like that is so much that's going on.

7 Wayne, I will turn it over to you.

8 WAYNE NASTRI: Thanks, Chanell. You know, I
9 think like Veronica said there's many similarities in
10 terms of how we approach the work. And I think that if
11 you ask yourself, you know, how has it changed the work
12 that the districts do? You know, I'd say the districts
13 have been involved at the local level, certainly South
14 Coast, for the last 45 years since its inception. And we
15 do that through local rule development. We do that
16 through working group outreach. We do that through a
17 number of different efforts.

18 What AB 617 does, unlike any other program, is
19 bring the community together with district staff to
20 identify a lot of these issues. It's one thing for
21 district staff to say, you know, we understand the
22 inventories. We understand the sources. We understand
23 the amount of emission reductions, but it's a different
24 thing to hear directly from the community when you have
25 somebody say my neighbors on my street have died and where

1 were you?

2 And to hear where some of these sources are, it's
3 very important for us to hear that. And we're fully
4 supportive of that. But there were some key issues that
5 were brought up that I really want to hit on. One is this
6 program takes a lot of time. And the way that the program
7 is set up, it doesn't allow that accommodation of time.

8 We have one year from the date of designation to
9 come up with your CERP. And when you're trying to build a
10 relationship with the community and understand the basic
11 issues, it's hard for the community to have trust when
12 you're going in there and saying I've got to get this
13 information. I've got to start writing the CERP. And the
14 perception is you're not listening to me.

15 Yet, the perception on the staff side is I have a
16 commitment to get this done. And if I don't get it done,
17 I am not meeting the legal requirement set forth in the
18 statute to do it. So you have this conflict right at the
19 very beginning. And there has to be a change that allows
20 that relationship building and that trust to coalesce, so
21 that you can have an environment where there is mutual
22 respect, where there is a healthy dialogue, where there is
23 an understanding.

24 And that doesn't happen easily. And I would say
25 that there are communities where it's easier and other

1 communities where it's not.

2 And that's why I think it's so important that
3 there be time in the very beginning to build those
4 relationships and have that common frame of understanding
5 where you move forward.

6 To do that, you need the resources. And you
7 heard from community members that they have three jobs,
8 and yet, they're expected to come to the community
9 steering committee meetings and provide a significant
10 amount of hours, prep for those meetings, all without any
11 compensation. And I say this because I know some
12 districts provide those kind of funding. Some districts
13 don't. I think everybody now does that, because we
14 realized that's something where we need to go, but there
15 was never an increase in funding to do that.

16 And so we have the challenge of the need for
17 expanded resources. This program, when it was first
18 concede, the air districts, CAPCOA, all said that the
19 program was grossly underfunded at the very start. And
20 there has not been any significant increase in funds.
21 And, in fact, we took on the last two communities with no
22 funding made directly for those communities.

23 So we have got to have a change in the program
24 from my perspective. You know, when you ask how has it
25 changed the way that we do our work? It has made us

1 realize that extent of work necessary to work with the
2 community in a collaborative fashion to get where you have
3 agreement and you can advocate for a common plan to reduce
4 those emissions.

5 But it takes a commitment in terms of the
6 resources to develop that plan, and then more importantly
7 it takes a resource commitment to implement those plans,
8 because if develop those plans without being able to have
9 the resources to get them done, then what have we really
10 done? And so to me, it's the constant push for funding
11 and fighting on an annual basis that's changed how we try
12 to get this program going. There are some things in this
13 program that I think have worked very well. From our
14 perspective, the push on the best available retrofit
15 control technology.

16 We have nine rules that have been developed in
17 accelerated fashion with over 5.4 tons per day of NOx
18 emission reduction commitments. We have four more that
19 are coming up. We have one that's coming up that can give
20 us 7.9 tons per day of NOx emission reductions. All of
21 these will get us toward attainment, and the goal is
22 attainment, because that is where we meet the public
23 health goals.

24 And so how has it changed us? It's changed us
25 and made it realize that the resource funding and the

1 timing are critical. It's changed us in terms of it's
2 accelerated our work, where we can, in fact, put the
3 resources to do that. And it's changed in the sense that
4 we recognize that we have to have a common understanding
5 with the community and that takes time and training. And
6 we're very much in support of all of those aspects in
7 terms of bringing the resources to the community members,
8 working with staff, so that we have that common framework,
9 so that we can move toward.

10 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
11 Wayne. That was definitely a sobering outline of the
12 challenges around AB 617.

13 Ryan, you will round us out. I know it -- my --
14 it's like -- that was very sobering, so Ryan, I'll turn it
15 over to you.

16 RYAN HAYASHI: No. No, I appreciate the CARB,
17 and you Chanell, and Deldi, and everybody else that worked
18 on this item, and kind of how it was designed and allowed
19 the community voices to be heard first, and then, you
20 know, following up with Air District voices, because I
21 think that just highlights really one of the things that
22 we've consistently heard and that we continue to look to
23 improve upon, which is, you know, listening to the
24 community members throughout this process.

25 You know, I'm very thankful that I work for a

1 board and an executive officer who one of the strongest
2 beliefs that we hold as an organization is that change is
3 constant, change is good. And so, you know, when we're
4 looking at this program, it's definitely a situation where
5 it's like how can we do this better.

6 You know, I'm appreciative of Nayamin's comments,
7 and, you know, highlighting areas where there have been
8 changes that have been a direct result from listening to
9 community members throughout this process. We spent an
10 extensive amount of time, both, you know, working through
11 the community steering committees, but, you know, touching
12 on a point that Angie brought up, you know, how important
13 it is to connect with individual community steering
14 committee members and to ask them how their experience has
15 been, what are the -- what are the challenges that they're
16 facing to participating in this program, and, you know,
17 how we can do it better?

18 You know and when we transitioned to a virtual
19 environment, that was like one of the first things that we
20 did, we reached out to the community steering committee
21 members and talked with them, and, you know, got an
22 understanding from them what they would need to be able to
23 participate on an equal level, you know, understanding
24 that not everybody has computers, not everybody has good
25 Internet. And so through that, I mean, we developed a

1 system, and procured computers, and Internet to provide to
2 them, so that everybody is participating on the same
3 level.

4 One of the things that we also really value is
5 the need for bringing all the parties together, which has
6 been talked about. And it is one of the wonderful things
7 to see in this process. It's residents, it's
8 community-based organizations, it's environmental justice
9 advocates, it's businesses, it's cities, counties, and all
10 these other agencies all sitting around a table together,
11 all sharing their experiences in the community, the
12 challenges that they're facing, and hearing those
13 perspectives. And from that, we're developing community
14 emission reduction programs to address those challenges.

15 You know, some of the things I want to highlight
16 through this, and some of them brought up -- I really
17 appreciate Deldi talking about the facilitation process
18 that we -- you know, we've had facilitators at our
19 community steering committee meetings from the beginning.
20 And they've served a very important role to address the
21 things that Wayne was talking about, the challenges with
22 getting all of this huge volume of work done in very, very
23 tight time frames. Facilitation is crucial.

24 And so having the process to allow, then working
25 with community members to select their own facilitator who

1 they think will best be able to work with the District and
2 the community steering committees to meet those goals it
3 was just a tremendous job and we appreciated all the
4 steering committee members participating in that.

5 Similarly, you know, for example, in Stockton, we
6 had a desire from the steering committee members to
7 reevaluate their charter, you know, basically the
8 governance document about how we go about doing this work.
9 When we developed the charter, we were in a in-person
10 setting. That drastically changed when we went to a
11 virtual setting and there were a lot of challenges that we
12 faced, and have been raised, and discussed, you know, not
13 only at the CARB Board meetings, but in -- within the CSC
14 meeting themselves.

15 And so by, you know, working with the community
16 steering committee and incorporating their suggestions and
17 recommendations on how to improve the governance document,
18 I think we're on a great trajectory and a great path with
19 the -- working with that group to implement their
20 community emission reduction program.

21 Another one, and Nayamin mentioned this, it's the
22 co-lead process. We're extremely appreciative of the CSC
23 members in Arvin-Lamont that volunteered to be, well, A,
24 we listened to the steering committee members. They
25 wanted a process where we had co-leads. And then we had

1 some recommendations and, you know, very appreciative of
2 the two members, one of an environmental justice
3 organization and another who is a resident, to step up and
4 serve in that role. And we're seeing tremendous benefits
5 from that. We're working with them. We're getting their
6 input on how we can present information to the steering
7 committees to make sure that everybody is understanding of
8 the information that we're providing and its benefit to
9 them.

10 The last thing I want to highlight is just like
11 the community air monitoring deployment updates. There's
12 a process where we go through developing the plans and
13 understanding all the areas and types of sources of
14 community concern. And we developed plans in response to
15 that and we deployed vast networks that now we're
16 presenting real-time data to all the steering committees.
17 We're providing weekly updates both in English and
18 Spanish, as well as quarterly updates.

19 And then like we're listening to the communities
20 explain to us that they want more opportunity to discuss
21 what the information means, and we've set up subcommittees
22 and done other things. And then we use mobile vans to
23 then also go to the areas where they have concerns, and
24 collect data, and bring that back and share that
25 information.

1 And the last thing I want to highlight is just,
2 you know, we had a great plan set up in Stockton. We
3 thought we were going to be able to deploy all the
4 equipment in a really rapid manner. And unfortunately,
5 there were some circumstances that basically threw that
6 plan out and we had to go back to the steering committee.

7 And I can't express to you how much appreciation
8 we have of the level of ownership that all of our steering
9 committees have shown in always wanting to step up, take
10 on more responsibilities, and helping to improve and move
11 this process forward. In Stockton, they worked hard to
12 identify new locations where we can, they got contacts for
13 us, and now we're well on our way to deploying that
14 equipment, so just another example.

15 At the same time, I just want to talk about a
16 couple of challenges similar to what Wayne is talking
17 about. You know, community involvement, it's crucial to
18 the success of this program. Some of the things that we
19 think about and that we have concerns about is if we don't
20 see real emissions reductions happening in the community,
21 that the program could lose energy and enthusiasm, and
22 could see participation drop as a result of it.

23 We don't want that at all. So I mean, working
24 with the steering committees to implement the measures in
25 these in rapid order is essential.

1 Wayne talked about the intensity of this process.
2 It is tough. You know, Kevin nicely said it. It's not
3 always rainbows and sunshine. It is tough conversation.
4 We're not here because the problems happened overnight.
5 We're here because those happen -- the problems and the
6 challenges in these communities happened over decades.
7 And, you know, the fact that we've been working now with
8 the committees on implementing, in the year one
9 communities, for 18 months, the level of progress that
10 we've seen is tremendous.

11 And I'm -- you know, I look forward to seeing the
12 CERPs in -- 11 years down the road when, you know, the
13 measures have been fully implemented and the successes are
14 seen.

15 And the last thing I'll just talk about is just
16 trust. I feel like we've done a tremendous job of
17 building trust, but it's a continuous process. We're
18 not -- we're not thinking that the trust has fully been
19 built. We understand that it needs to continue to be
20 worked on, and not only for us, but also for everybody
21 that's participating in this process, for air districts,
22 but also for CARB and other agencies that participated in
23 this process. And that only happens through continued
24 dialogue with the communities.

25 And so we're fully committed and fully committed

1 to working with all the -- our partner agencies who we
2 value so much, to see all that good work done.

3 So thank you.

4 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you so
5 much. And just and FYI to everybody, you'll probably see
6 my kids pop in and out, because evening meeting and my
7 kids are here, but that's just an FYI.

8 So we have a little bit of time left. I'm going
9 to ask a pretty big question and we'll start with
10 community representatives. We'll go to air districts.
11 But especially I think after all that we heard with kind
12 of that first question around really kind of like how has
13 AB 617 changed, I think either the way that you're doing
14 your work or the community and some of those challenges?
15 I'm really curious, because you've kind of heard CARB in
16 our intro remarks. We all said a lot and shared a lot
17 about kind of our thoughts around AB 617. Are we missing
18 kind of any other, you know, shorter term opportunities?
19 The other part of this question is what are some of the
20 long term kind of actions that CARB or air districts can
21 take, right? So I think either it's like short-term, what
22 are we missing, right? So you kind of heard all of us
23 speak. And then longer term, what are some of the key
24 opportunities?

25 I'll start with community reps. Anyone can kind

1 of chime in, not to go in a specific order.

2 NAYAMIN MARTINEZ: I can go. I think short
3 term -- I think it's short/medium term, but I think that
4 the -- I think that the fact that we have been competing
5 against each other to be selected, it's against the EJ
6 principles that we -- a lot of us hold, you know, really
7 strong. And I think that what could be done in the
8 meantime is understanding which are strategies that can be
9 replicated statewide are paired with things that CARB or
10 the air districts are already doing, so that we don't have
11 to be waiting for more money and for more communities to
12 be selected. So like just replication of those best
13 practices or strategies.

14 Also, in terms of the long term, I think that our
15 big frustration, and I'm sure it's not only in the Central
16 Valley but across the state, is the lack of authority over
17 land-use decisions. And I feel that we are, you know,
18 like spinning our wheels trying to clean this and then we
19 turn around and the city and the counties are rubber
20 stamping permits for all kinds of industry that are
21 polluting our air even more. So I think, you know,
22 definitely we need more efforts, probably a clean-up bill
23 or something, that can address that. I'm not a -- you
24 know, a land use expert, but, you know, I think that the
25 big concept is there and I would let the details to be

1 worked out by the experts.

2 PAULA TORRADO PLAZAS: I can go next and I'll
3 build on to what Nayamin said. I think for short term --
4 well, primarily reflecting of the last three years of the
5 AB 617, it needs to focus on actual emissions reduction
6 and stricter air quality measures and metrics that
7 actually reflect the community's concerns and priorities
8 in terms of air quality improvements, if the program is
9 ever to achieve any improved air quality.

10 And second, successful implementation of the
11 program has been largely gauged by the robustness of its
12 community engagement, rather than their actual meaningful
13 participation coupled with tangible strategies. And while
14 it is commendable that the program has included
15 communities at the decision-making table, this should not
16 be substituted for real emissions reductions strategies
17 that lead to lessening pollution burden.

18 Another thing to address immediately is the
19 problem around overlooked conflicts of interest of
20 stakeholders involved who representing industry.
21 Industries are uninterested parties in reducing the
22 pollution burden in most impacted communities. I think
23 those three things are for shorter term things to fix for
24 the program.

25 And for the longer term, I think speaking to what

1 Nayamin mentioned around the competitive nature of AB 617,
2 I think that's again against environmental justice
3 principles. But also I think we've talked about this
4 around the sector-based hybrid community approach to
5 achieve equal or greater emissions reductions of all
6 emissions, particularly of air and toxics -- or air,
7 toxics, and greenhouse gases throughout many communities
8 that can help transition and transform toxic industries
9 that are concentrated in EJ communities. And this
10 approach can help develop best practices and focus on best
11 available control technologies, emissions reduction
12 strategies that can be shared and implemented in all
13 communities, not just the selected few in the CERPs.

14 And third thing is to continuing the grants and
15 expand the grants in all AB 617 communities, because that
16 additional funding creates support in the communities that
17 are -- that have a community steering committee and
18 beyond, that can -- so that folks have their support
19 needed to engage in the process more meaningfully.

20 And that every community should get at least an
21 additional hundred K funding for the community steering
22 committee process, because it's a lot of work. And I
23 think speaking to what everybody said, extending and
24 expanding the financial resources for this project -- for
25 this work it's necessary.

1 Thank you.

2 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
3 both. Before I switch it over to air district
4 representatives, anyone else kind of wanted to chime in on
5 that question around short-term opportunities, long term
6 kind of like what are we kind of missing?

7 ANGIE BALDERAS: I just wanted to add to what was
8 previously said. It would be nice for CSC to have some
9 extra time for education too, I believe and for both
10 community members and the district to set expectations on
11 what we can and can't accomplish with time and funding
12 available.

13 And then also too, like be respectful of the
14 community's time, instead of, you know, us talking
15 about -- districts constantly talking about what they can
16 do or offer to bring outside government agencies to the
17 table to start that conversation. I really feel like we
18 all need to be at the table, electeds, our city councils,
19 counties, land use authority, like -- and these agencies
20 and community, like we really need to be on the same page.

21 Like, AB 617 could be so -- like the greatest
22 program, but if we're not all on the same page and it's
23 not community driven, then we're setting it up to fail.
24 And if we're not really supporting it with the funding it
25 deserves and needs, and, yeah -- really, it needs to be --

1 we need to take that step back, like some folks said, and
2 really let it be a community-led.

3 And AB 617 also needs a way to hold these other
4 agencies accountable. I feel like we need to, like I
5 said, figure out how to all work together. We can't just
6 put all the burden and everything on community, and just
7 show up, and feel like, all right, you all take care of
8 us. Tell us what to do and figure out how to do it.
9 Like, we really need to have those resources. And how are
10 you all going to work alongside us, so...

11 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
12 Angie. I'm going to turn it over. We've got about five
13 minutes left before I turn it over to the Chair.

14 Are there any responses that air district
15 representatives wanted to share kind of like in response
16 to what you've heard?

17 WAYNE NASTRI: Well, first off, let me say that
18 Angie is always right, so we should do what Angie says.

19 You know, with regards to bringing in other
20 agencies that is one of the biggest challenges. And one
21 of the biggest frustrations I think that we've heard
22 tonight is that it's the land use agencies and the lack of
23 participation in the overall CSC process that is the most
24 frustrating aspect. And I can tell you from my
25 perspective having reached out to other agencies and

1 literally being told I don't have the resources to do
2 that. Until I get those, good luck.

3 That's not acceptable and we need to be able to
4 have some kind of mechanism, whether that's statutory or
5 whether that's the State exerting more influence. But to
6 be honest, I've had trouble intra-State agencies trying to
7 do it, but it's because of the lack of resources for them
8 to come to the table and get engaged.

9 So from that perspective, trying to either write
10 the authority and the ability for other agencies to get
11 involved, I think is critical. And I think, as has been
12 said before, providing the resources to the community and
13 the time, so that we can build up those relationships,
14 establish the trust, and so that we can work in an actual
15 collegial format the development of these, where we can
16 explain all of these things without rushing to a date,
17 that I think needs a statutory change. Those are the most
18 important aspects I think for this program to be
19 successful

20 ANGIE BALDERAS: And I just wanted to thank Wayne
21 for speaking truth, Angie is always right.

22 (Laughter.)

23 ANGIE BALDERAS: I'm just kidding.

24 WAYNE NASTRI: It's true.

25 VERONICA EADY: I'll just jump in there. I agree

1 with what Wayne said, what Nayamin, Angie -- I missing
2 somebody -- Paula, around communities competing against
3 each other. I just want to say that, you know, the air
4 district is -- or Bay Area is going to be putting forward
5 a new committee and -- or a new community this year, and
6 it was a really wonderful discovery that the community
7 groups who -- of the communities that are on our list,
8 East Oakland, Vallejo, San Francisco, Bayview Hunters
9 Point, they came together, and they met, and then they
10 told us who they thought should be the next community,
11 which I thought was really great.

12 And I just want to also just lift up Bayview
13 Hunters Point, because Bayview community advocates, they
14 actually told us that they weren't ready to be on the
15 list, because they needed to do community organizing and
16 reach out to their partner organizations. And, you know,
17 they've told us when they think they will be ready. And
18 it's been really a great experience to be able to defer to
19 them. So that's one thing that I wanted to point out.

20 Replicable strategies, if there were a place
21 where we could see these strategies -- the statewide
22 strategies that can be replicated, whether it's a
23 sector-based approach or just kind of an inventory of
24 what's happening in other communities and other CERPs,
25 that would be great.

1 And then the last thing that I'll say is that --
2 and give one minute to Ryan, is that we're really
3 interested in providing tools to community groups and
4 community leaders, whether it's funding, whether it's
5 technical assistance from us, so that they're able to work
6 on their own CERPs. And so we're thinking about that at
7 Bay Area and what that might look like. So I just wanted
8 to throw that out there as a short-term thing.

9 WAYNE NASTRI: Hey, Ryan, before you go, I just
10 want to add one thing, and that is that when we talk about
11 replicable strategies, one of the things that, you know,
12 we focus on is rule development. And those rule
13 developments are applicable district wide. So, for
14 instance, whether we were working on hex chrome issues, we
15 didn't do something just for the City of Paramount. We
16 did it for the entire South Coast Air Quality Management
17 District.

18 When we're working on these BARCT rules, they
19 benefit all communities. And I think it's important that
20 we highlight the benefit that's going on with the rule
21 development, because it is for all communities. It's not
22 just for one. And when I think of where do we see some of
23 the specific enhanced benefits on the community level, it
24 comes from enforcement. It comes from being in the
25 community and having a presence. And it comes from making

1 sure that we have rules that are applicable to everybody
2 so that everybody benefits.

3 So thanks, Ryan, for giving me the extra two
4 minutes.

5 RYAN HAYASHI: No, I appreciate it, Wayne,
6 because it just gives me more opportunity to say, you
7 know, I'm in agreement with all the previous speakers.
8 And, you know, speaking for the valley, I think one of the
9 things that we definitely want to do more of is engage
10 with additional communities, you know, throughout the
11 valley, understanding that, you know, the program has
12 limited abilities to touch all communities, but there is
13 ample opportunity, especially in working with community
14 based organizations, to do more of the outreach and the
15 education of the services and the opportunities that our
16 organization provides to residents, either through
17 enforcement, incentives to, you know, get cleaner
18 equipment.

19 So we are definitely looking at partnering with,
20 you know, organizations that are doing this work and
21 providing that outreach and that education, and, you know,
22 in addition to talking about the AB 617 Program and how
23 it's changing communities throughout the San Joaquin
24 Valley.

25 Thank you.

1 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
2 Ryan. Thanks for giving your time, too.

3 I will be really brief, because I definitely want
4 to turn it over to Chair Randolph, so that we can get
5 questions from the Board. I just wanted to say thank you
6 to, I think, all of our panelists for being here with us
7 tonight. I think as -- you know, I think as I noted in
8 my -- you know, my talking points, I know that Deldi kind
9 of reinforced, we really see this as kind of an
10 opportunity for a reset I think in some ways with this
11 program and having this conversation. And I think even
12 having it in a different format in a different structure
13 really allows for us to kind of hear directly from
14 communities, hear directly from the air districts and kind
15 of have that dialogue, to start to think about what does
16 that reset look like and how do we do this in a thoughtful
17 manner.

18 So with that said, I'm going to turn it back over
19 to Chair Randolph who will moderate the questions from the
20 Board members.

21 CHAIR RANDOLPH: All right. Thank you, Chanell.
22 That was -- that was a great discussion.

23 Okay. I'm going to turn it over to my colleagues
24 and ask you all if you have any questions for the panel.

25 Board member Riordan.

1 BOARD MEMBER RIORDAN: Thank you, Madam Chair. I
2 just wanted -- I don't have a particular question. I just
3 wanted to express my appreciation to all of you who
4 participate in this effort. It's brand new, in the sense
5 that, yes, it has -- it's been here a few years, but I
6 know takes time and you have enlightened us. And I hope
7 that as the Legislature kind reviews some of the work
8 that's being done, we should bring attention to them, so
9 that they know what you're doing. It's very clear to me
10 you do need the funding. The funding is very critical.
11 Oh, and I'm glad Senator Leyva is on the line with us,
12 because it really is important that you have adequate
13 financial resources to be successful.

14 And I can see where you need training. I know
15 that training can be so helpful, especially in the
16 beginning, when you bring your groups together and look at
17 the work that you have to do. And it isn't necessarily
18 something that everybody has done before. They know what
19 the problems seem to be in the community, but they need to
20 understand the full scope of what can be done and how it
21 happens in the air districts and even with CARB.

22 So, one, thank you very much, and secondly, I
23 hope we can get you more funding for your efforts.

24 CHAIR RANDOLPH: Thank you.

25 Supervisor Serna.

1 BOARD MEMBER SERNA: Thank you, Chair.

2 Yeah, so I, too, want to thank all the community
3 members, those that have been very patient and
4 understanding, but also very willing to be candid. I'm
5 glad there wasn't any sugar coating. It didn't sound like
6 it was -- there was today, which I think we all appreciate
7 that honest assessment of where there needs to be
8 improvement. So that's very helpful for me and I would
9 speculate for the rest of the Board.

10 Just to emphasize what Member Riordan just said
11 about funding. To me, that has been the common theme to
12 almost every single comment. And someone -- one of the
13 commenters mentioned this is something that we knew from
14 the get-go, from the very outset of 617 that it was
15 underfunded. And certainly we've heard plenty from local
16 air districts. I know I have from the five air districts
17 that I represent in the Sacramento Valley that it's a --
18 it's a program that is woefully underfunded.

19 So I would like to suggest that -- and this is
20 really I guess for Mr. Corey, that we think about the next
21 session. And I, too, am glad that Senator Leyva is
22 listening intently here. But for the next session, I
23 think we ought to think carefully about how CAPCOA, CARB,
24 the representatives that have given us their input here
25 tonight can march lockstep down to the Capitol. And I

1 don't know how -- I don't know the mechanics of this. I
2 don't know if it's a committee hearing. I don't know how
3 it manifests itself, but I think it's time that the
4 Legislature understand that when they give CARB and local
5 air districts the charge to do the right thing -- and I do
6 firmly believe this in concept is absolutely about doing
7 the right thing for public health and for a very
8 democratic process involving local communities, but
9 without those resources, it becomes quickly very academic.

10 And so I think we need to have a singular voice
11 that really stresses to the right people and makes the
12 right case for improving the resource base for AB 617
13 implementation.

14 Thank you.

15 CHAIR RANDOLPH: Thank you.

16 Dr. Balmes.

17 You're muted.

18 BOARD CLERK ESTABROOK: Dr. Balmes, you're on
19 mute.

20 BOARD MEMBER BALMES: Well, I can start my thanks
21 all over again. I wanted to express my appreciation for
22 the time for -- that all the community representatives and
23 air districts have put in today and the many hours and
24 days they put in to trying to make AB 617 implementation
25 successful. As most of you have heard me say ad nauseam,

1 I'm really -- my heart and soul is behind trying to make
2 AB 617 successful, because to me, this is really the
3 frontier of air quality regulation and improvement.

4 Overall, we've done really well with improving
5 the air quality in California, but there's still this
6 disparate proportion of exposure burden in our AB 617 and
7 other low-income communities of color. So this is really
8 important work. And what I heard today, you know, was
9 that the program, warts and all, is making a difference.
10 The community representatives who, you know as Supervisor
11 Serna said, were candid about where they think there
12 are -- there have been problems and shortcomings. But I
13 didn't hear anybody say they wanted to junk the program.
14 And likewise, Veronica, Wayne, and Ryan, representing the
15 districts, didn't say we should junk the program.
16 Everybody said we should work hard to make the program
17 work and that more resources are really imperative.

18 So we have a long way to go to make the program
19 successful in the designated AB 617 communities. And I
20 heartily endorse trying to figure out a way to involve
21 more communities in a noncompetitive process and I think
22 we can do that, you know, over time.

23 But I guess I'm glad that, as everybody else
24 said, that Senator Leyva, who I think may be next, can
25 address, I think, our universal concern that this great --

1 this program with incredible potential to improve air
2 quality and public health in the communities that most
3 need that improvement, but I think we need more resources.

4 You know this is somewhat -- it's not unfunded,
5 but it's a -- it's an inadequately funded mandate and
6 it -- that's caused tension between the community steering
7 committees, and districts, and CARB, the districts and
8 community steering committees and it's sort of unnecessary
9 tension if we had adequate resources.

10 CHAIR RANDOLPH: All right. Thank you.

11 Senator Leyva.

12 SENATOR LEYVA: Thank you, Madam Chair.

13 First, let me also add my thanks to all of our
14 community groups. You are the boots on the ground. When
15 I'm working on legislation, you are the folks that I
16 listen to, because you're living this every day. You're
17 hearing from your community members, as well as I am, but
18 only really from folks in Senate District 20, and you're
19 all over the state.

20 I just want to say that I think that with AB 617,
21 you know, also SB 1000, where cities have to update their
22 general plan and provide an environmental justice piece
23 every 10 years, and then SB 1072, which helps cities --
24 small cities and disadvantaged cities know how they can
25 obtain money to make sure that they -- that they have

1 access to money, so that they can implement some of these
2 plans, I think that all of them work together. And I
3 think it was Angie who said that we all have to work
4 together and we really do, and everyone needs to be at the
5 table.

6 Funding is the fundamental problem and, you know,
7 SB 1072 is a bill that I did three years ago, four years
8 ago, and we just got funding for it in this budget. So
9 what I would say is tell me what you need. We have to
10 try. And if we are going to make change, real positive
11 change, the money has to be there. And I agree with Dr.
12 Balmes, it's not an unfunded mandate, but it's close to an
13 unfunded mandate. So we should try every single year for
14 more money.

15 And I'll tell you a little secret, all 111 people
16 that are on this call, we're going to have even more money
17 in the budget again next year. So this is another year,
18 where we should really try to put forward the effort to
19 make these things happen.

20 Let me know what we're looking for, give me a
21 dollar amount. If you have specific legislation, I would
22 love to hear about it. Thank you all for what you do, and
23 let's work together, and let's be in it to win it.

24 Thank you.

25 CHAIR RANDOLPH: Thank you.

1 Board Member Takvorian.

2 BOARD MEMBER TAKVORIAN: Thank you very much.

3 I think we're all calling you right now, Senator.
4 So thank you so much for offering that. And I also wanted
5 to thank you for reminding us all about SB 1000, which is
6 where I think we first crossed paths, because that -- the
7 requirement for an environmental justice element in the
8 general plans really speaks to what we need as a model, I
9 think, for what we're talking about with AB 617 as well.

10 We need that level of integration where you're
11 looking at it across the Board, and looking at how can
12 environmental justice be elevated in every way that a
13 general -- in every place that a general plan touches.

14 And so that's -- I want to thank everybody. I
15 really agree with almost everything that folks said. The
16 problem I have is we keep referring to this as the AB 617
17 program. And I really would love it if we could move
18 towards this is the way we do business in the air
19 districts and at CARB in regards to authentic community
20 participation and really reducing emissions. Because if
21 we think of this as a program and something that needs to
22 get funded, like a separate program that only happens in
23 certain communities or only happens when we have funding,
24 I think we're going to miss the big picture here.

25 We have to fundamentally change the way that

1 districts do business and the way that community members
2 are regarded or else it will -- it may be successful for a
3 while and then it's going to go away, because we may have
4 more funding next year, but my guess is in a few years,
5 that won't be the case.

6 So how do we integrate and institutionalize the
7 kinds of changes that are happening right now, which are
8 really exciting across the board? And I think that the
9 community representatives have really talked about one
10 fundamental change and that is participatory budgeting,
11 that really needs to be baked in to the districts so that
12 we're looking at how the budgets are allocated for
13 rulemaking, for community participation.

14 I really appreciate what Wayne was saying. And I
15 think it's really important that we look at how industry
16 is related to when rulemaking is occurring and how is --
17 how are communities related to during that period and how
18 is the budget allocated to allow for all of those
19 stakeholders to have their participation, their say?

20 And I think it's not all in the form of public
21 comments in writing or in hearing. You know, we know that
22 those relationships with industry are built over time and
23 there's trusting relationships between the District and
24 those industries. The same thing has to happen with that
25 and that has to be built into, I think, the way districts

1 do business. And that, in my view, is true power sharing
2 as Deldi was talking about initially.

3 So I'm really looking for how we can get that
4 level of partnership and power sharing across the Board.
5 And I think it's really built on some of the elements that
6 we currently have and that we're hearing about in the 617
7 program, and I'll say it.

8 But I think that's what the blueprint -- the new
9 blueprint is going to have to really speak. We shouldn't
10 be wasting time on whether or not people should get
11 stipends. They absolutely should get stipends. There
12 should be full-time staff that are staffing the community
13 members that are on these steering committees. There
14 should be technical assistance that are staffing the
15 community members. Those are really not debatable in my
16 view. Those are the kinds of resources that people need
17 to really do the kind of work that we're asking them to
18 do. So if we could get all that out of the way, then we
19 can move forward, I think, with real change. And so I
20 look forward to the discussion about that also in the
21 future.

22 Thanks.

23 CHAIR RANDOLPH: Thank you.

24 Board Member Florez.

25 BOARD MEMBER FLOREZ: I had put my hand down

1 because I think a lot had been said. By I just -- I
2 really wanted to just say thank you also to both Nayamin
3 and also to Wayne. I do feel like we should take some
4 time as a Board to talk about the land use planning issue.
5 I find it's getting, you know, almost incomprehensible in
6 terms of what we're fighting against. And I know Connie,
7 the Senator, knows this as well from Kern County to San
8 Bernardino. You know, the warehousing there coming in,
9 we're having legislation to just keep up. But there needs
10 to be, you know, a really big discussion I think at some
11 point in time about this whole land use issue.

12 And I feel particularly hard for the poor rural
13 communities, who are looking for jobs, but in some cases
14 have to tradeoff some of these for lungs. And, you know,
15 I just want to say thank you to all the EJ groups who
16 continue to pound the drum on this issue. I think it's
17 the fundamental issue, and keep going, and hopefully we'll
18 continue to be there with you.

19 Thank you.

20 CHAIR RANDOLPH: Thank you.

21 Board Member De La Torre.

22 BOARD MEMBER DE LA TORRE: Thank you. I want to
23 also echo all of my colleagues who thanked the panelists
24 and all of the of 617 folks who are listening in today.
25 Thank you for what you've done. This was a grand

1 experiment five years ago, or however long it's been
2 already. But as Deldi pointed out in the beginning, we're
3 only in year three of implementation and only seven are in
4 year two, which is -- you know, we're -- it's still early,
5 but I will go back to the thing that I've said over and
6 over again that this is a sampler platter of California,
7 the 15 are. And so we're going to learn things and find
8 successes that can be replicated, and then at that point,
9 we take those things statewide.

10 We don't need a community to be a 617 community
11 to benefit from what we are undertaking in these 15
12 communities, and again, the successes that we have that we
13 can take up and down the state. And I think that's when
14 the push for funding is really going to be key. You know,
15 don't know how much -- don't know what it is that's going
16 to be successful, so we don't know how much it's going to
17 cost.

18 But I think at that point, we're going to have to
19 make sure that we have the funds to implement the
20 successful strategies in like communities up and down the
21 state. So I'm as positive about this program with its --
22 with its bumps and successes that we've had so far. I'm
23 as positive about it today as I was when the legislation
24 was signed into law and when we started to implement it.
25 I'm really hopeful about what we can do here and I want to

1 remind everybody there is nothing like this on planet
2 Earth. There's no country that's doing this. There's no
3 state that's doing this. We are really on the cutting
4 edge here of community based mitigation and addressing all
5 of the disparities, all of the equity concerns in terms of
6 air quality that are out there in the state of California.
7 So I just want to thank Deldi, thank Chanell, thank you,
8 Chair and staff for pushing ahead, and our partners at the
9 air districts as well.

10 Thank you.

11 CHAIR RANDOLPH: Thank you.

12 Assemblymember Garcia.

13 ASSEMBLYMEMBER GARCIA: Yes. Madam Chair, good
14 evening and colleagues. I wanted to just make a few
15 remarks. The camera is off as we're traveling back and
16 forth in the district.

17 But I wanted just to kind of build on Board
18 Member Takvorian's comments and Mr. De La Torre's. This
19 is a program that is unlike any program ever seen or
20 attempted to be implemented. And so, yes, there will be a
21 tremendous amount of bumps and bruises along the way.

22 That being said, I think it's always important to
23 remind ourselves that the program was set up for the
24 purpose of allowing our community residents who are
25 directly being impacted by air pollution to drive the

1 conversation, to set the priorities and ultimately be part
2 of the implementation resolution efforts.

3 And there's been a lot of questions in certain
4 part of the state if, in fact, that has been the way that
5 the discussions have been taking place. And maybe it's
6 because of the stringent timelines that are in place that
7 air districts have rushed to set up, you know, the
8 frameworks and lead discussions to end in certain places
9 with certain issues to be at the top of the list. And I
10 know, because that's how some of our local stakeholders in
11 the Coachella Valley feel about the process that's been
12 undertaken.

13 I also wanted to speak to Ms. Takvorian's points
14 about, you know, the idea is that this work become
15 normalized throughout the air districts, that this not be
16 the other program that we constantly say, well, because we
17 don't have the adequate funding, we are unable to do X, Y,
18 and Z. And really for many residents in my district,
19 whether it be in the eastern parts of the Coachella Valley
20 or Imperial County, they believe that this is work that
21 the air quality districts should have been doing already.

22 And I know that a couple comments were made that,
23 you know, the lack of funding creates tension and this
24 competitiveness with other regions, but the fact of the
25 matter is is that we need to acknowledge that tension

1 between the air quality districts and our community has
2 existed far before the adoption, and implementation, and
3 selection of communities for AB 617. And I think it's
4 important to recognize that.

5 And so when we have air districts beginning to
6 work closely with the community and establish trust in
7 developing priorities, there's a lot of courtship that
8 needs to happen before that. There's still a long way to
9 go to establishing the lines of communication and then
10 getting into the trust. I mean, this is like speed dating
11 times 10 that we're asking the community to engage in on
12 issues that are far more real, as we heard from our
13 guests. You know, people are sick. People are getting --
14 are dying. People are Desperate for jobs and economic
15 development and investment. And there are some serious
16 tradeoffs that are happening. And Board Member Florez
17 gave an example of that that's happening in the Inland
18 Empire with the development of warehouses and the impact
19 that that has overall on the air quality of the region.

20 Without a doubt, and the offer that Senator
21 Connie Leyva puts on the table is the same offer that we
22 put forward in terms of, you know, pushing for additional
23 resources, but -- and if there needs to be considerations
24 for adjusting the policy timelines, and goals, and
25 objective without compromising the principality of the

1 policies in 617, then that's something that we ought to
2 entertain.

3 And I know that my colleague Cristina Garcia has
4 considered that in the recent past looking also at the
5 best available technology implementation piece to AB 617
6 and how we support the air districts moving forward.

7 So I just -- I just wanted to just mention that,
8 you know, it's great to hear from stakeholders
9 participating in the process. It's good to hear from the
10 air districts. I'm happy that Wayne was as candid, I
11 think, as he has been in the past about, you know, the
12 challenges, the opportunities, but I also know that there
13 are a lot of people that are expecting, you know, the air
14 districts to go even further, above and beyond, with the
15 limited resources. And that's just based on the belief
16 that this work that's being done is work that should have
17 already been in progress in our communities to address air
18 pollution issues that are impacting the public health and
19 well-being of our constituents.

20 So thank you for allowing me to just say a few
21 words, some of it repetitive, but nevertheless I think it
22 would be important to lend my voice to the subject.

23 Thank you, Madam Chair.

24 CHAIR RANDOLPH: Thank you.

25 I'm not seeing any other Board members raising

1 their hand, so I will -- I will thank Chanell and the
2 panel for your great insights. I mean, there was a lot
3 of -- there were a lot of important values that were
4 expressed right, the values of having this be community
5 led, the values of ensuring that there are enough
6 resources, the values of getting other agencies to
7 participate, the values of funding and the control of that
8 funding and making sure that communities can lead when it
9 comes to the use of the funding that supports the
10 strategies that they develop, and the need to get away
11 from a competitive process to build an AB 617 process
12 that, where communities aren't competing with each other
13 and that we're really scaling up solutions that work for
14 all communities.

15 So I really appreciate that discussion and I
16 think it's a good segue into our next panel, which is
17 about how CARB itself is focusing on the enforcement, and
18 toxic strategies, and other programs throughout the agency
19 and really bring to bear all of the resources that we have
20 to work with communities and make the improvements that we
21 need.

22 So CARB staff member Ugo Eke-Simmons will start
23 by providing instruction and background of how CARB
24 divisions work together on AB 617.

25 Ugo, take it away.

1 (Thereupon a slide presentation.)

2 TTD AIR RESOURCES ENGINEER EKE-SIMMONS: Thank
3 you, Chair Randolph. And good evening to you and also to
4 all the members of the Board.

5 In this second panel discussion, we will begin
6 with a brief presentation highlighting the role of the Air
7 Toxics Program in supplementing and implementing the goals
8 of AB 617.

9 --o0o--

10 TTD AIR RESOURCES ENGINEER EKE-SIMMONS:

11 California's Air Toxics Program identifies and
12 controls air toxics, informs the public of significant air
13 toxics exposures from stationary sources and requires
14 facilities to reduce those risks, and addresses the health
15 impacts of toxics exposures to communities to ensure our
16 measures adequately protect children and other sensitive
17 receptors, such as hospitals, schools, day care
18 facilities, and residential care facilities.

19 AB 617 is an integral part of the Air Toxics
20 Program building upon key pieces of legislation that drive
21 air toxics priorities. AB 617 has helped inform the Air
22 Toxics Program by changing our understanding of air toxics
23 in California, particularly in the communities most
24 impacts by toxic air pollution.

25 Last September, we presented an informational

1 update to the Board outlining Air Toxics program
2 priorities for 2020 and beyond. One of the priorities was
3 to evaluate the work AB 617 has done and its influence on
4 how the Air Toxics Program can be enhanced to address
5 localized air toxics exposures to communities impacted by
6 air pollution.

7 Since that time, we have engaged in a suite of
8 activities and actions to guide this work moving toward.
9 This work has and will continue to involve coordination
10 across multiple divisions in CARB with air toxics related
11 programs, as you will see reflected in the upcoming
12 slides.

13 --o0o--

14 TTD AIR RESOURCES ENGINEER EKE-SIMMONS:

15 Currently Air Toxics Program actions include amending air
16 toxics control measures. Staff are currently working on
17 amendments to the chrome plating control measure;

18 Developing a ranking criteria to help prioritize
19 future emission reduction strategies, which may include
20 Airborne Toxic Control Measures, suggestion control
21 measures, guidance documents and incentives;

22 Providing health risk assessment guidance for gas
23 stations. Staff held a public workshop earlier this month
24 on the technical and supplemental gas station guidance
25 documents, and anticipate publishing both documents early

1 next year;

2 Staff has been evaluating toxic metals from
3 emission sources within communities, including hexavalent
4 chrome emissions not covered under the existing chrome
5 plating amendments, as potential candidates for a future
6 Airborne Toxic Control Measure;

7 Supporting and following Research Division's work
8 to develop a more comprehensive analysis of the health
9 benefits of California's air quality actions, and
10 continuing current research into air toxics health
11 impacts, such as affects on respiratory disease in
12 communities;

13 And community engagement and education through
14 air toxics publications summarizing activities in the Air
15 Toxics Program, as well as holding air toxics listening
16 and capacity building sessions. And integral part of this
17 process will be partnering with communities to enhance
18 co-learning efforts to inform future Air Toxics Program
19 actions.

20 --o0o--

21 TTD AIR RESOURCES ENGINEER EKE-SIMMONS: Future
22 Air Toxics Program actions include work in areas such as:

23 Assessing cumulative impacts and developing tools
24 and metrics to incorporate them into risk management
25 strategies;

1 Developing new air toxic reduction strategies,
2 including Airborne Toxic Control Measures, and amending
3 existing Airborne Toxic Control Measures as needed, while
4 prioritizing community and regional air toxics risk
5 reduction efforts;

6 Updating CARB's air toxics monitoring network to
7 continue to document regional and statewide trends, while
8 also focusing on emerging areas of concern to help assess
9 exposure and document progress as controls are
10 implemented;

11 Updating the emission inventory to include more
12 current and comprehensive toxics data to support Air
13 Toxics Program work and prioritizing and developing
14 community scale emission reduction strategies;

15 Updating CARB's approach to air toxics
16 enforcement by considering ways to enhance the processes
17 and methods CARB currently uses to engage air districts in
18 enforcement of air toxics-related programs;

19 And continued community engagement and education,
20 including opportunities for co-learning as we work to
21 develop and implement future Air Toxics Program actions.

22 --o0o--

23 TTD AIR RESOURCES ENGINEER EKE-SIMMONS: Now,
24 we'll talk more about the health risk research and health
25 analysis work that the Research Division is doing,

1 specifically how AB 617 is informing research priorities.
2 CARB research is focusing on ways to incorporate more
3 community voices into research, enhance community
4 engagement, and include projects which strive for
5 equitable outcomes. The projects on this slide are
6 examples of current research projects that are driven by
7 AB 617 community needs.

8 The first project will investigate what air and
9 noise pollution levels residents in disadvantaged
10 communities are subjected to, both indoors and outdoors,
11 to gain a better understanding of which sources and
12 activities may have the greatest impacts.

13 The second project is focused on collaborating
14 with community groups and researchers in the Imperial
15 Valley to jointly develop a research roadmap and decide on
16 priority research needs to benefit this impacted region.

17 The third project will engage members community
18 members in selected key health metrics associated with air
19 pollutant exposures in their communities and develop a
20 publicly available dashboard to track health metrics over
21 time. Projects such as these will help CARB achieve its
22 goals of improved community engagement, community-focused
23 research, and community awareness for current and future
24 research projects. These research efforts will also help
25 promote equity in CARB air quality and climate policies

1 and programs.

2 Chanell, I'll hand it back to you to moderate the
3 panel discussion.

4 DEPUTY EXECUTIVE OFFICER FLETCHER: There we go.
5 Thank you, Ugo, so, so much.

6 There are just a few things that I'd want to
7 reinforce from Ugo's remarks. So I think that idea of
8 co-learning with communities. So engagement informs the
9 work of our air toxic programs. Two, I think the
10 connection to AB 617. So CARB staff have reviewed the
11 CERPs to better understand community priorities to inform
12 the work of the Air Toxics Program. And finally, the need
13 to more fully capture health benefits and how our Research
14 Division is supporting us.

15 So kind of in our next slide --

16 --o0o--

17 DEPUTY EXECUTIVE OFFICER FLETCHER: -- or, I
18 mean, in our next panel, we will hear from other divisions
19 that play a role in implementing AB 617. And so there are
20 a lot of moving parts. So in this slide right here you're
21 going to see the role that each division plays in AB 617.

22 Now, one of the things that we wanted to
23 emphasize here is that there are so many divisions who
24 work to support our commitments and we were not able to
25 bring them all to this panel. And there are actually two

1 divisions at the very end. So you'll see it's our
2 Monitoring and Laboratory and our Mobile Source Control
3 Division that I think aren't on this panel, but again I
4 think are -- really have been instrumental in I think our
5 AB 617 work.

6 And then I think there are even divisions there
7 aren't listed here that support our AB 617 Program. So
8 there's our legal office for one and then there are the
9 three databases that AB 617 called on CARB to develop, so
10 that means that we rely on our Administrative Services
11 Division for contract and its support to help launch them.

12 So I think the point we really want to emphasize
13 here is that it really does take a village when we're
14 talking about implementation of AB 617. With that said,
15 let's focus on our panelists here to learn about how they
16 have been reshaping and rethinking their programs in
17 response to AB 617.

18 So if everybody who's our panelists, if your
19 cameras can be on, that would be awesome. Yay. I think
20 Rich -- there we go. High five. I will ask each one to
21 introduce themselves and let them know -- or let us know
22 your role at CARB.

23 And I'll start with you, Elizabeth.

24 RESEARCH DIVISION CHIEF SCHEEHLE: Thanks,
25 Chanell. Hi. I'm Elizabeth Scheehle. I'm the Chief of

1 the Research Division at CARB. So my Division conducts
2 research that provides a scientific foundation for many of
3 the policies throughout the entire agency. And the
4 research is designed to help inform rules and regulations.
5 This can range from atmospheric measurement campaigns to
6 epidemiological health studies, source-specific field
7 studies, health disparities analysis and much more.

8 My Division also conducts the health analysis
9 that describes the health benefits of regulations and
10 plans. We're currently expanding that analysis to include
11 more qualitative and quantitative analysis. We'll be
12 holding a workshop later this year to actually introduce
13 some new health endpoints, many of those will be
14 incorporated into the next Scoping Plan.

15 So we recognize the importance of including
16 equity and community voices, and as such have incorporated
17 changes into our approach and will continue to evolve
18 those processes and introduce new approaches over time.

19 Thanks.

20 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
21 Elizabeth.

22 And then, Michael, I'll turn it over to you.

23 AQPSD CHIEF BENJAMIN: Good evening. I'm Michael
24 Benjamin and I'm Chief of CARB's Air Quality Planning and
25 Science Division. The Air Quality Planning and Science

1 Division is responsible for developing planning documents
2 and strategies known as State Implementations Plans, or
3 SIPs, which are needed to meet federal air quality
4 standards to address smog and fine particulate pollution.

5 In developing the SIPs, we develop emission
6 inventories. We analyze air quality data and we conduct
7 air quality modeling. We also develop regulations to
8 collect criteria and toxics emission data from stationary
9 sources of pollution. More recently, we've expanded our
10 responsibilities to also include developing technical
11 analyses in support of the AB 617 Program.

12 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
13 Michael.

14 Okay. Rich, I'm going to have you go first and
15 then Robert I'll have you go right after, since you guys
16 are both representing Transportation and Toxics Division.

17 TTD ASSISTANT DIVISION CHIEF BOYD: Thanks,
18 Chanell. I'm Rich Boyd. I'm the Assistant Division Chief
19 of the Transportation and Toxics Division.

20 Our Division develops regulations for both diesel
21 PM and non-diesel toxic source. And we rely on data
22 that's produce by AQPSD, work that's done by our
23 Monitoring and Laboratory Divisions to help inform us as
24 we're developing those regulations. We also do conduct
25 health risk assessments as part of our work in developing

1 regs. And we also do play a role in supporting our
2 Enforcement Division in implementing many of those
3 regulations.

4 TTD RISK REDUCTION BRANCH CHIEF KRIEGER: Thanks,
5 Rich, and thanks, Chanell. And as Rich mentioned, he
6 talked about a lot of things that we do obviously. I'm
7 the Chief of the Risk Reduction Branch within
8 Transportation and Toxics Division.

9 And as Rich mentioned, we -- it takes -- it takes
10 a village. As you mentioned too, Chanell, it takes a
11 village from our different divisions to help run the Air
12 Toxics Program. Our Branch specifically works on Airborne
13 Toxic Control Measures. They -- we also do health risk
14 assessments, as Rich mentioned. But we also do things
15 like responding to CEQA letters, to providing CEQA
16 comments on different projects and those types of things.
17 And we are engaging in more community outreach than ever
18 before because of the results of some of the 617. So
19 thank you again for having us.

20 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
21 Rich and Robert. So Todd, you were are going to round us
22 out.

23 ENFORCEMENT DIVISION CHIEF SAX: Great. Well, so
24 hi. I'm Todd Sax. I'm Chief of CARB's Enforcement
25 Division. You know what you've heard from the others is

1 there are staff who develop plans, and then staff who
2 develop regulations. The Enforcement Division is the
3 group that's responsible for enforcing all of these
4 regulations to ensure that the emissions and the health
5 benefits of our regulations are actually achieved in
6 practice.

7 And so for the past 15 years, CARB developed and
8 implemented rules that are designed to reduce diesel
9 particulate emissions from trucks, for example, by more
10 than 90 percent. And ensuring these reductions are met is
11 the most important thing that we can do to improve
12 conditions in these communities to reduce toxic diesel
13 particulate emissions and health risks.

14 And over the past four years a fraction of
15 California's registered vehicles that are complying with
16 our regulations has increased from 66 percent in 2016 to
17 98 percent today for trucks with the Truck and Bus Rule.
18 So we know that rule is working and we're continuing to go
19 after the remaining trucks that don't meet our
20 requirements.

21 And so to date, AB 617 has really resulted in our
22 bringing our existing enforcement programs into
23 disadvantaged communities. So, for example, in 2020, we
24 inspected more than 13,000 vehicles and equipment with 73
25 percent of them in disadvantaged communities. And we also

1 run a supplemental environmental projects program that in
2 2020 diverted \$6.8 million to local community projects,
3 including providing high-efficiency air filtration to
4 students in schools.

5 And, in fact, we've diverted more than \$20
6 million in penalties since we redesigned our SEP program
7 to disadvantaged communities. So thank you.

8 DEPUTY EXECUTIVE OFFICER FLETCHER: Thanks, Todd.

9 So I'm going to ask this first question, but I
10 feel like in some of the intros we've already kind of
11 tackled it. So if you have, it's okay.

12 But the first questions I wanted to kind of ask
13 and have us think about is how is what we're learning from
14 AB 617 informing our work? And if you feel like you've
15 answered that question, a different take on it could be
16 how has AB 617 changed the way that you're doing your
17 work?

18 So take either one, depending on how you've -- if
19 you've already that first question. And I will start with
20 you, Elizabeth.

21 RESEARCH DIVISION CHIEF SCHEEHLE: Thanks,
22 Chanell. So as we're conducting research and considering
23 the health benefits, it is really important to consider
24 how equity plays a part in the research projects and to
25 listen to community voices.

1 As such, and you've heard a little bit about
2 this, we've embarked on an effort to operationalize racial
3 equity in research. So we're making changes in both how
4 we do the research to incorporate more community voices,
5 and in the research itself, including creating projects
6 that focus on community needs.

7 So in the near term, we're attending community
8 meetings and listening sessions to hear those community
9 concerns, hosting discussion sessions that focus on the
10 Research Program, and utilizing other avenues to collect
11 ideas and also to increase transparency of our process.

12 In addition, we're encouraging compensated
13 community partners in research projects where appropriate
14 and implementing additional criteria and components in our
15 research project implementation. These can include things
16 like partnerships between academic researchers and
17 community researchers, as well as implicit bias training,
18 community engagement plans, and cultural competency
19 statements.

20 Finally, we're disseminating results with more
21 public facing progress updates and requiring summaries of
22 the research with accessible language. So these steps
23 will evolve as we continue to listen to feedback on the
24 processes.

25 And in the longer term -- just a little bit more.

1 In the longer term, we're working on a more detailed
2 equity framework for research. We'll be seeking public
3 input on that and looking to expand coordination and
4 collaboration, assess our research baseline and track
5 progress, and provide an update to the Board on that.

6 In addition, we have ongoing and upcoming
7 research that you've heard about in the presentation
8 that's really directly influenced by concerns voiced by
9 617 communities. One of the projects mentioned was the
10 research roadmap in collaboration with communities in
11 Imperial Valley.

12 And we're aiming to collaborate with additional
13 communities in the coming years. And in also listening to
14 some of the earlier panel, making sure that we take some
15 results from that and see if there are ways that we can
16 broaden those results to apply to additional communities
17 as well is something that we'll try to incorporate.

18 I wanted to touch on another project mentioned in
19 the presentation directly related to concerns we've heard
20 from communities, which is on the health related metrics
21 to track progress and health outcomes over time. We have
22 heard this concern over time. And in response to that, we
23 suggested and the Board approved a project on this last
24 year. It's in the process of being executed. It will
25 include discussions with communities of what metrics to

1 consider, what would communities be interested in, and
2 what is feasible to actual measure to see results in
3 health in the near term.

4 So with that, I will hand it -- I believe Michael
5 maybe now hand it back to you.

6 DEPUTY EXECUTIVE OFFICER FLETCHER: Yeah,
7 Michael, if you can chime in.

8 AQPSD CHIEF BENJAMIN: Thanks, Chanell.

9 Well, you know, historically, we've focused our
10 air quality planning efforts on addressing regional air
11 quality challenges and sources of pollution. And that's
12 been both in terms of our focus on technical work as well
13 as policy development. So AB 617 has been
14 transformational for us in three fundamental ways.

15 First, making sure that we have information on
16 air quality and sources of pollution, not just at the
17 regional scale, but also the community scale, which is
18 important when we start to think about developing
19 effective mitigation strategies.

20 Second, recognizing that we need more web-based
21 tools and other ways of sharing emissions and air quality
22 information that's understandable not just to the
23 regulated industry, or policymakers, or scientists, but
24 also to community members and the public at large.

25 And finally, realizing that we need to reach out

1 and solicit input from community members much earlier in
2 the process of developing our air quality plans, whether
3 those plans are regional, State Implementation Plans, or
4 community scale emission reduction plans.

5 TTD RISK REDUCTION BRANCH CHIEF KRIEGER: Thanks,
6 Michael. Robert Krieger. And as Michael indicated, AB
7 617 is really helping CARB to improve efforts in obtaining
8 relevant air toxics emissions data, not just from a
9 regional area, but from a community, so the impacted
10 communities.

11 This is one piece of the information needed to
12 enhance our efforts to provide additional priorities to
13 reducing hot -- air toxics exposures in communities most
14 impacted by this air pollution. Information gathered and
15 the lessons learned through AB 617 and the Community Air
16 Protection Program will help inform our Air Toxics Program
17 about the renewed community focus as well as we work to
18 identify and control air toxic contaminants and assess and
19 reduce the health risk of those exposures.

20 Interactions with communities and knowledge
21 gained from AB 617 will also help us to identify new and
22 emerging chemicals and how these could impact health risks
23 to local communities, as well as how we should be
24 addressing these impacts in our programs.

25 Finally, information gathered from our community

1 listening sessions, such as those that we've had for air
2 toxics, freight days, and locomotive actions, along with
3 community meetings and our community outreach sessions,
4 community monitoring programs, and evaluating CERPs are
5 helping us to prioritize sources for future emission
6 control strategies.

7 This information has helped us underscore the
8 need to expand community engagement and efforts and
9 opportunities to be in communities into regulatory
10 development activities at the start of our processes. And
11 this is something that the Chair -- Diane has mentioned
12 too, that it's not just the 617 communities, but it's
13 across all of our Air Toxic Control Measures in our
14 programs.

15 Thank you.

16 TTD ASSISTANT DIVISION CHIEF BOYD: And this is
17 Richard. I mean, the one thing that I would add with
18 respect to our, you know, listening sessions, because --
19 and just kind of reflecting back a little bit on the first
20 panel from a couple of comments we heard there about
21 things being community driven. When we first started, you
22 know, doing those listening sessions, I'll be honest, it
23 was a new thing to us. It's not something that we had
24 done a whole lot -- actually, we just really hadn't done
25 it all with respect to developing those regulations.

1 We used information that came from that very
2 early listening session to drive the topics of discussion
3 for the future listening sessions. So that includes the
4 freight days that we had, the locomotive session that we
5 had, and the upcoming session in December on health risk
6 assessment. And so we directly used that information that
7 we heard from community members who were attending those
8 sessions, you know, to inform what we were doing -- you
9 know, doing next on that.

10 The other thing I wanted to add, there were, you
11 know, a couple of comments at the end of the last session
12 regarding, you know, warehouses and some of the activities
13 that were going on there. That's really getting toward
14 the diesel PM side of the shop.

15 One of the other functions that goes on within,
16 you know, our Division is we do comment on, you know,
17 freight projects. Right -- you know, right now, we are
18 looking to expand to, you know, toxics projects. We're --
19 and in those letters, we advocate for the accelerated
20 deployment of zero-emission technology including the
21 related infrastructure, you know, time of construction as
22 soon as it is commercially available.

23 And one of the things we started doing there is
24 we do accept input from communities in terms of the
25 projects they would like us to look like -- you know, look

1 at. And that has had a big influence in terms of the
2 projects that we actually submit comments on. So I just
3 wanted to add that real quickly.

4 DEPUTY EXECUTIVE OFFICER FLETCHER: Oh, Todd,
5 you're on mute.

6 ENFORCEMENT DIVISION CHIEF SAX: Yeah. Sorry
7 about that. I'll round it out by just saying, you know,
8 we've really, over the last five, six years, tried to
9 build into the DNA of our Division the idea that we're
10 trying to address environmental injustice. And so we've
11 really seen our programs evolve on that front. We started
12 with just having one staff person who was working on
13 trying to get no idling signs into communities where
14 communities wanted it. And we expanded to having a team
15 of staff that started conducting outreach, visiting, going
16 out to community like IVAN meetings, and the like, to try
17 to understand what communities were facing.

18 And that's evolved into now more
19 community-focused enforcement efforts in each of the 617
20 communities. We have a lot to learn and we have a lot to
21 do, but we've also come a long way in a relatively short
22 time.

23 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
24 Todd. And so I think I love like panels and conver -- for
25 me it's a conversation -- for conversations like this,

1 because of after kind of hearing like basically what --
2 what and how AB 617 has changed or informed the work that
3 we're doing, the next question that I always have is so
4 what are the actions, right? What are the outcomes, I
5 think, that are currently happening to reduce community
6 exposures to air toxics and how do we ensure that
7 communities will see improvements in air quality.

8 And so I think for this one, I'm going start with
9 Michael.

10 AQPSD CHIEF BENJAMIN: Thanks, Chanell. Well,
11 you know, reducing community exposure to air toxics
12 requires having a good understanding of how much air
13 pollution is being released and where it's coming from, so
14 that we can develop the most effective strategies for
15 improving air quality at the community scale.

16 There are a couple of actions -- very significant
17 actions that the Board took this past year that I think
18 really are going to expand our understanding of what those
19 emissions are and what their impacts are for public health
20 and what sort of strategies make sense for addressing
21 them.

22 So the first action that the Board took was
23 adopting the Criteria and Toxics Regulation that we refer
24 to as CTR. And this regulation, which is being phased in
25 over a seven-year period is going to dramatically increase

1 the number of facilities in California that need to report
2 their toxics and criteria emissions on an annual basis.
3 And so this is going to be extremely helpful for Robert
4 and his team as he thinks about strategies and
5 regulations, Air Toxic Control Measures that he may want
6 to pursue to reduce risk at the community scale.

7 Another action that the Board took that is also
8 going to be extremely beneficial is were the amendments to
9 the Emission Inventory Criteria and Guidelines, or EICG,
10 which significantly expanded the number of chemicals that
11 need to be reported from about five or six hundred to more
12 than 1,400. So we're adding another 900 chemicals that
13 need to be considered as we develop risk assessments. And
14 so in combination, these two Board actions I think are
15 going to be very important in terms of understanding what
16 the sources of emissions are and what the risk is to
17 communities.

18 We're also doing a few other things in terms of
19 going back to what I was saying about the importance of
20 having access to information and making it really
21 understandable, we are developing a tool that's going to
22 allow us to import and manage this community scale
23 emissions data and we're rolling that tool out over the
24 next year or two. That is going to be, I think, extremely
25 useful for us, but also for community members. And then

1 we're also developing AQ-VIEW, which is a new data portal
2 that's going to visualize make available all of this low
3 cost sort of air quality sensor data that's being
4 collected by community members through the AB 617 Program.

5 And so this combination of community scale
6 emissions data and community scale air monitoring data
7 that's going to be much more readily available and
8 accessible to community members we think is going to go a
9 long way towards empowering communities and giving them
10 much more control in terms of really helping them to
11 understand what they may be exposed to in their
12 communities.

13 TTD RISK REDUCTION BRANCH CHIEF KRIEGER: Thanks,
14 Michael.

15 AQPSD CHIEF BENJAMIN: So I don't know, is
16 Robert, maybe this is a good hand off to you.

17 TTD RISK REDUCTION BRANCH CHIEF KRIEGER: Okay.
18 Thank you. Appreciate everything that Michael has said
19 too. And I think I just want to echo some of the
20 information that Michael presented. And some of that has
21 to do with the emissions inventory criteria and guidelines
22 in the number of compounds that were identified and the
23 expansive list of compounds that were identified. This
24 will definitely help us in our ranking and prioritization
25 of new emission reduction strategies as well as any of our

1 Air Toxic Control Measures in the future.

2 A couple actions that we're doing in TTD,
3 Transportation and Toxics Division, is that, first of all,
4 as stated before in the presentation, we are amending our
5 chrome plating regulation to reduce the risk posed by the
6 use of hexavalent chrome in these operations.

7 We're also developing -- in the process of
8 developing a ranking criteria and creating a scoring
9 matrix to help CARB staff determine future air toxics
10 emission reduction strategies, whether that's new ATCMs --
11 amended ATCMs, suggested control measures incentives,
12 guidance documents, publications, that sort of thing.

13 Staff anticipate a draft framework of this
14 ranking criteria yeah and scoring matrix early next year.
15 What's really important about this is that this will be
16 done with community members for their input as well. So
17 it will be coordinated with the community members. And
18 this will be very important for us to determine what
19 emission reduction strategies we have in these
20 communities.

21 Based on the data from the CERPs, I feel we're
22 the beneficiaries of all 617 work and shared at the
23 listening sessions. We're valuating toxics metals as a
24 candidate for our future Airborne Toxic Control Measure.

25 Some of the toxic metals we are evaluating

1 include, but are not limited to, hexavalent chrome
2 emission, not covered in the existing chrome plating
3 amendments, but also arsenic, cadmium, copper, lead, and
4 mercury, and nickel to name a few.

5 We are also in the process of publishing gas
6 station industry-wide technical and supplemental
7 guidance -- policy guidance. The technical guidance
8 provides procedures for guiding air districts in
9 conducting health risk assessments on gas stations. The
10 supplemental guidance provide recommendations for
11 districts and local governments on the siting and
12 permitting of gas stations, and underscores the need to
13 consider cumulative impacts in our actions.

14 As mentioned before, in all of our programs, we
15 are engaging in ongoing community outreach, listening
16 sessions, capacity building sessions, including upcoming
17 sessions on health risk assessments. We are also engaging
18 in the process, much more than we have before, in our air
19 toxics regulation development and our amendments as well.

20 We're continuing to provide comments and offer
21 suggested mitigation measures on several CEQA-related
22 projects that have significant impacts to California
23 communities. In these letters, we advocate for the
24 deployment of zero-emission technologies and the
25 supporting infrastructure as soon as they become

1 commercially available.

2 ENFORCEMENT DIVISION CHIEF SAX: So I think I'll
3 take it from here. So from the enforcement perspective,
4 we want to make sure we're building stronger and more
5 lasting partnerships with disadvantaged communities,
6 whether they're AB 617, or selected, or not, to facilitate
7 more effective enforcement over time.

8 Over the past several years, even though we've
9 focused our enforcement programs in disadvantaged
10 communities as places, this hasn't always translated into
11 addressing the concerns of the people who actually live in
12 these communities.

13 So what we're going to try to do is expand our
14 enforcement approach based on three fundamental ideas.
15 First, we're going to work with communities across the
16 state to better prioritize our work where it's most
17 needed. Rather than simply bringing our programs to a
18 community, we want to instead bring our expertise and our
19 labor, and ask people in the community how they think we
20 might be able to address the problems they see in their
21 community.

22 Second, we're going to provide a more
23 comprehensive suite of services to communities. This
24 will, of course, include our regular mobile source
25 inspections, vehicle idling assessments and inspections,

1 but it's also going to include things like odor
2 investigations and local agency coordination, stationary
3 source inspections in collaboration with air district
4 enforcement staff, training - we can help train
5 communities on how to submit, for example, more actionable
6 complaints, but we can also be trained by the communities
7 in the process of working with them on how to do that more
8 effectively.

9 We can engage in interagency collaboration on
10 multi-media issues, like toxics issues. We will continue
11 to expand our supplemental environmental projects
12 programs, and we can also work on special projects.

13 Third and finally, we really want to focus on
14 transparency, accountability, and leveraging from what we
15 learn from our boots on the ground work in these
16 communities.

17 So going forward, we're going to be providing a
18 report to each community documenting our understanding of
19 concerns and issues, the results of our enforcement work,
20 the lessons learned from our work in the community, and
21 the next steps that we think could be taken to address
22 underlying community issues.

23 In this capacity, staff, we will be working as
24 investigators in the community, but also serving as
25 consultants to local community groups. We will post the

1 results of any new types of inspections that we conduct,
2 including inspections in industrial sources on our
3 enforcement data visualization system, in addition to all
4 the work that we are doing at -- in our mobile source
5 inspections. And we will summarize the results and
6 lessons learned across all these communities in our annual
7 enforcement report each year.

8 We're already starting to implement this new
9 approach now, and it's going to require more work in
10 communities and more conversations with people in
11 communities. And we're really excited, I think, about
12 what the -- what the approach has to offer.

13 Enforcement is not a tool to solve all problems.
14 But as both inspectors with communities experience --
15 community level experience and air quality experts, we can
16 help identify ways to help address the issues that
17 communities face, both in the near term, and to better
18 understand the underlying issues that will need to be
19 solved over the longer term.

20 So thank you.

21 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you,
22 Todd so much. And I just found out that we are out of
23 time. So with that, I think I will say this. One, I just
24 wanted to say a huge, huge thank you to everybody on this
25 panel just for sharing out about the programs and helping

1 everyone understand how equity and a focus on community is
2 being incorporated throughout CARB, right? And so it's
3 not just in these certain, you know, what is it, certain
4 programs, but really all throughout that we're trying to
5 do. This works. So thank you guys so much.

6 Before I hand it back over to the Chair, I did
7 want to kind of highlight one slide to talk about some of
8 the next steps. And I just wanted to do this very, very
9 briefly.

10 --o0o--

11 DEPUTY EXECUTIVE OFFICER FLETCHER: And I just
12 wanted to highlight some of the activities for both air
13 toxics and Community Air Protection Program over the next
14 nine months. So we can just put it on the screen. I
15 won't spend a lot of time necessarily walking through all
16 of this, but I just wanted again to put it on the screen,
17 and I think -- so folks can kind of see what we're doing,
18 again from over -- from like December 2021 ongoing. We
19 really do have things really coming out that we're really
20 focused on, in terms of this action and some of those next
21 steps.

22 And so with that, I would turn it back over to
23 Chair Randolph to allow for more questions and comments
24 from the Board.

25 CHAIR RANDOLPH: Thank you. That was a great

1 panel. And it I was really an excellent sort of taste of
2 what Board Member Takvorian was talking about, like what
3 are we doing to build the community engagement, and
4 partnership, and strategizing, and data gathering, and
5 sharing information, and exchanging expertise into all of
6 our programs. So it was really encouraging to hear a lot
7 of the work that's currently happening.

8 So I will turn it over to the Board members who
9 would like to ask questions of the panel.

10 Dr. Balmes.

11 BOARD MEMBER BALMES: I don't really need to ask
12 questions. I just want to really express my appreciation
13 for the -- all the divisions that are working hard to try
14 to help AB 617 be successful. I mean, this panel was
15 music to my ears. And I just want to go back to what Mr.
16 Corey said at the start of this part of our agenda about
17 how CARB's culture is changing as a result of AB 617.

18 And Ms. Takvorian said it well, this should be
19 not just AB 617, it should be for all of our work. And
20 what I'm hearing is progress towards that. I really want
21 to express my appreciation for all the staff members in
22 all the divisions that are working hard to help AB 617
23 move forward and to change the culture of our agency to be
24 more equity focused. It's really heartening to hear
25 people like Rich Boyd and Todd Sax talk about community

1 listening, and actually more. Todd actually said learning
2 from the community. That's what this is all about.

3 And as I've often said, what's transformational
4 about AB 617 is the mandate to worry about local air
5 pollution not the regional air pollution that the federal
6 Clean Air Act prescribes. And, you know, it was again
7 music to my ears to hear Michael Benjamin talking about
8 how we considers AB 617 transformational to his Division's
9 work, moving from the regional level to the community
10 level.

11 And I also -- because I've been pushing this for
12 a long time, I hope AQ-VIEW finally, you know, fulfills
13 the promise that we've made for years to have monitoring
14 data available to community members in an understandable
15 way.

16 And finally, because I have been very supportive
17 of the Research Division and they've briefed me more than
18 once on their efforts to have AB 617-focused research and
19 research inspired by AB 617 that would be also applicable
20 to other communities that are not AB 617 designated. And
21 I particularly want to say that it may not be the first
22 time, but the fact that we're supporting a community-based
23 participatory research project in Imperial Valley is
24 really exciting to me, that that -- you know, our research
25 has not been that community partnered before. So I really

1 appreciate that.

2 And the health metrics research project out of
3 UCLA that we're funding is also really important to try to
4 move AB 617 implementation into accountability with
5 regards to health outcomes, not just emission reductions.
6 So I'm just really excited about this presentation and I
7 appreciate it.

8 CHAIR RANDOLPH: Thank you, Dr. Pacheco-Werner.

9 BOARD MEMBER PACHECO-WERNER: Thank you.

10 Yes, thank you so much panel. I really
11 appreciate all of you and especially have appreciated
12 seeing you on the ground, getting to know some of the
13 issues that you're facing on the ground. I've really
14 appreciated seeing some of you in my district. And I hope
15 that that continues to be part of the engagement.

16 I do have a question for you and just anybody can
17 answer. What do you feel like, aside from the 617
18 communities, is a venue of community engagement or
19 something that we could support you in in terms of trying
20 to access those that are on the ground to help inform the
21 work that you do?

22 TTD RISK REDUCTION BRANCH CHIEF KRIEGER: Well, I
23 can -- I can address part of that. I think when we --
24 when we look at our Airborne Toxic Control Measures or
25 when we start to develop an Airborne Toxic Control

1 Measure, such as the one we're amending now with chrome
2 plating, community input is very important. And the more
3 community input we have from the communities that have
4 these facilities and these sources within their
5 communities, the better we have to opportunities to
6 co-learn about those sources in emissions, and what your
7 concerns are in the community. So that's very important
8 for us.

9 Anything that we do, as far as -- and I mentioned
10 this before in the presentation, we're developing kind of
11 a ranking criteria to determine what next we can do within
12 each community. And that's going to be very important to
13 have community involvement in those opportunities, where
14 we can share and develop this in a partnership, so that we
15 can -- we can hear what you have to say and hear your
16 voices. So that's at least two areas for sure we would
17 definitely need your input.

18 TTD ASSISTANT DIVISION CHIEF BOYD: I think the
19 other thing -- this is Rich again -- that I would, you
20 know, add to that is, you know, we're trying to do a
21 better job and consistently improve with our, you know,
22 listening sessions. And that's -- that's, you know, our
23 opportunity -- at least we think that's a good opportunity
24 where there's the opportunity for that cross-dialogue,
25 where we can hear from the communities, they can educate

1 us about what's going on, and then we can really have that
2 discussion about how we move forward with, you know,
3 our -- you know, our actions, and whatnot.

4 You know, and so things that put a spotlight on
5 that just so more folks know about it, you know, are
6 helpful. You know, as part of those listening session,
7 you know, we do try to do a fair amount of advertising on
8 it. You know, and so we do reach out to specific
9 community members. We do ask them for their -- you know,
10 for their input. You know, our Office of Environmental
11 Justice they have a blog and so we post things on a blog
12 and additionally to, you know, using our listserv
13 broadcast and -- you know, and whatnot just so folks can
14 be aware about it.

15 But one of the things that, you know, has
16 concerned me is are we reaching all the people that we
17 need to reach? You know, are we making that space for
18 everybody who wants to, you know, participate. And so I'm
19 not certain of that. And so that's another area where we
20 could some use assistance.

21 CHAIR RANDOLPH: Okay. Thank you.

22 AQPSD CHIEF BENJAMIN: Yeah, and this is Michael.
23 I just wanted to add.

24 CHAIR RANDOLPH: Oh, sorry. Go ahead.

25 AQPSD CHIEF BENJAMIN: I just wanted to add that

1 I think one of the things that we're hearing from our
2 partners in the communities is that they are really
3 feeling stretched in so many different directions and it's
4 very encouraging to hear the discussion today about
5 additional resources, stipends for community members,
6 because honestly I think many of the community groups are
7 understaffed, they're under-resourced, and it's really
8 challenging for them to engage in a meaningful way on a
9 lot of these topics that quite honestly some of them are
10 quite complex and technical. And unless they have the
11 time and the ability to really be able to focus, it's, in
12 some ways, unfair to expect them to be able to comment in
13 a meaningful way on some of the products that we produce.
14 So I think that's one of the things that really needs to
15 be addressed.

16 DEPUTY EXECUTIVE OFFICER FLETCHER: And I'd
17 like -- if it's okay, I was just going to chime in really
18 quickly and say that I think this has been, I think, one
19 of -- one of the top priorities for me and I think with
20 the Office of Environmental Justice. And I think part of
21 why I'm really glad that I think like Robert, and Rich,
22 and Michael kind of jumped in and answered that is because
23 I think sometimes the onus is all on, like, well, what is
24 Office of Environmental Justice doing?

25 And I think we're doing a lot, right? We're

1 doing a lot behind the scenes. We're working kind of like
2 with divisions really thinking about like how do we start
3 to kind of like look at like what we're doing? How do we
4 explain like why is this important? Why you should get
5 involved, why you should get engaged, how are we kind of
6 like changing up how we're doing community engagement,
7 what are the limitations. So we're having these
8 conversations, but I think the point is to me is that it
9 can't all rest, right -- it can't all rest on like the
10 Office of Environmental Justice to change everything.

11 And I think what's been really -- what's been
12 really to me really powerful about, you know, all the CARB
13 staff, even the ones that aren't, you know, able to speak
14 tonight, is that I think everyone is realizing we can't
15 keep doing things the way we've been doing them. And I
16 think there's a lot of momentum and a lot of energy around
17 how do we change, transform, and I think as I mentioned
18 before, like we reshape what we're doing to better fit and
19 adjust to what the reality is, right?

20 And I think there's a lot of community
21 practitioners who have said, like time and time again, you
22 know, here is what you guys need to be doing. I think
23 there's apologies that it's been taking us so long, but we
24 are listening and we are making those changes. And I
25 think it's slow, but we are committed.

1 CHAIR RANDOLPH: Thank you.

2 Board Member Takvorian?

3 BOARD MEMBER TAKVORIAN: Yeah. Thank you, Chair.
4 Really quickly. I wish that we could turn our raise hand
5 into a thumbs up, because there so many things that were
6 said in this last panel that I wanted to use my thumbs up
7 that I don't have here.

8 So just to say, I think there's a huge amount of
9 progress that's been made. I think Dr. Balmes mentioned a
10 lot of it and I won't repeat that. But I think the key
11 things really are about building trust that has to do with
12 institutionalizing these programs, where one community is
13 utilizing them and then can tell another community or
14 another set of stakeholders that this really works for
15 them. And so that's something that they can take
16 advantage of. You know, that's how you build
17 institutional trust, I think, because you can't possibly
18 build trust with every single individual in every
19 community. So it's really got to be baked in as we were
20 saying.

21 And the other thing I think about capacity that
22 Robert was talking about is we really do have to
23 integrate. And that's what the beauty of like the
24 environmental justice element is that Senator Leyva really
25 championed, because you're looking at it across the board.

1 And I think these CERPs have the ability to really view
2 environmental justice issues and air quality issues across
3 the Board. So I'm hoping that we can really utilize those
4 to continue to thread all of this together.

5 And then the last thing is on the chrome plating
6 ATCM, I think that's a perfect link to land use. You
7 know, we keep talking about land use. Well, chrome
8 platers are zone -- or are allowed to be near homes and
9 schools. It's discriminatory zoning. And it's the kind
10 of thing that the cities really need to step up on, and
11 engage with CARB, and engage with the air districts on.

12 So I'm hoping that we can figure out a way that
13 that's a way in, as we've been talking about the
14 frustration of having municipalities joining on land use
15 issues, because that's a key one that I know we've
16 experienced in communities I work in and it happens in
17 almost every EJ community.

18 So thank you all so much.

19 CHAIR RANDOLPH: Thank you.

20 Vice Chair Berg.

21 VICE CHAIR BERG: Thank you very much. I also
22 wanted to weigh in here, because this has been -- both
23 panels were amazing. And this one was no different.

24 I want to encourage that as we look -- as I
25 listen to what you said, and the great ideas, and the new

1 ways of thinking, be bold and keep thinking about how to
2 do things outside the box. When Michael was talking about
3 the fact that we need to reach out earlier and to
4 interact, and with the communities to drive solutions, I
5 almost was thinking an advanced team, a year early,
6 because we've got to come up with a way that for these
7 communities don't feel like they're drinking from a fire
8 hose every time we call.

9 So it would be interesting as you go down this
10 path and you're interacting and sharing with each other
11 what ideas do we have to go out earlier, to be more
12 consistent with what we're coming up, with things that are
13 on our plate in advance, so to get people input earlier
14 just as you had said.

15 And I guess I really want to follow up on Tania's
16 anything that we can do as a Board to support you,
17 including letting us know when you're reaching out to
18 communities, if we can show up, if we can, you know, be a
19 bigger support, I think this is going to be important also
20 to build trust.

21 And I realize we all have way too much to do.
22 And everything is a stretch when you take on another new
23 thing, but this is a priority and very important. So I
24 wanted to say bravo to both panels, and thank you very
25 much, and great job tonight.

1 Thank you.

2 CHAIR RANDOLPH: All right. Board Member Kracov.

3 BOARD MEMBER KRACOV: Well, we've been going
4 almost 10 hours here today, so I don't whether to laugh or
5 cry, or, you know, shut up, but I just can't help myself,
6 Chair.

7 So I'll just go really quickly. I know I talk
8 fast normally, so I'll go even faster today. I'm not even
9 going to try to thank all of the people involved in this
10 program. It's too much to mention, both at the local air
11 districts and also with CARB and all the community folks
12 that are all serving on the CSCs, and the legislators that
13 are helping on this. The only ones I'll just point out
14 are the folks that participated in the panels from my
15 district today. I want to thank Wayne Nastri and Paula
16 Torrado, and Angie Balderas for coming and helping.

17 I'm really interested in the next steps, Chair,
18 that last slide, and, you know, want to find ways for the
19 Board, you know, to lean in here and to focus -- help
20 focus this and help it be successful. I do think Dr.
21 Balmes has really carried a -- had the yeoman's oar here
22 and he needs some help. And I think we've got to figure
23 out how to get the Board involved to lean in and to help.
24 And I, for one, am willing to do that. I know that there
25 are others as well.

1 There's some real positives with the program that
2 I want to highlight before I stop here. The BACT/BARCT, I
3 know in our air district, we've been working super hard on
4 the BACT/BARCT rules quite successfully. I know other
5 districts have as well. San Joaquin has a glass
6 manufacturing rule coming up shortly. These are success
7 stories and these are success stories that I think also
8 are going to be taken statewide, as you look at the
9 program. So I think an objective view of the BACT/BARCT
10 on this program is that it's been successful and we should
11 build on it.

12 Another thing is the pesticide notification. One
13 of the things that helps with this program is if we can
14 show results. I'm so happy for the Governor and the
15 Legislature have put \$10 million into this program this
16 year. I know CARB has to help. But if we can get that
17 off the ground, that's the kind of results that could
18 really change dynamics. So let's get that pesticide
19 notification done. I know many Board members De La Torre,
20 Eisenhut are very interested in that as well.

21 We want to hold ourselves accountable. I think
22 the yearly reports are very important for us as CARB Board
23 members and as the members from the districts each year to
24 look at each of the communities to see how we're doing.
25 And those annual reports are going to be important metrics

1 in ways to hold ourselves accountable for the goals of the
2 program, including the biggest goal, which, of course, is
3 emissions reductions.

4 Finally, you know, we want to find ways to
5 support the districts. This is very tough work.
6 Executive Officer Nastri indicated that today from the
7 District level. And it's a combination of -- and there's
8 no magic touch. You know, resources and support, yet also
9 maybe greater flexibility on things like timelines. And I
10 know that Wayne is really thinking about that and trying
11 to think about best practices moving forward.

12 So thank you all. Thank you, Ms. Fletcher, Ms.
13 Reyes, all the staff. I said I wasn't going to name
14 names. I can't help myself. Looking forward to leaning
15 in, looking forward to the next steps, and trying to make
16 the promise of this program be reached.

17 Thank you.

18 CHAIR RANDOLPH: Thank you. Okay. Thanks to the
19 Boards for all the -- your questions and engagement. And
20 we will now be hearing from the public who raised their
21 hand to speak on this item. Will the Board clerk please
22 call the first few commenters.

23 BOARD CLERK ESTABROOK: Yes. Thanks, Chair. We
24 currently have four members with their hands raised to
25 speak on this item. The first is Matt Holmes. After Matt

1 will be Robina Suwol, Chris Chavez, and Shayda Azamian.

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

4 MATT HOLMES: Thanks, Katie. Can you hear me.

5 BOARD CLERK ESTABROOK: Yes, we can.

6 MATT HOLMES: Great. So thanks Chair Randolph
7 and members of the Board for this opportunity to address
8 617. I want to thank staff for framing this program many
9 hours ago as a credibility building opportunity for CARB
10 that depends entirely on power sharing. You guys know
11 that I'm from Stockton, Little Manila Rising. Of course,
12 I prefer he/him pronouns.

13 I'm really hear to talk about Board member
14 guidance within context of 617 and in particular I'm going
15 to use the 617 convening to frame that. The convening
16 last month was an important opportunity to course correct
17 617. This is a reparatory process designed to address
18 tough issues in the regulation of air quality, monitoring,
19 and emissions reduction, so naturally it's fraught with
20 conflict.

21 You know, unfortunately, this hugely significant
22 opportunity -- you know, well, I'll just leave out, you
23 know, the overwhelming failure to recruit the medical
24 world or local land use authorities that I heard people
25 identify tonight. I'm glad to hear that.

1 I'll just focus on, you know, who we funded in
2 CARB staff and their performance. CARB's performance was
3 troubling for the past three years. I'm convinced that
4 much of the conflict in this process could have been
5 avoided, not because your staff don't have the skills, but
6 because your staff didn't have permission to show us their
7 best work.

8 One of the key elements identified across the
9 state at the convening, had any of you been there, was
10 that staff -- it wasn't that there was too many people --
11 just that there was too many people at meetings, but they
12 attend and don't contribute. Passive participation of
13 CARB experts and a process implemented at the regional air
14 district level delayed learning and, in some cases,
15 precluded important learning benchmarks that community
16 steering committees needed and deserved to make informed
17 choices.

18 Board members must know that non-disclosure by
19 CARB staff is not how trust is built, however many people
20 sit through a meeting. Even if it does keep you out of
21 trouble with the regional air districts or CAPCOA, not
22 telling us what you know doesn't help.

23 So, you know, I'll just tell you as a newcomer to
24 all of this in the past few years, I feel like CARB is
25 more worried about upsetting air districts and CAPCOA than

1 they are about failing communities with advanced mortality
2 rates. And so, you know, that's something you guys could
3 have heard about firsthand had you been there.

4 So I'll get to my main point, which is that Board
5 member attendance was restricted at your own convening by
6 the Bagley-Keene Open Meeting Act. I find it absurd that
7 some bizarro interpretation of a law designed to increase
8 transparency for the public was used to effectively
9 isolate members of the Board from direct input from the
10 most impacted members of the public.

11 The convening was planned for months by UC Davis,
12 under contract with CARB. We made efforts to say who can
13 be there, why can't they be there, and, you know, you
14 guys -- you guys missed your opportunity to hear from us
15 directly. You know, those aren't excused absences.

16 So please, revisit your good from Legal staff.
17 If necessary, get a second opinion. It makes no sense at
18 this -- you know, that you weren't there. This program is
19 too important to lose. You met brave panelists I guess
20 like three hours ago when we started talking about this,
21 before we had an internal staff meeting that explained how
22 you're supposed to work together.

23 So please Bagley-Keen was not designed to keep
24 you from the public. And if you need to find a different
25 lawyer, they'll usually do what you tell them, what you

1 pay them to tell you, and maybe that's why we're in this
2 problem in the first place.

3 Thank you very much.

4 BOARD CLERK ESTABROOK: Thank you.

5 Robina Suwol, you may unmute yourself and begin.

6 ROBINA SUWOL: Hi. Good evening. My name is
7 Robina Suwol and I'm the Executive Director of California
8 Safe Schools. And we're a children's environmental health
9 and environmental justice coalition working statewide
10 since 1998.

11 We greatly appreciate all of the speakers and all
12 of the dedicated efforts made by the Chair and Board, and
13 staff. And I'd especially wish to thank Deldi Reyes for
14 her presentation and for her incredible team that she
15 works with.

16 This evening I just want to comment very briefly
17 on the Air Toxics Program. And we'd like to stress the
18 importance of CARB continuing to identify the types of
19 stationary sources with public health concerns that are
20 currently excluded from the criteria pollutants and toxic
21 emissions, and to bring the program -- please bring it up
22 to date surrounding toxics released to, not just a list
23 that was created 20 years ago.

24 And as many speakers have said today, and I know
25 I've testified, you know, in prior meetings, that

1 pesticide should be included and that we hope that CARB
2 will continue to work toward phasing out the use of
3 chromium(VI), and formaldehyde, and to develop tools that
4 will evaluate and mitigate cumulative impacts. And that's
5 what I'd like to say this evening and to thank you very
6 much for your time.

7 BOARD CLERK ESTABROOK: Thank you.

8 Christopher Chavez, you may unmute yourself and
9 begin.

10 CHRISTOPHER CHAVEZ: Yes. This is Chris Chavez,
11 Deputy Policy Director at Coalition for Clean Air and
12 member of the Wilmington, Carson, and West Long Beach AB
13 617 community steering committee.

14 First, just want to thank the staff members for
15 their presentation today and also thank both the CARB
16 staff and South Coast AQMD staff for their work on the 617
17 program over the last couple of years. I certainly -- you
18 know, I guess I'm going to divide my comments into two
19 points.

20 One, I do want to express my appreciation and
21 agreement with the community members who talk -- who spoke
22 at the beginning of the presentation and really emphasize
23 the need for community control and community ownership
24 over this process. I understand that it may not work for
25 every single steering committee, but certainly the more

1 folks have a direct hand in how AB 617 operates, I think
2 the more accepted, the more community buy-in you'll have
3 with that process.

4 I also would repeat my comments to -- regarding
5 the reset that has been discussed that really any sort of
6 reset needs to be done in conjunction with -- in
7 consultation with the community members who part of the
8 617 process as well. I certainly understand and agree
9 that the amount of staff work that has been put into this
10 process is enormous, but this is also a significant part
11 of what -- of -- this is really the main way how agencies
12 can engage directly with constituents, with communities
13 that have long experienced environmental racism, long have
14 experienced, you know, multiple pollution sources that
15 have impacted their health, their quality of life, and
16 their longevity.

17 Regarding the Air Toxics Program, I really want
18 to align with what Robina had mentioned earlier. We
19 really need to start approaching air toxics more robustly
20 through the 617 process. The -- so far, it has taken a
21 very heavy approach to criteria air pollutants, what
22 certainly is an important area, an important topic to
23 address.

24 But we also need to start paying more attention
25 to the tox -- air toxics portion of it, both in terms of,

1 you know, of course the mobile sources, diesel particulate
2 matter, things like that, but also the toxics from
3 stationary sources, so revamping our approach with that
4 and giving that section due attention I think is going to
5 be important for the next steps of the AB 617 process.

6 Again, just want to express my appreciation for
7 the AB 617 process, for the engagement with the
8 communities, and certainly look forward to continuing
9 working with CARB and the air districts in the
10 implementation of the law.

11 Thank you very much for your time.

12 BOARD CLERK ESTABROOK: Thank you.

13 Next will be Shayda Azamian. After Shayda will
14 be Bianca Lopez, Amy Kyle, and Luis Olmedo.

15 Shayda, I have activated your microphone. You
16 can unmute yourself and begin.

17 SHAYDA AZAMIAN: Thank you. This is Shayda
18 Azamian with the Leadership Counsel for Justice and
19 Accountability.

20 My colleagues work with community members and
21 serve on many steering committees throughout inland
22 California. Thank you for the opportunity to comment
23 tonight and for the valuable stories of cooperation and
24 rippling 617 impacts across CARB.

25 The conversation was heartening. And the purpose

1 of my comments will really be to emphasize the gravity of
2 this moment and 617 right now. As we've heard,
3 communities still saying why don't we have a say about how
4 the funds are used, or in some cases, why is it so hard to
5 create new regulatory protections when all the agencies
6 who have the power to do this are in the room.

7 And because of this, I do appreciate the term
8 "reset", and have to wonder what will constitute the
9 reset, and what agencies are willing yet to commit to new
10 practices. I think making information on stationary
11 source permitting more accessible is important and what
12 will -- and what will be the commitment from agencies that
13 follows to prohibit continued colluding industrial
14 development in 617 communities.

15 The conversation tonight emphasizing the
16 importance of land use in CARB's and the districts' work
17 shows promise and should be met with strategy. Trying out
18 just decision-making structures is indeed a process of
19 learning and it is important to recognize that 617 in its
20 three years so far has not yet fulfilled its purpose to
21 turn the priorities of impacted community members into
22 actual protective regulations specific to their community
23 boundary area.

24 This is one of the key findings that John
25 Jonathan London at UC Davis had reported on as well. The

1 program on the whole is not leading to specific regulatory
2 protections within community boundary areas that it is
3 meant to. 617 cannot merely function as an incentive
4 program. It must have regulatory strategies that protect
5 communities. And this is a dual core purpose of 617, as
6 Cristina Garcia reaffirmed at the convening last month as
7 well.

8 I agree that the shift from community members
9 being behind the public comment podiums and at the
10 decision-making table itself is significant. But
11 unfortunately, I also think it's the case that many local
12 districts continue to effectively treat the AB 617 Program
13 as a vehicle for additional funds that they get to
14 allocate, while continuing to leave communities out of
15 important decisions and implementation processes.

16 Many agency staff in this process have not shown
17 enough willingness to step aside and take a strong
18 supportive position in a truly empowered community-led
19 implementation process.

20 And in the Blueprint update, I also feel that we
21 keep saying and hearing the same things without seeing the
22 learning reflected in on ongoing processes. The best
23 practices in participatory process from some communities
24 have not been standardized and practiced with other
25 communities as well. So until there are major corrections

1 in the program's implementation across all districts and
2 communities, we will keep drawing attention to these
3 existing deficiencies.

4 I would also like to know what CARB can do and
5 will do to effectively steer straight implementation of
6 the program and uplift the culture of 617 from one of
7 regulatory avoidance. Residents and stakeholders alike
8 are feeling like engaging in 617 is no longer worthwhile
9 in many cases. And so we'd like to know how CARB, as the
10 overseeing agency, plans to engage at the local level to
11 address these issues.

12 Finally, I must restate an original and constant
13 ask of the 617 program, which is that CERPs must include
14 quantifiable emission reductions rules with enforceable
15 timelines co-developed with the CSC. That we still
16 struggle with this outcome and that CERPs have been passed
17 anyways without regulatory emissions reduction measures is
18 unacceptable for the program that is meant to do, as we've
19 heard tonight, what it's supposed to do.

20 So we do appreciate the time and efforts going
21 into the Blueprint update process, but must recognize how
22 convoluted that has been as well. To date, it remains
23 unclear to me how aligned the changes in the final revised
24 Blueprint update will be to the intent of the 617 statute.
25 I do -- would love -- I would love to know if the updated

1 Blueprint also will include a framework for a
2 non-competitive component such as the sector-based
3 approach. And I worry the Blueprint update process may be
4 overshadowing efforts that can be taken a lot sooner to
5 make these improvements as we wait all through next year
6 according to the Blueprint's current timeline.

7 CHAIR RANDOLPH: Shayda, your quite over time.
8 If you could just wrap up really quick, that would be
9 great.

10 SHAYDA AZAMIAN: Thank you for that. Yeah, I'll
11 just wrap up by saying thank you to the agency staff and
12 community members for your excellent insights and for
13 advancing our collective understanding of where we need to
14 be.

15 BOARD CLERK ESTABROOK: Thank you.

16 CHAIR RANDOLPH: All right. Thank you. And I
17 just wanted to note, I wanted to ask folks if you want to
18 be in the queue to go ahead and raise your hand, because
19 we're going to close the queue in just a few minutes.

20 Thanks.

21 BOARD CLERK ESTABROOK: Bianco Lopez will be our
22 next speaker. I've activated your microphone. You can
23 unmute yourself and begin.

24 BIANCO LOPEZ: Thank you. Good evening. As
25 state, my name is Bianco Lopez, she/her/elle are my

1 pronouns. I'm with Valley Improvement Projects in
2 Stanislaus County. We are for social and environmental
3 justice.

4 My comment today is about the Air Toxics Program.
5 You mentioned evaluating community exposure to toxic air
6 contaminants and I'm interested to know about the risks
7 associated with incineration -- waste incineration,
8 specifically after decades-long of toxic exposure in
9 disadvantaged communities.

10 I live in Stanislaus County and we have one of
11 two incinerators -- waste incinerators in the state. And
12 it's been -- it will be, when its contract ends, will have
13 polluted our communities for about 38 years.

14 I don't -- I don't recall hearing anything about
15 your -- you considering cumulative impacts. The Crows
16 Landing -- I'm sorry the incinerator is located in Crows
17 Landing, which is predominantly Latino, who is also by --
18 off of the 5, close to the warehouses in a farming
19 community exposed to pesticides. And now, you know, COVID
20 has really exacerbated some of these effects on our
21 community. So I'd also like to request that when you do
22 look into these risks associated with the incinerator to
23 please reach out to Valley Improvement Projects, because
24 we would like to be more involved with that.

25 Covanta does brag about how they emit less than

1 what is allowable, but we know that, you know, after 38
2 years of their service, or disservice, to our community,
3 that that must be taken into consideration.

4 And I'd just like to say thank you to the
5 presenters today, to all of the front-line communities who
6 are doing the do and are present here today.

7 Thank you.

8 BOARD CLERK ESTABROOK: Thank you.

9 Our next speaker will be Amy Kyle. After Amy
10 will be Luis Olmedo, Catherine Garoupa White, and then
11 Kevin Hamilton.

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

14 DR. AMY KYLE: Thank you. My name is Amy Kyle
15 and I'm an environmental health scientist and I've worked
16 a lot on some of these toxics issues that were in the
17 rules described tonight. And I have a few things I wanted
18 to say, and -- but first, I want to acknowledge just the
19 advances in thinking about this that have occurred over
20 the last year and tonight, and, you know, bringing into
21 focus the community expertise, leadership, this focus on
22 action, and then the need to move to community scale. It
23 feels like it's taking hold and I'm, like other people,
24 very thrilled to hear that.

25 My first thing is along the lines of Ms.

1 Takvorian's comments about thinking about this whole issue
2 is I think we need to start talking about solving this
3 problem of disproportionate burdens on communities, rather
4 than implementing this 617 program, because the 617 isn't
5 enough. You know, it's a good start. It's done a lot of
6 good things, but we need other things too. And so I think
7 we're at a point that we should move up a level in how we
8 talk about this is really key.

9 Secondly, I did a deep dive into the gruesome 12
10 volumes of the emissions inventory guidance documents, et
11 cetera, for the Toxics Program a year or two ago. And one
12 thing I learned from that and other things I've looked at
13 too is that there is a lot of institutional stuff at CARB
14 and the districts that is pointed away from communities.
15 And it's in rules, it's in methods, it's in monitoring
16 approaches, it's in analyses. It's in consultation
17 processes. It's in who's on somebody's phone.

18 And somehow that I think is going to have to be
19 reset too. You know, there's not one button you can push
20 to reset it, but there's an awful lot of stuff there.
21 That's how business is done and who talks to who, and what
22 you have to write in your report that is wrong when we
23 think the way we are. So there's an institutional
24 component of this that will need to be fixed, and once
25 fixed, I think will make some other things easier.

1 And then third thing I wanted to say is that
2 somehow I think there has to be a deeper form of
3 institutional support for the communities, because the
4 communities are being asked to carry a huge part of this
5 burden, and yet, they don't have any of the resources, or
6 money, or jobs, or anything. And it's more than more
7 stipends. You know, I think there's something different
8 about this institutional arrangement that is going to need
9 to be thought about further too. So I thank you all for
10 everything that has been cussed here tonight.

11 BOARD CLERK ESTABROOK: Thank you.

12 Luis Olmedo, you can unmute yourself and begin.

13 LUIS OLMEDO: Good evening, Madam Chair and
14 members of the Board. There's been quite a number of
15 years in the implementation of 617. And there still
16 remains so many challenges and opportunities to make it
17 better and to, you know, deliver on that promise. I mean,
18 those of us who were there to took a bitter pill, you
19 know, on Cap-and-Trade and some of us were expecting 617
20 to be -- deliver on some of these promises in a much
21 sooner, much more engaged process.

22 And I do want to just recognize all the
23 frustration and the concerns that have come to this Board,
24 and to the executive, and to management for years now.
25 And just -- you know, I just hope that we find ways to

1 accelerate solutions to some of these remaining concerns
2 that seem to me don't have to be difficult fixes.

3 But I do want to -- I do have one ask and that is
4 that we need much greater investment in the environmental
5 justice program. I'm not saying that that's a solution
6 for all environmental justice, but it would be very
7 helpful to have a more robust environmental justice
8 program, because I certainly feel that we need that
9 external support.

10 But I'm not necessarily here to just convey a
11 negative message. There have been many positive outcomes
12 that were of as a result of 617 that were weren't
13 expecting, you know, at the local level, changing
14 relationships. Not saying it's good and I'm not saying
15 that every community has benefited, but I can say in
16 Imperial we have had some positive outcomes. And it looks
17 like we're on a journey, where before there wasn't even a
18 conversation.

19 So I do want to take the moment to just uplift a
20 few people that have been influential in the work that we
21 do in this region, the Salton Sea region. Ryan Atencio,
22 Trish Johnson, Todd Sax, Elizabeth Scheehle, Catherine
23 Dunwoody, Richard Corey, they know that we still have a
24 long way to go, but have gradually and consistently we've
25 been making progress on issues that certainly I have

1 brought, but doesn't mean that we have resolved all
2 environmental justice issues.

3 I want to thank the Board members, Madam Chair
4 and all the Board members that consistently call
5 environmental justice, and care, and are concerned about
6 what issues either we're bringing up or you're asking us
7 about to make sure that our voices are represented. And
8 that's it. You know, just a lot of work to be done, but
9 thank you for -- so far for, you know --

10 BOARD CLERK ESTABROOK: Thank you.

11 LUIS OLMEDO: -- the opportunities to have a
12 voice in these -- in the Board. Thank you Madam Chair and
13 Board members.

14 BOARD CLERK ESTABROOK: Thank you.

15 Catherine Garoupa White, you can unmute yourself
16 and begin.

17 DR. CATHERINE GAROUPA WHITE: Good evening. This
18 is Catherine Garoupa White with the Central Valley Air
19 Quality Coalition and the Stockton community steering
20 committee. Thank you to the tonight's panelists.

21 I want to comment briefly on AB 617 and say that
22 CVAQ and our partners welcome the opportunity to deepen
23 collaboration through all regulatory processes and
24 heartily agree that this work should already have been
25 done by our local air districts and must continue to be

1 integrated.

2 While AB 617 may be relatively new, environmental
3 just issues certainly are not. I also cannot agree that
4 more funding is needed until transparency and
5 accountability is proven with the use of existing
6 resources. It's well known at this point that funding and
7 transparency has been a huge issue and barrier in the
8 Stockton process that hopefully with training and
9 engagement on processes, like participatory budgeting, we
10 will be able to work past.

11 I want to thank staff that are helping lead these
12 efforts towards co-learning, collaboration, and true
13 integration around allocation of resources, and the way
14 that these programs are run, particularly the advanced
15 attention to equity and planning in the Enforcement
16 Division and the EJ Division.

17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you.

19 Kevin Hamilton, you can unmute yourself and
20 begin.

21 KEVIN HAMILTON: Good evening, Madam Chair and
22 members of the Board. And thank you for this opportunity
23 to speak this evening, this incredibly long day that we've
24 all had.

25 I want to certainly support and reflect the

1 comments of my colleagues, Luis Olmedo, Shayda, and
2 Caroline and others tonight. This is a long journey. We
3 have embarked on this journey not really knowing what the
4 end looks like. And so when you do that, you have to
5 accept that you're going to have to make adjustments along
6 the way, depending on what you find as you move through
7 it. And that's the way I would like to think that our
8 organization, CCAC, and others have been approaching it.

9 You're going to find obstacles in your path and
10 you're going to have to overcome those one way or another,
11 or the journey ends, and so that's happened. Some of
12 those have been essentially the as-is, if you will,
13 agencies, the rules and regulations they have to operate
14 under. Some of those have been falling over our own two
15 feet as we try to learn the pathway through this and
16 through that learning occasionally go down the wrong path
17 and have to turn around and come back.

18 But, you know, the thing that encourages me is
19 the opportunity is still there. It hasn't gone away. I
20 believe firmly, as several Board members, I think one of
21 my colleagues and friend Diane Takvorian said and I think
22 Hector said this as well, this is -- this is not for the
23 moment. This is forever. So this is not 15 communities.
24 That is the state of California. This is the way we need
25 to be doing business. But we haven't quit -- finished

1 finding our way yet. The journey is not over. We haven't
2 mapped this ground.

3 And so until we finish that, we don't know what
4 it looks like in its completeness. Now, I feel we're
5 making progress. Not enough. We're still fighting about
6 things. We're still running up against some of the same
7 walls we've continued to run up against. You know, where
8 this sort of intransigence around things like land-use
9 planning and engaging with other agencies in the area that
10 have influence over what our communities look like and the
11 environmental disasters they have to face.

12 So we continue to work through those and fight
13 through those. Money is always going to be an issue.
14 It's never going to end, so we're going to need to figure
15 that out as well and how to use the money that we have
16 available most efficiently and direct it where it's most
17 needed. But again, I feel strongly those opportunities
18 are there and we're going to take advantage of those and
19 push as hard as we can to get to the end of this journey.

20 So thank you very much for your time tonight and
21 I guess I'll be talking to you again in a minute.

22 Thanks.

23 BOARD CLERK ESTABROOK: Thanks. Chair, that
24 concludes the list of commenters.

25 CHAIR RANDOLPH: All right. Thank you very much.

1 I see Board Member Hurt has her hand up. Did you need to
2 comment on this item before we wrap it up?

3 BOARD MEMBER HURT: Yeah, I just wanted to just
4 say a couple things. I wanted to wait until the community
5 spoke before I did. I'm hoping I have a moment to do so.
6 I know it's getting late, but I wanted to thank everybody
7 who gave their truths on this and I know it's been a
8 really long and a lot of work with all the communities.

9 I wanted to namely thank the leadership of
10 Chanell and Deldi. They are just leading an important
11 program that's working hard to unpack, I mean, decades of
12 inequity, environmental racism, and systems that have
13 created these disproportionately impacted communities.
14 And I think these sources did not happen over night and
15 they're not going to be solved overnight.

16 But what I'm happy to hear and I hope others are
17 too is that there's a true commitment to listening,
18 learning, and acting with change to better serve the
19 communities through this program. And I'm hearing this
20 reimagining of the program from the lessons we've learned
21 thus far. And I think this is exactly where we should be
22 today, and so I'm glad to see we're here.

23 And I'm also glad that I'm hearing a lot of my
24 fellow Board members talk about expanded resources, which
25 I think is so needed and supporting air districts who

1 really want to do great work in the communities. I'm
2 working with Veronica Eady in the Bay Area Air Quality
3 Management District. And folks really want to make a
4 difference, and I hear that, and I want folks to remember
5 that when they think about this program.

6 It's absolutely important too that we facilitate
7 local electeds and councils, such as myself, a
8 councilwoman, to be at the table with the community when
9 we're talking about these issues, because implementation
10 can only happen, I think, with locals. And everyone needs
11 to see and feel a difference in the community sooner than
12 later.

13 I also just wanted to thank the community members
14 for working in this process. I know it's not easy and
15 they've kept us strongly advocating with community-driven
16 work. I've heard participatory budgeting, our board and
17 BAAQMD is going to do a training, so that we can put
18 policy around participatory budgeting. I hear the need
19 for technical assistance.

20 I just wanted to just thank everybody for
21 continuing to work on this program, and eventually -- I
22 know the journey is long someone talked about it, but the
23 goal was in each step. And I think eventually we're going
24 to get it right and you're going to see the pace pick up
25 as we continue to improve and listen.

1 And I just want to thank everybody for working on
2 this and I want to let folks know that I'm willing to do
3 all I can, so that this can be a success.

4 That's all, Chair.

5 Thank you.

6 CHAIR RANDOLPH: Thank you very much. I just
7 want to echo my thanks to Chanell, and Deldi, and all
8 their incredible hard work on all of the 617 efforts and
9 our efforts to really build equity through everything that
10 the agency does.

11 So we need to give our court reporter a break, so
12 we're going to take a 10 minute break. And so we will be
13 back promptly at 7:34 for our last item of the evening.

14 Thank you.

15 (Off record: 7:24 p.m.)

16 (Thereupon a recess was taken.)

17 (On record: 7:34 p.m.)

18 CHAIR RANDOLPH: All right. Thank you, everyone.

19 The last item on the agenda is Item number
20 21-11-4, a report from the leadership of the Environmental
21 Justice Advisory Committee, or EJAC, on efforts related to
22 the 2022 Scoping Plan. If you wish to comment on this
23 item, please click the raise hand button or dial star nine
24 now. We will call on you when we get to the public
25 comment portion of this item.

1 So CARB convened the Environmental Justice
2 Advisory Committee earlier this year and has since hosted
3 seven virtual Environmental Justice Advisory Committee
4 meetings. These meetings serve as an important forum for
5 the EJAC to advise CARB on the process for developing the
6 2022 Scoping Plan and it's a key venue for the EJAC to
7 share its perspectives on the methods, assumptions, and
8 associated analysis that will serve as the foundation for
9 the Scoping Plan.

10 At the Committee's most recent meeting on October
11 15th, there was a request for CARB to add an informational
12 item to today's Board meeting agenda concerning EJAC's
13 perspectives on the 2022 Scoping Plan and providing an
14 opportunity for them to express concerns about the
15 timeline for the development of the Plan. So in response
16 to that request, we modified the previously posted agenda
17 and posted an amended version on October 18th.

18 I just want to note that I have had the
19 opportunity to participate in a few of the EJAC meetings,
20 as well as to meet directly with the EJAC leadership. I
21 cannot overstate my appreciation for their commitment and
22 passion in advising CARB on the development of the Scoping
23 Plan to ensure that it leads to actions that deliver
24 substantial benefits in our most impacted communities
25 throughout the state and meets our need to act on the

1 existential threat that climate change poses.

2 I recognize that racist policies perpetuated over
3 generations by government action has created harm in
4 environmental justice communities, and that over the
5 decades these same communities have had bureaucracy at all
6 levels of government deployed against them.

7 As Chair of the Air Resources Board, I'm
8 committed to ensuring that our agency works with
9 environmental justice leaders to develop policies to
10 address the ongoing climate crisis, and reduce the
11 disproportionate burdens experienced by residents of
12 front-line communities.

13 This is not an either/or situation. We must do
14 both. We must move forward with our 2022 Scoping Plan and
15 complete it as soon as we can and we must work with
16 Environmental Justice Advisory Committee to ensure that
17 their input is incorporated into and reflected in the
18 Scoping Plan.

19 It's our responsibility to build a schedule that
20 targets the completion of the Scoping Plan by the end of
21 2022 and work as hard as we can to provide the EJAC with
22 the tools and support they need to get the work done. I
23 won't deny that we at CARB have made mistakes in clearly
24 communicating how we considered advice from the EJAC and
25 in creating effective environmental justice collaborations

1 and we are learning from those mistakes.

2 We are committed both at the Board and the staff
3 level to gain the trust of the environmental justice
4 community. And I am personally committed to carefully
5 monitoring the process for developing the Scoping Plan
6 over the next year, and making myself available to meet
7 with EJAC leadership to identify any needs, as well as
8 provide additional accommodations and resources that may
9 be appropriate.

10 As I've said many times, the Scoping Plan is the
11 first step. Once the plan has laid out the high level
12 strategies, then we can work on implementation and ensure
13 that communities have the opportunity to help build those
14 implementation steps. To ensure environmental justice
15 communities are engaged in the implementation of the
16 Scoping Plan, I have supported creating a permanent
17 environmental justice advisory structure that will last
18 beyond the Scoping Plan updates and build continuity.

19 So as we move forward, I look forward to
20 continuing to work with you all and hearing your
21 perspectives on this process.

22 This item is informational and the Board will not
23 be taking formal action today, but look forward to the
24 discussion and guidance.

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

1 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

2 And as you noted, the EJAC was reconvened earlier
3 this year to advise in the development of the 2022 Scoping
4 Plan update. The 2022 Scoping Plan update will assess
5 progress towards achieving the SB 32 2030 GHG reduction
6 target as well as lay out a path to carbon neutrality no
7 later than 2045.

8 Each of the Scoping Plans have included a suite
9 of policies to help the State achieve its GHG reduction
10 targets, in part by leveraging existing programs
11 through -- whose primary goal is to reduce harmful air
12 pollution. The 2022 Scoping Plan will need to build on
13 those policies and actions designed to provide healthy air
14 for all Californians, especially those in heavily burdened
15 communities.

16 Staff is committed, as you noted, to integrating
17 environmental justice and equity considerations throughout
18 the Scoping Plan and will continue to seek the EJAC's
19 advice on how best to do so.

20 We also acknowledge the statutory schedule for
21 completing the Scoping Plan is tight, and -- but believe
22 that with the EJAC's advice throughout the process coupled
23 with the engagement of other stakeholders, we'll be able
24 to deliver a Scoping Plan we can all be proud of.

25 And with that, I also wanted to note that

1 completion of the Scoping Plan next year is not the end of
2 the process. In many respects, it's the beginning of the
3 process to take additional effective actions, mitigation
4 to deliver on the vision of the administration and
5 Legislature to put the state on track to meet its
6 greenhouse gas reduction commitments.

7 The actions are expected to include new
8 regulations, as well as further tightening regulations we
9 and our partner agencies have previously acted on. With
10 that, I'll now turn it over to CARB's Deputy Executive
11 Officer for Environmental Justice, Ms. Chanell Fletcher,
12 to introduce the EJAC leadership.

13 Chanell.

14 DEPUTY EXECUTIVE OFFICER FLETCHER: Thank you so
15 much, Chair and Richard. I just wanted to do a very, very
16 quick introduction and say that I think, as the Chair and
17 Richard noted, we've reconvened the EJAC in May of this
18 year. I think this item is really for, I think, the EJAC
19 leadership and Kevin to kind of share out their kind of
20 updates for the entire Board. And so I think we are very
21 happy to have Martha Dina Argüello, Sharifa Taylor, and
22 Paulina Torres as the EJAC co-lead -- co-chairs. And
23 Kevin Hamilton can share this presentation.

24 With that said, I will turn it over to you Martha
25 Dina to have the presentation.

1 (Thereupon a slide presentation.)

2 MARTHA DINA ARGÜELLO: So good evening. I would
3 love to have control over my PowerPoint, but I know that I
4 don't get everything I want. So I want to say good
5 evening and than you to the Chair and to -- oh, it is
6 that -- and to CARB staff for giving us this opportunity
7 to present. As has been said, I will give a brief sort of
8 framing and over -- and introduction. Kevin will talk
9 about what we see as our tasks moving toward, and then
10 Sharifa Taylor and Paulina Torres will talk about some of
11 the requests that have emerged from our work so far.

12 And we -- today, we really hope to convey the
13 views, and perspectives, and questions that have -- that
14 we've heard expressed in the EJAC meetings by our fellow
15 members. And I also want to say that a lot of this really
16 builds on what we've just heard around the 617, those same
17 themes about authentic engagement, being resources, the
18 technical assistance. All of those things are things that
19 we are also finding are absolutely necessary. So I want
20 us to sort of remember the things that were said earlier,
21 because they do also, in many ways, apply to the work
22 we're doing at the EJAC.

23 And I want to start -- you know, one of the
24 things that is -- that addressing the climate crisis is
25 going to take is changing how we govern, changing how we

1 regulate, and that means really making -- you know,
2 figuring out how to deeply democratize this process.

3 And I want to start with a quote by Chair
4 Randolph, whose leadership we deeply respect. I want to
5 make sure that we are take -- we're not talking just about
6 process, but about substance. We need to make sure that
7 the opportunities for the constant views and lived
8 experience of the EJAC members are not just noted in the
9 document, but to influence and advise the content.

10 We wholeheartedly agree and want to support Chair
11 Randolph in her role and in getting this done. And my
12 comments are also rooted in my long history of serving on
13 the Environmental Justice Advisory Committee, and working
14 with the staff and Board over many, many years. I have
15 and will continue to approach my engagement with this
16 agency as a partner in creating the change we need to see
17 in our communities, but also the change we need to make at
18 the institutional level to address the scale of the
19 climate and justice crisis, and creating a restorative
20 economy. And as always, the devil is in the detail, both
21 in terms of substance and process.

22 While it may difficult -- be difficult to hear,
23 it is still true that more time could have and should have
24 been built in to the Scoping Plan process to ensure real
25 participation and collaboration with the EJAC and the

1 impacted communities more broadly.

2 It's important for our own learning and our
3 commitment to working with CARB to -- that we support you
4 in making this cultural shift that will achieve racial and
5 environmental justice.

6 Throughout our presentation, we will share the
7 reasoning behind each of our asks. For us, this is not
8 about delay. We take our job at EJAC very seriously.
9 It's about getting the substance right.

10 Next slide, please.

11 --o0o--

12 MARTHA DINA ARGÜELLO: So we've done a lot of
13 community engagement over the years with the EJAC. And
14 the first photo is from the first EJAC. The others are
15 from some of the community workshops that we did in 2017.
16 And what we want to see is a move from participation, from
17 inception to evaluation versus just the consultation,
18 right? The question is how do we deepen the
19 collaboration? And that means -- and we understand that
20 that means give and take, but we also have to acknowledge
21 that the way this process has been designed has not always
22 helped us get to the things as quickly as we would like
23 from the environmental justice, certainly -- I can speak
24 for myself -- certainly not as fast as we would like.

25 And as the EJAC we're ready to move to meaningful

1 participation with front-line communities, again from
2 inception to evaluation. And so we're delighted to hear
3 that EJAC will be permanent, because we've been saying
4 that since 2006. So we want to thank you for
5 acknowledging that, that we shouldn't be sent away when
6 the details are being developed.

7 To understand the ask that we're making tonight,
8 based on these conversations, I'm going to talk a little
9 bit about the process.

10 So next slide.

11 --o0o--

12 MARTHA DINA ARGÜELLO: So this has been the
13 process. And I eliminated the dates on purpose. So I
14 don't know if you can see my -- oh, you can't see me
15 moving my pointer. But on top has been the EJAC process.
16 On the bottom is -- I sorry, on top is the CARB process,
17 right, with the workshops, the way you traditionally do
18 your work, right, you do public workshops, and in the
19 bottom is the EJAC process. These have been parallel
20 processes. And the only points of intersection have
21 actually been flash points for confusion, for feeling
22 blind-sided. And, you know, we went into this with this
23 expectation that there would be a greater degree of
24 co-design.

25 And so each time there's -- we're moving along,

1 we get asked a series of questions. We're still, you
2 know, coalescing as a group, but yet, we've got to answer
3 these scenario questions that we don't have a level
4 playing field of understanding throughout the EJAC. That
5 makes our job harder, right, when we show up at a workshop
6 around carbon capture and sequestration and we see that
7 again this route is a route that will leave our community
8 again bearing the burden for climate policies where
9 benefits are going somewhere else. That again is a flash
10 point for I thought we were going to do things
11 differently.

12 And so we need to do this differently, if want a
13 different outcome. If we're going to build trust, build
14 collaboration, tap into the deep knowledge and experience
15 that the EJAC brings, then these -- this has to stop. We
16 can't have siloed, parallel processes. And my co-chairs
17 will be making other more specific asks about how to fix
18 this.

19 And next slide.

20 --o0o--

21 MARTHA DINA ARGÜELLO: So this is also -- this is
22 actually a slide taken from the community workshops that
23 we did in 2017. And it struck me that these questions are
24 still questions that the EJAC is trying to answer and we
25 need to have the time and care to actually do this well.

1 How does this issue impact your community?

2 Well, us on the EJAC are still trying to figure
3 that out, right, including what is -- what do the
4 scenarios means? How -- you know, how do we include an
5 environmental justice scenario that is taken seriously?
6 That again taps into the solutions that we know will work
7 in our communities that also reduce emissions and don't
8 continue to push the burdens onto -- into -- onto our
9 communities.

10 And so again, these are still questions that we
11 need to answer. We need to answer these as EJAC. We need
12 to work with CARB to figure out how that happens with the
13 process? And then our communities, we need to go back to
14 our communities to ground truth what's going on. And we
15 need the time, and the resources, and the commitment from
16 CARB to work with us in a collaborative way to get this
17 done.

18 And with that, next slide.

19 --o0o--

20 MARTHA DINA ARGÜELLO: I hope I'm on time. I
21 talked really fast. Sorry translators. And so I'm going
22 to hand it over to Kevin who's going to talk about the
23 work that -- as we see moving forward.

24 KEVIN HAMILTON: Hi. Good evening. And thank
25 you for this evening.

1 Please advance the slide.

2 --o0o--

3 KEVIN HAMILTON: Thank you.

4 My name is Kevin Hamilton. I'm the co-director
5 of Central California Asthma Collaborative. Also this is
6 my third EJAC. Martha Dina beats me out by one.

7 A little history, Martha Dina, she was one of the
8 leaders in an agency called -- an organization called
9 Physicians for Social Responsibility. At the time, I was
10 lucky enough to receive a reward -- an award from them for
11 practicing social responsibility medicine.

12 It's 2005 and I really didn't understand the
13 concept of environmental justice, at that point, to be
14 quite honest with you. But I paired it up and I
15 understand now that it means social justice. It means
16 justice. And that's what we're looking to find here is
17 justice.

18 And so Martha Dina has shared with you the as-is
19 and sort of the problems that have come from that. We've
20 talked about the legislation. I reviewed AB 32 earlier
21 today and I noted that in the last section, it actually
22 gave the Governor the room to allow up to a one-year
23 extension on any program related to AB 32, and Scoping
24 Plans, and any other programs that come out of this. So I
25 thought that was interesting, because there's been so much

1 discussion about the timeline and who has the authority to
2 do what with it.

3 But again, we are where we are, so we'll move
4 forward. You know, there's this sort of myth that somehow
5 the EJAC has been stalling along over this timeline issue,
6 when, in fact, we've been trying to do our job. And so
7 many EJAC members have expressed concern regarding their
8 lack of knowledge around both the models and the inputs
9 they're being asked to give.

10 These are folks who are very responsible people.
11 They are not going to provide advice on something they
12 have no knowledge about when they know that it -- one
13 thing they do know is that it may have a negative impact
14 on their already severely impacted community.

15 So CARB's attempt to address this knowledge gap
16 has been, first, to send invitations to already planned
17 and scheduled workshops, as you've seen in the timeline,
18 and two, to increase the frequency and intensity of those
19 EJAC meetings.

20 And as demonstrated by the request for more time
21 and general lack of progress, both of these strategies,
22 though well intentioned, have been failures unfortunately.
23 The solution will allow EJAC to engage outside technical
24 advisors and/or create peer-to-peer knowledge sharing
25 opportunities as needed, and engage with each other.

1 Create a tool to assess the existing level of
2 understanding each EJAC member has regarding these models.
3 If you're going to come at people with a highly technical
4 tool and ask for input on it, and it's such a critical
5 tool. We need this tool to work. We understand that very
6 well. But when you do it in the very first meeting and
7 then you find out in that meeting it's very clear that
8 most of the room is silent because people don't really
9 know what this means and they don't know what you're
10 really asking. So, you know, you have to take a step back
11 at that point and essentially you're being socially
12 responsible.

13 And so these folks want to understand how these
14 inputs interact with the model and how that accumulation
15 of model outputs, when fed into the final model, result in
16 reduced climate emissions, but also protect their
17 communities from unintended health and economic impacts,
18 and they've asked that question time and time again and
19 been told, well, the models don't do that.

20 Well, I think that's a really poor response. And
21 I'm sure that that's from the people who are -- who run
22 the models. And, you know, they're like mathematicians,
23 right? They don't think outside that box. But I really
24 expect that our agencies will, that our -- that our --
25 this Board will. And I know they can, because I've seen

1 it happen.

2 So how the inputs of the model tie back to the
3 concerns they have about climate-driven health impacts in
4 their communities and what CARB hopes to achieve with
5 them. And again, they've asked this question time and
6 time again, almost every meeting -- in fact, the last
7 couple meetings they haven't bothered, because they
8 haven't been getting the answers that they need -- and to
9 allow responsible reasonable amount of time for members to
10 both attend regular EJAC meetings and separate from formal
11 EJAC, and participate in targeted learning activities at
12 times convenient to their schedule. The results of that I
13 can guarantee will be that all members are able to
14 actively and competently participate and provide usable
15 input recommendations to the various models. And that's
16 what we all want here. That's -- you want it. We want
17 it. Everybody wants this.

18 But we can't ask people to do that without the
19 knowledge of what's going to happen with the -- as a
20 result of the inputs they might give to something they
21 really don't understand clearly.

22 And we also want to ensure authentic and timely
23 community engagement and they've asked for this time
24 multiple times and still don't have that. So an existing
25 meeting schedule that pushes community engagement well

1 outside the window, this existing one, for EJAC member
2 organizations to authentically and intentionally engage
3 with communities.

4 Inform them of the imminent creating of the
5 Scoping Plan and its potential meaning for them and their
6 families. There's a rumor that that can't happen, but in
7 fact it did, and it happened well in 2017. We had to push
8 for more time. We got it and we made it happen.

9 So it does happen. We had meetings where we had
10 70, 80 community residents show up to give their feelings
11 and their concerns and bring them in a way that really met
12 the needs that we had for that information. And we did it
13 not once, but a number of times all over California.

14 So the EJAC is calling on the Board, not only to
15 make the EJAC permanent, but also during the Scoping Plan
16 process, wherever we end up with this, to have regular and
17 quarterly -- quarterly meetings with EJAC to revisit the
18 Scoping Plan timeline and alignment with the progress of
19 the EJAC.

20 So we think -- and this is a workman's like --
21 workman like way to approach this. This is the way I
22 approach my work and I would think that most of you do as
23 well.

24 So we need indicators. What's successful look
25 like here? These regular quarterly EJAC meetings with

1 CARB Board will strengthen transparency, accountability,
2 and the effectiveness of the EJAC and the Scoping Plan
3 process. And we'll create milestones along the way to
4 ensure that progress is measured.

5 So these are the -- what I consider very simple
6 things that are being asked for. However, they can't be
7 compressed into an already broken timeline. So I'm not
8 sure how you do that. I see one in writing. And what I
9 see is a really compressed timeline.

10 Well, one thing we don't want out the other side
11 of this is failure. And we certainly don't want a plan
12 that hasn't been adequately informed as required by the
13 Legislation by the Environmental Justice Advisory
14 Committee. And if the committee comes out the end of it
15 and says we don't feel that, you know, we adequately were
16 able -- we were adequately able to inform this process,
17 you know, that's not going to work for anybody. And we've
18 done that once already back in 2014. Let's not do that
19 again. We did better in 2017 and I have high hopes for
20 this time.

21 So I've taken up all the time that I have and
22 probably a minute or two more. I'm going to pass this on
23 now to Sharifa to share about EJAC's vision and a proposal
24 for what we want to see in terms of community engagement
25 in the Scoping Plan, and I thank you for your time this

1 evening.

2 Sharifa.

3 SHARIFA TAYLOR: Yes. Thank you.

4 Thank you both, Kevin and Martha Dina for your
5 words before me and thank you, Board Members and staff for
6 your time today. We as EJAC members -- oh, next slide,
7 please.

8 --o0o--

9 SHARIFA TAYLOR: Thank you. We as EJAC members
10 want to move from CARB's current model of community
11 engagement of informing and consultation to one of true
12 collaboration. The following slides provide specific
13 recommendations for how the CARB Board can support us in a
14 accomplishing this goal.

15 Next slide, please.

16 --o0o--

17 SHARIFA TAYLOR: Thank you.

18 CARB's current community engagement model falls
19 into the first three tiers shown on this slide, where
20 staff are informing, consulting, and involving the EJAC in
21 the Scoping Plan process. It is important for their to be
22 a shift from these lower three tiers of community
23 engagement to collaboration and a deference of power for
24 community members.

25 Next slide, please.

1 --o0o--

2 SHARIFA TAYLOR: Community engagement has been a
3 focal point in our ask for an extended timeline during
4 this process, because we're at a turning point for climate
5 change and environmental justice. The IPCC report that
6 was published in August 2021 indicated a code red for
7 humanity, making meaningful community engagement even more
8 important for this Scoping Plan process, so that we can
9 reverse the harmful effects of climate change and also
10 address environmental, health, and economic disparities in
11 these same communities.

12 Also wanting to note that the infographic from
13 this slide and from the previous slide are from the
14 spectrum for community engagement, which was created by
15 Rosa González of Facilitating Power. And this was also a
16 resource that was shared with us during one of our EJAC
17 meetings.

18 Next slide, please.

19 --o0o--

20 SHARIFA TAYLOR: So here we pose two questions.
21 What is meaningful community engagement and ownership, and
22 what does community engagement matter -- excuse me, why
23 does meaningful community engagement matter for the 2022
24 AB 32 Scoping Plan?

25 So for the first question, we like to think of it

1 as meaningful community engagement allowing the community
2 to lead the decision-making process, while integrating
3 community needs into process and outcomes, ultimately
4 bridging the divide between community and government.

5 For the second question, we like to think that
6 this plan provides the opportunity for EJ advocates,
7 community members, and government to walk into greater
8 trust and into a greener future.

9 Front-line communities, priorities, and solutions
10 must directly inform the Scoping Plan development in order
11 to truly center EJ in the final adopted plan, especially
12 as -- what we've discussed substantively, there are four
13 separate scenarios with the views of EJ on one end of the
14 spectrum and the industry at the complete opposite end of
15 the spectrum and we just want to align those better moving
16 forward.

17 And so we see meaningful engagement helping us to
18 do that, to reach a more balanced scenario and a more
19 balanced plan approach. We want to shift how public
20 engagement activities and presentations are being informed
21 and organized, so as to not marginalize front-line
22 community members, such as hosting these engagement
23 opportunities outside of traditional business hours,
24 providing support services for working families,
25 translation and interpretation support, and also extending

1 the public commenting periods at EJAC-related events. We
2 also are requesting additional funding for independent
3 technical assistance for the EJAC.

4 Next slide, please.

5 --o0o--

6 SHARIFA TAYLOR: Thank you.

7 I'll now pass it on to our co-chair Paulina to
8 discuss what co-designing the Scoping Plan can look like,
9 opportunities for collaboration, and the need for an
10 honest evaluation of cap-and-trade and climate policies.
11 Thank you so much for your time.

12 PAULING TORRES: Thank you, Sharifa. And good
13 evening, Chair Randolph and Board Members. So I will walk
14 us through a non-exhaustive list or think of it as a
15 starting point of how we believe CARB staff and this Board
16 can support and work with the EJAC in more efficient and
17 meaningful ways, some of which were already shared by my
18 colleagues tonight.

19 And I'd just like to emphasize, first, that while
20 we are speaking on behalf of the EJAC tonight, these
21 requests have not yet been vetted with the entire EJAC
22 body and so what we've done is we've a few requests that
23 have either been raised at previous EJAC meetings or that
24 as leadership we've identified as being necessary for the
25 progress of the EJAC. And our hope is that at the next

1 EJAC meeting we will have a more robust conversation about
2 this very issue, and hopefully be able to report back to
3 this Board.

4 So in terms of a co-design process, we would like
5 to start with proposing what the EJAC has consistently
6 recommended for years. And just deeply appreciate Chair
7 Randolph's commitment to us tonight on this, which is to
8 make the EJAC permanent. For co-design to really work,
9 the EJAC needs to be at the table from inception, to
10 implementation, to evaluation. And for that to work, we
11 believe the EJAC must be permanent.

12 Oh, sorry. Next slide.

13 --o0o--

14 PAULING TORRES: I should have said that.

15 I'm just seeing a white screen.

16 Oh, now I don't see the slides, but --

17 VICE CHAIR BERG: I'm sorry. We're having just a
18 little bit of technical difficulty.

19 PAULING TORRES: Okay. Is it okay if I go ahead
20 and then we can put up the slides when they're ready?

21 VICE CHAIR BERG: Okay. I'm sorry.

22 CHAIR RANDOLPH: Yes.

23 PAULING TORRES: Okay. So second, we'd like to
24 see EJAC and CARB co-developing public workshops and
25 materials, and ensure that EJ issues and concerns are

1 critical opportunities to ensure that EJAC and CARB can
2 work together in a manner that is rooted in EJ principles.

3 And so, first, we think that -- we believe that a
4 joint EJAC and public health workshop for the Scoping Plan
5 to ensure that we hear from health experts. Second, we'd
6 like to see a joint EJAC and CARB Board meeting every
7 three months, or alternatively we'd be open to and welcome
8 the creation of subcommittee of this Board exclusively for
9 EJAC related matters. The third thing is an independent
10 technical assistance to be provided to the EJAC.

11 And next slide, please.

12 --o0o--

13 PAULING TORRES: And lastly, so the Scoping Plan
14 process has started before the meaningful review of the
15 Cap-and-Trade system was conducted, both pursuant to CARB
16 Resolution 18-51, pertaining to unused allowances, and the
17 June 18th, 2020 letter from Secretary Blumenfeld.

18 Given that the last Scoping Plan assumed
19 Cap-and-Trade would be responsible for over half of the
20 reductions needed to reach a 2030 target, such reviews of
21 Cap-and-Trade are critical to complete before moving too
22 far into the modeling of the next plan. And I will just
23 share that at -- I believe at almost every single EJAC
24 meeting that is happened thus far, EJAC members have asked
25 CARB about the status of Cap-and-Trade. And, you know,

1 we're still waiting on that information.

2 And so I think in order to move us along, EJAC
3 should not be left in the dark about these very important
4 questions regarding Cap-and-Trade and current climate
5 policies and the impacts on EJAC communities.

6 And so before I close, I just want to reiterate
7 something I hope resonates with this Board and something
8 that has become a de facto EJAC adage, at least among
9 co-chairs. Community engagement shouldn't be a phase in
10 your scope of work. It should be a continuous task in all
11 phases, because engagement is a practice from ideation to
12 implementation. And so with that, I just want to thank
13 you all for your time and we look forward to working with
14 this Board and CARB staff in continuing to build
15 relationships and collaborate to make this Scoping Plan
16 reflective of environmental justice and the needs of our
17 community.

18 Thank you.

19 CHAIR RANDOLPH: Thank you so much for that
20 presentation. I think that we -- there's a lot of sort of
21 commonality in this discussion, having a continuing role
22 for the EJAC going forward, having some technical
23 assistance provided. One of the things that I know has
24 been discussed is the concept of sitting down and having
25 specific meetings on specific topics that we usually sort

1 of call the deep dives. And so providing an opportunity
2 to really dig into the weighty issues that are involved in
3 the different segments of the economy, I think that's an
4 important part of this process.

5 I think our schedule that we envisioned does
6 include two joint meetings between EJAC and the Board, and
7 that is sort of, you know, something we can certainly talk
8 about going forward. And I do think it is important to
9 build more time into the workshop process, so that there
10 are some -- there's more of an opportunity to build in the
11 input in terms of teeing up the important EJ topics that
12 need to be discussed in the workshop. So we want to make
13 sure that we allow for some more time for that. I think
14 that's really important.

15 And, you know, the Scoping Plan is really about
16 how do we get -- how do we meet our climate goals, how do
17 we meet our climate targets, and how do get off of fossil
18 fuels. And so much of the impacts are as a result of
19 fossil fuels. And so having that robust discussion and
20 talking about and understanding the opportunities and
21 solutions in building a plan that gets us there with the
22 joint effort of the EJAC and the Board I think is the goal
23 that we all have.

24 I think there's a lot to do in terms of making
25 process improvements. And I am very confident that

1 Chanell Fletcher with her great leadership and dedicated
2 staff can work with the EJAC members and sort of tackle
3 some of these -- some of the suggestions that we've talked
4 about and some of the guidance that I'm sure will be
5 provided by my fellow Board members in our discussion.

6 So I really, really appreciate these sort of, you
7 know, well thought out and presented concerns and
8 requests. I think it's a really important conversation
9 that needs to continue to happen throughout the scoping
10 plan process.

11 Oh, and the one other thing I wanted to make sure
12 to highlight is we are absolutely prepared to provide
13 whatever assistance that we can in terms of community
14 engagement, meetings, and supporting the community
15 engagement process that the EJAC develops. And that's
16 another area where I know staff will be very engaged in
17 understanding what the -- what the needs are and what the
18 opportunities are for being supportive of that and the
19 community engagement work.

20 So I will now turn it over to my fellow Board
21 members for any comments?

22 Oh, sorry. I was doing this out of order. We
23 need to do public comment first, then comments from the
24 Board. Sorry about that. I got all carried away.

25 So Board Clerk, will you please call the

1 commenters?

2 BOARD CLERK ESTABROOK: Yes. Thanks. We
3 currently have five commenters with their hands raised at
4 this time. The first few are Matt Holmes, Catherine
5 Garoupa White, and Richard Grow.

6 Matt, I have activated your microphone. You can
7 unmute and begin.

8 MATT HOLMES: Thank you, Board Chair, members of
9 the Board, and staff for this opportunity to comment. My
10 name is Matt Homes. I'm kind of a proxy for EJAC member
11 Dillon Delvo from Stockton.

12 I deeply regret the comments I'm about to submit,
13 but I've been left with no choice in the matter. My
14 comments were originally about my disappointment that CARB
15 staff resisted requesting an extension from the Governor's
16 office and that we had to go around CARB to submit our
17 request to the Governor. That could have been a really
18 easy request that allowed us to deliver our region's
19 support for the Scoping Plan. For whatever reason, CARB
20 leadership chose a different path. It's like we don't
21 know people in each other's office and could have just
22 passed that message along.

23 I've since been informed, however, and, you know,
24 this is worse that the Chair spoke on behalf of the EJAC
25 to tell the Governor that the extension wasn't necessary.

1 I'm sure the Chair felt like they had permission from our
2 colleagues on the Environmental Justice Advisory
3 Committee, but for the record, they did not. This is an
4 EJAC -- this is an issue for the EJAC to resolve and one
5 that I will work diligently to protect the Chair from in
6 the future.

7 For the record, no one discussed giving up our
8 position requesting an extension with us. Whoever
9 informed the Chair clearly cut a non-transparent deal with
10 you and silenced valley advocates. Whoever had the
11 temerity to speak on behalf of the EJAC, did a 180 on the
12 very transparent and unanimous decision that our
13 collective dialogue arrived at during our formal meeting
14 on the 15th. Don't take my word for it, there's a
15 recording.

16 I'm really surprised that environmental justice
17 means carrying water for agency staff after private
18 meetings. We've learned a painful lesson. We'll
19 certainly need to reevaluate whether or not valley
20 advocates can rely on our counterparts in Los Angeles and
21 the Bay Area.

22 For the record, we're tracking the conversation.
23 We have clear thoughts on the issues, but as a matter of
24 principle, we communicate with our communities instead of
25 presuming to speak for them with our college degrees. I

1 wish more EJ leaders shared those values.

2 But instead of diving into the full details, I'm
3 actually going to pivot to delivering comments from a
4 college student who sat here for four hours to deliver her
5 own message, but had to give in and requested that I
6 deliver her message. You may have to cut my mic.

7 I'm Gloria Alonso Cruz. I'm here on behalf of.
8 Restore the Delta. I'm here to ask CARB to slow down and
9 rethink mechanical carbon sequestration before beginning
10 the modeling process. While some EJ groups are okay with
11 modeling advancing to the Scoping Plan, what is not being
12 take into consideration are which environmental justice
13 communities will be living with the direct impacts from
14 CCS.

15 There are several efforts already underway that
16 will place these projects under the Sacramento-San Joaquin
17 Delta. Stockton, which is the Delta's largest city, has
18 the largest EJ community percentage ways, and South
19 Stockton, an AB 617 community, will be directly impacted.
20 We are a community already at the bottom 99 percentile for
21 environmental health indicators. However, our community
22 just began learning about CCS when Restore The Delta
23 hosted an event with Lawrence Livermore Lab, Little Manila
24 Rising, and local delta landowners just last week.

25 There needs to be more careful study about the

1 potential impacts and dangers of the project. We learned
2 that these wells will require 100 years of community
3 monitoring for safety and no project has truly analyzed
4 localized emissions of air pollution, transportation of
5 carbon to the area, or carbon dioxide leaks into the
6 precious Delta waterways.

7 Delta and Stockton can not be made into a dumping
8 ground for other areas outsourcing their pollution without
9 the community being fully involved in the process. To do
10 less would continue the State's practices of disinvesting
11 and using the Central Valley for the benefit of other
12 regions of California. It's time for CARB to change how
13 it treats the impacts of our air pollution.

14 Thank you.

15 BOARD CLERK ESTABROOK: Thank you.

16 Catherine Garoupa White, you can unmute and
17 begin.

18 DR. CATHERINE GAROUPA WHITE: Good evening. This
19 is Catherine Garoupa White with the Central Valley Air
20 Quality Coalition, or CVAQ, co-powering efforts to restore
21 clean air to the San Joaquin Valley, one of our nation's
22 most polluted and unequal places. I also represent our
23 region on the EJAC.

24 I support the comments made by Matt, Gloria,
25 Kevin Hamilton and want to make three overall points.

1 Number one, front-line communities across the state are
2 being hit by crisis upon crisis with little relief. We
3 are still in a pandemic. The San Joaquin Valley has been
4 hit hard with high cases and death rates, inadequate
5 health care infrastructure, emerging research connecting
6 higher case rates of COVID-19 linked to air pollution
7 exposures, and numerous other ongoing challenges, as
8 ground zero for oil and gas extraction, industrialized
9 agribusiness, and a rapidly expanding goods movement
10 infrastructure, all which link back to air pollution and
11 greenhouse emissions.

12 Our region knows the urgency of the climate
13 crisis firsthand. We are already suffering impacts, such
14 as extreme heat and weather events, such as the past two
15 seasons of catastrophic wildfires that cause weeks of
16 being heavily impacted by wildfire smoke.

17 As an EJAC member, I need time to assimilate,
18 analyze, and provide substantive feedback. I have not
19 been able to keep pace with the volume and complexity of
20 information and cannot sustain 10 to 20 hours a week of
21 work just on this.

22 Community engagement should happen early and
23 often. EJAC has examples, information, materials, and
24 some leaders from previous plans that we were appointed in
25 May, convened in June, still are not fully formed without

1 an indigenous representative, and in many other ways EJAC
2 is still at a significant deficit. Overall, environmental
3 justice communities need increased benefits and reduced
4 burdens from CARB's actions. Business-as-usual is not
5 working. As the fifth largest economy in the world, the
6 quote, unquote Golden State has a golden opportunity to
7 show how centering equity improves health and the
8 environment for everyone.

9 While clearly CARB is not the owner nor the
10 decision-maker in charge of fixing every problem our
11 communities are facing, the Scoping Plan and associated
12 regulatory efforts inform billions of dollars in
13 investments that shape the material circumstances and
14 built environments of environmental justice communities.

15 If we do not improve upon the plan's assumptions,
16 we are unlikely to improve upon its outcomes. I ask that
17 you support efforts to strive toward co-design including
18 and extended timeline.

19 BOARD CLERK ESTABROOK: Thank you.

20 Our next commenters will be Richard Grow and then
21 Kyle Heiskala, Cynthia Pinto-Cabrera, and Luis Olmedo.

22 Richard, I have activated your microphone. You
23 can unmute yourself and begin.

24 RICHARD GROW: Okay. Let me try -- and. Okay,
25 you don't have the video.

1 My name is Richard Grow. I'm calling in from
2 Berkeley. Some of you may know me from the 40 years of
3 working at EPA's Region 9 office in the air program, the
4 environmental justice program, a time during which I felt
5 I had a really good working relationship with many of the
6 CARB staff at a senior and a working level. Retired two
7 years ago and have kept working at an informal advisory
8 role ever since then on several fronts.

9 My comment goes to health -- public health and
10 public health and the environmental justice sense, meaning
11 health at the community or the local level. And my
12 comment actually has to do with the -- has implications
13 with regard to timing and the schedule, but especially to
14 do with meaningful community engagement, because
15 communities really need the information in order to
16 meaningfully engage and understand the program. They need
17 the data. They need the information on how this affects
18 them at the community scale level.

19 What I've seen so far in the AB 32 Program and
20 the Scoping Plan over the past many years, I'm not seeing
21 the kind of attention that's needed to this. What I am
22 seeing so far is health treated basically as an ancillary
23 aspect, sort of along the lines of this program not only
24 saves money, but has health benefits. And I'm not seeing
25 it in the sense of the distribution of health effects

1 among and between communities.

2 My perspective comes from seeing health is
3 affected, not just by greenhouse gases but by the
4 co-pollutants, which are real, and predictable, and must
5 be taken into account. And their distribution needs to be
6 assessed and evaluated also. And it needs to be assessed
7 against options in terms of the mixture of measures and
8 strategies under consideration, but it also needs to be
9 evaluated in terms of the Cap-and-Trade Program, which
10 inherently is a burden-shifting program and redistributes
11 these impacts, but it also needs to be analyzed in all of
12 these regards at a time in which it can play a role in the
13 choices being made between these alternative courses of
14 moving forward.

15 My impression is that there's some combination of
16 either a lack of capacity and/or interest by CARB, which
17 seems rather unfortunate. Whatever it is, it amounts to a
18 lack of due diligence with regard to this most basic
19 environmental justice aspect of the climate change
20 program.

21 Whatever it is, lack of priority, capacity, or
22 interest, it must be fixed. It probably requires more
23 time and it probably requires assistance, if necessary
24 from other agencies, CalEPA, OEHHA, Department of Public
25 Health, or consultants. But to not take time to do this,

1 to not take this basic exercise in due diligence would
2 actually betray the two goals I heard laid out by Chair
3 Randolph earlier, which is the twin goals of not only
4 addressing climate change, but reducing disproportionate
5 impact.

6 If you don't take time to deal with community
7 level health aspects and the distributional aspects, you
8 will not really meet both goals. So I'd urge you to take
9 the time, get the resources, and take seriously the issue
10 of public health, environmental justice related public
11 health in the climate change program.

12 Thank you.

13 BOARD CLERK ESTABROOK: Thank you.

14 Kyle Heiskala, you can unmute yourself and begin.

15 KYLE HEISKALA: Thank you. Good evening, CARB
16 Board. My name is Kyle Heiskala and I'm a Climate Justice
17 Policy Advocate with Environmental Health Coalition, an
18 environmental justice non-profit leading in advocacy and
19 community organizing in the San Diego Tijuana region for
20 over four decades. First off, I'd like to support the
21 EJAC leadership in their calls for additional resources,
22 like independent technical assistance, coupled with enough
23 time to meaningfully weigh in on the complicated set of
24 policy questions that have been put before EJ advocates.

25 The process is not there yet and can be improved.

1 One thing that was mentioned earlier, joint EJAC and Board
2 hearings would be very helpful. There are some things
3 that I'd like to acknowledge that we feel like are on the
4 right track with what CARB staff is considering for the
5 potential Scoping Plan. Some of the big problems -- in
6 tackling some of the big problems and inequities that
7 exist in our communities.

8 Portside neighborhoods in San Diego experience an
9 asthma rate that is three times higher than the county
10 average and as much as five times higher than most
11 affluent communities in like La Jolla in San Diego, being
12 in the 98th and 99th percentile for diesel particulate
13 levels. That means a family in Barrio Logan is getting --
14 likely getting the news this week that their child has
15 asthma, a life-long respiratory illnesses connected with
16 these high concentrations of pollution. So transition to
17 a hundred percent ZEV for heavy-duty trucks is a really
18 good step in the right direction.

19 Some additional points of feedback based on the
20 experience so far is that there seems to be some
21 collective concern among EJ advocates that already
22 overburdened communities across the state are potentially
23 going to be impacted or left out of the benefits by what
24 is being proposed.

25 We need more productive dialogue between EJ

1 advocates, community members, and CARB staff around how
2 the Scoping Plan can prevent further harm in EJ
3 communities. Thus far, it seems like the potential
4 burdens are not being evaluated across all the scenarios.
5 There needs to be an analysis for how each greenhouse gas
6 reduction strategy is being proposed. So we would like to
7 recommend that the recommendations and priorities from
8 environmental justice orgs and the EJAC are not being
9 relegated into a single scenario, but there can be some
10 sort of criteria to evaluate the potential harm across all
11 of the strategies and not just with what the potential
12 health benefits can be from greenhouse gas reductions.

13 So I want to make sure that we can have criteria
14 across the EJ scenarios and ensure that we are having
15 meaningful dialogue with CARB staff. We're ready to work
16 with you to ensure that this plan uplifts front-line
17 communities.

18 Thank you.

19 BOARD CLERK ESTABROOK: Thank you.

20 Cynthia Pinto-Cabrera, you can unmute yourself
21 and begin.

22 CYNTHIA PINTO-CABRERA: Hello. Good evening,
23 Chair Randolph and Board members. I'm Cynthia
24 Pinto-Cabrera, Policy Assistant with the Central Valley
25 Air Quality Coalition. And I am here today in support of

1 the Environmental Justice Advisory Committee's request to
2 extend the timeline for the Scoping Plan to incorporate
3 more meaningful community input.

4 Environmental justice communities and
5 disadvantaged communities in the San Joaquin Valley are
6 truly at the forefront of the climate crisis and are being
7 heavily and disproportionately impacted by human-caused
8 climate change with the intensifying wildfire season and
9 the extreme drought.

10 Climate change is making the public health crisis
11 in the valley worse and is impacting all families
12 throughout the state including my own. My father, and my
13 brother, and I have asthma. My mother has diabetes. In a
14 family of five, four of us fall under sensitive receptors
15 who will be impacted by climate change. This is the case
16 for many families not only in the San Joaquin Valley, but
17 throughout the state.

18 Rushing this plan has significant health
19 implications for millions of health peoples -- for
20 millions of people and is response -- and is irresponsible
21 and goes against the public health protections of CARB's
22 mission. CARB must listen to community priorities in
23 order to meet the state's climate goals. Hosting EJAC's
24 meetings in the middle of the day, while those who are
25 most impacted are at work, is not an equitable process,

1 and upholds institutional racism that has continuously
2 dismissed EJ communities and their voices.

3 As many mentioned, the Intergovernmental Panel on
4 Climate Change report states targeted reductions of air
5 pollutant emissions lead more -- will lead to more rapid
6 improvements in air quality within years compared to
7 reductions of greenhouse gas emissions only. These
8 targeted reductions can be identified by communities that
9 have a long history of seeking targeted emissions
10 reductions.

11 CARB must recognize the expertise of community --
12 of communities and -- CARB must recognize the expertise
13 amongst communities that they have done -- and all of the
14 work that they have done to identify solutions against
15 their local impacts to climate change. These communities
16 understand the urgency and the need for the 2022 Scoping
17 Plan and it needs to be done right. Tapping into
18 expert -- into the community expertise will not only
19 support CARB's climate goals, but it will also ensure
20 solutions to address the concerns of communities that have
21 been most impacted by climate change.

22 I urge the Board to use this authority and extend
23 the timeline for the '22 -- 2022 Scoping Plan. Thank you
24 for the opportunity to comment.

25 BOARD CLERK ESTABROOK: Thank you.

1 Our next speaker will be Luis Olmedo. After Luis
2 will be Todd Campbell and Shayda Azamian.

3 Luis, you can unmute yourself and begin.

4 LUIS OLMEDO: Thank you. Luis Olmedo with
5 Commite Civico del Valle. And thank you, Madam Chair,
6 again for allowing me to speak on this matter. I'm also a
7 member of the Environmental Justice Advisory Committee and
8 I want to support what has been brought to -- before the
9 Board from the environmental justice colleagues and
10 leadership.

11 I also want to support a lot of these concerns
12 and other pressing issues that have been brought before
13 the Board. One thing that I've learned in the years that
14 I've been an advocate for environmental justice is we need
15 to be able to walk away with next steps, with actionable
16 items. And there's a lot that has been put before you,
17 Madam Chair and before the Board. I would like to see if
18 in let's say a perfect world where we would find a path
19 forward to get -- keep the process moving, while at the
20 same time not neglecting and ignoring the issues being
21 brought before the Board before you, Madam Chair.

22 It would be great if there would be Board
23 directive to the leadership, to the Executive Officer to
24 begin to put a lot of these actions, a lot of these ideas
25 that have been brought before you to work immediately,

1 especially those that can be actionable immediately.

2 Next step would be to assure that we set clear,
3 measurable, metrics, timelines, deliverables, and monitor
4 the process entirely, and -- I mean, that would -- that
5 would be -- offer me the opportunity to really continue to
6 push this process forward, while not ignoring the deep
7 concerns that if much of this doesn't work, that certainly
8 I don't think it's going to be the last time that the
9 concern of extending the timeline will be brought before
10 the Board. But again, I would really hope that we can
11 immediately see some of these proposed strategies. I
12 don't whether we call it a compromise, a monitoring plan,
13 but I think at this point, we do need -- you know, we need
14 you, Madam Chair, and the Board to hopefully give the
15 Executive Officer and his team direction to work with the
16 EJAC urgently.

17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you.

19 Todd Campbell, you can unmute yourself and begin.

20 TODD CAMPBELL: Good evening, Madam Chair and
21 members of the Board. My name is Todd Campbell. I
22 represent Clean Energy and I'm the Vice President of
23 Public Policy and Regulatory Affairs.

24 I wanted to reach out to the environmental
25 justice community and express strong support for extending

1 process and helping communities understand complex
2 modeling, et cetera. Martha and I have worked a long time
3 together. Many of my colleagues in my past life have been
4 really supportive and collectively sympathetic to
5 disadvantaged communities. And from a, you know, company
6 perspective, we really would like to reach out to the
7 environmental justice community in trying to solve the
8 pollution issues in disadvantaged communities, which are
9 severe and significant today.

10 We are all in support of a zero-emission future.
11 I can say that with authority. And I also want to make
12 sure that no one is left behind. Part of my environmental
13 background tells me and encourages me to push that very
14 agenda. I want to make sure that we identify the real
15 culprit, which is diesel exhaust, known to be a toxic air
16 contaminant and a reproductive hazard.

17 And I want to make sure that if we can't get to
18 zero immediately, we at least do all our best to reduce
19 emissions to the maximum. And if that's wrong, I
20 apologize, but I really think that's important for us to
21 work together. And perhaps we haven't done a good enough
22 job, and for that I apologize. But I really would like
23 to -- me, personally, would like to work with the
24 environmental justice community in trying to reduce
25 harmful emissions, both NOx, PM, criteria pollutants,

1 greenhouse gas emissions in a way that significantly
2 improves your communities. And if there's a way that we
3 can do that, I really appreciate it.

4 In the meantime, thank you, CARB, for reaching
5 out to these communities and working with these
6 communities. You have done a great job. I know there's
7 always room for improvement. There's room for improvement
8 for us too, but I want to thank you all for having this
9 important dialogue and have a great night.

10 BOARD CLERK ESTABROOK: Thank you.

11 Shayda, you can unmute yourself and begin.

12 SHAYDA AZAMIAN: Hello. Thank you. This is
13 Shayda with Leadership Counsel for Justice and
14 Accountability.

15 I first want to echo Dr. Garoupa White, Kyle
16 Heiskala, Luis Olmedo's and many others comments just now
17 and the calls for additional resources to the EJAC and
18 specific TA that will support the substance feedback prior
19 to CARB's quickly approaching November 24th deadline.

20 I also have two top points that I ask the CARB
21 board to ensure are incorporated by staff working on the
22 Scoping Plan. Firstly, CARB staff must assume
23 unprecedented innovation dollars and investment into the
24 sustainable technologies identified by the EJAC. As we
25 see it, the EJAC conditions put forward are most reflected

1 in alternative one, but we're wary that without proper
2 investment into developing the cleanest solutions, this
3 alternative will be rendered infeasible by CARB's
4 analysis. And we're wary that EJ communities are going to
5 be in a position where EJAC has to defend why this
6 alternative is most economically feasible.

7 Selective technology assumptions, which we do see
8 across the scenarios right now, will paint this
9 alternative the cleanest scenario for now, as economically
10 infeasible. On the other hand, policy and investment
11 direction by CARB in the Scoping Plan will accelerate the
12 deployment of technologies that benefit environmental
13 justice communities. And this should be accounted for,
14 even at this stage, in the assumptions and inputs.

15 So we ask that CARB balance the ambitious
16 policies set forth in alternative one with just as equal
17 ambitious innovation investment in zero-emission
18 solutions. And I'm heartened by Dr. Balmes and Sandra
19 Berg's statements today that it's not about if the
20 technology is ready, but it's about investment. And the
21 next five or so years will make or break how fast we can
22 go forward and how quickly we can get this clean
23 infrastructure to trucks and other technology.

24 So the ask here is that EJAC be part of
25 determining what level investment these clean alternatives

1 get or that CARB is assuming in the Scoping Plan and that
2 they are very aware of this at this stage for the four
3 alternatives.

4 Secondly, there does need to be a more
5 comprehensive health and EJ analysis that goes beyond
6 BenMAP. We're also wary that it might give the case where
7 another alternative of it in the first is selected, and
8 because of that, no EJ recommendations or policy from the
9 first alternative make it into the Scoping Plan.

10 And I do appreciate the conversations we've had
11 with the Chair before this point about what mixing and
12 matching can happen, how EJ can still be incorporated,
13 even outside of the first alternative. And so we are
14 eager to hear about that later on. But we are
15 particularly cautious of BenMAP which we believe does not
16 detect local air and water pollution associated with the
17 process of capturing greenhouse gas emissions, but rather
18 just analyzes the benefits from the greenhouse gas
19 reductions itself.

20 And yeah, thank you for the time to comment. I
21 do support the EJAC and all the needs that they've
22 requested, in addition to Dr. Garoupa White's comments
23 about the extension and how valid it was to request that,
24 given the -- given the history of collaboration so far.

25 Thank you for the opportunity to comment.

1 BOARD CLERK ESTABROOK: Thank you. Our final
2 speaker will be Thomas -- Tom Helme. Tom, you can unmute
3 yourself and begin.

4 THOMAS HELME: Hi. Good evening. Tom Helme from
5 Valley Improvement Projects and Central -- the California
6 Environmental Justice Coalition, also a member of the
7 EJAC.

8 I wanted to speak tonight in support of my
9 colleagues, other EJAC members that have asked for an
10 extension to this plan. It seems from the very beginning
11 being appointed to the EJAC and the meetings that we've
12 had, there was definitely a lot of talk about making sure
13 that environmental justice is incorporated into this
14 process and improving on the last Scoping Plan, that -- I
15 wasn't a part of that process, but I heard a lot of things
16 and was, you know, as I expressed, skeptical from the
17 beginning of the process.

18 There was a lot of meetings that we were invited
19 to and asked to speak about our experiences and going into
20 this process. And it seems the first time that the rubber
21 hit the road where we kind of said we need to slow this
22 down, take a step back, the way we do things as
23 environmental justice groups is to inform communities, and
24 get feedback, and make sure we're not speaking for
25 communities all the time, and actually getting their

1 thoughts on the process. And as soon as there was some
2 tension there, that -- it didn't seem as important to take
3 the environmental justice perspective that was being given
4 in the way that the process should go.

5 I know we've heard that there will be
6 opportunities throughout this process to get feedback from
7 communities, but it seems that once you've already gone so
8 far in a process, you've already started kind of directing
9 the conversation in one way or another and then getting
10 that feedback is not going to be as productive as getting
11 that from the beginning.

12 So, you know, really this was the first main ask
13 that EJAC had and I would have liked to have seen it been
14 given a little more -- the kind of thought that it seemed
15 like EJAC was being given when I was first appointed. And
16 again, there was -- there was a lot of talk about how
17 important getting this feedback from EJAC -- EJ groups and
18 getting the perspective from these disadvantaged
19 communities, and at the moment, you know, we want to see
20 some action on that.

21 It seems like there's disagreement on the way we
22 see things should go forward with having community
23 outreach and having more meetings in these areas that were
24 going to be affected. I'll give - I know my time is
25 running out - a quick example. A community member just a

1 few weeks ago let me know about a dairy digester pipeline
2 that's being put in in unincorporated Stanislaus County
3 that I hadn't even heard about. And I try -- I'm
4 obviously trying to keep an eye on as many of these issues
5 as possible in my backyard. But that came directly just
6 from a community member that I know and I had to then look
7 into it. So that's just an example of why it's important
8 to take those steps and thank you for your time.

9 BOARD CLERK ESTABROOK: Thank you.

10 Chair, that concludes the commenters for this
11 item.

12 CHAIR RANDOLPH: All right. Thank you. Do any
13 Board members have any questions or comments?

14 Okay. Oh, sorry. Board Member Takvorian.

15 BOARD MEMBER TAKVORIAN: I'm sorry, getting
16 slower on the draw there as the evening goes on. I just
17 wanted to thank everyone, thank the EJAC members for being
18 here tonight. And I know that this isn't a decision-
19 making meeting, but I do think that our very long meeting
20 today has -- excuse me -- really set us up for this
21 conversation. And from the IPPC[SIC] report that requires
22 that we take bold action on climate, the Mobile Source
23 Strategy that calls out very specifically environmental
24 racism and the disproportionate impact on communities of
25 color, and then our in-depth discussion of the AB 617

1 program, which is why we regard it as CARB's premier EJ
2 program that calls for power sharing between CARB,
3 districts, and community.

4 So here we are discussing the overarching plan
5 for California's climate strategy and hearing that there
6 has not been meaningful involvement of the EJAC and
7 somewhat worse that the unsuccessful approach used in
8 previous Scoping Plan efforts is being used again, which
9 is dismaying to me. I have a lot of gratitude to the EJAC
10 leaders who have come forward, who I've known and served
11 on the EJAC with and in other environmental justice spaces
12 for decades now.

13 So I really want to pull back the lens on this
14 issue and acknowledge that this is about much, much more
15 than a timeline or an extension of time. That is an
16 essential issue, but I believe the Board would be remiss
17 if we focused on that alone. And I don't -- I think you
18 have expanded that, Chair Randolph and I really, really
19 appreciate that.

20 The timeline extension is not going to resolve
21 the concerns I'm hearing, if some of the fundamental ways
22 the process is being implemented doesn't change. I do
23 think more time would be beneficial, but it doesn't mean
24 anything if the structure and the process doesn't change.
25 We can't be in this check-the-box mode if we're truly

1 embracing power sharing.

2 So my suggestion is that the CARB, as the
3 commenters have -- or the EJAC members have suggested, the
4 CARB Board needs to be more engaged and directive in the
5 development of the Scoping Plan, and that there should be
6 a joint Board/EJAC meeting in November or December. I was
7 told in my briefing that it would be in June, which I
8 think is way too late. I think we really need to
9 meaningfully engage in the Scoping Plan now with the EJAC,
10 and the CARB Board should be very involved and figure out
11 what it's really going to take. I'm guessing it's going
12 to take more time, but I think it would be important for
13 the CARB Board to get involved, engage with the EJAC,
14 figure out how environmental justice impacts are evaluated
15 in each alternative and not segregated.

16 We've talked a lot about not siloing EJ. So that
17 would be my recommendation and I would hope that we could
18 schedule the joint meeting as soon as possible.

19 Thank you.

20 CHAIR RANDOLPH: Thank you.

21 Dr. Pacheco-Werner.

22 BOARD MEMBER PACHECO-WERNER: Hi. Yes. Sorry.
23 I have my toddler with me.

24 So I just want to echo Board Member Takvorian's
25 comments about really needing to make sure that the EJAC

1 feels like they are participating in the same process that
2 we're participating in, and I think joint meetings help us
3 get there. And I do hope that the Committee heard the
4 Chair in terms of the commitment about the increased
5 technical assistance. And I just hope that when we meet
6 again with the EJAC, we can get to a place where they're
7 feeling like they are understanding and grasping the
8 concepts that they are being asked to comment on.

9 I don't know if there's a benchmark now or if
10 that's part of the facilitation piece to ensure during
11 meetings that they feel like they understand, but I do
12 think that we need to be able to somehow evaluate that.

13 Thank you.

14 CHAIR RANDOLPH: Thank you.

15 Board Member Hurt.

16 BOARD MEMBER HURT: Thank you, Chair.

17 I'll make this quick. I just wanted to thank the
18 EJAC as well for embracing this difficult work. I hear
19 and see all of you. I know this is not easy. I hope we
20 can, as a Board, support meeting the timeline that we
21 already have etched out, but really bulking up on the
22 additional resources that are being asked of and needed.
23 And I think I've heard from the Chair as well as staff
24 that we can make this happen. So I look forward sitting
25 side by side with EJAC, learning these issues as well, but

1 I want to thank all of you for embracing this really
2 difficult hard work. You are helping us. We're all
3 helping each other and I look forward to again just
4 bulking up the resources they need to make things happen.

5 CHAIR RANDOLPH: Thank you.

6 Board Member Kracov.

7 BOARD MEMBER KRACOV: Yes. I want to thank
8 everyone for participating tonight in this Board meeting.
9 I think we're going on almost 12 hours here. And really
10 appreciated Board Member Takvorian's comments on how it
11 seems like one item sort of built on the other here today.
12 And do appreciate the EJAC, you know, leadership trying to
13 work, you know, constructively.

14 And as Member Takvorian indicated, you know,
15 maybe this is about more than an extension. It's really
16 about the process improvements and extension of our own
17 will improve the dynamic.

18 So I did try to distill, Chair, you know, sort of
19 asks tonight from the EJAC. So one was to make the EJAC
20 permanent. I don't know what that means exactly, but
21 maybe that can be worked out in the future. The second is
22 interaction with the Board on a regular basis. I don't
23 know if it was quarterly or something along those lines.
24 The third was more defined opportunities for community
25 outreach. And I think the fourth was a technical

1 assessment -- assistance question.

2 I tried to distill the presentation, so maybe I
3 missed something. But I think these are the things that
4 we do have to sort of consider tonight and maybe hear from
5 our staff about these, and if we can try to incorporate
6 these, get commitments to do so, check in on how it's
7 going. Perhaps those are some of the key elements that
8 can change the dynamic here. We have spent 13 hours
9 trying to incorporate -- and I think meaningfully
10 incorporating equity and EJ into all the work that we're
11 doing.

12 You know, we are trying as an agency here. It's
13 a bit of a slog. But, you know, everybody on this Zoom
14 call tonight, we're partners in this. We're all stuck
15 with each other, you know, for better or for worse. This
16 has been a difficult process, you know, but maybe it --
17 and it's been a difficult episode, but maybe it creates a
18 little bit of a foundation of -- a working relationship,
19 you know, rolling up the sleeves a little bit as we move
20 forward together on this issue and all the other ones
21 we've discussed today.

22 Thanks, Chair.

23 CHAIR RANDOLPH: Thank you.

24 I just want to not that I agree with Board Member
25 Takvorian's point about the first opportunity for a joint

1 EJAC/Board meeting. I think trying to do November,
2 December might be a little optimistic, but I think June is
3 far too late. And so I definitely want to make sure staff
4 figures out how to build in the first joint meeting sooner
5 than that, so we can have an earlier conversation.

6 Okay. I think -- yes, I got it.

7 Sorry. So I see Martha Dina's hand up. Did you
8 want to say something?

9 MARTHA DINA ARGÜELLO: Yes, I did. You know, I
10 want to reiterate that the request for an extension was a
11 unanimous request from the Environmental Justice Advisory
12 Committee. And as the co-chairs, we stand by the word of
13 our fellow EJAC members. And also, you know, to -- that
14 in the request for more time and more resources, we don't
15 forget that we've also asked for an evaluation of existing
16 programs and an evaluation of the effectiveness of the
17 Cap-and-Trade Program, and that we do a better analysis of
18 benefits and burdens, because those things were just never
19 finished, right? We never got the Adaptive Management
20 Plan and we really need those to continue our work.

21 CHAIR RANDOLPH: Okay. Thank you. And I will
22 just note that it was very clear to me that this was a
23 unanimous request of the EJAC. And so I was never under
24 any other impression and never indicated that I was under
25 any other impression. So I'm not sure why that belief was

1 out there, but I understand the vote that the EJAC took.

2 Okay. So I think, at this point, I would like to
3 convey to our Executive Officer and our staff, I think we
4 got some really important requests from the EJAC with
5 regard to improvements to the process that are absolutely
6 necessary and some feedback from Board members about
7 improvements to the process that are necessary.

8 And, you know, I think as the Executive Officer
9 mentioned at one of the EJAC meetings, I think we
10 recognize that it's our responsibility to do this work and
11 to make the improvements in the process that we're talking
12 about. And as issues come up, and we need to make
13 adjustments, we need to be open to doing that. And while
14 adjustments to the timeline are not the first go-to, I
15 think increasing capacity, increasing resources, making
16 available some of the substantive work is going to be the
17 first go-to. But, you know, we are always going to be
18 staying in contact, as I mentioned in my opening remarks.
19 And we will do the best we can to meet the two goals that
20 I spoke about.

21 So I really appreciate everyone's time and
22 thoughtfulness in discussing these really, really
23 important issues. And we -- as I said before, I commit to
24 continuing to work with staff and doing things better as
25 we move forward with the -- with this really, really

1 important work.

2 So thank you and our meeting is adjourned for
3 this evening.

4 (Thereupon the Air Resources Board meeting
5 adjourned at 8:52 p.m.)
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