

VIDEOCONFERENCE MEETING
STATE OF CALIFORNIA
AIR RESOURCES BOARD

ZOOM PLATFORM

FRIDAY, NOVEMBER 19, 2021
9:13 A.M.

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

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

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

Rich Boyd, Assistant Division Chief, TTD

Michelle Buffington, Manager, Off-Road Agricultural Strategies and Incentives Section, Mobile Source Control Division (MSCD)

Ben Carrier, Senior Attorney, Legal Office

Peter Christensen, Branch Chief, Innovative Strategies Branch, MSCD

Mario Cruz, Chief, Climate Investments Branch, Sustainable Transportation and Communities Division (STCD)

Jessica Gordon, Senior Attorney, Legal Office

Jennifer Gress, PhD, Chief, STCD

Tracy Haynes, Manager, Freight Incentives Section, TTD

Melissa Houchin, Air Resources Engineer, Freight Technology Section, TTD

Kelly Kerber, Manager, Climate Investments Policy Section, STCD

Debbie Kerns, Senior Attorney, Legal Office

APPEARANCES CONTINUED

STAFF:

Lisa Macumber, Manager, Innovative Light-Duty Strategies
Incentives Section, MSCD

Andrea Morgan, Air Resources Engineer, Advanced
Transportation Incentives Strategies Section, MSCD

Lucina Negrete, Assistant Division Chief, MSCD

Cory Parmer, Manager, Off-Road Diesel Analysis Section,
Air Quality Planning and Science Division(AQPSD)

David Quiros, Manager, Freight Technology Section, TTD

Scott Rowland, Branch Chief, Incentives and Technology
Advancement Branch, MSCD

Anna Scodel, Staff Air Pollution Specialist, Climate
Investments Policy Section, STCD

Bonnie Soriano, Branch Chief, Freight Activity Branch, TTD

Steven Toft, Air Pollution Specialist, Compliance
Assistance and Outreach Section, MSCD

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

Sydney Vergis, PhD, Division Chief, MSCD

Alex Wang, Senior Attorney, Legal Office

ALSO PRESENT:

Alan Abbs, Bay Area Air Quality Management District

Meredith Alexander, CALSTART

Kenny Allen

Shayda Azamian, Leadership Counsel for Justice and
Accountability

APPEARANCES CONTINUED

ALSO PRESENT:

James Babcock

Tom Babineau, Rypos

Graham Balch, Green Yachts

William Barrett, American Lung Association

Rebecca Baskins, California Advanced Biofuels Alliance

Lindsay Battenberg, Proterra

Kelly Baughman, Crowley Maritime Corporation

Leon Benham

Kimberly Bennink

Sylvia Bentacourt, Long Beach Alliance for Children with
Asthma

Anthony Bento, California New Car Dealers Association

Beau Biller, Marine Recreation Association, California
Yacht Brokers Association, California Association of
Harbor Masters and Port Captains

Raymond Boetger

Greg Bombard, Catalina Express

John Bottorff, CleanEarth4Kids.org

Gary Brennan, San Diego County Wildlife Federation

Donald Brockman, Davey's Locker Sportfishing and Whale
Watching

David Brown, Balboa Island Ferry

Teresa Bui, Pacific Environment

Michael Cacciotti, Mayor Pro Tem, City of South Pasadena

APPEARANCES CONTINUED

ALSO PRESENT:

Tim Carmichael, SoCalGas

Christopher Chavez, Coalition for Clean Air

Wesley Chuang

David Cook

Martin Curtin, Curtin Maritime

Alex Davis, Metrolink

Jared Davis, Golden State Salmon Association, Golden Gate Fishermen's Association

Marlin Dawoodjee, Long Beach Alliance for Children with Asthma

Jamie Diamond, Sportfishing Association of California

Janet Dietzkamei

Steven Douglas, Alliance for Automotive Innovation

Paul Dyson

Tyson Eckerle, Governor's Office of Business and Economic Development

Tim Ekstrom, Royal Star

Thomas Ferguson

Michael Fleming

Paula Forbis, San Diego Air Pollution Control District

Michael Franchak, Relentless Charters

Ken Franke, Sportfishing Association of California

Martin Froger Silva

Laurence Fromm, Achates Power

APPEARANCES CONTINUED

ALSO PRESENT:

Michael Geller, Manufacturers of Emission Controls Association

Ranji George

Tim Gillespie

Theral Golden, West Long Beach Association

Ben Granholm, Western Propane Gas Association

Patrick Guild, Breathe California, Sacramento

Kevin Hamilton, Central California Asthma Collaborative

Scott Hedderich, Renewable Energy Group

Charlie Helms, California Association of Harbor Masters and Port Captains

Jim Holden, Fish For Life

Matt Holmes, Little Manila Rising

Regina Hsu, Earthjustice

Robert Hughes

Suzanne Hume, CleanEarth4Kids.org

Greg Hurner

Jibiana Jakpor

Karen Jakpor, MD, American Lung Association

Sadie Johnson

Tom Jordan

Donna Kalez, Dana Wharf Sportsfishing and Whale Watching

Kathleen

APPEARANCES CONTINUED

ALSO PRESENT:

Thomas Keller, Clean Cold Power

Ryan Kenny, Clean Energy

Tom Kieffer

Merlin Kolb, Reel Magic Sportsfishing

Joseph Kleitman

Wayne Kotow, Coastal Conservation Association of California

Benjamin La Brot, MD, Floating Doctors

Sebastian Lanswik

Cynthia Lau, Environmental Justice Coalition for Water, Café Coop

Lisa Lavelle, City of Avalon City Councilmember

Tung Le, California Air Pollution Control Officers Association

Julia Levin, Bioenergy Association of California

Andrea Lueker, California Association of Harbor Masters and Port Captains

Jim Luttjohann, Catalina Island Tourism Authority

Daniel Mabe, American Green Zone Alliance

Cinde MacGugan-Cassidy, Mayor Pro Tem, City of Avalon

Brian Magaline, Lucky Six

Bill Magavern, Coalition for Clean Air

Fred Main, Chamber of Commerce Alliance: Ventura, Santa Barbara, San Luis Obispo

Raquel Maronde

APPEARANCES CONTINUED

ALSO PRESENT:

David McCloy, San Francisco Bar Pilots

Vickie McMurchie, Dana Point Chamber of Commerce

Barry McCooey, M&H Engineering

Markus Medak, New Lo-An

Sherrie Merrow, NGVAmerica

Matt Miyasato, South Coast Air Quality Management District

Jeffrey Morris

Miles Muller, Natura Resources Defense Council

Alicia Murphy

Jimmy O'Dea, CALSTART

Rick Oefinger, Marina Del Rey Sportfishing

Mark Ortega

Michael Parmer, City of Avalon

Roma Partida-Lopez, Greenlining Institute

Mark Pisano

Rick Powers, Golden Gate Fishermen's Association

Chauncey Preal, Sea Jay

Ernie Prieto, Oceanside Sea Center

Hannon Rasool, California Energy Commission

Ashley Remillard, Hexagon Agility

Frank Rescino

Nicole Rice, California Natural Gas Vehicle Coalition

APPEARANCES CONTINUED

ALSO PRESENT:

James Robertson, Outer Limits

Lacy Robertson, Rush Enterprises

Gambit Ruiloba

Sharon Sand, The Trust for Public Land

Tim Sasseen, Ballard Power Systems

J. Scott Scheper

Matthew Schrap, Harbor Trucking Association

Troy Sears, Next Level Sailing

Douglas Shaftel

Chris Shimoda, California Trucking Association

Jonathon Smith, Happy Hooker

William Smith, Riptide

Paul Strasser

Tom Swenson, Cummins

Steven Taft

Jorge Daniel Taillant, Center for Human Rights and Environment

Michael Thompson

Bonnie Trowbridge, Zeem Solutions

Mike Tunnell, American Trucking Association

Eileen Tutt, California Electric Transportation Coalition

Fern Uennatornwarangoon, Environmental Defense Fund

Frank Ursitti, H&M Landing

APPEARANCES CONTINUED

ALSO PRESENT:

Jhana Valentine, Clean Vehicle Association Program

Tom Van Heeke, Rivian

Brian Vahey, The American Waterways Operators

Mandeera Wijetunga, Pacific Environment

William Wilkerson

Joy Williams, Environmental Health Coalition

Sam Wilson, Union of Concerned Scientists

Duane Winter, Mooch Better

Corchelle Worsham, San Diego Port Tenants Association

David Yow, Port of San Diego

INDEX

	<u>PAGE</u>
Call to Order	1
Roll Call	1
Opening Remarks	2
Item 21-12-1	
Chair Randolph	10
Executive Officer Corey	10
Janet Dietzkamei	11
Ranji George	13
Motion	15
Vote	15
Item 21-12-2	
Chair Randolph	16
Executive Officer Corey	17
Janet Dietzkamei	18
Suzanne Hume	19
Motion	19
Vote	19
Item 21-12-3	
Chair Randolph	21
Executive Officer Corey	22
Paula Forbis	26
Janet Dietzkamei	29
Item 21-12-4	
Chair Randolph	30
Executive Officer Corey	32
Staff Presentation	34
Tyson Eckerle	66
Hannon Rasool	69
Bill Magavern	72
Alex Davis	73
Matt Miyasato, PhD	74
Mike Tunnell	76
Laurence Fromm	78
Tom Van Heeke	80
Jhana Valentine	82
Tom Swenson	83
Michael Cacciotti	84
Patrick Guild	87
Anthony Bento	88
Paul Forbis	89

INDEX CONTINUED

Item 21-12-4 (continued)	
Julia Levin	90
Christopher Chavez	92
Alan Abbs	94
Janet Dietzkamei	96
David Yow	97
Tung Le	98
Nicole Rice	100
Chris Shimoda	101
Teresa Bui	103
Ranji George	104
Benjamin La Brot	106
Jimmy O'Dea	108
Eileen Tutt	109
Roman Partida-Lopez	111
Ben Granholm	113
Joseph Kleitman	115
Miles Muller	117
Thomas Keller	119
Graham Balch	120
Lacy Robertson	122
Ashley Remillard	124
Shayda Azamian	125
Paul Dyson	127
Tim Carmichael	129
Lindsay Battenberg	132
Ryan Kenny	130
Suzanne Hume	133
Matthew Schrap	135
Bonnie Trowbridge	136
Meredith Alexander	138
Sherrie Merrow	139
Daniel Mabe	141
Kevin Hamilton	142
Steven Douglas	143
 Afternoon Session	
Item 21-12-4 (continued)	
David Cook	146
Wayne Kotow	148
William Barrett	149
Tom Jordan	151
Board Discussion and Q&A	152
Motion	196
Vote	196

INDEX CONTINUED

	<u>PAGE</u>
Item 21-12-5	
Chair Randolph	198
Executive Officer Corey	200
Staff Presentation	201
CalEPA Secretary Blumenfeld	223
Tim Sasseen	230
Scott Hedderich	231
Julia Levin	232
Sharon Sand	233
Christopher Chavez	234
Teresa Bui	236
Ranji George	237
Board Discussion and Q&A	239
Motion	244
Vote	244
Item 21-12-6	
Chair Randolph	246
Executive Officer Corey	247
Staff Presentation	249
Joseph Kleitman	265
Andrea Lueker	266
Steven Taft	267
Michael Geller	269
Jamie Diamond	270
Sam Wilson	272
Gary Brennan	274
William Wilkerson	275
Jibiana Jakpor	277
Martin Froger Silva	278
Regina Hsu	279
Teresa Bui	281
Karen Jakpor, MD	282
Lisa Lavelle	283
Michael Fleming	285
Barry McCooey	286
Frank Rescino	287
Wayne Kotow	288
Troy Sears	289
Fred Main	290
Raquel Maronde	291
Douglas Shaftel	293
Jorge Daniel Taillant	294
Paul Strasser	296
Kelly Baughman	298

INDEX CONTINUED

	<u>PAGE</u>
Item 21-12-6 (continued)	
Jared Davis	299
William Barrett	300
Michael Thompson	302
David McCloy	303
Brian Vahey	306
Greg Bombard	307
Rebecca Baskins	308
Michael Parmer	309
Rick Oefinger	311
Ken Franke	312
Ernie Prieto	313
Frank Ursitti	314
Markus Medak	315
Tim Ekstrom	317
Joy Williams	318
Michael Franchak	319
Jeff Kieffer	320
Tom Babineau	321
James Robertson	323
Jim Holden	324
Sadie Johnson	325
Scott Hedderich	326
Charlie Helms	328
Brian Magaline	329
William Smith	330
David Brown	331
Jim Luttjohann	333
Raymond Boetger	334
Beau Biller	335
Theral Golden	336
Merlin Kolb	337
Donald Brockman	338
Fern Uennatornwarangoon	339
Cinde MacGugan-Cassidy	341
Bill Magavern	342
Tim Gillespie	343
Gambit Ruiloba	344
Christopher Chavez	345
Alicia Murphy	347
Mark Pisano	348
Robert Hughes	350
Graham Balch	351
Donna Kalez	353
Mark Ortega	354
Corchelle Worsham	355

INDEX CONTINUED

	<u>PAGE</u>
Item 21-12-6 (continued)	
Vickie McMurchie	357
Matt Holmes	358
Mandeera Wijetunga	360
J. Scott Scheper	361
Martin Curtin	363
Suzanne Hume	364
John Bottorff	365
James Babcock	367
Wesley Chuang	368
Thomas Ferguson	370
Janet Dietzkamei	371
Sylvia Bentacourt	372
Marlin Dawoodjee	373
Cynthia Lau	374
Jeffrey Morris	375
Sebastian Lanswik	376
Greg Hurner	378
Duane Winter	379
Kenny Allen	380
Jonathon Smith	382
Jamie Diamond	383
Kimberly Bennink	385
Leon Benham	386
Chauncey Preal	387
Rick Powers	388
Board Discussion and Q&A	390
Open Comment	
Kathleen	420
Mark Ortega	421
Adjournment	422
Reporter's Certificate	423

PROCEEDINGS

1
2 CHAIR RANDOLPH: All right. Good morning. The
3 November 19th, 2021 public meeting of the Air Resources
4 Board will come to order.

5 Board Clerk, would 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 BOARD MEMBER DE LA TORRE: Here.

10 BOARD CLERK ESTABROOK: Mr. Eisenhut?

11 BOARD MEMBER EISENHUT: Here.

12 BOARD CLERK ESTABROOK: Supervisor Fletcher?

13 BOARD MEMBER FLETCHER: Fletcher here.

14 BOARD CLERK ESTABROOK: Senator Florez?

15 BOARD MEMBER FLOREZ: Florez here.

16 BOARD CLERK ESTABROOK: Assemblymember Garcia?

17 ASSEMBLY MEMBER GARCIA: Garcia Present.

18 BOARD CLERK ESTABROOK: Ms. Hurt.

19 BOARD MEMBER HURT: Present.

20 BOARD CLERK ESTABROOK: Mr. Kracov?

21 BOARD MEMBER KRACOV: Here.

22 BOARD CLERK ESTABROOK: Senator Leyva?

23 SENATOR LEYVA: Here.

24 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

25 BOARD MEMBER PACHECO-WERNER: Here.

1 BOARD CLERK ESTABROOK: Mrs. Riordan?

2 BOARD MEMBER RIORDAN: Here.

3 BOARD CLERK ESTABROOK: Supervisor Serna?

4 BOARD MEMBER SERNA: Here.

5 BOARD CLERK ESTABROOK: Professor Sperling?

6 BOARD MEMBER SPERLING: Here.

7 BOARD CLERK ESTABROOK: Ms. Takvorian?

8 BOARD MEMBER TAKVORIAN: Here.

9 BOARD CLERK ESTABROOK: Vice Chair Berg?

10 VICE CHAIR BERG: Here.

11 BOARD CLERK ESTABROOK: Chair Randolph?

12 CHAIR RANDOLPH: Here.

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

15 CHAIR RANDOLPH: Thank you. As you may notice,
16 we are conducting our first hearing at our brand new
17 Southern California headquarters in Riverside dedicated
18 yesterday as the Mary D. Nichols campus. Our campus is
19 designed to be the largest zero net energy facility in the
20 U.S. despite being the home of our mobile source testing
21 laboratories, along with 400 plus staff. UC Riverside
22 donated the land to the State, or rather sold it to us for
23 \$1. While the City, County, and Chamber of Riverside have
24 worked hard on forming strong partnerships with CARB to
25 make this CARB headquarters in Riverside an air quality

1 and climate change program destination. We're excited to
2 be participating from this new facility and look forward
3 to welcoming the public here in the future.

4 Okay. On to a few housekeeping items. In
5 accordance with Assembly Bill 361, we are conducting
6 today's meeting remotely using Zoom with public
7 participation options available both by phone and over
8 Zoom.

9 A closed captioning feature is available for
10 those of you joining us in the Zoom environment. In order
11 to turn on subtitles, please look for a button labeled
12 "CC" at the bottom of the Zoom window, as shown in the
13 example on the screen now.

14 I would like to take this opportunity to remind
15 everyone to speak clearly and from a quiet location,
16 whether you are joining us in Zoom or calling in by phone.

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

22 (Interpreter translated in Spanish)

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

25 BOARD CLERK ESTABROOK: Thank you, Chair. Good

1 morning, everyone. My name is Katie Estabrook and I am
2 one of the Board clerks here. I will be providing some
3 information on how public participation will be organized
4 for today's meeting. And as the Chair mentioned, we are
5 at our new facility and so your patience is appreciated
6 today.

7 If you wish to make a verbal comment on one of
8 the Board items during the open comment period -- or at
9 the open comment period at the end of today's meeting, you
10 must be joining using the Zoom webinar or calling in by
11 phone. If you're currently watching the webcast on
12 CalSPAN, but you do wish to comment, please register for
13 the Zoom webinar or call in. Information for both can be
14 found on the public agenda. To make a verbal comment, we
15 will be using the raise-hand feature in Zoom. If you wish
16 to speak on a Board item, please virtually raise your hand
17 as soon as the item has begun to let us know you wish to
18 speak. To do this, if you are using a computer or tablet,
19 there is a raise-hand button. If you are calling on the
20 telephone, dial star nine to raise your hand. Even if you
21 previously indicated which item you wished to speak on
22 when you registered, you must raise your hand at the
23 beginning of the item so that you can be added to the
24 queue so your chance to speak will not be skipped.

25 If you will be giving a verbal comment in Spanish

1 and require an interpreter's assistance, please indicate
2 so at the beginning of your testimony and our translator
3 will assist you. During your comment please pause after
4 each sentence to allow the interpreter to translate your
5 comment into English.

6 When the comment period starts, the order of
7 commenters will be determined by who raises their hand
8 first. I will call each commenter by name and will
9 activate each commenter's audio when it is their turn to
10 speak. For those calling in, I will identify you by the
11 last three digits of your phone number. We will not be
12 showing a list of commenters, however I will announce the
13 next three or so commenters in the queue, so you are ready
14 to testify and know who is coming up next. Please note
15 that you will not appear by video during your testimony.

16 I would also like to remind everyone to please
17 state your name for the record before you speak. This is
18 important in the remote-only setting. It is especially
19 important for those calling in by phone to testify on an
20 item. We will have a time limit for each commenter. The
21 normal time limit is three minutes. Although, this could
22 change based on the Chair's discretion. During public
23 testimony, you will see a timer on the screen. For those
24 calling in by phone, we will be running the timer and let
25 you know when you have 30 seconds left and when your time

1 is up. If you are requiring Spanish interpretation during
2 your comment, your time will be doubled.

3 If you wish to submit written comments today,
4 please visit CARB's send-us-your comments page or look at
5 the public agenda on our webpage for links to these -- to
6 send documents electronically. If you experience any
7 technical difficulties, please call (805)772-2715 so an IT
8 person can assist you. This number is also posted on the
9 public agenda.

10 Thank you. I'll turn it back to you, Chair.

11 CHAIR RANDOLPH: Thank you very much. Before we
12 go to your first agenda, Board Member Kracov had a brief
13 question for our Executive Officer.

14 BOARD MEMBER KRACOV: Thank you, Chair.

15 I was wondering, Mr. Corey, if you can briefly
16 touch on something that our staff prepared this week.
17 It's a document called, "The Emissions Impact of Ships
18 Anchored at the Ports of Los Angeles and Long Beach".

19 EXECUTIVE OFFICER COREY: Yes, happy to, Mr.
20 Kracov. So over the last several months, you're well
21 aware the backlog that we've all seen at the ports. And
22 the ongoing assessment that we've been doing, and doing in
23 collaboration actually with the South Coast staff, in
24 terms of trying to characterize the emission implications,
25 as well as potential -- or the air quality implications of

1 that backlog. What we've seen -- just as a few examples
2 and we published information on this. We did back in
3 September and we did, just as you noted, earlier this
4 month. So as we're making discoveries and identification
5 the underlying analysis that we're doing, we're continuing
6 to publish and get that information out there. But just
7 in terms of TEU, truck equivalent unit, increase that
8 we've seen at the San Pedro Bay Ports, Port of Long Beach,
9 Port of LA, 28 percent increase over the last three
10 quarters in 2021 relative to 2019.

11 In terms of number of ships off port at anchorage
12 off of San Pedro Bay ports, up to over a hundred
13 vessels -- over a hundred vessels, about 80 percent of
14 those being cargo container ships. And if you look at what
15 are the emission implications of those ships at anchorage,
16 from a NOx standpoint about up to 20 tons a day in NOx.
17 Relative to historically in terms of at anchorage
18 emissions, there's about 0.1 ton. So you can get a sense
19 of the magnitude of the emissions.

20 You can also get a sense of the conversation
21 we've all had in terms of the challenges of attainment of
22 the 80 -- 8-hour 80 ppb ozone standard in the South Coast,
23 and the conversation we've all had in the context of the
24 SIP and the additional 108 tons a day that we're all
25 working very hard to achieve, 20 tons on top of that is a

1 20 percent increase, very, very significant. In terms of
2 the diesel or PM emission increases, about a half a ton a
3 day, basically the equivalent of a hundred thousand
4 trucks.

5 So as the effort continues to move forward in
6 terms of breaking that log jam, no doubt that it is
7 underscoring the efforts that we continue to go through to
8 transition out of combustion. In the Advanced Clean Truck
9 Regulation, this Board acted on the Advanced Clean Fleet
10 Reg that will be coming back to this Board, as well as the
11 TRU, transport refrigeration truck, and the locomotive,
12 right, all those elements in driving down emissions and
13 transitioning out of combustion is going to be critically
14 important, including the reg that the Board will be
15 considering later today on the Harbor Craft Regulation,
16 and the work that we're doing to characterize the air
17 quality implications. That analysis also continues.
18 We're looking, for instance, at elemental carbon as a
19 proxy for the emissions from the vessels and what impact
20 that's having.

21 So the analysis and the collaboration with South
22 Coast continues, obviously, the work to break the log jam
23 that the administration and many, many others are working
24 to work through, but no doubt, it is an example, front and
25 center, in terms of the implications of combustion of

1 diesel, both from a regional air quality standpoint and a
2 near source community focused air quality standpoint that
3 the measures that we are moving forward on need to
4 progress with haste.

5 The other point, and it's another one that we
6 have talked about, which is equally important is federal
7 action. Many of the sources that we're talking about are
8 federally preemptive sources to a substantial degree and
9 our efforts, including the petitioning of EPA, in
10 collaboration with many stakeholders, to secure
11 commitments and action for tighter standards on marine
12 vessels through EPA and the international bodies to set
13 those standards, as well as aviation and locomotives are
14 going to be critically important. So that summarizes my
15 comments.

16 BOARD MEMBER KRACOV: Thank you, Mr. Corey.
17 Chair, I had a big long spiel to -- about this, but I'm
18 just going to skip to the end. Really appreciate staff
19 preparing this data on the emissions impact at the ports.
20 You know, the data I think is key to -- in holding the
21 ports accountable and holding ourselves accountable to
22 these efforts, but fundamentally to make sure that the
23 ports get the message to clean up their operations. So
24 please keep up with this data and thank you, Chair. Thank
25 you, Mr. Corey, for letting me ask the question.

1 CHAIR RANDOLPH: Thank you very much.

2 Okay. The first item on the agenda is Item
3 number 21-12-1, consideration of the proposed contract
4 with UC Davis titled, "Understanding Travel Demand and
5 Built Environment Factors to Optimize Increased ZEV Access
6 in Underserved Communities".

7 If you wish to comment on this item, please click
8 the raise hand button or dial start nine now. We will
9 call on you when we get to the public comment portion of
10 this item. This item is listed on the agenda to comply
11 with Board approval requirements in Government Code
12 section 1091, because two of our Board members are
13 affiliated with UC Davis. Therefore, Board Members Berg
14 and Sperling will abstain from the discussion and vote.

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

16 EXECUTIVE OFFICER COREY: Yes. Thank you, Chair.
17 This item is a proposed research contract that will help
18 inform zero-emission vehicle policy to help meet
19 California's air quality, climate, and equity goals. The
20 proposed project will examine mobility needs of
21 underserved communities and how zero-emission vehicles can
22 cost effectively meet this need. Policy recommendations
23 may inform how zero-emission vehicles can best be
24 integrated into underserved communities through related
25 regulations and incentive programs. Approval by the Board

1 will authorize staff to put this contract in place.

2 That concludes my remarks.

3 CHAIR RANDOLPH: Okay. We will now hear from the
4 public who raised their hand to speak on this time. Will
5 the Board clerk please call the commenters?

6 BOARD CLERK ESTABROOK: Yes. Thank you, Chair.
7 We currently have three commenters with their hands raised
8 to speak on this contract with UC Davis. The first is
9 Greg Chow. After Greg, we will have Janet Dietzkamei and
10 then after Janet, we have a call-in user 1.

11 Greg, I have activated your microphone. You
12 may -- let's see -- oh, it looks like that hand went down,
13 so Janet let's try you.

14 Janet, you should be able to unmute yourself and
15 begin.

16 JANET DIETZKAMEI: Yes. There was a delay for
17 that. Good morning, Chair Randolph and Board members,
18 staff. My -- I am Janet Dietzkamei and I live in Fresno
19 City. I read this that it is focused on underserved
20 communities. But having an electric vehicle, I would like
21 to point out that part of this is travel demand and
22 environment -- and environment factors. And, of course, I
23 am very well aware, having an electric vehicle, that I am
24 doing my part regarding environmental factors.

25 But what I like to -- I'd like to point out is if

1 one wants to use an electric vehicle, as one does a
2 combustion engine vehicle, the problem is unlike gas
3 stations, if you have a tendency to use one tight -- one
4 gas -- let's say A, gas station A, and you're in a
5 location where there are no gas station A's, you can go to
6 gas station B. But the charging stations belong to
7 different companies, therefore you have to be enrolled in
8 the company that has the charging station. So you have --
9 you know, you can go to the web and see, yes, okay, the
10 company I'm enrolled in has charging stations here, and
11 here, and here, and here. But if they don't happen to
12 have B in the location you are when you need to charge,
13 that is something that can be a problem.

14 I am in full support of providing underserved
15 communities with electric vehicles. And the charging
16 stations are very affordable. I charge my car for an
17 hour, and it came -- no, it was two hours and it came to
18 \$2. So it's essentially a dollar an hour to charge. And
19 that would be very helpful for those who are in
20 underserved communities, but the problem is those who live
21 in apartments, and somehow apartment dwellers need to have
22 access to a source of charging their vehicles. And so
23 there -- as it is now, they would have to drive somewhere
24 in the city to charge.

25 So I continue to bring focus on the fact that

1 those who are living in apartments are at a bit of a
2 disadvantage to me, because I charge in my garage. So
3 that is my focus, how do people in apartments charge their
4 cars -- easily charge their cars?

5 Thank you.

6 BOARD CLERK ESTABROOK: Thank you.

7 Next, we have call-in user 1. Please state your
8 name for the record at the beginning and then you may
9 begin your comments.

10 RANJI GEORGE: Hello. My name is Ranji George.
11 Can you hear me?

12 BOARD CLERK ESTABROOK: Yes, we can.

13 RANJI GEORGE: I am ex-employee of South Coast
14 AQMD. We were the ones who helped start the zero-emission
15 program at South Coast in the mid -- in the early 90s
16 throughout the 90s. And then we went into hydrogen fuel
17 cell vehicles.

18 My concern is a lot of the emphasis on CARB, even
19 though its very -- I have to compliment CARB and CARB
20 staff for moving towards ZEV technology in a strong way.
21 Appreciate that. We need that. But unfortunately,
22 whenever we talk on ZEV, almost 80 percent of the
23 resources seems is still going towards electric batteries
24 and not to hydrogen vehicles.

25 I hope in these research reports, whoever is

1 doing the research will also fairly address hydrogen
2 station placement of hydrogen vehicles, and how we can
3 work with the automobile and track management to expand
4 the market share for hydrogen. And that's what's
5 happening in China, Korea, South -- Japan and Europe.
6 Hydrogen is playing a quite an important to role there.
7 And I hope in ARB where this -- all this started in
8 California, all this big talk about electric vehicles and
9 hydrogen. We were the first in the country who made the
10 push for it.

11 So I hope hydrogen doesn't fall in the -- in the
12 footnote section. It will be a very prominent part,
13 because ultimately the one thing I'll be mentioning in
14 other -- under other agenda items, is the battery
15 recycling. You have a major prospect of addressing
16 battery recycling after about 15, 20 years of this battery
17 use. So hydrogen has very little of that recycling
18 issues. There are some, but much less. So I hope the
19 staff will give equal consideration for every dollar on --
20 spent on electric batteries you will spend on hydrogen. I
21 will request that you do that.

22 Thank you. Appreciate the opportunity to share
23 those comments.

24 BOARD CLERK ESTABROOK: Thank you.

25 Madam Chair, that concludes the commenters for

1 the item.

2 CHAIR RANDOLPH: Thank you.

3 I will not close the record on this agenda item.

4 Do I have a motion and a second to approve this
5 item and have staff proceed with executing this contract?

6 BOARD MEMBER RIORDAN: Madam Chair, I'd like to
7 move the approval of this item, 21-12-1.

8 BOARD MEMBER BALMES: Second.

9 CHAIR RANDOLPH: Clerk, would you please call the
10 roll.

11 BOARD CLERK ESTABROOK: Yes.

12 Dr. Balmes?

13 BOARD MEMBER BALMES: Yes.

14 BOARD CLERK ESTABROOK: Mr. De La Torre?

15 BOARD MEMBER DE LA TORRE: Yes.

16 BOARD CLERK ESTABROOK: Mr. Eisenhut?

17 BOARD MEMBER EISENHUT: Yes.

18 BOARD CLERK ESTABROOK: Supervisor Fletcher?

19 BOARD MEMBER FLETCHER: Yes.

20 BOARD CLERK ESTABROOK: Senator Florez?

21 Ms. Hurt?

22 BOARD MEMBER HURT: Aye.

23 BOARD CLERK ESTABROOK: Mr. Kracov?

24 BOARD MEMBER KRACOV: Yes.

25 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

1 BOARD MEMBER PACHECO-WERNER: Yes.

2 BOARD CLERK ESTABROOK: Ms. Riordan?

3 BOARD MEMBER RIORDAN: Aye.

4 BOARD CLERK ESTABROOK: Supervisor Serna?

5 BOARD MEMBER SERNA: Aye.

6 BOARD CLERK ESTABROOK: Professor Sperling?

7 BOARD MEMBER SPERLING: I'm recused from this --
8 recusing from this.

9 BOARD CLERK ESTABROOK: Ms. Takvorian?

10 BOARD MEMBER TAKVORIAN: Aye.

11 BOARD CLERK ESTABROOK: Chair Randolph?

12 CHAIR RANDOLPH: Yes.

13 BOARD CLERK ESTABROOK: Madam Chair, the motion
14 passes.

15 CHAIR RANDOLPH: All right. Thank you.

16 The next item on the agenda is Item 21-12-2,
17 preterm birth, low birth weight, childhood autism
18 Parkinson's disease, and Alzheimer's disease, and Air
19 Pollution, California studies.

20 We will consider this research contract with the
21 University of California, Los Angeles. This research
22 contract is an important component of our ongoing work to
23 expand CARB's analysis of air pollution-related adverse
24 health outcomes and provide more comprehensive information
25 on the expected health benefits of CARB's regulations and

1 programs.

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

3 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

4 In April 2020, the Board adopted Resolution 20-13
5 directing CARB staff to develop new quantitative and
6 qualitative approaches for health benefit assessment. In
7 response to Board directive, this proposed study will help
8 quantify additional California-specific health outcomes,
9 such Alzheimer's disease, Parkinson's disease, and preterm
10 birth associated with air pollution exposures and, where
11 possible, their associated economic values.

12 This research will look at health effects in
13 racial and ethnic subgroups as well as statewide average
14 effects. The results of this research will improve the
15 Board's understanding of public health impacts from air
16 pollution and will be used to expand CARB's health
17 analysis for its regulations and programs.

18 So approval by the Board will authorize staff to
19 put this contract in place. That concludes my remarks.

20 CHAIR RANDOLPH: Thank you. We will now hear
21 from the public who have raised their hands to speak on
22 this item. Board Clerk, will you please call the
23 commenters.

24 BOARD CLERK ESTABROOK: Yes, Chair. We have one
25 person with their hand raised to speak on this proposed

1 contract with UCLA. That's Janet Dietzkamei. You may
2 unmute yourself and begin your comment.

3 JANET DIETZKAMEI: Thank you. I would like to
4 suggest that a focus be put on the San Joaquin Valley
5 where we have the worst air pollution in the United
6 States, where we have a population of people that is
7 unable to protect themselves from the pollutants,
8 especially in the summer when it is so very hot here and
9 they have no air conditioning or no source of protection
10 inside of their home from the pollution that we have.

11 We have everything. We have all the pollutants
12 that are available. We have mobile sources. We have
13 stationary sources. We have wildfires. We have
14 everything that contributes to pollution. San Joaquin
15 Valley is the ideal place to conduct this study. We have
16 low birth -- preterm and low birth weight. We have
17 children whose development physically and mentally is
18 impeded by the air that they're breathing. This is the
19 location to conduct this study, because it's right here.
20 Everything that is needed in this study is right here.
21 People suffering. People suffering from the worst air in
22 the United States, children, the whole age group. I
23 suggest this is the place to conduct that study.

24 Thank you.

25 BOARD CLERK ESTABROOK: Thank you.

1 Chair, that concludes the commenters -- oh, I'm
2 sorry. We have one more commenter for this item, Suzanne
3 Hume. Suzanne, you may unmute and begin.

4 Suzanne, you should have a prompt to -- there you
5 go.

6 SUZANNE HUME: Thank you so much. Thank you to
7 all of the important work happening at CARB. My name is
8 Suzanne Hume. I'm the educational director and founder of
9 CleanerEarth4Kids. And your work is vital had life
10 saving. Thank you so much. We're in full support of this
11 study.

12 Thank you.

13 CHAIR RANDOLPH: Thank you.

14 Madam Chair, that concludes the commenters.

15 CHAIR RANDOLPH: All right. Thank you. I will
16 now close the record on this item.

17 Do I have a motion and a second to approve this
18 contract?

19 BOARD MEMBER HURT: Move approval.

20 BOARD MEMBER BALMES: Second.

21 CHAIR RANDOLPH: Clerk, would you please call the
22 roll.

23 BOARD CLERK ESTABROOK: Yes.

24 Dr. Balmes?

25 BOARD MEMBER BALMES: Yes.

1 BOARD CLERK ESTABROOK: Mr. De La Torre?
2 BOARD MEMBER DE LA TORRE: Yes.
3 BOARD CLERK ESTABROOK: Mr. Eisenhut?
4 BOARD MEMBER EISENHUT: Yes.
5 BOARD CLERK ESTABROOK: Supervisor Fletcher?
6 BOARD MEMBER FLETCHER: Yes.
7 BOARD CLERK ESTABROOK: Senator Florez?
8 BOARD MEMBER FLOREZ: Florez, aye.
9 BOARD CLERK ESTABROOK: Ms. Hurt?
10 BOARD MEMBER HURT: Aye.
11 BOARD CLERK ESTABROOK: Mr. Kracov?
12 BOARD MEMBER KRACOV: Yes.
13 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?
14 BOARD MEMBER PACHECO-WERNER: Yes.
15 BOARD CLERK ESTABROOK: Mrs. Riordan?
16 BOARD MEMBER RIORDAN: Aye.
17 BOARD CLERK ESTABROOK: Supervisor Serna?
18 BOARD MEMBER SERNA: Aye.
19 BOARD CLERK ESTABROOK: Professor Sperling?
20 BOARD MEMBER SPERLING: Aye.
21 BOARD CLERK ESTABROOK: Ms. Takvorian?
22 BOARD MEMBER TAKVORIAN: Aye.
23 BOARD CLERK ESTABROOK: Vice Chair Berg?
24 VICE CHAIR BERG: Aye.
25 BOARD CLERK ESTABROOK: Chair Randolph?

1 CHAIR RANDOLPH: Yes.

2 BOARD CLERK ESTABROOK: Madam Chair, the motion
3 passes.

4 CHAIR RANDOLPH: Thank you.

5 The next item on the agenda is Item number
6 21-12-3, the 2019 Haagen-Smit Clean Air Awards. If you
7 wish to comment on this item, please click the raise-hand
8 button or dial star nine now. We will call on you when we
9 get to the public comment portion of this item.

10 Since 2001, the Board has annually bestowed the
11 distinguished Haagen-Smit Clean Air Awards to
12 extraordinary individuals whose career accomplishments in
13 air quality and climate change have been fundamental to
14 the progress that we have achieved.

15 The awards are named in honor of Professor
16 Haagen-Smit because of his important contributions to air
17 pollution science and of his significance as our first
18 Board Chairman. Arie Haagen-Smit, a native of the
19 Netherlands, was a bio-organic chemistry professor at the
20 California Institute of Technology in Pasadena for 16
21 years studying natural products like rubber and pineapple.

22 In 1948, he embarked on air pollution research
23 when we asked by the County of Los Angeles to investigate
24 the chemical nature of what we now call smog. His
25 research found that most of California's smog resulted

1 from photochemistry, when exhaust from motor vehicles and
2 industrial facilities react with sunlight to create ozone.
3 This breakthrough provided the scientific foundation for
4 the development of California's and the nation's air
5 pollution control programs.

6 Leaving his plant studies behind, he continued
7 working in the field of air pollution research and control
8 and took the smog problem in Los Angeles on head on. He
9 became CARB's first chairman in 1968. In 1973, in
10 recognition of his contributions, Dr. Haagen-Smit received
11 the National Medal of Science, this country's highest
12 scientific honor. Dr. Haagen-Smit passed away in 1977,
13 yet his legacy continues to inspire scientists and
14 policymakers alike.

15 Over the last 19 years, more than 50 acclaimed
16 scientists and policymakers have received the prestigious
17 Haagen-Smit award for their contributions to clean air.
18 Seven recipients are added to that list today. Due to the
19 pandemic, the presentation of the awards to the 2019
20 winners was postponed, but today we are very pleased to be
21 able to officially recognize the belated 2019 awards.

22 Mr. Corey, would please announce the winners?

23 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

24 As you noted, I'm pleased to honor the recipients
25 of the 2019 Haagen-Smit Clean Air Awards. The first

1 winner is Dr. Karl Taylor. Dr. Taylor's contributions
2 both in building essential infrastructure to improve
3 climate modeling and through his own far-reaching research
4 exposing differential forcing effects of anthropogenic
5 sulfate aerosols have helped make it possible for the
6 climate science community to evaluate and improve climate
7 modeling to distinguish human impacts on climate, and to
8 estimate uncertainty in projections of future climate
9 change. He's being honored in the Climate Change Science
10 category.

11 The second winner is Ms. Joy Williams, who is
12 being recognized in the category of Community Service and
13 Environmental Justice. Ms. Williams has devoted her
14 career to empowering residents of disadvantaged
15 communities to protect themselves and their environment
16 from toxic pollutants. For more than 30 years, she has
17 taught others how to harness the power of science,
18 community, and advocacy to depend -- rather defend the
19 right of all races, cultures, and income levels to fair
20 and respectful treatment in the development and
21 implementation of environmental laws and policies.

22 The next awardee is Janice E. Nolen. Ms. Nolen
23 was committed -- was a committed educator and advocate for
24 improving the respiratory health of all Americans by
25 implementing and enforcing the Clean Air Act. The

1 creative force behind the American Lung Association's
2 annual State of the Air Report for 20 years, she distilled
3 complex monitoring data into simple air quality grades
4 that clearly convey the health risks of local air
5 pollution. Ms. Nolen also contributed to several
6 important national health policy victories for her decades
7 of effective leadership and for the real life improvements
8 she helped make to air we all breathe, she's being
9 honored.

10 The fourth winner, Dr. Junji Cao, who is being
11 honored in the category of International Leadership. His
12 research on airborne particulates in Chinese cities has
13 helped drive China's air quality programs improving the
14 health of millions of people. For example, Dr. Cao
15 conducted long-term analyses of ambient PM2.5 in China,
16 establishing a national baseline against which control
17 strategies can be evaluated. Yet still clearly early in
18 his career, Dr. Cao has already coauthored hundreds of
19 influential papers and mentored over 150 young scientists.
20 Dr. Cao has also successfully transferred innovative
21 technologies from basic research to field demonstrations
22 of cost-effective solutions.

23 The next award recipient is Dr. Stephen O'
24 Andersen, who is being recognized in the category of
25 Environmental Policy. Dr. Andersen has devoted more than

1 40 years to protecting the ozone layer and climate.
2 Beyond his central role in establishing the Montreal
3 Protocol's initial protection for earth's stratospheric
4 ozone layer, he demonstrated courage, foresight, tenacity
5 in realizing that the treaty's potential to also control
6 climate change emissions. He's also known for his
7 optimism, fairness, and productivity inspiring countless
8 others to solve important environmental problems.

9 Next is Dr. William B. Demore. The elder
10 statesman of the atmospheric chemistry, Dr. Demore's
11 lifetime contribution cannot be overstated. His
12 comprehensive knowledge of chemical kinetics and
13 cool-headed scientific diplomacy were vital to the
14 resolution of many important problems in analytical
15 chemistry with high stakes for air quality management. He
16 helped resolve many controversies among highly qualified
17 scientists by providing impartial guidance in prioritizing
18 data integrity and unbiased interpretation. His calm,
19 steady influence, and for his many substantive
20 contributions to the atmospheric chemistry of ozone, CARB
21 is honoring him with the award.

22 The final winner is Dr. Birks. Dr. Birks has
23 advanced our understanding of the earth's atmosphere
24 through more than 40 years of research, teaching, and
25 technological innovation. His early work on the chemistry

1 of chlorine helped unravel the complex processes of
2 stratospheric ozone depletion. He is a co-developer of
3 the theory of nuclear winter and developed a range of
4 portable instruments that dramatically improve scientists'
5 capacity to measure and analyze atmospheric air quality.
6 For such dedicated service and achievements, CARB is
7 honored to bestow Dr. Birks with a Haagen-Smit Clean Air
8 Award this year.

9 So with that, that concludes a lot of very
10 distinguished award recipients, Chair.

11 CHAIR RANDOLPH: Thank you.

12 Board Clerk, are there members of the public who
13 have raised their hands to speak on this item?

14 BOARD CLERK ESTABROOK: Yes. We have two
15 commenters with their hands raised to speak at this time.
16 The first is Paula Forbis and the second is John Maynard.

17 Paula, I have activated your microphone. You can
18 unmute and begin.

19 Paula, it looks like you're unmuted.

20 PAULA FORBIS: Okay. Great. Thank you. Can you
21 hear me?

22 BOARD CLERK ESTABROOK: Yes.

23 PAULA FORBIS: Hello. Yes. Great.

24 Good morning, Chair Randolph and Board members.
25 My name is Paula Forbis. And I am the Interim Air

1 Pollution Control Officer for the San Diego County APCD.
2 I just wanted to quickly congratulate Joy Williams on her
3 receipt of the Haagen-Smit Award for Air Pollution
4 (inaudible) my career in air quality working with and
5 learning from Joy at Environmental Health Coalition.
6 She's worked tirelessly for decades in communities
7 (inaudible) --

8 BOARD CLERK ESTABROOK: Paula, it was really
9 breaking up you. If I could try calling back in to the
10 number that's posted on the screen that would -- that we
11 might have a better chance there.

12 PAULA FORBIS: Okay. I'll give that a try.

13 BOARD CLERK ESTABROOK: Okay.

14 CHAIR RANDOLPH: Do we want to maybe Board member
15 comments and then see if she -- does any Board member want
16 to comment on the awards?

17 Board Member Takvorian.

18 BOARD MEMBER TAKVORIAN: Thank you very much.
19 And I'm sorry that Ms. Forbis was breaking up there. I
20 hope she's able to call back. I just wanted to add my
21 congratulations to all these extraordinary individuals. I
22 think they're all so very deserving, but as you might
23 guess, I do want to note briefly that we have our very
24 first environmental justice Haagen-Smit recipient. And
25 we're very proud that Joy Williams has received this

1 award. After 30 plus years of dedicating her career to
2 environmental justice at the Environmental Health
3 Coalition. And she's just contributed her public health
4 and scientific knowledge. And she's one of those very
5 special people who in empowering community members, she's
6 able to translate science into popular language and
7 popular education. And so she's very special, very
8 skilled, and very humble. And so I think we are all
9 excited that we can celebrate her and all of the other
10 recipients today. So thank you so much.

11 CHAIR RANDOLPH: All right. Thank you.

12 Any other Board comments?

13 Okay. Do we have Paula back?

14 BOARD CLERK ESTABROOK: I do not see a phone
15 number that has raise their hand. Paula, if you are -- if
16 you successfully called in on the phone, you should be
17 able to dial star nine and that will raise your hand.

18 Oh, go ahead.

19 PAULA FORBIS: Can you hear me now?

20 BOARD CLERK ESTABROOK: Yes.

21 PAULA FORBIS: I've unmuted, so hopefully...

22 Are you able to hear me now?

23 BOARD CLERK ESTABROOK: I am now. It cut out for
24 a moment there.

25 PAULA FORBIS: Sorry. Thank you very much for

1 your patience. I really appreciate. And I just wanted to
2 call in quickly and congratulate Joy Williams. My name is
3 Paula Forbis. I'm the Interim Air Pollution Control
4 Officer for San Diego County APCD.

5 And Joy was nominated by our former APCO. And so
6 I'm really honored to congratulate her on behalf of the
7 District. I was fortunate to start my career working with
8 her and learning from Joy at Environmental Health
9 Coalition. She's worked tirelessly for decades in pursuit
10 of environmental justice and air quality for our local
11 communities. And her work is the embodiment of everything
12 this award is designed to honor.

13 So I just wanted to thank the Air Resources Board
14 for recognizing her incredible contributions to our
15 communities and congratulate Joy on her achievement.
16 Thank you.

17 BOARD CLERK ESTABROOK: Thank you, Paula.

18 We have one more commenter with their hand
19 raised. Janet Dietzkamei, you can unmute and begin.

20 JANET DIETZKAMEI: Thank you. I want to extend
21 my deepest, deepest not just congratulations, but my
22 deepest feelings regarding those who have put their
23 dedication, and their energy, and their focus to helping
24 us with our -- with air pollution illnesses. Their focus,
25 their work has benefited so many people. And I also want

1 to thank CARB for their efforts at reducing the pollutants
2 that are causing health problems to thousands, and
3 thousands, and thousands of people in this state.

4 I myself have asthma and I just want to have --
5 to tell you how so important this work is to those of us
6 who are ill from the air and who everybody, because all of
7 us are going to be affected -- are affected by the
8 pollutants in our air.

9 Thank you. Thank you. Thank you.

10 BOARD CLERK ESTABROOK: Thank you.

11 Chair, that concludes the commenters.

12 CHAIR RANDOLPH: Okay. Thank you. That was an
13 information item, so there's no need to close the record
14 or take a vote. So unless any other Board members have
15 comments, I think we will go to our next agenda item.

16 Okay. Agenda item 21-1-4 is the proposed fiscal
17 year 2021-2022 funding plan for clean transportation
18 incentives, accompanied by proposed Carl Moyer Program
19 changes, agricultural burning incentives for combustion
20 equipment, and the Climate Heat Impact Response Program.

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 The clean transportation incentives funding plan

1 is just one part of CARB's broad portfolio of projects
2 that complement our planning and regulatory programs to
3 reduce emissions and increase access to clean
4 transportation. This year's investments represent a
5 substantial contribution toward the acceleration of
6 equitable deployment of zero-emission vehicles, or ZEVs,
7 and is the first installment of a proposed \$3.9 billion
8 multi-year ZEV package.

9 The plan also builds on investments the State has
10 been making over the past decade to support widescale
11 deployment of ZEVs to meet targets set in Governor
12 Newsom's Executive Order N-79-20. With zero-emission
13 technologies becoming widely available, now is the time
14 for California to double down on supporting equitable
15 access to zero-emission options for priority communities.

16 This year, staff proposes to commit at least 60
17 percent of low carbon transportation investment benefit --
18 benefiting priority populations, a 10 percent increase
19 over recent year commitments, and significantly higher
20 than the 35 percent minimum set by the Legislature.

21 I'm also pleased to see significant funding going
22 to transportation equity projects that partner with
23 communities to help provide a broader range of
24 transportation choices, reduced vehicle miles traveled,
25 and help people get around without cars. We know we need

1 system level change and this plan has key elements that
2 reinforce the positive direction our transportation
3 agencies are setting towards walkable, bikeable, and
4 transit-rich communities.

5 In addition to clean transportation incentives,
6 this year we are also discussing complementary changes to
7 the Carl Moyer Program and two new programs on key
8 priorities, the Agricultural Burning Incentive Program and
9 the Climate Heat Impact Response Program, which we are
10 calling CHIRP.

11 The alternatives to Agricultural Open Burning
12 Incentive Program will expand eligible equipment types to
13 allow combustion agricultural burning alternatives in the
14 San Joaquin Valley Agricultural Incentives Program
15 supported by \$180 million allocated by the Legislature.
16 And the CHIRP Program is in response to the proclamation
17 of a State of Emergency signed by Governor Newsom on July
18 30th which tasks CARB with mitigating excess emissions
19 occurring when the electric grid is strained by extreme
20 heat events, specifically when the California Independent
21 System Operator issues a grid warning or grid emergency
22 notice.

23 Mr. Corey, would you please introduce this item?

24 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

25 Incentive programs are a critical part of CARB's

1 comprehensive strategy to accelerate the introduction of
2 the cleanest mobile source technologies complementing our
3 regulatory programs. These incentive provides -- these
4 incentives provide important steps to accelerate the
5 transformation of the transportation sector to zero
6 tailpipe emissions powered by the lowest carbon energy
7 sources and to support local governments as they increase
8 transportation options beyond private cars.

9 This year, the funding plans includes over 1.5
10 billion in incentives, which makes it our largest plan
11 yet. These investments are designed to scale the ZEV
12 market towards sustainability in the key vehicle segments
13 ready for significant ramp up in commercial deployment.
14 They support equity by increasing access to zero-emission
15 vehicles and other transportation options for priority
16 communities and low-income Californians and providing
17 emission reductions in the communities most impacted by
18 air pollution. They also provide critical support to
19 communities to redesign and strengthen their
20 transportation planning to give people more and better
21 choices in not just private cars.

22 The proposed investments continue to build on
23 commitments from previous budget cycles, while taking
24 steps to shift from broad purchase incentives to more
25 targeted strategies to support lower income consumers and

1 small fleets facing the greatest challenges.

2 We expect this shift to accelerate in the coming
3 years. The funding plan is only a portion of CARB's
4 broader incentive portfolio, and today staff is making
5 targeted changes to other incentive programs within that
6 portfolio, as you noted, specifically the Carl Moyer
7 Program and alternatives to Agricultural Open Burning
8 Incentive Program in the San Joaquin Valley, and
9 presenting a new program the Climate Heat Impact Response
10 Program, or CHIRP.

11 The proposed actions taken on these items are
12 necessary, so that we can begin to use the dollars
13 appropriated in the State budget to benefit impacted
14 communities. We've coordinated closely with the
15 California Energy Commission and the Governor's Office of
16 Business and Economic Development on the development of
17 this plan, and want to thank Hannon Rasool of the Energy
18 Commission and Tyson Eckerle of the Governor's Office of
19 Business and Economic Development for joining us today to
20 support the proposed funding plan.

21 I'll now ask Andrea Morgan of the Mobile Source
22 Control Division to give the staff presentation.

23 Andrea.

24 (Thereupon a slide presentation.)

25 MSCD AIR RESOURCES ENGINEER MORGAN: Thank you,

1 Mr. Corey. Good morning, Chair Randolph and members of
2 the Board. Today, we will be presenting the proposed
3 fiscal year 2021-2022 funding plan for clean
4 transportation incentives and targeted changes to related
5 incentive programs.

6 --o0o--

7 MSCD AIR RESOURCES ENGINEER MORGAN:

8 Specifically, today's presentation will cover
9 four topics. After some short background, we will review
10 staff's recommendations for the Funding Plan for Clean
11 Transportation Incentives, our primary topic. Then, we
12 will discuss targeted revisions to the Carl Moyer Program,
13 Agricultural Burning Alternative Incentives for Combustion
14 Equipment, and a new incentive program the Climate Heat
15 Impact Response Program, known as CHIRP. All of these
16 incentives program are related and help achieve common air
17 quality, climate change, and equity goals, and they are
18 being presented together today, so that we can make the
19 critical changes needed to quickly put these funds to use
20 benefiting communities.

21 --o0o--

22 MSCD AIR RESOURCES ENGINEER MORGAN: To achieve
23 its numerous climate change, air quality, ZEV deployments,
24 and petroleum reduction goals, the State has adopted an
25 aggressive multi-pronged strategy that uses incentives to

1 complement regulatory approaches. Additionally,
2 incentives will play a pivotal role in accelerating the
3 transition of fleets to zero emission in line with
4 Governor Newsom's recent Executive Order.

5 We have also given increasing attention to the
6 role our investments play in promoting equity and racial
7 justice. Several projects funded by the clean
8 transportation incentives incorporate principles from the
9 standards for equitable investments developed and shared
10 with us by the Greenlining Institute.

11 Our incentives also act as a stimulus and support
12 economic recovery. They have helped draw manufacturers of
13 clean technology to open or expand operations, promoting
14 economic growth and job creation within the State, and
15 making zero-emission vehicles and the components the
16 State's largest export. We have constantly reevaluated
17 our projects and incorporated strategic changes to build
18 on the successes of past investments and incorporate the
19 lessons we have learned. This year, we are further
20 enhancing our metrics and evaluation strategies in line
21 with recommendations from the California State Auditor.

22 --o0o--

23 MSCD AIR RESOURCES ENGINEER MORGAN: The
24 incentives programs we are discussing today are part of
25 the broader portfolio of funding that CARB administers to

1 improve air quality, enhance community protection, and
2 reduce greenhouse gas emissions. CARB strives to maintain
3 a balanced portfolio of available investments to meet the
4 State's air quality and climate goals. While the
5 Community Air Protection Program, FARMER, and the VW
6 Mitigation Trust are not directly tied to today's item, we
7 continue to closely coordinate with these programs to make
8 sure the investments are complementary.

9 Each of these programs have their own distinct
10 goals that support the State's broader strategy. Not
11 every program can fund every worthy technology.
12 Maintaining the integrity of program goals is essential to
13 ensure the State achieves both immediate air quality
14 benefits and that it supports the innovative technologies
15 necessary to meet the State's vision of a zero-emission
16 economy.

17 And outside of CARB, other federal, State, and
18 local agencies have complementary funding sources as well.
19 We coordinate with our sister agencies on these investment
20 programs regularly.

21 --o0o--

22 MSCD AIR RESOURCES ENGINEER MORGAN: The
23 proposals we'll present today continue our focus on equity
24 and introduce many new policies and efforts to further
25 focus incentives on important populations, including

1 overburdened communities and small fleets and
2 owner/operators. These are complemented by dedicated
3 funds for outreach and we will continue to strengthen our
4 outreach and community capacity-building efforts in the
5 coming years.

6 The programs also address both short-term and
7 long-term needs by focusing limited State dollars in ways
8 that drive ZEV technology developments and deployments,
9 but also give local air districts greater flexibility to
10 act on immediate and tailored issues, such as meeting
11 federal air quality goals and addressing local community
12 air protection concerns.

13 The proposal also takes a step back, looking
14 beyond just vehicle replacements to the transportation
15 system as a whole and incorporates new technologies and
16 new systems in an integrated package. And now, we will
17 tell you about this suite of programs informed by these
18 efforts and the State budget supporting them.

19 --o0o--

20 MSCD AIR RESOURCES ENGINEER MORGAN: This year's
21 budget included the largest investments the State has made
22 to date to support the acceleration of zero-emission
23 vehicle deployments, improve air quality, and support an
24 equitable transition to a cleaner more sustainable future.
25 Today's presentation will cover over \$1.7 billion in

1 funding as listed on the screen. And while this is a
2 sizable investment, it is only a portion of the funding
3 that was appropriated to CARB for other programs,
4 including FARMER, the Community Air Protection Program,
5 and the broader Carl Moyer Program.

6 --o0o--

7 MSCD AIR RESOURCES ENGINEER MORGAN: Moving on to
8 our first and largest topic, the Funding Plan for Clean
9 Transportation Incentives.

10 --o0o--

11 MSCD AIR RESOURCES ENGINEER MORGAN: In addition
12 to producing emission reductions and benefits for priority
13 populations, the Clean Transportation Incentives have
14 focused on technology advancement, in particular ensuring
15 the technologies needed to meet the state's air quality
16 and climate goals will be available at scale. Since CARB
17 first allocated funds from AQIP 12 years ago, clean
18 transportation technologies have seen tremendous
19 advancements and our incentives have changed with them.

20 Previous years' investments, paired with
21 regulations, have proven successful in advancing
22 technology growth, reducing costs, and transforming the
23 market. As these technologies have become more
24 established and demand continues to grow, CARB is focusing
25 investments on the zero-emission technologies needed to

1 meet our climate goals, and is continuing to shift to
2 target incentives to small fleets and lower income
3 consumers.

4 For passenger vehicles, CARB has established
5 income limits and MSRP caps ensuring that incentives are
6 directed to those who need them most and not supporting
7 the purchase of luxury vehicles, while still providing a
8 variety of vehicle types and classes for consumers to
9 choose from.

10 In the heavy-duty space, we're continuing to
11 support the expansion of zero-emission technologies to
12 more market segments, like off-road. Additionally, we're
13 looking at the transportation sector as a whole and
14 providing incentives to improve a range of clean mobility
15 options, including active transportation and public
16 transit.

17 --o0o--

18 MSCD AIR RESOURCES ENGINEER MORGAN: One example
19 of how the technology and our incentives have evolved is
20 natural gas engine technology. The State has invested
21 over \$1 billion in natural gas technologies since 2005,
22 and, in part, due to its support through incentives and
23 regulatory actions, natural gas is now a widely available
24 option. The growth of the technology was, in fact, so
25 significant, that last year the Board voted to graduate or

1 remove natural gas engines from our truck and bus
2 incentive program, HVIP, so that HVIP could be focused on
3 the next generation of zero-emission technologies that are
4 ready for a significant ramp up in commercial deployment.

5 While this funding plan is heavily focused on
6 supporting zero-emission technologies in advance of
7 upcoming regulations, other incentive programs within
8 CARB's portfolio, such as the Carl Moyer Program, still
9 provide support for cleaner combustion technologies, like
10 natural gas and the Achates opposed piston engine, and
11 we'll discuss changes to that program that -- to make it
12 easier for the cleanest combustion technologies to access
13 funds later today.

14 --o0o--

15 MSCD AIR RESOURCES ENGINEER MORGAN: This year's
16 budget represents the first installment of a multi-year
17 ZEV package, which includes a total of \$3.9 billion to
18 CARB, the California Energy Commission, the Governor's
19 Office of Business and Economic Development, and the
20 California State Transportation Agency. The investments
21 in ZEVs and ZEV infrastructure build on those that the
22 State has made over the past decade and provide the
23 additional resources necessary to accelerate the ZEV
24 transition in both the light- and heavy-duty sectors.

25 It will provide equity by increasing access to

1 ZEVs and clean transportation options for priority
2 communities and low-income Californians, and emission
3 reductions in the communities most impacted by pollution.

4 For fiscal year 21-22, the appropriation to CARB
5 includes just over \$1.5 billion from the sources listed on
6 the slide. While the multi-year proposal allows staff to
7 plan and strategize investments, funds will only be
8 allocated after the Legislature acts on the respective
9 years' budgets. As a result, only the fiscal year 21-22
10 appropriation is included in this year's funding plan.

11 --o0o--

12 MSCD AIR RESOURCES ENGINEER MORGAN: To develop
13 this plan, staff held a robust public process beginning in
14 March. Staff held two public workshops, 18 public work
15 group meetings, three targeted fleet focus groups, a
16 community listening session, and numerous one-on-one
17 discussions with interested stakeholders to develop the
18 recommendations included in this funding plan.

19 --o0o--

20 MSCD AIR RESOURCES ENGINEER MORGAN: These
21 investments come at a critical time and are intended to
22 spur the equitable deployment of the cleanest technologies
23 across the State and will help provide stimulus and
24 economic recovery after a challenging year. To help reach
25 scale and see a more immediate return on investments, the

1 projects under consideration in most cases continue and
2 build on existing projects that were envisioned as
3 multi-year investments.

4 Broad purchase incentives continue to play an
5 important role in our investment portfolio, particularly
6 as new technologies come to market and the Legislature has
7 directed a substantial portion of this year's funding to
8 these programs.

9 However, in this plan, CARB is also taking steps
10 to continue to transition from broad purchase incentives
11 to more targeted strategies that support low-income
12 consumers and small fleets. CARB anticipates this shift
13 will continue to accelerate in the coming years, helping
14 create an equitable transition to a clean transportation
15 future.

16 A pivotal part of this shift will be
17 understanding if incentives are reaching their target
18 audience and further understanding the benefits provided,
19 so that we can refine our approach and modify our programs
20 to have the greatest impact. This year's funding plan
21 includes enhanced metrics and evaluation strategies in
22 line with the recommendations of the California State
23 Auditor's recent audit report, with a particular focus on
24 socioeconomic benefits, including workforce training and
25 job creation, and behavioral changes stemming from our

1 investments.

2 --o0o--

3 MSCD AIR RESOURCES ENGINEER MORGAN: Looking at
4 past years investments, over 50 percent of funding
5 allocated through past funding plans has benefited
6 low-income and disadvantaged communities, with over 60
7 innovative pilot projects serving or benefiting
8 disadvantaged communities across the state.

9 This slide highlights just a few of the many
10 examples of the diverse set of projects that have helped
11 achieve these benefits, several of which will continue in
12 this funding plan. From projects geared towards helping
13 lower income households get into cleaner cars, to
14 expanding transit, active mobility, and car sharing
15 options, and projects that help reduce emissions in highly
16 overburdened neighborhoods, like those located near ports,
17 our incentives help achieve real benefits for communities
18 and this plan continues that focus.

19 --o0o--

20 MSCD AIR RESOURCES ENGINEER MORGAN: The
21 investments proposed in this plan are suballocated into
22 different categories in accordance with the Legislature's
23 appropriations. The broad categories are shown on the
24 slide here. For the Clean Vehicle Rebate Project, or
25 CVRP, this year's budget includes an investment of \$525

1 million. This large up-front investment for CVRP is
2 intended to last for three years.

3 For clean transportation equity projects, this
4 year's budget includes \$150 million, 75 million of which
5 the State budget specified to be invested in Clean Cars 4
6 All.

7 In the heavy-duty space, the budget includes just
8 over \$873 million. The budget specified how portions of
9 this funding must be spent and we'll provide greater
10 details on that later.

11 --o0o--

12 MSCD AIR RESOURCES ENGINEER MORGAN: CARB's clean
13 transportation equity and light-duty vehicle investments
14 are aimed at supporting the long-term transformation of
15 California's fleet and ensuring that this transformation
16 occurs in an equitable manner. These investments include
17 three complementary strategies, vehicle purchase
18 incentives, clean mobility investments, and community
19 capacity building investments.

20 These investments include targeted strategies to
21 bring zero-emission and clean mobility options to
22 overburdened communities and lower income households. The
23 investments also support complementary innovative mobility
24 strategies to reduce vehicle dependence and provide
25 transportation options, such as walking, biking, and

1 public transportation.

2 --o0o--

3 MSCD AIR RESOURCES ENGINEER MORGAN: In the
4 vehicle purchase incentive category, staff are proposing
5 investments to four projects. Consistent with legislative
6 direction, Clean Cars 4 All will receive \$75 million.
7 This allocation will support opening the program in San
8 Diego this year and staff are also proposing measures to
9 prepare for a statewide expansion in the coming years.

10 Next, staff recommends allocating \$23.5 million
11 to financing assistance and adopting a needs-based
12 approach. Following legislative direction, \$10 million
13 will be available for the Electric Bicycle Incentive
14 Project, a new project this year, which will help
15 support -- supports point of purchase incentives for
16 electric bicycles.

17 And finally, as directed by the Legislature, a
18 large up-front investment of \$515 million is going to
19 CVRP. Staff is also recommending several changes to CVRP
20 and Clean Cars 4 All, which I'll discuss next.

21 --o0o--

22 MSCD AIR RESOURCES ENGINEER MORGAN: The \$515
23 million dollar investment in CVRP is intended to last
24 three years as the program ramps down. In recent years,
25 approximately 40 percent of CVRP rebates have benefited

1 priority populations, and staff's proposed changes to ramp
2 down the program are designed to provide greater focus on
3 lower income consumers.

4 To facilitate this ramp down, staff has
5 recommended a series of changes that will take effect as
6 the State meets EV deployment targets. After one million
7 EVs are sold in California, but no sooner than February
8 2022, staff proposes to lower the income cap for standard
9 rebates and reduce the MSRP cap for smaller vehicles.
10 After 1.25 million EVs are sold, but no sooner than
11 February 2023, staff proposes to further decrease the
12 income cap for standard rebates, remove plug-in hybrids
13 from project eligibility, and reduce rebate amounts.

14 --o0o--

15 MSCD AIR RESOURCES ENGINEER MORGAN: Clean Cars 4
16 All is also proposing several changes to help pro --
17 prepare the program for expansion statewide. Many of
18 these changes will be made through changes to the
19 underlying regulation through a separate public process,
20 and the changes proposed in the funding plan would give
21 the Executive Officer the discretion to immediately
22 implement those changes once the rulemaking is complete,
23 so that we're able to quickly expand the program.

24 Other proposed regulatory changes include
25 offering air districts administering the Clean Cars 4 All

1 Program the flexibility to remove conventional hybrids
2 from the eligible replacement vehicle types, and offering
3 flexibility to lower the income eligibility requirements
4 so the program can be more targeted to address
5 communities' unique needs.

6 Finally, we are also requesting that the
7 Executive Officer be given discretion to increase
8 incentive amounts to account for increases in costs
9 associated with vehicles with adaptive equipment or to
10 more broadly increase incentive amounts for the lowest
11 income thresholds, if future market conditions necessitate
12 such increases.

13 --o0o--

14 MSCD AIR RESOURCES ENGINEER MORGAN: We recognize
15 that the state's air quality, climate change, and equity
16 issues can't be solved just by turning over new vehicles.
17 We also need an equity-informed systems change. This next
18 category of investments aims to do that through
19 alternatives to car ownership and supporting efforts to
20 reduce vehicle miles traveled through mechanisms such as
21 car sharing and last mile alternatives.

22 Staff proposes to allocate \$10 million to the
23 Clean Mobility Options Project to support the statewide
24 Clean Mobility Options Voucher Pilot.

25 Next, staff recommends allocating \$25 million to

1 the Sustainable Transportation Equity Project and \$10
2 million to the Clean Mobility in Schools Project. For
3 both of these projects, staff recommends using the
4 investments to fund highly competitive applications that
5 were received during the previous solicitations for
6 project proposals.

7 These three programs play a critical role and we
8 hope to see continued growth in this important new area.

9 --o0o--

10 MSCD AIR RESOURCES ENGINEER MORGAN: And for the
11 community capacity building projects, staff recommends
12 allocating \$5 million to support outreach, community needs
13 assessments, technical assistance, and Access Clean
14 California. Additionally, staff recommends allocating
15 \$1.5 million to a new project allocation for workforce
16 training and development, which will be used to support
17 zero-emission training for dealerships and partnership
18 with adult and vocational schools. These investments are
19 critical to ensuring the clean transportation incentive
20 projects are accessible to and meet the needs of the
21 State's priority communities.

22 --o0o--

23 MSCD AIR RESOURCES ENGINEER MORGAN: Moving on to
24 heavy-duty investments. Staff recommends allocating the
25 \$873 million for heavy-duty investments to four projects.

1 Staff recommends 80 million be allocated to fund
2 heavy-duty demonstration and pilot projects, 40 million of
3 which will be used to support CARB and CEC's joint Drayage
4 Truck and Infrastructure Pilot and 40 million will be used
5 for new off-road focused demonstration and pilot projects.

6 Staff recommends that about \$570 million be
7 allocated to our Clean Truck and Bus Voucher Project,
8 known as HVIP. For the Clean Off-Road Equipment Voucher
9 Incentive Project, or CORE, staff recommends and
10 allocation of about \$195 million. Finally, for the Truck
11 Loan Assistance Program, staff recommends that 28.64
12 million be allocated to help fleets on the margins that
13 don't typically qualify for lending upgrade to cleaner or
14 zero-emission trucks.

15 These allocations help support the rapidly
16 growing availability of zero-emission trucks, buses, and
17 off road equipment and prepare the market for upcoming
18 regulations. To support these investments, staff are
19 proposing several changes to HVIP and CORE.

20 --o0o--

21 MSCD AIR RESOURCES ENGINEER MORGAN: For HVIP,
22 staff is proposing a number of changes designed to start
23 shifting the program to support the unique needs of small
24 fleets and owner/operators, enhance protections for
25 purchasers by ensuring support for maintenance and

1 repairs, and to support future regulations, such as the
2 Advanced Clean Fleets Rule.

3 The proposed changes include introducing a fleet
4 size limits beginning in 2023. The Executive Officer will
5 have the authority to increase the eligible fleet size for
6 HVIP as smaller fleets are undersubscribed. Additionally,
7 staff are proposing requiring that vehicles be ZEP Cert
8 certified in order to be eligible for HVIP vouchers, and
9 revisions to existing disadvantaged community voucher
10 enhancements to provide more focused support to the small
11 fleets.

12 Additionally, this year, staff is proposing
13 adding set-asides to HVIP. These would include set-asides
14 for drayage trucks, transit buses, and school buses in
15 line with the multi-year appropriation to support the
16 deployment of 1,000 zero-emission drayage trucks, 1,000
17 zero-emission transit buses, and 1,000 zero-emission
18 school buses.

19 Staff is also proposing a set-aside for a new
20 pilot within HVIP, Innovative Small e-Fleets. This pilot
21 would provide incentives for zero-emission trucks geared
22 towards small truck fleets and independent owner
23 operators. This pilot could employ innovative mechanisms,
24 such as flexible leases, truck as a service, assistance
25 with infrastructure, individual owner planning assistance,

1 and more.

2 --o0o--

3 MSCD AIR RESOURCES ENGINEER MORGAN: And now
4 moving off-road. In 2017, the off-road sector made up
5 about 35 percent of the total statewide NOx emissions.
6 And staff expects that by 2022, off-road equipment will
7 replace on-road vehicles as the largest source of NOx
8 emissions at a statewide level.

9 To support the transition to zero-emission
10 technologies in the off-road space, staff is proposing a
11 robust allocation for CORE. The proposal will expand this
12 successful program to include more equipment categories,
13 such as small off-road equipment and zero-emission
14 construction equipment. This will include a \$30 million
15 set-aside for zero-emission small off-road equipment
16 purchases by small California landscaping companies or
17 sole proprietors following legislative direction. We
18 recognize that the air districts have experience in making
19 these investments and we are committed to developing the
20 mechanics of implementation in partnership with them.

21 --o0o--

22 MSCD AIR RESOURCES ENGINEER MORGAN: And finally,
23 as we have in previous years, we are proposing several
24 contingency measures to help keep projects running
25 smoothly and without interruptions. These contingencies

1 are comparable to what we have included in past funding
2 plans. Specifically, staff is requesting that the Board
3 grant the Executive Officer authority to allocate a
4 portion of future year's funds to first-come, first-served
5 projects, and to allocate funds from next year's budget,
6 once approved, to the current career in the event that
7 funding runs out.

8 We will still come back to the Board next year
9 after a full public process to allocate the majority of
10 any future funding. Additionally, staff will utilize a
11 transparent public work group process to help guide any
12 adding or scaling back of funding levels, and making of
13 technical or administrative changes.

14 --o0o--

15 MSCD AIR RESOURCES ENGINEER MORGAN: That covers
16 the highlights of the funding plan. Next, I will turn it
17 over to my colleague Steven Toft to cover the proposals
18 for related incentive programs.

19 Steven.

20 MSCD AIR POLLUTION SPECIALIST TOFT: Thank you,
21 Andrea.

22 Next, we will move on to the targeted changes
23 proposed to the Carl Moyer guidelines to address the
24 Legislature's \$45 million appropriation.

25 --o0o--

1 MSCD AIR POLLUTION SPECIALIST TOFT: To further
2 support the \$45 million appropriation by the Legislature,
3 staff is also proposing targeted revisions to establish
4 optional cost-effectiveness limits for those on-road
5 technologies that can attain at least the 0.02 NOx
6 standard and zero-emission standard.

7 This would increase the support offered to both
8 small and large fleets for transitioning to these advanced
9 and zero-emission technologies sooner, thus further
10 reducing emissions statewide and in impacted communities.

11 Working closely with our air district
12 counterparts, staff reviewed the incremental cost of these
13 technologies and staff is proposing cost effectiveness
14 limits for heavy-duty on-road vehicles meeting at least
15 the certified 0.02 NOx standard and certified
16 zero-emission vehicles as listed on the screen.

17 Staff also proposes to update the existing
18 cost-effectiveness limits for other categories to account
19 for inflation. The proposed increases represent
20 approximately a ten percent increase from the current
21 limits set in 2017.

22 While the changes proposed today are targeted
23 towards the \$45 million budget appropriation, CARB plans
24 to open Moyer up in 2022 to work through a broader set of
25 potential on-road amendments and return to the Board by

1 the end of the year.

2 --o0o--

3 MSCD AIR POLLUTION SPECIALIST TOFT: Next, I'll
4 be focusing on the proposed agricultural burning incentive
5 alternatives.

6 --o0o--

7 MSCD AIR POLLUTION SPECIALIST TOFT: In response
8 to CARB Board direction, CARB and the San Joaquin Valley
9 Air Pollution Control District have worked together
10 closely to develop a strategy to phase out the open
11 burning of agricultural material in the San Joaquin Valley
12 by January 1st of 2025.

13 Since 2018, the District has implemented a highly
14 successful Alternatives to Agricultural Open Burning
15 Incentive Program, which has significantly improved valley
16 farmers access to non-combustion alternatives to open
17 burning, such as chipping, soil incorporation, and
18 mulching. The Program has addressed 49,000 acres and 1.3
19 ton -- million tons worth of agricultural material to
20 date, representing significant progress towards phasing
21 out open burning. The incentive program is oversubscribed
22 with more valley farmers wanting to access the program
23 than there are funds to support.

24 This year, the State budget provided \$180 million
25 for CARB to enhance the District's grant program, allowing

1 the District to offer large grants -- larger grants and
2 pay for new pieces of chipping equipment to expand fleets
3 in the valley and increase access to alternative services.

4 The Legislature specified that the 2021 budget
5 funds may only be used for incentives for non-combustion
6 alternatives, unless CARB makes a finding in a public
7 hearing based on clear and convincing evidence that such
8 non-combustion alternatives are not available.

9 --o0o--

10 MSCD AIR POLLUTION SPECIALIST TOFT: The District
11 Incentive Program has greatly improved valley farmers'
12 access to non-combustion alternatives and help accelerate
13 the transition away from open burning. Valley
14 agricultural operators have shown interest in these
15 non-combustion alternatives, with the District already
16 receiving over \$40 million worth of applications for the
17 new funding of non-combustion alternative equipment.

18 However, even with the incentive program's
19 successes, there are still challenges. In the short term,
20 until chipping and related service companies can expand to
21 meet the growing demand, there is an insufficient supply
22 of equipment. We have heard this from stakeholders at
23 CARB, and District hearings, and throughout the process of
24 developing the phase-out strategy.

25 Stakeholders also testified that supply shortages

1 and inadequate access to alternative services are
2 exacerbated for smaller agricultural operations since
3 contractors may prioritize larger jobs. The District and
4 CARB are actively addressing challenges to the adoption of
5 non-combustion alternatives. However, CARB staff believe
6 that there is a compelling need for the limited
7 application of combustion alternatives, such as air
8 curtain burners to help compensate for the insufficient
9 supply of non-combustion alternative service equipment and
10 to help address technological feasibility issues
11 associated with non-combustion options for certain crop
12 types, that I'll discuss in a moment.

13 --o0o--

14 MSCD AIR POLLUTION SPECIALIST TOFT: Since the
15 transition to near-complete phase-out of agricultural
16 burning must happen rapidly by January 1st, 2025, all
17 feasible non-stationary source agricultural burning
18 alternatives that represent a significant air quality
19 improvement over open burning should be as accessible as
20 possible to valley growers. But the primary focus must be
21 on non-combustion solutions in every application where
22 they are available.

23 Combustion alternatives should be considered only
24 after all viable non-combustion solutions have been
25 exhausted. The grant between CARB and the District

1 requires the prioritization of non-combustion
2 alternatives. The District will require justification for
3 the use of combustion alternatives on a case-by-case basis
4 and will also track and report to CARB on the use of each
5 alternative. Allowing for this very limited use of
6 combustion equipment will help prevent agricultural
7 material from being landfilled and will significantly
8 lower emissions compared to open burning.

9 --o0o--

10 MSCD AIR POLLUTION SPECIALIST TOFT: In addition
11 to the general capacity concerns described previously,
12 there are technological feasibility issues specific to
13 vineyard crops and other crops grown using wiring
14 trellising. For crops grown using a wire support system
15 such cordon- or spur-pruned vineyards. It's common for
16 the crop to grow around the supporting wires over time.
17 So as a result, crops grown using wires are often
18 characterized as having embedded wire. Agricultural
19 material with embedded wire can only be chipped using
20 specialty equipment that is also in short supply and
21 cannot easily be accessible to all valley growers.

22 Due to the technological feasibility issues
23 specific to materials with embedded wire, only projects
24 with these types of concerns should be eligible to receive
25 State funding for combustion alternatives through the

1 District's Incentive Program.

2 --o0o--

3 MSCD AIR POLLUTION SPECIALIST TOFT: Staff
4 recommends the Board find that there is clear and
5 convincing evidence that non-combustion alternatives are
6 not available in the numbers needed to meet increasing
7 demand, and that the targeted use of combustion
8 alternatives would help meet that demand for crops grown
9 with a wire support system. Staff also recommends the
10 Board find that the District can use funds granted via
11 this year's budget for a non-stationary combustion
12 alternative to agricultural burning for crops grown with
13 the wire support system, only when non-combustion
14 alternatives have been eliminated as a viable option and
15 documented accordingly.

16 Staff will report back to the Board on the use of
17 State incentive funds for alternatives to agricultural
18 burning including the breakdown of funds used for
19 non-combustion and combustion alternatives, as part of the
20 annual update to the Board on implementing the valley fine
21 particulate matter, or PM2.5, State Implementation Plan.

22 --o0o--

23 MSCD AIR POLLUTION SPECIALIST TOFT: Next, we're
24 going to cover the Climate Heat Impact Response Program,
25 or CHIRP.

1 --o0o--

2 MSCD AIR POLLUTION SPECIALIST TOFT: On July 30th
3 2021, Governor Newsom signed an emergency proclamation to
4 build grid resilience in response to extreme heat events
5 across the state. The proclamation allows the State to
6 take actions to reduce demand on the electric grid, as
7 well as increase energy capacity during such events.

8 The proclamation requires utilities to report the
9 amount and type of back-up power generated and
10 power-generating facilities to report the amount of energy
11 produced over -- above permitted limitations. The
12 increase in emissions from these operations during
13 CAISO-declared events has an impact on local communities.
14 The proclamation directs CARB to develop and then promptly
15 implement a State funded plan to mitigate the effects of
16 these additional emissions.

17 It should be note that these CAISO events have
18 been rare in recent history. As a October 31st, there are
19 a handful of events in 2021, all occurring before the July
20 30th proclamation went into effect. These events, which
21 are intended to increase supply and reduce demand on the
22 grid in advance of anticipated increases in demand, are
23 completely separate and distinct from Public Safety Power
24 Shutoff events, where the utilities shut off power in
25 anticipation of increased wildfire danger.

1 Staff is further assessing a very limited set of
2 eligible emissions associated with the commissioning of
3 new facilities in Yuba City and Roseville. The Executive
4 Officer will work in partnership with other
5 decision-makers to determine the appropriate mitigation
6 under this plan, if needed.

7 While CARB may not be requesting large-scale
8 funding to implement CHIRP during 2021, the proclamation
9 notes the continued importance of grid reliability
10 programs in 2022. California is working hard to reduce
11 grid emergencies, but they can still occur and this
12 program is designed to mitigate the impacts when they do
13 occur.

14 --o0o--

15 MSCD AIR POLLUTION SPECIALIST TOFT: The core
16 goals of the CHIRP Program are to:

17 Mitigate the emissions generated when CAISO
18 projects an energy shortfall and issue a grid warning or
19 grid emergency due to extreme heat events. This requires
20 an understanding of the total energy shortfall and the
21 sources that were utilized to address the shortfall;

22 Consult and engage affected communities to
23 determine desired community-focused projects that yield
24 long-term and sustainable benefits. CARB staff are
25 proposing focused engagement with impacted communities,

1 local air districts, and other interested stakeholders
2 through the project implementation process. The CARB
3 portfolio already includes a large suite of project types
4 that meet the objectives of this mitigation plan, and as
5 we'll cover in a moment, the plan also allows for new
6 projects to be proposed;

7 Develop a program that is complementary to other
8 incentive programs at CARB and across the state that is
9 flexible should mitigation needs arise in the future.
10 It's imperative that we work in coordination with
11 utilities and other State agencies to assure that our
12 projects are not duplicative of their efforts;

13 And lastly, staff intend to provide transparency
14 through regular updates to the public on project progress
15 and outcomes.

16 --o0o--

17 MSCD AIR POLLUTION SPECIALIST TOFT: This
18 infographic shows the steps that CARB will take for
19 mitigation. When an extreme weather event occurs and
20 CAISO projects a shortfall in energy supply, it may issue
21 a grid warning or a grid emergency. Under the
22 proclamation, this shortfall could be addressed by: one,
23 entities reducing their demand on the electric grid by
24 using back-up generators; two, power plants operating
25 above emissions limits to increase supply for the grid;

1 and three, ships at port using their own auxiliary engines
2 instead of plugging into the grid.

3 If this happens, CARB will determine the
4 emissions impact from the technologies deployed during the
5 event in consultation with air districts, the California
6 Public Utilities Commission, the California Energy
7 Commission, and the utilities themselves.

8 Based on the emissions produced, CARB will use a
9 weighted cost effectiveness model of the emissions to
10 determine the amount of funding needed for mitigation and
11 request the funding from Department of Finance.

12 Finally, based on the impacted communities'
13 feedback, CARB plans to work with the affected communities
14 and the air districts to determine how the calculated
15 funds will be invested in the affected area to mitigate
16 the emissions caused by the extreme heat events and reduce
17 future impacts.

18 While there have been no CAISO events requiring
19 mitigation since the proclamation was issued, this
20 mitigation plan could be deployed in the future, if
21 needed.

22 --o0o--

23 MSCD AIR POLLUTION SPECIALIST TOFT: Potential
24 project categories eligible under CHIRP can include any
25 existing category in CARB's investment portfolio. These

1 include traditional scrap and replace projects,
2 deployments of mobile power units, zero-emission backup
3 generation, vehicle-to-grid technologies, and sustainable
4 transportation and community focused mobility projects.

5 Because CHIRP projects will be designed with
6 community input an engagement, it is possible that a
7 community may identify a need not currently addressed with
8 project types in CARB's portfolio. For those cases, staff
9 is requesting that the Board delegate authority to the
10 CARB Executive Officer to approve new project categories
11 not currently included in CARB's investment portfolio.

12 Prior to Executive Officer approval, CARB will
13 conduct a public process to engage the community and
14 stakeholders in the development of the project category.
15 More details about CHIRP, including the mitigation plan,
16 can be found on the CHIRP website.

17 --o0o--

18 MSCD AIR POLLUTION SPECIALIST TOFT: I'll now
19 make a few final points as I conclude our presentation.

20 --o0o--

21 MSCD AIR POLLUTION SPECIALIST TOFT: The
22 proposals presented today support the State's air quality,
23 climate, and equity goals, and also help to build
24 significant momentum to expand the market for clean
25 vehicles and clean transportation options.

1 --o0o--

2 MSCD AIR POLLUTION SPECIALIST TOFT: In
3 conclusion, staff recommends that the Board approve the
4 proposed funding plan, proposed Carl Moyer changes, and
5 CHIRP mitigation plan, and delegate authority to the
6 Executive Officer to approve CHIRP project categories.

7 Additionally, staff recommends the Board make the
8 finding on non-combustion alternatives for agricultural
9 burning previously described.

10 Thank you.

11 I'd like to introduce our partners at the
12 Governor's Office of Business and Economic Development and
13 the California Energy Commission, who we are pleased to be
14 joined by today.

15 I'd now like to turn it over to Tyson Eckerle of
16 the Governor's Office of Business and Economic Development
17 who make some brief remarks followed by Hannon Rasool of
18 the California Energy Commission.

19 TYSON ECKERLE: Well, thank you. Thank you very
20 much. It's great to be here. I really appreciate it. So
21 I'm Tyson Eckerle. I'm the Deputy Director for
22 Zero-Emission Vehicle Market Development at GO-Biz, the
23 Governor's Office of Business and Economic Development,
24 which is a mouthful, but that puts me in the center of a
25 lot of the State agency actions. We have about 29 State

1 agencies active in the zero-emission vehicle market
2 development plan.

3 And I wanted to start just by stating the
4 obvious. This investment plan really is a big deal. And
5 the fact that you're considering this plan in this
6 building, like the building this very existence, really
7 points to a brighter future and it's built on a tremendous
8 past. So it's -- I feel like it's so appropriate. It's
9 almost poetic that you're considering the plan today,
10 because if approved, this plan will be transformative.
11 It's transformative in the drayage sector. It's
12 transformative in transit, transformative for school
13 buses. And it's also taking, you know, Clean Cars 4 All
14 statewide. It increases access to new and used ZEVs and
15 mobility, you know, really bringing help to those who need
16 it most.

17 I really think the numbers in the plan will move
18 the needle, you know, on air quality, but also on economic
19 development and really helping to scale the market in an
20 equitable way. And that scaling the market in an
21 equitable way is really the primary goal we're after in
22 our collective zero-emission vehicle market development
23 strategy.

24 As you know, I think the ZEV strategy is
25 organized around really the four pillars -- what we call

1 the four pillars of the ZEV market. It's vehicles,
2 infrastructure, workforce, and end users. It's the idea
3 being, we need all of those pillars to be in balance to
4 really accelerate the market.

5 And CARB really is serving as the lead entity --
6 agency for both vehicles and end users. It's a really
7 important role to play. But I think if you remember one
8 word from my presentation today, I'd like it to be
9 "collaboration". And the plan really is deeply integrated
10 with the California Energy Commission in particular, who
11 serves as the lead for infrastructure along with their
12 counterparts in the Public Utilities Commission. That's
13 a -- and that integration is not just at the plan level,
14 but it's at the program level and the implementation level
15 as well, putting vehicles and infrastructure together.

16 You know, from my perspective, you know, I have a
17 good overview of all the agency coordination and
18 collaboration. I think the collaboration between CARB and
19 the Energy Commission is particularly strong, you know,
20 both at the leadership level and also the staff level for
21 implementation. I think that's good for the market as a
22 whole, because infrastructure and vehicles really go hand
23 in hand. You can't have one without the other.

24 And so in closing, I just wanted to leave you
25 with two thoughts. You know, first of all, it's a full

1 throated support of this plan and we're very excited and
2 hope you adopt it today. And then the second one is
3 really kind of a challenge for us all. And it's really
4 focusing on that end user pillar, just making sure that we
5 have a relentless focus on the end user, making it easy to
6 pull complete projects together to accelerate the market.

7 And it's not just with the programs and plans,
8 but it's like down to the implementation level. I think
9 it will take all of us to get there. And I think this
10 plan and its integration with the Energy Commission is
11 really a tremendous step in that direction.

12 And so I look forward to working with you all on
13 making this all happen. And with that, I wanted to hand
14 it over to Hannon Rasool at the Energy Commission who is
15 the Deputy Director of the Fuels and Transportation
16 Division, which is also a mouthful.

17 And so thank you very much for your attention and
18 for considering this plan today. Oh, and for the staff
19 for pulling together an awesome plan. That was the key
20 point.

21 (Laughter.)

22 HANNON RASOOL: Great. Thank you, Tyson.

23 As Tyson mentioned, my name is Hannon Rasool.
24 I'm the Deputy Director of the Fuels and Transportation
25 Division at the California Energy Commission. Thank you

1 for the opportunity to comment on behalf of the CEC on the
2 CARB 21-22 funding plan, and I'm very pleased to express
3 the Energy Commission's support for this plan.

4 The CEC and CARB work closely and collaboratively
5 across all levels of the organization. In fact, the CEC
6 approved our Clean Transportation Program plan earlier
7 this week. And the investment plans complement one other
8 on both vehicles and infrastructure. This collaboration
9 on planning and on joint funding solicitations has been
10 really strong. And this ensures that regulations, vehicle
11 infrastructure investments, and grid planning are
12 coordinated to allow for California to continue to be a
13 national and global leader.

14 CARB's funding plan is a reflection of real
15 action. These historic funding levels are impactful.
16 They support equity, they support regulations, and they
17 support a necessary transition away from fossil fuels to
18 benefit public health. And the CEC and CARB will continue
19 to collaborate into the future. We want to transform the
20 transportation industry for passenger vehicles and goods
21 movement to zero emission. As already mentioned, together
22 we will support the deployment of an additional 1,000
23 zero-emission drayage trucks to support port districts,
24 warehouse districts, and goods movement. We'll also
25 support one 1,000 zero-emission transit buses and 1,000

1 zero-emission school buses. And this really builds off
2 the recent discussions we've had on a joint drayage truck
3 solicitation that supported both electric and hydrogen
4 drayage trucks, in terms of both vehicles and
5 infrastructure by CARB and CEC.

6 CARB has been a steady and consistent voice in
7 improving the air quality and health of Californians. And
8 today's investments will continue that leadership and
9 work. CEC and CARB will continue to coordinate to ensure
10 that equitable vehicle adoption and equitable access to
11 infrastructure work in concert to really meet the urgency
12 before us.

13 The markets are ramping up and are ready to
14 deploy vehicles and infrastructure. And I look forward to
15 our continued partnership.

16 Thank you.

17 BOARD CLERK ESTABROOK: And that concludes the
18 staff presentation, Chair.

19 CHAIR RANDOLPH: All right. Thank you. Okay.
20 We will now hear from the public on this agenda item. We
21 have an extensive list of commenters on this item. We
22 also have many commenters on our later items this
23 afternoon. So I am going to modify our time to speak from
24 three minutes to two minutes. So commenters, you have two
25 minutes to speak. And so, please feel free to be sort of

1 succinct and to the point, in terms of your advocacy. We
2 would really appreciate that.

3 So clerk, I'll go ahead and have you call the
4 commenters.

5 BOARD CLERK ESTABROOK: Thank you. Our first
6 three commenters will Bill Magavern, Alex Davis, and Matt
7 Miyasato.

8 Bill, I have activated your microphone. You can
9 unmute and begin your comment.

10 BILL MAGAVERN: Thank you very much. This is
11 Bill Magavern with the Coalition for Clean Air. And this
12 morning, I'll be addressing the heavy-duty, off-road, and
13 Moyer issues, and my colleague Chris Chavez will be
14 addressing equity, and CVRP, and CHIRP later on.

15 We urge the Board to approve this plan without
16 delay to bring these needed investments to our
17 disadvantaged and low-income communities and relieve the
18 excessive air pollution that is burdening them. We
19 appreciate the fact that the staff have run a fair process
20 with many opportunities for public participation. These
21 incentives will complement the regulatory programs that
22 really are the foundation for cleaning up our air.

23 For medium- and heavy-duty vehicles, we think the
24 fleet size limits and the innovative small fleets will be
25 helpful in bringing the incentives to those who need them

1 the most. We're pleased to see an infusion of funds into
2 CORE with the addition this year of funding for small
3 off-road engines, for the small scale commercial
4 landscapers. And we urge the Board to work with the
5 districts and community-based organizations to make sure
6 there's robust outreach to reach the landscapers who
7 really are small in scale and need this help the most.

8 When it comes to the Moyer Program, we support
9 the increases in the cost effectiveness limits and urge
10 CARB to work with the districts and other parties to make
11 further improvements to streamline the Moyer Program and
12 bring this necessary cleanup to the districts that have
13 the worst air pollution problems.

14 And in conclusion, again urge you to approve this
15 plan, particularly because most of the funding will go to
16 our disadvantaged and low-income communities who are
17 burdened with the health problems that come from our
18 excessive air pollution.

19 Thank you.

20 BOARD CLERK ESTABROOK: Thank you.

21 Alex Davis, you can unmute and begin.

22 ALEX DAVIS: Thank you. Good morning. My name
23 is Alex Davis, Senior Manager of Government Relations with
24 Metrolink, the Southern California Regional Rail
25 Authority. I'd like to thank Chair Randolph, the CARB

1 Board, and staff for your support advancing zero-emission
2 public transportation technologies. CARB's incentive
3 programs are an essential part of accelerating technology
4 development and ensuring commercial viability. We
5 recognize that the fiscal year 2021-2022 funding plan
6 includes resources for a variety of important
7 transportation sectors and respectfully ask that CARB
8 identify robust funding for passenger rail locomotives in
9 future funding plans and across other CARB programs.

10 Metrolink stands ready to partner on pilots and
11 demonstration projects for zero-emission locomotives.
12 These technologies directly support the State's goal to
13 reduce emissions from the transportation sector in
14 statewide vehicle miles traveled.

15 This opportunity to bring zero-emission
16 technologies to the largest fleet of public passenger rail
17 locomotives in the State will provide generational
18 benefits, cleaner air, and enhanced mobility options for
19 millions of Californians.

20 Thank you.

21 BOARD CLERK ESTABROOK: Thank you.

22 Our next speaker will be Matt Miyasato. And then
23 after Matt, we will have Mike Tunnell, and Laurence Fromm,
24 and Nick Chiappe.

25 Matt, you can unmute and begin

1 DR. MATT MIYASATO: Hi. Thank you. Good
2 morning, Chairman Randolph and members of the Board. I am
3 Dr. Matt Miyasato, the Chief Technologist at the South
4 Coast Air Quality Management District. And firstly, let
5 me welcome you to the South Coast. So it's good that
6 you're in Riverside and in the Inland Empire.

7 I'm commenting on the Moyer changes reflected in
8 the spending plan. And although we support the cost
9 effectiveness limit proposal - it's a step in the right
10 direction for sure - it's simply not enough to make the
11 Moyer Program effective for on-road Class 8 heavy-duty
12 trucks.

13 Now, we've submitted a detailed comment letter on
14 fixes. And to be frank, we've been working through CAPCOA
15 for the last two years to implement changes with your
16 staff, but we have -- only now see that it's one change
17 being reflected in the proposal. So we think it's
18 incredibly important that the Board really get involved.
19 And so we're urging the Board to reinstitute the advisory
20 committee that was proposed, that would have Vice Chair
21 Berg on it, to really look at all of the changes that
22 could make the program, and for that matter all of the
23 on-road incentives programs, more effective at bringing
24 emission reductions. This was a commitment that was made
25 by the Board, I believe it was last year, during the HVIP

1 discussions, but it never came to fruition.

2 So we think it's incredibly important that the
3 committee be comprised of not only Vice Chair Berg, but
4 the three big air districts. So please include Board
5 Members Kracov, Pacheco-Werner, and Board Member Hurt, so
6 that the three districts -- the large districts are
7 included and represented, but also the two that are facing
8 extreme nonattainment issues.

9 And then finally, let me just comment that the
10 incentive programs are critically important. We need
11 those to accelerate diesel replacements. So let's work
12 together to make sure that zero-emission technologies are
13 funded, but also non-zero technologies that provide
14 emissions benefits and health benefits to the communities.

15 Thank you.

16 BOARD CLERK ESTABROOK: Thank you.

17 Nick Chiappe, I noticed that your hand was
18 lowered. If you would like to comment on this item,
19 please do raise your hand again in Zoom.

20 Next will be Mike Tunnell.

21 Mike, you can unmute and begin.

22 MIKE TUNNELL: Good morning, Chair Randolph and
23 members of the Board. My name is Mike Tunnel. I am with
24 the American Trucking Association, the largest national
25 trade association for the trucking industry. I am here to

1 express our concerns over the fleet size limits which
2 propose to make private fleets ineligible for HVIP, if
3 they have more than 100 trucks in 2023 and more than 50
4 trucks in 2024.

5 This is an important time as California seeks to
6 transform its commercial vehicle fleet. Fleets are in the
7 initial stages of acquiring and evaluating these new
8 technologies, technologies that are expensive and largely
9 unproven. The HVIP Program provides valuable financial
10 assistance with the acquisition of these technologies.
11 The large and mid-sized fleets that will be excluded are
12 the ones leading the way to understand the capabilities of
13 these technologies and sharing this knowledge among the
14 industry.

15 Now, is not the time for the State to eliminate
16 its financial partnership with these fleets. We urge the
17 Board to reconsider the fleet size limits and instead
18 pursue other options as discussed in our coalition letter
19 to ensure small fleets have equitable access to funding
20 without completely excluding large and mid-sized fleets.

21 Thank you for your time.

22 BOARD CLERK ESTABROOK: Thank you.

23 Our next speaker is going to be Laurence Fromm.
24 Laurence, we have your slides, and so we will protect them
25 here on the screen. And then for the timer, I will let

1 you know when you have 30 seconds left and then when the
2 time is up. And you should be able to unmute and begin.

3 (Thereupon a slide presentation.)

4 LAURENCE FROMM: Great. I can now. Thank you.

5 Hi. I'm Larry Fromm with Achates Power. We're a
6 technology development company in San Diego. And we've
7 developed an extremely low emissions diesel engine for
8 large line haul trucks. We're also developing a zero
9 emissions hydrogen version of the engine. We're part of a
10 team lead by CALSTART that was funded by CARB several
11 years ago to demonstrate this engine. So our partners are
12 shown on this slide and notably include South Coast, San
13 Joaquin Valley, and Sacramento Metro Air Districts.

14 Next slide, please.

15 --o0o--

16 LAURENCE FROMM: The demonstration project you
17 funded is nearing successful completion. Our engines is
18 in fleet service in California as we speak. It's the only
19 on-road diesel engine that meets CARB's fully phased-in
20 ultra low-NOx standards and also reduces CO2 by 10 percent
21 or more.

22 --o0o--

23 LAURENCE FROMM: This is accomplished with
24 existing conventional underfloor aftertreatment systems.
25 No new or unproven emission control technologies are

1 required. It means this ultra low emissions engine won't
2 cost any more than today's diesel engines.

3 --o0o--

4 LAURENCE FROMM: For many urban truck segments,
5 zero emissions are right around the corner, but one
6 exception is interstate long haul trucking that
7 contributes about half of the on-road truck emissions in
8 California. Zero-emissions line haul truck technology
9 lags and will be dependent on nationwide highway refueling
10 network, which does not currently exist, thus
11 zero-emission line haul trucking will be transitioning for
12 several decades and its emission benefits will be slower
13 to be realized.

14 Our engine can fill this emission gap, as Matt
15 noted, by quickly capturing a significant share of the
16 long haul market, because its low cost drop-in replacement
17 engine will be cheaper to operate, because its -- of its
18 better efficiency.

19 With all the benefits of the engine, I -- you may
20 wonder with we need more CARB help. The answer is we
21 still need to optimize hardware and software and produce a
22 pilot engine that comes close to a commercial version.
23 This is needed to convince an engine manufacturer to
24 invest hundreds of millions of dollars to produce the
25 engine in volume. And the engine producer will want to

1 know that CARB sees environmental value in the engine. We
2 still need help.

3 Next slide, please.

4 --o0o--

5 LAURENCE FROMM: We're disappointed that the
6 draft funding plan would preclude us from competing for a
7 portion of this year's pilot funding. All we are asking
8 today is that you direct staff to incorporate in the final
9 plan, the language shown on this slide, which would allow
10 us to compete for the funding.

11 Thank you.

12 BOARD CLERK ESTABROOK: And that concludes --
13 perfect. That concludes your time. Thank you.

14 Our next three speakers will be Tom Van Heeke,
15 Jhana Valentine, and Tom Swenson. Tom, I have activated
16 your microphone. You can unmute and begin.

17 TOM VAN HEEKE: Good morning. Thanks, Chair and
18 members of the Board for the opportunity to speak today.
19 My name is Tom Van Heeke, Senior Environmental Policy
20 Advisor at Rivian, an independent California-based EV-only
21 manufacturer building electric adventure vehicles
22 including our R1T pickup now in full production.

23 California and the Air Resources Board continue
24 to demonstrate leadership in transportation
25 electrification that is recognized across the country and

1 around the world. Rivian applauds the State's commitment
2 to investing billions in accelerating an EV transition and
3 I want to acknowledge the hard work of staff in developing
4 this plan.

5 Rivian wishes to make a few comments on the plan
6 as proposed. First, Rivian broadly supports tiering the
7 CVRP program. However, we recommend CARB establish a
8 third category for medium-duty vehicles with a price cap
9 of \$80,000 to include passenger vehicles and trucks that
10 do not qualify for HVIP, CVRP, or the clean fuel reward
11 due to price, vehicle weight rating, and personal use
12 restrictions in those existing programs.

13 Number two, Rivian welcomes CARB making strategic
14 choices in which advance vehicle technologies to
15 incentivize, but we believe you can go farther than
16 proposed. Specifically, we believe the PHEV phaseout
17 should begin in 2022. And that the time is right to end
18 bonus treatment for fuel cell vehicles, including higher
19 rebates and exemption from income caps to better focus
20 program resources on the proven technology and benefits of
21 BEVs.

22 Number three, we're concerned about proposed
23 fleet sized limits for HVIP and encourage consideration of
24 alternatives. These could include a step down in voucher
25 size for larger fleets, rather than eliminating them

1 entirely. In our view, smaller vouchers but more of them
2 is preferably versus none at all.

3 Thanks again for this opportunity and your
4 continued leadership in this. We've submitted more
5 detailed comments in writing and look forward to the rest
6 of the process.

7 BOARD CLERK ESTABROOK: Thank you.

8 Jhana valentine, you may unmute and begin.

9 JHANA VALENTINE: Good morning, Chair Randolph,
10 Board members and CARB staff. My name is Jhana Valentine,
11 Program Director for the Clean Vehicle Assistance Program.
12 On behalf of Beneficial State Foundation, the administer
13 of the statewide financing assistance program, I want to
14 thank CARB staff for all of their dedicated work putting
15 together the proposed fiscal year 2021-2022 funding plan
16 for Clean Transportation Incentives.

17 We support the proposal and urge the Board to
18 approve the plan. We're particularly enthusiastic about
19 how staff have prioritized equity in the financing
20 assistance program's design by recommending a needs-based
21 processing approach. This will ensure limited funding
22 reaches priority communities.

23 We appreciate the opportunities thus far to work
24 closely with CARB staff to growing the Clean Vehicle
25 Assistance Program into an effective statewide grant and

1 loan program that has helped over 4,400 lower income
2 families make the switch to clean vehicles. We hope to
3 continue working closely with CARB staff, other program
4 administrators, and community members to advance equity in
5 clean transportation.

6 Thank you.

7 BOARD CLERK ESTABROOK: Thank you.

8 Our next speaker will be Tom Swenson. After Tom
9 will be Michael Cacciotti and then Patrick Guild.

10 And Tom, I have activated your microphone. You
11 can unmute and begin.

12 TOM SWENSON: All right. Thank you. Good
13 morning. This is Tom Swenson, Business Development
14 Manager with Cummins. Matt Miyasato summarized the issue
15 on the Carl Moyer changes quite well, so I won't repeat
16 what he said, but I just wanted to reinforce that the
17 changes that are in front of you today are a great first
18 step, but there are also a number of other changes that
19 are necessary to get fleets to actually participate.

20 We need to increase the cap threshold for per
21 vehicle incentives. The cost effectiveness threshold is
22 what's before you today, but we're not sure if that goes
23 quite far enough, and so we'd like to continue to work
24 with staff on what the corrective amount should be.

25 We still feel strongly that the model year

1 restriction contained in the program currently will limit
2 fleet participation. And then we're looking -- we'd like
3 for there to be some consideration for an extension
4 associated with manufacturing delays. I think everyone is
5 pretty aware of the supply chain constraints that are in
6 the marketplace right now, and we've got sort of a
7 confluence of that plus strong truck demand, as well as
8 fleet turnover requirements at the end of 2022.

9 And so we would propose that if there's an order
10 placed within a certain time frame that someone is allowed
11 to run their existing truck until the new one arrives. I
12 wanted to also reinforce that the Carl Moyer Program has
13 been wonderful and has worked for many, many years. And
14 we're looking at I think it's really -- relatively small
15 adjustments to the on-road portion, so that we can deliver
16 emission reductions to our communities immediately.

17 So with that, thank you very much.

18 BOARD CLERK ESTABROOK: Thank you. Michael
19 Cacciotti, you can unmute and begin.

20 SOUTH PASADENA MAYOR PRO TEM MICHAEL CACCIOTTI:

21 Thank you. Good morning, Chair, Board members,
22 and staff. My name is Michael Cacciotti, Mayor Pro Tem of
23 the Historic City of South Pasadena. That's the first
24 city in the United States to be AGZA Green Zone Certified
25 by performing all of our city's lawn maintenance, our

1 sports fields, parks, et cetera with battery electric lawn
2 equipment. I'm also a Board member of the South Coast
3 AQMD actively involved with our air district's commercial
4 and residential lawn and garden incentive programs for
5 over a dozen years. I'm commenting on the \$30 million to
6 CARB to create a program or utilize an existing program to
7 provide incentives to professional landscaping services in
8 California to small businesses sole proprietors to
9 purchase the zero-emission off-road equipment.

10 I hope to just have some clarification by staff
11 later on or the Board on the language specifically
12 quoting, "Administered through CORE and with air district
13 implementation, coordination, given historic air district
14 lawn and garden program". We need to ensure that these
15 air districts, which have been administering and
16 implementing these very specialized incentives program to
17 a difficult-to-reach audience, will continue to do so with
18 cooperation of CARB.

19 Our air district has adopted successful and
20 specialized outreach, education, and demonstration
21 programs to independent and small business gardeners. So
22 successful, we just recently exhausted \$3 million and
23 targeted airshred grant funds, so much so that we've got
24 hundreds of gardeners now who want to access the program,
25 but there's no money left in our commercial incentive

1 program.

2 Also, our city and other cities in the basin have
3 passed ordinances banning gas-powered leaf blowers later
4 this year. We need to assist these gardeners soon, the
5 mom and pop gardeners, who now must comply with these
6 ordinances, not only with financial assistance, but
7 outreach, education, boots on the ground, and
8 demonstration programs to successfully implement these
9 programs with CARB. Thank you so much.

10 BOARD CLERK ESTABROOK: Thank you.

11 BOARD MEMBER KRACOV: Chair

12 CHAIR RANDOLPH: Go ahead.

13 BOARD MEMBER KRACOV: This is Board Member
14 Kracov. I just wanted to acknowledge my fellow Board
15 members from the South Coast, Mayor Pro Tem Cacciotti
16 there from South Pasadena who truly is an evangelist in
17 this category of the cleaner landscaping equipment. Thank
18 you for participating, Board member.

19 CHAIR RANDOLPH: I'm going to take this moment to
20 interrupt with a bit of a process thing, which is I'm
21 going to ask those of you who would like to speak, but
22 haven't signed up yet in the queue or raised your hand in
23 the queue, to go ahead and raise your hand now. And we're
24 going to close the queue in about five minutes.

25 Okay. Thanks, everyone.

1 BOARD CLERK ESTABROOK: Okay. And our next three
2 commenters will be Patrick Guild, Anthony Bento, and then
3 a phone number ending in 079. Patrick, I have activated
4 your microphone. You can unmute and begin.

5 PATRICK GUILD: Thank you. Good morning and
6 thank you to the Board and staff for the opportunity to
7 comment today. My name is Patrick Guild. I am the Chief
8 Operating Officer at Breathe California, Sacramento
9 Region.

10 I'm commenting today to voice our support for the
11 adoption of the Clean Transportation Incentives Funding
12 Plan to improve access to clean and reliable
13 transportation in all communities in our State of
14 California, especially those that have been historically
15 underserved. Specifically, we're focused on the Clean
16 Mobility in Schools Pilot Project and would like to
17 explicitly urge CARB to fund the next highest application
18 for the fiscal year 2018-2019 Clean Mobility in Schools
19 Solicitation with the remaining funding.

20 Breathe greatly supports the mission of the
21 California Air Resources Board to promote and protect
22 public health, welfare, and ecological resources and
23 believe they can continue their mission by awarding
24 funding to the next highest ranked application.

25 As a not-for-profit primarily focused on air

1 quality and lung health, Breathe strong endorses the
2 expansion of electric vehicles for student transportation
3 as a means of reducing harmful emissions, improving air
4 quality, and mitigating climate change.

5 Thank you for considering and again for the
6 opportunity to comment.

7 BOARD CLERK ESTABROOK: Thank you.

8 Anthony Bento you can unmute and begin.

9 ANTHONY BENTO: Thank you for the opportunity to
10 speak today. My name is Anthony Bento and I'm the
11 Director of Legal and Regulatory Affairs at the California
12 New Car Dealers Association. We represent the state's
13 roughly 1,400 franchise new car dealers. I'm commenting
14 today specifically on the proposed changes to CVRP.

15 CVRP is an important incentive to encourage the
16 purchase of new zero-emission vehicles by California
17 consumers. However, CVRP is undermined by its complexity,
18 particularly with respect to eligibility. This complexity
19 discourages dealership employees from talking about CVRP
20 to prospective customers and it reduces the number of
21 eligible customers from claiming program benefits.

22 CNCDA is concerned that the proposed changes to
23 CVRP further undermine the program by creating and
24 unnecessary amount of additional complexity, in
25 particular, the two-phase reductions in income caps in

1 vehicle eligibility create needless confusion.

2 We ask that the Board pause adoption of these
3 proposed changes to CVRP to listen to stakeholder voices,
4 to ensure that any changes to CVRP are as simple as
5 possible to minimize complexity and further the Board and
6 the State's air quality, climate, and equity goals.

7 Thank you very much.

8 BOARD CLERK ESTABROOK: Thank you.

9 Our next speakers will be Paula Forbis, Julia
10 Levin, and then Christopher Chavez.

11 Paula, you can unmute and begin.

12 PAULA FORBIS: Thank you. Good morning, Chair
13 Randolph, Board members, and CARB staff. My name is Paula
14 Forbis. I'm the Interim Air Pollution Control Officer for
15 the San Diego County APCD.

16 And I wanted to express APCD's support and
17 gratitude for staff's recommended funding plan for the
18 Clean Transportation Incentives. The plan includes \$5
19 million in funding for the San Diego APCD to launch its
20 Clean Cars 4 All Program, which will help the families and
21 communities most impacted by air pollution and economic
22 hardship, including those in our AB 617 Portside community
23 to purchase newer, more reliable and energy efficient
24 advanced technology vehicles, while also increasing access
25 to transit and active transportation options.

1 The District has an approved implementation plan
2 from CARB for the program, and staff will be prepared to
3 implement the program as soon as possible after a grant
4 agreement is in place. We are excited to get this program
5 moving forward and we thank Board Member Fletcher for his
6 work with CARB and our prior District Board to bring the
7 program to San Diego. And we thank the Air Resources
8 Board for this opportunity.

9 Thank you very much.

10 --o0o--

11 BOARD CLERK ESTABROOK: Thank you.

12 Julia Levin, you can unmute and begin.

13 JULIA LEVIN: Good morning. Julie Levin with the
14 Bioenergy Association of California.

15 I wanted to reiterate two of the goals that
16 Executive Officer Corey began with with this whole package
17 of proposals, the need to focus on priority populations,
18 and the need to focus on the lowest carbon energy sources,
19 and both of those lead to the same goal, which is we need
20 to get diesel trucks off the road as quickly as possible
21 and replace them with vehicles that can run on
22 carbon-negative fuels. And that means fuels from organic
23 waste, biogas, renewable hydrogen, and electricity.

24 So we strongly support the staff proposal to make
25 revisions to the Carl Moyer Program, which will help to

1 get diesel trucks off the road quickly. And we urge the
2 staff to move forward quickly on that -- on those proposed
3 changes.

4 We also urge the Air Board to invest more in
5 hydrogen fueling infrastructure. It seems clear that
6 hydrogen from renewable sources is going to be the
7 zero-emission option for the heaviest duty trucks. We
8 have members that are producing hydrogen or developing
9 projects to produce hydrogen from diverter organic waste,
10 dairy, and agricultural waste, and forest waste, but the
11 infrastructure isn't there to fuel heavy-duty trucks, so
12 we've got to start making those investments now, if we
13 really want to move zero-emission heavy-duty trucks in the
14 long term.

15 Finally, I'd like to bring up the agricultural
16 burning item. We strongly supported the Air Board's plan
17 to phase out open burning. We also supported the \$180
18 million for alternatives to open burning and we support
19 the exclusion of combustion conversion technologies. But
20 the problem with the current year funding is it also
21 excludes stationary sources, which means non-combustion
22 bioenergy that can convert ag waste into carbon-negative
23 fuels to replace diesel in heavy-duty trucks and back-up
24 generators.

25 We hope that in this next year's budget, the

1 exclusion of stationary sources will be dropped, so that
2 we can produce carbon-negative fuels, instead of open
3 burning of agricultural waste.

4 Thank you.

5 BOARD CLERK ESTABROOK: Thank you.

6 And then before we get to Christopher, I will
7 announce that the five minutes has elapsed and so we will
8 close the sign-up list.

9 After Christopher, we will have Alan Abbs, Janet
10 Dietzkamei, and then David Yow.

11 Christopher, you can unmute yourself and begin.
12 Christopher Chavez, you can unmute and begin.

13 CHRISTOPHER CHAVEZ: Yes. Good morning, Board
14 members. My name is Chris Chavez and I'm the Deputy
15 Policy Director at Coalition for Clean Air. I want to
16 thank CARB staff for their hard work on in this thorough
17 process for the funding plan. We, along with the Charge
18 Ahead California campaign and a broad coalition of 14
19 organizations support the proposed funding plan. Any
20 delay in approving the funding plan today would disrupt
21 these important incentive programs and hurt low income and
22 disadvantaged communities the most.

23 For CVRP we support CARB decreasing the MSRP cap
24 as well as the income cap for standard rebate eligibility
25 based on sales benchmarks. This will help target the

1 program to help those who need the rebate the most and
2 send a clear market signal in favor of affordable
3 vehicles.

4 For Clean Cars 4 All, we support CARB's intent to
5 expand the program statewide, but note that funding for
6 CC4A expansion should be on top of existing funding. We
7 also ask that the Board direct staff to put into grant
8 agreements with air districts that Clean Cars 4 All awards
9 are not taxable, just like how CVRP is not taxable.

10 We also support phasing out conventional hybrids
11 from the CC4A program as well as improving uptake and
12 mobility options. We also support funding for clean
13 mobility option programs as well as the STEP Program, and
14 urge CARB to invest in these programs as needed or -- and
15 to increase the investment in these programs.

16 Finally and specific to Coalition for clean air,
17 we urge CARB to use the CHIRP Program to deploy clean,
18 back-up, and renewable energy technologies. We also urge
19 CARB to require excess polluters at the ports to pay into
20 a fund to repair the damage done to communities during
21 energy emergencies.

22 Ultimately, however, we need to avoid situations
23 where we'd have to disregard clean air protections in the
24 first place. This means making sure that we're taking the
25 steps today to reduce pollution from the ports and other

1 pollution sources that affect our most vulnerable
2 communities.

3 Thank you for your time.

4 --o0o--

5 BOARD CLERK ESTABROOK: Thank you. Alan Abbs,
6 you can unmute and begin

7 ALAN ABBS: Good morning, Chair Randolph and
8 members the Board. My name is Alan Abbs with the Bay Area
9 Air District. I'm here to speak in strong support of the
10 staff proposals and offer some additional advice and
11 requests. There are -- there are many positive changes
12 being proposed to the guidelines for grant administration
13 by your staff today, but we echo the comments of the South
14 Coast AQMD and encourage you to reestablish the Grants
15 Advisory Committee, formerly led by Vice Chair Berg to
16 oversee a process to work with stakeholders to make
17 necessary changes to many of the incentive programs.

18 This will ensure we can achieve timely and cost
19 effective emission reductions from all equipment
20 categories in the most efficient way possible.

21 On Clean Cars 4 All, the District is very
22 supportive of the staff proposal that allows the Executive
23 Officer to make future changes to vehicle types eligible
24 for incentive funding.

25 On the CHIRP, while we understand that need for

1 this program, we are not supportive of its underlying
2 concept. This program attempts to pay for additional
3 pollution that is being allowed to happen when diesel
4 back-up and auxiliary generators are run to support the
5 grids as a result of the power shortages in the state.

6 Unfortunately, much of the emissions impact from
7 these engines have the potential to occur in already
8 overburdened communities of color, such as those that
9 surround the Port of Oakland and the ports of LA and Long
10 Beach. This is wrong and we strongly believe the State
11 needs to take a look at ending this policy rather than
12 seeking to pay for damages to communities that cannot
13 afford this increased pollution burden.

14 Finally, on the lawn and garden program, the Bay
15 Area Air District strongly supports and welcomes long
16 overdue funding for the replacement of this equipment and
17 hope that what you approve today allows ARB staff to give
18 air districts the right of first refusal relative to
19 administering this funding in our areas. As South Coast
20 Board member Cacciotti observed, it's unclear whether the
21 staff proposal currently provides for air districts to
22 administer future lawn and garden funding. And we hope
23 that this is cleared up today.

24 Thank you for the opportunity to comment.

25 BOARD CLERK ESTABROOK: Thank you.

1 Janet Dietzkamei, you may unmute yourself and
2 begin.

3 JANET DIETZKAMEI: Thank you. Thank you for
4 these considerations. Wintertime in the San Joaquin
5 Valley results in suffering from an inversion, pushing
6 pollution down into the San Joaquin Valley bowl, which is
7 at low altitude and surrounded by mountains.

8 We have had many days with monitors reading at
9 unhealthy for sensitive groups. PM2.5 restrictions on
10 things such as agricultural burning are critical for
11 reducing pollution in the San Joaquin Valley. I echo
12 prior speakers supporting fast chargers and other charging
13 infrastructure for electric vehicles. Knowing that there
14 is a way that you can - we'll put this in quotes -
15 "refuel" on a long trip is a motivator for people getting
16 electric vehicles. I would like to point out electric
17 vehicles are low in maintenance.

18 And regarding walking, bicycling, taking buses,
19 that's not an option for me or those of us in the San
20 Joaquin Valley with respiratory diseases, because our air
21 does not support being out in the air for extended long
22 periods of time at all times of the year. As I say, right
23 now, we have had a lot of unhealthy for sensitive group
24 monitor readings and I'm unable to go out. And most of
25 the wintertime that's the case for me.

1 Thank you.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speaker will be David Yow. After David,
4 will be Tung Le, Nicole Rice, and Chris Shimoda.

5 David, you can unmute and begin.

6 DAVID YOW: Thank you, Chair and Board members.
7 I'm David Yow with the Port of San Diego. Good morning.
8 I'd like to start by thanking each of you for your
9 leadership, especially Chair Randolph in bringing forward
10 a plan today that does help meet some of the challenges in
11 front of us. Now, as you approve new funding, we'd
12 encourage you to take it one step further, and keep
13 looking for ways to enhance the effectiveness of the
14 programs you're funding and help these funds go farther.
15 The issue isn't just how much money you have, but how you
16 use it.

17 So looking at it through the lens of funding
18 equity, we see the limitations of incentive programs and
19 narrow grant solicitations. I think that that shows the
20 need for wider distribution of funds to avoid leaving
21 others behind. The Port of San Diego may not be the
22 biggest port, but we certainly are hungry. So we would
23 ask CARB to look at additional ways to update these
24 traditional approaches with flexibility and inclusivity.

25 Grant funding opportunities should fit unique

1 needs and operational profiles of smaller ports like San
2 Diego, so that our communities can participate in what
3 you're making available today. And I'm not just talking
4 about, you know, one-off demonstration projects, but
5 equitable access to funding for commercial scale
6 technology that we can use to meet the air quality goals.

7 Last month, as you know, thank you, CARB approved
8 Portside communities' AB 617 CERP, which calls for
9 flexibility in mobile source funding, such as, and here's
10 the quote, "Modified cost effectiveness limits for
11 zero-emission Moyer-type projects, eligibility for new
12 purchase without scrappage requirements, eligibility for
13 supporting infrastructure", end quote.

14 So we'd just urge you to work with our port,
15 others, to address specific funding and equities to slow
16 our progress and have a letter to share with you today
17 with additional information. There's a lot of work to do
18 and we are thankful that CARB is our partner.

19 Thank you again.

20 BOARD CLERK ESTABROOK: Thank you.

21 Tung Le, you can unmute and begin.

22 TUNG LE: Good morning, Chair Randolph and Board
23 members. My name is Tung Le and I am the Executive
24 Director of the California Air Pollution Control Officers
25 Association, or CAPCOA.

1 CAPCOA is very supportive of the significant
2 investment in programs to reduce emissions being proposed
3 today. In addition to our broad support of the plan,
4 there are two comments I'd like to offer.

5 Firstly, CAPCOA has worked very closely with
6 staff to revise Carl Moyer Program guidelines to address
7 issues that prevent the program from operating as
8 effectively as it could to reduce emissions from mobile
9 sources. And we are very supportive of CARB staff's
10 proposal to make revisions to the cost effectiveness
11 limits for advanced and zero-emission on-road projects.

12 We ask that you approve staff's proposal and we
13 look forward to continuing to work with them to implement
14 the needed additional changes to the guidelines as
15 expeditiously as possible to ensure all opportunities to
16 reduce emissions are captured.

17 Secondly, we are appreciative that \$30 million
18 has been identified to help replace small off-road
19 equipment typically used for commercial landscaping.
20 However, staff's proposal to run those funds through the
21 CORE Program is concerning, as it may not be the most
22 effective approach.

23 Many air districts already have existing lawn and
24 garden equipment replacement programs and are already set
25 up to expeditiously distribute funding where it may be

1 needed most, as they have the experience, expertise,
2 administrative infrastructure and the outreach network to
3 successfully implement replacements. We strongly urge
4 CARB's consideration to allow the local air districts to
5 implement this program, particularly focusing on
6 disadvantaged and low-income communities, including AB 617
7 communities.

8 I thank you for the opportunity to provide
9 CAPCOA's comments on the plan.

10 BOARD CLERK ESTABROOK: Thank you.

11 Nicole Rice, you can unmute and begin.

12 NICOLE RICE: Thank you. Good morning. Nicole
13 Rice, President of the California Natural Gas Vehicle
14 Coalition and I'd like to comment on the proposed
15 modifications to the Carl Moyer Program.

16 First, I want to support the staff's action to
17 open up and consider a broader set of amendments to the
18 Carl Moyer Program in 2022 and urge staff to move quickly
19 and expeditiously to ensure that early and significant
20 emission reductions can be achieved.

21 We agree that further changes are needed to the
22 program than those being proposed today to fix chronic
23 issues that make the program challenging for on-road
24 vehicles. We recommend that during this extended or
25 subsequent process, the staff also convene stakeholders to

1 have input on the creation of these additional
2 modifications. And we recommend that the changes that be
3 part of that consideration include an increase in the cap,
4 increase in the cost effectiveness threshold to remove the
5 model year restriction and approve the manufacturers delay
6 extension for all projects.

7 However, we continue to be concerned that changes
8 will not be made quickly enough to allow local districts
9 like South Coast and others to use the recently allocated
10 45 million to deploy heavy-duty on-road low-NOx trucks,
11 and we ask for the Board and staff's guidance and
12 assistance to ensure that those funds do not go to waste.

13 Finally, I'll conclude by saying that Carl Moyer
14 works for everything but on-road programs and we need to
15 fix this immediately so we can realize greater near-term
16 emission reductions in our most vulnerable communities.

17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you. Our next
19 speaker will be Chris Shimoda. After Chris will be Bob
20 Ingles, Teresa Bui and then a phone number listed as
21 call-in user 1.

22 Chris, you can unmute yourself and begin.

23 CHRIS SHIMODA: Thank you. Chair Randolph and
24 members of the Board, thank you for the opportunity to
25 speak today. My name is Chris Shimoda with the California

1 Trucking Association.

2 We are speaking in opposition to the proposed
3 HVIP fleet size cap. Zero-emission trucks are at an
4 extremely important pre-commercial stage of development.
5 Excluding fleets of 50 or more vehicles from participating
6 in the State's most important zero-emission funding
7 program at this critical juncture would be a mistake. It
8 is these larger fleets who have the necessary sources to
9 make significant investments in demonstration and
10 deployment of first-generation vehicles and costly
11 charging infrastructure.

12 Funding programs such as HVIP accelerate this
13 process by leveraging private and public dollars into
14 larger projects than would otherwise be possible using
15 private dollars alone, ensuring the state reaches its
16 goals more quickly.

17 With regards to equity concerns and access to
18 funds for fleets of 50 or fewer, we share those concerns
19 as our average member operates 20 trucks. However, these
20 concerns can be addressed through smaller adjustments to
21 HVIP, such as carving out portions of funding, so smaller
22 fleets get the first bite at the apple, rather than
23 imposing a hard fleet-sized cap.

24 It was recently announced that \$63 million of
25 HVIP funding was requested within nine minutes of becoming

1 available. This is clearly a wildly successful program
2 that advances the State's zero-emission goals. And we
3 hope to work with the Board and staff to ensure its
4 continue success.

5 Thank you.

6 BOARD CLERK ESTABROOK: Thank you.

7 Bob Ingles, you may unmute and begin.

8 Bob, are you there?

9 You should have a prompt to unmute. And if
10 you're on the phone, it would be dialing star six.

11 All right. I will come back to you in a bit.

12 Teresa Bui, you can unmute and begin.

13 TERESA BUI: Thank you. Good morning, everyone.

14 My name is Teresa Bui. I am with Pacific Environment.

15 We're an environmental non-profit focused on getting ships
16 off of fossil fuels.

17 Ships are one of the worst air polluters in
18 California. And in just a year, fossil fuel ships will be
19 the largest source of NOx and pollution at the Port of
20 Long Beach and LA, surpassing heavy-duty trucks. And OGVs
21 and harbor craft constitutes as one of the top three
22 sources of cancer risk due to their diesel particulate
23 matter exposure. CARB's own analysis shows that the
24 increased cargo movement and associated emissions from
25 that results in 20 premature deaths in the South Coast Air

1 Basin.

2 So we have two main asks. We urge you to
3 increase funding for zero-emission marine vessels for
4 pilots, demonstration, retrofits, and new builds for
5 harbor crafts and ocean-going vessels. And the funding
6 should be -- not just early adopters, but for also
7 implementation. Utilizing funds for zero-emission marine
8 vessels will help spur economic development and create
9 good quality jobs.

10 And just this morning in CalMatters, Captain
11 Maggie, a small business operator has urged for increasing
12 funding and support for them to able to implement the
13 Harbor Craft Rule. And we also urge CARB to fund a
14 separate program that's specific for zero-emission marine
15 vessels to help create market signal.

16 Thank you so much for your time.

17 BOARD CLERK ESTABROOK: Thank you.

18 Bob Ingles, you may unmute and begin.

19 Bob, I see that I've unmuted you, and I don't see
20 that it's unmuting on your end, so I'll come back to you
21 in a few commenters.

22 So let's go to call-in user 1, you can unmute and
23 begin. It looks like you're unmuted now.

24 RANJI GEORGE: Hello. My name is Ranji George.
25 Can you hear me?

1 BOARD CLERK ESTABROOK: Yes, we can.

2 RANJI GEORGE: All right. Thank you.

3 My name is Ranji George. I am -- I worked at
4 South Coast in the Technology Advancement Office for 30
5 years in fuel cells, batteries, and natural gas
6 technologies. And I was probably the lone voice for solar
7 technologies and zero-emission technologies in South Coast
8 for a long time. And I'm glad to hear that ARB finally
9 has recognized the need to put substantial funding for
10 zero-emission technologies.

11 Last 10, 15, 20 years, natural gas has received
12 the very bulk of technology. I'm afraid it was at the
13 expense of zero-emission technologies. We could have been
14 far ahead in zero-emission charging sectors and fuel
15 stations had it not been for further funding. So glad ARB
16 is doing that and I hope you'll stay the course. There's
17 substantial lobbying for bat -- to going back to the old
18 technologies namely natural gas, fossil fuel-based
19 technologies.

20 So going forward, I still am deeply concerned
21 that much of the funding will go to electric batteries.
22 Hydrogen vehicles will still be struggling to find a
23 foothold for the vehicles and the stations. So I urge
24 Board members and staff to work together to make sure
25 hydrogen gets its equitable share namely 50/50. And

1 may -- the cost effectiveness is a huge barrier. Hydrogen
2 is coming along, but it's still not established. It's a
3 very firm promising technology, so please set aside
4 funding specifically for hydrogen beyond cost
5 effectiveness.

6 So just like solar, while we were -- I was
7 lobbying for solar with AQMD -- I mean, South Coast, and
8 they said it was not cost effective, but thanks to the
9 State agency's funding, today solar is cost effective and
10 same thing for hydrogen.

11 BOARD CLERK ESTABROOK: Thank you. That
12 concludes your time. Thank you.

13 So our next three speakers will be Benjamin La
14 Brot, Jimmy O'Dea, and then Eileen Tutt. Benjamin, I have
15 activated your microphone, you can unmute and begin.

16 DR. BENJAMIN LA BROT: Hi. Thank you so much.
17 My name is Dr. Benjamin La Brot. I am the Director of the
18 Floating Doctors medical team running an indigenous health
19 service in western Panama. I'm also a Professor of
20 Clinical Medicine at USC School of Medicine and an FDA
21 compliance advisor for Roche Pharmaceuticals.

22 I'm just speaking on behalf of the Sportfishing
23 industry. Unlike most of the people in my current
24 professions, I didn't start out at a higher level of
25 income. I started out at a much lower level of income.

1 And from age 13, I worked on sportfishing boats and
2 commercial fishing boats all the way through medical
3 school.

4 I'm a big fan of a lot of what CARB has done.
5 You know, I'm very aware of the improvements in air
6 quality, especially compared to when I was a kid. But as
7 far as the sportfishing industry is concerned, you know, I
8 heard a lot today about -- talking about equity, and
9 underserved neighborhoods, and, you know, there's a very
10 large element of hypocrisy here, where you know, at a
11 stroke, you're giving the commercial fishing industry, you
12 know, certain dispensations because the technology to
13 upgrade their vessels doesn't really exist yet and you are
14 not extending that to the sportfishing industry. And
15 essentially, you're going to gentrify the sportfishing
16 entirely.

17 And it just makes me very sad to think that
18 you're happy to wipe out an entire industry and the
19 enormous amount of enjoyment and value that so many lower
20 income families find coming out on the boats that I
21 watched for many, many years. And I hope that you'll
22 consider extending the same courtesy to the people
23 catching your lobster and swordfish, you know, as you --
24 you know, to the -- to the folks who are working very,
25 very hard, paycheck to paycheck, just trying to make a

1 living and keeping sportfishing, which is such an
2 important part of California culture, available and
3 accessible to lower income folks.

4 Thank you.

5 BOARD CLERK ESTABROOK: Thank you.

6 Our next commenter will be Jimmy O'Dea. I have
7 activated your microphone. You can unmute and begin.

8 AIR RESOURCES ENGINEER O'DONNELL:

9 JIMMY O'DEA: Good morning, Chair Randolph and
10 board. My name is Jimmy O'Dea. And I'm Deputy Director
11 of Trucks at CALSTART.

12 With this funding plan, California can really
13 show its leadership on the implementation stage, which is
14 perhaps the hardest stage of achieving its climate and air
15 quality goals. And coming off COP26, the world is really
16 watching how California turns our targets into action.
17 The need for this funding is urgent. We've seen demand
18 far exceed available funding in the HVIP Program. Two
19 hundred and twenty million in HVIP vouchers were awarded
20 within just minutes of funds becoming available this year.

21 And as significant as this funding plan is, we
22 have to act faster to meet the State's short-term,
23 medium-term, and long-term goals on climate and air
24 quality, and greater levels of funding will honestly be
25 needed to meet those in the on- and off-road vehicle

1 sectors.

2 I want to highlight that CALSTART member
3 companies met with dozens of legislators this year to
4 secure these funds and acknowledge that our members have
5 different opinions on some of the proposed changes to HVIP
6 in FY 23. And we look forward to working with CARB on
7 future refinements of the HVIP Program as the market
8 matures.

9 In all, we urge the Board to approve this funding
10 plan. Truck makers are building zero-emission trucks now
11 and are ready to build more. Fleets are ready to procure
12 these vehicles at larger numbers than ever. And we need
13 to send a signal to accelerate the buildout of
14 infrastructure. And so really appreciate your work on
15 this issue.

16 Thank you.

17 BOARD CLERK ESTABROOK: Thank you.

18 Eileen Tutt, you can unmute and begin.

19 EILEEN TUTT: Thank you. Good morning, Chair and
20 members of the Boards -- Board. And congratulations on
21 the opening of the Mary D. Nichols Campus. This is truly
22 and auspicious moment. My name is Eileen Tutt and I'm the
23 California Electric Transportation Coalition and I'm going
24 to focus my comments on the CVRP provisions and the low
25 carbon transportation programs.

1 I want to say that we and our coalition worked
2 tirelessly and very, very hard to secure the amount of
3 money allocated in the California State budget this year
4 that sufficiently funded all of these very important
5 programs, including CVRP for the first time in many years.

6 There's also -- I want to say, there are income
7 caps that are established by the Legislature and have long
8 been in place now for the last three years and been very
9 effective at driving these incentives towards middle class
10 consumers, as well as low- and moderate-income consumers.
11 So we were actually surprised when we saw the staff's
12 proposal that not only ramped down the legislatively
13 imposed income caps, but also imposed a suite of
14 modifications to the program, and that were not related to
15 either the budget language or the legislation. And I want
16 to point out that the budget language did say that we
17 should reduce the standard rebate.

18 And so we were thinking that that would -- that
19 would happen, that it would ramp down over time, but were
20 actually quite surprised and had not seen before this
21 proposal came out, these phases based on one and 1.5
22 million, which is far short of the five million
23 allocate -- suggested in the budget.

24 I just want to say that 90 percent of the people
25 that get the CVRP say it's an important factor. And

1 almost 60 percent are now saying they wouldn't purchase
2 the vehicle without the CVRP. So I encourage you to
3 reconsider all of the modifications piled on top of each
4 other to CVRP.

5 Thank you.

6 BOARD CLERK ESTABROOK: Thank you.

7 Before we move on, I will try Bob Ingles one more
8 time. Bob, if you have a prompt to unmute, you should be
9 able to do that and begin your comment. Okay. I will --
10 I'm going to lower your hand and ask that you raise it
11 again, if you are still wanting to speak.

12 Our next three speakers will be Roman
13 Partida-Lopez, and then Ben Granholm, and Joseph Kleitman.

14 Roman, I have activated your microphone. Please
15 unmute yourself and begin.

16 ROMAN PARTIDA-LOPEZ: Thank you. Buenos dias,
17 Chair Randolph, members of the Board. On behalf of the
18 Greenlining Institute, I'm calling in support of this
19 funding plan.

20 I want to thank staff for their hard work on
21 putting this funding plan together and creating an
22 inclusive process with multiple opportunities to provide
23 direct input and feedback on the various programmatic
24 changes that you see before you We urge the Board to not
25 delay approving this funding plan, as these programs are

1 critical in providing direct, meaningful benefits to
2 disadvantaged and low-income households and help the State
3 reach its EV goals.

4 In regards to the various changes, I want to
5 focus my comments on CVRP, the Clean Cars 4 All, and the
6 equity projects. CVRP, a program that's been around for
7 10 years with an over a billion dollar investments, we
8 support the programmatic changes that are provided in this
9 plan, which includes increasing the income cap for
10 standard rebate eligibility based on the sales benchmarks.

11 As was noted earlier by my colleague Bill
12 Magavern and Chris Chavez, you know, we were part of the
13 Charge Ahead coalition that created equity requirements on
14 CVRP. And we've -- even though there's been some
15 progress, the program has not delivered in providing
16 equity outcomes. And so it is time to really refocus the
17 funding that we have and really focus on programs that are
18 delivering equity and ensuring that we're providing direct
19 benefits to low-income households.

20 So we're also requesting that CARB analyze and
21 develop a comprehensive plan that will be done within a
22 year to determine what it means to sunset this program and
23 transition into programs -- transition that funding over
24 to programs that are focused on delivering equity.

25 In regards to Clean Cars 4 All, we urge the Board

1 to direct staff to put into a grant agreement with the
2 districts a prohibition on treating Clean Cars 4 All
3 awards as taxable income. This has created challenges for
4 low-income households to participate in this program, and
5 it's been an issue that has continued for many years. If
6 CVRP doesn't do it -- require it, we also request that
7 Clean Cars 4 All doesn't either.

8 So with that, thank you for your time.

9 BOARD CLERK ESTABROOK: Thank you.

10 I just wanted to make a quite note that Bob I saw
11 that you raised your hand, so I'm going to try you -- to
12 unmute you one more time. You have a prompt. Please try
13 to unmute and begin your comments.

14 BOB INGLES: Unfortunately, it looks like this
15 was a mistake. We are actually on Item number 6. And I
16 just want to let you know, we will be commenting on item
17 6, but we are not involved in item number 4, but thank you
18 very much.

19 BOARD CLERK ESTABROOK: Okay. Thank you.

20 So let's go to Ben Granholm. You may unmute
21 yourself and begin.

22 BEN GRANHOLM: Well, good morning, Chair Randolph
23 and Board. My name is Ben Granholm on behalf of the
24 Western Propane Gas Association. Thank you for the
25 opportunity to comment today. WPGA would like to align

1 ourselves with the comments made by a number of previous
2 speakers working to clean California's air and help the
3 State meet its emission reductions goals.

4 WPGA, along with many others, are strong
5 supporters of clean energy and appreciate the time and
6 effort the Board and staff have dedicated to the funding
7 plan. There is significant demand for effective and
8 reliable incentives for low-NOx trucks. And we believe
9 that low-NOx technologies in the on- and off-road sectors
10 must be a vital piece of any strategy to reduce emissions
11 in the transportation sector.

12 WPGA wholeheartedly agrees that changes need to
13 be made to the Carl Moyer Program and we are pleased that
14 the staff presentation commits to working with
15 stakeholders to make additional changes as the proposed
16 modifications today don't go quite far enough to fix the
17 challenges that continue to plague the program for on-road
18 vehicles.

19 Not only will additional improvements mentioned
20 by Tom Swenson of Cummins and Nicole Rice of CNGVC enhance
21 the long-term utility of the program, but they will also
22 allow the air districts to use the \$45 million budget
23 allocation provided by the Governor and Legislature to
24 deploy low-NOx trucks in the most polluted communities of
25 the state.

1 We support staff's recommendation and urge
2 expeditious development and adoption of the needed
3 additional modifications. WPGA advocates for supporting
4 all low-carbon solutions, based on the full fuel cycle to
5 address environmental challenges. The use of renewable
6 fuels, such as renewable propane derived from sustainable
7 sources in these low-NOx engines offer even greater
8 emission reduction potential.

9 Carl Moyer works for everything but on-road
10 vehicles. We must fix these issues as quickly as possible
11 and look forward to our continued collaboration, so
12 California can realize greater near-term emission
13 reductions in all communities.

14 Thank you.

15 BOARD CLERK ESTABROOK: Thank you.

16 Our next speaker will be Joseph Kleitman. After
17 Joseph will be a phone number ending in 432, and then
18 Thomas Keller and Graham Balch.

19 Joseph, you can unmute and begin.

20 JOSEPH KLEITMAN: Hello. I wanted to thank
21 everybody. I'm a concerned citizen here, but I really
22 wanted to thank everybody for creating what I see in this
23 process as momentum in the right direction. My comments
24 have to do more with some of the broad things that I see,
25 both in and out of the plan. There was speakers who

1 talked about lawn and garden, speakers who talked long
2 haul trucking fleets, small engine, agricultural burns,
3 equity, a lot of different issues.

4 And having your focus detailed to that level as
5 you proceed forward is something I truly appreciate. I
6 see two glaring things missing. One is specific
7 discussion of the marine environment and the kinds of
8 incentives that can be provided and the well thought-out
9 planning for evaluating the situation that's been applied
10 to these other areas in the marine environment.

11 Later today, you're going to be considering
12 specific recommendations on that environment. And I would
13 just say that it seems to me that they should be included
14 in this broad study and I did not see them. I did
15 searches on marine, searches on boat, searches on water,
16 and they're not in this large-scale, well thought-out
17 plan. So I encourage you to make the same kind of effort
18 in that environment and with that set of stakeholders that
19 you do with the truckers, with the gardeners.

20 The next thing is more of a missing point. I've
21 heard about solar, I've heard about hydrogen, I've heard
22 about fossil fuels, but no one has mentioned nuclear.
23 It's the hot elephant in the corner. And I really think
24 that it's time to make a concerted effort to include
25 thoughtful consideration of nuclear power sources as they

1 can be utilized to make our air better.

2 I remember the bad old days in California. I've
3 been living here for 56 years. Once more, I appreciate
4 your getting rid of those days.

5 BOARD CLERK ESTABROOK: Thank you.

6 Phone number ending in 3 -- 432, I will -- please
7 state your name for the record and I will give you a
8 notice when there's 30 seconds remaining and when your
9 time is up.

10 You should be able to unmute by dialing star six.

11 MILES MULLER: Good Morning Chair, members. My
12 name is Miles Muller on behalf of the Natural Resources
13 Defense Council here in strong support of the funding
14 plan. I want to just briefly echo the comments made by
15 others in support of the funding plan, including Bill
16 Magavern, Chris Chavez, Jimmy O'Dea, and Roman
17 Partida-Lopez. We especially appreciate the commitment to
18 investing at least 60 percent of funds in disadvantaged
19 and low-income communities and urge ARB to treat the 60
20 percent investment guarantee as a minimum floor, rather
21 than a maximum cap.

22 We further encourage ARB to focus their
23 investments to ensure funds are reaching the
24 hardest-to-reach communities, prioritizing those with the
25 greatest barriers to participation, rather than taking a

1 first-come, first-served approach.

2 Regarding, CVRP, we support increasing the income
3 cap for younger rebate eligibility based on sales
4 benchmarks and request that ARB analyze and develop a
5 comprehensive plan to sunset the program.

6 Regarding Clean Cars 4 All, we support ARB's in
7 intention for a statewide program, but believe funding for
8 statewide expansion to be on top of funding for existing
9 transportation equity programs. We also request that ARB
10 provide direction to each implementing air district to not
11 issue a 1099 form for program participants and ask that
12 the Board direct staff to put a prohibition on treating
13 Clean Cars 4 All awards as taxable into the grant
14 agreements with the districts.

15 On the Clean Vehicle Assistance Program, we
16 support staff's proposal to move the program from a
17 first-come, first-served program to one that is targeted
18 and focused on reaching the households that would benefit
19 most.

20 And finally, and most importantly, we urge the
21 Board to not delay approving this funding plan, as these
22 programs are critical for providing direct meaningful
23 benefits to disadvantaged communities and low and moderate
24 income households, and to helping the State reach its
25 climate, equity, and air quality goals.

1 So thank you for the opportunity to comment
2 today.

3 BOARD CLERK ESTABROOK: Thank you.

4 Thomas Keller, please unmute and begin.

5 THOMAS KELLER: Thank you. And good afternoon,
6 Chair Randolph and Board members. I'd like to thank you
7 all for the opportunity to provide comments today. My
8 name is Tom Keller. I'm the CEE of Clean Cold Power U.S.

9 Clean Cold Power is deploying cost-effective,
10 safe, and easy-to-install zero-emission transportation
11 refrigeration units, or TRUs. Our nitrogen-based systems
12 provide efficient cooling for transport of food, medicine,
13 and other goods. It provides a cleaner and more
14 sustainable alternative to conventional diesel
15 refrigeration units. And our units are powered by
16 sustainable nitrogen, basically cold air. There's no
17 combustion, no fuel, or the extraordinary pollution
18 generated by conventional diesel-powered refrigeration.

19 Every Clean Cold Power TRU that replaces a diesel
20 has about the same benefit of taking 80 cars permanently
21 off the road. We strongly support the hundred and -- the
22 proposed 195 million allocation to the CORE program, which
23 will help accelerate deployment and commercialization of
24 these advanced technologies in the off-road sector. It
25 provides streamlining funding for fleets, offset these

1 incremental costs of cleaner technologies.

2 These technologies, you know, they're available
3 now. They're there. We're scalable. They're there. We
4 can solve this problem now. The proposed investment will
5 provide this much needed funding to support the deployment
6 of these zero-emission TRUs throughout the state. And
7 this will significantly reduce greenhouse gas and
8 eliminate criteria pollution emissions.

9 Thank you very much.

10 BOARD CLERK ESTABROOK: Thank you.

11 Our next speaker will be Graham Balch After
12 Graham, will be Lacy Robertson, Ashley Remillard, and then
13 Wayne Kotow.

14 Graham, please unmute yourself and begin.

15 GRAHAM BALCH: Hi. This is Graham Balch, the
16 managing broker of Green Yachts. In the 1980s when I was
17 15, I helped the first newspaper in the U.S. display a
18 logo and message about recycling. So why would a longtime
19 environmentalist like me be voicing concern about this
20 proposed funding plan? The answer is because there is a
21 huge glaring red flag problem.

22 The largest sector of pollution in San Pedro
23 basin was not mentioned once in the staff presentation,
24 not once. This same sector, which globally represents the
25 sixth largest country in terms of climate change emissions

1 was not mentioned once. This sector that is the largest
2 source of pollution and emissions is the marine sector.

3 It is woefully behind and requires dedicated
4 zero-emission funding to fund technology development,
5 provide project funding, and create equity. Regarding
6 technology development, though legally mandated, the CEC
7 does not have single solicitation for this sector right
8 now, despite it being behind all other sectors in
9 technology development.

10 Regarding project funding, the CARB staff didn't
11 tell you this, but 95 percent of the Moyer funds for the
12 marine sector, hundreds of millions of dollars over the
13 next decade will be spent on combustion engine repowers
14 that do nothing to address climate change, whereas their
15 focus in every other sector is on zero-emission
16 technology.

17 Regarding equity, the sportsfishing industry just
18 mentioned the lack of equity funding. A small woman-owned
19 business operating a ferry, that Teresa Bui of Pacific
20 Environment mentioned, has to pay more and do more to go
21 zero-emission in the marine sector than any of the big
22 operators in the marine sector. How is that equitable?

23 I advocate that the Board create dedicated
24 zero-emission marine funds just like they're doing in
25 every other sector, so that we can help this marine sector

1 catch up and reduce our emissions and climate change
2 emissions.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Lacy Robertson, please unmute and begin.

6 LACY ROBERTSON: Good morning. This is Lacy
7 Robertson with Rush Enterprises. We are North America's
8 largest commercial vehicle dealership group. Thank you
9 for the opportunity to comment on the proposed funding
10 plan.

11 First, I'd like to echo South Coast AQMD's
12 recommendation to reinstate the Grants Advisory Committee.

13 The remainder of my comments today will focus on
14 the proposed changes to HVIP and the Carl Moyer Program.
15 I will start with HVIP. We are extremely concerned with
16 the proposed fleet size limits and urge the Board to
17 remove them from the plan. Large and mid-size fleets play
18 a critical role in developing the market for zero-emission
19 technologies and they will continue to accelerate the
20 deployment of ZEVs if they have access to HVIP funding.

21 We understand the importance of small fleets
22 having access to funds, so we recommend that staff
23 consider creating a carve-out for mid-sized fleets. This
24 would ensure that fleets above a hundred vehicles do not
25 absorb a disproportionate amount of funds available, while

1 still allowing larger fleets to participate in the
2 program.

3 CARB has approved multiple case-by-case soft cap
4 requests allowing several manufacturers to hold two to
5 four times the manufacturer cap and allowed them to
6 continue requesting vouchers. As a result, other OEMs
7 have not been granted vouchers because funds ran out.

8 Allowing a few OEMs to get most of the fund,
9 thereby blocking access to funds to other OEMs is unfair
10 to the marketplace and hinders overall market growth. To
11 solve this problem, we recommend that if an OEM has
12 unredeemed vouchers that exceed the voucher term of 540
13 days, they will not be eligible for additional vouchers in
14 excess of their soft cap. This would allow for every OEM
15 to have greater opportunity to secure funds, while
16 incentivizing OEMs to deliver ZEVs in a timely manner.

17 Now, I will shift to Carl Moyer. The proposed
18 modifications before you are ineffective to fund on-road
19 trucks. They're -- there's an immediate need for CARB to
20 revisit the effectiveness of the Moyer program and we
21 believe stakeholder participation is critical. Carl Moyer
22 works for everything but on-road incentive funding. We
23 need to fix this immediately so we can realize greater
24 near-term emission reductions in our community.

25 We are hopeful the Board will consider these

1 recommendations and look forward to working with CARB
2 staff to implement these important funding programs.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Ashley Remillard, you may unmute and begin.

6 ASHLEY REMILLARD: Good morning. My name is
7 Ashley Remillard and I'm Vice President of Legal and
8 Government Affairs at Hexagon Agility. We are a leading
9 global provider of clean fuel solutions for medium- and
10 heavy-duty commercial vehicles, offering natural gas
11 storage and fuel systems, as well as Type 4 composite
12 natural gas cylinders. Thank you for having us today.

13 We believe there is immediate need for CARB to
14 revisit the effectiveness of the on-road portion of Carl
15 Moyer. Unfortunately, the proposed modifications do not
16 go far enough to fix the challenges that exist in the
17 current program.

18 We are supportive of the proposal to open up the
19 on-road components of the Carl Moyer Program to amendments
20 and to bring those back to the Board in 2022. During that
21 process, we encourage the Board to consider increasing the
22 50 percent cap for larger fleets, increasing the cost
23 effectiveness threshold, removing the model year
24 restriction, and approving the manufacturer's delay
25 extension for all projects. We look forward to engaging

1 in the public stakeholder process to ensure that there is
2 an effective, near-term emission incentive program that
3 displaces diesel.

4 We encourage CARB to also consider a way to allow
5 local air districts to use the 45 million budget
6 allocation in the near term to allow for the deployment of
7 heavy-duty low-NOx trucks in the most polluted communities
8 of the State.

9 Carl Moyer works for everything but on-road
10 incentive funding. We need to fix immediately, so that we
11 can realize greater near-term emission reductions in our
12 communities.

13 Thank you very much.

14 BOARD CLERK ESTABROOK: Thank you.

15 Our next three speakers will be Shayda Azamian,
16 Paul Dyson, and Tim Carmichael.

17 Shayda, you may unmute and begin.

18 SHAYDA AZAMIAN: Hello. Thank you. Hello, Chair
19 Randolph and Board members. Really appreciate the time to
20 speak with you today. My name is Shayda Azamian with the
21 Leadership Counsel for Justice and Accountability.
22 Leadership Counsel works with residents in the San Joaquin
23 Valley, many who have been working their whole lives to
24 see long-term clean air reality in our region.

25 Today I would like to speak on -- speak briefly

1 on the ag burning item. We appreciate that
2 acknowledgement that non-combustion alternatives must be
3 prioritized above any other combustion alternatives in
4 CARB's report. And before voting on the ag burning
5 combustion alternative incentive proposal before you
6 today, we ask that the CARB Board members here today
7 clarify two things of staff for the public's benefit and
8 incorporate these ideas into the proposal.

9 Firstly, we would appreciate if the CARB Board
10 would clarify with staff today what reporting will be
11 required of growers that utilize these funds for
12 combustion alternatives, a fund which was originally and
13 importantly intended only for non-combustion alternatives.
14 And we would insist that CARB track how much of this fund
15 is allocated to combustion versus non-combustion
16 alternatives, and that a significant majority of these
17 limited funds go to the clean alternatives for which help
18 is needed the most.

19 Additionally, as part of this reporting portion,
20 we'd also urge there be a requirement of growers to
21 document their own efforts to utilize non-combustion
22 alternatives before it is determined that none of these
23 clean alternatives are available to them as the specific
24 grower.

25 This is essential to honoring the prioritization

1 of non-combustion alternatives documented in Figure 1 of
2 CARB's report and to providing neighboring residents the
3 assurance that grower is acting with their health and
4 well-being in mind.

5 Secondly, we request that the CARB Board clarify
6 with staff for the benefit of the public a key piece of
7 language in the resolution and what it means. This
8 language is, "non-stationary combustion alternatives to
9 agricultural burning", which CARB staff is proposing to
10 make eligible for incentives as a method of disposing of
11 wired crops. So we're not sure what, "non-stationary
12 combustion alternatives", is meant to include here and
13 would appreciate that clarification.

14 Thank you so much.

15 BOARD CLERK ESTABROOK: Thank you.

16 Paul Dyson, please unmute and begin.

17 PAUL DYSON: Good morning, Madam Chair and Board.
18 Paul Dyson. I'm a veteran of 50 years in the railroad
19 industry and I'm a resident of Burbank, California and I
20 want to comment on the policy regarding locomotives. In
21 the past year, this organization and the San Joaquin Air
22 District gave over \$20 million to BNSF railway and Wabtec
23 Corporation to do a three-month demonstration of a battery
24 locomotive in the San Joaquin Valley, three months, \$20
25 million.

1 What has happened to this locomotive? Where is
2 it now? What benefit has California got from this
3 demonstration? Where are the California jobs? The answer
4 is almost zero. The demonstration achieved about a 10
5 percent reduction in emissions, which was entirely
6 predictable from a computer simulation. Those companies,
7 one with 600 billion market capitalization and one with 17
8 billion market value could easily have paid for this
9 themselves. Not only that, but through the tax code, they
10 could have expensed this as a capital expense, greatly
11 reducing the cost. I hope we don't do anymore of this
12 sort of thing. We should be supporting California
13 companies.

14 Secondly, an earlier comment about replacing one
15 fossil fuel burner with another. Through CARB and the
16 other agencies, you've spent somewhere close to \$400
17 million on replacing diesel locomotives with other diesel
18 locomotives. Yes, they're a bit cleaner, but it seems to
19 have been overlooked that passenger locomotives have a
20 different performance regime in Tier 4 to freight
21 locomotives. And when they're idling at stations and
22 going at slow speeds, they're actually producing as much
23 NOx as the locomotives they replaced. This needs some
24 further study on your part before these mistakes are
25 repeated.

1 Thank you.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speaker will be Tim Carmichael. After
4 Tim will be Lindsay Battenberg, Ryan Kenny, and then
5 Suzanne Hume.

6 Tim, please unmute and begin.

7 TIM CARMICHAEL: Good day. Can you hear me?

8 BOARD CLERK ESTABROOK: Yes, we can.

9 TIM CARMICHAEL: Thank you. This is Tim
10 Carmichael, Government Affairs Office with the Southern
11 California Gas Company. I want to say hello to Chair
12 Randolph and members of the Board, and start by echoing
13 the comments of a few previous speakers, Matt Miyasato
14 with the South Coast Air District, Nicole Rice with the
15 Natural Gas Vehicle Coalition, and Ashley Remillard with
16 Hexagon. Thank you for all of their comments, because you
17 make my comments much briefer.

18 Our focus is on on-road heavy-duty and the Carl
19 Moyer Program. As many have commented already, the
20 tran -- transitioning older diesel vehicles off the road
21 is really one of the most important actions this agency
22 and the State can take to protect public health from air
23 pollution. We greatly appreciate the positive comments
24 from CARB staff in the opening presentation, including the
25 proposed process for 2022, but we are concerned about the

1 length of that process and that it might delay getting
2 funds out the door.

3 And then the last thing I'll say in closing is
4 it's clear from the testimony today that many people are
5 concerned about the on-road portion of the Carl Moyer
6 Program. We look forward to working with CARB management
7 to address those concerns and get them resolved as quickly
8 as possible.

9 Thank you.

10 BOARD CLERK ESTABROOK: Thank you.

11 Lindsay, please unmute and begin.

12 Lindsay, I would suggest maybe trying to call
13 back with a call-in number. I don't see a microphone
14 connected on your end, so I'm unmuting you, but there's
15 not -- I don't see a option for you to unmute. So if you
16 could try calling back in at the call-in number, then I'll
17 try to take your comment then.

18 Let's go to Ryan Kenny. You may unmute and
19 begin.

20 RYAN KENNY: Yes. Thank you. Good afternoon,
21 Chair Randolph, members the Board. Thank you for your
22 time this morning. My name is Ryan Kenny with Clean
23 Energy. And I would also like to echo strong support for
24 the opening of the on-road portion of Carl Moyer. We
25 appreciate staff's interest in looking to do that. Of

1 course, having as much stakeholder participation is
2 important. There was the idea floated earlier about
3 convening the Investment Advisory Committee. And that
4 would provide a really good opportunity for all
5 stakeholders to give ideas and recommendations that on how
6 to really modify effectively the on-road portion of Carl
7 Moyer.

8 Of course, urgency is of the essence with this.
9 Having this back to a -- for a Board vote as soon as
10 possible, preferably within a few months would be very
11 important to really address the diesel issue in
12 California. The really is not, in our view, an effective
13 incentive program to displace diesel trucks in the near
14 term. Carl Moyer is it, and effectively modifying it is
15 imperative.

16 Capping diesel in the next five to ten years is
17 different now than in the past. And these potential
18 modifications and the recommendations that have been
19 recommended by several stakeholders I think would lead to
20 greater emission reductions in the near term, for black
21 carbon, NOx reductions, and, of course, greenhouse gas
22 emissions.

23 We'd also like to have some clarity on a slide in
24 the presentation about \$45 million for low-NOx trucks that
25 was allocated by the Legislature. And if this would

1 indeed be within the guidelines for consideration with the
2 Investment Advisory Committee or could that money be
3 actually pursued on its own outside of the guidelines for
4 Carl Moyer. Carl Moyer works for everything but on-road
5 incentive funding. We really need to fix this
6 immediately, so we can realize greater gains for near-term
7 emission reductions in our communities.

8 Thank you.

9 BOARD CLERK ESTABROOK: Thank you.

10 Okay Lindsay, let's try again. I see an option
11 for you to unmute. Are you there?

12 LINDSAY BATTENBERG: Yes. Can you hear me?

13 BOARD CLERK ESTABROOK: Yes, we can.

14 LINDSAY BATTENBERG: Great. Thank you.

15 My name is Lindsay Battenberg and I'm speaking on
16 behalf of Proterra. We are an EV technology company and
17 manufacturer of electric transit vehicles. We're
18 headquartered in the Bay Area with a manufacturing
19 facility in L.A. County. I'd like to thank the Air
20 Resources Board for their leadership and support on
21 California's clean transportation industry.

22 Proterra supports the proposed heavy-duty and
23 off-road investments included in the Low Carbon
24 Transportation Funding plan. More specifically, we
25 support the proposed 570 million for HVIP including the 70

1 million and 130 million dollar set-asides for transit and
2 school bus. The funding for transit will help public
3 fleets achieve compliance with the Innovative Clean
4 Transit regulation and improve emissions from the public
5 transit sector. The support for the zero-emission school
6 buses will help our cash-strapped school districts
7 transition their aging vehicle fleets and reduce exposure
8 to harmful pollutants for our state's children.

9 Proterra also supports the proposed \$165 million
10 allocation to the CORE Program, which will help accelerate
11 the deployment of advanced technology in the off-road
12 sector by providing a streamlined way for fleets to access
13 funding that helps offset the incremental costs of this
14 technology.

15 Thank you so much

16 BOARD CLERK ESTABROOK: Thank you.

17 Our next speaker will be Suzanne Hume. After
18 Suzanne will be Matthew Schrap, Bonnie Trowbridge, and
19 then Meredith Alexander.

20 Suzanne, please unmute and begin.

21 SUZANNE HUME: Hello. And thank you, Chair
22 Randolph and CARB Board. My name is Suzanne Hume and I'm
23 the educational director and founder of
24 CleanEarth4Kids.org. Your work at CARB saves lives.
25 There's a high cost to pollution. Air pollution harms

1 children's brains, learning potential, development, and
2 their future. Air pollution harms families, seniors,
3 workers, and productivity. We must fund zero-emission
4 technology and prioritize environmental justice.

5 We're really excited about the clean air program
6 for San Diego and the incentive programs for buybacks for
7 gas-powered leaf blowers and lawn equipment. We are part
8 of CQEL in San Diego to protect workers, children and the
9 public from high levels of toxic cancer-causing emissions,
10 such as benzene, formaldehyde, and fine particulate matter
11 that comes from leaf blowers and lawn equipment. And we
12 want to make sure that the funding goes to AB 617
13 communities of concern as stated by Tung Le of the San
14 Diego Air Control Board, and thank everyone who has spoken
15 today to protect clean air, children's health, and future,
16 environmental justice, front-line communities, and
17 families living next to sources of air pollution,
18 freeways, highways, busy roads toxic chemicals and
19 pesticides, and agricultural burning.

20 As the youth say, we need to stop burning stuff,
21 stop burning fossil fuels, including natural gas, which is
22 just methane gas, a climate warming gas that creates
23 indoor and outdoor pollution. For our kids, their future,
24 and our climate, we must stop burning fossil fuels diesel,
25 biofuels, biomass.

1 And we echo the comments of Alan Abbs, we must
2 stop putting more particulate matter into the air that
3 harms lungs, especially with COVID.

4 Your work at CARB saves lives. Thank you so much
5 for all you do. Thank you from CleanEarth4Kids.org.

6 BOARD CLERK ESTABROOK: Thank you.

7 Matthew Schrap, you may unmute and begin.

8 MATTHEW SCHRAP: Good afternoon, Chair, Board
9 members, and all the esteemed commenters today. My name
10 is Matthew Schrap. I am the CEO of the Harbor Trucking
11 Association. And I come here this afternoon to make
12 comment in support of both the American Trucking
13 Association's as well as the California Trucking
14 Association's perspective on the misguided approach to
15 limiting fleet size under HVIP.

16 While this is not the subsidy of corporate
17 America, this, in fact, is a needed incentive program for
18 larger fleets who are more well capitalized to make the
19 investments in not only the vehicles but in the
20 infrastructure required to support them. If we limit the
21 amount of large fleets that are able to take part in this,
22 we will not have a robust secondary market, which is
23 really where the small fleets will most benefit from.

24 Additionally, while we talk about innovative
25 strategies for small e-Fleets. Just the terms that -- of

1 truck as a service or any innovative leasing programs
2 fleet size will also preclude those from -- those that
3 provide those services from participating in the HVIP
4 Program.

5 Please, it is necessary that we take a step back
6 and not allow these fleet size limitations to take place
7 while we're in the middle of one of the most progressive
8 requirements across -- in the world for that matter, for
9 drayage trucks who are looking at an entry standard
10 beginning in 2023.

11 I applaud staff for their hard work in trying to
12 address some of these challenges. And while we understand
13 that the HVIP Program is extremely important and
14 oversubscribed many of the times, we still need to have a
15 more progressive approach and that will require supporting
16 large fleets again to help support the secondary market,
17 which will really help the small fleets engage in drayage
18 service.

19 Thank you.

20 BOARD CLERK ESTABROOK: Thank you.

21 Bonnie Trowbridge, you may unmute and begin.

22 BONNIE TROWBRIDGE: Thank you. And good
23 afternoon, Chair Randolph and members of the Board. My
24 name is Bonnie Trowbridge and I'm representing Zeem
25 Solutions today. Zeem transforms the way small- and

1 medium-sized fleets operate by providing a single source
2 solution for leasing, servicing, parking, and charging
3 zero-emission commercial vehicles.

4 I'm here today to express our strong support of
5 the proposed funding plan for clean transportation
6 initiatives with the proposed allocation of \$570 million
7 for the HVIP Program, including the \$25 million set-aside
8 for innovative small eFleets that will help address the
9 unique needs of this traditionally underserved group that
10 makes up a significant share of the medium- and heavy-duty
11 fleet market.

12 Zeem's eFleet as a service model levels the
13 playing field for small fleets and independent operators
14 to adopt zero-emission vehicles now in a way that is cost
15 effective and helps their business succeed, if we help
16 resolve significant barriers that they face to adopting
17 zero-emission vehicles, especially the lack of resources
18 to navigate incentive programs like HVIP.

19 Creative financing models like eFleet as a
20 service and other comprehensive leasing options that
21 support small fleets have been challenging in HVIP in the
22 past. We're looking forward to engaging with staff on an
23 innovative small eFleets pilot program to support the
24 success of small fleets and demonstrate the need to
25 allocate additional funding for this program in the future

1 to accelerate small fleet accept -- small fleet
2 participation in the race towards zero-emission vehicles.

3 Thank you for the opportunity to today to provide
4 comments. We also have provided a letter for you to read
5 as well. Thank you.

6 BOARD CLERK ESTABROOK: Thank you.

7 Meredith Alexander, please unmute and begin.

8 MEREDITH ALEXANDER: Good afternoon, Chair
9 Randolph and members of the Board. Meredith Alexander
10 here on behalf of CALSTART, particularly our board and our
11 now over 300 members.

12 I know you already from my colleague Jimmy O'Dea
13 on the heavy-duty elements of this proposal. And I'm here
14 to speak to the light-duty and equity elements. So first
15 on the CVRP, we, you know, spent a lot of time in the
16 capitol working with our members and legislators to
17 restore funding for the CVRP program without further
18 limitations on eligibility. We think this is really
19 critical to transforming the market and to Californians
20 adopting ZEVs.

21 And we really wanted to encourage CARB today to
22 consider waiting until Congress passes the Build Back
23 Better Act, which could be imminent, to consider changes
24 to the program, but obviously not to wait to spend the
25 funds, which, you know, have been needed for quite some

1 time.

2 And also, we wanted to express our strong support
3 for the eBike component of the CVRP program. This is
4 exciting. We wanted to highlight that e-bikes are
5 probably the most emissions-efficient mode of
6 transportation.

7 And then finally, on the Clean Mobility Options
8 Program, excited to see additional funds going into this
9 program, where we know they will have direct benefits to
10 these communities, as the recent awards have to
11 communities like Fresno and Chula Vista adopting new
12 electric mobility options that are designed to meet the
13 needs of their community. We think this has really great
14 support across the policymaking sphere and is a model that
15 we hope the rest of the country will also follow to
16 improve private equity in transportation.

17 Thank you so much for your consideration of my
18 comments.

19 BOARD CLERK ESTABROOK: Thank you.

20 Our next speakers will be Sherrie Merrow, Daniel
21 Mabe, Sam Appel, and then Kevin Hamilton, and those will
22 be the remaining speakers for this item.

23 Sherrie, please unmute yourself and begin.

24 SHERRIE MERROW: Good afternoon, Chair Randolph,
25 Board members and staff. Thank you for the opportunity to

1 comment on needed changes to the Carl Moyer Program. I am
2 Sherrie Merrow, the Director of State Government Affairs
3 for NGVAmerica, the national trade association dedicated
4 to the decarbonization of the transportation sector
5 through the increased use of gaseous fuels, including
6 renewable, and conventional natural gas, and eventually
7 hydrogen.

8 Medium- and heavy-duty renewable natural gas
9 powered trucks and buses are on our roads today. And as
10 CARB data shows, the average carbon intensity of renewable
11 CNG sold in California in the second quarter of 2021 was
12 minus 35.87, making renewable natural gas the lowest of
13 any in-use motor fuel.

14 Large national fleets like Amazon, UPS, Waste
15 Management, and many fleets and transit systems in
16 California are transitioning their heavy-duty vehicles to
17 RNG-fueled cabs, and box, and delivery trucks, in addition
18 to their last mile EV investments.

19 As indicated today, there is an immediate need
20 for CARB to revisit the effectiveness of the on-road
21 portion of Carl Moyer. Stakeholder participation in this
22 process would be highly beneficial. There is no current
23 effective near-term emissions incentive program in
24 California that displaces diesel. Tackling diesel in the
25 next five to 10 years is different now than in the past

1 and requires changes.

2 Carl Moyer works for everything but on-road
3 vehicles. With the already discussed changes being made,
4 we can realize greater near-term emission reductions in
5 our communities.

6 Thank you for this time.

7 BOARD CLERK ESTABROOK: Thank you.

8 Daniel Mabe, please unmute and begin.

9 DANIEL MABE: Okay. Good morning, Chair
10 Randolph, Board members. Dan Mabe with the American Green
11 Zone Alliance, also known as AGZA.

12 First, we want to support your funding plan and
13 we do applaud the California Air Resources Board for
14 addressing clean technologies for the lawn and garden
15 sector. I grew up actually doing this line of work with
16 the man of the house, who was a high-volume gardener.
17 Spent many summers and weekends doing this line of work
18 with and around gas tools

19 In regards to the administering of funds for the
20 Lawn and Garden Program, we are encouraged to know CARB is
21 including air district implementation coordination. We
22 look forward to understanding the details of this
23 development. The air districts have well-organized
24 programs in place, which have been transformative and run
25 efficiently.

1 Finally, AGZA would like consideration to be
2 given for workforce training for the grounds maintenance
3 industry, as we usher this along, as has been considered
4 for the EV programs.

5 Thank you very much.

6 BOARD CLERK ESTABROOK: Thank you.

7 Our final speaker will be Kevin Hamilton.

8 Kevin, please unmute and begin.

9 KEVIN HAMILTON: Hi. Can you hear me now?

10 BOARD CLERK ESTABROOK: Yes, we can.

11 KEVIN HAMILTON: Hello. Can you hear me?

12 Oh, yes, we can. Hello. Great.

13 BOARD CLERK ESTABROOK: Yes, we can.

14 KEVIN HAMILTON: So this is Kevin Hamilton at the
15 Central California Asthma Collaborative and the San
16 Joaquin Valley Clean Vehicle Empowerment Collaborative
17 CVEC. We have several recommendations, but the primary
18 one is that we are in support of CARB approving all of the
19 funding plan as it is as quickly as possible.

20 With regard to CVRP, we see that transition and
21 we agree whether it -- the name is irrelevant to us, but
22 we need that funding to move to a standard rebate for LMI
23 DAC populations.

24 We need to streamline the EV incentive programs
25 and simplify applications for buyers and vouchers for

1 dealers. Ensure sufficient EV incentives are available
2 for folks in the -- below 300 percent FPL and the 300 to
3 400 percent FPL groups. We can't have these incentives
4 running out in the middle of the program.

5 We need to increase accountability and ensure
6 incentives go to people who really need them. So we've
7 advocated for quite a while now a needs assessment as a
8 filtering device to determine, you know, what's the status
9 of the person who's receiving it and do they actually need
10 it.

11 We also want to say that we support in CC4A our
12 colleagues call that the Board direct staff at air
13 districts to put into these grant agreements a prohibition
14 on treating CC4 awards as taxable. That's ridiculous in
15 our opinion. With regard to HVIP, we strongly support
16 draft funding plans focused on small fleets and increase
17 funding for microfleets in disadvantaged communities, and
18 an HVIP set-aside for small eFleets. Thank you very much.

19 BOARD CLERK ESTABROOK: Thank you.

20 And I'm sorry, I did overlook we have one more
21 commenter for this item, Steven Douglas.

22 You may unmute and begin.

23 STEVEN DOUGLAS: Great. Thank you. I'm Steve
24 Douglas with the Alliance for Automotive Innovation
25 representing car companies that produce over 95 percent of

1 the new vehicles in California.

2 We submitted written comments, so you should have
3 those. We support much of what's in the funding plan,
4 including all the programs that address priority
5 communities, such as the increased CVRP rebate for LMI
6 communities and the Clean Cars 4 All.

7 However, we don't support other changes to the
8 CVRP that dramatically complicate and reduce the
9 effectiveness of the program that led to the most
10 successful ZEV market in the U.S.

11 Like CalETC and Eileen Tutt we were surprised by
12 the changes in the final proposal. So where we are we at
13 today? Today, the ZEV market of about 10 percent is
14 largely built on affluent, high tech, early adopters.
15 However, over the next three to five years, we have to
16 grow this market to about 40 percent. And that's going to
17 require the expansion beyond the affluent and into the
18 mainstream, where the rebate is far more important.

19 In fact, the CVRP survey data suggests that 57
20 percent of buyers would not have purchased a ZEV, but for
21 the rebate.

22 The proposed funding plan reduces the income cap
23 not once but twice, reduces the MSRP cap, divides small
24 and large vehicles, it reduces the rebate amount, and it
25 eliminates plug-in hybrid electric vehicles, even though

1 the data shows that low-income buyers choose plug-in
2 hybrid electric vehicles at a higher rate than the more
3 affluent Californians.

4 These changes dramatically complicate the program
5 and it reduces its effect -- its effectiveness at the very
6 time we need it most. Again, we request that the staff
7 hold additional discussions. We would agree with Meredith
8 that changing the program before we know what happens with
9 the Build Back Better is premature. So we would like to
10 have more discussions with the staff.

11 Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Chair, that concludes the commenters.

14 CHAIR RANDOLPH: Okay. Thank you. So we do need
15 to give our court reporter a break and it's almost 12:30,
16 so I think we will take a 45-minute lunch break and come
17 back at 1:05, and have Board discussion on this item.

18 (Off record: 12:21 p.m.)

19

20

21

22

23

24

25

1 AFTERNOON SESSION

2 (Thereupon a lunch break was taken.)

3 (Off record: 1:07 p.m.)

4 CHAIR RANDOLPH: Okay. Welcome back to the Air
5 Resources Board meeting. So the clerk called to my
6 attention that there were a few commenters at the end of
7 the public comment period for 21-12-4, who raised their
8 hands and were not called on, so I'm going to ask the
9 clerk to go ahead and call on those four individuals and
10 they will have up to two minutes to make their comments.

11 So, Clerk, go ahead.

12 BOARD CLERK ESTABROOK: Thank you.

13 Dave Cook, I see you that also raised your hand
14 again. And so I will unmute, activate your microphone,
15 and you can unmute and begin.

16 DAVID COOK: Hello. Can you hear me?

17 BOARD CLERK ESTABROOK: Yes, we can.

18 DAVID COOK: Good morning, Chair Randolph and
19 Board members. My name is David Cook and I work at a
20 small California technology company that develops and
21 demonstrates locomotive modernization retrofits. We
22 currently have two zero-emissions battery switcher
23 locomotive projects ongoing in the Los Angeles area.

24 Withe Air Board's leadership, there has been a
25 half century of progress to lower emissions from mobile

1 sources in many applications ranging from cleaner
2 automobiles in the 1970s up through zero-emission battery
3 buses becoming the new normal today.

4 But the State has spent hundreds of millions of
5 dollars over the past few decades. And, at this time,
6 less than 10 percent of the criteria emissions are coming
7 from locomotives certified to Tier 4 emission standards.
8 And also, the Tier 4 locomotive emission standards are
9 decades behind what is required of trucks.

10 The locomotives we're referring to in this
11 comment period that we're working on and proposing are
12 industrial in yard-switching locomotives that spend all of
13 their time sorting railcars at railyards in urban
14 disadvantaged areas impacted by high pollution.

15 RPS has teamed up with a switching locomotive
16 OEM, and together we have proposed to ARB staff that the
17 CORE Program under this funding plan being discussed
18 should include a category for zero-emissions locomotives
19 for both industrial and yard-switching applications.

20 Locomotives are unique in that 50-year old
21 locomotives are just as functional as brand new
22 locomotives in railyard switching service and
23 zero-emissions pilot locomotives for this application can
24 be put into pilot service with current technologies now.
25 Also, leasing advanced locomotives in the CORE Program

1 could accelerate the pilot demonstration of lower
2 emissions equipment in this application that as I'm
3 discussing is decades behind.

4 We further request the CORE Program keep the
5 manufacturer purchase open for this category as this will
6 be the first year.

7 And I'll submit additional written --

8 BOARD CLERK ESTABROOK: Thank you.

9 DAVID COOK: -- details --

10 BOARD CLERK ESTABROOK: Thank you. That
11 concludes your time.

12 Our next speaker will be Wayne Kotow. Wayne,
13 please unmute yourself and begin your comments.

14 WAYNE KOTOW: Good afternoon, Chair Randolph,
15 Board and Staff. Wayne Kotow, Executive Director with
16 Coastal Conservation Association of California. While
17 we're enthusiastic over the proposed funding plan, we are,
18 however, disappointed that it does not include funding for
19 the commercial passenger fishing vessel pilot technologies
20 and incentives for the owners to update their vessels. We
21 need you to provide help for them to meet the proposed
22 regulation changes that do not exist and don't have enough
23 volume with less than 200 vessels to prioritize their
24 needs with the engine manufacturers, with all of the other
25 sectors taking priority. This is setting them up to

1 failure and it hurts the communities of California.

2 Thank you.

3 BOARD CLERK ESTABROOK: Thank you.

4 Our next speaker will be Will Barrett. Will, you
5 may unmute yourself and begin.

6 WILL BARRETT: Hi. Thank you very much. I'm
7 Will Barrett with the American Lung Association. I
8 appreciate you taking me after the break. Very much
9 appreciate the opportunity to speak today on this critical
10 plan.

11 This plan and the Energy Commission's plan
12 adopted earlier this week really do represent historic
13 investments in healthy air for all Californians. The Lung
14 Association urges you to adopt the staff proposal today to
15 bring these benefits online as soon as possible. I sit on
16 the Energy Commission's advisory panel on their plan and
17 wanted to really note the importance of that plan that
18 adopted this week, which directed over half of the
19 investments to lower income and disadvantaged communities.

20 So in that spirit, we strongly support CARB
21 proposing to direct 60 percent of investment to achieve
22 health benefits in low income and disadvantaged
23 communities. We think this is critical. We do support
24 the equity focused proposals in the light-duty incentive
25 programs, including CVRP and the equity investments, as

1 well as the suite of healthier mobility option at schools
2 and elsewhere. And also wanted to echo the request to
3 clarify that the Clean Cars 4 All Program should really
4 not create a tax issue for low-income Californians who
5 take advantage of it.

6 We support the proposed phasing of the HVIP
7 Program to smaller fleets to really ensure that these
8 fleets are prioritized for support, while maintaining
9 flexibility in the program overall. The Energy Commission
10 just approved nearly 700 million in medium- and heavy-duty
11 infrastructure. That's a major or complement to these
12 proposals.

13 On the small off-road engine equipment, we really
14 just wanted to echo the calls for strong outreach for this
15 program and ensuring a smooth distribution of the funding.
16 And then in closing really wanting to just note the Lung
17 Association urges you to move this plan forward without
18 delay and then really turn your attention quickly to the
19 important calendar of regulations coming up before you,
20 including commercial harbor craft today, SORE, ACC II, ACF
21 and others that will put zero-emission vehicles out into
22 the public, so that we experience those clean air benefits
23 as quickly as possible.

24 Thank you very much.

25 BOARD CLERK ESTABROOK: Thank you.

1 Tom Jordan, please unmute and begin your
2 comments.

3 TOM JORDAN: Good afternoon and thank you for
4 taking my comments. First of all, I want to thank ARB
5 staff for developing this historic spending plan, which we
6 were -- are definitely supportive of. I do have a few
7 comments however that I think could improve the
8 recommendation that's before you today.

9 As you're all aware, the valley faces significant
10 air quality challenges and we're also home to 20 of the 30
11 most disadvantaged communities in the State. Sixty-seven
12 percent of the valley census tracts fall under AB 535 and
13 1550 as priority communities for funding. Given our
14 demographics, programs like Clean Cars 4 All are critical
15 for EV deployment and for the State to meet its EV goals
16 throughout the state.

17 Historical spending on EV deployment has been
18 concentrated in the more affluent urban parts of the
19 state. This wasn't by design necessarily, but it does
20 have to do with demographics. CVRP, the largest and
21 longest funding program for EV deployment, about 10 times
22 the amount of money that was -- has been claimed by the
23 valley has been claimed in the Bay Area. The Bay Area has
24 received about 300 million in CVRP vouchers, South Coast
25 about 400 million, and the valley about 30 million.

1 We see Clean Cars 4 All as a way to start to
2 close some of those funding gaps, particularly given the
3 valley's demographics. The valley was really a pioneer in
4 the development of the program that became Clean Cars 4
5 All. And over the years, 81 percent of our funding has
6 gotten to residents who live in disadvantaged communities.
7 Ninety-one percent of our funding has gotten to residents
8 that are 225 percent or greater below the federal poverty
9 level and we have always expend the allocations we've
10 received. We've made changes to our program to allow it
11 to scale and we would respectfully request that a
12 significant portion of the reserve be allocated to the
13 valley's program up front.

14 Thank you for the opportunity to comment.

15 BOARD CLERK ESTABROOK: Thank you. And my
16 apologies for those that I overlooked.

17 Chair, that concludes the commenters.

18 CHAIR RANDOLPH: Thank you.

19 Staff, are there any issues you would like to
20 raise in response to the comments before I close the
21 record on this item?

22 EXECUTIVE OFFICER COREY: No additional comments,
23 Chair.

24 CHAIR RANDOLPH: All right. Thank you.

25 Okay. Let's move to Board discussion. For those

1 Board members who are on Zoom, if you want to participate
2 in the discussion, please feel free to click the
3 raise-hand function and let us know you would like to
4 speak. And let's start -- I'm going to start to my right.
5 Did any Board members here want to speak?

6 Board Member Pacheco-Werner.

7 BOARD MEMBER PACHECO-WERNER: Thank you, Chair.
8 Thank you -- thank you so much to staff for this bold
9 plan. I want to make a couple of comments on equity and
10 how we -- how we think about the allocation of resources
11 based on equity, because we have to think about the
12 historic and current racism in the way that our cities and
13 our counties, urban and rural communities, have been built
14 that really do keep that vision that we're working towards
15 around zero emissions further away for some than others.
16 And I think that this funding plan should reflect that
17 current reality and should think about how we ensure those
18 that are -- that are most disproportionately ad --
19 disadvantaged are being prioritized for this measurable
20 change that we are anticipating with this funding.

21 And so I do want to say that I support the
22 comments about how to streamline the application process,
23 to make it as low literacy and as low barrier as possible
24 to achieve the outcomes that we're doing. I also really
25 support thinking through how we ensure that we're thinking

1 about those rural communities as the targets of some of
2 these programs, and even -- you know, when I think about
3 the Clean Cars 4 All, even as early as last week in the
4 weeknight events in the rural communities in the San
5 Joaquin Valley, there were: -- in weeknight events during
6 COVID, there were over 300 people last week that showed up
7 with interest to participate in this program. And I think
8 we have to ensure that this funding is being able to reach
9 people in as low barrier as possible for those that
10 actually need it.

11 And I think that, you know, definitely as Tom
12 noted in the San Joaquin Valley, there is a strong effort
13 to ensure that those go -- those funds go to the right
14 people. And I hope that as we open that up, we will -- we
15 will make that a North Star and actually an evaluation
16 requirement for how this money is really being spent,
17 because I don't think that opening it up low barrier to
18 get as many applicants as possible is the right -- is the
19 right thing. I think opening it up, but ensuring that
20 it's being reached to those who actually need the funds
21 should be the North Star, and should be the evaluation
22 metric that we should be looking at as success for the
23 program, but also thinking about the unintended
24 consequences of opening it up without further funds and
25 the -- and always thinking that the endpoint how do we

1 create something more equitable, but that also doesn't
2 harm people in the long run.

3 And so giving an expectation that there will be
4 funds everywhere and there -- and if there's -- if that
5 doesn't get delivered, what is our back-up plan to make
6 sure that people don't feel left out or left in the dust,
7 you know, waiting for something that was promised that we
8 didn't deliver on.

9 And I know that staff have worked so hard to
10 improve all of these programs and just really thank you
11 for that. As we think about equity and we think about
12 that zero-emission goal, we must keep rural communities,
13 low-literacy communities in mind.

14 Thank you.

15 CHAIR RANDOLPH: Thank you.

16 Dr. Sperling.

17 BOARD MEMBER SPERLING: Yes. And I support all
18 those ideas. Let me kind of give a science perspective on
19 this sticking in my lane here. So here we are -- okay.
20 First of all, CARB is founded on science. That is what
21 makes us special. That is why we have so much
22 credibility. That is why the Legislature gives us so much
23 money to allocate. And, you know, yesterday, we -- or
24 today, we did the Haagen-Smit awards, you know, just
25 another reminder

1 So I just have a few thoughts here. Okay. I
2 have two that -- well, one that no one has mentioned, but
3 I'll bring it up, and that is - except indirectly - we
4 have all these new programs, and new types of initiatives
5 we're doing, and new funding programs and demonstration
6 programs we have. And I don't see that we're setting
7 money aside to evaluate which of them are working, which
8 are not working, lessons learned. You know, I see there's
9 the clean -- you know, clean mobility programs, the
10 off-road incentives. There were all these demonstration
11 projects. Somehow, it seems like, you know, making sure
12 we're investing our money wisely and especially looking to
13 the future. You know, that's probably a programmatic
14 thing. I mean, I'm not sure how that's handled. You
15 know, I mean, it can be built into every program. And I
16 think we need to be thinking along those lines more.

17 Cost effectiveness. So here's one -- I should
18 have talked to staff beforehand, but I got caught by
19 surprise. This idea of raising -- and it's only for the
20 Carl Moyer Program, as I understand it, but raising the
21 cost effectiveness ceiling. It's really high. I mean,
22 those numbers -- it's already high. I mean, I've been
23 involved in these kinds of studies and research over the
24 years, and it's already -- the number that's being used is
25 already high. And now it's been proposed higher. And I'm

1 just kind of curious if there's an explanation. I know --
2 I mean, if it's just because these are new innovative
3 projects or technologies, then, you know, that shouldn't
4 be treated the same way as a cost effectiveness metric
5 used for program -- other programs or other investments.

6 So if there's a simple explanation for that, I'd
7 be interested. I did kind of look at -- up some research
8 papers from the past and none of them have NOx cost
9 effectiveness numbers anywhere near what we're using. And
10 I worry about it, because even though it's just for Carl
11 Moyer, it could -- does this mean it becomes a precedent,
12 you know, for other investments that we make in other
13 programs?

14 Getting into a more touchy one, CVRP. Okay, so
15 there's a lot of ways of thinking about this. So, you
16 know, the staff is trying to, you know, make the money go
17 as far as possible, and I understand that, but I do
18 sympathize with what, you know, Eileen Tutt and some of
19 the others are saying that, you know, you keep making
20 these changes and it makes it more confusing. The CVRP --
21 you know, I told them when they called me, I said, you
22 know, if I was emperor, I would throw the whole thing out
23 and start over from scratch, you know, in how we provide
24 incentives. We're not doing it very effectively or very
25 efficiently. And, you know, there's lots of ideas, but it

1 involves the Legislature and it's more complicated. And
2 we work with what we've got. So okay, for here, I'll go
3 on.

4 But with the CVRP, I think we do need to be
5 hesitant about keeping -- changing the rules. It already
6 is not relevant. You know, I mean, it's already not being
7 utilized well. You know, when you have a program where
8 it's not a point of purchase, you know, the research shows
9 it loses half to two-thirds of its value right away, if
10 it's not at point of purchase, but we have to do it at
11 point of purchase, because now we have all these, you
12 know, means testing going on, and so it gets complicated.
13 So I know I don't have the answer that if we keep the
14 current structure how to make it point of purchase. There
15 was a demonstration program -- an experiment in San Diego,
16 and I just heard offhand that it wasn't real successful.
17 I'd be -- you know, I'd want to make sure that's really a
18 correct assessment.

19 You know, the demonstration program was to find
20 out if you could get people means tested beforehand and
21 when they walk in, you know, they get the point of
22 purchase rebate, which is the way it should be. You know,
23 the Clean Fuel Reward, you know, works that way for us.
24 The federal government is even worse with tax -- using tax
25 credits, but that's another story as well. Although, I do

1 sympathize with the idea that maybe we ought to find out
2 what the Feds do, you know, before we make a final
3 decision or at least for future years.

4 And I do have one specific one. I do disagree
5 with taking out PHEVs, plug-in hybrids. I think that the
6 research is starting to show that the first 50 or 60
7 percent of the BEVs is probably going to be relatively
8 easy. But when we get to the last 20 or 30 percent,
9 people living in apartment buildings, people having you --
10 know people, just ideologically opposed, we're going to
11 have a -- run into a lot of problems getting to that
12 hundred percent. And I think we need to keep PHEVs in the
13 mix, because I think that it's going to play an
14 important -- not a huge role, but an important role, if we
15 really want to get to a -- you know, and people that lived
16 in disadvantaged communities, you know, we're hearing from
17 them - I think someone testified to that effect - that
18 PHEVs are really crucial for them.

19 You know, it's partly we get to second and third
20 vehicle -- if you have three vehicles, it's easy to have,
21 you know, one or two BEVs, but if your only vehicle -- you
22 only have one vehicle and you don't have good charging
23 available -- so anyway.

24 And just one little thought about the ag burning
25 issue, and that is one of the biggest challenges for us in

1 decarbonization is going to be aviation fuels, because we
2 need liquid, and probably shipping. And we need liquid
3 fuels that are low or zero carbon. And some of that ag
4 waste, I know, you know, it's expensive gathering it and
5 there's been issues on the economics of it, but I sure
6 hope that we can keep that on the table as an option, that
7 they can -- we can have facilities that would convert it
8 into liquid fuel for use, because, you know, it is -- it
9 becomes a net -- you know, less than zero carbon fuel when
10 you use the waste like that.

11 And, you know, the same argument is going to be
12 made with forest waste and so on. And it's a tricky one,
13 so I'm just saying, you know, let's keep it on the table
14 and not foreclose it. It could become important in the
15 future.

16 Thank you.

17 CHAIR RANDOLPH: Thank you.

18 Mr. Corey, did you want to respond to any of the
19 questions that Dr. Sperling raised?

20 EXECUTIVE OFFICER COREY: Yes, Chair. Very
21 briefly and then I'll ask also briefly for Dr. Vergis to
22 cover the question about cost effectiveness and PHEVs.
23 The point Dr. Sperling made about metrics, which is really
24 an important one, there are a range of equity-focused
25 programs that really have emerged from the public process

1 we've gone over through the last year and really beyond
2 that in terms of the fact that a low-emission vehicle, a
3 zero-emission vehicle isn't the only response to enhanced
4 mobility, enhanced access in communities. And those
5 concepts, ideas emerge from that level of engagement.

6 But as you noted, these are really new programs.
7 Some of them are experiments, I mean, frankly, and the
8 data and the metric elements in terms of how to monitor
9 and assess effectiveness, what works, what doesn't work,
10 where adjustment is warranted down the road, a few
11 different means by which to do that.

12 One of the grant agreements that we're putting in
13 place and the kind of metrics that need to be reported as
14 part of those receiving those grants, the other is a
15 contract in play -- that we've put in place in terms of
16 university, to also evaluate the data that's coming from
17 these various programs. So those are just key, key
18 elements as well our response and work with the -- with
19 respect to our response to the State Auditor's work. So
20 that's continuing to play itself out and will be really
21 important. So I really appreciate the observation. I
22 think it's correct and right on.

23 To the CVRP point, and I think you recognize this
24 and I think many on the Board did a well, it's a
25 three-year appropriation, \$515 million. A number of, you

1 know, budget bills in the past, budget language, some real
2 challenges, right? Some success. What is the success?
3 We're seeing a lot more EVs produced, an uptick. Great.
4 Great story, but trying to surgically direct those dollars
5 even more so to low and medium income folks. We're
6 working through the implementation of that program and
7 clearly also trying to operate within legislative
8 direction and operate within our means, realizing that
9 given the rapid uptake I think that we're going to
10 continue to see on EVs, it's going to require ongoing
11 assessments and reports to you all in terms of how it's
12 going and potential adjustments over the -- over a period
13 of time.

14 So it's a fair observation. The adjustments that
15 you saw are intent to be responsive to the direction we
16 received and obviously to keep you all posted throughout
17 implementation. And with that, I'm going to briefly ask
18 Syd to comment on the cost effectiveness on Moyer, because
19 that went through a public process as well, as well as the
20 PHEV element.

21 MSCD DIVISION CHIEF VERGIS: Yes. Thank you, Mr.
22 Corey. Chair and members, so on cost effectiveness from
23 Moyer, definitely hear you. One of the things we've been
24 seeking to do is really provide that balance. What we've
25 seen is that higher amounts are really needed to encourage

1 people to choose these kinds of technologies, not only
2 choose these technologies, but also scrap a vehicle in
3 exchange for this program.

4 What we're really looking to do is make sure
5 that -- and asking to increase the cost effectiveness for
6 trucks is really asking you to help ensure that we get
7 those accelerated reductions for the 0.02 and
8 zero-emission truck engines.

9 One of the things that's really changed over time
10 with respect to our legislative direction on Moyer has
11 been that the Legislature has also modified statute to
12 allow you, the Board, to establish cost effectiveness
13 limits, really based on cost of technology. So, yes, we
14 are asking to increase cost effectiveness today,
15 specifically targeted at a narrow sector of truck
16 technologies.

17 CHAIR RANDOLPH: Okay. Thank you.

18 Board Member De La Torre had a comment and then
19 I'll go over to the other side of the -- oh, sorry, Dr.
20 Eisenhut -- Board Member Eisenhut, sorry.

21 There's so many doctors.

22 (Laughter.)

23 BOARD MEMBER EISENHUT: Thank you for the
24 promotion.

25 (Laughter.)

1 BOARD MEMBER EISENHUT: I think I'd first like to
2 just acknowledge the place that we're in, the Mary D.
3 Nichols Building, which as all of you know was dedicated
4 yesterday and creates a future pathway -- not just a place
5 for us to meet, but a future pathway for the work that we
6 do. And there were -- and the health improvements and a
7 reduction of climate impacts that we will achieve.

8 And as I toured the building yesterday, guided by
9 Vice Chair Berg, the point was made in -- by one of our --
10 one of our co-tour guides that you can't regulate what you
11 can't -- what you don't measure. And this building is
12 all, I think in no small part, about that measurement.
13 And I bring this up, because I want to -- I just want to
14 add my support, and staff has responded, my strong support
15 to Dr. Sperling -- Professor Sperling's comments about the
16 necessary metrics for evaluation of the programs that
17 we're acting on today. And I speak -- I speak to these
18 programs for the -- I endorse the programs. I will
19 support the programs. And I look forward to the feedback
20 that we get, the metrics that are necessary for us to
21 evaluate how we've -- what we've done.

22 I also would like to -- it's -- in a way, it's a
23 blessing and a curse following my colleagues to the right,
24 because they said what I wanted to say. I'd like to
25 affiliate myself strongly with the comments made by Dr.

1 Pacheco-Werner and her comments about equity.

2 I have two very narrowly focused questions for
3 staff. The first I think of counsel and there -- and i'll
4 use my abbreviations, but there are CVRP 1099s, which were
5 referenced by a number of commenters. And I'm assuming
6 that this gets into federal tax law, but I'd like to hear
7 that clarified by counsel.

8 And I also -- one of our commenters, and I
9 didn't -- my notes don't reflect his name, but he -- his
10 comments were focused on the marine sector. And as he was
11 commenting, I was watching staff, and it appeared that
12 staff was interested in -- was prepared to offer
13 interested comments in response to that comment. So I
14 just want to open the door, if that -- if I read that
15 correctly, I want to open that door. So those are my
16 comments. Thank you, Chair.

17 CHIEF COUNSEL PETER: Thanks for the question,
18 Mr. Eisenhut. So I'll address the 1099, which you're
19 correct, is the tax implications of this. And this is an
20 important policy issue, because, you know, it's what's the
21 value to the people receiving the credit. And so if it's
22 obviously -- and there's also a uniformity issue, if it's
23 being treated differently by, you know, different
24 districts, then that's also not fair. So what we did was
25 when this -- several years ago actually, we started

1 working with the Attorney General's office about this
2 issue and got some initial advice from them.

3 But as though we're much experts on air quality
4 law, we're not an expert on tax law, and CARB cannot give
5 tax advice. We would actually not be a party to the
6 transaction. The money comes from the districts to the
7 recipients. What we have been doing is working with the
8 Attorney General's office to talk with outside tax counsel
9 to talk with the districts' outside tax counsel and
10 explore some options. So we're very actively involved in
11 that.

12 Typically, what you do is you get a letter from
13 the IRS making a determination, and that would give us
14 some, you know, equity issues. There's some things in the
15 report that talks about the value of these -- of these
16 programs, which I think would be useful for the IRS to
17 look at, you know, kind of what the purpose of it is. But
18 there's different kinds of incentives that come from
19 different states to their -- to their citizens. And so
20 it's not as easy to unwind as you would think, but we are
21 in the process right now of moving in that direction to
22 get some clarification on that.

23 CHAIR RANDOLPH: Can I briefly add something
24 before we go to the next question, which is my
25 understanding is that different districts have sort of

1 reached different interpretations about these issues. And
2 so we have Board members from across the spectrum, in
3 terms of the district's interpretation. So I would
4 encourage those members of boards whose districts have
5 taken perhaps a slightly more conservative interpretation
6 to perhaps kind of dive into that issue and maybe have
7 some -- convene some conversations on this topic, because
8 I think it's a -- I think it's a really important topic
9 and I think we need some consistency and clarity on it.

10 CHIEF COUNSEL PETER: And just one follow-up on
11 that. You're exactly right, Chair Randolph, that there
12 are different interpretations, but there is no clear
13 determination from the IRS and their value -- and their
14 opinion is what counts. We want to give the right
15 information to them and then, you know, people are trying
16 to give the best advice to their own different districts.
17 But you're right, you're exactly right. There's -- people
18 have reached different conclusions. Meanwhile, of course,
19 as you know, the law doesn't stay static and it's changed
20 actually in the last year in terms of other related cases
21 that come on.

22 So it's a complicated issue. We're, you know,
23 embracing it and trying to move to a speedy resolution.

24 CHAIR RANDOLPH: Great. Thanks.

25 Okay. Dr. Vergis.

1 MSCD DIVISION CHIEF VERGIS: Well, thank you for
2 the opportunity. So to clarify on marine vessel funding,
3 marine vessels have been and continue to be eligible under
4 the Carl Moyer funding pot. They could also be funded as
5 part of our demonstration program. And if that technology
6 becomes commercially available, manufacturers can be
7 eligible in the CORE Program as well.

8 So thank you.

9 CHAIR RANDOLPH: Thank you.

10 Okay. Board Member De La Torre.

11 BOARD MEMBER DE LA TORRE: Thank you.

12 I wanted to just speak on CVRP and Clean Cars 4
13 All. The -- I also wanted to be supportive of the
14 comments about including plug-in hybrids. For the Central
15 Valley, plug-in hybrids are a very, very important
16 component of what they're doing there. And I want to make
17 sure that we revisit that in future iterations.

18 I also want to make clear at the outset I'm
19 supportive of this. We have to move ahead, so that we can
20 start having an impact with these dollars in -- throughout
21 the state.

22 So with CVRP, \$550 million is going to go fast.
23 We've had these discussions over the years, and the money
24 always goes very, very fast. The program is
25 oversubscribed and we're limited by the dollars that we

1 have. So acknowledging that, I did have a conversation
2 with a legislator who was concerned about communication
3 with the Legislature, and the budget committees, and the
4 relevant policy committees. So I just want to make sure
5 that on a going-forward basis, we are engaging that staff,
6 you know, even through our public processing -- engaging
7 them to be part of the public process. Obviously, we
8 can't, you know, reach out to Committee staff on every
9 regulatory item. If we do, otherwise we'd be doing
10 nothing else. So I understand that, but certainly sending
11 an invitation to public processes for regulations or, in
12 this case, spending decisions, you know, we need to make
13 sure that they have a seat at the table when we're making
14 these decisions. Obviously, also with our two ex officio
15 members, you know, we always want to make sure we're
16 communicating with the legislator -- Legislature.

17 Related to that, I would ask that we have a
18 status report on where we're at on CVRP in May of this
19 year -- early May, before the May revise comes out, so
20 that it can inform the Legislature of where things are at
21 and, you know, maybe they add some money to the pot as a
22 result of the statistics that we're able to share. So I
23 would ask for a May report for this next year and maybe on
24 an ongoing basis.

25 Clean Cars 4 All, I was going to mention the 1099

1 issue. I am absolutely convinced that the public benefit
2 there -- and I'm not a tax lawyer, but the public benefit
3 there is tremendous. And it is a significant disincentive
4 to lower income folks who could get walloped with the tax
5 liability that the 1099 would represent. So I really
6 believe that -- and I'm familiar with the conversations
7 Ellen mentioned with the Attorney General's office. I'm
8 very supportive of that. We need to have a blanket policy
9 statewide. And I strongly believe a 1099 should not be
10 required for the Clean Cars 4 All Program.

11 Thank you.

12 CHAIR RANDOLPH: Thank you.

13 Board Member Hurt.

14 BOARD MEMBER HURT: Thank you, Chair.

15 So where do I begin? This is a really expansive
16 funding plan. First off, thank the staff for the
17 presentation. And I appreciate that we're thinking about
18 how to improve the incentive programs. It's really our
19 lifeline to clean air, improved air quality, and our
20 climate goals. I can quickly state that as it relates to
21 the ag burning issue, I support staff's recommendation. I
22 think innovation is the key and R&D investment needs to
23 happen and work in tandem. We need to be bold in trying
24 alternatives. When I was at COP26, I was exposed to
25 different products and processes around the world that

1 people were trying to pursue. So I hope we gather with
2 those folks and put our minds together.

3 And to Dr. Sperling's comment about ag waste,
4 that was one of the topics that they discussed, what --
5 how can we do double duty with the burning and then put it
6 into needed fuel.

7 As it relates to the CHIRP, the Climate Heat
8 Impact Response Program, I think this really reiterates
9 the importance of microgrids. And I hope that we do our
10 job investing in community resilient centers. I think
11 that will be really important when it comes to mitigation.
12 And then also tracking, hopefully not too many steps
13 backwards, we're working by implementing these different
14 programs.

15 So I know I'm a bit -- a newer member, and I'm
16 learning and analyzing all these programs, but I have to
17 say that I am a little concerned, and I look forward to
18 staff painting a bigger and clearer picture of how all
19 these incentive programs are working together and in
20 harmony, and that we really are reaching those who are
21 really in need. And by not just telling me that it does,
22 but providing examples and statements of equity, but
23 showing me in the numbers and the demographics on who --
24 who is receiving this and who's not receiving the help
25 they need in the funding.

1 I think a thorough analysis, to Dr. Sperling's
2 point, needs to happen with this suite of incentive
3 programs. I question whether they're working in harmony.
4 I want to think well that the staff has thought about all
5 those pieces and they work together in the puzzle, but I
6 have question marks, especially when I talk to some of the
7 other air districts, and some of the concerns that they
8 still have, even though we are trying to work together.

9 I also just want to highlight, you know, we have
10 a generous budget from the Legislature and the Governor,
11 and we have unprecedented amounts of money to fund clean
12 air incentive programs. And so the way I look at this, we
13 have one bite at the apple and we've got to get it right
14 starting here at the very -- at the start. And so I feel
15 like an analysis needs to happen, and I'd like to see that
16 sooner than later. So I just want to underline that.

17 There was talks about the 1099, our district --
18 our air district is one of those that requires that. And
19 I know, in our case, it's a legal consideration. And I
20 agree that there are equity issues wrapped in that. That
21 legal consideration is around federal tax liability, but I
22 want everyone to know that I am working thinking and
23 thinking closely about how to improve that space, because
24 we want to get the funds to those who need it the most.

25 I'm also aware that Senator Becker had SB 771

1 trying to get rid of the 1099 opportunity or requirement.
2 It didn't get out of the Senate, so maybe it will come
3 back again in the next legislative period. We will see.

4 All in all though, I really appreciate all of the
5 work that's been put into this. I again am concerned
6 about the equity pieces, and us not just saying that we're
7 going to do equity work, but showing me how that equity is
8 being breached. I have not seen it in numbers,
9 demographics. And so I am deeply concerned. And I look
10 forward to learning more from all of you on how we are
11 truly being equitable in these incentive programs. That's
12 all for now.

13 Thank you.

14 CHAIR RANDOLPH: Thank you.

15 Supervisor Fletcher.

16 BOARD MEMBER FLETCHER: Thank you.

17 I'll be brief. I don't want to repeat a number
18 of the comments that have already been made around
19 accountability and tracking. I just want to point out two
20 things. One, in San Diego, we're finally getting it
21 together on Clean Cars 4 All, and I'm real appreciative of
22 seeing that in here. As we move forward with that, we are
23 not requiring 1099s. We've done our analysis and we don't
24 think that they're necessary. Obviously, solidifying
25 that, so it's a statewide policy would be better, but as a

1 district, we're starting out in what I think is the right
2 position, but fully supportive of efforts to get absolute
3 certainty surrounding that.

4 And then the second thing is we've looked at a
5 number of things. We know a lot of these programs need
6 more funding. We know they quickly run out. We know it's
7 not enough to meet the need. I think we've got to think
8 as a body and then as individuals who want to advocate for
9 things this appearing to be a good year to try and go
10 fight for funding for things, but you probably want to hit
11 the ground in January with what it is you want, where you
12 within the money to come from, and what you think it ought
13 to go to and finding legislative sponsors.

14 And so I would just encourage us to the extent we
15 want to go try and get additional funding for things that
16 are priorities to move rapidly to try and identify those
17 priorities, projects, issues and get a coalition behind
18 them, but that's it. Fully supportive of the overall
19 effort and really appreciate all the other Board members'
20 comments and thoughts.

21 CHAIR RANDOLPH: Okay. Thank you. Any
22 additional Board member comment.

23 Board Member Takvorian. Oh, sorry. Okay. So
24 Board Member Takvorian, then Board Member Riordan, and
25 then Vice Chair Berg.

1 BOARD MEMBER TAKVORIAN: Okay. Thank you so
2 much. We were going to have that -- a fancy hand raising
3 system, I thought. And so poor Chair Randolph just still
4 has to do this thing with her neck, so I apologize to you,
5 but we'll try to do better.

6 So, yes, I want to add my appreciation and my
7 support for the funding plan. I think it's really very
8 important. I think it's wide ranging. I -- having heard
9 this for several years, I do think that staff and the
10 community are really listening to a lot of the comments
11 that have been made over the years, and that I see that
12 some of that evaluative dialogue is being baked into the
13 plan. So I think that that's an important thing to raise.

14 That said, I absolutely agree with Board Member
15 Hurt and Sperling's comments about how do we look at it in
16 a more outcome and metric based manner? And I think that
17 really relates to -- excuse me -- how we -- what we expect
18 the outcomes to be.

19 And I think it has to do too with some of the
20 comments that we've heard about, you know, selling out the
21 program in nine minutes is, in my mind, not the goal,
22 right? Getting the resources to the people who need it
23 the most is the goal. And so -- or should be the goal.
24 And so how do we arrange a program that actually does
25 that? And so I just think we have to think about our

1 metrics and about what our desired outcomes are. So I
2 absolutely support the concept of better evaluation, but I
3 do want to acknowledge that I think -- I've seen the
4 program change over the years. And I think having a 60
5 percent to priority communities is remarkable.

6 I mean, I remember fighting about 15 percent, and
7 about 25 percent, and about 35 percent. So honestly, you
8 know, maybe that's the benefit of living longer or
9 something, I don't know.

10 But that's to me the only thing. But I
11 certainly -- I see it. I think it's happening. I think
12 it's changing. And so having said that, again we have to
13 be sure it's going -- it's truly going to those
14 communities and truly benefiting them.

15 So I do agree with the equity comments by Board
16 Member Pacheco-Werner. And in my view, the CVRP income
17 levels, while I appreciate the phasing down, are still way
18 too high. We're talking \$300,000. And I understand that
19 it's coming down, some, but \$300,000 for a household is
20 not anywhere near low income, in the -- I don't know, in
21 my community. So I think that we're still really not
22 hitting at the folks that really need the help and that's
23 just one example of it.

24 And again, related to outcomes, new cars are
25 still out of range for many people. And so if they're out

1 of range, then what are we doing to assist folks to
2 purchase the used cars? And I don't mean just financing
3 assistance. Like how do we provide incentives for those
4 folks, in the same way that we do with new cars? I mean,
5 there's nothing that special about new cars really. So
6 why can't we do that kind of an incentive program. I
7 think for used cars as well and perhaps that's something
8 that the Legislature could begin to take a look at.

9 I'm very appreciative of Clean Cars 4 All finally
10 coming to San Diego. And I want to thank Board Member
11 Fletcher and the San Diego Air Pollution Control District
12 for finally taking the charge on that. I think it's -- I
13 think it's exciting and something that we really need.

14 I agree with Member De La Torre about the 1099
15 issue. This should be a statewide standard. I don't
16 understand why we should be having districts make this
17 determination and I appreciate Ellen's comment on that and
18 I'm guessing she would like a statewide standard as well.

19 So the changes to HVIP, I think, are very
20 important. I appreciate -- and again, I think this
21 reflects changes. The focus on small fleets and the owner
22 operators, I think, is a welcome innovation. And I think
23 that is the staff hearing what EJ communities have been
24 talking about for a long time. It's those single owners
25 and independent operators in our communities that are our

1 neighbors that really need this help.

2 And so they're not going to be in that first 10
3 minutes, if that's what happens. We need a robust
4 outreach to them. It's a different kind of outreach than
5 maybe any of us have ever done before. You know, how do
6 we find those truckers, how do we get them engaged, how do
7 we help them fill out the application, and really work
8 with them. Changing from a first-come first-served model
9 to a more focused and intentional process is critical.

10 And, you know, I agree in part with the overall
11 sentiments from the Port of San Diego. I think we need
12 to -- we need to open it up and allow for a more diverse
13 way to get into the process and get into the program.

14 I'll say that -- and I said this to staff, and I
15 just want to say I think that staff has done an amazing
16 job with this program and with many others. I just want
17 to say out loud that with this large infusion of funds,
18 and I know you know this, staff -- we need to have more
19 staff. We need to have more resources. We really need to
20 ensure that we've got -- staff has the support that they
21 need to make this happen, because more money just doesn't
22 take care of itself. It's more work.

23 So I really want to acknowledge that. And I
24 appreciate that staff is reaching out to community-based
25 organizations. I think those are great partners, but I

1 also -- again, I still think it's more work for all of
2 you. So I want to figure out how we can support that.

3 And last, I have concerns about the CHIRP
4 Program. I think this is increased pollution, especially
5 in environmental justice communities. And I'm -- I look
6 forward to figuring out new ways to mitigate those -- that
7 pollution. But I think it really is a downside of what I
8 don't think are emergencies. I think this is -- this is
9 all going to be or is pretty normal at this point. And so
10 we really need to think about it that way. So overall
11 though, it's a great plan and it's really exciting to see
12 this go forward. So thank you so much.

13 CHAIR RANDOLPH: Board Member Riordan.

14 BOARD MEMBER RIORDAN: Thank you, Madam Chair.
15 To the staff, I want to add my admiration for an excellent
16 report. And I certainly appreciate your thoughtfulness.
17 And to follow along with Dr. Sperling, I really believe
18 analysis is very important ultimately to see what is
19 working, how we can improve it, and what we need to
20 discord. There's no problem, in my mind, of once you have
21 made a determination that something is not working, let's
22 discarded it, let's pick up, and work on something that's
23 more effective.

24 Now, here's my question. My question is just
25 clarifying, and speaking from a perspective of an air

1 pollution control district, there was on the part of the
2 CAPCOA and I think also the Bay Area, just what we are
3 talking about with -- whether we are going to administer
4 these credit vouchers, or equipment vouchers, or are we
5 going to work with our districts who have, in many cases,
6 already programs going. And let me -- I don't know who to
7 direct the question to, Mr. Corey, but maybe somebody can
8 give me an answer.

9 EXECUTIVE OFFICER COREY: And let Syd to add to
10 it. I think it may be a broader question, but part of it,
11 I think, is about the Small Off-Road Equipment Incentive
12 Program

13 BOARD MEMBER RIORDAN: Exactly, yes.

14 EXECUTIVE OFFICER COREY: And you're correct that
15 we looked at running those dollars through CORE, but in
16 collaboration with the air districts. In fact, we're
17 working with the air districts right now on a -- how that
18 partnership could look like from an Administration
19 standpoint, kind of tapping into the experience that many
20 of them have had running zero-emission lawn mower programs
21 and other related.

22 So we're working through the mechanics. I don't
23 know -- we're kind of working through what that exactly
24 looks like. Some districts have those programs, some do
25 not. We're trying to learn from that experience and

1 figure out the best mechanism from an overall
2 implementation standpoint.

3 BOARD MEMBER RIORDAN: And I would encourage you
4 to continue to do that, because I think some districts do
5 have some excellent programs and they're already
6 functioning. And I think that we just need to build on
7 that cooperation and have standards. I don't mean that we
8 shouldn't set standards, but then turn it over to our
9 districts to administer, because they know the areas, and
10 they know where the equipment is needed, and also the
11 people -- the outreach to some of these people who are
12 particularly maybe not in tune with some of these
13 programs. They can reach out to them and encourage them
14 to come in and make that exchange.

15 Thank you. Okay.

16 CHAIR RANDOLPH: Thank you.

17 Vice Chair Berg.

18 VICE CHAIR BERG: Thank you very much. I really
19 appreciate all my fellow Board members, because I've been
20 crossing off --

21 (Laughter.)

22 VICE CHAIR BERG: -- issues and I don't feel the
23 need other than to say really great comments and I'm very
24 supportive. So a couple of things, one on the CVRP. I
25 really would recommend that. And I am going to be

1 supportive and vote for the funding plan. But let's
2 decide where we need to go and do it, not have these step
3 downs. If we look at the 515 million and you divide it by
4 3, it's 171 million we have sold out of that level of
5 funding in multiple years.

6 So we know that when we're getting every citizen
7 into electric vehicles, we do not have enough funding no
8 matter what you set the level at. So I appreciated the
9 comments that maybe an overall plan looking at it
10 differently stepping back and how we are going to look at
11 these outcomes. And I'd like to speak about that in just
12 a few minutes.

13 I do also really do want to support my -- support
14 fellow Board members on the hybrids. I am concerned about
15 that for all the reasons that were stated. But I'd like
16 to jump to Carl Moyer. We heard several requests and
17 appreciation for opening up Carl Moyer on the on-road as
18 well as streamlining and making the program easier to --
19 for all parties from districts and to those using it. And
20 we also heard a request to maybe reengage the stakeholders
21 as we have done in the past. And I would be supportive of
22 that. We have done that on three different occasions.
23 And the two that I was involved in really bringing all the
24 stakeholders -- and we talk about all the stakeholders for
25 my fellow Board members that are new, we were talking

1 about not only CAPCOA members, but also users of the
2 program as well as NGOs all together. We had 50 people
3 regularly attending meetings the last time we put this
4 together, and it is -- along with our staff.

5 So it's really effective at being able to
6 understand our differences, build consensus where we can,
7 and when we do come back to the Board, then there's just a
8 greater synergy around what we can do. And so I
9 absolutely would support that, if that's the desire of the
10 Chair.

11 You know when we talk about these plans, it's
12 really difficult to have everything but the kitchen sink
13 in one plan. It's hard to think about it. How do you --
14 how do you move from innovating and getting companies to
15 invest and to push forward versus equity. Two very, very
16 different outcomes. Two very different groups of needs.
17 And so as a Board member, what are you asking me to
18 prioritize?

19 Both. But it's hard when we have it in front of
20 us as one package. So I think it would really be
21 worthwhile, Mr. Corey, if we were to take the Board
22 comments about outcomes and analyzing, but put them in
23 their respective outcome buckets, so that under our
24 innovation and our early adopters, when we talk about
25 small businesses, small businesses cannot afford to be

1 early adopters. I can attest to that. In the -- in the
2 Truck and Bus Rule, six of my trucks came up for lease and
3 I decided to go into the 2010 right out the gate, because
4 I was going to be an early adopter. One got recalled for
5 being a lemon. It was down so much. Three of them spent
6 a double digit amount of time in being repaired, because
7 it was early.

8 We need companies to go through that pain to get
9 the next generations out. So I think the outcomes have to
10 be who are the companies that can afford and -- to be part
11 of these, and we're going to incentivize them, because we
12 want them to go through that hurdle. And then how are we
13 going to have funding actually to implement and get the
14 rest of us adopting? Now, what can be helpful is
15 infrastructure is infrastructure. And we need that
16 infrastructure in place for regardless of what it is your
17 time to adopt.

18 So I think if we could look at this, from an
19 innovative perspective, and how we need to go through
20 these generations of technology quickly, we've got to
21 figure out what doesn't work and we've got to get it
22 fixed, because mainstream cannot be working with
23 technology that doesn't work. They won't tolerate it at
24 any level. They can't. And the lower income and EJ
25 communities can tolerate it less, because they have so

1 many things that they have to deal with every single day.

2 And so I think we do need to be thoughtful. And
3 then if we had our equity, because being left behind, we
4 have a -- maybe once in multiple generations opportunity
5 not to leave communities behind and maybe we can actually
6 get caught up on some things.

7 And so how are we going to do that? What is the
8 outcome for that? What is the measurement for that? And
9 so that's really what -- let me see if I have any -- I --
10 you know, boy, Madam Chair, whatever I can do also to help
11 on the staffing needs, okay, and resources. You know as
12 clearly as anybody we need to have those. And doing this
13 analytical work is time intensive. And to do it right is
14 time intensive.

15 So I really appreciated Board Member Takvorian
16 for bringing up -- that up, because that couldn't be more
17 true. And so I think, other than the low NOx follow-up
18 programs, whatever we can do to be open to what technology
19 we've already invested in and should follow up on, I hope
20 staff will be able to be open to that, and -- because it
21 sounds like there's still exciting things going on.

22 And so with that, staff, it was a yeoman's job.
23 Awesome work, and thank you so much.

24 CHAIR RANDOLPH: All right. Thank you.

25 Senator Leyva.

1 SENATOR LEYVA: Thank you, Madam Chair. Well, I
2 have to say it's just such an honor to be here and be a
3 part of this Board and have the opportunity to help all of
4 us move forward. Hearing yesterday from everyone about
5 what CARB has done over all the years is really
6 remarkable. And I think that we're at a point where we
7 can continue to do remarkable things. I have a couple
8 comments and a couple questions.

9 Staff, thank you. I don't know all of you yet,
10 but I appreciate everything you do. Thank you for the
11 briefings that you give me to help bring me up to speed.
12 I'm sure as I go along, I'll have even more questions.

13 You know, I said at the last meeting that I think
14 we need to be bold. And I'm going to say that again,
15 because we're probably going to have another record budget
16 this year in the State of California. And a lot of the
17 times when we have a record budget, all we can do with it
18 is one-time funding. So what do we do with that one-time
19 funding? How do we make sure these oversubscribed
20 programs we put the money there?

21 One of my questions is -- or kind of a comment
22 question, the oversubscribed programs, have we ever kind
23 of put them -- ranked them in order of which ones are most
24 oversubscribed and does that mean if it's the most
25 oversubscribed, it's the most used, is it the most

1 beneficial to the community to the environment. So just
2 something to think about.

3 And I think about Board Member Takvorian what you
4 said, nine minutes. Oh, my gosh, a program being
5 oversubscribed and sold out, so to speak, in nine minutes.
6 To me, that's one where maybe we need more funding. And I
7 am very excited to be someone who can help vote on that
8 and be a part of that.

9 Equity. As the Chair of Senate Education, I look
10 at everything through an equity lens, every piece of
11 legislation that comes to me. And I'm just learning about
12 the 1099 issue and I'm a little confused as to why some
13 counties think that they don't have to do it and others do
14 think they have to do it. So -- and I agree, we're not
15 tax -- you're not a tax attorney, but we should find
16 someone who can tell us why some counties think we should
17 do it and we don't think they should do it. I think a
18 1099 is a terrible idea and it's an equity issue.

19 So my actual question is, this is an area I'm
20 very unfamiliar with and it's about the wire-grown crops.
21 And these -- it is very difficult, from what I understand,
22 for these to be chipped. Is wire -- are wire-grown crops
23 still being used? Is there another technology or is this
24 an old technology, so we don't have to worry about that
25 and we're kind of phasing it out or do we need a different

1 technology, so that we can use the chipping program on
2 that?

3 And then one last comment, if -- and if this is
4 not the meeting we're going to discuss this in. I think
5 it's next month. But I hope some of you saw the article
6 in the Los Angeles Times, "California has a new battle
7 plan against environmental justice and the nation is
8 watching". It came out yesterday. It's an excellent
9 article and it talks about where I live in the 20th Senate
10 District, physicians call it, "Diesel Death Zones". I
11 don't think it gets much more clearer than that that we
12 have a lot of work still to do.

13 So thank you, everyone, for what you do. I truly
14 am honored to be a part of this and try and be helpful in
15 solutions. So I guess my real only question is about the
16 wire-grown crops.

17 EXECUTIVE OFFICER COREY: Thanks, Senator. I'm
18 going to call on Michael Benjamin, a Division Chief, to
19 give a little bit background context of deeply embedded
20 wire in --

21 CHAIR RANDOLPH: Yeah. Board Member Eisenhut
22 wanted to speak to that.

23 EXECUTIVE OFFICER COREY: Oh, I'm sorry.

24 BOARD MEMBER EISENHUT: Thanks, Senator, for the
25 question. The -- I'll try and summarize this. Those

1 crops were probably planted 20, 30, 40 years ago. And
2 there is -- there was a cultural technique -- I won't go
3 into too much, but the canes of the vines were trellised
4 and wrapped around wires. And as they grew older, they --
5 the wire was embedded in the vine itself. And that
6 technique is no longer used in today's planting, but those
7 vineyards are still with us and they're reaching the end
8 of their economic life.

9 And so when we discussed this previously when we
10 took the action to end open ag burning, we knew that those
11 would be with us. They're reaching -- as I said, they're
12 reaching the end of their life. Many of them are being --
13 and I can't remember the acreage. That's why I'm
14 fumbling, but they're a decreasing percentage of ag
15 burning.

16 And the issue is with that embedded wire, if you
17 chip those vines, then you end up with the wires still in
18 the vince. And if you chip it and disperse it, as you
19 would do with an orchard, you end up with millions of
20 little nails strewn about the -- over the acreage.

21 There -- there are -- there is an effort to
22 engage in the technology of chipping and using magnets to
23 pull the wires out of the -- of the cellulose debris,
24 they're only about 60 to 70 percent effective. And so you
25 still have those wires that are -- that are -- would be

1 dispersed back.

2 The curtain burners that the Legislature invited
3 us to evaluate, there's some discrepancy in the evaluation
4 of those, but the consistency is that they generally are
5 expected to reduce emissions over open ag burning by about
6 80 percent.

7 And this is a transitional kind of -- obviously,
8 by December of '24, it will all be over. But this -- this
9 technology, the curtain burner, is intended to bridge that
10 gap to that time period.

11 SENATOR LEYVA: That was very helpful. Thank
12 you.

13 I mostly just wanted to make sure, we weren't
14 still doing that practice, so that at some point, we would
15 be done with it. That was very helpful.

16 BOARD MEMBER EISENHUT: At some point, we're out,
17 yes.

18 SENATOR LEYVA: Yes, very good. Thank you so
19 much

20 CHAIR RANDOLPH: Thank you. And before I call on
21 the next Board member, your question reminded me of one of
22 the comments that someone made about requesting the
23 reporting from applicants who want funding for combustion
24 alternatives to show that they made an effort to utilize
25 the non-combustion alternative. So I would encourage the

1 district and its program administering the funds to
2 include a provision that would -- that would gather that
3 information and request that showing from the growers.

4 Okay. Supervisor Serna.

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

6 First, I want to add my thanks to staff for doing
7 tremendous work on this plan. And it still takes some
8 getting used to to see resolutions that adjoin our actions
9 that are measured in the dozens of pages. In the world of
10 county governance, we -- our resolutions aren't nearly as
11 detailed in many instances, but I did carefully read the
12 resolution that goes with this action. And I noted on
13 page six, there's reference to a response to SB 150, in
14 particular, the interest and charge to reduce VMT.

15 What I noted though was that there's plenty here
16 that references trying to expand transportation choice,
17 but there's really not much in the way of referencing
18 better land use planning. And I'm just wondering is it
19 because the -- of the nature of the legislation that's
20 referenced in this particular whereas, that we don't go
21 there? Because it seems to me that any time we are going
22 to, as an agency, reference our charge and responsibility
23 to do what we can, to encourage the reduction of VMT, we
24 should be necessarily incorporating into our -- whether
25 they be resolutions, plans, or other documents, a

1 reference to working towards more efficient land-use
2 planning as well.

3 And so I don't know if that -- if staff wants to
4 respond to that or not. I issue it sort of as a question
5 and a suggestion.

6 CHAIR RANDOLPH: Can we get Craig Segall to
7 answer that?

8 DEPUTY EXECUTIVE OFFICER SEGALL: Sure. Thanks,
9 Supervisor. So both the report referenced in that
10 whereas, so both the Climate Action Plan for
11 Transportation Incentives and the SB 150 report actually
12 focus both on transportation options and better land-use
13 planning, as do some of the incentives programs within the
14 funding plan.

15 So I think the short version is wholehearted
16 agreement, that is the intent of that passage, and they
17 obviously go together as we all know, since better land
18 use planning supports better transportation options and
19 vice versa. So thank you for that.

20 BOARD MEMBER SERNA: Great. Thank you.

21 CHAIR RANDOLPH: Okay. Thank you.

22 All right. Assembly Member Garcia had a comment
23 and he is unable to deliver it himself, so I am going to
24 briefly deliver it and then I think we have one more Board
25 member comment.

1 He says, "I'm happy to see that in line with SB
2 170, the clean off-road equipment voucher is being
3 appropriated within an additional \$30 million in
4 incentives for small landscaping businesses. I
5 particularly support today's efforts, because I know
6 there's public health impacts, although there's more that
7 we need to support on this front. While I am pleased to
8 see this incentive moving quickly through an existing
9 program, I want to add a few comments that I have after
10 some discussions with Assemblymember colleagues.

11 "It is essential that wrapping landscaping into
12 the CORE Program is coupled with substantial outreach in
13 order to provide small decentralized landscaping
14 businesses, particularly those Latino small business
15 owners, a chance to access the voucher when compared to
16 larger businesses and big commercial landscape programs
17 who have an easier time drawing down these funds on a
18 first-come first-served basis.

19 "Coordinating with current air districts who have
20 been running successful lawn and garden exchange programs
21 or partnering with community-based organizations to
22 conduct outreach in relevant languages can make the
23 difference for ensuring meaningful access to the program,
24 particularly in communities like mine.

25 "Finally, CARB also needs to prioritize that

1 there were..." -- "...that there are checks in place to
2 ensure that the businesses benefiting from the programs
3 are small businesses, largely from low-income communities,
4 communities facing air quality impacts, and who typically
5 face high barriers in adopting new zero-emission
6 equipment".

7 So thank you to Assemblymember Garcia for those
8 comments.

9 Board Member Kracov.

10 BOARD MEMBER KRACOV: Yes, and thank you, Chair.
11 And don't have much to add being the last one to speak
12 here. I've heard from a lot of stakeholders though,
13 Chair, with proposals to tweak the Carl Moyer Program to
14 streamline, improve its effectiveness. It was surprising
15 to here in the South Coast letter, that it has funded only
16 64 heavy-duty truck replacements with Moyer. I didn't
17 understand that before. I heard about the scrappage
18 rules, the concepts of adding leasing proposals in. So
19 very supportive of staff's commitment to starting a public
20 process, I think, in Q1 or Q2 of next year to address
21 these multiple issues in a public forum. And I do also
22 support the idea of a Board subcommittee or advisory
23 committee chair to assist these efforts. I personally
24 would be willing to participate. So I don't know if staff
25 wants to respond to that advisory committee concept. I

1 know we've done it before, what the Chair's thoughts are.

2 Thank you.

3 CHAIR RANDOLPH: Okay. Thank you. Yeah, I do
4 think that there is value in figuring out a process where
5 we can pull stakeholders with different perspectives
6 together to kind of go through some of these thorny
7 issues. So we will definitely kind of circle with staff
8 and talk about what sort of the best way to kind of
9 structure some kind of process like that and how that
10 would kind of overlay with a public process, right?

11 So we will -- we'll put our heads together and
12 think about the best way to do that, recognizing that it
13 has been successful in the past.

14 Okay. I don't think I have much to add from my
15 fellow Board member comments. I just really -- I wanted
16 to note a couple of quick things. The incentive funding
17 for the agricultural burning program does specifically
18 limit stationary sources. So I think -- you know, I
19 thought folks made some good points, but it's not really
20 something where we have flexibility.

21 And then secondly, on the CHIRP Program, we
22 didn't actually need -- we didn't actually use that this
23 year. We did not have any events that required that
24 funding. And it is -- you know, it's unclear whether or
25 not there will be another declaration next year. And so

1 we will see how that unfolds going forward. I think we
2 just wanted to make sure to have the rules in place in the
3 event it was necessary.

4 And given the level of work going on to rollout
5 additional resources and additional capacity for high heat
6 events, I'm optimistic that we may have put rules in place
7 that we may never need to use, which would be a positive
8 thing. So with that, is there a motion to approve
9 Resolution Number 21-24?

10 BOARD MEMBER RIORDAN: I would so move, Chair.

11 BOARD MEMBER PACHECO-WERNER: I'll second.

12 CHAIR RANDOLPH: All right. Clerk, will you
13 please call the roll.

14 BOARD CLERK ESTABROOK: Yes. Dr. Balmes?

15 BOARD MEMBER BALMES: Yes.

16 BOARD CLERK ESTABROOK: Mr. De La Torre?

17 MEMBER DE LA TORRE: Yes

18 BOARD CLERK ESTABROOK: Mr. Eisenhut?

19 BOARD MEMBER EISENHUT: Yes.

20 BOARD CLERK ESTABROOK: Supervisor Fletcher?

21 BOARD MEMBER FLETCHER: Fletcher, yes.

22 BOARD CLERK ESTABROOK: Was the De La Torre, did
23 I hear a yes?

24 BOARD MEMBER DE LA TORRE: Yes.

25 BOARD CLERK ESTABROOK: Ms. Hurt?

1 BOARD MEMBER HURT: Aye.

2 BOARD CLERK ESTABROOK: Mr. Kracov?

3 BOARD MEMBER KRACOV: Yes.

4 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

5 BOARD MEMBER PACHECO-WERNER: Yes.

6 BOARD CLERK ESTABROOK: Mrs. Riordan?

7 BOARD MEMBER RIORDAN: Aye.

8 BOARD CLERK ESTABROOK: Supervisor Serna?

9 BOARD MEMBER SERNA: Aye.

10 BOARD CLERK ESTABROOK: Professor Sperling?

11 BOARD MEMBER SPERLING: Aye, but with the
12 condition that staff does think about that PHEV deletion a
13 little bit more. Thank you -- from the CVRP program.

14 BOARD CLERK ESTABROOK: Ms. Takvorian?

15 BOARD MEMBER TAKVORIAN: Aye, but we didn't -- I
16 forgot to comment on that, but okay, it's not in the --
17 it's just your comment, right? Are you -- yes, got it.
18 Okay. Thank you.

19 BOARD CLERK ESTABROOK: Vice Chair Berg?

20 VICE CHAIR BERG: Aye.

21 BOARD CLERK ESTABROOK: Chair Randolph?

22 CHAIR RANDOLPH: Yes.

23 BOARD CLERK ESTABROOK: Madam Chair, the motion
24 passes.

25 CHAIR RANDOLPH: All right. Thank you.

1 Okay. Our next item on the agenda is Item number
2 12 -- 21-12-5, the draft final Cap-and-Trade auction
3 proceeds fourth investment plan. If you wish to comment
4 on this item, please click the raise-hand button or dial
5 star nine. We will call on you when we get to the public
6 comment portion of this item.

7 As we are all aware, the climate crisis is
8 already here impacting the lives of Californians and
9 people around the nation and world. California remains
10 committed to combating climate change on multiple fronts
11 and has goals across all sectors of the economy that are
12 driving progress. California climate investment programs
13 support a wide array of projects across the state to
14 reduce greenhouse gas emissions, improve public health,
15 provide economic benefits and support climate resiliency,
16 with a core focus of on providing benefits to
17 disadvantaged communities and low-income households and
18 working directly with communities to build partnerships
19 and respond to community needs. In fact, over 50 percent
20 of the implemented California climate investment funds are
21 preside -- providing benefits to these priority
22 populations.

23 California climate investments, funded through
24 the State's share of Cap-and-Trade auction proceeds play
25 an important role in the State's approach to tackling

1 climate change by demonstrating new technologies and
2 accelerating greenhouse gas reduction. The fourth
3 investment plan provides guidance to the Legislature on
4 key priorities for California climate investments over the
5 coming years.

6 One of the core elements of this investment plan
7 is to identify funding recommendations and best practices
8 around equity and addressing environmental justice. I
9 want to underscore, and this is very important, this
10 document is not a CARB plan. It represents the collective
11 work of the administration to establish investment
12 priorities over the coming years that support our
13 interconnected goals.

14 As such, it is informational item intended to
15 provide an opportunity for the public and the Board to
16 share comments and provide input on the plan before the
17 Department of Finance finalizes it. The Board will not be
18 taking formal action to approve the plan, but we will be
19 considering a procedural resolution that reflects the fact
20 that the Board has met the statutory requirements for this
21 investment plan, supports the recommendations, and
22 provides direction to staff on next steps.

23 So following this Board hearing, the Department
24 of Finance will finalize the plan, based on input from the
25 public, and transmit it to the Legislature in January.

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

2 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

3 As you noted, the statute calls for the
4 development of a three-year investment plan to guide the
5 investments of the Cap-and-Trade auction proceeds. There
6 are provisions in the statute around what the investment
7 plan needs to include, along with requirements for CARB to
8 conduct two public workshops and a Board hearing to take
9 public comment on and discuss the plan.

10 Today, as you noted, the Board will hear a
11 presentation on the fourth iteration of this document,
12 which builds on the prior three investment plans and years
13 of implementation of California climate investments.

14 Staff worked with the Department of Finance, the
15 Governor's office, California Environmental Protection
16 Agency, the California Public Utilities Commission, the
17 Climate Action Team, and many other agencies to develop
18 the document you'll be hearing about today. And as you
19 noted, the plan represents the collective thinking of the
20 administration on how to strategically deploy climate
21 funding in a way that drives progress towards our climate
22 goals, while focusing benefits on our priority
23 communities. The recommendations build off of relevant
24 State planning efforts and years of program
25 implementation.

1 In addition to coordination within state
2 government, staff conducted a public process to hear from
3 external stakeholders on funding opportunities and lessons
4 learned from their experiences with incentive programs.
5 Through public workshops, written feedback on a draft
6 released for public comment, and individual meetings,
7 staff obtained a wide array of public input on priorities
8 for California climate investments and other climate
9 programs in California. The plan considers this input in
10 its recommendations and staff will present on the key
11 themes heard through the public engagement process.

12 And also, as you noted, the Board is not being
13 asked to take action on the plan itself. After today's
14 discussion, staff will work with the Department of Finance
15 to develop a final version for transmittal to the
16 Legislature.

17 With that, I'll ask Anna Scodel of the
18 Sustainable Transportation and Community -- Communities
19 Division to give the staff presentation.

20 Anna.

21 (Thereupon a slide presentation.)

22 STCD STAFF AIR POLLUTION SPECIALIST SCODEL:
23 Thank you, Richard. Good afternoon, Chair Randolph, and
24 members of the board. I'll be presenting today on the
25 Cap-and-Trade auction proceeds fourth investment plan,

1 which as you've heard is a Department of Finance document
2 designed to guide the investment of the Greenhouse Gas
3 Reduction Fund, also known as the GGRF, over the next
4 three fiscal years.

5 Before we move into the presentation, I want to
6 be clear about the distinction between this investment
7 plan and the funding plan that the Board just approved.
8 The funding plan governs how money that has already been
9 appropriated to CARB will be spent on specific programs.
10 To contrast, the investment plan is a forward-looking
11 document to help guide future appropriations from the
12 GGRF, and it does not include specific programmatic
13 appropriations.

14 Also, unlike the funding plan you just heard, the
15 investment plan covers potential investment opportunities
16 across the State agencies and is not focused solely on
17 CARB programs.

18 So in the presentation today, I'll start with the
19 some background on the California Climate Investments
20 Program, the budget development process, and requirements
21 for the investment plan, including CARB's role. I'll then
22 discuss the public process used to develop the fourth
23 investment plan, provide an overview of the key
24 recommendations, and go over the next steps.

25 --oOo--

1 STCD STAFF AIR POLLUTION SPECIALIST SCODEL:

2 California Climate Investments refers to the
3 suite of programs funded through the State's share of
4 auction proceeds from the Cap-and-Trade Program, which are
5 deposited into the GGRF. As part of the annual budget
6 process, the Legislature appropriates GGRF dollars to
7 State agencies to administer programs that facilitate
8 greenhouse gas reductions, and deliver a variety of
9 economic, public health, and environmental benefits, with
10 a particular focus on providing benefits to disadvantaged
11 and low-income communities.

12 Over 20 State agencies are implementing these
13 programs covering virtually every sector of the economy.
14 These programs support projects like building affordable
15 housing, producing renewable energy, expanding public
16 transit, supporting the market for zero-emission vehicles
17 through outreach and incentives, advancing sustainable
18 agriculture and healthy forests, supporting recycling and
19 food recovery and much more.

20 --o0o--

21 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: The
22 statute establishes a robust framework for implementation
23 of California Climate Investments Programs. This includes
24 requirements that programs facilitate greenhouse gas
25 emission reductions and, where appropriate, maximize other

1 economic, environmental, and public health benefits,
2 foster job creation, complement air quality improvement
3 efforts, direct investments towards disadvantaged
4 communities and low-income communities and households,
5 which we collectively refer to as priority populations,
6 provide opportunities for communities to participate and
7 benefit from these programs, and lessen the impacts of
8 climate change.

9 The statute also establishes a variety of
10 investment priorities and includes reporting requirements
11 to track progress on these investments.

12 --o0o--

13 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: As I
14 mentioned, California Climate Investments Programs receive
15 funding from the Legislature through the annual budget
16 process. One of the resources to guide the funding
17 decisions through that annual process is the investment
18 plan that we're here to discuss today. The statute
19 requires the Department of Finance to submit a plan to the
20 Legislature every three years and establishes specific
21 requirements for what that investment plan needs to
22 include, such as the identification of the State's climate
23 goals, recommendations for priority investments, and
24 recommendations for metrics to track progress.

25 These requirements, combined with the existing

1 framework and priorities for California climate
2 investments contained in statute, provide clear direction
3 for how to approach the investment plan.

4 The statute also identifies requirements for CARB
5 to conduct public outreach and coordinate with State
6 agencies on the development of the plan, including the
7 Climate Action Team and the California Public Utilities
8 Commission.

9 CARB works closely with Finance on developing
10 this document and leads the public process and interagency
11 coordination to compile a plan that represents the
12 collective thinking of the administration and considers
13 public input.

14 While the investment plan identifies funding
15 priorities and opportunities, it does not make
16 appropriations or include recommended funding amounts.
17 Inclusion in the investment plan does not guarantee
18 funding and omission does not preclude funding. Rather
19 than making these specific budgetary recommendations, the
20 investment plan provides a framework for thinking about
21 funding decisions through the annual budget process.

22 --o0o--

23 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: In
24 developing the fourth investment plan, we have years of
25 California Climate Investments implementation to draw from

1 to understand priorities for this funding looking forward.
2 This includes lessons learned from State agencies
3 implementing climate incentive programs, years of
4 engagement and feedback from stakeholders, and the
5 extensive data that agencies have reported on the benefits
6 from California Climate Investments Programs.

7 We reviewed various State planning documents to
8 understand investment needs and worked directly with our
9 sister agencies and external stakeholders engaged in
10 California Climate Investments to understand
11 implementation challenges and learn about priorities
12 moving forward.

13 Building on all of these lessons learned gave us
14 the opportunity in the fourth investment plan to highlight
15 how the GGRF can help implement State climate goals over
16 the next three fiscal years. On this slide, we have a
17 snapshot of the key points in the process we've followed
18 to develop the fourth investment plan that we're
19 discussing today.

20 We formally kicked off this effort with a public
21 workshop in February to obtain early public input on
22 priorities for climate investments. After that workshop,
23 we considered the input we received and worked with our
24 State and external partners to develop draft funding
25 priorities for where investments are needed to address

1 climate change.

2 The administration released a draft investment
3 plan for public comment on August 19th, and in September,
4 we hosted a second public workshop where we presented an
5 overview of the draft plan. The September workshop drew
6 over 230 participants and included a panel of State agency
7 representatives and community partners, who discussed
8 opportunities within the State's climate funding portfolio
9 to advance equity, support interagency coordination, and
10 foster job creation.

11 In late October, we released a draft final
12 version of the investment plan that considers the feedback
13 we heard from our workshops and the written public comment
14 we received. Today's hearing represents an important
15 opportunity for the Board and the public to weigh in on
16 investment priorities. After today, CARB staff will work
17 with the Department of Finance to consider Board direction
18 and additional public input.

19 The Department of Finance will finalize the
20 document and submit it to the Legislature in January
21 concurrent with the Governor's proposed budget for the
22 next fiscal year. And while the board will not be
23 approving or rejecting the investment plan, the Board will
24 consider a resolution that expresses support for the plan.

25 --o0o--

1 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: I'll
2 now take a few minutes to further discuss the analytical
3 process the plan follows to develop recommendations
4 starting with the identification of State climate goals.

5 Identifying the State's climate goals is a
6 statutory requirement for the investment plan and
7 establishes an overarching policy framework for developing
8 funding recommendations. And as the climate crisis
9 worsens, California con -- California continues to
10 accelerate our efforts to mitigate climate change while
11 building resilience to climate impacts.

12 The State has climate goals and targets across
13 sectors and these elements set the stage for the areas of
14 focus that the Legislature considers during the budget
15 development process. This includes goals to drastically
16 reduce greenhouse gas emissions by 2030, achieve carbon
17 neutrality by no later than mid-century, build towards a
18 zero-emission transportation system, reduce vehicle miles
19 traveled, reduce energy use and transition to renewable
20 energy sources, sustainably manage our natural and working
21 lands in support of these goals, and slash emissions of
22 short-lived climate pollutants, like methane and
23 hydrofluorocarbons.

24 Now, achieving these goals requires a combination
25 of strategies and coordination between all levels of

1 government, the public, and the private sector. Incentive
2 programs play a key role in helping to deploy new
3 technologies, reduce barriers to adoption to support
4 market transformation, provide resources for communities
5 to participate in climate action, and create models for
6 other states and jurisdictions around the world.

7 --o0o--

8 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: The
9 next steps towards developing funding recommendations in
10 the plan is the identification of potential investment
11 types for consideration that are consistent with those
12 climate goals. States agencies have completed or are
13 actively engaged in a variety of planning and research
14 efforts and public processes to identify the types of
15 technologies, practices, and policies that California will
16 need to meet these ambitious goals.

17 To identify potential funding opportunities to
18 consider in the investment plan, we look to these efforts
19 to understand where investments were needed. Efforts like
20 the California Natural Resources Agency's Natural and
21 Working Lands Climate Smart Strategy, the Zero-Emission
22 Vehicle Market Development Strategy from the Governor's
23 Office of Business and Economic Development, the
24 California Workforce Development Board's Jobs and Climate
25 Action Plan, and, of course, CARB's research on achieving

1 carbon neutrality in California, to name just a few.

2 --o0o--

3 STCD STAFF AIR POLLUTION SPECIALIST SCODEL:

4 While there are many investment types that will
5 be needed to achieve State climate goals, the purpose of
6 the investment plan is to identify the specific funding
7 opportunities that are best suited for the GGRF. After
8 developing the set of potential investment types, the next
9 step was to identify a set of guiding principles to help
10 prioritize among those potential investment types.

11 The plan uses five overarching guiding principles
12 for prioritizing investments, along with a suite of
13 quantitative and qualitative metrics to evaluate each
14 potential investment type with respect to the principles.

15 The first guiding principle is to support
16 implementation of the State climate goals. We already
17 highlighted State climate goals as an overarching policy
18 framework for the plan, and the list of investment types
19 we developed using the process described on the previous
20 slide are all supportive of this guiding principle. We're
21 reiterating this concept here, because the plan looks at
22 specific metrics to help evaluate potential investment
23 types for their ability to meet these climate goals with a
24 particular focus on prioritizing investments that can
25 support multiple State climate goals simultaneously.

1 The second guiding principle is to advance equity
2 and environmental justice. We know that too many
3 California communities continue to face heightened risk
4 and increased sensitivity to climate change. In many
5 cases, these same communities have fewer resources to cope
6 with, adapt to, or recover from climate impacts. And, all
7 too often, these disparate impacts are the result of
8 government policies that have led to disproportionate
9 burdens on many Californians, especially communities of
10 color and California Native American tribes.

11 There are several tools in the toolkit that the
12 State can use to address equity and environmental justice
13 through climate incentive programs, including with respect
14 to who receives funding and benefits, and the process
15 agencies use to developed and implement programs.

16 While the specifics will vary across programs,
17 the plan considers opportunities to broadly advance equity
18 and environmental justice through targeting more funding
19 to priority populations and other underserved groups;
20 recognizing the importance of focusing on community needs;
21 providing communities with the resources that they need to
22 participate in and lead projects; considering how funding
23 programs can directly center and foster community
24 leadership, participation, and decision-making; and
25 improving evaluation across various equity-driven metrics

1 to support better tracking of outcomes.

2 The third guiding principle is to improve public
3 health. Many climate mitigation and resilience strategies
4 directly provide important public health benefits. To
5 understand how investments can support public health
6 improvements, the plan looks at a variety of potential
7 public health benefits, including improved air quality,
8 reduced impacts from extreme heat, mental and physical
9 health benefits from access to the outdoors and physical
10 activity, and social determinants of health like
11 employment and social cohesion.

12 The fourth guiding principle is to support a
13 climate-resilient and prosperous economic future. This
14 includes both the near-term actions to provide economic
15 benefits, while supporting longer-term strategies to
16 support a just transition to a low carbon future.

17 Key metrics for this principle include the
18 potential for investments to provide savings through lower
19 transportation or energy costs, whether investments
20 provide direct jobs, and whether investments increase
21 resilience to climate impacts like drought or wildfires.

22 The final guiding principle is one that was added
23 in direct response to public input we received, and that
24 is the concept of fostering interagency coordination.
25 There are several reasons to look at opportunities for

1 even stronger coordination.

2 With a large number of agencies implementing
3 environmental incentive programs, including within the
4 California Investments framework and beyond, improved
5 interagency coordination and can make it easier for
6 potential grantees to identify related funding
7 opportunities and help agencies integrate multi-sectoral
8 strategies into projects to deliver on multiple State
9 goals simultaneously.

10 The plan looks at each potential investment type
11 to identify if there are opportunities for agencies to
12 work together more closely on programs.

13 --o0o--

14 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: With
15 this process in mind, I will now turn to the six specific
16 recommendations the investment plan makes, providing a
17 brief overview of each one.

18 The first recommendation is around what kinds of
19 emissions-reducing projects should be prioritized, with
20 specific recommendations for priority investments in
21 sustainable transportation and communities; low-carbon
22 energy, buildings, and industry; natural and working
23 lands; livestock; and waste diversion. In each of these
24 sectors, the plan recommends funding for projects that
25 reduce greenhouse gas emissions and support carbon

1 neutrality while delivering key co-benefits.

2 In support of our equity goals, the plan
3 identifies opportunities to develop these projects in ways
4 that align with community needs, prioritize funding for
5 priority populations and other underserved communities to
6 help ensure that benefits accrue where they are most
7 needed and minimize potential negative impacts. The vast
8 majority of the recommended project types here are already
9 being implemented through existing California Climate
10 Investments programs.

11 There are a few emerging opportunities that are
12 new in this investment plan, including an explicit focus
13 on building electrification, incorporating advanced
14 back-up power to support grid resilience, and strategies
15 to address enteric fermentation to achieve additional
16 methane reductions from the livestock sector.

17 In complement to the first funding recommendation
18 for specific project types, the second recommendation
19 focuses on funding designed to advance equity,
20 environmental justice, and community participation across
21 the portfolio. We know that all too often the complexity
22 of grant programs, a lack of resources, or other
23 challenges can limit the ability of priority populations,
24 local governments, school districts, California Native
25 American tribes, and other groups to apply for,

1 participate in, and lead funding efforts.

2 To help address this barrier to achieving more
3 equitable outcomes from our funding programs, this
4 recommendation covers activities like capacity building
5 and technical assistance, plan development, flexible plan
6 implementation, and outreach related to awareness and
7 education, all of which are important to provide
8 communities with the resources they need to participate,
9 center community voices, and develop projects that are
10 responsive to community needs.

11 In addition to funding for these activities,
12 there are opportunities to further support community
13 participation through complementary strategies, for
14 example, through approaches to enable meeting
15 participation, like hosting meeting at times convenient
16 for community members and providing stipends for
17 participation.

18 There are also approaches to reducing
19 administrative barriers, such as extending program time
20 frame or reducing the amount of funding that grantees need
21 to provide up front. The State can explore expanded
22 opportunities to address these barriers and incorporate
23 important practices like these into a broader set of
24 programs. These investments and the complementary
25 strategies can help level the playing field to enable

1 community-based organizations and other entities to
2 meaningfully participate in State climate programs and
3 build local partnerships that can sustain progress over
4 time.

5 --o0o--

6 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: The
7 third recommendation is to direct funding towards
8 high-quality jobs and high road workforce development.
9 This includes investing in existing workforce development
10 programs and expanding workforce development efforts
11 across more investment types particularly in sectors where
12 there are opportunities for the investments to create or
13 support pathways to high road jobs.

14 Another way that climate incentive programs can
15 support high quality employment opportunities is by
16 incorporating job quality and job access measures across
17 more investment types, setting minimum expectations for
18 grantees of these programs.

19 The fourth recommendation is not recommending
20 funding for any specific activity, but rather identifying
21 opportunities for investments across sectors to support
22 multiple state goals simultaneously.

23 For example, the plan identifies opportunities to
24 integrate nature-based solutions into infrastructure and
25 planning investments, opportunities like planting trees

1 along bikeways or sidewalks, or integrating green
2 wastewater management strategy into housing projects.

3 There are also opportunities to advance
4 zero-emission technologies through a variety of
5 investments, such as using electric appliances as a
6 component of energy efficiency retrofits, incorporating
7 lower-emitting refrigerants into projects that involve
8 re -- that involve refrigeration or air conditioning, and
9 using zero-emission vehicles and equipment wherever
10 possible.

11 Integrating cross-cutting strategies like these
12 can help maximize the benefits from any individual
13 project.

14 --o0o--

15 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: The
16 last two funding recommendations are looking at
17 opportunities to help ensure that implementation of
18 California Climate Investments programs across the
19 portfolio continues to support the guiding principles and
20 deliver additional benefits.

21 The fifth funding recommendation in the plan is
22 to support policy-relevant research and program evaluation
23 tied to emissions-reducing projects. Research investments
24 are important to help identify emerging emissions
25 reduction strategies, assess unintended consequences from

1 investments, and estimate additional benefits.

2 Coupling research activities with
3 emissions-reducing projects helps make sure that they
4 provide valuable policy-relevant insight along with
5 tangible on-the-ground benefits.

6 Program evaluation is equally important and can
7 help the State understand the specific impacts and
8 effectiveness of individual programs. This is important
9 to helping programs adjust to ensure the best use of State
10 incentives dollars.

11 The last funding recommendation is around
12 advancing support for priority populations and other
13 underserved communities. Deliberately focusing resources
14 on specific populations is an important tool for advancing
15 our equity goals, and minimum investment targets are one
16 way to make sure that happens. The plan recommends that
17 the State explore opportunities to increase the
18 portfolio-wide priority population target, which is
19 currently set at 35 percent. This would help continue to
20 ensure resources are directly benefiting priority
21 populations.

22 The plan also recommends exploring investment
23 minimums beyond the priority population definitions, in
24 cases where the existing definitions may not fully address
25 the equity goals of a given program. For example, the

1 State has identified socially disadvantaged farmers as a
2 priority group for climate smart agricultural investments.
3 There may be opportunities to expand investment targets
4 for this group or other populations outside of the
5 existing definitions.

6 --o0o--

7 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: In
8 addition to funding recommendations, the investment plan
9 recommends metrics to track progress. The first element
10 here is a recognition that California Climate Investments
11 programs already collect extensive information on program
12 implementation, much of which was used to inform the
13 recommendations in this fourth investment plan.

14 Maintaining these existing foundational metrics
15 helps track progress across a range of important factors
16 over time. There are, however, opportunities to build on
17 this foundation. As California continues its efforts to
18 improve racial and social equity, address environmental
19 justice, promote public health and resilience, and support
20 high quality jobs and a just transition, there are
21 opportunities to enhance the data that administering
22 agencies collect and report on.

23 The plan recommends the State explore additional
24 metrics in these areas as appropriate -- as appropriate,
25 such as public health data; demographic data, including

1 race, ethnicity, gender identity, and socioeconomic
2 status; job quality metrics; and project-level equity
3 metrics, such as specific measures of socioeconomic
4 benefits from program or evaluating how financially
5 accessible programs are for people or groups of different
6 income levels. The goal here is to help us understand
7 whether programs are meeting their objectives, who is
8 benefiting from programs, and how we can improve
9 implementation.

10 --o0o--

11 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: I'd
12 like to share briefly a few high-level messages we heard
13 from public input that are reflected in the plan. As I
14 mentioned previously, CARB hosted two public workshops to
15 help obtain public input on the investment plan and also
16 worked with a variety of stakeholders to understand their
17 priorities.

18 The word cloud you see here is in response to a
19 question we asked at our September workshop about what
20 participants value most when it comes to climate funding.
21 As you can see, equity and reductions were two themes that
22 really stood out.

23 We also had a written comment period for the
24 draft plan. So I'll highlight a few consistent themes
25 that emerged across these two workshops and the written

1 public comment. Commenters want the State to focus on
2 emission reductions, equity, jobs, multi-benefit projects,
3 and interagency coordination. Commenters are supportive
4 of a variety of investment types, but especially
5 zero-emission technology, nature-based solutions, and
6 community-focused projects.

7 In addition to public comments of what kinds of
8 projects should be funded, we also heard comments around
9 how programs are designed and implemented, especially with
10 respect to reaching priority populations and other
11 underserved groups. This covers areas like financial
12 accessibility of programs and grant timelines to enable
13 under-resourced organizations, California Native American
14 tribes, low-income populations, and other groups to plan
15 for and participate in programs.

16 One other area of feedback was on the need to
17 avoid negative impacts from projects. These are all
18 comments that align with the recommendations included in
19 the plan. However, there were certain areas of public
20 input where the plan does not fully incorporate
21 recommendations from commenters.

22 There were some areas where the public comments
23 were outside the scope of the plan, such as requests for
24 funding for specific technologies, suggested modifications
25 to individual programs or recommendations for specific

1 funding amounts for certain programs. We have shared
2 these comments with relevant agencies and the Department
3 of Finance, but the investment plan is focused on
4 high-level funding priorities and not individual
5 technologies or programs. And the plan does not
6 appropriate funding or include specific funding amounts.

7 In a few cases, commenters recommended the
8 removal of certain funding priorities or recommended the
9 prioritization of project types that were prioritized in
10 the draft plan. And in some cases, we received competing
11 views on these project types.

12 In several of these instances, the plan
13 identifies other funding sources or other programs outside
14 of the California Climate Investments portfolio that may
15 be available for the project types that the plan itself
16 does not prioritize.

17 Overall, however, we heard a great deal of
18 support for the recommendations included in the plan and
19 we made some revisions from the draft to the draft final
20 version we're discussing today to address comments where
21 appropriate.

22 --o0o--

23 STCD STAFF AIR POLLUTION SPECIALIST SCODEL: With
24 that overview of the contents of the plan, I'll now turn
25 quickly to cover the next steps in the process. While the

1 Board does not take action on the plan itself, there is a
2 resolution before the Board that affirms that the
3 investment plan has developed -- has been developed in
4 accordance with statute, recognizes the many stakeholders
5 involved in developing the investment plan, supports the
6 plan's priorities, and directs staff to continue
7 collaborating with the Department of Finance and other
8 State agencies to implement practices and strategies
9 identified in the plan.

10 In terms of next steps on the document itself, as
11 I mentioned earlier, CARB staff will work with the
12 Department of Finance after this Board meeting to consider
13 additional revisions based on Board direction and public
14 input. The Department of Finance will then finalize the
15 document and submit it to the Legislature concurrent with
16 the Governor's proposed budget in January.

17 So that concludes the staff presentation, but
18 before I hand it back to you, Chair Randolph, we're
19 pleased to have California -- the California Secretary for
20 Environmental Protection, Jared Blumenfeld here with us to
21 provide some testimony on the investment plan on behalf of
22 the Climate Action Team.

23 So I'll hand it over to you, Jared.

24 CALEPA SECRETARY BLUMENFELD: Thanks, Anna.

25 Good afternoon, Chair Randolph and members of the

1 Board. I really appreciate you having me today. And it
2 was really great to be with all of you in Riverside,
3 amazing event, amazing building that you're in today. It
4 really just inspired me to think about kind of the legacy
5 of CARB, and institutions, and California. And it really
6 made me proud to be part of State government yesterday and
7 today as you immediately jump into action. So thank you
8 for that.

9 As Anna said, I'm representing the Climate Action
10 Team, which is an interagency group of State leaders that
11 worked together on implementing the State's climate
12 policies. And as many of you, Davina was talking about,
13 but also the Chair, we had the opportunity to be in
14 Glasgow just two weeks ago. And kind of there's two
15 things that really struck me there. One is the urgency
16 around what we're doing, and then secondly is really the
17 opportunity that California has for continued leadership.

18 And as we think about the work that we do and
19 particularly the investment in Cap-and-Trade auction
20 proceed really is an important tool to help accelerate our
21 progress to ensure the state's climate programs benefit
22 our most vulnerable populations. And as many of you said
23 in the last agenda item, that focus on equity really is at
24 the key core of what we're doing. And I personally don't
25 believe that we can solve climate change without solving

1 the equity issue. I don't think one is a secondary issue
2 to the other, like let's make our climate programs more
3 equitable, so that, you know, we can have better programs.
4 I genuinely believe we won't solve our climate issues
5 unless we deal with the equity, and that includes a whole
6 host of issues from health, housing, education, and the
7 massive income inequality gap that we have in our -- in
8 our state.

9 So as an administration, we recognize it must be
10 a core focus on achieving these more equitable outcomes
11 and advancing our environmental justice goals across the
12 climate portfolio. And this, I think, is -- we kind of
13 touched on yesterday a little bit in some of the speeches,
14 but really is an issue that can't just be paid lip service
15 to. You know, we have to make sure that if we're saying
16 we care about these, that in the metrics -- and you can
17 all look on the California Energy Commission page that
18 shows number of vehicles sold and we're at the hundred --
19 at the million EVs sold in the state, where they're being
20 sold, who they're being sold to needs to fundamentally
21 change because the majority of low-income Californians and
22 Californians of color don't see themselves in the work
23 that we're doing enough.

24 Some don't see themselves in it at all. It feels
25 like a very elite, very out-of-touch issue, climate

1 change. And we need to bring that front and center into
2 what we're doing. And I think that really means
3 identifying opportunities to increase support for priority
4 populations as Anna was talking about through these
5 targeted investments, providing everything from technical
6 assistance and capacity building and supporting approaches
7 that center on community voices and leadership. And those
8 are all key recommendations in the investment plan.

9 Another core component of the investment plan and
10 a hallmark of our climate work is interagency
11 coordination, all of government, and new Senior Climate
12 Advisor to the Governor, Lauren Sanchez, who worked at
13 CARB and then CalEPA really focus on making this about,
14 you know, what is it that all the agencies are doing from
15 housing, to health, to DGS. So really this is part of
16 that effort.

17 So we know it's going to take approaches that are
18 both intersectional and cross cutting looking at how we
19 deal with building electrification, transportation
20 emissions, accelerating our climate smart management of
21 natural and working lands. And you all recognize this as
22 Board members, but we can't do this in a vacuum. So this
23 investment plan embodies this concept of cross-sectoral
24 strategies and coordination within an agency --
25 interagency process. It involved multiple presentations

1 to the interagency group throughout the past year and
2 focused one-on-one meetings with programs that are all
3 brought into these recommendations.

4 Specifically, the plan highlights opportunities
5 for State agencies to collaborate on outreach and
6 solicitations and streamlining the application processes,
7 integrating zero-emission technologies and nature-based
8 solutions across project types, expanding workforce
9 development and job access, measures which is really key.
10 People want to see their future and see that the
11 opportunities for reducing emissions don't just go, as
12 they did in Silicon Valley, to a very few, but that it's
13 spread across the entire economy, aligning investments to
14 advance multiple climate, public health, environmental,
15 and economic goals simultaneously.

16 I'm super proud of the work that's been done by
17 your team, because I think the fourth climate investment
18 plan really does bring together the expertise of our State
19 partners and reflects what we've been hearing, which is to
20 incorporate the lessons learned throughout the years of
21 implementation of California Climate Investment programs.

22 And as we move towards finalizing the plan and
23 look towards implementation, we really need, I think, to
24 think about what we can each do to push the plan as we are
25 developing it and talking to Jen, and Anna, and the team.

1 You know, we have this plan, but in each of the
2 conversations I think we have with the Legislature, with
3 the public, reinforcing kind of these are the measures
4 that we need to be held accountable to, this is kind of
5 the guiding roadmap for what we're doing in this area.

6 And then just before I turn it back to Chair
7 Randolph, I want to thank you all in your earlier comments
8 for the goal of supporting staff. I often feel -- I get
9 to oversee a number of boards, departments, and offices,
10 and CARB is both the one that is, I think, often put in
11 the best spotlight, but held to a level of accountability
12 that often doesn't make sense to me.

13 Like, they -- we need broad parameters of what
14 the staff are doing and also to many of the comments that
15 you mentioned earlier. We also need to make sure with
16 workload analyses and other things that we really have the
17 staff to do the work. It feels like at every turn, and
18 I'm -- and I know the Governor is also sometimes
19 responsible for this, whenever there's something that we
20 need to do, let's put it in the Scoping Plan, let's
21 CARB -- let's ask CARB to do this work.

22 So I think we really need to make sure that --
23 and I'm committed to doing this and working with you, that
24 CARB has the resources, has the latitude to do the work
25 that it needs to do, because people are under enormous,

1 enormous personal pressure. At this time, I think there's
2 a singular sense of responsibility that CARB employees
3 feel and is real, bringing it all the way back to CARB --
4 to the COP in Glasgow, people are looking to your Board,
5 to the staff, to really solve many issues that are the
6 world's responsibility, but have been put on CARB's
7 shoulder.

8 So I'm very proud of this plan. And as Anna
9 said, you'll, you know, be furthering the agenda by
10 bringing it to the Governor's office. And it will
11 hopefully help inform Jan 10 and budgets for years to
12 come.

13 So back to you, Chair Randolph, and appreciate
14 the opportunity to speak with you today.

15 CHAIR RANDOLPH: Thank you, Secretary Blumenfeld.
16 We really appreciate those comments.

17 So now we will hear from the public on this item.
18 And I will ask the Board Clerk to call the commenter and
19 they will have two minutes each to comment.

20 BOARD CLERK ESTABROOK: Thank you, Chair. We
21 currently have eight commenters with their hands raised at
22 this time. If you would like to speak on this item,
23 please raised your hand in Zoom or dial star nine, if
24 you're on the phone.

25 Our first three speakers will be Eileen Tutt, Tim

1 Sasseen, and Scott Hedderich.

2 Eileen, please unmute yourself and begin.

3 Eileen, are you there?

4 Okay. I'll come back to you.

5 Let's move on to Sim -- Tim Sasseen.

6 TIM SASSEEN: Hi. Thank you. This is Tim
7 Sasseen, market Development Manager for the U.S. Ballard
8 Power System. We're very pleased and honored to be a part
9 of the zero-emissions story for California, as we have
10 been for the past 25 years. And Cap-and-Trade has really
11 enabled a lot of the programs that have helped us to put
12 clean technology into the field. And it's not lost on us
13 how this dynamic affects California. It's laudable that
14 the Cap-and-Trade auction proceeds are so intensely
15 directed towards disadvantaged communities, which is
16 great. We should think about disadvantaged communities
17 and their residents today, but we should also look over
18 the horizon to the future.

19 We assume we're going to be successful and that
20 CARB's efforts will be successful. And when they are, a
21 lot of the factors that make the communities affordable,
22 that disadvantaged and underrepresented people live in,
23 are, in fact, pollution that we're cleaning up. Once we
24 clean up these communities, those communities will see a
25 change in gentrification, in real estate values. Being a

1 resident of San Diego acutely aware of the difficulties
2 that increasing rents and increasing real estate prices
3 are pushing onto the working class of California.

4 And as many aspects of clean energy are
5 intertwined with things like water and equity, they're
6 also entangled with problems with real estate. And if we
7 are successful and we don't change the way that real
8 estate and the rental market works in California, we may
9 achieve the opposite of what we seek to do. As the
10 regions where people live in, that they're dealing with
11 pollution become cleaned up, they become forced out to
12 less livable areas. And those areas are handed over to
13 the investor class.

14 So I commend CARB for your work today and for
15 what you intend to do with the Cap-and-Trade. And I
16 strongly encourage reaching out to find ways to address
17 this very critical problem, so that what you seek to
18 achieve can be achieved.

19 Thank you very much for your attention.

20 BOARD CLERK ESTABROOK: Thank you.

21 Scott Hedderich, you may unmute and begin.

22 SCOTT HEDDERICH: Hi. I can be super brief, as I
23 should be in the queue for the harbor craft rule and not
24 this, although clearly having a plan for how to use thd
25 Cap-and-Trade proceeds is extremely important.

1 Thank you.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speakers will be Julia Levin, Sharon
4 Sand, and Christopher Chavez.

5 Julia, you can unmute yourself and begin.

6 JULIA LEVIN: Good afternoon. Julia Levin with
7 the Bioenergy Association of California.

8 I wanted to follow up on something that Secretary
9 Blumenfeld said about the messages coming out of the
10 Glasgow climate conference. I think one of the biggest
11 messages from the conference was about the urgency of
12 reducing methane and other short-lived climate pollutants,
13 since those are really the only measures that begin to
14 cool the climate right away or even in the next few
15 decades. So it is critical that we prioritize reductions
16 if short-lived climate pollutants.

17 And that is especially important in the areas of
18 diverted organic waste in converting dairy, and
19 agricultural, and forest waste to energy and in reducing
20 diesel emissions, all of which are sources of methane and
21 black carbon emissions.

22 On the prior agenda item, several Board members
23 asked for more metrics. And I would say in the area of
24 cap-and-trade investments, the Air Board has done a great
25 job providing those metrics, in terms of both the

1 effectiveness and the cost effectiveness of different
2 cap-and-trade investments over the last several years. By
3 far, the most effective investments and the most cost
4 effective investments have been the ones in short-lived
5 climate pollutant reductions. So both the science and the
6 metrics really point to the need to prioritize these.

7 Above all, we urge you to increase the focus on
8 diverted organic waste. SB 1383 requires a 75 percent
9 diversion from landfills in just the next three years. So
10 increasing investment in that area will help local
11 governments to meet that requirement.

12 We also urge you to expand the focus in the
13 transportation chapter, which doesn't even mention
14 short-lived climate pollutants, and that's partly because
15 it's focused exclusively on zero-emission vehicles. We've
16 got to prioritize getting diesel off the record and
17 replacing it with vehicles that can run on carbon-negative
18 biogas. In that way, you reduce black carbon emissions
19 from diesel and black carbon or methane from organic
20 waste.

21 Thank you.

22 BOARD CLERK ESTABROOK: Thank you.

23 Sharon Sand, you can unmute and begin.

24 SHARON SAND: Hello. Chair Randolph, CARB Board
25 members, and staff thank you for taking my comments. My

1 name is Sharon Sand. And I'm with The Trust for Public
2 Land.

3 In terms of urban greening and equity, we'd like
4 to emphasize the importance of immediate and bold
5 investments in green school yards, especially in
6 disadvantaged communities. Children are increasingly kept
7 from playing at recess and lunch or even going outside
8 due to extreme heat. This is exponentially worse when
9 playgrounds are covered in asphalt, and have no shade.
10 Children's health, exercise needs, and ability to focus,
11 and excel in school, and have a healthy future can have a
12 big difference.

13 Relatively small investments can make big impacts
14 for school children when shading, trees, and other natural
15 elements are incorporated into their -- into their school
16 yards. These also can make a great impact for the
17 surrounding communities.

18 Thank you for taking my comments.

19 BOARD CLERK ESTABROOK: Thank you.

20 Christopher Chavez, you may unmute and begin.

21 CHRISTOPHER CHAVEZ: Yes. Hello. This is
22 Christopher Chavez Deputy Policy Director at Coalition for
23 Clean Air. Just a few comments for today's items on the
24 funding plan.

25 First, we do want to encourage CARB to continue

1 focusing in on equity. And I think, for example, the
2 funding plan that was just passed -- I should say
3 investment for this one, the -- for the funding plan that
4 was just passed, you have that 60 percent minimum
5 investment. We would love to see -- or would like to see
6 a similar commitment in this funding plan as well.

7 We appreciate the plan recognizing the need to
8 build community capacity. That's one of the biggest
9 challenges facing California's climate investments and
10 implementation in those climate investments. There's a
11 lot of community organizations that are willing and able
12 to participate and take leadership of these projects, but
13 they need help and capacity in getting it done.

14 Of course, we always want to see a maximization
15 of co-benefits, while the investment plant is focused on
16 greenhouse gas emissions, we need to make sure that we're
17 addressing other air pollutants well, such as smog forming
18 criteria air pollutants, as well as air toxics. Air
19 toxics are a major concern for frontline communities
20 especially.

21 For example, I live in -- near the Port of Long
22 Beach near the freeways and diesel particulate matter is
23 always a persistent concern. As we've seen with the
24 shipping backlog NOx emissions are up by 20 tons per day,
25 diesel DPM is up by 0.5 tons per day. So we need to use

1 our investments in the strong -- in the most effective way
2 possible.

3 We appreciate the elevation of active
4 transportation, transit, and shared mobility in the plan,
5 and would encourage CARB to -- and the air districts to
6 accelerate the deployment of zero-emission back-up power
7 for buildings. The public safety shutoffs obviously are a
8 big concern. I know part of this is addressed in CHIRP,
9 but as the plan -- the investment plan moves forward,
10 including that as part of it is important.

11 Thank you very much for your time

12 BOARD CLERK ESTABROOK: Thank you.

13 Our final two speakers with hands raised for this
14 item, are Teresa Bui and phone number that's listed as
15 call-in user 2.

16 Teresa, you may unmute and begin.

17 TERESA BUI: Thank you so much. Hi there. My
18 name is Teresa. I'm with the environmental non-profit
19 group called Pacific Environment and we are in support of
20 the demonstration of zero-emission for marine vessels
21 under sustainable transportation and community plan. It
22 meets all the co-benefits, including greenhouse gas
23 reduction, job creation, air quality, and help to reduce
24 impacts to port communities. It meets the State goals,
25 the Governor's Executive Order on climate, and it helps to

1 advance State regulation, including CARB's ocean-going
2 vessels at berth regulation and the commercial harbor
3 craft rule.

4 And as the State looks towards economic recovery
5 after the fallout of COVID-19, we think that continued
6 investment in developing zero-emission technologies and
7 infrastructure in the maritime sector will help provide
8 opportunities for reliable in-state jobs while also
9 achieving our climate goals.

10 Thank you for your time.

11 BOARD CLERK ESTABROOK: Thank you.

12 Call-in user 2.

13 RANJI GEORGE: Hello. My name is Ranji George.
14 Can you hear me?

15 BOARD CLERK ESTABROOK: Yes, we can.

16 RANJI GEORGE: Thank you.

17 I worked in the Technology Advancement Office on
18 fuel cells, batteries, and technology, and natural gas
19 technologies at South Coast, so I have a technology
20 background. I just have a concern with the greenhouse
21 gases. There was no mention whether any funding will be
22 given for battery recycling. Unfortunately, the
23 agencies -- all the major agencies, ARB, kind of muted on
24 the very serious nature of battery waste that's coming up
25 the pipeline, and who will be -- who will be

1 disadvantaged? It will be the disadvantaged communities
2 we are trying to help.

3 So I urge the greenhouse gas funding we use to
4 advance battery recycling and have a minimal environmental
5 footprint on that. Europe is moving that way and I urge
6 you to do that right away without delay before it's too
7 late.

8 Number two, I have a question on cost
9 effectiveness. I understand Carl Moyer has a cost
10 effective calculation. I don't know to what extent
11 greenhouse gas funds have it. But just to answer Dr.
12 Sperling's comment on cost effectiveness, one of the
13 unfortunate outcomes of using cost effectiveness, even
14 though there were -- they had some sincere intentions, is
15 that it favors fossil fuels, existing fuels, because they
16 have infrastructure in place. And so the cost
17 effectiveness is lower than new technologies, like
18 batteries and hydrogen fuel cells, in particular where
19 infrastructure have to built.

20 When you add all that, the cost effectiveness
21 goes all over the roof. So it's -- I appreciate ARB
22 staff. I've been lobbying for several months in last
23 year, and some part of this year in several meetings to
24 remove this cost effective, because it's suffocating
25 funding into the newer technologies, which is more cost

1 effective in the short run. I mean, in the medium term
2 and long term.

3 Technologies like natural gas may be needed where
4 there's no other technologies, but as we move to other
5 technologies, I urge you to set aside sub -- big --
6 substantial funds to encourage that.

7 And on --

8 BOARD CLERK ESTABROOK: Thank you. Thank you.
9 That concludes your time.

10 We have one more speaker Joseph Kleitman. Were
11 you hoping to make a comment on this item.

12 JOSEPH KLEITMAN: I will wait for the next item.

13 BOARD CLERK ESTABROOK: Okay. Thank you.

14 Chair, that concludes the commenters.

15 Okay. Thank you very much.

16 CHAIR RANDOLPH: Okay. I will now close the
17 record on this item and we'll move to Board discussion.
18 Do any Board members have --

19 Okay. We'll start with Dr. Balmes.

20 BOARD MEMBER BALMES: Thank you, Chair.

21 So, you know, I note, you know, on slide eight,
22 the guiding principles and evaluate metrics involve both
23 advancing equity and environmental justice, improving
24 public health, I'm totally supportive of that. But I do
25 have the opportunity to work with graduate students at UC

1 Berkeley and the School of Public Health. And one of my
2 graduate students actually did a internship with OEHHA,
3 our sister agency, CalEPA, to evaluate sort of the equity
4 of our climate change investments. And they're not
5 equitably distributed throughout the state.

6 You know, even satisfying criteria outlined in
7 funding guidelines, the lack of targeted funding -- I'm
8 reading from a report, the census tracts with the highest
9 burden of pollution and socioeconomic disparities
10 continues to result in unequal benefits across the state.

11 And I'll just give you an example. Well, I'll
12 just say that they use CalEnviroScreen to determine the
13 most impacted communities. And, you know, in fact, some
14 of the -- in areas, the investments really go
15 disproportionately to communities that aren't that
16 impacted in the first place. And then there's other areas
17 in the state where, you know, impacted communities are, in
18 fact, getting appropriate funds.

19 I want to say that in this analysis, the San
20 Joaquin Valley did pretty well. And, you know, of course,
21 it's needed there. And, you know, something that really
22 upset me was that there was a lack of data about the
23 reduction of emissions and exposures through our -- you
24 know, with our climate investments, and especially about
25 diesel, which is one of the most important emissions with

1 regard to both environmental justice, equity, and public
2 health. She couldn't analyze diesel emission impacts of
3 climate investments, because there just wasn't enough
4 data.

5 So I guess my point here is that I think we need
6 to do better in terms of the accountability, the metrics
7 for improving health and equity with regard to climate
8 investments. You know, we're -- I'm very proud that this
9 investments. You know, we're -- I'm very proud that this
10 is an evidence-based agency. And these climate
11 investments really have to make a difference in terms of
12 equity and public health. So I just encourage us, as an
13 agency, to do a better job at evaluating where these
14 monies go.

15 Thank you.

16 CHAIR RANDOLPH: Thank you.

17 Dr. Pacheco-Werner.

18 BOARD MEMBER PACHECO-WERNER: Thank you.

19 Supporting Dr. Balmes' comments. And I will take it one
20 step even back, and, you know, appreciate Secretary
21 Blumenfeld being here, because when I asked staff about,
22 well, what does equity actually mean in this plan?
23 There's not one definition, because every agency has a
24 different definition of equity. How could we even measure
25 something when we don't even have a common definition of

1 what it is.

2 And that's really concerning to me, because we
3 need to be as intentional as possible. We have tools
4 available to us. We do not need to go, you know, terribly
5 far and deep into the weeds to find a definition. We have
6 CalEnviroScreen. It's a great tool. It's a great
7 starting point. And, for me, it feels like when we just
8 put equity somewhere and we don't even have a common
9 definition of it. That is going to create
10 disproportionate harm down the road. And I'm not being
11 inflammatory about this. I think when we don't know who
12 we're targeting and we don't commit together to spending
13 our money together in the same way, we're not going to
14 reach who we need to reach and really maximize all of the
15 different opportunities of all of the different funding
16 streams to make the changes that are needed.

17 So I would ask for this group of different
18 agencies to at least have a basis of what does equity
19 actually mean, so we can start from there. And then
20 definitely support Dr. Balmes in terms of our own agency
21 thinking about, you know, how -- what are the metrics
22 used. But we at least, among all of us, need some sort of
23 common definition.

24 Thank you.

25 CHAIR RANDOLPH: Okay. Dr. Sperling.

1 BOARD MEMBER SPERLING: Just a quick thought and
2 that is something that I think could be added to this
3 plan, stepping back even a few steps back. And that is
4 under -- there was these foundational requirements, the
5 idea that kind of, in a sense, strategies. One that was
6 not mentioned anywhere is unlocking private investment,
7 because none of this is going to happen without private
8 investment. And that private investment is to achieve
9 goals of jobs, equity, climate, health. There has to be
10 money unlocked.

11 And, you know, and that's -- it can be in the
12 form of demonstration projects, and incentives, and R&D,
13 all kind of things that are here anyway, but it might be
14 a -- given that we really need to get the business
15 community engaged here, it might be something to, you
16 know, highlight. Thank you.

17 CHAIR RANDOLPH: Thank you.

18 Other Board Members?

19 Okay. I think those -- I think those are great
20 points. I think this is a very challenging process,
21 because ultimately we're sort of providing this input to
22 the Department of Finance as they kind of move this
23 forward, but I think, you know, there are opportunities
24 for the Climate Action Team, as Secretary Blumenfeld
25 mentioned, to sort of convene State agencies and really

1 kind of have a deep sort of conversation about how
2 different agencies are seeing equity as they're serving
3 different populations, and trying to address different
4 needs, and seeing if we can articulate some consistent
5 goals moving forward with these investments. So I think
6 those are some excellent points.

7 Okay. So I guess we do need to take a vote on
8 providing this guidance, correct, Executive Officer Corey?

9 EXECUTIVE OFFICER COREY: That's correct.
10 There's a resolution for you.

11 CHAIR RANDOLPH: Okay. Great. All right. So we
12 have Resolution number 21-25. Do I have a motion and a
13 second?

14 VICE CHAIR BERG: So moved.

15 BOARD MEMBER SPERLING: I move or second,
16 whatever, wherever I fall into the process.

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

19 BOARD CLERK ESTABROOK: Dr. Balmes?

20 BOARD MEMBER BALMES: Yes.

21 BOARD CLERK ESTABROOK: Mr. De La Torre?

22 BOARD MEMBER DE LA TORRE: Yes.

23 BOARD CLERK ESTABROOK: Mr. Eisenhut?

24 BOARD MEMBER EISENHUT: Yes.

25 BOARD CLERK ESTABROOK: Supervisor Fletcher?

1 BOARD MEMBER FLETCHER: Fletcher, aye.

2 BOARD CLERK ESTABROOK: Senator Florez?

3 Ms. Hurt?

4 BOARD MEMBER HURT: Aye.

5 BOARD CLERK ESTABROOK: Mr. Kracov?

6 BOARD MEMBER KRACOV: Yes.

7 BOARD CLERK ESTABROOK: Dr. Pacheco-Werner?

8 BOARD MEMBER PACHECO-WERNER: Yes.

9 BOARD CLERK ESTABROOK: Mrs. Riordan?

10 BOARD MEMBER RIORDAN: Aye.

11 BOARD CLERK ESTABROOK: Supervisor Serna?

12 BOARD MEMBER SERNA: Aye.

13 BOARD CLERK ESTABROOK: Professor Sperling?

14 BOARD MEMBER SPERLING: Aye.

15 BOARD CLERK ESTABROOK: Ms. Takvorian?

16 BOARD MEMBER TAKVORIAN: Aye.

17 BOARD CLERK ESTABROOK: Vice Chair Berg?

18 VICE CHAIR BERG: Aye.

19 BOARD CLERK ESTABROOK: Chair Randolph?

20 CHAIR RANDOLPH: Yes.

21 BOARD CLERK ESTABROOK: And can I just confirm

22 who the first was for that --

23 VICE CHAIR BERG: Berg. Berg moved. Thank you.

24 BOARD CLERK ESTABROOK: Thank you. The motion

25 passes.

1 CHAIR RANDOLPH: Thank you.

2 Okay. The last item on today's agenda is Item
3 number 21-12-6, proposed amendments to the Commercial
4 Harbor Craft Regulation. If you wish to comment on this
5 item, please click the raise hand button or dial star nine
6 now. We will call on you when we get to the public
7 comment portion of this item.

8 Today, the Board will hear staff's proposal for
9 expanding emissions requirements to commercial harbor
10 craft operating in regulated California waters. The
11 proposed amendments would build on the current Commercial
12 Harbor Craft Regulation by expanding the requirements to
13 additional vessel types and proposing more stringent
14 engine performance standards for in-use vessels. As the
15 Board knows, we have very ambitious obligations not only
16 at the State level through requirements to reduce toxic
17 air pollution -- pollutants and greenhouse gases, but
18 through our Federal Clean Air Act requirement to meet air
19 quality attainment standards.

20 To attain these health-based standards, we must
21 reduce oxides of nitrogen in the South Coast Air Basin by
22 45 percent by 2023, and additional 55 percent by 2031, and
23 an additional 70 percent by 2037. The Commercial Harbor
24 Craft Regulation is one of the critical actions vital to
25 meeting our toxic health exposure, greenhouse gas, and

1 federal Clean Air Act requirements.

2 Further reducing emissions from commercial harbor
3 craft would provided -- would provide much needed
4 emissions reductions and public health benefit to
5 communities surrounding the internal and coastal waters
6 where harbor craft are concentrated. This is the first of
7 two Board hearings for the proposed amendment.

8 Mr. Corey, would you please introduce the item.

9 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.
10 In 2008, the Board approved the Commercial Harbor Craft
11 Regulation, which reduces emissions from diesel engines on
12 commercial harbor craft. The regulation was amended in
13 2010 to include additional vessel categories. In 2017,
14 the Board directed staff to provide concepts to control
15 pollution from large freight facilities, including
16 seaports.

17 In response to the Board direction and projected
18 public health benefits, staff has developed the proposed
19 amendments for your consideration. The proposed
20 amendments we're presenting to you today further expand
21 in-use requirements for commercial harbor craft to more
22 vessel categories, creates more stringent performance
23 standards for diesel engines, introduces mandates and
24 incentives for zero-emission harbor craft, and provide
25 requirements for facilities to provide supporting

1 infrastructure and increased reporting to CARB.

2 The proposed amendments reduce emissions of
3 criteria pollutants and toxic air contaminants in
4 communities near seaports, marinas, and harbors, where
5 residents are often disproportionately exposed to air
6 pollution.

7 Many of these communities are AB 617 selected
8 communities, and are recognized as disadvantaged due in
9 part to impacts from marine-related air pollution.

10 Reducing harbor craft related emission helps to reduce the
11 cumulative exposure to toxic emissions, as well as helps
12 California meet federal clean air standards.

13 That being said, we acknowledge and recognize
14 that what is proposed will be challenging for some
15 California businesses, especially small businesses. As
16 such, we are proposing various avenues for extension
17 requests for fleets that experience financial and
18 technical challenges in meeting the requirements. In some
19 cases, the extensions being proposed could extend out to
20 2034 to provide more time for compliance.

21 I'll now ask Melissa Houchin of the
22 Transportation and Toxics Division to give the staff
23 presentation.

24 Melissa.

25 (Thereupon a slide presentation.)

1 TTD AIR RESOURCES ENGINEER HOUCHIN: Thank you,
2 Mr. Corey. And good afternoon, Chair Randolph and members
3 of the Board. Today, I will be going over staff's
4 proposed amendments to the Commercial Harbor Craft
5 Regulation. We have identified potential impacts in the
6 environmental analysis prepared for this rulemaking, so
7 this is the first of two Board hearings on this item.
8 Staff plans to return with a final proposal for Board
9 consideration early next year.

10 --o0o--

11 TTD AIR RESOURCES ENGINEER HOUCHIN: Let's start
12 with what are commercial harbor craft. Commercial harbor
13 craft include vessels that are not subject to the
14 requirements for ocean-going vessels, such as the new At
15 Berth Regulation that was adopted last year. Recreational
16 vessels are also not subject, unless they engage in
17 commercial activity.

18 Harbor craft operations are diverse. And for
19 this regulatory effort, staff has classified over 3,100
20 vessels that operate in the state into 18 categories.
21 These vessels are typically diesel fueled and can operate
22 throughout the state. Although activity is concentrated
23 near seaports, marinas and harbors, the impacts of
24 emissions from commercial harbor craft are felt over 50
25 miles inland.

1 --o0o--

2 TTD AIR RESOURCES ENGINEER HOUCIN: The current
3 Commercial Harbor Craft Regulation was adopted in 2008 and
4 amended in 2010, which has reduced diesel particulate
5 matter and other emissions in regions throughout the
6 state. It established requirements for the vessel owner
7 or operator to accelerate turnover to Tier 2 or 3
8 standards by the end of 2022 for select vessel categories,
9 which include ferry, tugboat, excursion, crew and supply,
10 barge, and dredge vessels.

11 Tier 4 engines or clean air controls are
12 currently required for ferries built after 2009 that carry
13 75 passengers or more. The regulation also requires
14 vessel owners and operators to use CARB ultra low sulfur
15 diesel fuel, the same fuel as on-road vehicles, measure
16 operating hours, and report engine and vessel information.

17 --o0o--

18 TTD AIR RESOURCES ENGINEER HOUCIN: Although the
19 current regulation has helped, there is still more that
20 must be done. As you know, we have several air quality
21 standards, targets, and goals to meet over the next 30
22 years. In addition, Executive Order N-79-20 signed by the
23 Governor last year sets a goal for all off-road equipment
24 in the state to be zero emission by 2035 where feasible.
25 The proposed amendments we are discussing today work to

1 support all of our toxic, air quality, and climate
2 requirements.

3 --o0o--

4 TTD AIR RESOURCES ENGINEER HOUCIN: In the
5 absence of the proposed amendments, we are projecting that
6 commercial harbor craft would emit 165 tons per year of
7 diesel particulate matter, or DPM, and 15.1 tons per day
8 of oxides of nitrogen, or NOx, in 2023. This figure shows
9 the breakdown of diesel particulate matter emissions by
10 vessel category.

11 For simplicity, we have grouped some of the
12 categories, but it is critical that each of the 3,100 plus
13 vessels that operate across the state reduces their
14 emissions. Omitting requirements for any single category
15 could undercut the overall reductions from harbor craft.

16 --o0o--

17 TTD AIR RESOURCES ENGINEER HOUCIN: CARB staff
18 recognizes the investment that owners and operators have
19 made to comply with the current regulation and local air
20 district funding that has been used to achieve additional
21 emission reductions. As a result of these efforts, many
22 vessels now operate with Tier 2 engines. Nevertheless, a
23 Tier 2 engine still emits 162 times the level of five-year
24 old school bus engine. In the real world, the difference
25 is likely even larger, because harbor craft can be

1 equipped with multiple engines.

2 --o0o--

3 TTD AIR RESOURCES ENGINEER HOUCHEIN: As mentioned
4 earlier, harbor craft operations are concentrated near
5 seaports, harbors, and marinas, which are often near
6 disadvantaged communities and areas of high population
7 density. However, as shown in this heat map, vessel
8 activity occurs statewide along the entire coastline.

9 As such, the proposed amendments consider the
10 need for statewide emission reductions from vessels
11 operating everywhere to protect all communities.

12 --o0o--

13 TTD AIR RESOURCES ENGINEER HOUCHEIN: Now, we zoom
14 in to the South Coast Air Basin to show the extent of
15 cancer risk impacts from harbor craft activity. This
16 figures shows there are disadvantaged communities both
17 near the coast and up to 50 miles inland that are burdened
18 by toxic diesel emissions.

19 --o0o--

20 TTD AIR RESOURCES ENGINEER HOUCHEIN: Before we
21 get into the proposal itself, I want to take a minute to
22 talk about the public process staff undertook to get here
23 today. The development of these amendments began in 2018.
24 We have had five public workshops, over 400 meetings,
25 released draft concepts and materials, and completed a

1 feasibility study for cleaner combustion controls with the
2 California Maritime Academy.

3 Meetings included site visits, working groups,
4 and community engagement. We received and considered
5 input from the public such as the photo of the smoking
6 vessel shown in this slide. Draft materials included
7 regulatory concepts, draft cost analyses, emissions
8 impacts, and two drafts of regulatory language.

9 --o0o--

10 TTD AIR RESOURCES ENGINEER HOUCHIN: Now, we will
11 move on to the proposal. In support of Executive Order
12 N-79-20, zero-emission requirements were a top priority of
13 the proposal and are established where feasible including
14 in 2025 new excursion vessels must be zero-emission
15 capable, and in 2026 all short-run ferries must transition
16 to full zero emissions.

17 Although the zero-emission technology to meet
18 these duty cycles is available today, the proposal allows
19 a few years of lead time for vessels and zero-emission
20 power systems to be designed. In addition, support
21 infrastructure for charging or fueling vessels could
22 require between two or three years to be planned,
23 permitted, and installed. We also estimate that over 100
24 vessels will be operating with zero-emission capability by
25 the 2030s.

1 --o0o--

2 TTD AIR RESOURCES ENGINEER HOUCIN: In our
3 proposal, we include two options to allow and encourage
4 zero-emission operations through alternative controls,
5 which will be discussed later in this presentation.

6 The proposed amendments would also require the
7 use of renewable diesel, or R99, beginning in 2023. R99
8 is a drop-in replacement for fossil-derived ultra low
9 sulfur diesel fuel, typically called CARB diesel. This
10 means R99 meets the same ASTM D975 specifications as
11 standard CARB diesel. It produces lower criteria
12 pollutant and greenhouse gas emissions. In addition to
13 renewable diesel the amendments would require the use of
14 shore power at dock to limit engine idling to 15 minutes.

15 --o0o--

16 TTD AIR RESOURCES ENGINEER HOUCIN: Where not
17 currently feasible to transition to zero emission, CARB
18 staff proposes cleaner combustion requirements. The
19 categories in the left column are subject to the
20 regulation already in place, and as a reminder, are
21 required to turnover to Tier 2 or 3 standards, but there
22 are a variety of other harbor craft that have significant
23 emission contributions and have had no requirements to
24 upgrade engines.

25 The vessels on the right are new vessel

1 categories we are proposing to add, including all
2 commercial vessels, work boats, pilot, research,
3 sportfishing, commercial fishing, all barges, engines
4 under 50 horsepower, and all vessels regardless of fuel
5 type.

6 --o0o--

7 TTD AIR RESOURCES ENGINEER HOUCHIN: To achieve
8 the greatest emission reductions and public health
9 benefits, the proposed amendments would not only require
10 the cleanest U.S. EPA certified engine available, but also
11 the use of a diesel particulate filter, or DPF.

12 The proposal also requires that Tier 4 engines
13 must be purchased if they are certified for the size and
14 duty cycle of an engine. The PM standards require by the
15 proposed amendments would harmonize with the newest
16 on-road engine standards. As of today, there are 22
17 models of Tier 4 engines certified and DPFs are a proven
18 technology that have been in use in off-road and on-road
19 vehicles for many years.

20 --o0o--

21 TTD AIR RESOURCES ENGINEER HOUCHIN: This graphic
22 shows the compliance dates for each category and potential
23 extensions available. Compliance dates, shown in green,
24 depend on the vessel type, engine tier, and engine model
25 year with dirtier engines having earlier compliance dates.

1 The blue bars show possible compliance extension periods
2 if vessel replacement is required.

3 For most vessels, the financial hardship and
4 feasibility extension can be granted for up to six year
5 careers or up until 2034. For sportfishing vessels,
6 ferries, and excursion vessels with compliance dates in
7 2024 or earlier, the financial hardship and feasibility
8 extension can be granted for up to eight years, due to
9 economic considerations for passenger-carrying vessels
10 that may have experienced ridership changes in 2020

11 Note that commercial fishing vessels are required
12 to upgrade Tier 1 and older engines to Tier 3, which is a
13 feasible modification on virtually all in-use vessels and
14 therefore no compliance extensions for feasibility are
15 necessary.

16 --o0o--

17 TTD AIR RESOURCES ENGINEER HOUCHIN: The dark
18 squares mark when vessel replacement may be required after
19 the financial hardship and feasibility extensions expire.
20 Most financial hardship and feasibility extensions expire
21 December 31st, 2034 which is shown by the vertical black
22 line at the right end of the figure. These compliance
23 extensions provide opportunities for fleets dealing with
24 technical or financial difficulties additional time to
25 comply, in some cases, up to 13 years from now.

1 --o0o--

2 TTD AIR RESOURCES ENGINEER HOUCHIN: The proposed
3 amendments include a compliance option called the,
4 "Alternative Control of Emissions Plan", or ACE Plan.
5 This is a plan created by an operator that will result in
6 equivalent emission reductions as following the model year
7 compliance schedule outlined in the previous slide. The
8 application would need to be submitted between January
9 1st, 2023 and December 31st, 2025.

10 The plan would need to show equivalent emission
11 reductions from a harbor craft fleet's operations between
12 January 1st, 2023 through December 31st, 2034, and must
13 receive CARB approval with a public process review.

14 The proposed amendments also include a
15 zero-emission and advanced technology credit, or ZEAT
16 credit, to incentivize the adoption of zero-emission.

17 An operator deploying a zero-emission or
18 zero-emission capable vessel would receive additional
19 compliance time for another vessel in the fleet. Three
20 years for a zero-emission capable vessel, and seven years
21 for a full zero-emission vessel.

22 --o0o--

23 TTD AIR RESOURCES ENGINEER HOUCHIN: The proposed
24 amendments include other additional requirements to
25 increase reporting and compliance. Vessels must be

1 labeled following the format shown on the slide. The
2 labels must have a green background, black letters, and
3 comply with requirements for location and size of the
4 label.

5 Engines must meet smoke opacity limits to ensure
6 emission control systems are properly maintained. Vessel
7 owners would be subject to annual compliance fees per
8 vessel and per main engine in the fleet and both vessel
9 and facility owners and operators would be subject to
10 additional reporting requirements.

11 --o0o--

12 TTD AIR RESOURCES ENGINEER HOUCHIN: Staff is
13 also proposing that vessels with a home base in or
14 adjacent to disadvantaged communities have additional
15 stringency under the proposed amendments. Disadvantaged
16 communities would be identified as the highest scoring 25
17 percent of census tracts from CalEnviroScreen. Vessels
18 with a home base in or adjacent to disadvantaged
19 communities would have more stringent low-use thresholds.

20 The proposed amendments also requires the
21 demonstration of no increased impacts on disadvantaged
22 communities from alternative compliance plans or
23 zero-emission credits. The proposal requires that the
24 additional compliance time given to diesel-powered vessels
25 must not operate in these communities.

1 --o0o--

2 TTD AIR RESOURCES ENGINEER HOUCHIN: These
3 figures show the estimated emissions in 2035 with and
4 without the implementation of the proposed amendments with
5 diesel PM emissions on the left in tons per year, and NOx
6 emissions on the right in tons per day. Statewide the
7 proposed amendments would result in an 89 percent
8 reduction in diesel PM emissions and a 54 percent
9 reduction in NOx emissions in 2035.

10 --o0o--

11 TTD AIR RESOURCES ENGINEER HOUCHIN: Shown here
12 are the San Francisco Bay Area and South Coast air basins,
13 which were study areas selected to evaluate potential
14 cancer risks and health impacts from harbor craft
15 emissions. The maps on the slide show cancer risk in the
16 absence of the proposed amendments in the year 2038. The
17 gray shaded areas represent disadvantaged communities near
18 the seaports, and the different colored areas represent
19 cancer risk in chances per million, yellow being only one
20 chance per million ranging up to the dark blue color near
21 the ports of Los Angeles and Long Beach representing over
22 900 chances per million.

23 These charts show the large area surrounding the
24 seaports where cancer risk is detected with elevated
25 levels of cancer risk shown, and the disadvantaged

1 communities that are affected.

2 The next slide shows the reductions in cancer
3 risk the proposed amendments would have on these two air
4 basins.

5 --o0o--

6 TTD AIR RESOURCES ENGINEER HOUCHIN: As you can
7 see, the area of impact and cancer risk levels are
8 drastically decreased. The proposed amendments reduce
9 cancer risk to over 22 million residents, reduce the
10 population-weighted cancer risk from greater than 10 to
11 only one chance per million, and they eliminate cancer
12 risk of greater than 100 chances per million in the two
13 study areas.

14 --o0o--

15 TTD AIR RESOURCES ENGINEER HOUCHIN: The benefits
16 of the proposal would result in an estimated 531 avoided
17 premature deaths, 161 avoided hospital admissions, and 236
18 avoided emergency room visits. The estimated monetary
19 value of the health benefits reaches over \$5 billion,
20 while the costs are estimated at \$2 billion.

21 --o0o--

22 TTD AIR RESOURCES ENGINEER HOUCHIN: The cost of
23 compliance assumed no incentive funding is used, although
24 some may be available to operators through programs such
25 as the Carl Moyer Program, Volkswagen Mitigation Trust,

1 and Proposition 1B goods movement.

2 Incentive funding opportunities will still exist
3 after the adoption of the amendments. However, as with
4 all regulations, there are not enough incentive funds to
5 help pay for all fleets to meet compliance. Staff will
6 continue to monitor funding opportunities and update the
7 incentive fact sheet accordingly to help keep fleets
8 informed.

9 --o0o--

10 TTD AIR RESOURCES ENGINEER HOUCHIN: Staff is
11 also proposing a fee structure to recover the costs of
12 implementation and enforcement of the amendments through
13 fees paid per vessel and per main engine. The fees are 25
14 percent lower for fleets operating only one vessel and 50
15 percent higher for low-use compliant engines, due to the
16 additional staff time required to review demonstrations
17 and applications for low-use engines.

18 If an operator fails to pay the compliance fees
19 by the due date, they would be subject to a late fee per
20 each unpaid vessel and each unpaid engine.

21 --o0o--

22 TTD AIR RESOURCES ENGINEER HOUCHIN: CARB staff
23 conducted analysis on the potential cost increase passed
24 to consumers resulting from the cost of compliance for
25 certain vessel categories as shown here.

1 --o0o--

2 TTD AIR RESOURCES ENGINEER HOUCHIN: CARB staff
3 received over 3,200 comments on the proposed amendments.
4 The next two slides summarize -- slides summarize the most
5 common comments and CARB staff's responses to each
6 concern.

7 We received many comments in support of more
8 stringency and more ambitious zero-emission requirements.
9 As mentioned earlier in the presentation, staff has
10 included pathways for broad zero-emission adoption in the
11 proposal, as well as incentives such as the zero-emission
12 credits to maximize zero-emission adoption where
13 operationally feasible.

14 We also received comments with concern about lack
15 of availability, performance, safety of engines and
16 aftertreatment devices, and fuel requirements.

17 We have identified 22 models of Tier 4 engines
18 certified today and the use of engines plus aftertreatment
19 devices is proven technology already in use in other
20 sectors.

21 Extensions are available if, among other criteria
22 being met, engines do not fit or are not available by
23 compliance dates. All proposals are designed to maximize
24 emission reductions to the extent technically and fiscally
25 feasible.

1 --o0o--

2 TTD AIR RESOURCES ENGINEER HOUCIN: We have
3 received comments with concern over the cost of
4 compliance, and on the other hand, we've received requests
5 to eliminate or shorten compliance extensions to increase
6 near-term emission benefits and meet near-term air quality
7 targets.

8 Incentive funding may be available for early
9 compliance. And vessels with the greatest emission have
10 earlier compliance dates as they are prioritized for
11 near-term emission reductions. Additionally, compliance
12 extensions of up six to eight years provide additional
13 time that may be necessary for vessel owners to increase
14 costs and save for new vessels.

15 --o0o--

16 TTD AIR RESOURCES ENGINEER HOUCIN: In
17 accordance with California Environmental Quality Act, or
18 CEQA, guidelines, staff prepared a Draft Supplemental
19 Environmental Analysis for the proposed amendments and
20 released it for public comment. We will present the Final
21 Supplemental Environmental Analysis and written response
22 to comments received to the Board at a second Board
23 hearing planned for the first quarter of 2022.

24 --o0o--

25 TTD AIR RESOURCES ENGINEER HOUCIN: CARB staff

1 recommend returning to the Board with the final proposal
2 for adoption in early 2022.

3 Thank you for your time. We'd be happy to answer
4 any questions.

5 CHAIR RANDOLPH: All right. Thank you.

6 So we need to take a 10-minute technical break,
7 and then we will be back with public comment for this
8 item. So we will be back in 10 minutes.

9 (Off record: 3:47 p.m.)

10 (Thereupon a recess was taken.)

11 (On record: 3:57 p.m.)

12 CHAIR RANDOLPH: All right, we are back from our
13 break. Thank you very much.

14 Okay. We have quite a bit of speakers on this
15 item, so the time limit on this item will be one minute
16 and 30 seconds. So we will have a clock, a one minute and
17 30 second clock for the speakers.

18 So, Board Clerk, can you go ahead and call the
19 first few commenters

20 BOARD CLERK ESTABROOK: Yes, thank you.

21 The first few commenters are going to be Joseph
22 Kleitman, Andrea Lueker, and Steven Taft.

23 Joseph you may unmute and begin.

24 Joseph, are you there?

25 JOSEPH KLEITMAN: Yes. I'm trying to be. Have

1 you got me?

2 BOARD CLERK ESTABROOK: Okay, we can hear you.

3 Yep.

4 JOSEPH KLEITMAN: Okay. Thank you.

5 First of all, I just want to thank everybody for
6 their endurance over a long day. I've had to do this like
7 you and appreciate the time you are all putting in. I
8 have sent in comments that speak to my feelings that this
9 is premature. We have over 3,200 comments for a vessel
10 fleet of 3,100 boats. That tells me something.

11 I think you should be very careful when you start
12 to impact negatively the livelihood of so many coastal
13 residents that depend on this fleet of harbor vessels for
14 their livelihoods. It's families. It's folks. It's
15 people. And be very, very careful, because the kinds of
16 changes that are being proposed honestly don't have very
17 many good solutions. They need much more time. And as I
18 mentioned, as you were looking at the budgeting priorities
19 earlier, I haven't seen a lot of investment going towards
20 this particular problem. And I think you need to get that
21 in place. Those incentives need to be realized in the
22 real world, where they can help people come up with good
23 solutions. You've got a group of vessel operators who
24 want to be compliant and are strictly just, just
25 restricted by the limitation of options.

1 So please be very careful --

2 BOARD CLERK ESTABROOK: Thank you.

3 JOSEPH KLEITMAN: -- as you proceed. I think
4 there's no hurry.

5 Thank you.

6 BOARD CLERK ESTABROOK: Thank you. Andrea
7 Lueker, please unmute and begin.

8 ANDREA LUEKER: Great. Can are you able to hear
9 me?

10 BOARD CLERK ESTABROOK: Yes.

11 ANDREA LUEKER: Perfect. Andrea Lueker. I'm the
12 President of the California Association of Harbor Masters
13 and Port Captains. Our association is in its 73rd year.
14 Our membership includes over 70 harbors, ports, and
15 marinas in California, as well as a number of
16 marine-related businesses. We are concerned about the
17 proposed Commercial Harbor Craft Regulations. Those
18 concerns were summarized in two joint letters written and
19 sent to you, one dated October 28th and one dated November
20 3rd and those letters were with a number of other similar
21 agencies.

22 Should the proposed regulations be approved, it
23 will likely be impossible for many sportfishing and whale
24 watching businesses to continue to operate and devastating
25 economically to harbors, ports and marinas where they do

1 operate. Additionally, these vessels provide an
2 opportunity for hundreds of thousands of the public to
3 enjoy fishing and being on the open ocean.

4 Our ask today is to direct your staff to
5 reengage -- key, key, reengage with the harbor, port, and
6 marina groups, boat construction firms, the United States
7 Coast Guard, and other groups as applicable to mutually
8 develop effective, economic, and feasible amended
9 regulations. Thank you for the opportunity to speak.
10 It's been a long day and our association looks forward to
11 continuing dialogue with you on this issue.

12 Thank you.

13 BOARD CLERK ESTABROOK: Thank you.

14 Our next speaker will be Steven Taft. After
15 Steven will be Michael Geller, Jamie Diamond, and Sam
16 Wilson.

17 Steven, you may unmute and begin.

18 STEVEN TAFT: Hi. My name is Steven Taft. I'm a
19 third generation commercial passenger sportfishing vessel
20 owner, like my father and grandfather before him. I
21 provide affordable ocean access through sport fishing
22 ecotourism trips from San Diego. Our family has
23 transported hundreds of thousands of passengers throughout
24 the years.

25 As a business owner, I want the Board to

1 recognize I do support emissions and reductions. We have
2 participated in the Carl Moyer Program. My concerns with
3 this rule as written are many. However, most notably, I
4 wish to highlight the following. Fitment. Current
5 technologies, such as bulky exhaust filters, simply will
6 not fit in our vessels. Exhaust aftertreatment systems
7 and filters have yet to be certified for, or used, or have
8 been proven to safe in a passenger-carrying environment.

9 The extension process is confusing and expensive.
10 CARB staff assessment of vessel replacement costs are
11 nowhere near realistic and cannot be supported with our
12 tight margins. We would not be able to afford to build a
13 new vessel based on the realistic quote provided by a
14 shipyard or even the unrealistic quote that CARB staff
15 proposed.

16 Our fleet, my business, caters to those who
17 cannot afford vessel ownership in a lower economic
18 demographic. Those in lower economic communities or on
19 fixed incomes will no longer be able to afford fishing on
20 our vessels or ecotourism, thus effectively ending our
21 family business along with almost every other family-owned
22 commercial passenger fishing vessel businesses.

23 Thank you very much for your time.

24 BOARD CLERK ESTABROOK: Thank you.

25 Michael Geller, please unmute and begin.

1 MICHAEL GELLER: Yes. Hello. Good afternoon,
2 Chair Randolph and members of the Board, My name is
3 Michael Geller. I'm Deputy Director for the Manufacturers
4 of Emission Controls Association. MECA represents
5 manufacturers of combustion and electric technologies that
6 reduce both criteria and greenhouse gas emissions from all
7 mobile sources. Our members include companies that
8 manufacture engine and exhaust system components, like SCR
9 DPF technologies, for both new and existing engines that
10 can reduce NOx and PM emissions from harbor craft. MECA
11 supports CARB's commercial harbor craft proposal and we
12 support -- or appreciate staff's hard work in developing
13 this rule, including meetings with MECA and other
14 stakeholders.

15 Given we have submitted written comments, I'd
16 just like to highlight a few points related to this
17 regulation. Technology such as SCRs, DPS, and DOCs, or
18 diesel oxidation catalysts, are widely available today.
19 They've been installed on millions of highway and off-road
20 engines since 2007. Proper application engineering over
21 the past 20 years has resulted in the successful
22 installation of these technologies on a variety of marine
23 engines today.

24 That being said, marine engines applications pose
25 unique operating environments. Each marine vessel has

1 different engine and space constraints requiring
2 customized aftertreatment solutions, similar to stationary
3 engine retrofits. Thus, we urge CARB to consider
4 potential flexibilities during verification of these
5 retrofits. For example, additional in-use testing as well
6 as on-board monitoring and reporting could be used to
7 confirm that retrofits are performing as verified rather
8 requiring significant up-front testing.

9 Furthermore, similar to stationary source
10 compliance, emission controls like DPFs can be
11 periodically checked by a simple opacity stack test.

12 To conclude, we thank you for your efforts and
13 our industry continues to innovate and commercialize these
14 technologies. Thank you very much.

15 BOARD CLERK ESTABROOK: Thank you.

16 Jamie Diamond, you may unmute and begin.

17 JAMIE DIAMOND: Good afternoon, Chair Randolph.
18 My name is Jamie Diamond. My husband Captain Jason and I
19 are on the Board of Directors for the Sportfishing
20 Association of California and I'm an elected school board
21 member in Carpinteria. Jason and I, along with our three
22 young children, own two sportfishing vessels, which has
23 taken hundreds of thousands of people out on day trips
24 from Santa Barbara since 1996.

25 We partner with local, State, and federal

1 agencies for fisheries research projects, and most
2 importantly, we partner with the Santa Barbara Maritime
3 Museum facilitating floating marine labs to Santa Barbara
4 County Title 1 school third and fourth grade students,
5 providing most of them with their first ocean interaction
6 as part of the social justice programs that our industry
7 provides and was noted in the Fish and Game Commission
8 letter.

9 The proposed CARB regulations will have drastic,
10 negative impacts on our businesses, our communities, and
11 these programs. For passenger carrying vessels, we cannot
12 change anything on our boats without Coast Guard oversight
13 and approval. DPF is not possible here. CARB has stated
14 they're aware and we will just have to replace all the
15 vessels in the fleet with steel. Why? Because the
16 proposed equipment runs too hot, it isn't safe for use in
17 wood or fiberglass, and the expansion and contraction will
18 break welds on aluminum boats. The DPFs are notorious for
19 clogging under operating conditions.

20 For a truck, pull over, get out, wait for tow, no
21 big deal. If that were to happen on a passenger vessel,
22 it would leave us dead in the water. What if that
23 happened mid-shipping channel crossing with weather
24 picking up, near the shore, entering and exiting harbor
25 mouths, the crew would only have seconds to fix the

1 problem to avoid a disaster. You can't safely fly a tech
2 out to a vessel to work on your system for two hours and
3 get it operational like you can a farm tractor.

4 It would be irresponsible to adopt these proposed
5 regulations. The lives of our passengers and crew members
6 are at stake here. Please err on the side of caution, put
7 CPFVs back in with commercial fishing vessels, continuing
8 our access to grant money to upgrade to the best available
9 and safe engines. This is how you preserve our affordable
10 ocean access --

11 BOARD CLERK ESTABROOK: Thank you. That
12 concludes your time. Thank you.

13 JAMIE DIAMOND: -- as to how best to plan a path
14 to 2045.

15 BOARD CLERK ESTABROOK: Thank you.

16 Sam Wilson.

17 SAM WILSON: Hi. Good afternoon, everybody.
18 Thanks so much for the opportunity to comment. My name is
19 Sam Wilson and I'm a Senior Vehicles Analyst with the
20 Union of Concerned Scientists.

21 UCS supports the Board's efforts to reduce
22 emissions from harbor craft, but we do have several high
23 level recommendations to effect a more successful
24 regulation. These include requiring annual technology
25 reviews, given the ongoing rapid development of

1 zero-emissions technologies, and required 100 percent
2 transition to zero-emissions for -- vessels for all
3 ferries, tugboats, dredges, and barges by 2035, where
4 feasible, in line with the Governor's Executive Order
5 79-20.

6 Emissions from harbor craft are currently one of
7 the primary cancer risks for Californians living close to
8 major ports. The proposal -- the proposed rule would
9 reduce cancer risks and other negative health outcomes for
10 millions of Californians resulting in hundreds of fewer
11 premature deaths, hospital visits, respiratory illnesses,
12 and over \$5 billion in health-related savings.

13 This is particularly impactful for those
14 communities living close to ports, which already bear a
15 disproportionate exposure to cumulative air toxins.
16 Zero-emissions technologies are available and ready today.
17 And UCS suggests that CARB consider and expand incentives
18 and funding for small businesses -- small business vessel
19 operators to transition quickly and equitably to a clean
20 transportation future.

21 California has a rich history of adopting
22 effective regulations that spur innovation while reducing
23 toxic air pollution. We encourage the Board to continue
24 this history and adopt a strong, public-health focused
25 regulation to further expand existing zero-emissions

1 vehicles technologies -- vessels technologies, excuse me,
2 affecting more equitable access to clean and healthy air
3 and significantly reducing exposure to cancer-causing
4 pollution for millions of Californians.

5 Thanks so much and -- for your hard work on this
6 draft and we welcome your questions offline.

7 Thanks.

8 BOARD CLERK ESTABROOK: Our next three speakers
9 will be Gary Brennan, William Wilkerson, and Jibiana
10 Jakpor. And I apologize in advance if I mispronounce any
11 of your names.

12 Gary, you may unmute and begin.

13 GARY BRENNAN: Good afternoon, Chairman Randolph
14 and members of the Board. My name is Gary Brennan. I'm
15 the President of the San Diego County Wildlife Federation
16 representing 20,000 San Diego country residents.

17 We oppose the proposed CARB regulations for
18 installing interior -- non -- well, little existing Tier 4
19 engines for commercial and passenger vessels. As stated
20 in numerous reports, is engines don't really exist for
21 smaller commercial passenger fishing vessels. Engines
22 once designed and made available due to their size and
23 configuration will present stability concerns due to the
24 placement of new and larger engines in a tight engine room
25 with most vessel.

1 Your modifications to the existing fleet does
2 not -- has not been vetted or approved by the U.S. Coast
3 Guard, the licensing and regulatory body for all private
4 and commercial vessels at sea. Passenger fees are already
5 to the point where fishing offshore on these vessels is
6 out of reach for most underprivileged communities with
7 price increases due to the Tier 4 engine modifications
8 passed on to the passenger vessels, sometimes with five to
9 six million dollars in cost.

10 The future leads to the demise of the
11 sportfishing, whale watching, scuba diving fleets. The
12 Federation urges the Air Resources Board to take a step
13 back and further review the impacts to the state's
14 sportfishing communities and others, and at least postpone
15 regulations till the Coast Guard has had a chance to vet
16 the newer regulations, the engine manufacturers to design
17 and build reliable Tier 4 marine engine placements. So
18 thank you very much for your time.

19 BOARD CLERK ESTABROOK: Thank you.

20 William Wilkerson.

21 Are you there?

22 WILLIAM WILKERSON: Hi. My name is William
23 Wilkerson, a minority owner of the -- of Malihini out of
24 H&M Landing.

25 Our industry is in danger of losing not only our

1 livelihoods as small businesses owners, but the potential
2 learning opportunities of countless children, especially
3 the underserved communities of San Diego County, some
4 of -- some of whom may not get a chance to experience the
5 joys of learning about sea life or fishing in the Pacific
6 Ocean.

7 I run a full-day sportfishing charter and
8 educational school trips for multiple school districts in
9 San Diego County and fish in international waters. A new
10 metal vessel build would cost me anywhere from 4.6 to 6.6
11 million dollars. That ticket price would go up 97 to 201
12 percent. My demographic won't support that. And at the
13 end, we eliminate them from their shared resource. Our
14 biggest impact is -- as an industry, is economic and
15 social economic one, to be -- to be potentially shut down
16 due to regulations disproportionately affecting our
17 operators with regulations requiring we upgrade to systems
18 not yet available for our vessels and not tested for
19 safety while at sea.

20 Today, I ask the commercial passenger boats are
21 regulated the same as commercial fishing boats, those who
22 fish for market. However, CARB staff wants to remove 174
23 of those vessels, 10 percent of the harbor crafts, and
24 impose an impossible standard.

25 BOARD CLERK ESTABROOK: Thank you.

1 WILLIAM WILKERSON: The CARB Board --

2 BOARD CLERK ESTABROOK: Our next speaker will be
3 Jibiana Jakpor. After Jibiana, we will have Martin Froger
4 Silva, and Regina Hsu, and Teresa Bui.

5 WILLIAM WILKERSON: They cut me off.

6 BOARD CLERK ESTABROOK: Jibiana, you may unmute
7 and begin.

8 JIBIANA JAKPOR: Hello. My name is Jibiana
9 Jakpor. I'm a high school student from Riverside who
10 likes breathing clean air. Thank you, CARB staff, for
11 these proposed amendments. Saving even one life is a big
12 deal, but you project that these amendments will save 531
13 lives between 2023 and 2038, so this rule is saving our
14 lives. Some folks are more concerned about saving our
15 boats. Well, fortunately, our boats will be fine. This
16 rule isn't getting rid of boats. It's just making them
17 cleaner.

18 Our state has taken many steps to reduce the
19 pollution from our cars and our zero-emissions cars are
20 great. They're getting more and more affordable, and they
21 work just as well and are better for our health. The
22 proposed amendments for boats will be just like that, our
23 maritime economy will prosper and so will our community's
24 health.

25 Board Members, please support these amendments to

1 ensure our continued progress towards cleaner air.

2 Thank you.

3 BOARD CLERK ESTABROOK: Thank you.

4 Martin Froger Silva, you can unmute and begin.

5 MARTIN FROGER SILVA: Can you hear me?

6 Okay. Good afternoon Chair Randolph, Board
7 members, and CARB staff. My name is Martin Froger Silva
8 and I am a student at the Scripps Institution of
9 Oceanography In La Jolla and I've been a coastal
10 California resident for five years.

11 The statement I make today reflects my own
12 personal views. I'm here today to voice my support for
13 the proposed amendments of the Commercial Harbor Craft
14 Regulation being considered today.

15 As the staff presentation demonstrated,
16 (inaudible) that repeated exposure to air toxics emitted
17 by harbor craft, such as PM2.5 and nitrogen oxides
18 increase asthma, cardiovascular issues, cancer risk, and
19 premature death in both coastal and inland communities.
20 Reducing emissions from harbor craft will improve the
21 state's air quality, reduce air pollution related to
22 cancer death -- and deaths, and save the state billions of
23 dollars in related losses, as well reduce unequal exposure
24 to air toxics, especially among disadvantaged communities.

25 This is a win for everyone, including harbor

1 craft owners, operators, and their customers who are
2 directly exposed to these harmful pollutants. In addition
3 to the direct health benefits related to air pollution,
4 these amendments will help California lower its greenhouse
5 gas emissions, which contribute to global warming, and
6 accelerate climate change.

7 Given how our state is on the frontlines of the
8 climate emergency, reducing greenhouse emissions
9 everywhere should be one of our top priorities, especially
10 since climate change has led to increased wildfires in
11 recent years and also released dangerously high levels of
12 PM2.5 particles further harming Californians.

13 Given CARB's mission and long history of
14 protecting the public from the harmful effects of air
15 pollution and fighting climate change, the proposed
16 amendments should be passed to ensure that all
17 Californians can breathe easier.

18 Thank you and have a good weekend.

19 BOARD CLERK ESTABROOK: Thank you. Regina Hsu.

20 REGINA HSU: Chair Randolph and members of the
21 Board, thank you for the opportunity to comment. My name
22 is Regina Hsu and I'm an attorney with Earthjustice.

23 We support CARB adopting a strong commercial
24 harbor craft rule as soon as possible. The rule will save
25 over 500 lives and bring much needed health benefits to

1 port communities bearing the brunt of pollution caused by
2 the ongoing shipping crisis.

3 CARB's recent reports on ships at anchor at the
4 Port of LA and Long Beach show that increased activity at
5 the ports means we may not see the important health
6 benefits from the At Berth Rule CARB passed last year. We
7 need agencies like CARB to act now on this port pollution
8 crisis, and this rule is an important step in that
9 direction.

10 We strongly support the zero-emission
11 requirements for short-run ferries and new excursion
12 vessels. But this isn't enough for polluted areas like
13 the South Coast and San Joaquin Valley. We echo the Union
14 of Concerned Scientists suggestion for CARB to include an
15 annual technology review. And we also recommend that CARB
16 explore using contingency measures to set more
17 zero-emission targets for harbor craft like tugs in areas
18 that can't afford more NOx and diesel pollution.

19 This approach will also help chart a necessary
20 path to getting harbor craft to a hundred percent zero
21 emissions by 2035. The Board should also reject efforts
22 to delay or weaken the rule. Tier 3 engines pollute 3.5
23 times more NOx emissions than Tier 4 and we can't have
24 this additional pollution in places like the South Coast.

25 Please prioritize public health and move forward

1 with this rule. Thank you.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speaker will be Teresa Bui. After
4 Teresa, will be Lisa Lavelle, Karen Jakpor, and Michael
5 Fleming.

6 Teresa, you may unmute and begin.

7 TERESA BUI: Thank you. Hi. This is Teresa Bui
8 with Pacific Environment again. We're a nonprofit and we
9 have a consultative status at the International Maritime
10 Organization, which sets shipping laws. Thank you to
11 staff on the hard work on this rule. This rule will help
12 save lives, and improve public health. And we are
13 particularly supportive of the expanded vessel categories
14 and the zero-emission requirements on short-run ferries
15 and excursion vessels.

16 However, we still think that the rule misses the
17 opportunity to embrace electrification solutions for this
18 sector and to set clear market signals. We are in a
19 decade of climate emergency. We're seeing longer wildfire
20 season or droughts, and this rule will only achieve an
21 eight percent reduction in greenhouse gas. So we're
22 urging you to push for a stronger rule by requiring a
23 hundred percent zero-emission to transition for tugboats,
24 ferries, barges, and dredges by 2035 and to direct State
25 investments to support the successful transition,

1 especially for smaller businesses. This will help save
2 lives, create green jobs, and advance environmental
3 justice.

4 And you have received letters from ship design
5 builders and battery producers, such as Navtech and ABB
6 Marine that says it is feasible to get to zero emission by
7 2035. And if CARB is not able to add more zero-emission
8 vessels, we ask that the Board direct staff to use --
9 explore using contingency measures to achieve more zero
10 emissions in harbor craft. And to do a technology, we
11 review every year instead of three years to further
12 strengthen the rule. Thank you so much.

13 CHAIR RANDOLPH: Clerk, I just wanted to ask if
14 anyone is planning on commenting and has not yet raised
15 their hand or dialed star nine to get into the queue, to
16 please go ahead and do that now and we'll close the queue
17 at 4:25.

18 Thank you.

19 BOARD CLERK ESTABROOK: Thank you. Our next
20 speaker will be Karen Jakpor. Karen, I have activated
21 your microphone you can unmute yourself and begin.

22 DR. KAREN JAKPOR: My name is Dr. Karen Jakpor
23 and I support a stronger harbor craft rule. I'm from
24 Riverside and I'm a physician volunteer with American Lung
25 Association I also the point of view of a patient who has

1 been hospitalize countless times with severe asthma. We
2 should always remember that air pollution kills when we
3 are considering regulation. It's not too much burden to
4 save lives and prevent illness. And this rule includes
5 grace periods and includes incentive funding.

6 Cleaning up the air in every way we can really
7 does matter. We cannot focus only on cars and trucks and
8 give boats a pass. One sportfishing boat produces the
9 equivalent exhaust of 162 diesel school buses. CARB's
10 proposed rule would have over \$5 billion of public health
11 benefits from 2023 to 2038. And it would prevent over 531
12 premature deaths.

13 Boats are important. I support the proposed
14 amendment and I would encourage CARB to expand
15 requirements for zero-emission technologies to a broader
16 range of vessels for 100 percent zero-emissions harbor
17 boats by 2035.

18 Thank you very much.

19 BOARD CLERK ESTABROOK: Thank you.

20 Lisa Lavelle.

21 LISA LAVELLE: Thank you. Lisa Lavelle, city
22 council member for the City of Avalon on Catalina Island.
23 I ultimately support the Commission's goal in getting to a
24 100 percent zero-emission economy and would like to just
25 discuss the challenges with doing that in the timeline set

1 forth. The additional cost and the inability to retrofit
2 passenger service that is the primary life-line for our
3 4,000 residents on this island to get to and from their
4 doctors offices, schools, and other meetings on the
5 mainland would be a massive challenge for us to overcome.

6 The companies that do this service are public
7 companies, and therefore -- excuse me private companies
8 and therefore could not pursue public funds. And we're
9 unable to pursue those public funds on their behalf to be
10 able to make these retrofits happen in the time proposed.

11 I would ask that you look at an option that
12 allows us to, as we've done already, be a head of the
13 curve in terms of getting to the tiers that you're asking
14 us to be at and be able to receive extensions until the
15 timeline allows for us to have those companies purchase
16 the suitable ferries that would allow us to continue
17 service. This will help both our local economy and our
18 local citizens be able to maintain their connection to the
19 mainland.

20 I thank you all for your work, your service, and
21 your time, and wish you well.

22 BOARD CLERK ESTABROOK: Thank you.

23 Our next speaker will be Michael Fleming. After
24 Michael Fleming. After Michael will be Barry McCooey,
25 Frank Rescino, and Wayne Kotow.

1 Michael, you may unmute and begin.

2 MICHAEL FLEMING: Thank you very much. My name
3 is Mike Fleming. I'm from Orange. I'm a recreational
4 fisherman. I regularly -- I regularly take my 10-year
5 grandson with me on passenger fishing vessels from various
6 docks from Ventura to San Diego. I'm retired and I'm on a
7 fixed income. On average, one-third of the fishermen who
8 are on the boats that I go on are in my age group, which
9 is 60 to 80 years old. If passenger fishing vessels need
10 to be replaced, the cost of a fishing ticket will be
11 increased so much, I, along with tens of thousands of
12 other people, will not be able to continue to fish. We'll
13 be priced out.

14 This requirement is not only unfair. It will
15 ruin the recreational fishing industry. There must be
16 another way to extend compliance or exclude passenger
17 fishing vessels further. To ruin or cripple an industry
18 of mostly family businesses, some of up to 80 years old,
19 will destroy jobs and ancillary businesses as well. I saw
20 nothing on the report regarding the incoming cargo ships
21 in Long Beach, San Francisco, and San Diego, military
22 Coast Guard, and other security ships that use these
23 fuels. All of these ships put millions of tons of matter
24 into the air.

25 If fishing Passenger vessels are required, all

1 ships should be required as well. I thank you for your
2 time and hope you will take my comments under
3 consideration. Have a nice weekend.

4 BOARD CLERK ESTABROOK: Thank you.

5 Barry McCooey.

6 BARRY MCCOOEY: Thank you very much, Madam Chair,
7 CARB, Board, and staff. I'm Barry McCooey. And I'd like
8 to introduce M&H Engineering, and our range of certified
9 EPA Tier 4 marine engines that comply with the proposed
10 CARB regulations below 600 kilowatts. Our engines reduce
11 CO2 by 30 percent, particulate matter 97 percent, and NOx
12 by 96 percent compared to a Tier 1 engine.

13 I've read through the 3,265 comments submitted
14 for and against the proposal. I'd like to speak directly
15 to the family owner operators of sportfishing, whale
16 watching, small ferry operators. I hear you. I
17 understand your concerns about this proposal, but there is
18 a lot of bad, poor, and misinformation being put out
19 amongst your groups on this technology. M&H Engineering
20 will meet your needs and allow you to continue operating
21 your vessel as you do today. I'll break it down simply
22 into three Ps.

23 Power. Today, we have engines from 75 horsepower
24 to 425 horsepower with much better torque curves that
25 you're used to. We'll be working on a range of engines

1 from 500 to 900 horsepower next year. These engines have
2 all got the shielding and thermal temperatures that you're
3 used to work to with the Tier 2, Tier 3 marine engines.

4 Package. This is where the misinformation
5 regarding the size and weights of the Tier 4 marine
6 engines is. Our engines have good power-to-weight ratio
7 that are compact, integrated, fuel efficient, and highly
8 liable. They're very similar to the engines --

9 BOARD CLERK ESTABROOK: Thank you. Thank you.

10 Our next speaker will be Frank Rescino.

11 Frank, you may unmute yourself and begin.

12 Frank, are you there?

13 FRANK RESCINO: I'm unmuting. Can you hear me
14 now?

15 BOARD CLERK ESTABROOK: Yes, we can.

16 FRANK RESCINO: Okay. My name is Frank Rescino.
17 I have the Lovely Martha Sportfishing. I'm a
18 third-generation fishing -- fisherman. My family has been
19 in business since 1908, that's 113 years. I don't know
20 why I'm the only prob -- person that has a problem with
21 your 162 buses. I looked at the data that you used. You
22 used a Tier 2 800-horsepower engine at full power against
23 the 375 power four tier bus engine.

24 When we're fishing with our boats, the average
25 boat in the San Francisco Bay Area has a 400-horsepower

1 engine. That knocks you down to 80 buses right there. We
2 run our engines while fishing at 10 percent power. Now,
3 we're down to a lot less buses. We only run at 50 percent
4 power max. Your 162-bus theory is just way blown out of
5 proportion. We are not a ship. We are not a tug. We are
6 not a dredge.

7 We don't -- I have -- I have the most modern
8 engine you could buy. I have a Tier 3. I upgrade all the
9 time. There's no money for these Tier 4s yet. There's no
10 money for a new boat. My boat is paid for. Are you going
11 to give me \$2 million, so my son and my grandson can be
12 forth and fifth generation?

13 I'm sorry I'm a little upset about this, but your
14 numbers are entirely off. We are not an 800-horsepower
15 boat and you've got to look at it again.

16 Thank you.

17 BOARD CLERK ESTABROOK: Thank you.

18 Wayne Kotow. After Wayne, we will have Troy
19 Sears, Fred Main, and Raquel Maronde.

20 Wayne, you may unmute and begin.

21 WAYNE KOTOW: Good afternoon, Chair Randolph,
22 Board, and staff. Wayne Kotow with Coastal Conservation
23 Association of California representing the millions of
24 anglers who depend on our sportfishing fleet for our
25 access to our precious resources.

1 We want to emphasize the importance of the
2 sportfishing and whale watching fleets provide to our
3 communities and tourism. This is the main access for the
4 majority of the people to experience our oceans. But even
5 more, our fleet provides the platforms for much of the
6 marin science being used for MPA reviews, biodiversity,
7 ecotourism, and stock enhancements.

8 They also are the access benefiting our veterans,
9 handicapped, and most importantly our kids. This fleet is
10 the only way our underserved communities will have access
11 as mandated in the 30 by 30 Coastal Access For All Plan,
12 which is acces for education, transportation, and
13 recreation.

14 We are just asking for our -- for safe and
15 realistic regulations that are achievable as we all work
16 towards our zero-emission goals.

17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you.

19 Troy Sears, you may unmute and begin.

20 TROY SEARS: Hello. My name is Troy Sears and I
21 an owner and op -- and founder of Next Level Sailing. We
22 operate Whale watching and other excursions in San Diego
23 from 141-foot sailing schooner. Best I can tell, we carry
24 more passengers in the state of California using wind as
25 our primary propulsion.

1 When the proposed regulations were released, I
2 was expecting to find a place for wind and sailing
3 vessels, a 5,000-year old technology. So I was very
4 disappointed to see that sailing and wind are not included
5 in the regulation as a zero-emission hybrid option. To be
6 clear, the word "wind" does not exist in the regulation
7 and that is disappointing and confusing, because the
8 vessels in our state operated using wind as a hybrid, it
9 would immediately reduce emissions from harbor craft by
10 over 90 percent.

11 So simply put, I'm asking CARB to include wind
12 and sailing in the proposed regulations as a propulsion
13 source and a zero-emission hybrid option.

14 Thank you.

15 BOARD CLERK ESTABROOK: Thank you.

16 And as the Chair mention, the list to sign up is
17 now closed.

18 And so now let's move on to Fred Main. You may
19 unmute yourself and begin.

20 FRED MAIN: Madam Chair, members of the Air
21 Resources Board. Fred Main on behalf of the Chamber of
22 Commerce Alliance of Ventura, Santa Barbara, and San Luis
23 Obispo counties representing 11 local chambers in the
24 three-county coastal area. And I'm appearing today to
25 oppose the current version of the Commercial Harbor Craft

1 Regulation.

2 The three coastal counties, sportfishing, whale
3 watching, and cruises are an important part of the tourist
4 economy in all three counties, and we're very concerned
5 that the regulation of the sportfishing vessels in the
6 current regulation will have a very detrimental effect on
7 that tourist economy.

8 We endorsed the sportfishing industry's proposal
9 asking the Board to direct staff to reconsider the
10 regulation and include the sportfishing vessels, along
11 with the rest of the commercial fishing fleet.

12 Thank you very much.

13 BOARD CLERK ESTABROOK: Thank you.

14 Our next speaker will be Raquel Maronde. After
15 Raquel will be Douglas Shaftel, Jorge Daniel Taillant, and
16 then Paul Strasser.

17 Raquel, you may unmute and begin.

18 RAQUEL MARONDE: Chair Randolph and members of
19 the California Air Resources Board. My name is Raquel
20 Maronde and I'm a graduate student at Scripps Institution
21 of Oceanography. I'm here representing myself and the
22 statements expressed are of my own opinion.

23 Initially, I came here today in support of the
24 proposed amendments, if changes were made to better
25 support small business passenger vessels. However, upon

1 hearing from staff members earlier today and further
2 analysis of funding opportunities for small business
3 passenger vessels, I am in full support for the proposed
4 amendments.

5 As a student at Scripps Institution of
6 Oceanography, you may assume our support stems from the
7 technological innovations and push for less emissions. I
8 support this, of course, but I am more deeply concerned
9 about the health of ports and surrounding communities. I
10 am sure many of you know of someone or have personally
11 battled with cancer. It has plagued my life as I watch my
12 mother suffer four different cancers at four different
13 stages in her life.

14 DPM, as you know, represents 70 percent of total
15 known cancer risk. The proposed amendments have the
16 potential to reduce DPM emissions by 89 percent from the
17 current regulation and this matters, especially for the
18 disadvantaged communities living within 50 miles of ports
19 and marine emission areas that they historically are at a
20 greater risk for air pollution, exposure to carcinogens,
21 and other compounding health concerns.

22 The proposed amendments will save lives and 5.25
23 billion in health care costs. I think there is great
24 promise with these amendments and I appreciate CARB for
25 their extensive research into the environmental, health,

1 and economic impacts of the amendment. Thank you for
2 considering the harmful effects and reduction of
3 carcinogenic DPM. You have my support and thank you for
4 the opportunity to comment.

5 BOARD CLERK ESTABROOK: Thank you.

6 Douglas Shaftel, you may unmute and begin.

7 DOUGLAS SHAFTEL: Chair and members of the Board,
8 my name is Doug Shaftel and I live in San Diego, where I'm
9 a graduate student at Scripps Institution Oceanography. I
10 make this comment solely in my personal capacity.

11 While I favor adopting more stringent technology
12 standards, I ask that CARB directly address two concerns
13 raised about the CPFV's transition. One, that there are
14 potentially duplicative compliance costs to meet zero
15 emission goals, and two, that there may be inadequate
16 funding to support compliance.

17 Before adopting a final rule, CARB should address
18 CDFW's comment that by requiring an intermediate
19 technology standard before eventually adopting a zero
20 emissions standard, CARB may be imposing duplicative
21 compliance costs. There's a significant possibility that
22 the same health objective can be achieved by, for example,
23 going directly to zero emissions, but over a slightly
24 longer time frame to avoid disruptions to the CPFV fleet.
25 I believe it should be considered.

1 Further, although the Carl Moyer Program does
2 appear to provide funding for marine vessels that are
3 retrofitting, it is unclear whether it would provide
4 funding for new vessel purchases when such retrofits are
5 infeasible. Hopefully CARB can work with the Legislature
6 to provide additional funding support for small businesses
7 that lack the resources to achieve compliance.

8 We as a society must act without further delay to
9 address disparate health outcomes caused by air pollution
10 emitted from marine vessels, These disadvantaged
11 communities are composed of our families, friends,
12 neighbors, and community members who suffer
13 disproportionate harm for pollutants emitted from marine
14 industries.

15 I applaud and support CARB's leadership in this
16 issue and thank the Board, and especially its staff, for
17 all the work they've done on this important regulation.

18 Thank you.

19 BOARD CLERK ESTABROOK: Thank you.

20 Jorge Daniel Taillant, you may unmute and begin.

21 JORGE DANIEL TAILLANT: Yes. Daniel Taillant
22 from the Center for Human Rights and Environment. We
23 commend Governor Newsom's call to California agencies to
24 propose further reductions of GHG emissions and ensure
25 that we -- that we reduce emissions faster.

1 The IPCC tells us in their last report issues
2 just over two months ago that reducing short-lived climate
3 pollutants, like black carbon and methane, quickly and
4 aggressively is the only pathway to keep global warming to
5 1.5 C.

6 It was great to see California climate
7 leadership, including Chair Randolph in Glasgow offering
8 the California experience to the world, and the world is
9 watching, which is why this is so important. Urgency is
10 the key message from Glasgow as Jared Blumenfeld said
11 moments ago. This is why it is so important that the
12 commercial harbor craft regulations aim for 100 percent
13 zero emissions by 2035, requiring only 14 percent of
14 harbor crafts to meet this target and only achieving eight
15 percent reduction in GHG simply falls far too short.

16 The shipping industry must do its part in
17 lowering GHG emissions and CARB can lead the way. We know
18 that AB 617 communities near port areas are the most
19 affected by poor air quality suffering severe respiratory
20 and other health problems. Living near a dirty port can
21 shorten your life expectancy by nearly a decade.

22 We've heard the health benefits from the
23 presentation earlier today, but doing 100 percent zero
24 emissions by 2035 will be much better multi-fold even. It
25 will also help promote environmental justice and climate

1 equity. This is the moment for CARB to help clean the air
2 for port communities. A strong zero-emission harbor craft
3 regulation is simply the right way to go.

4 Thank you.

5 BOARD CLERK ESTABROOK: Thank you.

6 Our next speaker will be Paul Strasser. After
7 Paul will be Kelly Baughman, Jared Davis, and then William
8 Barrett.

9 Paul, you may unmute and begin.

10 Are you there?

11 PAUL STRASSER: Hello. Hello, can you hear me?

12 BOARD CLERK ESTABROOK: Hi, we can hear you.

13 PAUL STRASSER: Yeah. Can you hear me?

14 BOARD CLERK ESTABROOK: Yes. We can hear you.

15 Yes, we can hear you.

16 PAUL STRASSER: Very good. Good afternoon. My
17 name is Paul Strasser. I've owned and operated commercial
18 fishing vessels for over 38 years. For decades, the boat
19 owners have already transitioned from a Tier 0 to now the
20 Tier 3 engines thanks to taking advantage of the Carl
21 Moyer Program. CARB staff have been telling the media
22 that the basis of this proposal regulation is that one
23 commercial passenger boat generates as many emissions as
24 162 buses.

25 This analogy is not supported by facts. CARB is

1 comparing the emissions of two boat engines at full
2 throttle to a single bus operating at 20 miles an hour.
3 Bus engines are smaller and less horsepower than the
4 engines used on our boats. Passenger boats do not run
5 full throttle all the time. They're trolling. They're
6 slow down. They're anchored most of time -- a majority of
7 the time.

8 The Tier 4 engines are not available for boats,
9 only buses and trucks. The major engine manufacturers
10 like Caterpillar, Cummins, John Deere, Scania, Mitsubishi
11 are not planning on building a Tier 4 engine for the
12 California market. This comparison disregards the facts
13 that most of our boats are -- already have Tier 3 engines,
14 due to the Carl Moyer Program. And even without this
15 proposal, our passenger boats in due time would be --
16 would eventually transition to a Tier 4 engine using Carl
17 Moyer funding.

18 When school buses are upgraded, they use a
19 hundred percent taxpayer money. CARB is not offering this
20 to buy owner a new boat. What the regulation does do, it
21 denies the boat owner access to the Carl Moyer --

22 BOARD CLERK ESTABROOK: Thank you.

23 PAUL STRASSER: -- funding program for Tier 4
24 engines.

25 BOARD CLERK ESTABROOK: Thank you.

1 Our next Speaker is Kelly Baughman. Kelly, you
2 can unmute yourself and begin.

3 KELLY BAUGHMAN: Hi, Can you hear me?

4 BOARD CLERK ESTABROOK: Yes.

5 KELLY BAUGHMAN: Perfect. Thank you.

6 My name is Kelly Baughman and I am the Director
7 of Environment for Crowley Maritime Corporation, the
8 largest operator of U.S. flagged commercial vessels.
9 Madam Chair, members of the Board, thank you for the
10 opportunity to speak with you today. Crowley has served
11 call for 130 years and we share CARB's mission of reducing
12 the harmful effects of air and climate pollution for the
13 safety of all Californians.

14 The proposed regulation fails to address the
15 unique nature of articulated tug barges as recognized by
16 this Board in Resolution 20-22, and in doing so ignores
17 their vital role in providing safe and efficient bulk
18 liquid transportation along the U.S West Coast. ATVs
19 operate in a manner identical to ocean-going vessels and
20 require more flexible alternative compliance pathways than
21 those included in the proposed regulation to meet our
22 shared goal of cost effective and impactful emissions
23 reductions in California's most sensitive airsheds.

24 We have communicated with CARB staff, including
25 ATVs and the CHC inventory and potential violation of CEQA

1 may have the unintended commercial consequence of shifting
2 this trade to less environmentally friendly modes. This
3 will likely result in a net increase in emissions for
4 California port communities, the opposite of what this
5 rule aims to achieve.

6 Accordingly, we at Crowley urge CARB to again set
7 our ATVs as distinct from harbor craft and to work with
8 industry to develop and implement broader and more
9 innovative alternative compliance pathways.

10 Thank you. Have a great weekend.

11 BOARD CLERK ESTABROOK: Thank you.

12 William Barrett.

13 Oh, I'm sorry Jared Davis. You may unmute and
14 begin. We'll come back to, Will.

15 JARED DAVIS: Yes. Hi. My name is Jared Davis.
16 I am Board Member on Golden Gate Fishermen's Association,
17 as well as Golden State Salmon Association. I also have a
18 long-running contract with a conservation-based nonprofit
19 organization offering ecotourism and whale watching trips.

20 I'm going to say something that you're probably
21 not expecting. Thank you so much for putting us last on
22 the agenda today. It gave me an opportunity to do what I
23 love, be out on the ocean and take a whole bunch of people
24 out and make them happy.

25 I was 20 miles offshore today on a fishing trip

1 with my Tier 3 engine, well outside of State waters, I
2 might add. And I believe that you're misrepresenting that
3 in a lot of ways. A lot of the boats have been upgrading
4 their engines as quickly as possible. I'm not going to go
5 into too much detail. It's clear that the economic
6 feasibility and technological feasibility of this
7 regulation is not likely to be met at this point in time.
8 Stability and safety are an issue. The lack of Coast
9 Guard involvement and drafting this regulation is a
10 stunning oversight.

11 And it looks like my time is up. I had more to
12 say, but thank you for your time.

13 BOARD CLERK ESTABROOK: Thank you.

14 Okay. Will Barrett, you may unmute and begin.

15 WILL BARRETT: Thank you. My name is Will
16 Barrett. I'm the National Senior Director for Clean Air
17 Advocacy with the American Lung Association speaking in
18 support.

19 November is lung cancer awareness month. The
20 harbor craft sector is a leading source of cancer risk in
21 portside communities and far inland. The proposed rule
22 will cut cancer risk for over 20 million Californians and
23 save hundreds of lives in these communities. Sportfishing
24 boats, tugs, ferries and other commercial harbor craft
25 contribute to a wide range of breathing related

1 emergencies, asthma attacks, emergency room visits,
2 hospitalizations, heart attacks, strokes, lung cancer and
3 premature death. We are talking today about extremely
4 vulnerable residents who breathe this pollution day in and
5 day out, whether or not they ever set foot on a boat.

6 The American Lung Association, American Cancer
7 society, California Medical Association, California
8 Thoracic Society, and other leading health organizations
9 call on CARB to move the proposed amendments forward and
10 to strengthen the rule.

11 The proposed new and in-use requirements are
12 critical. Moving to zero emissions and Tier 4 engines
13 with filters will be far more protective than Tier 3 or
14 earlier engines.

15 A few comments on strengthening. Compliance
16 extensions could run well into the 2030s. These
17 extensions delay health benefits and should be limited in
18 scope. We support an annual technology review and believe
19 the Board should expand zero-emission requirements for
20 other vessels in line with Executive Order N-79-20.

21 In closing, the Board must direct staff to
22 maintain the stringency of the proposal and strengthen the
23 final rule. We believe incentives should be available in
24 advance of the rule and that vulnerable breathers deserve
25 a strong final rule.

1 Thank you.

2 BOARD CLERK ESTABROOK: Thank you. Our next
3 three speakers will be Michael Thompson, David McCloy, and
4 Brian Vahey.

5 Michael, I've activated your microphone. You may
6 unmute and begin.

7 MICHAEL THOMPSON: There we are. Oh, got to put
8 my glasses on. Hang on.

9 Okay. My name is Mike Thompson and I represent
10 the two sportfishing and whale watching companies in
11 Newport Beach. We have a fleet of nine vessels, a
12 majority of which have already been repowered to Tier 3
13 with the help of Carl Moyer funds. We provide affordable
14 marine recreation and educational opportunities to the
15 general public and local school districts. All of our
16 vessels depart the harbor and operate mostly from three to
17 100 miles from shore, much like commercial fishing
18 vessels.

19 The local coastline runs from northwest to
20 southeast, and the prevailing winds in our area are from
21 northwest to southeast. So for the most part, our
22 emissions should not reach the mainland once we make the
23 brief transit out of the harbor and offshore.

24 This shows the disingenuous nature of CARB's
25 analogy concerning school buses. These vehicles operate

1 within the communities they serve. Ours do not. And I
2 really don't understand how your modeling shows that our
3 emissions go that far inland when we operate offshore.

4 I will go no further, other than to say that the
5 proposed harbor craft rule will put us out of business.
6 We can't afford new vessels. We need to wait for the
7 technology to catch up so we can retrofit existing
8 vessels, some of which are relatively new.

9 Since I've got a few minutes left, we also
10 charter one of our boats for three weeks every year to the
11 National Marine Fisheries Service to collect indices of
12 abundance on rockfish species used in stock assessments.
13 And you guys really need to talk to the U.S. Coast Guard
14 about the dangers of the DPF.

15 That's it. Thank you.

16 BOARD CLERK ESTABROOK: Thank you.

17 David McCloy, you may unmute and begin.

18 DAVID MCCLOY: My name is David McCloy. I'm a
19 ship pilot and managing partner at the San Francisco Bar
20 Pilots. First of our all, our group supports emissions
21 reductions and green efficient technologies. We're
22 currently building the first pilot boat in the United
23 States powered with Tier 4 and DPF-capable engines.

24 This is with the full support of our customers,
25 ratepayers, and State Board of Pilot Commissioners. There

1 are only 10 pilot boats in California and my group
2 operates five of them. Our primary position is that pilot
3 boats be exempt from these proposed regs and continue to
4 comply with existing U.S. EPA emissions regulations.
5 Pilot boats have a minimum impact on the emissions
6 inventory.

7 Regarding the proposed new regs, we believe that
8 they are unnecessarily complex and restrictive. It's very
9 difficult and even impossible on some pilot boats to
10 retrofit with CARB-compliant engines. These regulations
11 will prematurely end the service life of our current pilot
12 boats and accelerate our new build program requiring
13 construction of three new vessels by the year end of 2024,
14 one in '25 and one in '28. These will cost between seven
15 and 14 million dollars each. The implementation
16 timetables are unrealistic and create an unreasonable
17 near-term financial burden.

18 Thanks for your time.

19 TRACY JENSEN: We're logged into Zoom

20 BOARD CLERK ESTABROOK: I'm sorry, David. I just
21 want to interrupt you, because we've having some technical
22 issues on our end and so we need to -- we'll allow you to
23 continue with your comment, but we just need to fix the
24 audio here. The Board members weren't able to hear your
25 comments. So we'll have you start over when I give you

1 the queue. I'm so sorry about that.

2 David can you hear me? I think we're back
3 online.

4 DAVID MCCLOY: Okay. Yeah, I can hear you.

5 BOARD CLERK ESTABROOK: Okay. I do apologize for
6 that. We are ready for you to begin your comment again.

7 DAVID MCCLOY: Okay. Thanks. My name is David
8 McCloy. I'm a ship pilot and managing partner at the San
9 Francisco Bar Pilots. Our group supports emissions
10 reductions. We're currently building the first pilot
11 boats in the U.S. with Tier 4 and DPF-capable engines.
12 It's with the full support of our customers, ratepayers,
13 and State Board of Pilot Commissioners.

14 There's only about 10 pilot boats in California
15 and my group operates five of them. Our primary position
16 is that pilot boats be exempt from these proposed regs and
17 continue to comply with existing U.S. EPA regs. Pilot
18 boats have a minimum impact on the emissions inventory.

19 These new regs are unnecessarily complex and
20 restrictive. It's very difficult and even impossible in
21 some pilot boats to retrofit with CARB compliant engines.
22 These regs will prematurely end the life -- service life
23 of our current boats and accelerate our new build program
24 requiring construction of three new boats by year end of
25 '24, one in '25, and one in '28. They will cost between

1 seven and 14 million dollars each. And the implementation
2 timetable is unrealistic and creates an unreasonable
3 near-term financial burden.

4 And thanks for the opportunity to comment.

5 BOARD CLERK ESTABROOK: Thank you.

6 Our next speaker will be Brian Vahey.

7 After Brian, we will have Greg Bombard, Rebecca
8 Baskins, Michael Parmer, and Rick Oefinger.

9 Brian, you may unmute yourself and begin.

10 BRIAN VAHEY: Thanks. Hell, can you hear me?

11 BOARD CLERK ESTABROOK: Yes.

12 BRIAN VAHEY: Hello. And thank you for the
13 opportunity to testify today. My name is Brian Vahey and
14 I'm with The American Waterways Operators, the national
15 trade association for the tugboat, towboat, and barge
16 industry.

17 AWO urges the Air Resources Board not to proceed
18 with the harbor craft rulemaking in its current form. At
19 a time when California ports are experiencing historic
20 congestion, CARB is proposing to take regulatory action
21 that could decimate maritime commerce. And this is
22 particularly egregious, because the proposed rule is based
23 on inaccurate assumptions about the size of the harbor
24 craft fleet and its impact on the environment.

25 To take just one example, CARB's modeled

1 emissions from harbor craft are as much as four times
2 higher than actual measured emissions from all sources
3 captured at sampling stations in multiple major coastal
4 areas. This data simply does not make sense. We've heard
5 Board members discuss today the importance of data-driven
6 regulation and we completely agree, but CARB's failure to
7 validate this -- to validate its model has done a great
8 deal to undermine confidence in this regulatory process.
9 We urge the Board to halt this rulemaking and to replace
10 it with a collaborative approach that will achieve more
11 ambitious emission reduction goals on a workable timeline.

12 Thank you very much for the opportunity to
13 testify.

14 BOARD CLERK ESTABROOK: Thank you.

15 Greg Bombard, you may unmute and begin.

16 GREG BOMBARD: Can yo hear me?

17 BOARD CLERK ESTABROOK: Yes, we can.

18 GREG BOMBARD: Thank you.

19 Greg Bombard, CEO of Catalina Channel Express.
20 Catalina Express was established in 1981 as a privately
21 owned ferry service regulated by the California Public
22 Utilities Commission. Our fleet of eight high-speed
23 vessels funs from three different Southern California
24 ports to Catalina Island with a mandate to operate 30 --
25 365 days a year.

1 Five of our eight vessels will have been upgraded
2 to Tier 3 by the end of 2023. We were involved in a
3 feasibility study conducted by a well respected marine
4 architectural firm. The study was found to -- found that
5 the retrofitted vessel passenger capacity would have to be
6 reduced from 390 to 172 passengers, a 56 percent
7 reduction, due to the added weight of the Tier 4
8 application. A new Tier 4 vessel would cost approximately
9 \$20 million. As a private company, we cannot afford
10 commercial financing for what would be exceeding \$120
11 million to upgrade the entire fleet.

12 We are committed to achieving zero emissions from
13 our vessels as soon as technology is feasible for our
14 route. In recent conversations with CARB staff, we
15 have -- we've been encouraged that Catalina Express will
16 be able to work with CARB to achieve their ultimate goals
17 of emissions reductions while creating a pathway to a
18 zero-emissions future. Allowing us a longer compliance
19 path and working with CARB staff will avoid negative
20 consequences of disrupting transportation to and from
21 Catalina. As a life-line service to Catalina --

22 BOARD CLERK ESTABROOK: Thank you. Thank you.

23 Rebecca Baskins, you may unmute and begin.

24 REBECCA BASKINS: Good afternoon, Chair and
25 Board. Rebecca Baskins on behalf of the California

1 Advanced Biofuels Alliance. We are the state's trade
2 association for renewal diesel and biodiesel. We would
3 like to thank staff for the inclusion of renewable fuels
4 in the harbor craft regulation, but we would like to see
5 the inclusion of other renewable fuels like biodiesel and
6 renewable diesel blends in the regulation.

7 Blending renewable diesel and biodiesel together
8 maximizes the environmental and economic profiles of the
9 both fuels. For example, a blend of renewable diesel at
10 80 percent and biodiesel at 20 percent can reduce NOx by
11 10 percent and particulate matter by more than 40 percent
12 when compared to petroleum diesel. Blends can also help
13 alleviate cost and supply concerns. We did submit written
14 comments that further explain our position and asked for a
15 15-day change to the amendments to include biodiesel and
16 renewable diesel blends.

17 Thank you for your hard work on this and we look
18 forward to continuing working with you.

19 BOARD CLERK ESTABROOK: Thank you.

20 Michael Parmer, you may unmute and begin.

21 MICHAEL PARMER: Good afternoon, Chair Randolph
22 and members of the Board. My name is Michael Parmer and
23 I'm the Assistant City Manager for the City of Avalon.
24 The City of Avalon is in LA County located on Catalina
25 Island, 26 miles off of Southern California. The city

1 relies on connections to the mainland for routine,
2 advanced, specialty, and life-saving medical, dental, and
3 vision care. Additionally, the city and island has a
4 vibrant tourist and recreation-based economy. However,
5 this economy is dependent on visitors access to the
6 island. To access the island, the city and island rely on
7 the island's only means of transportation, the
8 cross-channel ferry services provided by the Catalina
9 Channel Express.

10 If as proposed, the amendments to the commercial
11 harbor craft regulations are adopted by CARB, they will
12 disproportionately impact our community's quality of life,
13 threatening many of our residents' ability to access
14 life-saving medical care from mainland hospitals and have
15 dire consequences for our economic viability. The city
16 urges CARB to embrace a solution that will allow for ferry
17 services to continue to operate their existing fleet while
18 expediting the development of a zero-emission ferry.

19 I appreciate the opportunity to speak and wish
20 everyone the best.

21 BOARD CLERK ESTABROOK: Thank you.

22 Our next speaker will be Riff Oefinger. Rick
23 Oefinger. And then after Rick, we will have Ken Franke,
24 Ernie Prieto, Frank Ursitti, Markus Medak, and then Tim
25 Ekstrom.

1 Rick, you can go ahead and unmute and being.

2 RICK OEFINGER: Hey, hi. Rick Oefinger, Marine
3 Del Rey Sportfishing.

4 You know, our whole fleet is all for storing
5 alternative fuels and propulsion systems. And the -- but
6 you know realistic alternatives, they just -- they really
7 just don't exist right now. I've been fortunate enough in
8 the last 25 years to build from the keel up five brand new
9 boats, and four of those five we looked into alternative
10 fuel sources, just because it was the right thing to do I
11 guess, just to check out what the options were, and none
12 existed. The Coast Guard said no to everything.

13 I got a really good idea, but it's about when it
14 comes to building new boats, if you have to start
15 replacing them. And I think that just to build a simple
16 local boat like a typical half day or three-quarter day
17 boat, would actually be \$2 million plus. And I believe
18 that an overnight boat with, you know, sleeping
19 accommodation, whatnot, you're talking six million. Very
20 few people have the funds or can even get funding to do
21 that, or even think about paying something like that off.
22 It's -- this whole thing is just financially irresponsible
23 and unrealistic. And I think in the grand scheme of
24 things, our boats just provide very little pollution to
25 a -- that would -- that we would offset by what we're

1 saving by these -- having these restrictions put in our --
2 the regulations put on us.

3 BOARD CLERK ESTABROOK: Thank you.

4 Ken Franke, you may unmute yourself and begin.

5 KEN FRANKE: Good afternoon, Chair Randolph. Ken
6 Franke, President of the Sportfishing Association of
7 California. We support feasible emissions reductions.
8 Eighty-five percent of the Coast Guard inspected
9 commercial passenger fishing vessel fleet, numbering less
10 than 200, are all already either Tier 2 or 3 using grant
11 money. Departing the LA/Long Beach area, 15 of 21 vessels
12 are Tier 3, with the remaining six planning to repower to
13 Tier 3. Departing the San Francisco Bay, 22 of 27 vessels
14 are already Tier 3 with the remaining five also planning
15 to repower. We have learned 80 inspected vessels are
16 already Tier 3 and a large number of the balance are
17 planning to go to Tier 3 shortly.

18 But even without this rule, we believe that at
19 least 70 to 75 percent of the fleet will Tier 3 within the
20 next four years, if they have access to Carl Moyer
21 funding. This analysis does not include uninspected
22 six-passenger or less boats. They simply should not be
23 included in this rule, as they, with few exceptions,
24 already exempt from the rule and primarily part time.
25 Their inclusion only serves to overinflate emissions

1 because of the inaccuracy of the staff model and data.

2 Additionally, the CARB-projected naval architect
3 costs of \$61,000 for a feasibility submission is simply --
4 I'm sorry, ex -- a extension submission is simple not
5 possible.

6 Finally the only logical path to compliance for
7 this fleet is to put commercial passenger vessels back in
8 the commercial fishing sector. Taking vessels out of
9 service, ending service to low economic communities,
10 simply not an option.

11 Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Ernie Prieto.

14 ERNIE PRIETO: Good afternoon. My name is Ernie
15 Prieto. I'm from the Oceanside Sea Center in Oceanside
16 Harbor, North San Diego County. I have spent 28 years in
17 the Southern California sportfishing industry. Myself and
18 my partner also serve on the Sportfishing Association
19 Board.

20 Just four years ago, we established the Sea
21 Center, not only to provide sportfishing opportunity, but
22 also marine life education to the underserved and
23 underrepresented youth in North County, San Diego. We
24 operate a small fleet of five vessels, five of the 174
25 vessels identified by the Sportfishing Association and the

1 Golden Gate Fishing Association.

2 Under these proposed regulations, all would need
3 to be replaced. The pandemic has slowed the growth of our
4 marine life program and we have continued to serve the
5 community providing fishing, and marine education, and
6 opportunities with our partners in Parks and Recs, our
7 military neighbors to the north, Vamos a Pescar, Oceanside
8 Unified, and Friends of Rollo just to name a few.

9 With us gone, many of these kids will never have
10 had the opportunity to have and ocean experience. We are
11 a small family owned and operated business. My teenage
12 daughter works in the ticket office. If these regulations
13 are adopted as written, our family business will be in
14 jeopardy. Please recombine our vessels with commercial
15 fishing vessel regulations, so that we may continue to
16 work towards cleaner emissions as proven and tested
17 technology is affordable and created.

18 BOARD CLERK ESTABROOK: Thank you.

19 Frank Ursitti.

20 FRANK URSITTI: Madam Chair, members of the
21 Board, my name is Frank Ursitti, owner of H&M Landing in
22 San Diego. I concur with other opposing speakers and add
23 that the lack of transparency and stakeholder engagement
24 has led to CARB staff grossly underestimating the cost of
25 vessel replacement. Real-world cost studies by a

1 reputable ship builder, CPA, and industry economists
2 concluded vessel construction costs are close to three
3 times staff's estimate and will range from 4.6 to 5.7
4 million dollars.

5 Our economist forecasts fare increases will range
6 between 97 and 201 percent, or up to \$395 per passenger
7 fair. No business can sustain their current ridership
8 with these increases. Gone forever will be affordable
9 ocean access. When boats go out of business, tourism and
10 visitor spending in coastal communities will languish,
11 especially here in San Diego, home to the biggest fleet in
12 our state.

13 We respectfully request you direct staff to work
14 with CPFV stakeholders towards a reasonable and equitable
15 solution. We welcome the opportunity to work together
16 with CARB to make meaningful changes in emissions and
17 keeping our oceans accessible for all.

18 Thank you.

19 BOARD CLERK ESTABROOK: Thank you.

20 Markus Medak.

21 MARKUS MEDAK: Hello. Good afternoon. My name
22 is Markus Medak. I'm the owner and operator of a 65-foot
23 CPFV here in San Diego called the New Lo-An. CARB staff
24 have conducted a faulty analysis of the costs and benefits
25 of excluding CPFVs from the rest of the commercial fishing

1 fleet in the proposed rule. Staff concluded that CPFVs
2 operate 83 percent of the time in regulated waters. My
3 vessel is representative of the San Diego fleet and
4 according to my log book data, we operate 16 percent of
5 the time in regulated waters. By not using the actual
6 areas of operation, any mathematical modeling to show
7 health benefits or air quality improvements in California
8 will be incorrect.

9 CARB staff contend that CPFV demand is inelastic
10 in regards to price. The idea that we can drastically
11 raise prices would with loss of ticket sales is not
12 reality. New Lo-An was designed and built for the
13 Southern California live bait CPFV fishery. This vessel
14 cannot be adapted for use in other fisheries or businesses
15 out of state.

16 And so if it's not allowed to operate in
17 California, it would lose almost all of its value and be
18 virtually unsailable. The Pacific Ocean is one of the
19 most amazing natural resources that California has. For
20 most Californians, the only way to enjoy this amazing
21 resource is the go out on a CPFV or excursion vessel.
22 This and other intangible benefits are impossible to model
23 mathematically, but should be carefully considered by the
24 Board.

25 Thank you.

1 BOARD CLERK ESTABROOK: Thank you.

2 Tim Ekstrom will be our next speaker. After Tim,
3 we will have Joy Williams, Michael Franchak, and Wayne
4 Locke.

5 Tim, go ahead.

6 TIM EKSTROM: Good evening. I'm Captain and
7 owner of the fishing vessel Royal Star, with 37 years
8 experience working in Southern California recreational and
9 commercial fisheries.

10 In the new rulemaking CPFVs are separate from
11 commercial fishing vessels and burdened with
12 astronomically costly, unattainable machinery retrofits.
13 The notion of passing along realistically calculated 200
14 to 300 percent cost increases to the fishing public is
15 absurd. Such cost increases crush affordability for the
16 vast majority of CPFV clientele.

17 If CARB seeks to eliminate ocean fishing
18 opportunities for low-income and economically
19 disadvantaged families, the new rule as proposed will
20 accomplish that goal. My colleagues and I fully support
21 machinery upgrades and emission reductions, but the
22 proposals from CARB are an extreme safety concern. The
23 design and operating parameters for every CPFV are
24 absolutely incompatible with proposed machinery
25 requirements.

1 The addition of DPFs is a terrifying prospect
2 that will lead to many passenger-carrying vessels being
3 disabled offshore. Such risk is a liability that no
4 prudent mariner can accept. In light of numerous flaws in
5 CARB's proposed new rules affecting the CPFV fleet, there
6 is a simple solution, place CPFVs back in the same
7 category as commercial fishing vessels. The timeline
8 afforded commercial vessels provides reasonable compliance
9 goals that CPFVs can meet. Thank you.

10 BOARD CLERK ESTABROOK: Thank you.

11 Joy Williams, you may unmute and begin.

12 JOY WILLIAMS: Good afternoon. I'm Joy Williams
13 representing Environmental Health Coalition.

14 EHC supports the Commercial Harbor Craft Rule.
15 We thank staff for their hard work on the rule and for
16 bringing it forward today. Harbor craft is a significant
17 source of health risk for San Diego's Portside
18 communities. CARB modeling done for our Community
19 Emission Reduction Plan determined that 84 percent of the
20 weighted cancer risk from toxic air contaminants in
21 Portside is from diesel PM. And of that 84 percent, 78
22 percent is from harbor craft. Harbor craft generates
23 large volumes of greenhouse gases also. A 2016 Port of
24 San Diego emissions inventory found that harbor craft is
25 the single largest source of greenhouse gases from port

1 sources, larger even than ocean-going vessels within San
2 Diego Bay.

3 In closing, we urge the Board to adopt the rule
4 and to strengthen it in two ways. One, require all
5 ferries, tugboats, dredges, and barges to be zero emission
6 by 2035 and increase funding for zero-emissions boat
7 pilots and demonstrations, retrofits, and new builds.

8 And in closing, thank you for your time

9 BOARD CLERK ESTABROOK: Thank you.

10 Michael Franchak, you may unmute and begin.

11 MICHAEL FRANCHAK: Good afternoon to all involved
12 within this meeting. My name is Michael Franchak,
13 owner/operator of Relentless Charters, a commercial
14 passenger fishing vessel operating here in San Diego.

15 For anyone who doesn't know or might not have
16 knowledge, as Coast Guard inspected passenger carrying
17 vessel every modification we do to the vessel is in
18 cooperation with the United States Coast Guard Sector San
19 Diego and in accordance with Code of Federal Regulations
20 46 subchapter (t). This could be something as simple as
21 repositioning a life raft, replacing wiring or carpeting
22 to code, and certainly anything pertaining to the main
23 propulsion, navigation, and stability of the vessel.

24 Therefore, we keep hearing about how Tier 4
25 technology is currently viable to the industry and

1 available. We request that a list of Tier 4 power plant
2 systems for the marine environment that are currently
3 approved for installation on a subchapter (t) vessel by
4 any Coast Guard inspections office nationwide, Sector San
5 Diego or otherwise, be published. Without that, it seems
6 as though the position of the Board and statements made
7 publicly by staff, including Ms. Bonnie Soriano even this
8 week, appear to be at best admonishingly ignorant and at
9 worst maliciously deceitful.

10 We definitely look to cooperation with State and
11 federal agencies towards zero emissions. And we also
12 commend the California Fish and Wildlife Commission
13 position, as far as putting us back with commercial
14 fishing vessels on a path towards compliance.

15 Thank you for your time.

16 BOARD CLERK ESTABROOK: Thank you.

17 Next, will be Jeff Kieffer. And then after Jeff
18 will be a phone number ending in 977.

19 And, Jeff, you may unmute and begin.

20 JEFF KIEFFER: Hi. My name is Jeff Kieffer. I
21 am a fisherman. I've been on these sportfishing boats
22 for -- since I've been five years old. I'm 50 years old
23 now. From Fort Bragg down to San Diego, I've been on
24 several of the boats that several of the previous speakers
25 have represented. I strongly oppose these regulations. I

1 look forward to fishing. I don't own a boat. I'm not
2 rich. I go on these boats, because it's an opportunity
3 for me to go fish.

4 The regulations as proposed are going to put
5 these guys out of business. It's also very clear that the
6 studies that were the justification are flawed. And the
7 staff that put this together have never been on a
8 sportfishing boat. These guys don't run at full throttle.
9 They're trolling, they're idling, they're anchoring.
10 Please put them back into the commercial fishing vessels
11 and let me go fish.

12 Thank you.

13 BOARD CLERK ESTABROOK: Thank you.

14 Phone number ending in 977, please state your
15 name for the record and then you may begin.

16 And you'll need to dial star six to unmute.

17 TOM BABINEAU: Yes. Good evening. Thank you for
18 the opportunity to speak. My name is Tom Babineau with
19 Rypos, an active DPF manufacturer and a supporter of these
20 proposed amendments.

21 I'd like to take the time to address two dominant
22 areas of concern expressed here today. Those are the
23 question of whether effective technologies are available
24 to meet the regulatory compliance dates and the safety of
25 DPFs in general. Relative to meeting compliance dates,

1 Rypos is deep down the verification path with proven
2 technology that already has successfully received more
3 than five CARB verifications for other regulations. This
4 DPF technology has already filled in over 10 -- excuse me,
5 10,000 installations worldwide and is ready for harbor
6 craft.

7 Rypos is in the process of installing active DPFs
8 on main propulsion engines and on harbor craft auxiliary
9 engines at an extreme fraction of the cost of expressed
10 here today.

11 As it relates to safety, one vessel is under --
12 that is under retrofit today is a Coast Guard documented
13 vessel, which means that the naval architect has submitted
14 all design modifications to the U.S. Coast Guard for
15 approval. These installations are moving forward and be
16 completed by the end of this year.

17 I'd like to also point out --

18 BOARD CLERK ESTABROOK: Twenty seconds remaining.

19 TOM BABINEAU: -- our first application in the
20 marine environment was 16 years ago, where we completed
21 18,000 hours of combined engine operation under DPF. So
22 in short, DPF technology is proven, ready, and operated on
23 Navy vessels for more than nine years. Will be -- it will
24 be verified by the required compliance dates. So thank
25 you for the opportunity to speak.

1 BOARD CLERK ESTABROOK: Thank you.

2 Would you please state your name again for the
3 record

4 TOM BABINEAU: Yeah. Thomas Babineau. Rypos is
5 the company.

6 BOARD CLERK ESTABROOK: Thank you.

7 Our next speaker will be James Robertson, and
8 then Jim Holden, and then Sadie Johnson.

9 James, you can unmute yourself and begin.

10 Sorry about that. James, are you able to unmute?

11 JAMES ROBERTSON: Am I unmuted now?

12 BOARD CLERK ESTABROOK: Yes, you are.

13 JAMES ROBERTSON: Okay. Perfect.

14 My name is James Robertson and I own the charter
15 boat Outer Limits out of Sausalito, California that I
16 built in 1997. Four years ago, I put in Tier 3 engines.
17 I've been in the business since 1976. In all those years,
18 I've purchased commercial stamps for my vessels. I don't
19 understand why the CARB people are taking us out of that
20 qualification, so we no longer apply for -- can comply for
21 Carl Moyer.

22 If you push the agenda of the Tier 4 engines
23 forward, I know that I will be put out of business,
24 because I can't afford a new boat. And even if I could, I
25 couldn't push that kind of cost onto my customers. What

1 to me is really crazy is once I'm put out of business, my
2 boat will go to another state and be used and won't do one
3 thing for global environment. The only thing it will do,
4 it will hurt our California economy, because I won't be in
5 business. I want to do the right thing when it comes to
6 emissions. So please step back and work with us to come
7 up with a common goal.

8 Thank you so much --

9 BOARD CLERK ESTABROOK: Thank you.

10 Jim Holden. Jim, please unmute yourself and then
11 you could begin your comments.

12 JIM HOLDEN: Good afternoon. This is Jim Holden.
13 I'm the founder of the non-profit Fish For Life that takes
14 special needs children fishing from the Dan Wharf and Dana
15 Point. We've also had trips in Long Beach and San Diego.

16 Other than a short trip to the fishing grounds
17 just a few miles away, we're under anchor most of the day.
18 There's a hundred passengers aboard each voyage. To help
19 educate the kids about marine life and ocean conservation,
20 we invite marine biologists from -- aboard from Fish and
21 Wildlife and NOAA. Besides a fun-filled day of helping
22 these kids catching their first fish ever, we offer much
23 entertainment, red carpet introductions, surprise them
24 with a mermaid, et cetera. The therapeutic benefits and
25 impact of these trips is tremendous for the kids, parents,

1 and volunteers. Exponentially higher costs to charter
2 large fishing boats would severely affect the ability to
3 meet the overwhelming demand for these trips. If we're
4 unable to charter boats, Fish For Life will not exist in
5 California.

6 We all want clean air. You know, please help our
7 sportfishing community with a better solution and funding
8 so Fish For Life can continue to serve families with a
9 special needs child. They greatly benefit from this
10 activity.

11 Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Sadie Johnson will be our next speaker.

14 After Said will be Scott Hedderich, Charlie
15 Helms, and then Brian M.

16 Sadie, you can unmute and begin.

17 SADIE JOHNSON: Good afternoon. I'm a resident
18 of Long Beach and I live about a mile and a half from the
19 Port of Long Beach. I'm also a recreational boater, so I
20 spend a lot of time in marinas and on the waters of
21 Southern California.

22 Proposed Harbor Craft Rule, will better than the
23 existing rule, fails to meet the moment we're in. In this
24 decade of climate change emergency, we cannot afford to
25 let 90 percent of the boats continue to use polluting

1 diesel engines for the next two decades. And since we are
2 California, we have a unique opportunity to effect change.
3 When we set emissions standards for vehicles, auto
4 manufacturers adjust to meet them. If we set lofty goals
5 for marine emissions, it's likely that shipping and
6 maritime industry will also rise to meet the occasion.
7 That's how important California is. That's how much
8 weight our voice carries. And that's why I urge CARB
9 members to push for a stronger rule by requiring a 100
10 percent zero-emission transition for the majority of
11 harbor boats by 2035, including tugboats, ferries, barges,
12 and dredges.

13 I'm going to leave you the quote, variations of
14 which date back to the Bible, but I think we all remember
15 it best coming from Peter Parker, "With great power, comes
16 great responsibility".

17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you.

19 Scott Hedderich, you man unmute and begin.

20 SCOTT HEDDERICH: Hi. Hello. Hopefully,
21 everyone can hear me. I don't see the -- there we go.
22 I'm Scott Hedderich with Renewable Energy Group. We've
23 submitted detailed written comments with references and
24 significant data citations. It's one of the nation's
25 largest suppliers of biofuel we've supplied to California

1 over the last 10 years. Over 750 million gallons of
2 biodiesel and renewable diesel. That's over five and a
3 half million metric tons of carbon reductions. And I'd
4 like to let that number sink in.

5 This is an important rule and we support CARB's
6 efforts with two critical exceptions. First, the Board
7 should amend the requirement to use R99 alone and allow
8 the use of blends of up to R80 be done.

9 R99 alone falls short. 80/20 blends provide
10 greater reduction in particulate matter than simply using
11 R99. You heard today that many operators have Tier 3
12 engines. Tier 3 has strict NOx control, but no DPF. An
13 R99 requirement alone will emit more PM. And as the ISOR
14 for this rule makes clear lowering PM emissions saves
15 lives.

16 Ironically, CARB has already approved 80/20
17 blends for on-road use under the alternative diesel fuel
18 regulation and under that process affirmed its NOx
19 neutrality. And it's frustrating to point out that under
20 the proposed alternative compliance process, these blends
21 already meet the emissions criteria reduction thresholds
22 laid out in Tables 11 and 12. CARB already has the data
23 and has already reviewed it. It should be included in the
24 rule.

25 Second, CARB should amend Appendix E and the

1 section for biodiesel as it contains erroneous and
2 duplicitous information on biodiesel.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Charlie Helms, you can unmute and begin.

6 CHARLIE HELMS: Yes. Good afternoon, Chairman
7 Randolph, Board members, and staff. Appreciate you giving
8 me this opportunity to make comments. I'm a Board member
9 of the California Association of Harbor Masters and Port
10 Captains. And one thing I heard this afternoon that
11 really touched a chord with me was your Board Member Diane
12 Takvorian saying that -- referring to trucking, that
13 everything that was imposed was really tough for single
14 owners and independent operators. And that's what --
15 that's what most of our people are. They are single
16 owners and independent operators. And all I ask -- we're
17 all looking to get to zero emissions. We all want to
18 avoid ocean warming. That's our livelihood, but what I
19 would ask is if you at least have less onerous
20 qualifications and processes for extensions. A lot of
21 these boats are 50 years old, fiberglass and wood. There
22 are no easy alternatives for the folks operating them to
23 reach these goals.

24 But we appreciate what you're doing. We want to
25 get to the same goals you do. Jus want your help in

1 getting us there. So thank you very much.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speaker will be Brian M. After Brian
4 will be William Smith, David Brown and then Jim
5 Luttjohann.

6 Brian, you may unmute yourself and begin.

7 BRIAN MAGALINE: Can you hear me?

8 BOARD CLERK ESTABROOK: Yes.

9 BRIAN MAGALINE: Okay. All right. Good evening.
10 My name is Brian Magaline. I own a charter fishing boat,
11 Lucky Six, out of the San Francisco Bay Area. I just want
12 to touch on -- I'm not going to repeat what everybody else
13 is saying, but I want to touch on the trickle down effect
14 of this. If we have to go to Tier 4 engines, I can
15 strongly say I will be put out business.

16 But the other part of it, fishing wildlife will
17 lose millions of dollars in license sales every year with
18 this. And that money guess right back into our natural
19 resources as well. And if we lose that, it's -- people
20 aren't going to buy fishing licenses. People aren't
21 going -- we're not going to be buying our commercial
22 passenger licenses. It's just -- this who deal is going
23 to put every fishing boat on the coast that is a single
24 family owned out of business. It is just unfair. It's --
25 we need to make sure these engines are Coast Guard

1 approved before we even consider putting them into our
2 boats. And that's pretty much all I've got for you.

3 BOARD CLERK ESTABROOK: Thank you.

4 William Smith, you may unmute and begin.

5 WILLIAMS SMITH: Ahoy there, Chairman and Board
6 members. My name is Captain William Smith. I am the CPV
7 owner of the Riptide. I have worked on the ocean since
8 1971 on a full-time basis.

9 This proposed rule is not for -- this proposed
10 rule is not feasible for our fleet here in the Bay Area.
11 There's no Tier 4 engine that will fit into any of the
12 existing boats that we have here. There is no Coast Guard
13 involvement that I've seen with this. The Coast Guard is
14 required in vetting anything that is done to our vessels.
15 This is a stunning oversight by our reports and by this --
16 by this whole process. There is no room to add and
17 would affect the stability of our boats with -- to add
18 diesel particulate filters to existing boats that are Tier
19 3.

20 Your quote as to how an engine is operating is
21 wrong. Vessels do not operate at 100 percent power 100
22 percent of the time. Full-power operation is maybe 10 to
23 20 percent of the time, which is not what your comparison
24 represents. This would have a dramatic negative effect on
25 our whole fleet in Half Moon Bay. The commercial

1 passenger vessels should be grandfathered in for existing
2 vessels that are on a Tier 3 level.

3 And we fully support the upgrade to Tier 3s for
4 CPVs. This will permit me -- this will put me out of
5 business.

6 I truly want to thank you very much.

7 BOARD CLERK ESTABROOK: Thank you.

8 David Brown, you can unmute yourself after begin.

9 DAVID BROWN: Good evening. My name is David
10 Brown. On behalf of Balboa Island Ferry, a family-run
11 fixture in the Newport Beach community, I offer the
12 following public comments, in addition to the written
13 comments submitted to CARB on November 12th.

14 Please do not move forward with the proposed
15 amendments to the Commercial Harbor Craft Regulation, or
16 at least remove from the proposed amendments the prev --
17 the provisions adding crippling burdens to short-run
18 ferries. The proposed amendments and materials relied
19 upon to support them fail to address a number of key
20 issues with the costs, impact, and a lack of meaningful
21 benefits of requiring all short-run ferries to be zero
22 emissions by December 31st, 2025.

23 For over a hundred years, Balboa Island Ferry has
24 provided service for vehicles, cyclists, and pedestrians
25 at Newport Beach, California. In providing this service,

1 Balboa Island Ferry operates three small short-run ferries
2 that each use about a half gallon of fuel per hour. On
3 the busiest day, running all three ferries, this fuel
4 consumption is about the same as a single drive from San
5 Diego to San Francisco. And without this option, most of
6 people would have to drive approximately six miles, from
7 one point to another, potentially using more fuel than the
8 ferries consume.

9 The materials provided by CARB simply do not
10 address the fact that any decrease in emissions associated
11 with electrification would be negligible for short-run
12 ferry vessels, like the ones Balboa Island Ferry operates.

13 So while Balboa Island Ferry supports CARB's
14 effort to improve State air quality, it does not agree
15 that imposing burdensome requirements on small business
16 that generates negligible emissions is the proper way to
17 do so.

18 Perhaps most strikingly, the costs in the
19 proposed amendments are prohibitive and we believe
20 understated. Adding to this burden is a short
21 implementation timeline which renders Balboa Island Ferry
22 effectively ineligible for grant funding. CARB's analysis
23 in support of the proposed amendments is flawed, and
24 family-owned businesses that have served local communities
25 for decades should not be forced to close because of it.

1 Thank you for opportunity.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next speaker is Jim Luttjohann.

4 Jim, you can unmute yourself and begin.

5 JIM LUTTJOHANN: Good evening. Thank you for the
6 opportunity to speak to you tonight. I am the President
7 of CEO at the Catalina Island Tourism Authority, also know
8 as Love Catalina. As many of my counterparts have already
9 said this evening, the impacts of the proposed regulations
10 would be catastrophic for Catalina Island's tourism-based
11 economy, it's 4,000 residents, and over 60,000 youth
12 campers who enjoy visiting the island each year.

13 The -- I'm expressing concerns, beyond what
14 they've said with regard to the unattainable recovery of
15 costs, associated with either modification, should that be
16 feasible, or replacement, when the boat costs are
17 estimated at upwards of \$20 million each, and we are
18 dependent on a fleet of at least eight boats to support
19 the current economy on the island.

20 The -- sorry, I lost my note. To put upon
21 Catalina businesses this excessive financial burden would
22 put every business, every resident, and every visitor to
23 the island at risk of having to cease enjoying Catalina as
24 a place to live, to work or to recreate. I encourage you
25 to look at alternative means of reaching these goals,

1 which we do support.

2 And I thank you for the time to have spoken to
3 you today.

4 BOARD CLERK ESTABROOK: Thank you.

5 Our next three speakers will be Raymond Boetger,
6 Beau Biller, and Theral Golden.

7 Raymond, you can unmute yourself and begin.

8 RAYMOND BOETGER: Hello. My name is Raymond
9 Boetger. I'm a -- I have no affiliation to anyone. My
10 thoughts and opinions are my own.

11 I kind of waited a little bit to listen to
12 everybody else's comments, because I have a master's in
13 science, so I definitely pay attention to the
14 environmental impacts, but I'm also a sportfisherman
15 recreationally. I caught my first yellowtail on the
16 Malihini. I've been through Dana Point. I charter boats
17 for my nieces and nephews who are all young. And I can --
18 just after listening to everything as a person who
19 conducts research on a regular basis, I went back through
20 and looked at the CARB report. I'm very disappointed that
21 they did not take into consideration so many different
22 elements. It doesn't sound like they really did their due
23 diligence, especially after hearing - I think his name
24 was - Rescino's comments on the -- what the CARB report
25 listed as the exhaust, 162 buses is equal to one

1 sportfishing boat.

2 I don't know. It doesn't sound like anyone has
3 done their exact due diligence. It doesn't sound -- it
4 also sounds like many of the sportfishing boats are saying
5 that they agree that they want to follow the Air
6 guidelines and that they want to do what is asked. They
7 just need more time, more money. The people that are
8 against it so far have sounded like they're the -- you
9 know, it -- it just doesn't sound like everybody is being
10 heard. And it definitely sounds like there are more
11 people that are against it than that are for it. I've
12 been keeping tally over here and it sounds like more
13 people are against it. It seems irresponsible to pass a
14 measure that --

15 BOARD CLERK ESTABROOK: Thank you.

16 RAYMOND BOETGER: Thank you.

17 BOARD CLERK ESTABROOK: Our next speaker will be
18 Beau Biller. I have activated your microphone. You can
19 unmute and begin.

20 BEAU BILLER: Hi. Madam Chair and members, Beau
21 Biller with Platinum Advisors on behalf of the Marine
22 Recreation Association, the California Yacht Brokers
23 Association, and as already mentioned President Andrea
24 Lueker from the California Association of Harbor Masters
25 and Port Captains.

1 I wanted to share with you the letter and the
2 position from October 28th, but they've already spoken for
3 themselves, so I would merely draw our letter of extreme
4 concern to the matters of public safety first and
5 foremost. But you've heard numerous examples and
6 illustrations of public safety and safety on the high seas
7 is of utmost importance.

8 And with that, I will close. Thank you.

9 BOARD CLERK ESTABROOK: Thank you.

10 Our next speaker will be Theral Golden. After
11 Theral will be a phone number ending in 602.

12 Theral, you may unmute and begin.

13 THERAL GOLDEN: Thank you for the opportunity.

14 My name is Theral Golden. I'm a West Long Beach resident
15 and the current treasurer of the West Long Beach
16 Association.

17 The current proposal on Commercial Harbor Craft
18 Rule is critical to provide serious health benefits and
19 save hundreds of lives. The current proposal must be --
20 must not be weakened in any way, given the enormous public
21 health benefits. But in certain categories, there are
22 opportunities to send a strong signal to move to zero
23 emissions -- beyond the zero-emission commitments in the
24 proposal. This is particularly critical in the South
25 Coast Air Basin and San Diego County, where we have a

1 toxic port pollution crisis, a regional air crisis that
2 have led to a health crisis.

3 The health crisis is brought about during the
4 first portion of COVID-19, where the Los Angeles County
5 and the communities in Los Angeles County, the communities
6 in and around the ports of Long Beach and California
7 experienced a 60 percent higher increase in fatalities.

8 The San Pedro Bay ports are busting with --

9 BOARD CLERK ESTABROOK: Thank you.

10 THERAL GOLDEN: Thank you.

11 BOARD CLERK ESTABROOK: Our next speaker will be
12 a phone number ending in 602. Please state your name for
13 the record and then you may begin. And I believe you will
14 need to press star six in order to unmute on the phone.

15 MERLIN KOLB: Good evening, Board and
16 Chairperson. Thank you very much for this opportunity to
17 speak. My name is Merlin Kolb. I'm the owner and
18 operator Reel Magic Sportfishing in beautiful Bodega Bay.

19 I'd call in and been waiting on the phone for, I
20 don't know, five or six hours, just to tell you guys how
21 important it is for you to vote no on this.

22 The impact of 175 commercial passenger fishing
23 vessels is minimal, it's nothing, in comparison to the
24 cargo vessels and all the large vessels that pollute
25 California air.

1 What you're really doing is you're blocking,
2 you're closing access to the sea for the non-boat owning
3 public in California. Do you know that the California
4 Constitution guarantees access to the sea for California
5 sportsmen. You're going to put me out of business. My
6 boat will never put -- have a Tier 4 engine in it. It's a
7 fiberglass vessel and it will burn with a Tier 4 engine in
8 it.

9 Did you -- did you realize that you're giving me
10 an option to have a steel vessel. Check the carbon
11 footprint out on that. There's going to be more carbon
12 footprint to make a steel vessel, a new vessel that's
13 going to cost over a million dollars for me to stay in
14 business. And that is -- and I'm not going to --

15 BOARD CLERK ESTABROOK: 15 second.

16 MERLIN KOLB: Tier 4 is not going to accommodate
17 that. There's going to be going more fuel lost.

18 BOARD CLERK ESTABROOK: Thank you.

19 Our next few speakers will be Donald Brockman,
20 Fern U., Cinde Cassidy and then Bill Magavern.

21 And so Donald, I have activated your microphone.
22 You can unmute and begin.

23 DONALD BROCKMAN: Hi. This is Don Brockman. I
24 represent Davey's Locker Sportfishing and Whale Watching
25 in Orange County. We've operated there for over 65 years.

1 Now, with these new proposed regulations, we'll probably
2 be put out of business. We take over a hundred thousand
3 kids a year from Riverside County, Los Angeles County, and
4 Orange County for \$8 a ticket to go whale watching, to see
5 the ocean, to feel it, and all that kind of stuff. That
6 will -- that will cease. We won't be able to afford to do
7 those type of trips.

8 CARB's current proposal has not involved the
9 United States Coast Guard. We had a passenger vessel that
10 burned up last year and killed over 34 passengers. The
11 Coast Guard is on high alert. These new high def Tier 4
12 engines are at 2500 degrees. They will catch on fire, as
13 our vessels are over 50 years old, most of them wood and
14 fiberglass in the fleet.

15 I propose that CARB put this project on hold for
16 the sportfishing fleet and back them back into the
17 commercial direction that they are already, according to
18 the California Fish and Game. We are a commercial
19 passenger vessel.

20 Thank you for your time. I know this has been a
21 long day. And, yes, all of our boats operate 80 percent
22 of the time outside of three miles.

23 Thank you.

24 BOARD CLERK ESTABROOK: Thank you.

25 Fern U.

1 FERN UENNATORNWARANGGOON: Hi. Can you hear me?

2 BOARD CLERK ESTABROOK: Yes, we can.

3 FERN UENNATORNWARANGGOON: Thank you. Good
4 afternoon, Board Chair, and members and staff. Thank you
5 for sticking with such a long day. I'm staff at the
6 Environmental Defense Fund and I'm also speaking today as
7 a steering committee member of the West Oakland Community
8 Action Plan in support of this rule.

9 As many of you know, the West Oakland Community
10 Action Plan is being implemented as part of CARB's
11 Community Air Protection Program. And in developing the
12 Community Action Plan, the Bay Area Air District conducted
13 a technical assessment that showed that harbor craft is
14 the third largest source of diesel PM and toxic air
15 contaminants affecting West Oakland residents,
16 outstripping emissions from trucks.

17 The community plan includes a strategy that
18 pertains specifically to this rule and the emission
19 reductions afforded by this rule will be crucial for
20 reducing air pollution exposure as set out in this plan,
21 so I urge CARB Board members to approve this rule.

22 In addition, the -- while there will be
23 significant public health benefits of the rule, it misses
24 the opportunity to embrace zero-emission solutions for the
25 commercial harbor craft sector. So I also urge CARB to

1 direct staff to continue to assess available technologies,
2 ideally on an annual basis.

3 Thanks so much for your time.

4 BOARD CLERK ESTABROOK: Thank you.

5 Cinde Cassidy, you may unmute and begin.

6 CINDE MACGUGAN-CASSIDY: Thank you, Board, for
7 the opportunity to speak on this matter. Cinde
8 MacGugan-Cassidy, Mayor Pro Tem for the City of Avalon on
9 Catalina Island as well as President of the Gateway Cities
10 Council of Governments. I'm a multiple business owner in
11 our community, which 100 percent relies on the tourism of
12 the island for our sustainability in business.

13 The current proposed regulations will harm
14 California's families. Catalina is a vacation destination
15 for families that cannot afford expensive flights. Our
16 visitors are mostly middle income Californians with a
17 growing percentage of Latino families. Catalina is an
18 ideal vacation spot for more than one million visitors a
19 year that near exclusively use ferries to travel to and
20 from the island.

21 If commercial ferries are required to replace
22 existing engines, it will either result in a massive
23 reduction service or a substantial price increase for
24 residents and families, neither of which result would be
25 beneficial to Catalina or California. There is no

1 affordable alternative to the ferry service. Without some
2 relief from the regulations, Catalina and the businesses
3 that serve the island will be irreparably harmed. An
4 increase in ferry fees or decrease in available travel
5 spots will undoubtedly severely affect the ability for
6 Catalina to remain sustainable as a tourist-based economy.

7 There are no other methods of revenue for our
8 island outside of tourism. I urge you to embrace a
9 solution that will allow our ferry operators to continue
10 to operate their existing fleet while expediting the
11 development of zero-emission ferry.

12 Thank you. That completes my comments.

13 BOARD CLERK ESTABROOK: Thank you.

14 Our next speaker will be Bill Magavern. After
15 bill, we will have a phone number ending in 079, and then
16 Gambit Ruiloba, and then Bob Ingles.

17 Bill, you may unmute and begin.

18 BILL MAGAVERN: Thank you. Bill Magavern with
19 the Coalition for Clean Air.

20 We ask the Board to adopt this measure early next
21 year without any weakening amendments. We were involved
22 in the process of formulating the regulation. And I can
23 tell you it was a lengthy process with many opportunities
24 for public participation. Most importantly, this rule is
25 estimated to save over 500 lives and also avoid hundreds

1 of hospitalizations. The reductions in NOx and
2 particulate matter are desperately needed and are counted
3 on in the State Implementation Plan. Among the provisions
4 that are most important here are requiring the cleanest
5 engines available to replace dirty old diesel engines, use
6 of renewable diesel to lower emissions, and the added
7 protection for the disadvantaged communities, which are
8 bearing the worst burden of air pollution.

9 We do, however, note that we want the fleets to
10 get to zero emissions as soon as possible. Governor
11 Newsom's Executive Order does say that there's a goal of
12 all off-road engines getting to zero emission by 2035,
13 where feasible. I know that there's definitely a
14 difference of opinion when it comes to what is feasible.
15 But I think you've heard from a lot of people today that
16 that is the goal.

17 Thank you for listening to my testimony.

18 BOARD CLERK ESTABROOK: Thank you.

19 Phone number ending in 079, please state your
20 name for the record before you begin and then you can
21 press star six to unmute and begin.

22 TIM GILLESPIE: Yeah. My name is Tim Gillespie.
23 I own a charter boat business four hours north of San
24 Francisco. Before you guys adopt these amendments -- or
25 new regulations, I would like you to consider at least

1 contacting the Coast Guard of Inspected Vessels. Also,
2 our area up here has been -- hasn't had a Carl Moyer
3 Program, yet there is a Carl Moyer Program here, but it
4 has not done marine engines for, oh, probably four years.

5 So my recent repower has been out of my own
6 pocket already. And the Tier 4 motors are, like many
7 people said, have -- will affect -- it will not comply
8 with fiberglass, wooden vessels. You're going to have to
9 restructure. Right now to buy a new boat -- fiberglass
10 boat is 1.6 million. So a steel boat is not going to make
11 it. Also, I spend more money as a commercial vessel in
12 permits and licensing --

13 BOARD CLERK ESTABROOK: Nine seconds remaining.

14 TIM GILLESPIE: -- than I do for my commercial
15 passenger vessels. Please before you guys pass this, can
16 you sleep knowing that you're putting so many commercial
17 passenger fishing vessel on death row?

18 Think of that. Don't think of --

19 BOARD CLERK ESTABROOK: Thank you.

20 TIM GILLESPIE: -- just one --

21 BOARD CLERK ESTABROOK: Our next speaker will be
22 Gambit Ruiloba. I apologize if I miss pronounced your
23 name. You may unmute and begin.

24 GAMBIT RUILOBA: Yeah. My name is Gambit
25 Ruiloba. And I work on a charter boat In Morro Bay,

1 California. You guys have already covered the bases
2 pretty well as far as what the costs would be to the
3 industry. And with the Coast Guard not having certified
4 any vessels with Tier 4 motors, what that would look like
5 to the industry and pretty much is looking at putting
6 everybody out of business. We really are the gateway for
7 middle class families to be able to experience the Pacific
8 Ocean and we would like to keep it that way.

9 The whole industry is trying to move towards
10 compliance. But the regulations and places they are, you
11 might as well ask us to be powered by reindeer, because
12 the technology is just being outpaced by the mandate. So
13 our request is that you just commission as commercial
14 vessels until the technology starts to catch up with what
15 we're all working towards. So thank you guys.

16 BOARD CLERK ESTABROOK: Thank you.

17 Bob Ingles, you may unmute and begin.

18 Bob, are you there?

19 I will come back to you. Our next speakers are
20 Christopher Chavez, Joseph Murphy, and Mark Pisano.

21 Christopher, I have activated your microphone.
22 You may unmute and begin.

23 CHRISTOPHER CHAVEZ: Yes. This is -- good
24 evening, Board members. This is Chris Chavez, Deputy
25 Policy Director at Coalition for Clean Air to echo the

1 comments that my colleague Bill Magavern mentioned. I
2 also want to add a local element to your consideration.
3 Commercial harbor craft are -- if you look at the South
4 Coast AQMD's community emission reduction plan under AB
5 617, it does identify commercial harbor craft as a
6 concern, both in terms of the amount of emissions that are
7 produced, as well as the strategies to reduce those
8 emissions.

9 Diesel particulate matter is the number one air
10 toxic contaminant in California and it's concentrated in
11 communities like Long Beach, where I live, that are close
12 to the harbor, close the port, and other sources of
13 emissions as well. We also know that the South Coast Air
14 Basin continues to be in nonattainment of the national and
15 State air quality standards for ozone, which is smog. We
16 have tremendous air quality problems that we're facing and
17 we need to get every ounce of emission reductions we can
18 get, because this goes beyond just broad picture climate
19 issues. This comes down to people's health and their
20 lives in tease communities.

21 Somebody in Western Long Beach is expected to
22 have a shorter lifespan of about six to eight years than
23 somebody on the eastern side. So I really urge you to
24 keep this reg -- this rule, these protections on track and
25 look forward and hopefully we'll see it come to fruition

1 early next year.

2 Thank you.

3 BOARD CLERK ESTABROOK: Thank you.

4 Joseph Murphy.

5 ALICIA MURPHY: Hi. Can you hear me?

6 BOARD CLERK ESTABROOK: Yes.

7 ALICIA MURPHY: Wonderful. Well, my name is
8 Alicia Murphy. I apologize. It logged me in under my
9 husband's name who's Joseph. I live in Long Beach and I
10 was so happy to hear a few other folks who live in Long
11 Beach comment.

12 We live in an area -- it's a 50 in a million risk
13 for getting cancer. And I've lived here for over 30
14 years. And it's alarming to me really to hear the science
15 and the facts behind what's happening. I work every day.
16 My neighbors every day are working class people. In my
17 experience, they don't have an extra 150 to 300 some
18 dollars a day to go on a boat to experience the ocean.
19 They go for walks on the beach because it's free. They go
20 for picnics in the park, because it's close to their
21 house.

22 I would really urge CARB to pass these
23 regulations. I am so grateful to all the staff and
24 everyone whose taken so much time and effort to make these
25 regulations more of a reality, because this is the life

1 and the reality that I live every day, and that may family
2 lives every day, and working class people will live every
3 day. I've seen way too many of my neighbors and my
4 friends have their children be born with higher rates of
5 asthma, have early cases of cancer. And all of these
6 people that I know live within a very close radius of the
7 port in Los Angeles. So it's really sad and alarming to
8 me to hear that the sky is falling, because people will go
9 of business. It's our health and our well-being that's on
10 the line.

11 Thank you so much.

12 BOARD CLERK ESTABROOK: Thank you.

13 Mark Pisano.

14 MARK PISANO: Yeah. Good evening. Can you hear
15 me?

16 BOARD CLERK ESTABROOK: Yes.

17 MARK PISANO: Hi. My name is Mark Pisano. I'm
18 vessel owner and operator out of Long Beach and San Pedro
19 harbors. We currently did a survey on the sportfishing
20 vessels operating out of the harbor. And 15 of the 21
21 currently have Tier 3 engines in them. The other six are
22 in the program to install, two I know of this year.

23 We primarily cater to people who cannot afford
24 their own boat. We take over a hundred thousand people
25 fishing a year out of 22nd Street Landing. And it's a

1 trip that people can afford.

2 I'm on the ocean 150 to 200 days a year and I'd
3 like to talk about something that hasn't been talked
4 about, because many of my points were even covered.

5 Right now, we have 98 container ships, 98
6 drifting off our shores right now and in the harbor. I
7 have multiple pictures and videos of the high sulfur dirty
8 diesel fuels that they run their engines on. I've been
9 submitting them to the Sportfishing Association, which I'm
10 a member of. And what we're looking at here is a way,
11 way, way bigger problem. We're talking about health
12 concerns.

13 I will take any Board member, I invite you, I
14 will take you out on my boat and I will show you what's
15 going on right now off our coast. It's a problem that
16 CARB has created with -- partly because of the trucking
17 regulations they put in. The trucking industry was
18 hammered by their -- the regulations they had. They take
19 their containers out to the border and they use one of
20 their old trucks in Arizona and Nevada. And they have --

21 BOARD CLERK ESTABROOK: Thank you. Thank you.
22 That concludes your time.

23 Let's try Bob Ingles again. Bob, are you able to
24 unmute and begin your comment?

25 I'm not seeing that it's being unmuted on my end.

1 If you can try calling in to the phone number that's
2 listed or if you can -- I will lower hand and I will ask
3 you to raise it again if you still wish to speak on this
4 item and then I can try again.

5 Our next few speakers will be a phone number
6 ending in 404, Graham Balch, and then Mark Kalez.

7 Phone number ending in 404, please state your
8 name for the record and then you may begin.

9 And you'll need to dial star six to unmute

10 Are you there?

11 I see that you've unmuted --

12 ROBERT HUGHES: Am I unmuted?

13 BOARD CLERK ESTABROOK: Yes, you are. We can
14 hear you now.

15 ROBERT HUGHES: Hi. My name is Robert Hughes. I
16 am a private citizen and a sports fisherman. One thing
17 that I wanted to point out that maybe has gone a bit
18 unnoticed is that the Air Resources Board actually
19 commissioned a study by the California State University
20 Maritime Academy. And it's dated September 30th, 2019.
21 And that study indicates that sportsfishing boats have no
22 applicable Tier 4 technology that can be applied. I know
23 there's been some different opinions expressed by members
24 of the marine engine industry, but this is your own study
25 that states that very emphatically.

1 So a lot of what I had to say has already been
2 said, but really what the result is for sport fishing is
3 that you are destroying the livelihood of family-owned
4 businesses. There really are only a few hundred
5 sportfishing boats in the state.

6 BOARD CLERK ESTABROOK: Twenty seconds remaining.

7 ROBERT HUGHES: And it's been pointed out that
8 the comparison to school buses, but there are thousands of
9 school buses, thousands of airliners, cargo ships, et
10 cetera. Sportsfishing boats are just an incidental amount
11 of contribution to air pollution and I urge that you treat
12 them differently and allow an exemption for sportfishing
13 boats.

14 Thank you.

15 BOARD CLERK ESTABROOK: Thank you.

16 Graham Balch, you may unmute and begin.

17 GRAHAM BALCH: Hi. This is Graham Balch of Green
18 Yachts. Green Yachts helps vessel operators go zero
19 emission. And we support the regulations, because they
20 are the first regulations in the U.S. requiring marine
21 zero-emission technology and our planet needs this.

22 Zero-emission technology is available today. And
23 the U.S. is behind Europe despite our car and truck zero
24 emission leadership. We are working with vessel operators
25 in California to go zero emission, including the Angel

1 Island Ferry, which submitted their Moyer application to
2 go zero emission on Wednesday.

3 However, we also understand and empathize with
4 those who oppose this regulation and are concerned about
5 their livelihood. This is why I spoke on Agenda Item
6 number 4 about a dedicated marine fund, because funding
7 for zero-emission marine technology projects and equity
8 for those of lower economic means are needed.

9 It's very simple, make it more economical for
10 marine operators to go zero emission than to do a diesel
11 repower. We don't understand the focus for 99.5 percent
12 of marine vessels by CARB regulations on heavy, unsafe,
13 and hot emission controls on diesel engines that do
14 nothing to reduce greenhouse gas emissions. We ask CARB
15 to make zero emission a better option than a diesel
16 repower, by revising Moyer funding guidelines so that it's
17 easier for marine operators to go zero-emission.

18 It will cost California less in the long run.
19 And if --

20 BOARD CLERK ESTABROOK: Thank you.

21 GRAHAM BALCH: Okay.

22 BOARD CLERK ESTABROOK: Our next speaker will be
23 Mark Kalez. After Mark will be a -- Mark Ortega, and then
24 Corchelle Worsham.

25 Mark Kalez, I have activated your microphone.

1 You may unmute and begin.

2 DONNA KALEZ: Thank you. Actually, it's Donna
3 Kalez. I don't know how that happened, but anyways. My
4 name is Donna Kalez. Thank you, Chair Randolph and Board
5 members. My family owns and operates Dana Wharf
6 Sportsfishing and Whale Watching in Dana Point.

7 We have been in business over 50 years. In that
8 time, nothing has threatened to close our business for
9 good besides COVID-19 and this new rule for harbor craft.
10 The general public who we serve, loves the outdoors. And
11 fishing and whale watching allows them outdoor recreation.

12 Also, fishing trips provide food to feed their
13 families. They cannot afford triple the price tickets to
14 go on our boats. We are commercial passenger fishing
15 vessels. Please do not punish our passengers.

16 It is also worth mentioning that we all buy
17 fishing licenses from the State as well as commercial
18 fishing license for our boats. Our passengers also cannot
19 get on our boats unless they buy fishing licenses, which
20 would be a huge loss of income to the state that uses that
21 money to manage the resource.

22 Our trips are beloved by thousands. But most
23 notably, one of our non-profits, Fish For Life, that
24 already called in to speak to you today, provides fishing
25 trips to special needs children and has done so for over

1 12 years. These children and their families would have no
2 access to the ocean without boats like ours. Your new
3 rule, if enacted, would restrict access to the ocean for
4 them as well as entire communities.

5 I believe that you do --

6 BOARD CLERK ESTABROOK: Thank you.

7 DONNA KALEZ: -- your board and your Staff do not
8 fully understand what it means to put all sportfishing and
9 whale watching boats out of business. And I invite you to
10 come down --

11 BOARD CLERK ESTABROOK: Thank you.

12 DONNA KALEZ: -- and look at our fleet.

13 Thank you.

14 BOARD CLERK ESTABROOK: Mark Ortega, you can
15 unmute yourself and begin.

16 MARK ORTEGA: Am I unmuted?

17 Hello?

18 BOARD CLERK ESTABROOK: Yes, you are.

19 MARK ORTEGA: Okay. Hi. I'm Mark Ortega. I
20 live in San Francisco. I'm a sportfisherman. I'm just --
21 you know, I know a lot of the fleet people, owners of
22 these boats. I've looked at some of the information
23 that's been put down, and not to repeat, but the
24 numbers -- let's just go with the number about the one --
25 the one fishing boat that's putting out as much exhaust or

1 pollutants as the hundred and twenty buses, and that's
2 been proven. Okay. That's -- you know, eight -- I mean,
3 just at full power.

4 Okay. So the numbers they are using for the
5 amount of particulates et cetera for that, if that's being
6 extrapolated into like how many people are going to die
7 because of these boats, be -- you know, first of all -- I
8 mean, number one, it's just wrong. They don't run that
9 way. They don't run that way.

10 Number two, there's a lot of people that live
11 near harbors. Heard people talking from Long Beach, West
12 Oakland. These are not the boats that are ruining the
13 air. There are containers ships. There are barges that
14 are running all the time, you know, near the ports that
15 are pushing this stuff out. Don't go with the little
16 charter boats that are -- you know, that are not putting
17 out the numbers that CARB is saying they are. The numbers
18 that you use, they're wrong, so you can't extrapolate out
19 to all this other stuff.

20 And I'm really, you know, curious about how do
21 you get the exact number of 531. Estimates are estimates.
22 They are not facts.

23 BOARD CLERK ESTABROOK: Thank you.

24 We will now go to Corchelle Worsham. Corchelle,
25 I've activated your microphone, you may unmute and begin.

1 CORCHELLE WORSHAM: Hello. My name is Corchelle
2 Worsham, and I'm speaking on behalf of the San Diego Port
3 Tenants Association representing 800 businesses and 44,000
4 jobs.

5 We have a serious concern -- we have serious
6 concerns where the agency has proposed revisions to the
7 Commercial Harbor Craft Regulations. CARB has proposed
8 engine emission regulations that require technology that
9 has not been developed or tested to be reliable and safe
10 at sea.

11 CARB has concluded that the proposed regulations
12 are not compatible with some vessels, specifically stating
13 that vessel replacements will be likely, especially the
14 categories with wood or fiberglass vessels. More than 80
15 percent of the vessels are constructed with these
16 materials, many sportfishing, harbor tour, and whale
17 watching boat owners will go out of business. I have
18 concern for the personal safety of passengers and crew,
19 and the economic survival of our boat owners, marinas, and
20 harbors. We cannot support the regulations in its current
21 draft and recommend that passenger commercial harbor craft
22 be allowed to transition to lower emission engines as the
23 technology becomes available and it is economically
24 feasible to do so. The same path as CARB is providing to
25 commercial fishing vessels.

1 Thank you.

2 BOARD CLERK ESTABROOK: Thank you.

3 Our next few speakers will be Vickie McMurchie,
4 Matt Holmes, and then Mandeera Wijetunga.

5 Vickie, you may unmute and begin.

6 VICKIE McMURCHIE: Thank you. Good evening,
7 Chair Randolph and Board members. My name is Vickie
8 McMurchie and I am the Executive Director of Dana Point
9 Chamber of Commerce.

10 The community of Dana Point is known as the
11 dolphin and whale watching capital of the world and
12 attracts tens of thousands of visitors and tourists to our
13 city every year. This is a major driver of economic
14 activity, jobs, and tax revenue for critical public
15 services. The Dana Point Chamber of Commerce strongly
16 opposes toe proposed engine emission regulations being
17 discussed today. The regulations as drafted are
18 extraordinarily cost prohibitive due to the lack of
19 existing technology. And additionally, there are a host
20 of safety concerns associated with exhaust modifications
21 and equipment that have not been determined safe for
22 marine passenger vessels.

23 The proposed regulations require boat owners to
24 make significant and costly changes to their engines and
25 hulls starting as soon as January 2023 and not when the

1 lifespan of their equipment expires, which is an
2 unreasonable timetable, taking into consideration that we
3 are still in a pandemic and the economic restrictions
4 associated with that.

5 Moreover, the proposed regulations completely
6 disregard the lack of existing technology, our current
7 supply chain shortages, inflation, and economic
8 feasibility. As a community, we share your desire to
9 reduce engine emissions and to protect the environment, as
10 does the boating industry. There must be a sensible
11 solution that protects our environment without harming our
12 local economy and displacing businesses and workers
13 dependent on outdoor tourism for jobs.

14 Thank you so much your consideration.

15 BOARD CLERK ESTABROOK: Thank you.

16 Matt Holmes.

17 MATT HOLMES: Good evening, folks. Matt Holmes
18 from Little Manila Rising down here in Mudville Stockton.
19 You know us -- oh, can you hear me?

20 I don't see my clock.

21 Oh, yeah. You know us. We're the people we
22 carry coffins and bury our friends early. First off,
23 we've got no beef with the fisher folk. I'm kind of
24 frustrated these two classes of vessels are grouped. I'm
25 sure I can count on Ventura and Orange anglers to show up

1 for Stockton and the water fight, but I'm not here to beef
2 with you guys.

3 I'm here to talk about industrial harbor craft.
4 This pollution comes to us with stationary sources at the
5 port, freeways, idling, hotelling, ocean-going vessels,
6 railroads, trucking facilities. These all concentrate
7 deadly ozone, PM2.5, diesel particulate, you name it.

8 The point being, disproportionate pollution
9 burdens have been planned for us and put on us without our
10 voices in the process. So this rule is one area where
11 CARB has the power to pony up and balance the pollution
12 budget right here in Stockton by pushing for the most
13 stringent and aggressive rule possible.

14 Something has got to give. Our lungs are full,
15 our genetic material frays daily, our descendants will
16 carry this pollution marker in their bodies for eternity.
17 Not many people get a chance to impact eternity, do they,
18 but you do. So remember that and remember the portside
19 census tracts in Stockton right between the 98th and 100th
20 percentile for total pollution burden. Basically, we die
21 before everybody on this call. Our mortality rate should
22 matter more that industry's profits or anybody's
23 recreation and tourism.

24 So remember that the next time somebody pouts
25 about tourism in Orange County. Keep your priorities

1 straight. And if you're unable to draft a stringent rule
2 now, acknowledge we need to push for early action in
3 overburdened communities like Stockton and the San Pablo
4 harbors.

5 I hope everybody enjoys their weekend and I hope
6 a little bit of your joy is ruined by knowing that we live
7 in a chronic status of non-attainment with the Clean Air
8 Act.

9 Thank you for this opportunity to talk.

10 BOARD CLERK ESTABROOK: Thank you.

11 Mandeera Wijetunga, you may unmute and begin.

12 MANDEERA WIJETUNGA: Hi. Can you hear me?

13 BOARD CLERK ESTABROOK: Yes.

14 MANDEERA WIJETUNGA: Hi. My name is Mandeera. I
15 am a climate campaigner with the Pacific Environment, as
16 well as a resident of Los Angeles. And I'm calling in to
17 ask CARB to support a stronger Commercial Harbor Craft
18 Rule and more stricter emission standard for tugboats,
19 ferries, barge, and dredges.

20 Members in our LA communities have suffered from
21 air pollution for decades, and our friends who live in
22 near ports communities are at increased risk due to
23 pollution coming from the ports. And harbor craft are one
24 of the top three cancer-causing polluters in the near-port
25 communities.

1 Near-port communities have a life expectancy
2 eight years lower than the county average. So this is not
3 just an environmental issue. This is a ongoing public
4 health crisis. These proposed amendments are expected to
5 reduce diesel particulate matter by -- over 1,500 tons
6 between 2023 and 2038. And this new rule will save over
7 500 lives and save billions of dollars in public health
8 expenses.

9 This technology is available. San Diego
10 announced the use of first all-electric tugboat in use by
11 2023 and there is a zero-emission ferry operating in San
12 Francisco Bay right now. Having said that, I strongly
13 support expanding grant access to small vessel operators
14 to make this transfer of finance feasible. Protecting
15 small businesses and protecting the environment shouldn't
16 be mutual exclusive actions.

17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you.

19 Our next few speakers will be J. Scott Scheper,
20 Martin Curtin, and then Suzanne Hume. J. Scott, I have
21 activated your microphone. You may unmute and begin.

22 SCOTT SCHEPER: Sound check.

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

24 SCOTT SCHEPER: Thank you. Scott Scheper. I
25 graduated from Harvard Law School over the 30 years ago

1 and I've been practicing as a lawyer in Southern
2 California ever since.

3 I've been monitoring but disappointed in the
4 process that led here. There's been a palpable disregard
5 shown for the California Administrative Procedure Act and
6 a lack of transparency about flawed data assumptions, and
7 as you've heard, errors in staff's analysis, which have
8 been compounded by a refusal to modify assumptions when
9 better data has been furnished by impacted stakeholders.

10 The genesis of the early pre-release separation
11 of CPFV from CFV also remains an unanswered question,
12 though staff has acknowledged substantial data errors.
13 Instead of seeking true, accurate, and informative data,
14 they've doubled down, refused to adjust, and present to
15 you a proposal founded on incomplete and wrong data
16 assumptions and conclusions.

17 A clean environment is a shared goal, but
18 progress should be intelligent and thoughtful, informed by
19 the full suite of consequences, not just narrative driven
20 sound bites. Addressing interrelated and complex impacts
21 on all of our citizens requires cooperation and
22 flexibility, not dogmatic commitment to a predetermined
23 course.

24 Staff should be directed to work with not fend
25 off the affected vessel owners and communities to get

1 correct data that is available and transparent to
2 everyone.

3 Thank you.

4 BOARD CLERK ESTABROOK: Thank you.

5 Martin Curtin, you may unmute and begin.

6 MARTIN CURTIN: Good evening. My name is Martin
7 Curtin. I'm the CEO and founder of Curtin Maritime.
8 We're a tug and barge and marine dredging operator based
9 in Long Beach, California.

10 First off, I want to say that I'm in full support
11 of CARB's actions to lower emissions. I grew up on the
12 ocean. It's a very important part of my life and my
13 children's life. But in this case, it looks like a clear
14 cut case of regulation trying to drive innovation, which
15 we haven't done in the past successfully.

16 My company is currently building the largest and
17 cleanest mechanical dredge in the United States. It's a
18 Tier 4 hybrid. It burns 30 percent less fuel than a
19 straight Tier 4. And we're doing that for a piece of
20 equipment that's not regulated at all. So when we're left
21 to our devices, we do the right thing. But when
22 regulators come in and try to push things down on us and
23 try to drive innovation through regulation instead of
24 incentives, I've never seen it to work properly.

25 The data that CARB is using is completely

1 incorrect. The classification, a lot of the vessels that
2 are falling into harbor craft are incorrect. And I get
3 the feeling that CARB is using this harbor craft as a
4 catch-all to account for a ton of emissions that they
5 can't properly account for.

6 I really recommend that CARB take a step back and
7 do this the proper way, instead of just running down a
8 path blindly.

9 Thank you.

10 BOARD CLERK ESTABROOK: Thank you.

11 Our next speaker will be Suzanne Hume.

12 After Suzanne, we will have John Bottorff, then
13 Jim Babcock, and then Joseph Murray.

14 Suzanne, you may unmute and begin.

15 SUZANNE HUME: Good evening, Chair Randolph and
16 CARB Board. My name is Suzanne Hume. I'm the Educational
17 Director and founder of CleanEarth4Kids.org.

18 Today, we are talking about saving people's
19 lives. We must move forward now. Organizations
20 representing hundreds of thousands of people like the
21 Sierra Club, the American Lung Association, Earthjustice,
22 and grassroots organizations urge you to take action now
23 and save lives. Thank you for adding additional
24 stringency for vessels in disadvantaged communities. Our
25 kids, families, seniors, especially those in frontline

1 communities need your help and we cannot wait. Your
2 actions save lives and billions in health care and related
3 costs. Air pollution harms nearly every cell in the body.

4 We support zero emissions as soon as possible, no
5 later than 2035, and that is 14 years from now.

6 Zero-emission credits will help expedite the process. We
7 must have yearly technology reviews. Clean air is
8 essential. The technology exists for zero-emission boats
9 and ships. We have the zero-emission ferry in San
10 Francisco Bay and San Diego's all-electric tug but in
11 2026.

12 Ships emit massive amounts of toxic air
13 pollution, black soot. But we can save lives with
14 stronger commercial aircraft[SIC] rule and stricter
15 emission standards. Please add all, all and shorter
16 idling times for in ports. Fifteen minutes is too long.
17 Every minute of idling in port endangers public health.
18 No for-profit industry should be able to harm our air,
19 water, kids, families, or seniors.

20 BOARD CLERK ESTABROOK: Thank you.

21 SUZANNE HUME: Thank you.

22 BOARD CLERK ESTABROOK: Jim Bottorff. You may
23 unmute and begin.

24 JOHN BOTTORFF: Hi. Thank you. My name is John
25 Bottorff with CleanEarth4kids.org. Please require zero

1 emission for all harbor craft by 2035 at the latest,
2 including tugboats and barges. Ships are one of the worst
3 air polluters in California, and toxic exhaust from harbor
4 craft are a major cancer risk for those living near the
5 ports of Los Angeles, Long Beach, San Diego, and Oakland.

6 This is about racial, social, climate, and
7 environmental justice. And disadvantaged communities and
8 communities of color suffer the most from harbor
9 pollution. We must prioritize people's health. Real
10 people are being hurt by harbor pollution every day. Why
11 is it okay that the lives of poor people of color are
12 being sacrificed? These are really people who don't have
13 the means to live anywhere else and they are being forced
14 to choke on diesel fumes every day, where even air
15 pollution has a price, a price that is being paid by the
16 most vulnerable.

17 This pollution means higher rates of asthma,
18 cardiovascular disease, and other health related illnesses
19 like Alzheimer's and Parkinson's. This must stop. The
20 pollution from these ships are poisoning children. We
21 have the technology to move to 100 percent zero emissions
22 now. We must stop burning stuff. Please take steps to
23 stop these vehicle and all other fossil fuels in our
24 harbors and provide adequate financial assistance for ship
25 owners to transition, especially small business owners.

1 Please provide strong action to protect our air
2 and stop the use of diesel and all fossil fuels. This
3 rule is very important, because it will also drive
4 manufacturers to develop zero-emission systems. If not
5 pushed, they will continue business as usual. And I would
6 also ask you to work with federal and international
7 agencies to address the air pollution from ocean-going
8 vessels as well.

9 Thank you

10 BOARD CLERK ESTABROOK: Thank you. Jim Babcock,
11 you may unmute and begin.

12 Jim, are you there?

13 Jim Babcock?

14 JAMES BABCOCK: Okay. Can you hear me now?

15 BOARD CLERK ESTABROOK: Yes, we can. Thank you.

16 JAMES BABCOCK: Sorry about that. My name is
17 James Babcock. I represent a large population of
18 California. I'm retired and on a fixed income. I recycle
19 bottles and cans to go on fishing trips on local
20 sportsfishing boats. If this proposal passes, a few hours
21 on a fishing trip will cost -- go up from \$65 to \$195.
22 This will absolutely take away any chances of ever fishing
23 again.

24 That's not -- that may sound like it's not a big
25 deal, but it will shut down the sportsfishing industry,

1 all tackle shops, all people work at sportsfishing fleets,
2 and so on. Double standards. Sportfishing boats have
3 been regulated the same way commercial fishing boats, ones
4 that put fish on your table. There are -- these vessels
5 are the same engines, same emissions.

6 However, under CARB's proposal, commercial boats
7 will get a grant to power -- repower their boats.
8 Sportsfishing boats will not -- sportfishing boats cannot
9 fit engines that will comply to these emissions and will
10 have to buy new boats that will triple the price of
11 fishing. Please fix this proposal. Don't take away
12 sportsfishing in California.

13 Thank you.

14 BOARD CLERK ESTABROOK: Thank you. Our next
15 speaker will be Joseph Murray. After Joseph will be Greg
16 Kelly, then Wesley Chuang.

17 Joseph, you may unmute and begin.

18 Joseph, are you there?

19 Okay. I will try coming back to you.

20 Let's go to Greg Kelly. Greg, you can unmute
21 yourself and begin.

22 Greg, are you there?

23 Okay. I'll come back to you as well.

24 Wesley Chuang.

25 Wesley, are you there?

1 WESLEY CHUANG: Hi. Hello.

2 BOARD CLERK ESTABROOK: Yes, hi.

3 WESLEY CHUANG: Hi. My name is Wesley Chuang.
4 I'm a concerned citizen, resident in LA. And I like to go
5 on eco-tours, and fishing, and all that, but that is
6 privilege that I have. That is a luxury. And we're
7 dealing with climate change, which is an emergency, bigger
8 than COVID. And when COVID hit us, all the inessential
9 stuff has to cease. So we have to prioritize. We have to
10 put priority in people's lives and the actual -- the true
11 cost of climate change and all the negative stuff that
12 will happen.

13 And any business that wants to survive will have
14 to change. They've been warned for many, many years that
15 climate change is coming and people are dying from diesel.
16 And I'm guessing that there have been obstructionists for
17 a long time. And when the time comes that government has
18 to regulate stuff, it -- they just have to change. At
19 one -- at one point, we can't do business as usual. So
20 it's either change or die. Thank you.

21 BOARD CLERK ESTABROOK: Thank you.

22 Let's try Joseph Murphy one more time. Joseph,
23 are you there?

24 Okay.

25 Our next speakers will be Thomas Ferguson, and

1 then Janet Dietzkamei, and then Sylvia Bentacourt.

2 Thomas, you can unmute yourself and begin.

3 THOMAS FERGUSON: Hi. Thomas Ferguson here. I
4 am one of the end users of the fishing fleet that --
5 usually out of San Diego. It is very expensive now. And
6 I get to go maybe one time a year. It's something I look
7 forward to. If you pass this burden on to the boat
8 owners. They will -- if they can stay in business, they
9 will pass it on to their patrons. And so I'm asking that
10 the Board would consider a more reasonable implementation
11 or more reasonable time frame for the implementation of
12 the policies, which everybody agrees is a goal.

13 The auto industry did not require all the cars to
14 go and be retrofitted. They placed new mandates on new
15 vehicles that they would be produced in such a manner.
16 And I think that's a reasonable course to take, instead of
17 trying to overburden the fishing fleet and all the charter
18 services out there to reconfigure the boats, where the new
19 technology isn't there to update to a safe procedure.

20 You know, when you look at the scope of the
21 fishing vessel and the scope of their impact. It's
22 literally a spit in the ocean. When you look out against
23 all the cargo vessels that are out there, if you stand on
24 the shore of Seal Beach, you see a brown cloud around all
25 those cargo vessels. And they are tens of thousands of

1 times of the mass of this small fishing vessel fleet. And
2 so there needs to be equity in this and it needs to be a
3 fair and reasonable way to implement it.

4 BOARD CLERK ESTABROOK: Thank you.

5 Janet Dietzkamei, you may unmute and begin.

6 JANET DIETZKAMEI: Thank you. This may seem
7 undoable. The ag industry felt the same years ago. The
8 agricultural industry was expected to significantly reduce
9 emissions through education, through new technology,
10 through incentives, through information exchange between
11 CARB and the ag industry personnel.

12 What was seemingly unresolvable has been worked
13 out. The agricultural progress has been good and the same
14 can be done with the boat owners. Air pollution affects
15 people's health, especially the physical and mental
16 development of children.

17 Greenhouse gases must be reduced. We have no
18 other choice. More tragedies and problems will develop
19 for California residents, drought, less available water,
20 more wildfires, more extreme weather will increase. This
21 can be done. It takes working together. This must be
22 done.

23 Thank you.

24 BOARD CLERK ESTABROOK: Thank you.

25 Next will be Sylvia Bentacourt. After Sylvia

1 will be Marlin Dawoodjee -- Dawoodjee -- sorry, if I've
2 mispronounced that -- and then Cynthia Lau.

3 Sylvia, you may unmute yourself and begin.

4 SYLVIA BENTACOURT: Good evening, Board members.
5 My name is Sylvia Bentacourt. I work with the Long Beach
6 Alliance for Children with Asthma. We're based at Miller
7 Children's and Women's Hospital of Long Beach at Long
8 Beach Memorial.

9 The work that we do is to work with children who
10 have uncontrolled asthma. And we know that in the harbor
11 region, there are higher rates of asthma for children.
12 The problem with this is that we know that the closer you
13 are to diesel source of pollution, the higher the risk of
14 asthma, the higher rate of asthma, and the reduce
15 function -- lung function for children.

16 And so I urge the Board for a strong rule today
17 and that you also -- pardon me, I'm -- I also ask that you
18 have a stronger rule by 2035, so that we make sure that we
19 achieve ZE, zero emissions, by 2035 for tugboats, ferries,
20 dredges, and barges. This is extremely important as we
21 know that doctors can do all that they can to treat
22 children's health. But once a child goes home, to be
23 consistently exposed to diesel pollution will only
24 continue to harm their health. You have the opportunity
25 to make a decision to do right by our children. Our

1 children deserve better.

2 Thank you for your time.

3 BOARD CLERK ESTABROOK: Thank you.

4 Marlin, you may unmute and begin.

5 MARLIN DAWOODJEE: Hello. Am I unmuted?

6 BOARD CLERK ESTABROOK: Yes, we can hear you.

7 MARLIN DAWOODJEE: Perfect. Good evening,
8 everyone. My name is Marlin Dawoodjee and I work with the
9 Long Beach Alliance for Children with Asthma. And I'm
10 here to voice the urgency in strengthening the Commercial
11 Harbor Craft Regulation. I work daily with the
12 communities that are disproportionately affected by the
13 air pollution in one of the country's most polluted
14 regions with the highest rates of asthma. And this is due
15 to cumulative impact from various sources of
16 contamination, including the emissions from these vessels,
17 so it cannot go unignored.

18 I do find it interesting, and honestly quite
19 disheartening, that some of the concerns for this
20 amendment would be that these communities would no longer
21 be able to afford a boat or take a ride on a fishing boat.
22 The main concern should be discussed is that we cannot
23 even afford to breathe. We cannot afford to breathe with
24 the current air quality. This includes costly emergency
25 room visits and hospital bills, guardians missing workdays

1 because they have to take care of a child with asthma

2 It was stated that some opportunities would be
3 missed with this amendment, but honestly this proposed
4 amendment would provide the opportunity to breathe in
5 clean air. That is what we should be concerned about. We
6 all saw the presentation prior to this public comments
7 section that discussed all the health benefits and lives
8 we could save. The Air Resources Board has the
9 responsibility of protecting our community by
10 strengthening the Harbor Craft Rule.

11 Thank you.

12 BOARD CLERK ESTABROOK: Thank you.

13 Our next speaker will be Cynthia Lau. Cynthia,
14 I've activated your microphone. You can unmute yourself
15 and begin.

16 CYNTHIA LAU: Hello.

17 BOARD CLERK ESTABROOK: Hi. We can hear you.

18 CYNTHIA LAU: My name is Cynthia Lau and I'm here
19 on behalf of the environmental Justice Coalition for Water
20 and Café Coop. For over 16 years, we have worked in
21 disadvantaged communities helping to provide them with
22 access to clean safe and affordable drinking water. In
23 the past two years, we have been working with the AB 617
24 Stockton steering -- community steering committee and
25 we've learned a lot about the dangers of air pollutants

1 and how bad the air quality is in our local community.
2 And we just realized that there is so much more that we
3 need to learn with regards to contaminants in our air.
4 You know, it's essential for us to have clean air. And
5 we're expanding our knowledge as to, you know, what we
6 could do to help in this arena with regards to making sure
7 people have access to clean air, especially in
8 disadvantaged communities.

9 We thank the Chair, the Board, and the CARB staff
10 for this wonderful presentation this afternoon on the
11 proposed amendment to the Commercial Harbor Craft
12 Regulation and we wholeheartedly support the proposed
13 amendment.

14 Thank you.

15 BOARD CLERK ESTABROOK: Thank you.

16 Next, we have a phone number ending in 461.
17 Please state your name for the record before you begin and
18 then you may begin your comment.

19 J. JEFFERY MORRIS: My name is J. Jeffery Morris.
20 I'm a private citizen. I'm an attorney from Loyola Law
21 School. I'm a longtime sportfisherman. I'm a past
22 Regional Governor with the Izaak Walton League of America,
23 one of the oldest conservation groups in America. I am a
24 current member and past Board of Director of Marina Del
25 Rey Anglers. We take up to 1,000 underprivileged and

1 special needs kids fishing and raise and release juvenile
2 white seabass every year. We are over a 30-year
3 conservation fishing club.

4 Everyone wants clean air. And it is a worthy
5 goal. However, regulations that crush an entire industry
6 that provides access to fishing, whale watching, marine
7 research, and kids fishing programs must be balanced
8 against lesser restrictive regulations. The impact on an
9 entire California fishing fleet and businesses that
10 support and benefit from ecotourism, whale watching,
11 fishing is not being fairly balanced and considered
12 against the agreed need to clean air. No one has denied
13 that, every single person I've listened, and I've been on
14 this call for a long time.

15 BOARD CLERK ESTABROOK: Thank you.

16 J. JEFFERY MORRIS: The Coast Guard -- I'm done?

17 BOARD CLERK ESTABROOK: That concludes the time.

18 Our next speaker will be Sebastian Lanswik.
19 Sebastian, I have activated your microphone. You may
20 unmute and begin.

21 SEBASTIAN LANSWIK: Hello. My name is Sebastian
22 Lanswik. I'd like to address many of the arguments for
23 pro-regulation -- pro-CARB regulation. By CARB's own
24 admission, passenger boats would need to be replaced and
25 this would be 80 percent up to almost all of these boats.

1 And this would see an increase in carbon emissions via
2 steel refineries. This uses coal, which emits a lot more
3 than many of these individual boats.

4 On top of this, with the destruction of an
5 industry, which is indisputable at this point, this will
6 see a decrease in revenue from fishing licenses, which is
7 used for marine research, as well as protection. And I'd
8 like to remind everybody that along with -- along with the
9 destruction of an industry, many of these irresponsible
10 fiscal policies that go for environmental protections can
11 potentially destroy the economy as a whole, as seen by the
12 damaging effects in the California economy.

13 I'd like to remind that many low-income countries
14 are not necessarily at the forefront combating global
15 climate change. We don't want to go backwards. We want
16 to go forwards in combating climate change, but we can't
17 do that with a crippled economy. This is just an example
18 of how this could cripple our economy and affect our
19 battle against climate change. No one here is against
20 battling climate change, especially our fishermen.

21 Thank you.

22 BOARD CLERK ESTABROOK: Thank you.

23 The next speakers are Greg Hurner, And then Duane
24 Winter.

25 Greg, I've activated your microphone. You may

1 unmute and begin.

2 GREG HURNER: Thank you Chair Randolph and
3 members of the board on behalf of the sportfishing and
4 whale watching communities. First, I want to emphasize
5 that we are available to any Board member if you want a
6 tour of a vessel to learn more or would like to attend a
7 fishing and ocean science trip through one of our social
8 justice programs we support. The Clerk of the Board has
9 my cell number.

10 Let's clarify something, staff were very specific
11 in crafting the commercial fishing rule to only require
12 Tier 2, not because staff support Tier 2 as they clearly
13 don't. And it is not possible to purchase a new Tier 2
14 engine. What it does is preserves commercial fishing's
15 access to the Carl Moyer Program. We want the same
16 access. If engine and DPF salespeople get an approved
17 solution that can be retrofitted and is safe, it would
18 become the best available technology under Carl Moyer.

19 Many sportfishing vessels have used Carl Moyer to
20 upgrade twice and they don't plan to stop, because they
21 are committed to clean air as well. What's sportfishing
22 vessel owners have offered is using the best available
23 technology to retrofit existing boats and working with our
24 elected State and federal champions to help transition to
25 reach our 2045 goals.

1 This is a fair balance between the contributions
2 from our fleet with the State's goals for social justice
3 by providing equitable access to our natural resources.
4 We stand ready to work collaboratively with the Board and
5 the Legislature.

6 Thank you for your time this evening.

7 BOARD CLERK ESTABROOK: Thank you.

8 Our next speaker will be Duane Winter. Duane,
9 you can unmute yourself and begin.

10 DUANE WINTER: Hello. Can you hear me?

11 BOARD CLERK ESTABROOK: Yes, we can.

12 DUANE WINTER: Hi. This is Captain Duane Winter.
13 I operate a boat called Mooch out of Half Moon Bay,
14 California.

15 The first thing I want to say is you're saying
16 that one charter boat emits as much pollutants as 162
17 school buses. That's preposterous. I mean, first of all,
18 you're saying that an 800 horsepower motor running a
19 hundred percent against school buses. I have 400
20 horsepower power and I run at less than 50 percent. And I
21 run most of my time outside of State waters, and most of
22 that time is either drifting or idling.

23 So all of your stuff that you're proposing how
24 many people are dying and all of this is preposterous.
25 It's just not accurate. There are no Tier 4 motors that

1 will work in my boat or many of the boats in our fleet.
2 There's not a single boat in Half Moon Bay that can put
3 after Tier 4 motor in their boat and operate. It doesn't
4 exist. I've talked to all the manufacturers.

5 To go to a Tier 3 motor in my boat, I've got
6 quotes at \$196,000. This is money I cannot recoup in the
7 rest of my lifetime, let alone a Tier 4 motor that doesn't
8 even exist.

9 All I'm asking -- you know everybody wants clean
10 air. The people that are for this proposal want clean
11 air, so do we. Just make it possible so that we can
12 achieve this. Put us back in with the commercial boats,
13 give us the time. Let technology catch up to us. We'd be
14 happy to comply. Don't make it impossible.

15 BOARD CLERK ESTABROOK: Thank you.

16 I will try Greg Kelly again. We weren't able to
17 hear from you earlier. Greg, I have activated your
18 microphone. You can unmute and begin.

19 Okay. Our next comments will be Denise De Cock,
20 Kenny Allen, Kimberly Bennink.

21 Denis, I have activated your microphone. You may
22 unmute and begin.

23 Denise, are you there?

24 Okay. We will go to Kenny Allen. Kenny, you can
25 unmute and begin.

1 KENNY ALLEN: Hello. My name is Kenny Allen. I
2 am a resident of Long Beach. I live about a mile from the
3 port. I'm calling tonight to ask CARB to support a
4 stronger Commercial Harbor Craft Rule and vote for
5 stricter emissions standard for tugboats, ferries, barges,
6 and dredges.

7 Emissions from harbor crafts are not only an
8 environmental and climate issue. It is an ongoing public
9 health crisis that needs to be addressed now. If ARB is
10 not going to add more zero-emission vessels target in this
11 rule, I join other community members in asking that the
12 Board direct staff to explore using contingency measures
13 to achieve more zero emissions in harbor craft.

14 I also join other community members in asking
15 that staff be required to conduct a technology review
16 every year, not every three years, with the mandate to
17 further strengthen the rule based on findings of each
18 year's technology review.

19 The technology exists for zero-emissions boats
20 and ships. Just like cars and trucks, boats and ships
21 must transition off of fossil fuel propulsion. The time
22 is now to electrify everything. No industry should get a
23 free pass at the price of our frontline communities and
24 the environment.

25 Thank you for your support.

1 BOARD CLERK ESTABROOK: Thank you.

2 Our next speaker will be Jonathon Smith. After
3 Jonathon we will have Kimberly Bennink and then Jamie
4 Diamond.

5 Jonathon, you can unmute yourself and begin.

6 JONATHON SMITH: Yeah. Hi. My name is Jonathon.
7 I run the -- I run the charter boat Happy Hooker in
8 Berkeley. I've been on this call for a long time now.
9 And, you know, I agree with people saying that, you
10 know -- we want to help out emissions too, but it's got to
11 be at a better pace. This is impossible for us to do,
12 especially in, you know, the eight to 13 period you
13 guys -- year period you guys are talking about.

14 Nobody can afford -- nobody that's a small
15 business owner like me will be able to afford any kind of
16 new boats like that. And the technology just does not
17 exist to put in these vessel. It's crazy to think as a
18 business owner that, you know, I might be even faced with
19 this decision sometime in my life of having to give up or
20 sell out of state for pennies on the dollar, you know, but
21 if you guys could just come up with something that would
22 help us out down the road where it was possible once the
23 technology catches up.

24 The proposed regulations are just crazy,
25 especially with the -- with the very little data on CPFVs

1 that you guys have provided. Our boat, we've got a Tier 2
2 and we have Tier 3 scheduled for install for year 2023 and
3 2022.

4 BOARD CLERK ESTABROOK: Thank you.

5 Thank you. That concludes your time.

6 Or next speaker is Kimberly Bennink. Kimberly,
7 you may unmute yourself and begin.

8 Kimberly, are you there?

9 Okay. We will go to Jamie Diamond.

10 JAMIE DIAMOND: Good evening, Chair Randolph and
11 everybody else here. It's been a long day. I've been on
12 the -- on this Zoom since 9 a.m. waiting for this moment.
13 I just would like to say I own CPFVs, charter passenger
14 fishing vessels. I operate out of Santa Barbara. And we
15 are not against getting better cleaner engines. We are
16 asking for a path forward that allows us to do it. Help
17 us help you. Help us help California. Help us help our
18 communities. Put us back in with commercial fishing
19 vessels, so that we can get to compliance with the
20 technology as it becomes available that we don't have to
21 rebuild entire new boats out of steel. It just doesn't
22 make sense.

23 I use my vessels for more than just fishing. We
24 are a research platform for University California Santa
25 Barbara students to conduct marine fisheries research. We

1 take kids from Title 1 schools on floating marine labs.
2 We are their first ocean interaction, and for some of
3 them, their only, till adulthood. These are kids that
4 live within miles of the ocean, but yet don't have the
5 means to get there, if it wasn't for our programs.

6 We put food on the table for families and we
7 offer a recreation -- a safe recreation activity in a time
8 of COVID. We were one of the first allowed recreational
9 activities during COVID, because we could safely do so.
10 We're outside in clean air. Clean air. We provide this
11 amazing opportunity for so many people to explore the
12 biggest wilderness, which is the ocean. Please let us
13 continue to do so with a path that allows us to achieve
14 compliance

15 BOARD CLERK ESTABROOK: Thank you.

16 JAMIE DIAMOND: We're not fighting the goal.
17 Thank you.

18 BOARD CLERK ESTABROOK: Thank you. That
19 concludes your time.

20 Our next speaker is Leon Benham. Leon, you can
21 unmute yourself and begin.

22 Okay. Kimberly, let's try you one more time.
23 Are you able to unmute?

24 LEON BENHAM: Yeah, this is Leon Benham.

25 KIMBERLY BENNINK: Can you hear me?

1 LEON BENHAM: Should I unmute.

2 KIMBERLY BENNINK: Shit.

3 BOARD CLERK ESTABROOK: Okay. I will have
4 Kimberly go and then I will have Leon. It looks like both
5 of your audio began working at the same time. So I'll
6 have Kimberly go first.

7 KIMBERLY BENNINK: I'm going to be really brief,
8 guys. Hey, listen. I'm a wife of a fisherman. I don't
9 have all the technical stuff to say, but I want to address
10 one thing that's really, really important in this meeting
11 for fishermen. Fishermen are people that are -- I'm
12 sorry. I'm just a little bit caught off guard. Fishermen
13 go through depression, anxiety. Sometimes they have
14 thoughts of suicide no matter which coast you're on. It's
15 isolating. It's a very dangerous occupation. It's full
16 of uncertainty, but it's full of definite sacrifices.
17 These fishermen, it's their whole life. It's their
18 passion. It's their love.

19 And if something comes of this and they lose
20 their own livelihood, I want to talk about mental health.
21 And mental health is so important that we need to talk
22 about, because you're going to be looking at depression,
23 we're going to be looking at anxiety, we're going to be
24 looking at possible drug problems. And this is real,
25 guys.

1 So I just want to address that. I thank you so
2 much. I hope that you guys all figure this out. I see
3 both sides of this and I come from a news network. I'm
4 also a casting director for the Disney Channel. And I
5 just really want the best for the right situation. I see
6 both sides, but I definitely see that it's a very
7 expensive situation and it's not going to work.

8 I'm done. Thank you.

9 BOARD CLERK ESTABROOK: Thank you.

10 Okay. Leon.

11 LEON BENHAM: Yes, I'm here.

12 BOARD CLERK ESTABROOK: Go ahead.

13 LEON BENHAM: Hi. My name is Leon Benham. I'm a
14 conservationist. And I'd like the CARB Board to know that
15 in 1977 I was doing studies on car emissions. And because
16 of CARB and the efforts put forth with catalytic
17 converters, we have reduced the amount of emissions in
18 California by 90 percent. And, you know, that's a great
19 thing. But right now, sitting off the coast of California
20 are 111 container ships that produce 5,500 tons of air
21 pollution and solids into our environment every year.

22 If you look at the commercial fishing fleet right
23 now and compare it to the 111 container ships, it would
24 take 23 years before that -- the commercial fishing fleet
25 would be able to surpass what's sitting off the coast

1 right now. It makes no sense to kill this viable coastal
2 community of fishermen and not giving them the time and
3 the resources to change out their boats, especially with
4 the trillions of dollars being spent. CARB should back
5 off and give a timeline to correct the fishing fleet and
6 pay for it.

7 BOARD CLERK ESTABROOK: Thank you.

8 Thank you. Let's try Greg. I'll try you one
9 more time. I haven't been able to successfully hear from
10 you. You should have a prompt to unmute now.

11 Greg, are you there?

12 Okay. I do apologize for that. We are not able
13 to see you unmute on this end.

14 One last commenter is Chauncey Preal. You can
15 unmute and begin.

16 CHAUNCEY PREAL: Hello. Yes. My name is
17 Chauncey Preal. I'm the owner/operator of the Sea Jay.
18 You know, this is really -- I believe a lot of this data
19 is erroneous. None of us boat owners want, you know, the
20 environment to be damaged in any way. We want to work
21 with everyone. I can tell you what it does for me. I
22 come from a troubled -- a troubled area. This has
23 definitely changed my life and many others around us.

24 Many anglers that I've known for 20 some years
25 that fish on boats, we do it for recreation, friendship,

1 comradery, everything. I do charities. Do everything to
2 bring the kids back and understand what -- you know, what
3 they have a future of, not just because it's, you know --
4 just what -- not the industry itself, but what we do.
5 People do cancer fundraisers. We do everything. We take
6 people out to -- you know, when they were doing the fires
7 to test waters. We help everything, you know, for -- you
8 know, and it should be noted. You know, to -- they should
9 work with us. We're trying to work with them. But I
10 could tell you that this would put my business out of --
11 it would destroy it. It would not -- I would not be able
12 to afford a new boat. And for what we do for everyone and
13 what they do for us is they should work with us. You
14 know, we provide real smiles. You know, it doesn't
15 change. It's tough for us, and our families, and for all
16 of us. We spend a lot of time out there.

17 Thank you. Consider what we say. We appreciate
18 it.

19 BOARD CLERK ESTABROOK: Thank you after. Okay.
20 Try one more time, Greg Kelly.

21 If you're on the phone and phone number ending in
22 536, you need to dial star six to unmute. Is this Greg
23 Kelly?

24 RICK POWERS: No. My name is Rick Powers, and
25 thank you for the opportunity to speak

1 BOARD CLERK ESTABROOK: Okay.

2 RICK POWERS: My name is Rick Powers. I'm
3 President of the Golden Gate Fishermen's Association. I
4 own and Captain a licensed commercial fishing vessel,
5 which is operating as a passenger fishing vessel.

6 This idea that our boats have been carved out of
7 the commercial fishing sector, because of the ability to
8 pass the expense on to the customers is not true. The
9 huge increase in the cost of a passenger ticket would put
10 going fishing out of most people's reach.

11 We support emissions reductions. As an example,
12 in San Francisco Bay, which we have been told is an area
13 of concern, there are a total 27 CPFVs. They fish either
14 at anchor, drifting, or idle speed salmon trolling. Most
15 of the activity is offshore. Of the 27 boats, 22 of them
16 are already Tier 3. The remainder plan to upgrade to Tier
17 3 shortly as part of grant programs. As new technology
18 becomes available and is tested and safe, boat owners will
19 continue to upgrade.

20 What is being proposed in the rule for machinery
21 is not feasible. There are safety concerns of stability
22 and heat that would make it a constant worry of breaking
23 down at sea with a boat load of passenger, especially in
24 this area of strong winds waves and current --

25 BOARD CLERK ESTABROOK: Twenty seconds.

1 RICK POWERS: -- outside of the harbor and across
2 the bar. Our boats are the only way lower economic
3 communities in the Bay Area can access the ocean. This
4 rule will end their access in most cases. We recommend
5 you put commercial passenger fishing Vessels back into the
6 commercial fishing sector as it is a path to compliance.

7 We've been --

8 BOARD CLERK ESTABROOK: Thank you.

9 CHAIR RANDOLPH: Is that the last commenter?

10 BOARD CLERK ESTABROOK: Chair, that concludes the
11 commenters for the item.

12 CHAIR RANDOLPH: All right. And thank you to our
13 clerk for doing an amazing job with quite a lot of public
14 comments --

15 (Applause.)

16 CHAIR RANDOLPH: -- in a new setting. We really
17 appreciate that.

18 Okay. So before I close the record on this item,
19 there was a lot of -- there were a lot of kind of factual
20 things going back and forth. And I think what might be
21 useful is maybe give the Board members a few minutes to
22 just ask some factual questions of staff, so that we can
23 understand kind of, you know, some of the issues that were
24 swirling around.

25 So I can kick it off. There was a lot of

1 conversation about the Coast Guard and the Coast -- the
2 requirements that Coast Guard approve equipment. And so I
3 would love to get some information from staff about what
4 our communications have been with the Coast Guard and how
5 that whole process works.

6 EXECUTIVE OFFICER COREY: We'll just go to Dave
7 Quiros for the responses to that question and some of the
8 others that follow.

9 Dave.

10 TTD FREIGHT TECHNOLOGY SECTION MANAGER QUIROS:

11 Thank you, Madam Chair and members of the Board.
12 This is David Quiros, Manager of the Freight Technology
13 Section at CARB.

14 Our group, over the last three years, has engaged
15 with the Coast Guard on numerous occasions. I believe we
16 had seven separate meetings documents in our rulemaking
17 package. We've spoken both with the Marine Safety Center
18 as well as the 11th District that's here in California.
19 The engines that are used in marine vessels are not
20 certified by the U.S. Coast Guard, but the Coast Guard
21 does review the installations to make sure they're safe in
22 vessels.

23 Tier 4 engines have been sold since 2014, so the
24 Coast Guard has reviewed, and inspected, and approved
25 their use in numerous vessels. And for the DPF rule that

1 we're proposing today, the Coast Guard has regulations for
2 the exhaust systems, and DPFs are not treated any
3 differently than the exhaust systems and the exhaust
4 manifolds are on vessels as they are today and have been
5 for the last couple decades.

6 CHAIR RANDOLPH: Okay. Thank you.

7 Then I had a question about the Carl Moyer
8 funding, because it was unclear to me -- several
9 commenters mentioned that adopting the rule would preclude
10 the use of Carl Moyer funds. And I just wanted to
11 understand how that process works and what would be
12 allowed and not allowed, if this rule were adopted.

13 TTD FREIGHT TECHNOLOGY SECTION MANAGER QUIROS:

14 Thank you, Madam Chair. I can take that question
15 as well. This is David Quiros again. The Carl Moyer
16 Program is an air quality incentive program that funds
17 emissions reductions that are not required by regulation.
18 So just because we're proposing this regulation doesn't
19 necessarily mean that Carl Moyer funding opportunities
20 will go away for those vessels. There's a surplus period.
21 So as long as the operators are requesting and installing
22 engines or retrofit devices in advance of the surplus
23 requirements, which can include some compliance
24 extensions, those opportunities will exist.

25 I also want to highlight that the Carl Moyer

1 Program, through its case-by-case approval process, does
2 allow for funding vessel replacement. And funding amounts
3 can be given in up to 50 percent through that program for
4 vessel replacement.

5 CHAIR RANDOLPH: Okay. Thank you. Do any other
6 Board members have any factual questions before we have a
7 substantive conversation?

8 Dr. Balmes.

9 BOARD MEMBER BALMES: Yes. I wanted to ask about
10 the one engine, Tier 2 engine, 162 bus -- school bus
11 analogy. I must say I was struck by that when I had my
12 staff presentation, but it does sound like we may have
13 kind of fudged that a little bit in our favor, in terms --
14 or I shouldn't say in our favor, in favor of the
15 regulation. So can somebody address this about how -- how
16 much faith we should put into that equation?

17 TTD FREIGHT TECHNOLOGY SECTION MANAGER QUIROS:

18 This is David Quiros again. I can take that
19 question. The 162 school bus statistics was not fudged in
20 our favor. It's highly conservative as presented. And
21 the reason why it's so extreme is that the controls for
22 on-road engines have been in place and are a lot more
23 stringent and effective at reducing diesel PM emissions
24 than those that are on marine engines.

25 So we did a direct comparison of the emission

1 factor of a Tier 2 marine engine with a five-year old
2 on-road engine certified to the model year 2010 emissions
3 standards. We assumed the exact same load and we assumed
4 that the engines were the same size.

5 Now, fishing vessels typically have two or more
6 engines, and have at least twice or more the amount of
7 horsepower as a typical school bus. So if we considered
8 the size of the engines, we would be looking at a factor
9 much larger than a 162 school buses. It would be in 300s
10 or higher.

11 BOARD MEMBER BALMES: Thank you, David.

12 CHAIR RANDOLPH: Okay. Any other factual
13 questions before I close the record?

14 Vice Chair Berg.

15 VICE CHAIR BERG: Can I just follow that up,
16 David. So you did a Tier 2, but we heard much testimony
17 about the number of vessels that were at Tier 3.

18 TTD FREIGHT TECHNOLOGY SECTION MANAGER QUIROS:
19 Thank you, Vice Chair Berg. I can respond to
20 that as well. So the Tier 2 vessel comparison is 162
21 school buses. And if we look at Tier 3 statistic and
22 there are some Tier 3 engines. There are a lot of Tier 3
23 engines, but that's a cleaner than average engine. But
24 still, if we looked at the Tier 3 engine, it would be
25 equivalent to about 90 school buses. So we have a long

1 way to go still to clean up marine emissions to put them
2 on par with where on-road vehicles are today.

3 VICE CHAIR BERG: Thank you for that
4 clarification.

5 CHAIR RANDOLPH: Any other questions?

6 Okay. So I'm going to go ahead and do the
7 record-closing process and then we'll have more
8 discussion.

9 Okay. As we mentioned at the outset, this is the
10 first of two Board hearings. We will close the record on
11 this agenda item. However, if it is determined that
12 additional conforming modifications are appropriate, the
13 record will be reopened and a 15-day Notice of Public
14 Availability will be issued. If the record is reopened
15 for a 15-day comment period, the public may submit written
16 comments on the proposed changes, which will be considered
17 and responded to in the Final Statement of Reasons for the
18 regulation.

19 Written or oral comments received after this
20 hearing date, but before a 15-day notice is issued, will
21 not be accepted as part of the official record on this
22 agenda item. The Executive Officer may present the
23 amendments to the Board for further consideration, if
24 warranted. And if not, the Executive Officer shall take
25 final action to adopt the amendments after addressing all

1 appropriate conforming modifications.

2 Okay. I will open it up to further Board
3 discussion.

4 Board Member De La Torre.

5 BOARD MEMBER DE LA TORRE: Thank you.

6 I want to thank staff. These innovative
7 regulations, you know, going in and doing -- going across
8 the board on harbor craft are -- they're always difficult.
9 We've had other experiences with other sectors and when we
10 go in for the first time, it's always very, very
11 difficult. So I want to thank staff for their work.

12 In terms of this regulation, I think it's very
13 important, there's a lot of fear and I think concern about
14 how we conduct ourselves and the things that we do at
15 CARB. And I think frankly that they're not what we do,
16 not how we do what we do.

17 So flexibility which a lot of folks asked for.
18 There is a one-time baked in extension that the regulated
19 parties, the boats, can apply for. That's incredible
20 flexibility. There's an alternative compliance path, if
21 they can produce equivalent emission reductions. More
22 flexibility. There is going to be -- there was a lot of
23 concern that there were not -- the technology was not
24 available. And there is going to be a technology and
25 implementation assessment in a few years.

1 So there are plenty of opportunities built into
2 this regulation that give us that flexibility. And then
3 finally, the Legislature can fund some transition and
4 early action programming before the regulatory mandate
5 kicks in. And so we -- I personally will reach out to
6 some legislators who have reached out to us with their
7 concerns about this regulation, and so they can -- you
8 know, if they're -- if they're very concerned, they can
9 put some money on the table and we can help folks with
10 this transition.

11 So again, there's plenty of flexibility here.
12 But what's important to me is that we have a date certain
13 where we are going to clean up this sector. And that's
14 what's really important in terms of the clean air and in
15 terms of greenhouse gases going forward.

16 Thank you.

17 CHAIR RANDOLPH: Thank you.

18 I'm going to jump ahead a little bit here,
19 because I kind of wanted to follow up that comment with
20 sort of a question for staff that's more of a policy not a
21 factual question. And it kind of relates to the
22 technology assessment and the extensions that are
23 permitted under the regulation. And I guess I just wanted
24 to understand a little bit more about the extension
25 process, because I know previously I have talked to staff

1 about concerns that the extension process be, you know,
2 easy to access, relatively simple, and not too expensive.
3 So I kind of want to understand what the opportunities are
4 there, because I think that can provide an important sort
5 of opportunity to take the time to have the regular
6 technology assessments and understand what the options are
7 when it comes to Tier 4 engines as the -- as the market
8 conditions to develop. So I would love to hear some more
9 on that.

10 EXECUTIVE OFFICER COREY: I'm going to ask
11 Heather Arias the Division Chief overseeing the reg to
12 comment on the -- Heather, the extension process as well
13 as the number of extensions provided for and what it takes
14 to come in under that -- the application process, if you
15 would.

16 TTD CHIEF ARIAS: Sure. Thank you, Chair.
17 Heather Arias, Transportation and Toxics Division Chief.
18 And the extensions that are outlined in the regulation
19 require several different pieces. First is an assessment
20 as to why they're requesting the extension. Is the
21 technology not available or is it not working? Is it a
22 financial request? Then is data available to back the
23 financial request up? How many engines are they asking
24 for?

25 As we showed in the slide themselves, there are

1 different extension opportunities depending on which
2 vessel types that we are talking about. That was the
3 slide that had the green, the blue, and the black. And
4 one of the things that you did ask us to look at, Chair,
5 was are there opportunities to streamline the process?

6 And what we have been thinking about and are
7 still working on a little bit is the technology assessment
8 itself is what it seems to be the opportunity for which
9 that we might be able to do some work on our end and see
10 if we can streamline that. So as we did in technology
11 analyses for the regulation itself to come before you
12 today to tell you what technology is available, we may be
13 able to do a more streamlined version of that ourselves
14 and provide some of that documentation. So that would be
15 less documentation necessary for the fleets to bring
16 forward.

17 CHAIR RANDOLPH: So that would reduce some of the
18 costs that were assumed in the analysis in terms of
19 obtaining extensions?

20 TTD CHIEF ARIAS: Correct.

21 CHAIR RANDOLPH: Okay. Thank you. All right.
22 Other Board members with comments or questions?
23 Oh, go ahead.

24 Vice Chair Berg, did you want to go or shall we
25 go with Board Member Riordan.

1 VICE CHAIR BERG: I'll go ahead and go.

2 CHAIR RANDOLPH: Okay.

3 VICE CHAIR BERG: Is that okay, Barbara?

4 BOARD MEMBER RIORDAN: Yes, absolutely.

5 VICE CHAIR BERG: First of all, staff, thank you
6 very much. You know, this does -- from being a Board
7 member for quite some time going through the Truck and Bus
8 Rule, going through several regulations that does truly
9 affect small businesses, very specialized businesses, and
10 yet the outcome does make a tremendous difference to our
11 communities. And we have heard time and time again how
12 important that is.

13 So I think -- I did take notes on almost every
14 speaker, and -- but I have to say that Kimberly at the end
15 that had such a compassion both to her husband that's a
16 fisherman and yet understood the impacts, and said we must
17 find a way to make this work. I agree. We don't want to
18 take people off the water. You know, the water is
19 magical. And it was heartwarming quite frankly to hear
20 about the number of people that utilize nature as getting
21 people out of their environment and improving their
22 environment. And so I just did want to make that
23 call-out. And what we're trying to do is improve the
24 environment for all, including those fenceline
25 communities, those communities that do have the impacts.

1 So I think as I look at the compliance schedule
2 and one of the requests that looking at the research,
3 sportsfishing and excursion wanting to go into commercial
4 fishing, and yet if we look at, we're not giving the
5 commercial fishing any extensions and I'm not sure they
6 realize that.

7 And so even though we might be asking them to
8 start a little bit earlier, could staff please take a look
9 at, and when we come back, how are the one and two vessel
10 operators being treated, because that's a big deal. And
11 can they get pushed closer to start in the 2030 range, so
12 that they can take more opportunity for Carl Moyer
13 funding? Can you look at those very small businesses and
14 see how we can allow them to take advantage of more Carl
15 Moyer and more incentive funding?

16 I don't see the advantage of putting them in the
17 commercial fishing, given that we have opportunity for
18 them to extend and have going out to 2034. And maybe
19 there wasn't as much understanding about that. And so
20 could we reach out and figure that out?

21 And speaking about outreach, once we come back
22 and address this for the final vote, we are going to have
23 to have an extensive outreach program. We're going to
24 really need to get the correct information, because I
25 believe Member De La Torre absolutely nailed it and it is

1 the fear of losing your -- you know, losing everything
2 that looks like generations that have been, and that isn't
3 our intent. And what we have seen in the past is that we
4 do come around to solutions. And so I'm going to really
5 rely on staff and check back as to how we can address the
6 small business.

7 I'd also like the staff to look at the technology
8 review. Is three years really the right -- should we come
9 back in two years? Is there really a difference in that
10 12 months? Could we have additional information?

11 I am delighted that Member De La Torre talked
12 about the flexibility and the alternative compliance path.
13 But if we can give more certainty and -- in a two-year
14 review versus a three-year review, I do think that that
15 would also be helpful.

16 And so with that, Madam Chair, I really
17 appreciate the patience of all -- you know, my calculation
18 is we had some, you know, short -- just short of a hundred
19 people testifying. I appreciate them hanging in to the
20 end of a long day and on a Friday. I appreciate my fellow
21 Board members, but appreciate staff. And so I think we
22 need to do actually more to communicate, because I think
23 we have it closer than people think.

24 Thank you very much.

25 CHAIR RANDOLPH: Board Member Riordan.

1 BOARD MEMBER RIORDAN: Yes. Let me just build on
2 that just a little bit. From this point to the time when
3 we would hear this again, does the staff anticipate
4 perhaps doing some sort of a Zoom conference or something,
5 so that when you have maybe refined this regulation, that
6 you have informed the stakeholders what it is that you are
7 suggesting that's going to come before this Board. If
8 there are adjustments made -- and hopefully there might be
9 some, particularly following along Member Berg's
10 suggestion. Do you anticipate some sort of a sharing of
11 information?

12 EXECUTIVE OFFICER COREY: Board Member Riordan,
13 absolutely, in terms of -- we'll have to decide the --
14 kind of work through what the forum is, but in terms of
15 reaching out to the stakeholders, many of which commented
16 here in terms of some of the elements on the extension and
17 streamlining the extension, the form of the tech review,
18 the frequency, certainly posting some information in terms
19 of the general approach, and can work through whether a
20 webinar or some other forum is a good vehicle to get that
21 information out, but touchpoints leading up to and prior
22 to the follow-up Board hearing, yeah.

23 BOARD MEMBER RIORDAN: Thank you very much. I
24 think that could be very helpful. And you would, I think,
25 dispel some of the concern as people had very accurate

1 information, not something that's shared by somebody maybe
2 three persons away, but just real information.

3 Thank you.

4 CHAIR RANDOLPH: Dr. Balmes.

5 BOARD MEMBER BALMES: Thank you, Madam Chair.

6 I especially wanted to go after Ms. Riordan,
7 because this takes me back to the heavy-duty bus and truck
8 rule implementation. And while I'm the public health
9 member of the Board and very much interested in equity
10 environmental justice, I was struck by the testimony of
11 one small truck owner after another talking about losing
12 their family livelihood. And there's a -- there's a
13 public health impact of that as well.

14 So this is a really difficult balancing act. Oh,
15 and the reason I wanted to follow Ms. Riordan is when I
16 was sort of supporting some special breaks for the small
17 truck owners, Ms. Riordan said that she was proud of me
18 because I did the right thing as opposed to being
19 constantly, you know, always pushing public health over
20 everything else.

21 But I don't think it's really -- it's not --
22 there is a public health issue, which Kimberly brought up.
23 You know, when people lose their livelihood, when they
24 lose their work, they don't -- it's not good for their
25 health. So this is a difficult balancing act. I think

1 that, you know, the public health and climate change
2 mitigation issues on one hand, and then there's the small
3 boat owners going out of business on the other. We have
4 to reduce diesel emissions for public health, especially
5 for low-income communities of color that are already
6 impacted by port related sources.

7 We have to move away from combustion of fossil
8 fuels for climate change. There's a climate emergency as
9 we all know. That said, I don't want to put people out of
10 business, if we can avoid it. I support that targets of
11 the proposed regulation, but we have to find a pathway
12 forward to enable the small boat owners to comply. So I
13 support the suggestions of Vice Chair Berg. And I think
14 it's going to take a lot of money. I appreciate that
15 Board Member De La Torre is ready to advocate for that at
16 the Legislature. And, you know, that's what really was
17 necessary to help the small truck owners comply with the
18 Heavy-Duty Bus and Truck Rule.

19 So I think the incentive dollars have to be
20 there. And maybe it's a good time to ask for that when we
21 have a big budget surplus coming up here at the state.

22 So I'm going to be very interested to see what
23 staff can come back with after Vice Chair Berg's
24 suggestions that I support.

25 Thank you.

1 CHAIR RANDOLPH: Dr. Pacheco-Werner.

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

3 I definitely echo both of their comments. I
4 think definitely understanding all of the safety aspects
5 and having those written down will be important before the
6 next time. I absolutely think that we need to be
7 communicating to the small owners in a way in which will
8 actually reach them. And so if posting something isn't
9 enough to reach them, we need to actually try something
10 else. And we need to do that outreach before, so that we
11 know that they are really set up to succeed in complying
12 with this, because that is what ultimately will help these
13 front-line communities who need this change now.

14 And one of the things that I specifically wanted
15 to support was that two years for the -- for the review,
16 because as much certainty as we can provide to everyone,
17 it will provide a clearer path from now to 2030, 2034.

18 So I do -- I do want to echo those concerns. And
19 I -- and I hear the comments of the people that are living
20 in those communities right now. And it is important that
21 everybody hopefully listen to each others comments and
22 understand that the air comments is all of ours, and that
23 that is something that you cannot put a price on, which is
24 a life. And we must measure that. We must take into
25 account how to prioritize that always, and have that as

1 our North Star of how we do this.

2 And I just wanted to tell everybody that
3 commented and was waiting till nine a.m., I heard your
4 comments, I read your comments, and we are making sure
5 that we are doing all of our due diligence before this
6 vote comes to us. And we'll be following up with all of
7 our staff who I know are working very hard to get us much
8 clarity and really setting a path for success for this
9 regulation.

10 Thank you.

11 CHAIR RANDOLPH: Okay. Thank you.

12 That -- the -- what Dr. Balmes just raised about
13 funding reminded me of the importance of the fact that not
14 every boat operates in an area that has a district that
15 has Carl Moyer funding. So to the extent that there are
16 other additional funding programs that we can advocate for
17 and see if we can find an opportunity, I think that's
18 going to be a really important point.

19 Okay. So I will note that Supervisor Fletcher
20 had to leave for a family obligation and he asked us to
21 share his comments. So I'm going to read the comments.
22 They're a little lengthy. Sorry. I'll try to -- I will
23 let -- court reporter, I will give you this in writing, so
24 I'm going to read it a little fast, and then you can --
25 then you can enter it into the record with the written

1 comments.

2 Okay. Supervisor Fletcher says, "I apologize
3 to the Board and interested parties for my
4 absence at this point on this item. I had an
5 unavoidable commitment that started before we
6 arrived at Board member comments. I'll be
7 watching the recording of the rest of the
8 proceedings and appreciate sharing a few of my
9 thoughts.

10 "I want to first start by thanking the public
11 commenters and to the staff at CARB for their
12 hard work to get us to this discussion. We know
13 this regulation is vitally important for public
14 health including for our AB 617 communities. As
15 articulated in the staff presentation, some of
16 the benefits from this rule include reduced
17 cancer risk to over 22 million residents. The
18 emission benefits would include an 89 percent
19 reduction in diesel PM and a 54 percent reduction
20 in NOx emissions. Many of the engines covered
21 under this regulation are old and high emitting,
22 and this regulation is important to achieve much
23 needed emissions reductions.

24 "As a representative on this body from San
25 Diego County, I have heard many concerns from

1 those in the Sportfishing industry and I would
2 like to articulate some of the concerns I have
3 heard that I believe are valid and need to be
4 addressed before the final adoption of this
5 regulation. San Diego is a hub for the
6 Sportfishing industry, with around half of the
7 state's boats headquartered in San Diego County.
8 Many of this industry run family-owned businesses
9 and have been operating the same reliable boats
10 for many, many decades.

11 "It is also common to have multiple
12 generations of families operating these boats as
13 a way of life and a love of the ocean, and it is
14 not a lucrative industry generating significant
15 operating profits.

16 "I have spent time with these operators both
17 on their boats and in meetings around these
18 issues and others. I know they are committed to
19 improving our environment and I appreciate the
20 valuable role they play. I have heard
21 industry's concerns around costs associated with
22 converting to Tier 4 engines and the need to
23 replace entire boats in order to comply. The
24 vast majority of these vessels are fiberglass
25 hulls and it is not presently technologically

1 feasible to install a Tier 4 engine. They are
2 almost all able to convert to Tier 3, but the
3 reality is that almost the entirety of the fleet
4 would have to be replaced with new steel hull
5 boats to accommodate Tier 4.

6 "Given many of these boats have a Useful life
7 of up to a hundred years, complete conversion is
8 not realistic. Additionally, there is an
9 expectation, although not currently part of the
10 framework, of going carbon neutral or zero
11 emission by 2045. This is most likely going to
12 be achieved via a ZEV engine that would need the
13 lighter weight of a fiberglass hull. So we are
14 headed down a path of requiring financially and
15 practical complete replacement of the entire
16 fleet to turn around and replace it in -- a few
17 years later.

18 "I know we all care deeply about improving
19 the environment. We need to better understand
20 our long-term strategy as we transition to meet
21 our carbon neutrality target.

22 "Additionally, many these boat operators are
23 not equipped to comply with complex processes, or
24 extensions, or exemption criteria. For those who
25 are not accustomed to operating in this

1 environment, those requirements can be incredibly
2 challenging. I would note that I believe any
3 dedicated funding for incentive programs should
4 be prioritized based on annual trips taken. The
5 log book trip recording and reporting process is
6 well established. Many of these boats take
7 hundreds of trips a year. Some never leave the
8 dock and serve more as misclassified housing or
9 asset stocking. I believe we should have
10 dedicated incentive funds for this fleet for
11 whatever rule is adopted and make it available to
12 the boats that operate the most.

13 "I've heard from Catalina Express, which is a
14 CPUC regulated ferry service to Catalina Island.
15 This entity is required to provide daily service
16 for teachers getting to work and for residents
17 getting to their health care appointments, along
18 with transitioning back and forth for other
19 purposes. Retrofitting these ferries to the
20 proposed standard would need heavier equipment,
21 an estimated 15 tons on larger vessels that will
22 reduce passenger capacity by half, thus requiring
23 the ferries to run more frequently.

24 "I believe there are ways to move forward on
25 a regulation that is public health protective,

1 but also encompasses the next -- necessary
2 flexibility for actual compliance. I would like
3 to look at lower tier for sportfishing vessels
4 that may be more feasible for compliance than
5 what is proposed.

6 "Next, regarding incentives and funding, we
7 should work with our partners in the Legislature
8 to identify a dedicated pot of funding. This
9 should be allocated to the vehicles that log the
10 most miles. We should make it easy for entities
11 to achieve compliance extension, recognizing the
12 pandemic. I would be very supportive of
13 instituting a technology review in 2025 that
14 would assess retrofit options as well as provide
15 an update of our understanding of zero-emission
16 technology".

17 Okay. Thank you. That was from Supervisor
18 Fletcher. All right. So I'm hearing some key themes at
19 this point. Clarity of the extension process, as much
20 simplification in the extension process, as much -- as
21 many ways as we can reduce the cost of the extension
22 process by doing some of that analysis ourselves, rather
23 than having individual owners do it.

24 Moving forward, the technology assessment itself
25 and thus providing a little more clarity in the shorter

1 term, looking at options for funding, those are all issues
2 that were on the table. A few commenters also mentioned
3 the concept of going to zero emissions sooner on tugs and
4 other vessels, as a potential contingency measure in State
5 Implementation Plans.

6 That's not something that needs to be in this
7 regulatory package, because that relates to SIP compliance
8 and the SIPs themselves, but that I think is something
9 that we should also think about going forward.

10 Okay. Any other comments from Board members?

11 Board Member Kracov?

12 BOARD MEMBER KRACOV: Thank you, Chair.

13 What was the last thing you just said about the
14 SIP? Whenever you say SIP, you know, from the South
15 Coast, my ears --

16 (Laughter.)

17 CHAIR RANDOLPH: So the -- so the concept is to
18 the extent that State Implementation Plans for various
19 measures include contingency measures that are not part of
20 the main part of the SIP, can that be a signal to the
21 market if we include contingency measures for moving zero
22 emissions for other vehicles, like tugs, ferries, other
23 vehicles, sooner, is that an opportunity?

24 BOARD MEMBER KRACOV: Thank you, Chair. That's
25 an interesting proposal and would support staff looking at

1 that as well. I don't have much to add. You know, I feel
2 a little bit like Supervisor Fletcher, on this one. We
3 want to be fair and we want to give folks the time.
4 Looking at the presentation, it can go out to 2031, 2034.
5 We believe that the Tier 4 retrofits may require new
6 vessels. But by 2031 and 2034, the technology may be in a
7 different place than Tier 4. So I do think we have to do
8 this in a smart way.

9 I want to thank all of the commenters and all the
10 folks that participated in our process. The Sportfisher
11 Trade Association Mr. Franke, Ms. Kalez -- you know, I
12 come from the trade association world. The members of
13 that trade association are ably represented by that group.
14 They really participated well. And I think going back to
15 the education piece, that's what trade associations do.
16 They educate their members. They work towards best
17 practices. So to get the word out, I don't think we have
18 to go much further than that group. They're well
19 organized. They certainly have the attention of their
20 members. And as we reach what I hope is a fair rule here,
21 I think we have some great partners to make that happen.

22 I think the Chair distilled the issues down
23 really well. I do want to see a demonstration that the
24 extensions can be simplified. I think there was some cost
25 in there, \$60,000 for the first extension. It sounds

1 pretty expensive. I don't know if that has to be each
2 time they seek the extension, but want to talk about a
3 simplification of the extension process.

4 Very interested in the technology review. I
5 think that is the place, Mr. Corey and staff, where we're
6 going to be able to really assimilate this question of
7 where is the technology, how does it fit in with the
8 timelines, how do we ensure that folks aren't buying one
9 vessel in propulsion technology only to have to go to a
10 different one that's consistent with the Governor's vision
11 for zero-emission technologies in 2040 and beyond. So I
12 think the tech assessment is really important. I don't
13 know when that should be. I agree we want to give
14 certainty to folks with their investments.

15 But I think that's going to be hopefully a place
16 that we can really see a meeting of the minds between all
17 the parties. And I know Supervisor Fletcher has
18 emphasized that as well.

19 The final thing I'll say is, you know, the issue
20 of funding and working with the Legislature to pursue
21 funding to support commercial passenger fishing vessels in
22 early transition to the cleanest vessels available seems
23 to be something important. Hopefully, we'll have, you
24 know, some budget surplus to do that.

25 So probably just repeated all the things the

1 Chair said, interested in the SIP, contingency measure
2 proposal as well, as a signal, because if we don't send
3 the signals, just like with our heavy-duty fleet rules,
4 you know, we're not sending the signals to the
5 manufacturers to develop the technology. And we
6 eventually do want to be at EVs for all of these sectors
7 as well. So maybe the funding can help there too. So
8 thanks for letting me chime in my two cents here at 7:20
9 at night.

10 CHAIR RANDOLPH: Board Member Takvorian.

11 BOARD MEMBER TAKVORIAN: And hopefully to
12 complete by 7:21.

13 (Laughter.)

14 BOARD MEMBER TAKVORIAN: I would just like to add
15 that I appreciate, Chair, your summary and agree with the
16 points that you've made. I also appreciate everyone and
17 I -- you know, my heart is breaking to hear -- I mean, I
18 was raised in a family with a small businessman and to
19 have the thought that you're going to lose your entire
20 livelihood is heartbreaking. And I don't think that
21 should happen to anyone. And I do think we have to
22 improve communication and we have to be smart about how we
23 do this.

24 I also want to say that in San Diego, tugboats
25 and towboats are together the largest source of cargo

1 handle -- I'm sorry. Hello.

2 (Laughter.)

3 BOARD MEMBER TAKVORIAN: -- commercial --

4 BOARD MEMBER KRACOV: CHC.

5 BOARD MEMBER TAKVORIAN: CHC, I'm sorry. I keep
6 looking at it. They're the largest source -- commercial
7 harbor craft. Thank you -- the largest source of diesel
8 PM, 43 percent, and the largest source of NOx. And the
9 only pier in Barrio Logan is a walking pier, not a fishing
10 pier, because the bay is too polluted to fish in.

11 And it is located right next to the tugboat dock,
12 which is oftentimes too polluted to walk on, because
13 there's so much emission coming from the tugboats.

14 So this is a very tough decision and set of
15 decisions that we need to make, but this is not good for
16 anyone right now, and so we really need to address it. So
17 I would really support -- I was -- I was promoting annual
18 technology assessment and I'm hoping that we can do that.
19 The technology is changing so quickly, that I think it's
20 fair to everyone to continue to get that information, but
21 I would defer to staff and just hope that we can do it as
22 quickly as we possibly can, so that we can reach these
23 decisions, because changing out -- as Supervisor Fletcher
24 said, changing out a boat in order -- and then changing
25 out again a few years later is just not possible, given

1 the cost of these. So that would be my request.

2 Thank you.

3 CHAIR RANDOLPH: Okay. Oh, sorry, Board Member
4 Hurt.

5 BOARD MEMBER HURT: So I just want to also just
6 echo the thanks to the staff for the work on this
7 regulation. I want to thank all the public commenters and
8 the variety of stakeholders that have met with me and
9 talked about how this regulation impacts your life and
10 your families.

11 I'm very sympathetic to the impact of the
12 changes. And I just want to echo some earlier comments
13 about making sure we balance or, in my words, kind of
14 thread the needle on this, especially in the wake of the
15 pandemic on small business boat owners.

16 But I also want to uplift that we cannot forget
17 about the negative impact to public health. It happens
18 every day we wait in making changes in this industry.

19 There's definitely more work to be done when it
20 comes to clarity and transparency. And I think, as I
21 listen to those folks that commented from the public
22 today, we have a really important role in educating what's
23 available for them to take advantage of, and also
24 hopefully uplift the incentives as well as how we can help
25 them when it comes to finding money. I mean this is -- at

1 the end of the day, like how -- to Dr. Balmes' comment,
2 how are we going to get the money that's going to be
3 needed for these folks to continue doing the work that
4 they've been doing for many, many years.

5 With that said, I think it's really important for
6 communities of concern and disadvantaged communities that
7 we move forward with some type of regulation. We heard
8 from earlier commenters about AB 617 communities and
9 ports. They absolutely depend on the transition of these
10 commercial harbor crafts. There's evidence and technical
11 analysis that show that the harbor crafts are big
12 contributors to cancer risk.

13 So I also want to remind folks too that these
14 highly impacted communities, not only have mobile source
15 impacts, but they often have stationary source impacts as
16 well. And so we must act. And I look forward to seeing
17 where this regulation goes the next time it comes before
18 us.

19 Thank you.

20 CHAIR RANDOLPH: Okay. Any other comments?

21 All right. I think that is it for this agenda
22 item. So I already closed the record. And so we are all
23 good until the next time this comes before the Board.

24 Okay. We now will move on to open public
25 comment. If you wish to provide a comment regarding an

1 item of interest within the jurisdiction of the Board that
2 is not on today's agenda, please raise your a in Zoom or
3 dial star nine if you are on the phone.

4 Board Clerk, will you please call the commenters?

5 BOARD CLERK ESTABROOK: Yes. Thank you. There
6 is currently a couple people with their hands raised to
7 speak.

8 Mike Carpenter and then phone numbering ending in
9 400.

10 Mike, I have activated your microphone, you may
11 unmute and begin.

12 Mike, are you there?

13 Okay. Phone number ending in 400, please state
14 your name for the record and then unmute yourself and
15 begin. And you may need to dial star six to unmute.

16 KATHLEEN: This is Kathleen. I just wanted to --

17 BOARD CLERK ESTABROOK: Hi. We can hear you.

18 KATHLEEN: I just wanted to make sure that
19 everybody understood that with sportfishing how important
20 it is for the community. It was a lifesaver for me while
21 I was going through high school. And it wasn't just
22 sportfishing, but it was --

23 CHAIR RANDOLPH: Ma'am, that agenda item -- that
24 agenda item has ended and so thank you for your comment.

25 BOARD CLERK ESTABROOK: And then Mark Ortega, do

1 you have a comment for open comment?

2 MARK ORTEGA: Yes. Can you hear me?

3 CHAIR RANDOLPH: Yes.

4 MARK ORTEGA: Okay. Okay. Good. On the subject
5 of these communities, that -- I've been here for quite
6 some time. Anyway on the subject of the communities that
7 are being affected in these -- in certain areas, and this
8 is not about sportfishing boats. This is about the other
9 vessels that come into these harbor. Is there any kind
10 of -- I mean, these big containerships. And you --
11 somebody mentioned tugs, and that is -- is there any way
12 or, you know, something that people are looking at that,
13 how long they're running, how long they're -- how long
14 they're keeping their engines active when they are at
15 anchor or in -- like, you know, being unloaded at these
16 facilities. You know, what type of pollution is coming
17 from them as opposed to the trucks in the ports and the --
18 I mean, how can you guys tell? How is the science taking,
19 okay, this boat is doing that, this truck is doing that,
20 this vehicle is doing that, the sportsfishing is doing
21 that? How can you tell what particulates and et cetera,
22 NOx stuff is coming from these specific vehicle engines?

23 Thank you. That's just --

24 BOARD CLERK ESTABROOK: Thank you.

25 Chair, the concludes the commenters.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIR RANDOLPH: Thank you. This meeting of the
Air Resources Board is adjourned.
(Thereupon the Air Resources Board meeting
adjourned at 7:31 p.m.)

