

MEETING

STATE OF CALIFORNIA

AIR RESOURCES BOARD

ZOOM PLATFORM

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

BYRON SHER AUDITORIUM

1001 I STREET

SACRAMENTO, CALIFORNIA

THURSDAY, OCTOBER 26, 2023

11:03 A.M.

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

APPEARANCES

BOARD MEMBERS:

Liane Randolph, Chair

John Balmes, MD

Hector De La Torre

John Eisenhut

Senator Dean Florez

Assemblymember Eduardo Garcia

Eric Guerra

Davina Hurt

Gideon Kracov

Cliff Rechtschaffen

Tania Pacheco-Werner, PhD

Susan Shaheen, PhD

Diane Takvorian

STAFF:

Steve Cliff, PhD, Executive Officer

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

Chanell Fletcher, Deputy Executive Officer, Environmental
Justice

Annette Hébert, Deputy Executive Officer, Southern
California Headquarters & Mobile Source Compliance

Edna Murphy, Deputy Executive Officer, Internal Operations

APPEARANCES CONTINUED

STAFF:

Rajinder Sahota, Deputy Executive Officer, Climate Change and Research

Sydney Vergis, PhD, Deputy Executive Officer, Mobile Sources & Incentives

Ellen Peter, Chief Counsel

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

Malinda Dumisani, Manager, State Strategy Section, Office of Community Air Protection (OCAP)

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

Mike FitzGibbon, Branch Chief, Atmospheric Science and Climate Strategies Branch, Research Division (RD)

Kirsten Ho, South Coast Air Quality Planning Section, AQPSD

Vernon Hughes, Assistant Division Chief, AQPSD

Andrea Juarez, Air Pollution Specialist, State Strategy Section, OCAP

Abigail May, Senior Attorney, Legal Office

Brian Moore, Manager, Community Planning Section, OCAP

Gabe Nevin, Attorney, Legal Office

Femi Olaluwoye, Branch Chief, Community Planning Branch, OCAP

Tristan Pulido, Air Pollution Specialist, Air Quality and Climate Science Section, RD

David Quiros, Chief, Mobile Source Analysis Branch, AQPSD

Heather Quiros, Division Chief, Enforcement Division

APPEARANCES CONTINUED

STAFF:

Deldi Reyes, Division Chief, OCAP

David Ridley, Manager, Advanced Monitoring Techniques
Section, Monitoring and Laboratory Division

Dianne Sanchez, Manager, Incentives Program Section, OCAP

Elizabeth Scheehle, Division Chief, Research Division

Adriana Smith, Air Pollution Specialist, Incentives
Program Section, OCAP

Van Tsan, Air Resources Engineer, Air Quality and Climate
Science Section, RD

Sylvia Vanderspek, Chief, Air Quality Planning Branch,
AQPSD

Alex Wang, Senior Attorney, Legal Office

Daniel Whitney, Senior Attorney, Legal Office

ALSO PRESENT:

Mike Armstrong, AGAS in the Americas

Herman Barahona, Sacramento Environmental Justice
Coalition

Will Barrett, American Lung Association

Chris Brown, Feather River Air Quality Management District

Marisol Cantu, Richmond, North Richmond, San Pablo CSC
Member and Co-Lead of the Fueling Refining Subcommittee

Tamina Chowdhury, BlueGreen Alliance

Richard Falcon, United Latinos

Emily Gartenberg, Jobs to Move America

Larry Greene, California Air Pollution Control Officers
Association

APPEARANCES CONTINUED

ALSO PRESENT:

Kevin Hamilton, Central California Asthma Collaborative

Madeline Harris, Leadership Counsel for Justice and Accountability

Ryan Hayashi, San Joaquin Valley Air Pollution Control District

Anissa "Cessa" Heard-Johnson, PhD, South Coast Air Quality Management District

Alex Hillbrand, Natural Resources Defense Council

Moses Huerta, Community Leader from City of Paramount

Erica Jaramillo, Sacramento Environmental Justice Organization

Doug Kobold, California Product Stewardship Council

Maura Libre

Jonathan London, PhD, University of California, Davis

Belen Lopez, Imperial County Air Pollution Control District

Caelin Macintosh, AJW Climate Innovation Project

Bill Magavern, Coalition for Clean Air

Jasmin Martinez, Central Valley Air Quality Coalition

Kimberly McCoy, Climate and Environmental Justice Association, Central California Asthma Collaborative

Jared Naimark, Earthworks

Monica Negrete, Sacramento Environmental Justice Organization

Brent Newell, Central California Environmental Justice Network

APPEARANCES CONTINUED

ALSO PRESENT:

Cynthia Pinto-Cabrera, Central Valley Air Quality Coalition

Beth Porter, Environmental Investigation Agency

Stephen Rosenblum, Climate Action California

Patricia Shelby, South Sacramento Florin Steering Committee

Janice L. Snyder, Sacramento Metropolitan Air Quality Management District

Joe Toney

Vincent Valdez, United Latinos

Jasmin Vargas, Jobs to Move America

Domingo Vigil, San Diego Air Pollution Control District

LaDonna Williams, All Positives Possible

Christine Wolfe, California Council for Environmental and Economic Balance

Christine Zimmerman, Western States Petroleum Association

	<u>INDEX</u>	<u>PAGE</u>
Call to Order		1
Roll Call		1
Opening Remarks		1
Item 23-9-1		
Chair Randolph		8
Executive Officer Cliff		8
Chris Brown		10
Motion		11
Vote		11
Item 23-9-2		
Chair Randolph		12
Executive Officer Cliff		13
Staff Presentation		14
Larry Greene		30
Brent Newell		31
Will Barrett		33
Bill Magavern		35
Cynthia Pinto-Cabrera		36
Board Discussion and Q&A		38
Motion		50
Vote		51
Item 23-9-3		
Chair Randolph		52
Executive Officer Cliff		53
Staff Presentation		54
Mike Armstrong		65
Stephen Rosenblum		66
Beth Porter		68
Alex Hillbrand		69
Doug Kobold		71
Staff Comments		73
Board Discussion and Q&A		75
Motion		85
Vote		85
Public Comment		
Jared Naimark		87
Tamina Chowdhury		88
Jasmin Vargas		90
Emily Gartenberg		91

INDEX CONTINUED

	<u>PAGE</u>
Afternoon Session	94
Item 23-9-4	
Chair Randolph	95
Executive Officer Cliff	97
Staff Presentation	102
Marisol Cantu	140
Belen Leon Lopez	143
Domingo Vigil	146
Kimberly McCoy	148
Moses Huerta	150
Dr. Anissa Heard-Johnson	153
Caelin Macintosh	159
Christine Wolfe	161
Vincent Valdez	163
Janice Snyder	164
Richard Falcon	166
Herman Barahona	167
Mauro Libre	169
Monica Negrete	170
Madeline Harris	172
Dr. Jonathan London	173
Erica Jaramillo	175
Jasmin Martinez	177
Kevin Hamilton	178
Christine Zimmerman	180
Patricia Shelby	182
Ryan Hayashi	183
LaDonna Williams	185
Joe Toney	187
Staff Comments	189
Board Discussion and Q&A	193
Motion	229
Vote	229
Adjournment	231
Reporter's Certificate	232

PROCEEDINGS

1
2 CHAIR RANDOLPH: Good morning. The October 26th,
3 2023 public meeting of the California Air Resources Board
4 will come to order.

5 Board clerk will you please call the roll.

6 BOARD CLERK MOORE: Thank you.

7 Dr. Balmes

8 BOARD MEMBER BALMES: Here.

9 BOARD CLERK MOORE: Mr. De La Torre?

10 BOARD MEMBER DE LA TORRE: Here.

11 BOARD CLERK MOORE: Mr. Eisenhut?

12 Mr. Eisenhut?

13 BOARD MEMBER EISENHUT: Here.

14 BOARD CLERK MOORE: Senator Florez?

15 BOARD MEMBER FLOREZ: Florez present.

16 BOARD CLERK MOORE: Assemblymember Garcia?

17 ASSEMBLYMEMBER GARCIA: Present.

18 BOARD CLERK MOORE: Mr. Guerra?

19 BOARD MEMBER GUERRA: Presente.

20 BOARD CLERK MOORE: Ms. Hurt?

21 BOARD MEMBER HURT: Present.

22 BOAR CLERK MOORE: Mr. Kracov?

23 BOARD MEMBER KRACOV: Here.

24 BOARD CLERK MOORE: Mr. Rechtschaffen?

25 BOARD MEMBER RECHTSCHAFFEN: Here.

1 BOAR CLERK MOORE: Dr. Pacheco-Werner?

2 BOARD MEMBER PACHECO-WERNER: Here.

3 BOARD CLERK MOORE: Mr. Perez?

4 Senator Stern?

5 Dr. Shaheen?

6 BOARD MEMBER SHAHEEN: Here.

7 BOAR CLERK MOORE: Ms. Takvorian?

8 BOARD MEMBER TAKVORIAN: Here.

9 BOARD CLERK MOORE: Supervisor Vargas?

10 Chair Randolph?

11 CHAIR RANDOLPH: Here.

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

14 All right. Thank you very much. I just wanted
15 to note a couple of comings and goings. As you heard in
16 the roll call, this is Board Member Rechtschaffen's first
17 meeting with the Board, and so we're very happy to have
18 him. And I also wanted to take a moment to say goodbye to
19 and thank my chief of staff Jamie Callahan. Today is her
20 last day with CARB. She is moving on to awesome new
21 things. And I know a lot of you have had the opportunity
22 to work with her, both within the agency and outside the
23 agency. And we are going to miss her very much and we are
24 going to miss her smarts, and her thoughtfulness, and her
25 awesome sense of humor. So we -- I hope all of you will

1 have a -- take a moment to wish Jamie good luck in her
2 future endeavors and we will miss you.

3 Okay. All right. So I will now cover a few
4 housekeeping items. We are conducting today's meeting in
5 person as well as offering remote options for public
6 participation both by phone and in Zoom.

7 Anyone who wishes to testify in person should
8 fill out a request-to-speak card available in the foyer
9 outside the Board room. Please turn it into a Board
10 assistant prior to the commencement of the item. If you
11 are participating remotely, you will raise your hand in
12 Zoom or dial star nine if calling in by phone. The Clerk
13 will provide further details regarding how public
14 participation will work in just a moment.

15 For safety reasons, please note the emergency
16 exit to the rear of the room through the foyer. In the
17 event of a fire alarm, we are required to evacuate this
18 room immediately and go down the stairs to the lobby and
19 out of the building. When the all-clear signal is given,
20 we will return to the auditorium and resume the hearing.

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

1 opportunity to remind everyone to speak clearly and from a
2 quiet location, whether you are joining us in Zoom or
3 calling in by phone.

4 Interpretation services will be provided today in
5 Spanish for both in-person and Zoom attendees. If you are
6 joining us using Zoom, there is a button labeled
7 "Interpretation" on the Zoom screen. Click on that
8 interpretation button and select Spanish to hear the
9 meeting in Spanish. If you are joining us here in person
10 and would like to listen to the meeting in Spanish, please
11 speak to a Board assistant and they will provide you with
12 further instructions. I want to remind all of our
13 commenters to speak slowly and pause intermittently to
14 allow the interpreters the opportunity to accurately
15 interpret your comments.

16 THE INTERPRETER: Thank you. I'll now provide
17 the same comments in Spanish.

18 (Interpreter translated in Spanish).

19 THE INTERPRETER: Than you, Madam Chair. Back to
20 you.

21 CHAIR RANDOLPH: Thank you. I will now ask the
22 Board clerk to provide more details regarding public
23 participation.

24 BOARD CLERK MOORE: Thank you, Chair Randolph.
25 Good morning, everyone. I will be providing

1 additional information on how public participation will be
2 organized for today's meeting.

3 We will first be calling on any in-person
4 commenters who have turned in a request-to-speak card and
5 then we will be calling on commenters who are joining us
6 remotely. If you are joining us remotely and wish to make
7 a verbal comment on one of today's Board items or during
8 the open comment period at the end of today's meeting,
9 or -- it's actually after the third item -- you must be
10 using Zoom webinar or calling in by telephone. If you are
11 currently watching the webcast on CAL-SPAN, but you wish
12 to comment remotely, please register for the Zoom webinar
13 or call in. Information for both can be found on the
14 public agenda for today's meeting.

15 To make a verbal comment, we will be using the
16 raise-hand feature in Zoom. If you wish to speak on a
17 Board item, please virtually raise your hand as soon as
18 the item has begun to let us know that you wish to speak.
19 To do this, if you are using a computer or tablet, there
20 is a raise-hand button. And if you are calling in on the
21 telephone, dial star nine to raise your hand. Even if you
22 have previously indicated that you wish to speak on an
23 item when you registered, you must raise your hand at the
24 beginning of the item, so that you can be added to the
25 queue.

1 And for anyone giving verbal comments today in
2 Spanish and requiring an interpreter's assistance, please
3 indicate so at the beginning of your testimony and our
4 translator will assist you. During your comment, please
5 pause after each sentence to allow for the interpreter to
6 translate your comment into English.

7 When the comment period has started, the order of
8 commenters will be determined by who raises their hand
9 first. We will call each commenter by name and will
10 activate each commenter's audio when it is their turn to
11 speak. For those calling in, we will identify you by the
12 last three digits of your phone number. We will not show
13 a list of remote commenters, however, we will be
14 announcing the next three or so commenters in the queue.
15 If you are ready to testify and know who's coming up next,
16 you will be informed at that time. Please note, you will
17 not appear by video during your testimony. I would like
18 to remind everyone please state their name for the record
19 before you speak. This is especially important for those
20 calling in by phone to testify on an item.

21 When we have a time limit for -- we will have a
22 time limit for each commenter and we'll begin the comment
23 period with a two-minute limit, although this could change
24 at the Chair's discretion. During public testimony, you
25 will see a timer on the screen. For those calling in by

1 phone, we will run the timer and let you know when you
2 have 30 seconds left and when your time is up. If you
3 require Spanish interpretation for your comment, your time
4 will be doubled.

5 If you wish to submit written comments today,
6 please visit CARB's send-us-your-comments page or look at
7 the public agenda on our webpage for links to send these
8 documents electronically. Written comments will be
9 accepted on each item until the Chair closes the record
10 for that Board item.

11 If you experience any technical difficulties,
12 please call (805)772-2715, so an IT person can assist.

13 Thank you. I will turn the Microphone back to
14 you, Chair Randolph.

15 CHAIR RANDOLPH: Thank you. Before the substance
16 of the meeting begins, I just wanted to take a moment to
17 acknowledge the victims and loved ones affected by the
18 shooting in Maine. It's so overwhelming to have yet
19 another tragedy like this occur, particularly at a time
20 when the entire world feels engulfed in terrorism and
21 violence in war. It's so important to take a moment to
22 reflect on our shared humanity, and on the importance of
23 caring and community. So I really encourage you to take
24 the time to acknowledge the pain and fear that you may be
25 feeling or that others may be feeling, and gather the

1 strength that you need to make change in the world. You
2 know, call on that well of strength that we all have. And
3 if that well is running dry for you, reach out to others.
4 And if you are feeling energetic, share some of that
5 strength with others, as we really try to work and make
6 change in this world.

7 Okay. On to the routine.

8 The first item on agenda is item number 23-9-1,
9 the Sacramento Region Ozone State Implementation Plan.

10 As we discussed in our instructions, if you're
11 hear with us in the room and wish to comment on this item,
12 please fill out a request-to-speak card as soon as
13 possible and submit it to a Board assistant. If you are
14 joining us remotely and wish to comment on this item,
15 please click the raise-hand button or dial star nine now.
16 We will first call on in-person commenters followed by any
17 remote commenters when we get to the public comment
18 portion of this item.

19 Dr. Cliff, would you please introduce the item?

20 EXECUTIVE OFFICER CLIFF: Thank you, Chair
21 Randolph. Before you today is the Sacramento regional 70
22 ppb 8-hour ozone attainment and reasonable further
23 progress plan, which was developed by the five air
24 districts in the region, Sacramento metropolitan, El
25 Dorado County, Feather River, Placer County, and

1 Yolo-Solano Air Districts.

2 Over the past decade, ozone levels in the
3 Sacramento region have improved in response to emission
4 reduction strategies adopted by the districts and CARB.
5 This plan includes a CARB emission reduction commitment
6 from the 2022 State Strategy for the State Implementation
7 Plan. The Plan and CARB's commitment provide the
8 reductions needed for attainment of the 70 ppb 8-hour
9 ozone standard in the Sacramento region in 2032.

10 The districts adopted the Plan on various dates
11 prior to this meeting. CARB staff concluded that the plan
12 meets the requirements of the Clean Air Act. Staff
13 therefore recommends that the Board adopt the plan along
14 with CARB's emission reduction commitment and forward it
15 to U.S. EPA as a revision to the California State
16 Implementation Plan. This concludes my summary of the
17 item.

18 Thank you.

19 CHAIR RANDOLPH: All right. Thank you.

20 We will now hear from the public who signed up to
21 speak on this item, either by submitting a
22 request-to-speak card or a raised hand in Zoom. I will
23 ask the Board clerks to call the public commenters.

24 BOARD CLERK MOORE: Thank you.

25 We have one commenter for this item. Chris

1 Brown.

2 CHRIS BROWN: Thank you. Good morning, Madam
3 Chair and members of the Board. Chris Brown. I'm the air
4 Pollution Control Officer for the Feather River Air
5 Quality Management District and also representing the
6 Sacramento region districts since the other APCOs weren't
7 available.

8 We would like to encourage you to adopt the Plan
9 today, approve the staff recommendation. We've done a lot
10 of work on this plan at the district level with a lot of
11 help from ARB staff and also from SACOG and this is a good
12 step forward for the region. And we've got the emission
13 reductions we need and meet the standard. So we look
14 forward to your adoption of this item.

15 And I'm available for questions. Thank you.

16 BOARD CLERK MOORE: Thank you. We have one
17 commenter with their hand up in Zoom. Shola Adegunwa, I
18 have unmuted your mic. Please unmute and you may begin.

19 Shola Adegunwa, are you there?

20 It appears they have no comment on this item.

21 That's the final comment.

22 Chair Randolph, I turn it back to you.

23 CHAIR RANDOLPH: Okay. Thank you. All right.
24 The Board has before them Resolution number 23-19. Do I
25 have a motion and a second?

1 BOARD MEMBER GUERRA: Move approval.

2 BOARD MEMBER HURT: Second.

3 CHAIR RANDOLPH: Clerk, would you please call the
4 roll.

5 BOARD CLERK MOORE: Dr. Balmes?

6 BOARD MEMBER BALMES: Yes.

7 BOARD CLERK MOORE: Mr. De La Torre?

8 BOARD MEMBER DE LA TORRE: Aye.

9 BOARD CLERK MOORE: Mr. Eisenhut?

10 BOARD MEMBER EISENHUT: Yes.

11 BOARD CLERK MOORE: Senator Florez?

12 BOARD MEMBER FLOREZ: Florez aye.

13 BOARD CLERK MOORE: Mr. Guerra?

14 BOARD MEMBER GUERRA: Guerra aye.

15 BOARD CLERK MOORE: Ms. Hurt?

16 BOARD MEMBER HURT: Aye.

17 BOARD CLERK MOORE: Mr. Kracov?

18 BOARD MEMBER KRACOV: Yes.

19 BOARD CLERK MOORE: Mr. Rechtschaffen?

20 BOARD MEMBER RECHTSCHAFFEN: Yes.

21 BOARD CLERK MOORE: Dr. Pacheco-Werner?
22 Dr. Shaheen?

23 BOARD MEMBER SHAHEEN: Aye.

24 BOARD CLERK MOORE: Ms. Takvorian?

25 BOARD MEMBER TAKVORIAN: Yes.

1 BOARD CLERK MOORE: Chair Randolph?

2 CHAIR RANDOLPH: Yes.

3 BOARD CLERK MOORE: Madam Chair, the motion
4 passes.

5 BOARD CLERK ESTABROOK: And, Board members, could
6 I just add that for Zoom, if you could make sure that your
7 mics are turned on for the vote and for when you speak as
8 well. Thank you.

9 CHAIR RANDOLPH: Okay. Thank you.

10 The next item on the agenda is Item number
11 23-9-2, consideration of the proposed California Smog
12 Check Contingency Measure for the State Implementation
13 Plan.

14 If you are here with us in the room and wish to
15 comment on this item, please fill out a request-to-speak
16 card as soon as possible and submit it to the Board
17 clerks. If you are joining us remotely and wish to
18 comment on this item, please click the raise-hand button
19 or dial star nine now. We will call on in-person
20 commenters followed by any remote commenters when we get
21 to the public comment portion of this item.

22 Over the last 50 years, CARB has developed
23 numerous groundbreaking mobile source regulations and
24 programs that are the most stringent in the country to
25 reduce emissions from mobile sources. CARB's focus is now

1 on driving mobile sources towards zero emission.

2 Even so, California still faces the toughest air
3 quality challenges in the nation and CARB has been working
4 closely with local air districts and the U.S. EPA for many
5 years to develop plans to address these challenges in
6 order to meet air quality standards and provide cleaner
7 air for residents across the state.

8 Amongst other State Implementation Plan
9 requirements, nonattainment areas must have in place
10 contingency measures that are available to go into effect
11 if an area fails to attain the air quality standards or
12 meet specified milestones on time.

13 Today, staff is presenting the proposed
14 California Smog Check contingency measure for public
15 comment and Board consideration to support nonattainment
16 areas across California.

17 Dr. Cliff, would you please introduce this item.

18 EXECUTIVE OFFICER CLIFF: Thank you, Chair
19 Randolph. Staff have worked closely with EPA and local
20 air districts over the last several years to prepare
21 contingency measure SIP revisions to meet Clean Air Act
22 requirements.

23 However, EPA's interpretation of what contingency
24 measure require has changed over time. As such, EPA has
25 released draft guidance for approvable contingency

1 measures. The draft guidance states that the measure
2 needs to be adopted and sitting on the shelf waiting to be
3 triggered, and that the reductions needed can be less
4 than -- can be less than one year's worth that has
5 previously been required.

6 In response, CARB has worked to identify a viable
7 contingency measure through analyzing all CARB regulations
8 and programs for potential measures that could fulfill
9 immediate needs and be able to be triggered in the
10 timelines required. CARB staff also provided a reasoned
11 justification that documented the scarcity of appropriate
12 contingency measures under State authority.

13 Based on CARB staff analysis, the California Smog
14 Check contingency measure was developed to serve as the
15 CARB measure that will, alongside District efforts,
16 address contingency measure requirements for the many
17 nonattainment areas across California that need them.

18 Today, staff will present for the Board's
19 consideration the California Smog Check Contingency
20 Measure State Implementation Plan revision. I will now
21 ask Kirsten Ho of the Air Quality Planning and Science
22 Division to begin the staff presentation.

23 (Thereupon a slide presentation).

24 AQPSD AIR POLLUTION SPECIALIST HO: Thank you,
25 Dr. Cliff. Hello, Chair Randolph and members of the

1 Board. Today, I will be presenting the California Smog
2 Check Contingency Measure State Implementation Plan
3 revision.

4 Next slide.

5 --o0o--

6 AQPSD AIR POLLUTION SPECIALIST HO: Before diving
7 into the proposal, I will first give some background on
8 contingency measures. Contingency measures are SIP
9 measures that are sitting on the shelf and only triggered
10 when EPA does a finding that an area failed to attain a
11 standard or meets a reasonable further progress
12 requirement, a quantitative milestone, or submit a
13 quantitative milestone report or milestone compliance
14 demonstration.

15 Contingency measures are required under the Clean
16 Air Act and are intended to provide emission reductions
17 while the State develops a new SIP. EPA guidance does
18 have a few specific requirements for contingency measures.
19 The measure must already adopted by the time it goes into
20 effect, since it has to take effect automatically without
21 any further action by the Board. Implementation must
22 begin within 60 days of it being triggered by an official
23 EPA finding, and the emissions reductions from the measure
24 must be achieved within two years of being triggered.

25 Holding measures back to meet the contingency

1 measure requirements has been a challenge due to the
2 magnitude of California's air quality challenge.
3 Litigation has also caused EPA's guidance to evolve
4 significantly over time.

5 --o0o--

6 AQPSD AIR POLLUTION SPECIALIST HO: Prior to
7 2016, contingency measure requirements were met by
8 reductions from future fleet turnover from CARB
9 regulations that were already adopted. While the Clean
10 Air Act does not specify the amount of reductions that
11 contingency measures must achieve, historically, EPA had
12 considered one year's worth of progress to be sufficient,
13 but has approved a lesser amount in the past. A series of
14 court decisions changed this historical approach.

15 First, in 2016, the Ninth Circuit Court in the
16 Bahr decision determined that contingency measures must
17 have a future trigger. This court decision only applied
18 in Ninth Circuit states.

19 Then in 2021, the AIR decision ruled that
20 reductions must come from the contingency measure itself,
21 not just a triggered measure. Subsequently, the Sierra
22 Club decision made all of these updated requirements apply
23 nationwide. In response, EPA convened a nationwide
24 internal task force to develop guidance to support states
25 in developing contingency measures. The draft guidance

1 was released this past March. If finalized, EPA may
2 approve contingency measures that achieve less reductions
3 than what they've historically required, if a reasoned
4 justification is provided in the form of an infeasibility
5 analysis.

6 The draft guidance also allows for a longer time
7 frame to achieve the required reductions. EPA has already
8 applied this guidance in a proposed federal implementation
9 plan for contingency measures for the San Joaquin Valley.
10 Given the recent court decisions, new guidance, and the
11 limited opportunities for contingency measures, we
12 identified the Smog Check Contingency Measure as the most
13 feasible measure to pursue in the near-term.

14 --o0o--

15 AQPSD AIR POLLUTION SPECIALIST HO: We explored
16 all options within our authority to identify potential
17 contingency measures that could apply across the state.
18 We also engaged in an open public process to solicit ideas
19 from the public from a wide range of interested parties.
20 However, CARB has unique challenges to identifying viable
21 options that will meet requirements under historic and the
22 new EPA guidance. CARB has been controlling our state's
23 mobile source emissions for over 50 years with many
24 programs driving sources to zero emissions, which limits
25 the opportunities for contingency measures.

1 Additionally, we can only regulate sources within
2 our authority, and primarily federally regulated sources
3 are more than half of statewide mobile source NOx
4 emissions, further limiting our options.

5 Lastly, our State faces the toughest air quality
6 challenges in the country. If there was a measure that
7 could reduce emissions significantly, we would adopt that
8 measure to improve air quality and support expeditious
9 attainment rather than hold it in reserve.

10 --o0o--

11 AQPSD AIR POLLUTION SPECIALIST HO: As part of
12 our analysis, we considered a wide variety of options
13 based on our current and planned regulations, including
14 emission standards, fleet requirements, manufacturer sales
15 and purchasing requirements and in-use requirements. When
16 it comes to these types of programs, our options could
17 involve requiring more stringent standards, pulling
18 forward compliance deadlines, increasing percentage sales
19 or purchasing requirements, or enhancing testing and
20 enforcement. But given the requirements for contingency,
21 there are limitations.

22 The regulatory process can take up to five years,
23 which does not fit in the timeline required. CARB
24 regulations are technology forcing and generally the most
25 stringent in the country with many driving to zero

1 emissions. In addition, industry and fleets need lead
2 time to develop, manufacture, and deploy new technologies.
3 And going to zero is needed for attainment. So all of
4 these eliminates opportunities for a contingency measures.

5 Based on these limitations, we identified
6 mechanisms within the existing light-duty vehicle Smog
7 Check Program as the best opportunity for a triggered
8 measure.

9 --o0o--

10 AQPSD AIR POLLUTION SPECIALIST HO: As you can
11 see in this table, the need for contingency measures is
12 widespread across the State for multiple air quality
13 standards. Near term drivers for this contingency measure
14 include the proposed federal implementation plan for the
15 San Joaquin Valley for PM2.5 standards. There are also
16 upcoming sanction deadlines for the 70 parts per billion
17 ozone standard for a few areas due to disapprovals and
18 failure to submit actions from EPA.

19 A majority of the nonattainment areas for these
20 70 and 75 ppb ozone standards, as well as a few areas for
21 PM standards, also still need contingency measures. The
22 Smog Check Contingency Measure proposed today along with
23 District efforts and our infeasibility analysis, which
24 details the scarcity of available contingency measures due
25 to the stringency of our programs will fulfill these

1 needs.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST HO: Now, I'll
4 provide an overview of the light-duty vehicle Smog Check
5 Program then go into more detail on the proposed measure.

6 Smog checks are required every two years for
7 light-duty vehicles in most areas of the state, depending
8 on the severity of the area's air quality issues. There
9 are a few exceptions. Motorcycles and electric vehicles
10 are exempt. Also, per a change in statute in 2017,
11 vehicles up to eight model years old are also exempt. The
12 exemption was previously up to six model years old, but
13 the Legislature extended the exemption through AB 1274 to
14 be up to eight model years old.

15 The Legislature foresaw the possible need to
16 change the exemption years and gave CARB the flexibility
17 to do so within the provision, which states that these
18 vehicles are exempt unless CARB finds providing these
19 exemptions prevents the State from meeting SIP
20 requirements. In lieu of the smog check inspection, these
21 exempted vehicles pay an annual smog abatement fee. A
22 portion of these fees goes towards funding CARB's Carl
23 Moyer incentive program. DMV tire fees and additional
24 District fees also contribute funding to the Moyer
25 Program.

1 --o0o--

2 AQPSD AIR POLLUTION SPECIALIST HO: To provide a
3 little more detail on smog check fees, the annual smog
4 abatement fee for seven and eight model year old exempted
5 vehicles is \$25, 21 of which is directed towards the Carl
6 Moyer Program. The remaining \$4 goes to the Bureau of
7 Automotive Repair, or BAR, for program administration.
8 Vehicles subject to smog check must obtain a smog
9 certificate prior to vehicle registration renewal. There
10 is a certification fee of \$8.25 and an inspection fee at
11 the smog check facility which typically costs a \$55 on
12 average. If a failure is identified, repair costs can
13 range, but is around \$750 on average according to BAR
14 data.

15 --o0o--

16 AQPSD AIR POLLUTION SPECIALIST HO: Now, we'll
17 cover the details of the Smog Check Contingency Measure.
18 If the measure is triggered in an area, one model year of
19 exemptions from Smog Check would be removed, and those
20 vehicles in that area would then have to go get a smog
21 check inspection. The exemption would change from eight
22 model years old and newer to seven model years old and
23 newer. If triggered a second time for a different
24 milestone or standard in a subsequent year for the same
25 area, we would then remove the seven model year old

1 exemption.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST HO: The figure
4 here shows an example of the trigger and implementation
5 timeline for the measure. First, an area fails to attain
6 the standard. Then up to six months later, EPA will
7 publish an official finding of failure to attain. That
8 finding will then be effective one month later. Within 30
9 days of the effective date, CARB will then send a letter
10 to BAR and DMV to notify them of the measure being
11 triggered in the specific area. We will work with BAR and
12 DMV to implement the measure in the given area. The Smog
13 Check exemption would be removed at the start of the next
14 Calendar year and reductions would be achieved.

15 --o0o--

16 AQPSD AIR POLLUTION SPECIALIST HO: The purpose
17 of the Smog Check Program is to reduce air pollution by
18 identifying light-duty vehicles with emission control
19 equipment and have them repaired or retired. Over time,
20 the emission control equipment ages and may not perform
21 it's designed. This measure would identify those
22 additional failures from previously exempted vehicles and
23 correct them. The measure will provide for real emissions
24 reductions that are beyond what is currently achieved by
25 the Smog Check Program, as well as toxic benzene

1 reductions, in the area.

2 For each area, staff estimated the emissions
3 reductions based on the potential triggering year.
4 Although, the reductions are small, it is important to
5 note that this measure is being paired together with the
6 District efforts and CARB's infeasibility analysis to meet
7 contingency measure requirements consistent with EPA's
8 draft guidance. As we move forward, we will continue to
9 explore additional opportunities for SIP contingency
10 measures.

11 --o0o--

12 AQPSD AIR POLLUTION SPECIALIST HO: CARB is
13 committed to ensuring a healthy environment for all
14 Californians and we recognize that certain communities are
15 disproportionately burdened by harmful air pollution. To
16 ensure that this measure does not further exacerbate these
17 disparities, staff conducted an analysis to evaluate the
18 potential impacts in disadvantaged communities and the
19 implications of the measure, if triggered.

20 --o0o--

21 AQPSD AIR POLLUTION SPECIALIST HO: We evaluated
22 whether there would be a disproportionate impact in
23 disadvantaged communities as defined by Senate Bill 535
24 and identified in the CalEnviroScreen tool. We looked at
25 the number of vehicles impacted located in disadvantaged

1 communities in each area and found that the proportion Of
2 vehicles that would be impacted in disadvantaged
3 communities is about equal, if not lower, than the
4 proportion of vehicles in disadvantaged communities
5 area-wide.

6 However, we do recognize that the cost of getting
7 a smog check inspection and potential repairs would place
8 an additional burden on vehicle owners in these
9 communities that may have less resources to do so. The
10 cost of the smog check itself is partially offset by the
11 fact that these vehicle owners would no longer be paying
12 the annual smog abatement fee of \$25. To assist with the
13 cost of repairs, financial assistance is available for
14 income qualified vehicle owners. The BAR Consumer
15 Assistance Program provides up to \$1,200 towards the cost
16 of repairs, which again cost \$750 on average.

17 There is also a time burden to obtain a smog
18 check inspection, which staff recognizes may impact
19 vehicle owners in disadvantaged communities that may not
20 have the additional flexibility in their schedules to take
21 their vehicles to a smog check station.

22 We plan to coordinate with DMV to ensure
23 communication materials sent out to vehicle owners clearly
24 outline the resources available for those who need
25 assistance. Staff is exploring additional actions to

1 mitigate these impacts on low-income and disadvantaged
2 communities should the contingency measure be triggered in
3 the future.

4 --o0o--

5 AQPSD AIR POLLUTION SPECIALIST HO: If the
6 measure is triggered, there will be impacts on the Carl
7 Moyer incentive program. The Moyer Program is our
8 flagship incentive program that is run in partnership with
9 our regional air districts. Using CARB established
10 guidelines, our air districts provide funding for cleaner
11 than required engines, equipment, and other sources of air
12 pollution statewide. Light-duty vehicle owners impacted
13 by this measure would no longer pay the annual smog
14 abatement fee, which would lead to a decrease in Carl
15 Moyer Program funding. Because the Moyer funds are
16 distributed across our air districts based on a formula
17 set in law, the smog check vehicle exemption change in one
18 district would have Moyer impacts statewide. Fewer funds
19 available for Carl Moyer projects would lead to fewer
20 potential emissions reductions.

21 Also, in areas with over one million people, 50
22 percent of Moyer funds are required to be spent in
23 environmental justice communities, with many districts
24 spending more than that in these communities. If the
25 measure is triggered, this loss of Moyer funds will have

1 an impact in environmental justice communities with less
2 funding for projects to reduce diesel PM emissions. Using
3 the most recent statewide project cost effectiveness
4 numbers, we estimated the emissions impact of the loss of
5 Carl Moyer funds, which is listed in the staff report.
6 However, this is just an estimate and there are other ways
7 to estimate the impact from the loss of Moyer funds by
8 specifically looking at each air district and the types of
9 projects they fund.

10 The actual impact may vary, depending on the mix
11 of projects funded in a given area, the cost effectiveness
12 of projects in the future as regulations evolve, and more
13 Moyer funding being used to fund zero-emission equipment.
14 Even accounting for some variability in the impact
15 analysis scenarios, based on our estimate, the NOx and ROG
16 benefits from this measure are still found to outweigh the
17 disbenefits of losing Carl Moyer funding.

18 I will now talk about the timing of the potential
19 loss of Carl Moyer funds if the measure is triggered.

20 --o0o--

21 AQPSD AIR POLLUTION SPECIALIST HO: As I
22 mentioned on the timeline shown earlier, the measure would
23 be implemented at the beginning of a calendar year. CARB
24 typically publishes tentative Moyer allocations in October
25 of each year and we expect that those tentative

1 allocations would reflect any potential decreases in
2 funding that same year. Then at the beginning of the
3 following year, air districts will receive their final
4 funding allocations that would reflect the changes in
5 funding amounts due to triggering this measure. The final
6 impact on Moyer would be seen in the fiscal year that
7 begins approximately one and a half years after the
8 measure begins being implemented.

9 --o0o--

10 AQPSD AIR POLLUTION SPECIALIST HO: On a
11 housekeeping side of things, EPA last approved the
12 California Smog Check Program into the SIP in 2010.
13 However, the amendment to extend the exemptions via the
14 Health and Safety Code was passed in 2017. The smog check
15 contingency measure relies on these provisions, which
16 allows CARB to remove the exemptions to meet SIP
17 commitments. CARB will submit this section of the Health
18 and Safety Code to EPA for incorporation into the
19 California SIP in order for EPA to approve the Smog Check
20 Contingency Measure.

21 --o0o--

22 AQPSD AIR POLLUTION SPECIALIST HO: Prior to the
23 Board hearing today, staff conducted a public process over
24 the last several months to hear input and feedback from
25 interested parties. Alongside the San Joaquin Valley Air

1 District, staff held two public workshops on contingency
2 measures to solicit ideas from the public in March and
3 April of this year. After analyzing all of our programs,
4 we identified the proposed Smog Check Measure and released
5 a concept document on August 11th, 2023. We held a public
6 workshop to present the concept and solicit feedback from
7 the public in both English and Spanish. Comments were
8 received in support of the measure and one requested staff
9 examine the impacts to the Moyer Program more closely.
10 The proposal was then released for a 30-day comment on
11 September 15th 2023.

12 --o0o--

13 AQPSD AIR POLLUTION SPECIALIST HO: During the
14 30-day public comment period, we received two public
15 comments. One comment from the local air districts
16 expressed concern over the impacts on Carl Moyer funding,
17 specifically districts that use much of their funding for
18 disadvantaged communities. Since the measure would impact
19 Carl Moyer statewide if triggered in one area, there are
20 districts that would see Moyer funding impacts, but don't
21 currently meet a contingency measure. In their comment
22 letter, the districts asked CARB to identify alternative
23 funding sources to make up for any loss in Moyer funding
24 that might be triggered by this measure.

25 Another comment from the San Joaquin Valley

1 environmental justice organizations expressed concern that
2 the measure does not provide enough reductions to
3 constitute an approvable contingency measure. However,
4 CARB staff is following EPA's draft guidance and is
5 submitting an infeasibility analysis to supplement the
6 measure, similar to the approach EPA took when they
7 followed their draft guidance in their proposed federal
8 implementation plan for the San Joaquin Valley.

9 This proposed measure, together with the CARB
10 infeasibility analysis and paired with District efforts,
11 meets requirements for contingency measures across the
12 state.

13 --o0o--

14 AQPSD AIR POLLUTION SPECIALIST HO: In
15 conclusion, staff recommends the Board adopt the proposed
16 Smog Check Contingency Measure for the applicable
17 nonattainment areas and standards listed. Staff
18 recommends the Board approve submittal of the specified
19 Health and Safety Code sections into the California SIP.
20 Staff recommends that the Board direct the Executive
21 Officer to submit the measure and applicable Health and
22 Safety Code sections to U.S. EPA as a revision to the
23 California SIP.

24 That concludes the presentation.

25 CHAIR RANDOLPH: All right. Thank you.

1 We will now hear from the public who signed up to
2 speak on this item, either by submitting a request to
3 speak card or raising their hand in Zoom. I'll ask the
4 Board Clerks to begin calling the public commenters.

5 BOARD CLERK MOORE: Thank you, Chair Randolph.

6 Our first commenter in person is Larry Greene.

7 LARRY GREENE: All right. Thank you.

8 Good morning, Chair Randolph and members of the
9 Board. My name is Larry Greene representing the
10 California Air Pollution Control Officers Association,
11 whose members include the air pollution control officers
12 from all 35 air districts in California. Thank you for
13 this opportunity to provide comments which echo and are
14 additive to the written comments we previously submitted.

15 Air districts partner closely with CARB as
16 co-regulators to ensure the state's air quality meets
17 helpful standards. Identifying additional meaningful
18 control measures is a daunting task and we appreciate
19 staff's efforts to assist us in meeting this requirement.
20 However, we still have significant concerns with the Smog
21 Check Contingency Proposal you are considering today,
22 because the proposal is based on an incomplete comparison
23 of the expected emission reductions between the Smog Check
24 Contingency and the Moyer Incentive Program.

25 For example, the proposal only examines NOx and

1 ROG and does not consider directly emitted PM2.5 emissions
2 nor air toxics. Further, the Moyer Program reduces
3 emissions by replacing older higher polluting heavy-duty
4 and off-road equipment, which oftentimes disproport --
5 disproportionately impacts disadvantaged communities. The
6 Smog Check Program does not provide these same benefits.

7 We are concerned that because the proposal
8 reduces smog check abatement fee revenue, it will hinder
9 our ability to achieve required emission reductions, thus
10 jeopardizing our ability to meet State and federal air
11 quality standards. We believe the current proposal trades
12 off the proven mechanism to meet EPA's bureaucratic
13 hurdles, and if implemented, may actually be
14 counterproductive in meeting our air quality goals.

15 We ask that CARB perform a complete analysis of
16 the potential benefits and disbenefits of this control
17 measure before it is submitted to EPA. Ultimately
18 however, regardless of what contingency measure is
19 submitted, we ask that funding for the Moyer Program --

20 BOARD CLERK MOORE: Thank you. That concludes
21 your time.

22 LARRY GREENE: Thank you.

23 BOARD CLERK MOORE: Our next commenter is Brent
24 Newell.

25 BRENT NEWELL: Good morning, Madam Chair, members

1 of the Board. My name is Brent Newell. I am the attorney
2 representing Central California Environmental Justice
3 Network and the other plaintiffs in the litigation
4 involving contingency measures and CARB's failure to adopt
5 contingency measures by 2020 as required by the State
6 Implementation Plan.

7 We've submitted a detailed comment letter that's
8 part of the docket, and please I would direct you to
9 review that letter if you haven't already. You know, the
10 Smog Check contingency measures are based on a draft --
11 and I want to emphasize that, draft guidance that EPA has
12 not yet finalized and it relaxes the amount of reductions
13 that contingency measures should provide. Now, for the
14 1997 8-hour ozone standard in the San Joaquin Valley, this
15 Smog Check Contingency Measure is the only contingency
16 measure that has either been adopted or being proposed for
17 the valley. The San Joaquin Valley Air District has not
18 adopted, or proposed to adopt, or workshopped any
19 contingency measures for this standard.

20 This standard has an attainment deadline less
21 than a year away in June of 2024 and you are a long way
22 from being anywhere close to meeting that standard. There
23 have been two fire seasons recently that have been very
24 minor. There will be no sort of exceptional event
25 justification to try to evade nonattainment. The valley

1 will fail to attain. The current contingency measure
2 requirement calls for 16 tons per day of NOx. This
3 measure provides one-tenth of one ton of NOx. There's a
4 huge discrepancy.

5 Now I see I'm running out of time, what I want to
6 conclude with is that you have opportunities. Mobile ag
7 equipment, the second largest source of NOx emissions, has
8 no control requirements. It's only an incentive measure.
9 Dairies --

10 BOARD CLERK MOORE: Thank you. That concludes
11 your time. Our next commenter is Will Barrett.

12 BRENT NEWELL: -- largest VOC measure -- largest
13 VOC category.

14 BOARD CLERK MOORE: Will Barrett.

15 BOARD CLERK MOORE: So I thank you. You need to
16 do much more than this.

17 WILL BARRETT: Thank you. Good morning. I'm
18 Will Barrett with the American Lung Association. And we
19 are here speaking in support of the staff recommendation,
20 but we do note that there is a real need for broader
21 attention to reach attainment obviously. This measure is
22 not taken in isolation. It can help to identify
23 non-compliance in the Smog Check Program, identify excess
24 emissions in the program by bringing more vehicles into
25 the program, and its testing. And that's a good thing,

1 especially in the nonattainment areas where that will
2 happen.

3 But we do agree with others that obviously much
4 more needs to be done to bring all areas into attainment
5 in California. So we need to call on CARB and our air
6 districts to continue to set the strongest possible
7 standards, pursue additional funding resources for
8 incentives, including the Moyer program, to accelerate the
9 benefits of all these types of programs that we want to
10 work with, all stakeholders and the regulators on that.

11 One concept noted in the presentation was that
12 CARB has the ability to look at enhanced testing in some
13 of their programs. And so the Heavy-Duty Inspection
14 and Maintenance Program when that was adopted, CARB looked
15 at can we increase the level of testing and the frequency
16 of testing in that program moving forward. And that will
17 generate tremendous more emission benefit over time.

18 Similarly with the upcoming Omnibus Off-Road
19 Rule, we're going to be looking closely at that and seeing
20 if there are ways that we can push for more in-use --
21 frequent in-use testing and reporting to bring, you know,
22 excess emissions into the fold quicker so we can address
23 them. So again, there's a clear need for more to be done,
24 more regulations, stronger standards, more stringent
25 standards and testing frequencies. Those kind of things

1 need to be added on top of this kind of contingency
2 measure, on top of the existing programs, the drive to
3 zero emissions. We need to get a real handle on in-use
4 testing across the board and bring all of those excess
5 emissions into compliance.

6 So the last thing I want to say is again the Lung
7 Association supports the recommendation. It's obviously
8 not in isolation from all the other things that need to
9 happen here at the Legislature, at the air district level,
10 and we want to be good partners with you on all of that.

11 BOARD CLERK MOORE: Thank you. Our next
12 commenter is Bill Magavern.

13 BILL MAGAVERN: Good morning. Bill Magavern with
14 the Coalition for Clean Air.

15 First, we support this smog check measure before
16 you today. The Smog Check Program plays an important role
17 in making sure that as cars age, that their emission
18 systems are fixed when they need to be. And in the past,
19 the level had been set at four years and then six years.
20 It was moved up to eight years. We think, given the air
21 quality crisis in this state, it certainly makes sense to
22 go to seven, and maybe eventually back to six years. It's
23 not particularly onerous for the consumer, because of the
24 consumer assistance program that's administered by BAR for
25 low-income Californians. So we're definitely in support.

1 At the same time, there's a need to do a lot
2 more. We're not close to attainment in the South Coast,
3 the San Joaquin, indeed the vast majority of Californians
4 continue to breathe unhealthy air. This is not an
5 acceptable situation, so we need to see more action at all
6 levels of government. EPA needs to do more, CARB needs to
7 do more, the districts need to do more to reduce
8 emissions. Granted, none of these measures are easy. The
9 low-hanging fruit have been picked, but we can do more in
10 regulations, as Mr. Barrett mentioned for both on-road and
11 off-road diesel engines and in the ag sector, as Mr.
12 Newell mentioned. And we support those proposed measures.

13 In addition, we could do more on the incentives
14 side, and, you know, we agree with CAPCOA, let's all go to
15 the Governor and the Legislature ask for more funding for
16 the Carl Moyer Program, so we can turnover those dirty
17 diesel engines and replace them with zero-emission
18 engines.

19 Thank you.

20 BOARD CLERK MOORE: Thank you.

21 We currently have one commenter with their hand
22 raised in Zoom. Cynthia Pinto-Cabrera, I have allowed you
23 to talk. You may unmute and begin.

24 CYNTHIA PINTO CABRERA: Good morning, Chair
25 Randolph and members of the Board. Cynthia Pinto-Cabrera,

1 policy coordinator with the Central Valley Air Quality
2 Coalition. I'd like to just thank the staff who have been
3 working on this measure. I know there's been a lot of
4 back and forth between advocates and the staff on
5 contingency measures. But CVAQ would really like to echo
6 the comments that the measure proposed today is not
7 enough, given the severity of the air pollution crisis in
8 the San Joaquin Valley.

9 We'd like to highlight the fact that the valley
10 remains to be the most polluted air basin in the nation.
11 And as we get closer to attainment deadlines for our
12 National Ambient Air Quality Standards, we worry about
13 serious risk to fail -- continue to fail meeting those
14 standards. And we ask that CARB make a commitment to
15 continue to work with valley groups and communities to
16 identify much needed emissions reductions. And I would
17 like to point to the outstanding ask and commitment from
18 CARB to review the top 20 station -- top 27 stationary
19 sources, a commitment that was made four years ago and has
20 yet to happen. I think there's -- we still stand that
21 there's a lot of opportunity amongst our stationary
22 sources to improve best available control technology, and
23 increase enforcement.

24 We understand the complexity of contingency
25 measures, but at the end of the day, the valley needs real

1 reductions and strong enforcement to meet our air quality
2 goals not only for the sake of meeting them, but for the
3 lives and well-being of valley residents. So we look
4 forward to continuing conversations with CARB and
5 ultimately achieving clean air for the valley.

6 Thank you.

7 BOARD CLERK MOORE: Thank you. That concludes
8 our commenters for this item.

9 CHAIR RANDOLPH: All right. Thank you.

10 Before I bring it to the Board for discussion,
11 staff are there any issues raised in the comments that you
12 want to address?

13 EXECUTIVE OFFICER CLIFF: No, chair. Thank you.

14 CHAIR RANDOLPH: Okay. So I am closing the
15 record on this agenda item and bringing the discussion to
16 the Board.

17 Board Member Kracov.

18 BOARD MEMBER KRACOV: I don't know if Board
19 Member Pacheco-Werner wants to talk about this one at all,
20 but coming from the South Coast, obviously, these
21 nonattainment issues are something that's on the front
22 burner for us and supportive of this measure. We need
23 every ton or portions of a ton that we can get. So
24 supportive of the measure, understanding that we do want
25 to make sure that Moyer continues to be funded. And

1 that's something that we'll continue to work on as a Board
2 with the Legislature and the administration.

3 We heard from the folks in San Joaquin today.
4 Just a refresh your recollection, the 2.5 plan for San
5 Joaquin, that is currently being looked at by the San
6 Joaquin Board and eventually it will come back before this
7 Board?

8 EXECUTIVE OFFICER CLIFF: That's correct.

9 CHAIR RANDOLPH: Okay. Thank you.

10 Dr. Pacheco-Werner.

11 BOARD MEMBER PACHECO-WERNER: Yes. Thank you.

12 Thank you, Board Member Kracov. I would like to ask some
13 more about it.

14 So obviously, in support of the measure. You
15 know, we need -- we definitely want to make sure -- you
16 know, contingency, as I followed that process, is a very
17 complex thing to get to. And as was mentioned by staff,
18 it's hard to make sure that, you know, we're making sure
19 we're bringing all the measures we can to implementation
20 now.

21 I wanted to see if staff could respond a little
22 bit to the comments around the lack of contingency
23 measures in the San Joaquin Valley and just kind of
24 provide a little bit more clarity to our board about that.

25 Thank you.

1 EXECUTIVE OFFICER CLIFF: Thank you, Dr.
2 Pacheco-Werner. So the challenge here is finding a
3 measure that is readily available and can be triggered
4 immediately. And so typically speaking, when we're
5 thinking about technology-forcing regulations, if, for
6 example, you were to bring the date up for a technology
7 forcing regulation, that would be inconsistent with the
8 idea that you're pushing manufacturers to more strict
9 requirements in the future and giving them lead time to do
10 so. So that type of an opportunity is not something that
11 is readily available.

12 And likewise, some of the commenters have
13 suggested other particular types of measures, such as
14 regulating ag or dairies, which are all things that could
15 be on the table for this Board, but not something that we
16 have looked at as a primary way for a contingent. Rather,
17 if we're looking at those opportunities to reduce
18 emissions, which, you know, we've done a really good job
19 through incentive measures so far, then, you know, we're
20 going to continue to use the types of programs that have
21 been working well. And we know that we need to continue
22 to get more reductions in those areas.

23 What we're talking about here is the need for
24 something that's kind of an immediate trigger, and that's
25 the particular Challenge that we face in identifying some

1 sort of opportunity that is on the shelf and ready to go,
2 the type of thing that is being suggested such as, you
3 know, continuing to get reductions from ag tractors. Of
4 course, we want to continue to get reductions from ag
5 tractors and we're going to do that in the ways that we
6 can. And we've been really successful so far doing that
7 with incentive programs and we hope to continue to do so.

8 There's, you know, a number of other
9 opportunities like that, but those aren't really
10 appropriate for contingency. And that's why this type of
11 immediate trigger that we've identified here we think is
12 appropriate. We'll obviously continue to scour any other
13 opportunities as well. And I would ask staff to add or
14 correct anything that -- no, we're good.

15 AQPSD CHIEF BENJAMIN: Yes. So this is Mike
16 Benjamin, Chief of the Air Quality Planning and Science
17 Division. In tandem with CARB, the local air districts,
18 including San Joaquin Valley Air Pollution Control
19 District are looking closely at opportunities for
20 contingency measures and are actually in the process.
21 They've identified several contingency measures they're
22 planning to take to their board. So we collectively, CARB
23 and the districts, recognize the need for contingency
24 measures and are working to address this in tandem.

25 BOARD MEMBER PACHECO-WERNER: Thank you. Thank

1 you, Chair.

2 CHAIR RANDOLPH: Okay. Thank you.

3 Dr. Shaheen.

4 BOARD MEMBER SHAHEEN: Thank you, Chair and thank
5 you, Dr. Cliff for addressing one of my questions. So we
6 have to do all we can to reduce these emissions. It's a
7 very sensitive issue.

8 I wanted to go back to staff and I appreciate the
9 briefing today and that I received recently. One of the
10 key questions I had, which I thought might be helpful to
11 hear a bit more about is the analysis that was done on the
12 loss of funds to the Carl Moyer program, because that was
13 very helpful for me to hear. If you could share that, I
14 think that might be helpful, so that we have a sense of
15 the scale of the impact of the loss.

16 AQPSD CHIEF BENJAMIN: This is Michael Benjamin
17 again. So we did a very exhaustive analysis of what the
18 impacts of the loss of Moyer funds would be as a result of
19 the measure. And we did this in conjunction with our
20 Moyer staff at CARB. We, first of all, acknowledge and
21 appreciate all of the efforts that the districts made back
22 in 2017 securing additional funds for the Moyer Program.
23 And so that's something that we recognize as we move
24 forward with this proposal. I

25 In assessing the impact of what the measure would

1 be in terms of loss of Moyer funds, we looked historically
2 Moyer data, cost effectiveness data over the last five
3 years and we looked at what those projects cost, what
4 their emission benefits are. We did that both at a
5 statewide level and then we also did it project by
6 project. What's within the staff report is a statewide
7 average over a three- or four-year period.

8 Regardless of the approach that we took, what we
9 found is that the emission benefits of the proposal of the
10 smog check changes are greater than the loss of benefits
11 associated with changes to the Moyer Program. We do
12 recognize, however, and this is, I think, something that's
13 of concern, very legitimate, that the impacts from Moyer
14 will be statewide, so there will be districts who will be
15 experiencing a loss of Moyer funds, even if they're not in
16 an area that's triggered. So there's an impact there in
17 many districts that we appreciate.

18 So for context, the Moyer Program has
19 historically received about 100 to 130 million dollars a
20 year. The area that's most likely to trigger this measure
21 is going to be the San Joaquin Valley. And we estimate
22 that if that happens, there would be a loss of Moyer funds
23 of approximately \$3.7 million. There's, as we've
24 discussed, an allocation by which the Moyer funds are
25 distributed amongst the districts. A 3.7 million loss of

1 funds would be equivalent to about a three percent loss of
2 funds for each of the districts that receives Moyer funds.

3 So for some large districts like South Coast,
4 it's a very significant loss in dollar terms, but
5 percentage wise, the initial trigger that we think is most
6 likely would result in a loss of about three percent of
7 the Moyer funds for districts. Obviously, as more
8 districts potentially trigger this, then there would be
9 increased impacts for districts.

10 BOARD MEMBER SHAHEEN: Thank you very much for
11 that detailed analysis. Michael, just a quick follow-on.
12 So given the time frame, do you feel like we'd have enough
13 time to try to identify funding in some cases or across
14 the Board to essentially backfill that loss?

15 AQPSD CHIEF BENJAMIN: Yeah. So the -- we
16 anticipate that if areas trigger this, it would likely be
17 perhaps in 2023 in San Joaquin Valley or 2024 in San
18 Joaquin Valley, but there's going to be a lag time for EPA
19 to act and then for BAR and DMV to make changes to their
20 program. And that lag time would be about three to four
21 years.

22 So assuming San Joaquin Valley were to trigger
23 this in 2023, we would anticipate that the loss of Moyer
24 funds would be experienced in the 2026 or later time
25 frame. So that provides us with a about a three-year time

1 window in which we can collectively work together to
2 identify other funding sources to backfill any potential
3 loss in Moyer funds.

4 BOARD MEMBER SHAHEEN: Thank you.

5 EXECUTIVE OFFICER CLIFF: Can I just add that,
6 you know, that 3.7 million per year is -- you know, it's a
7 significant hit. As we've noted, it's about three percent
8 of the -- of the funds annually. And, yes, we are
9 interested in identifying sources of funds to backfill,
10 but this is kind of a zero sum game. We only have so many
11 sources of funding in order to get reductions and we
12 actually employ many of those incentive programs as part
13 of our SIP reduction strategies. So we don't have other
14 money that's just sort of sitting in the bank waiting to
15 get reductions. If we did, we would actually be using
16 those to get reductions.

17 So this is an opportunity for perhaps the
18 Legislature to be thinking about other types of sources of
19 funding. And it's not, you know, my role here to advocate
20 for such a thing, but should they choose to do so, then,
21 you know, that -- we have the calculations to show what
22 the reductions opportunity would be and what we're giving
23 up through these Moyer funds. So we're certainly
24 interested in trying to find where money is available and
25 use that to get reductions anywhere we can.

1 Thanks.

2 CHAIR RANDOLPH: All right. Board Member De La
3 Torre.

4 BOARD MEMBER DE LA TORRE: Thank you. I'm
5 supportive of the efforts. I, you know, believe we need
6 to do a little extra, but this is what's in front of us
7 today. I'm supportive of it.

8 I wanted to actually kind of redirect a little
9 bit on the -- on a part of this, which is the sanctions
10 that could happen for transportation funding in the San
11 Joaquin Valley and potentially, from my staff briefing,
12 Sacramento Metro a little bit down the road.

13 I've had, in my time here and even before I was
14 here, had people say, well, what if we don't comply with
15 these things, what are they going to do to us? Well, this
16 is what they can do to us. They can stop our
17 transportation funding. And so I've had legislators tell
18 me that -- ask me that question, what happens if we don't?
19 Well, this is it. This sanction is a very serious
20 sanction. This is -- this is the teeth of our regulatory
21 regime with the federal government. And so I just want us
22 to highlight that, because here it is. It's happening. I
23 think this is the first time in my 12 years here that it
24 has happened that we got this close.

25 And so just very, very important to those

1 naysayers out there that say, you know, there's no
2 negative impact from not following through. There is.
3 And here we are getting very, very close. And I hope we
4 can avoid it and do everything necessary to make sure that
5 that doesn't happen. But just a teachable moment.

6 Thank you.

7 CHAIR RANDOLPH: Thank you.

8 EXECUTIVE OFFICER CLIFF: Can I add to that?

9 CHAIR RANDOLPH: Sure.

10 EXECUTIVE OFFICER CLIFF: Thank you, Board Member
11 De La Torre. I also just wanted to add that we are under
12 court order to supply a contingency measure by the end of
13 January, so that's another important sanction that we're
14 here to consider.

15 CHAIR RANDOLPH: Okay. Board Member Hurt.

16 BOARD MEMBER HURT: Thank you, Chair.

17 So coming from the Bay Area, although we're not
18 on this list of nonattainment, definitely worry about
19 following out of nonattainment and what those future
20 needed measures should be. I did have great pause when I
21 saw the expansion of the Smog Check from an equity
22 perspective as well as a disadvantaged community lens,
23 because just comparatively, it seems like a small
24 reduction of emissions in the great scheme of things, but
25 again just more costs to the average household more -- and

1 it's more than just the checks and the repairs. It's the
2 time off of work and the family household arrangements.
3 And you really can't quantify those things, but at the
4 same time, it does feel like death by a thousand cuts when
5 it comes to all the measures that's happening in our world
6 that we have to be considerate of.

7 But in that same breath, I think it's a really
8 important note that federally regulated sources are more
9 than half of the statewide mobile source NOx emissions.
10 And so we really need federal sources to aid in those
11 needed measures. And so I'm curious, what is the outlook
12 on that partnership to get federal sources addressed, so
13 that folks are saying we need to do more? How are we
14 moving forward to keep emphasizing the fact that most of
15 the NOx emissions are from federal regulated sources and
16 what are we going to do about it to make a difference?

17 EXECUTIVE OFFICER CLIFF: Thank you for that
18 question. We certainly work very closely with EPA and
19 have done our best to suggest opportunities to reduce
20 emissions in California from sources that are primarily
21 regulated by the federal government. And indeed, EPA has
22 done work more recently in addressing on-road emission
23 sources and have indicated to us their desire to continue
24 to reduce emissions from off-road emission sources.

25 But in every comment letter that we submit and in

1 every conversation, we are certainly pushing to get those
2 actions to happen as quickly as possible. When the plans
3 that are put together don't meet the requirements of the
4 (inaudible), that the State puts together, in fact, that
5 federal implementation plan requires that its actions that
6 the State take, and that becomes a smaller and smaller
7 share of the total emissions, as you note. So our job is
8 even more difficult going forward. And I think it's all
9 of our responsibility to continue to point that out and,
10 of course, encourage the federal government to continue to
11 do the good work that we know they can do.

12 Thank you.

13 BOARD MEMBER HURT: Yes, especially in the face
14 of standards being more and more tightened. And so we'll
15 do as much as we can, and, of course, we should do
16 everything we can, but they too have to step up and do
17 more in that area. So off-road, I guess you're saying is
18 a future outlook of changes that will be made with federal
19 sources. And, of course, we always look to what will
20 happen at our ports.

21 So in the end, I can support this. And I look
22 forward to CARB continuing to think about what future
23 on-the-shelf measures can be prepared for deeper emission
24 reductions, because I do understand because of the short
25 period of time that this is one that's easily at hand.

1 And so we should move it forward.

2 CHAIR RANDOLPH: Dr. Balmes.

3 BOARD MEMBER BALMES: Thank you, chair. So I
4 support the comments of the other Board members. I just
5 wanted to add on a little piece to what Ms. Hurt said
6 about the equity issue. I brought this up during my
7 briefing, we often have nice incentives or support for
8 consumers like the BAR consumer assistance program up to
9 \$1,200, but I don't think we necessarily -- and I say we
10 the State here because it's BAR as well as, but I think
11 for the low-income folks, many of whom won't speak English
12 as a first language, and probably there's a translation in
13 Spanish, but maybe not, other languages, to get the word
14 out that there's this \$1,200 available. I mean, I think
15 it's really incumbent upon us, if we're going to cost
16 these individuals who need their cars, you know, to get to
17 work, we need to make sure that they are aware of the
18 available assistance.

19 CHAIR RANDOLPH: Okay. All right. Thank you for
20 that discussion. The Board has before them resolution
21 number 23-20. Do I have a motion and a second?

22 BOARD MEMBER DE LA TORRE: Move approval.

23 BOARD MEMBER BALMES: Second.

24 CHAIR RANDOLPH: Clerk, will you please call the
25 roll?

1 BOARD CLERK MOORE: Dr. Balmes?
2 BOARD MEMBER BALMES: Yes.
3 BOARD CLERK MOORE: Mr. De La Torre?
4 BOARD MEMBER DE LA TORRE: Yes.
5 BOARD CLERK MOORE: Mr. Eisenhut?
6 BOARD MEMBER EISENHUT: Yes.
7 BOARD CLERK MOORE: Senator Florez?
8 BOARD MEMBER FLOREZ: Florez aye.
9 BOARD CLERK MOORE: Mr. Guerra?
10 BOARD MEMBER GUERRA: Guerra aye.
11 BOARD CLERK MOORE: Ms. Hurt?
12 BOARD MEMBER HURT: Aye.
13 BOARD CLERK MOORE: Mr. Kracov?
14 BOARD MEMBER KRACOV: Yes.
15 BOARD CLERK MOORE: Mr. Rechtschaffen?
16 BOARD MEMBER RECHTSCHAFFEN: Yes.
17 BOARD CLERK MOORE: Dr. Pacheco-Werner?
18 BOARD MEMBER PACHECO-WERNER: Yes.
19 BOARD CLERK MOORE: Dr. Shaheen?
20 BOARD MEMBER SHAHEEN: Aye.
21 BOARD CLERK MOORE: Ms. Takvorian?
22 BOARD MEMBER TAKVORIAN: Aye.
23 BOARD CLERK MOORE: Chair Randolph?
24 CHAIR RANDOLPH: Yes.
25 BOARD CLERK MOORE: Madam Chair, the motion

1 passes.

2 CHAIR RANDOLPH: All right. Thank you.

3 The next item on the agenda is Item number
4 23-9-3, proposed amendments to the regulation for small
5 containers of automotive refrigerant. If you are here
6 with us in the room and wish to comment on this item,
7 please fill out a request-to-speak card as soon as
8 possible and submit it to a Board assistant. If you are
9 joining us remotely and wish to comment, please click the
10 raise hand button or dial star nine now. We will first
11 call on in-person commenters followed by any remote
12 commenters when we get to the public comment portion of
13 this item.

14 The Board will consider amending the regulation
15 for small containers of automotive refrigerant used in
16 do-it-yourself recharging of motor vehicle air
17 conditioning systems. These products are sold over the
18 counter and contain HFC-134a, a refrigerant that has a
19 global warming potential 1,430 times that of carbon
20 dioxide. The Board adopted this regulation in 2009 and it
21 went into effect in 2010. The Board adopted amendments to
22 the regulation in April 2016, which went into effect in
23 2017.

24 One of the original proposals was a complete ban
25 of these products. After careful consideration of

1 environmental equity issues raised during the rulemaking
2 process, CARB proposed and the Board adopted the existing
3 regulation, which includes a requirement for a
4 self-sealing valve on each container and a deposit and
5 return program to recover the refrigerant remaining in the
6 used containers. Staff developed the amendments being
7 proposed today in consultation with small container
8 manufacturers and retailers, refrigerant reclaimers, NGOs,
9 and others.

10 Dr. Cliff, would you please introduce the item.

11 EXECUTIVE OFFICER CLIFF: Thank you, Chair
12 Randolph.

13 Staff developed regulatory amendments to reduce
14 burdens to both end users and regulated parties while
15 achieving greenhouse gas reductions. The regulation was
16 intended to reduce emissions associated with
17 do-it-yourself motor vehicle air conditioner recharging
18 through the incorporation of a self-sealing valve on all
19 product containers, and a container return program in
20 which the refrigerant remaining in the containers would be
21 recovered and recycled instead of being emitted. Because
22 of the effectiveness of the self-sealing valve
23 requirement, the refrigerant remaining in the container
24 after use is much smaller than projected.

25 Staff analysis shows emission reductions can be

1 achieved while reducing costs to Californians. The
2 proposed amendment would remove the deposit and return
3 program. This would provide savings to the public by
4 removing the \$10 deposit from the cost of a can with
5 disadvantaged communities receiving the greatest of these
6 savings. The proposed requirement that reclaimed
7 refrigerant be used in small containers would compensate
8 for the emission reductions currently achieved by the
9 deposit and return program. In addition, the amendments
10 to the spending of remaining funds from unclaimed deposits
11 will support the needed supply of reclaimed refrigerant.

12 I will now ask Van Tsan and Tristan Pulido from
13 the Research Division to begin the staff presentation.

14 (Thereupon a slide presentation).

15 RD AIR RESOURCES ENGINEER TSAN: Thank you, Dr.
16 Cliff. Good afternoon, Chair Randolph and members of the
17 Board. The regulation we are proposing to amend today
18 deals with small containers of automotive refrigerant.
19 We'll begin with an introduction to what small containers
20 of automotive refrigerant are.

21 --o0o--

22 RD AIR RESOURCES ENGINEER TSAN: Small containers
23 of automotive refrigerant are used to recharge motor
24 vehicle air conditioning, or MVAC system. These systems
25 may naturally leak to the point that they need recharging

1 usually after seven years. Wear and tear or lack of
2 routine maintenance can lead to leakage resulting in loss
3 of cooling power and the need for a system recharge. When
4 recharging is needed, a vehicle owner has two options,
5 first is to have the vehicle served by a professional
6 automotive repair shop. The second is for the consumer to
7 service the systems themselves using a small container
8 have automotive refrigerant, which can be purchased over
9 the counter.

10 Professional repairs fix the leaks present in the
11 system. However, they are significantly more expensive
12 than do-it-yourself servicing with small containers. An
13 average of 1.5 million containers are sold every year.
14 They are filled with hydrofluorocarbon-134a, also known as
15 HFC-134a, the refrigerant predominantly used in this
16 application.

17 --o0o--

18 RD AIR RESOURCES ENGINEER TSAN: HFCs are a
19 family of greenhouse gases that are the fastest growing
20 source of GHG emissions, and their reductions are
21 critically needed in reaching climate goals. HCF-134a is
22 a potent short-lived climate pollutant, a powerful climate
23 forcer with a relatively short atmospheric lifetime.
24 HFC-134 has a global warming potential of 1,430 times that
25 of carbon dioxide.

1 and record keeping for manufacturers retailers and
2 distributors.

3 Fourth, it requires education and outreach
4 materials that emphasize the best practice for vehicle
5 recharging.

6 --o0o--

7 RD AIR RESOURCES ENGINEER TSAN: Now, I will talk
8 about the impact of our current regulation. The
9 self-sealing valve on each container prevents the release
10 of any refrigerant remaining in the container after use.
11 This allow consumers to retain and reuse the containers so
12 less refrigerant is vented into the atmosphere. It's
13 responsible for 95 percent of the emissions reductions.
14 Subsequently, the U.S. EPA adopted a self-sealing valve
15 requirement as part of the national regulation in 2018.

16 Due to the success of the self-sealing valve in
17 preventing refrigerant emissions, the current refrigerant
18 recovery rates are lower than originally projected
19 averaging four percent compared to the original estimate
20 of 22 percent. In addition, the deposit and return
21 program averages a 66 percent return rate compared to the
22 original goal of a 95 percent return rate. These factors
23 combined result in lower-than-projected emission
24 reductions from the deposit and return program.
25 Additionally, because of the low return rates, there are

1 \$5.5 million per year in unclaimed deposits.

2 --o0o--

3 RD AIR RESOURCES ENGINEER TSAN: The labeling,
4 reporting, and record keeping requirements promote
5 consumer education on proper MVAC recharging and ensure
6 accountability for retailers, distributors, and
7 manufacturers. The smaller container manufacturers'
8 third-party designee manages the education and outreach
9 program, as well as the collecting and spending of
10 unclaimed deposits with CARB oversight. The education and
11 outreach material emphasizes best practices for vehicle
12 recharging. An enhanced education program was launched
13 using unclaimed deposits by the designee in 2017 to
14 increase the return rate but stopped in 2021 since there
15 was no increase. I have presented a quick summary of the
16 current regulation.

17 Now, my colleague Tristan Pulido will present the
18 proposed amendments.

19 --o0o--

20 RD AIR POLLUTION SPECIALIST PULIDO: Thank you,
21 Van. Staff is proposing amendments to the regulation
22 covering three of the four main areas. First, staff is
23 proposing to remove the current deposit and return program
24 along with all other provisions related to the deposit and
25 return program. This will be replaced with a phase the

1 phase-in of requirements for reclaimed refrigerant in new
2 small containers. Second, staff is proposing to update
3 the reporting and record keeping requirements. And third,
4 staff is proposing to refine the procedures and parameters
5 for spending unclaimed deposits. No changes to the
6 self-sealing valve requirement are being proposed. I will
7 now go through each of these changes in greater detail.

8 --oOo--

9 RD AIR POLLUTION SPECIALIST PULIDO: The first
10 requirement, the removal of the deposit and return
11 program, will take effect January 1st 2025. The proposed
12 amendments will remove the \$10 consumer deposit. This
13 will better align with the U.S. EPA small container rule,
14 which does not have a deposit and return program. Also,
15 the proposed amendments will remove all container labeling
16 that references the deposit and return program. Staff has
17 included a sell-through provision for containers
18 manufactured before January 1st, 2025 to account for the
19 change in labeling requirements. And manufacturers will
20 be required to use reclaimed refrigerant when filling
21 small containers.

22 When the reclaimed refrigerant requirement
23 becomes effective --

24 --oOo--

25 RD AIR POLLUTION SPECIALIST PULIDO: -- the

1 amendments will phase in a percentage of reclaimed
2 refrigerant that small containers need to be filled with.
3 This percentage is aggregate across all containers sold by
4 each manufacturer over a calendar year. To assist
5 managers in determining the amount of reclaimed
6 refrigerant they will use, the total amount will be based
7 on the sales reported from the previous calendar year.

8 The goal is to reach 100 percent reclaimed
9 refrigerant from 2027 forward. There will be two
10 intermediate steps, the first in 2025 with a 25 percent
11 reclaimed refrigerant requirement, and the second in 2026
12 with a 50 percent reclaimed refrigerant requirement. To
13 be classified as reclaimed refrigerant under the proposed
14 amendments, the reclaimed refrigerant must: be reclaimed
15 by a U.S. EPA certified refrigerant reclaimer from a
16 previously operational appliance; it must meet U.S. EPA
17 specifications for refrigerants; and finally, contain zero
18 percent virgin or newly manufactured refrigerant by weight
19 to meet those specifications.

20 By requiring the use of reclaimed refrigerant,
21 the amendments will continue to achieve emission
22 reductions while also reducing cost to consumers. This
23 will align with the federal American Innovation and
24 Manufacturing Act, or AIM Act for short, by further
25 encouraging the use of reclaimed refrigerant. Through

1 communication with stakeholders, staff has determined that
2 there is sufficient supply of reclaimed refrigerant to
3 meet the demand for small containers of automotive
4 refrigerant in California. As I will also discuss later,
5 the proposed amendments will help promote increased
6 reclaimed refrigerant availability.

7 --o0o--

8 RD AIR POLLUTION SPECIALIST PULIDO: The second
9 requirement introduced by the proposed amendments will
10 require updates to the reporting and record keeping
11 requirements. Along with the removal of the deposit and
12 return program, staff is proposing to remove the reporting
13 and record keeping requirements for the number of used
14 containers collected and recycled. This change applies to
15 small container manufacturers, retailers, and
16 distributors. Now, with the addition of the reclaimed
17 refrigerant requirement, small container manufacturers
18 will begin reporting the total amount of reclaimed
19 refrigerant used to charge small containers each year as
20 well as providing the amount of reclaimed refrigerant
21 purchased from each U.S. EPA certified reclaimer.

22 --o0o--

23 RD AIR POLLUTION SPECIALIST PULIDO: The third
24 requirement will entail changes to the spending plan
25 options for unclaimed deposits, which will also start on

1 equivalents by 2030 and 2045 respectively. This aligns
2 with the goals and time frames of SB 32, SB 1383, and AB
3 1279.

4 --o0o--

5 RD AIR POLLUTION SPECIALIST PULIDO: For the
6 economic benefits, as mentioned previously, currently it
7 costs consumers \$5.5 million per year, \$1.8 million of
8 which comes from disadvantaged communities, the largest
9 consumers of small containers. The proposed amendments
10 are projected to save 33.5 million and 59.5 million
11 dollars by 2030 and 2045 respectively.

12 --o0o--

13 RD AIR POLLUTION SPECIALIST PULIDO: In summary,
14 the proposed amendments will achieve emission reductions
15 while reducing the regulatory burden on consumers,
16 retailers, and manufacturers, align with the U.S. EPA
17 small container rule, as well as the AIM Act, while
18 supporting California's climate goals. Staff thus
19 recommends the Board to adopt the proposed amendments for
20 small containers of automotive refrigerants.

21 That concludes our presentation. Thank you very
22 much for your time.

23 CHAIR RANDOLPH: Thank you. We will now hear
24 from the public who signed up to speak on this item,
25 either by submitting a request-to-speak card or a raised

1 hand in Zoom. I will ask the Board clerks to call on the
2 commenters.

3 BOARD CLERK MOORE: Thank you, Chair Randolph.
4 We currently have four commenters, one in person and three
5 on Zoom. Our first commenter in person is Mike Armstrong.

6 MIKE ARMSTRONG: Good morning, Madam Chair and
7 the Board. My name is Mike Armstrong. I'm the President
8 and Managing Director of A-Gas in the Americas. A-Gas is
9 the largest global reclaimer of refrigerants,
10 headquartered in Bowling Green, Ohio, operates 62 -- 42
11 locations in northern America, including Canada and
12 Mexico, six of those here in California.

13 I grew up here in the San Joaquin Valley in Lodi,
14 and it's always a pleasure to come home and speak with you
15 today on the small cans of automotive refrigerant.
16 Speaking directly about the use then of 134 in small cans.
17 134 is one of the most widely used refrigerants on the
18 planet. It's found in both stationary and mobile AC, but
19 also in large chilling systems across the country. R134
20 has been and is currently used to replace R11 and R22 in
21 large chilling systems and installed base is enormous.

22 As a single component HFC it's also one of the
23 easiest of the refrigerants to clean. In fact, it's far
24 easier to reclaim than R410 the current refrigerant in the
25 R4 program. To date, in California, there have been no

1 supply constraints here in the first year of the program
2 refrigerant.

3 As the R4 program sunsets with the majority of
4 the 410 volume next year, the capacity will be available
5 to ship the 134A. Additionally, programs such as this
6 lead to increased reclamation rates across the country.
7 The U.S. EPA in its most recent AIM Act documents from two
8 weeks ago is reflecting a 38 percent increase in HFC
9 reclamation, more than 2.2 million pounds over the
10 previous year. I can tell you that a big part of the
11 increase is because of R4 and there will be plenty of
12 product to support the program in California. In fact,
13 there's probably enough program -- or enough product in
14 the circuit to bring this program forward by one year if
15 California so chooses.

16 I believe this small program -- the small can
17 program will be equally effective in delivering volumes
18 under consideration here in the state of California.

19 Thank you for your time.

20 BOARD CLERK MOORE: Thank you. We currently have
21 four commenters on Zoom. Our first commenter is Stephen
22 Rosenblum. I have activated your microphone. Please
23 unmute and you may begin.

24 STEPHEN ROSENBLUM: Thank you for the comment to
25 speak. My name is Stephen Rosenblum. I'm a member of

1 Climate Action California.

2 I think the Board here is admitting failure on
3 its program to reduce the use of R134 small cans. And the
4 reason is pretty obvious that it's much cheaper to buy a
5 \$12 can of refrigerant and recharge your leaky system than
6 it is to go to a repair facility with the proper equipment
7 to look for the leak, repair the leak, and recharge the
8 system, which can cost about \$800. It's a pretty easy
9 decision for the consumer to make to say, well, I'm just
10 going to buy even a can that cost \$12 with a \$10 deposit
11 is still much cheaper than \$800. So I think this -- the
12 real solution would have been to provide a subsidy for
13 users -- for customers to go to a certified repair
14 facility to have their systems repaired and recharged
15 rather than continue the use of small cans, but that's
16 sort of water under the bridge.

17 I think long term what CARB should be pushing on
18 is the switch over from manufacturer refrigerants with
19 high GHG potential to natural refrigerants such as Carbon
20 dioxide, which has GHG of one propane, which has a GHG of
21 4 or ammonia, which has a GHG of 0. So that I think is
22 what CARB should be working on long term. And I think
23 this is just a stopgap, but it's certainly better than
24 nothing.

25 Thank you.

1 BOARD CLERK MOORE: Thank you. Our next
2 Commenter is Beth Porter. I have activated your
3 microphone. Please unmute and you may begin.

4 BETH PORTER: Hello. Good afternoon. My name is
5 Beth Porter. I'm providing comments from the
6 Environmental Investigation Agency, or EIA. We appreciate
7 this opportunity to comment on this proposal. EIA is an
8 independent campaigning organization based in D.C. working
9 to protect the global climate, forests, and threatened
10 species with intelligence. Policy measures to prevent
11 refrigerant leaks an increase recovery can significantly
12 reduce emissions an accelerate the phase down of HFCs by
13 offsetting demand for virgin refrigerants. Improving life
14 cycle management of refrigerants can prevent emissions up
15 to 90 billion CO2 equivalent tons globally by the end of
16 this century.

17 We applaud California for setting legislative and
18 policy goals toward eliminating HFC emissions and we
19 support this proposal. Our comments emphasize aspects to
20 strengthen reporting and verification requirements. We
21 support introducing a requirement for manufacturers of
22 small of automotive refrigerants to use 25 percent
23 reclaimed refrigerant beginning 2025, 50 percent in 2026,
24 and 100 percent in 2027.

25 However, EIA recommends that the annual reporting

1 and verification requirements on reclaimed use be
2 strengthened by requiring audited financial records or
3 third-party verification of purchase of the reported
4 quantity of reclaimed refrigerants from a certified
5 reclaimer and a statement -- and/or a statement of
6 attestation by a reclaimer verifying the sale.

7 Additionally, we support the proposal to use
8 unclaimed deposits for the program to reduce emission
9 leaks by repairing MVAC systems. However, it's important
10 for CARB to note that funds used for repairing leaks in
11 MVAC systems should not be used for the purchase of
12 replacement refrigerant costs, but for the costs of system
13 repair, thereby incentivizing the proper repair of systems
14 rather than quote, "Gas and go practices." Such programs
15 should also be focused towards disadvantaged communities,
16 whereas CARB reports 40 percent of small container sales
17 currently occur.

18 Thank you for considering these comments and for
19 advancing innovative approaches to implement measures to
20 reduce emissions of HFCs under this proposal.

21 BOARD CLERK MOORE: Thank you.

22 Our next commenter is Alex Hillbrand. I have
23 activated your microphone. Please unmute and you may
24 begin.

25 ALEX HILLBRAND: Great. Thank you very much.

1 I'm Alex Hillbrand with the Natural Resources Defense
2 Council, an environmental non-profit with over three
3 million members and online activists and a long history of
4 work in this area.

5 NRDC is pleased to support the proposed
6 amendments. Small containers of automotive refrigerant
7 are a significant source of HFC emissions that harm the
8 climate, which is a key reason that CARB has an existing
9 program on them. The amendments proposed today removing
10 the deposit program that's currently in place are a good
11 idea, as the expected climate benefits from the deposit
12 program have not fully materialized and have placed a cost
13 burden on disadvantaged communities.

14 Instead, the amendments require use of fully
15 reclaimed refrigerant in small cans. Reclaimed
16 refrigerant is refrigerant that was recovered at the end
17 of another appliance's life and clean back-up to purity by
18 a reclaimer. In other words, it is refrigerant that would
19 have been emitted otherwise, if not for the recovery and
20 reclamation process. And there's no better use for this
21 type of refrigerant than in small cans.

22 Refrigerant is often emitted during charging of a
23 vehicle's AC system by a DIY persons, and subsequently
24 also leaks out of the air conditioning system, which is
25 known to be leaking and that's why it's being recharged in

1 the first place.

2 It is also paramount that we begin fostering
3 demand and use of reclaimed refrigerant in new products,
4 such as the proposed amendments do. Proper refrigerant
5 recovery at the end of life avoids refrigerant emissions
6 today helping meet HFC reduction goals in the very
7 near-term, but is not widely practiced because there is
8 always not enough financial incentive to do so.

9 Creating value in recovered refrigerant helps
10 solve that problem and contributes to closing the loop of
11 the refrigerant value chain. Thank you to the Board and
12 to CARB staff for their important work in this area and
13 for considering these comments.

14 BOARD CLERK MOORE: Thank you.

15 The next commenter is Doug Kobold. I have
16 activated your microphone. Please unmute and you may
17 begin.

18 DOUG KOBOLD: Thank you very much. This is Doug
19 Kobold, the Executive Director for the California Product
20 Stewardship Council. I apologize to the Board and the
21 staff for the lateness of my comments, my written comments
22 that I submitted this morning. So I'll just summarize
23 briefly those comments. I have appreciated staff's
24 interactions in the past on this issue.

25 I'm still -- I applaud the staff for adding the

1 requirement to reuse reclaimed refrigerant. I fully
2 support that. My concern is around removal of the deposit
3 system, because right now that is a huge incentive to get
4 these canisters back. And without that, as I described in
5 my letter, these -- likely these containers are going to
6 end up in the recycle bin or the trash bin. And when they
7 go through the processes of either a material recovery
8 facility or at a landfill, they are going to get
9 compacted, they are going to get compromised, and the
10 gases that may be residing in those canisters will be
11 released to the atmosphere.

12 I don't foresee and I did not see anywhere that
13 there is any kind of a collection program requirement to
14 continue to get these canisters back responsibly. So the
15 only ones that will come back responsibly will likely be
16 through household hazardous waste collection facilities or
17 temporary household hazardous waste collection events, and
18 that will be at a cost to the local governments. I do not
19 see anywhere in the staff report what the cost impacts --
20 what analysis there was on the cost impacts to local
21 government was to have to take these canisters back and
22 send them through their household hazardous waste
23 processors for proper processing. So there -- I'm
24 estimating that there will be at least a \$5 per unit cost,
25 which will equate to at least 5 -- nearly \$5 million a

1 year that will have to be passed to the local governments
2 who will then have to pass it on to the ratepayers. So I
3 do not believe that there is as much of a public benefit
4 as being described in the staff report at this time.

5 But again, I do appreciate what the staff has
6 done so far and I appreciate the opportunity to address
7 the Board here this morning.

8 Thank you.

9 BOARD CLERK MOORE: Thank you. That concludes
10 our commenters for this item.

11 CHAIR RANDOLPH: Okay. So before I close the
12 record on this item, I wanted to ask staff are there any
13 issues raises in the comments that you wanted to address?
14 And in particular, I'm actually kind of curious to hear
15 your response on the last public commenter.

16 EXECUTIVE OFFICER CLIFF: Yes. Thank you, Chair
17 Randolph. And thank you for noting that. I did want to
18 address the last commenter and I'll turn it to staff in a
19 moment, but I just wanted to note that this is not
20 hazardous household waste that these cans can be recycled
21 just like any other metal can. So that's not really an
22 issue. And I understand there's new studies and the staff
23 can address that in more detail that indicate that.

24 And just to the point about the return of the
25 canister to the point of sale, as staff noted in the

1 presentation, we expected initially that we would get a
2 much higher return rate of 95 percent, but, in fact, we're
3 getting a much lower return rate, so that part hasn't been
4 as effective at reducing the emissions that we expected,
5 whereas the self-sealing valve has been really effective
6 at reducing emissions. So that small amount of remaining
7 product in the can, that four percent I think it is, is
8 really made up, because of the requirement for recycled
9 material being used going forward.

10 And because it's not household hazardous waste,
11 and it can just be recycled normally, it doesn't impact
12 the waste stream anymore than any other types of cans
13 would. But I'd invite the staff to correct anything I
14 said or add on to that, please.

15 RESEARCH DIVISION CHIEF SCHEEHLE: Thank you, Dr.
16 Cliff. This is Elizabeth Scheehle. I'm the Research
17 Division Chief. And everything you said was accurate, the
18 self-sealing valve is very effective and was adopted by
19 U.S. EPA, because of its effectiveness. And the deposit
20 and return is not as effective as we had originally
21 estimated. And so as Dr. Cliff said, this is not a
22 hazardous household waste and that was determined in a
23 very recent aquatic toxicity study in 2021, so that might
24 be where some of the confusion is amongst the commenters.
25 But according to the DTSC definition, it is not considered

1 a household hazardous waste and it can be recycled like a
2 normal metal can. And we have also discussed this
3 CalRecycle.

4 CHAIR RANDOLPH: Okay. I'm going to close the
5 record on this agenda item. However, if it is determined
6 that additional conforming modifications are appropriate,
7 the record will be reopened and a 15-day Notice of Public
8 Availability will be issued. If the record is reopened
9 for a 15-day comment period, the public may submit written
10 comments on the proposed changes, which will be considered
11 and responded to in a Final Statement of Reasons for the
12 regulation.

13 Written or oral comments received after this
14 hearing date but before a 15-day notice is issued will not
15 be accepted as part of the official record on this agenda
16 item. The Executive Officer may present the regulation to
17 the Board for further consideration, if warranted, and if
18 not, the Executive Officer shall take final action to
19 adopt the regulation after addressing all appropriate
20 conforming modifications.

21 Okay. I will bring this discussion to the Board
22 for questions or comments. And Board Member Hurt.

23 BOARD MEMBER HURT: I guess you want to hear me,
24 huh. Thank you. Okay.

25 Thank you for further clarifying that aspect,

1 because that was one of my questions and concerns
2 specifically around the elimination of the deposit and
3 return program, and the idea that those items would then
4 go into the residential waste stream and I appreciate that
5 we're requiring self-sealing valves, but for the legacy
6 cans, there definitely is a concern of the impact on the
7 local waste management and the increase and could they be
8 flammable with the remaining product that's in them?

9 EXECUTIVE OFFICER CLIFF: That product is not
10 flammable.

11 BOARD MEMBER HURT: Okay. So then I'll focus a
12 lot of my comments around the beneficiaries of the unused
13 deposits. Who are we envisioning will be the primary
14 folks that will benefit from the use of the unused
15 deposits?

16 RESEARCH DIVISION CHIEF SCHEEHLE: So we have two
17 options within the spending plan. And those both go to
18 the reclaimed refrigerant, which is, one, to decrease the
19 demand, and that is looking at providing subsidies to the
20 repair of motor vehicle AC and that will be focused in
21 disadvantaged community and low income. And then we have
22 another that will be increasing the supply by looking at
23 recycling refrigerant from refrigerators.

24 BOARD MEMBER HURT: And can you speak a little
25 bit as to why the first alternate one of banning the

1 ban -- of this product was not moved forward with?

2 RESEARCH DIVISION CHIEF SCHEEHLE: So we did look
3 at that as an alternative and we looked it in the past,
4 but we did get a lot of feedback that that would then make
5 it very expensive for people to fix their AC, and that
6 would impact lower income people more likely. So we did
7 not move forward with that alternative and it is evaluated
8 in the -- in our ISOR.

9 EXECUTIVE OFFICER CLIFF: And can I just note
10 that going forward, most motor vehicle air conditioning
11 systems use a different product in HFO-1234yf which has a
12 much lower global warming potential. So banning this
13 product for those who use it in older vehicles would then
14 impact most those who have the oldest vehicles, which tend
15 to be in disadvantaged communities.

16 BOARD MEMBER HURT: Yeah, I agree. And so I just
17 want to emphasize the need for these to be used in
18 disadvantaged communities, the deposits, really focus
19 there, and making sure income-wise, you know, folks are --
20 who really need it are receiving it. And this we know --
21 we've had several conversations around the deposit and
22 return program and I just want to thank staff for leaning
23 in with me and circling background several times.

24 And I also just want to uplift this idea of
25 product stewardship model that we should think more about

1 a product from beginning to end and companies being
2 responsible and not always just going into the waste
3 stream, local waste stream for being dealt with. I will
4 support this. Thank you all.

5 CHAIR RANDOLPH: Thank you.

6 Senator Florez.

7 BOARD MEMBER FLOREZ: Hi. I have a more
8 technical question for staff just listening to this. What
9 is -- what becomes of the material R22 used in certain --
10 when houses kind of switch over, was that accounted for in
11 the analysis and how do you view that?

12 RESEARCH DIVISION CHIEF SCHEEHLE: Could you
13 clarify that question a little bit? I'm not sure that I
14 got the intent of it?

15 BOARD MEMBER FLOREZ: Yeah. R22 as a
16 refrigerant, what is the disposal method for that, because
17 homes are switching over, particularly in LA County, and
18 just wondering if that was accounted for in the analysis?

19 RESEARCH DIVISION CHIEF SCHEEHLE: So technicians
20 are required to recover things like R22. And in this we
21 are looking at HFC134a for the motor vehicle. But for R22
22 and other uses, they are -- technicians are required to
23 recover and recycle that.

24 BOARD MEMBER FLOREZ: Thank you.

25 CHAIR RANDOLPH: And is that -- is that our

1 regulation for the R22 or is that a federal regulation?

2 I'm just curious.

3 RESEARCH DIVISION CHIEF SCHEEHLE: It's both
4 actually, under our refrigerant management plan as well as
5 federal.

6 CHAIR RANDOLPH: Okay. Thank you.

7 Board Member Guerra.

8 BOARD MEMBER GUERRA: Thank you, Chair. Thank
9 you very much staff. I just -- you brought back memories
10 of me in high school trying to fix my own car. And I --
11 and I -- and I bring that up just because I do think that
12 we need to have our policies thinking forward and from the
13 consumer's point of view. And there are -- there are two
14 types of do-it-yourselfers. Sometimes they commingle, you
15 know, one who just loves to work on their vehicle and
16 they've got the time and opportunity to do so, and then
17 there are those who do it out of necessity. And I happen
18 to be on both of those sides for a long time, but I
19 appreciate that thoughtfulness that staff took into
20 figuring out this regulation.

21 And I -- my understanding is still even there's
22 quite amongst -- a debate still amongst the automakers
23 about complete replacements for this particular type of
24 refrigerant. And so until we -- until there's a complete
25 turnover through heat pumps and what happens in electric

1 vehicles, I do think that having that thought process
2 about how our consumers are going to respond is important,
3 which I think the deposit question was a curious one,
4 because I -- I'm ready to move forward, but I think about
5 when every time I have to replace my car battery, you
6 know, that core charge or that \$10 core fee was always a
7 huge incentive to immediately take that back, you know,
8 and how simple that one either fee, or deposit, or
9 incentive is, whatever you want call it, encouraged a
10 positive action versus just dumping it, or leaving it, or
11 throwing it out. So I'm curious to explore more on the
12 recovery in future iterations of how we're moving this
13 item.

14 The only question that I really did have, and
15 this is much more, you know, for maybe my edification and
16 for those that are watching, because generally when a
17 consumer looks at a regulation, they're -- or sees a
18 regulation coming up, it usually means that there's a
19 higher cost to the consumer, either because of
20 implementation costs or whatever -- or even new technology
21 as we had in the previous item. But in this case, I mean,
22 what I'm -- what staff is indicating is that there's
23 actually a long-term savings for consumers. So I guess
24 where is that savings occurring and how is that
25 quantified? Because I think that's an important

1 conversation that many times when people come to this
2 agency or this Board or others, the regulation usually
3 comes with a very significant impact.

4 RESEARCH DIVISION CHIEF SCHEEHLE: So the savings
5 for -- that are provided are for the removal of the
6 deposit and return. And so that's solely through the
7 unclaimed deposits.

8 BOARD MEMBER GUERRA: Very good. Good. Thank
9 you. Well, I appreciate that and I think that's
10 important. I also -- I'll take this time to say that, you
11 know, the -- there's the folks who like to work on their
12 vehicles, and they're going to be do-it-yourselfers, and
13 then -- but there are other programs, like the scrap and
14 replace programs that we have, the -- that we give you --
15 that we use for Carl Moyer and others to either get rid of
16 your old junker vehicle.

17 So, I mean, we just -- my mother-in-law has
18 maintained her 1996 Miata very nicely. So I think that
19 one will probably be maintained, but the 1996 Taurus that
20 we had, no offense to the Ford folks, but that one -- that
21 car that I was driving definitely needed to be put out of
22 the market. So as we're doing these regulations that are
23 supporting those legacy vehicles, I still think that we
24 need to figure out stronger and better incentives,
25 particularly for those that don't have an option and are

1 not fixing their vehicles and their vehicles are
2 unreliable to enhance and strengthen these scrap and
3 replace programs for families in the lower income area
4 that are dependent still, because of poor transit systems
5 or what not, on a vehicle, so -- and a clean vehicle for
6 that.

7 So with that, Madam Chair, I'll support it, and I
8 want to thank staff for their work on this.

9 CHAIR RANDOLPH: Thank you.

10 Dr. Pacheco-Werner.

11 BOARD MEMBER PACHECO-WERNER: Yes. Thank you,
12 Chair. And thank you to staff. I know that this is
13 really great, you know, moving forward, and no pun
14 intended, scrapping wasn't working, and using use new
15 strategies.

16 I forgot to ask during my briefing, but is there
17 an opportunity as we've written the new guidelines for
18 CARB to use vendors like we've been using for smog repair,
19 so that we could have events in disadvantaged communities,
20 where people virtually sign up for repairs, you know, and
21 being able to use those strategies that we've already
22 deployed that work in disadvantaged communities to get
23 these sort of reductions. I'm just worried.

24 You know, like Board Member Guerra said, you
25 know, many people won't make it to the mechanic. So just

1 kind of wondering how we can use the tools we already have
2 to make this successful.

3 Thank you.

4 RESEARCH DIVISION CHIEF SCHEEHLE: Great. Thank
5 you, Dr. Pacheco-Werner. So we are in the midst of
6 developing with San Joaquin Valley, local air districts,
7 the program for disadvantaged communities and repair of
8 those motor vehicle ACs. And we will consider all of that
9 when we continue developing it. And it actually was
10 modeled off of some of the BAR program, so we have taken
11 into that into account. And we'll continue outreach with
12 communities and working with established programs as well.

13 CHAIR RANDOLPH: Okay. Thank you.

14 BOARD MEMBER BALMES: I just want to highlight
15 again what Supervisor Guerra did so well about the fact
16 that it's low-income folks that are, you know, mostly
17 using these small canisters. And again, I think the
18 outreach to this population needs to be good, similar to
19 what I said about the last item. Again, I don't think
20 that the consumer really knows what's going on here, and
21 so I think we need to make sure that we have good outreach
22 and education in that regard.

23 CHAIR RANDOLPH: All right. Thank you.

24 I just wanted to thank staff for this work. I
25 mean this rulemaking is a good example of two things.

1 First, you know, we always say CARB is a data driven
2 organization, and this is an example of staff really
3 tracking the data and tracking the progress at the federal
4 level, and incorporating those changes into restructuring
5 the rulemaking, which I think is very impressive. And
6 it's another example of how rulemakings never end. We are
7 always, you know, trying to make progress improve the
8 rulemakings and it's just really, really important staff
9 work, and -- sorry, I missed Board Member Eisenhut, who
10 wanted to make a comment. Go ahead.

11 BOARD MEMBER EISENHUT: Thank you, Chair. The
12 beauty of being last is it's generally been said.

13 First, I support the staff recommendation, but my
14 observation is that we're -- pardon the metaphor, we're
15 focusing on the Band-Aid rather than on the wound. And if
16 there's a need for additional refrigerant and canisters
17 to -- that almost certainly indicates that there is a need
18 for repair or maintenance on that vehicle. And there
19 is -- and Dr. Pacheco-Werner addressed this in her
20 comments just a moment ago, but there is embedded in the
21 proposal a recommendation to work toward funding, as I
22 understood the proposal, through the district. And I just
23 wanted to indicate that I very much support that,
24 encourage the development and enhanced use of that,
25 because it seemed to me that through repair, we're

1 eventually going to diminish the need for these canisters.

2 And I think Dr. Pacheco-Werner touched on that in
3 her -- in her comment about possibly -- and this is just a
4 very preliminary thought, possibly adding this in some air
5 districts to our smog check requirements. And I don't
6 know if that's feasible or not feasible, but I support an
7 investigation into that possibility.

8 Thank you.

9 CHAIR RANDOLPH: All right. Thank you.

10 The Board has before them Resolution number
11 23-21. Do I have a motion and a second?

12 BOARD MEMBER HURT: Move approval.

13 BOARD MEMBER DE LA TORRE: Second.

14 CHAIR RANDOLPH: Clerk, will you please call the
15 roll?

16 BOARD CLERK MOORE: Dr. Balmes?

17 BOARD MEMBER BALMES: Yes.

18 BOARD CLERK MOORE: Mr. De La Torre?

19 BOARD MEMBER DE LA TORRE: Yes.

20 BOARD CLERK MOORE: Mr. Eisenhut?

21 BOARD MEMBER EISENHUT: Yes.

22 BOARD CLERK MOORE: Senator Florez?

23 BOARD MEMBER FLOREZ: Florez aye.

24 BOARD CLERK MOORE: Mr. Guerra?

25 BOARD MEMBER GUERRA: Guerra aye.

1 BOARD CLERK MOORE: Ms. Hurt?

2 BOARD MEMBER HURT: Aye.

3 BOARD CLERK MOORE: Mr. Kracov?

4 BOARD MEMBER KRACOV: Yes.

5 BOARD CLERK MOORE: Mr. Rechtschaffen?

6 BOARD MEMBER RECHTSCHAFFEN: Yes.

7 BOARD CLERK MOORE: Dr. Pacheco-Werner?

8 BOARD MEMBER PACHECO-WERNER: Yes.

9 BOARD CLERK MOORE: Dr. Shaheen?

10 BOARD MEMBER SHAHEEN: Aye.

11 BOARD CLERK MOORE: Ms. Takvorian?

12 BOARD MEMBER TAKVORIAN: Yes.

13 BOARD CLERK MOORE: Chair Randolph?

14 CHAIR RANDOLPH: Yes

15 BOARD CLERK MOORE: Madam Chair, the motion
16 passes.

17 CHAIR RANDOLPH: All right. Thank you.

18 We will now move to open comment for those who
19 wish to provide a comment regarding an item of interest
20 within the jurisdiction of the Board that is not on
21 today's agenda. The clerk will call on those who have
22 submitted a request to speak card. And if you are joining
23 us remotely and wish to comment, please click the
24 raise-hand button or dial star nine now.

25 Will the Board Clerk please call on those who

1 have raised their hand or signed up to speak.

2 BOARD CLERK GARCIA: Yes. Thank you. We
3 currently have four commenters with their hands up in
4 Zoom.

5 That's Jared Naimark, Tamina Chowdhury, Jasmin
6 Vargas, Emily Gartenberg.

7 So Jared, I have activated your microphone.
8 Please unmute and you can begin.

9 JARED NAIMARK: Can you hear me?

10 BOARD CLERK GARCIA: Yes, we can.

11 JARED NAIMARK: Great. Hello, Chair Randolph and
12 Board members. My name is Jared Naimark. I'm the
13 California organizer with Earthworks. We're a nonprofit
14 organization that works to protect communities and the
15 environment from the adverse impacts of mineral and energy
16 development while promoting sustainable solutions.

17 I'm calling in because I'm part of a coalition of
18 environmental and labor groups that believes there's more
19 that the Air Resources Board can do to advance good jobs
20 and environmental justice within your programs. The
21 Hybrid and Zero-Emission Truck and Bus Voucher Incentive
22 Program, HVIP, has spurred major transformation within the
23 bus and truck industry. We believe that with key changes,
24 HVIP can lead the adoption of zero-emission vehicles,
25 while also raising the bar on job quality and

1 environmental protection.

2 Our coalition has put forward a policy proposal
3 that works within HVIP's existing procedures to improve
4 job quality for the workers who build eligible vehicles
5 and promote socially and environmentally sustainable
6 manufacturing practices. This includes reducing the harm
7 from mining for lithium, nickel, cobalt, and other
8 minerals used in electric vehicle batteries by conducting
9 supply chain due diligence from mineral sourcing.

10 We urge you to adopt this proposal, the
11 California Jobs and Environment Plan, so that together we
12 can achieve a truly just and sustainable transition away
13 from fossil fuels. We are excited to work with you on
14 implementing this policy for the benefit of Californians
15 and communities near and far.

16 Thank you.

17 BOARD CLERK GARCIA: Thank you.

18 Tamina Chowdhury, I have activated your
19 microphone. Please unmute and begin.

20 TAMINA CHOWDHURY: Thank you. Good afternoon,
21 Chair Randolph and Board members. My name is Tamina
22 Chowdhury and I'm with the BlueGreen Alliance California.
23 BlueGreen Alliance is a national organization that works
24 with labor unions and environmental organization to
25 facilitate a just transition to a clean economy by

1 bringing workers rights and environmental justice and
2 community rights into the fore.

3 Thank you for the work you're doing to include
4 the voice of workers in the transition to a clean economy.
5 I'm calling in because I'm part of a coalition of
6 environmental and labor groups that believes there is more
7 we can do to center workers in communities within CARB's
8 taxpayer funded programs. The Hybrid and Zero-Emission
9 Truck and Bus Voucher Incentive Program, HVIP, is a
10 market-shaping program that has spurred major
11 transformation within the bus and truck industry. We
12 believe that the key changes HVIP can lead would keep --
13 we believe that with key changes, HVIP can lead the
14 adoption of zero-emission vehicles while also raising the
15 bar on quality jobs and environmental protection.

16 Our coalition has put forward a policy proposal
17 that works with HVIP's existing procedures to improve job
18 quality for the workers who build eligible vehicles and
19 promote socially and environmentally sustainable
20 manufacturing practices. We urge you to adopt this
21 proposal, the California Jobs and Environmental Plan, so
22 that we can decrease air pollution while creating
23 family-sustaining middle class jobs here in California.

24 We are excited to work with you on implementing
25 this policy for the benefit of all Californians and

1 communities near and far.

2 Thank you.

3 BOARD CLERK GARCIA: Thank you.

4 Jasmin Vargas, I have activated your microphone.
5 Please unmute and you can begin.

6 JASMIN VARGAS: Thank you, and good afternoon,
7 Chair Randolph and Board members. My name is Jasmin
8 Vargas and I am Senior California Organizer at Jobs to
9 Move America. Jobs to Move America are founding members
10 of the Los Angeles County Electric Truck and Bus
11 Coalition, which have joined to -- on a letter with
12 labor-environmental leaders calling on you to strengthen
13 the HVIP, otherwise known as the Hybrid and Zero-Emission
14 Truck and Bus Voucher Incentive Program.

15 Some key changes we are advocating for include
16 incentivizing manufacturing practices that promote
17 socially and environmentally sustainable -- environmental
18 sustainability and to work within HVIP's existing
19 procedures to improve job quality for workers who build
20 these eligible vehicles. Our coalition has had productive
21 conversations thus far with CARB staff and we're greatly
22 appreciative of the time to talk about these policy
23 improvements we are calling -- now, we're calling the
24 California Jobs and Environment Plan.

25 We are heartened to hear from staff about all the

1 success the program has achieved in supporting cities and
2 agencies in getting hybrid and zero-emission vehicles on
3 the road. And we see the power that HVIP has in spurring
4 the market-shaping transformation within the truck and bus
5 industry.

6 So now, imagine what it would mean for the future
7 of a carbon free California. Today, I'm here to call on
8 you leadership and imagine with us a program, in this case
9 HVIP, that provides vouchers to purchase electric buses,
10 let's say LA USD, who actually just committed to buy 180
11 electric school buses. It's the biggest that we've heard
12 so far in the country. Now, imagine if this voucher was
13 set up in a way that promotes job quality in those
14 manufacturing jobs that incentivized an adoption of supply
15 chain due diligence and tracking for these electric
16 batteries and a better accounting of emissions --

17 BOARD CLERK GARCIA: Thank you. That concludes
18 your time.

19 JASMIN VARGAS: All right.

20 BOARD CLERK GARCIA: Emily Gartenberg, I have
21 activated your microphone. Please unmute and you can
22 begin.

23 EMILY GARTENBERG: Thank you so much and good
24 afternoon, Madam Chair and members of the Board. My name
25 is Emily Gartenberg and I'm the California Policy Manager

1 at Jobs to Move America, working with my colleague Jasmin
2 Vargas who just spoke. At Jobs to Move America, we work
3 with public agencies, labor groups, and communities to
4 ensure that public investments create good jobs and
5 healthy communities.

6 First, I want to thank you for the work that you
7 and CARB staff members are doing to include the voice of
8 workers in the transition to a clean economy. And I'm
9 calling in to join the voices of the fellow coalition
10 members who are a coalition of environmental and labor
11 groups that believe there's more that we can do to center
12 workers and communities within CARB's taxpayer funded
13 programs.

14 As others have said, HVIP is a worldwide leader
15 in zero-emission electric bus and truck industries. And
16 we believe that with key changes, HVIP may continue this
17 leadership in the adoption of zero-emission vehicles while
18 also raising the bar on job quality and environmental
19 protection. As we invest public funds into incentive
20 programs, it's Absolutely critical that we include common
21 sense policies that ensure that we don't leave workers
22 behind.

23 We know that often jobs in the clean economy are
24 not as high quality as jobs in the fossil fuel industry
25 and we want to make sure that workers have viable and

1 strong jobs that they can transition into as we all seek
2 to reach the carbon emission goals for California.

3 Our coalition has put forward a policy proposal
4 that we've sent to you this morning and we really hope to
5 work with you and your staff members on implementing and
6 adopting this policy proposal into the HVIP Program.
7 Together, we can make this program do so much more for
8 Californians and for communities near and far. We truly
9 are a worldwide leader and we must take that mantle up.

10 Thank you so much for the work that you've done
11 and we look forward to working you on implementing this
12 policy.

13 BOARD CLERK GARCIA: Thank you. And that
14 concludes the commenters for open comment.

15 CHAIR RANDOLPH: Okay. We will now break for
16 lunch. As a reminder, the final agenda item on the
17 schedule for today's meeting is related to Assembly Bill
18 617, Community Air Protection Program Statewide Strategy
19 Update. The Board will reconvene in this auditorium to
20 continue the meeting at 4 p.m.

21 Thank you.

22 (Off record: 1:09 p.m.)

23 (Thereupon a lunch break was taken.)

24

25

1 out of the building. When the all-clear signal is given,
2 we will return to the auditorium and resume the hearing.

3 The final item on today's agenda is Item number
4 23-9-4, a consideration of the Assembly Bill 617 Community
5 Air Protection Program Statewide Strategy Update, also
6 known as Blueprint 2.0. In addition, staff will present
7 an informational item on the update to the community air
8 protection incentives guidelines.

9 Assembly Bill 617, also known as AB 617, was
10 signed into law by Governor Brown in 2017. In response to
11 AB 617, CARB established the Community Air Protection
12 Program. The program's focus is to reduce air pollution
13 exposure and emissions in communities highly impacted by
14 air pollution. The program is administered by CARB's
15 Office of Community Air Protection and implemented by CARB
16 and the air districts. AB 617 requires CARB to develop a
17 statewide strategy to reduce emissions of toxic air
18 contaminants and criteria air pollutants in communities
19 affected by high cumulative exposure burden and update
20 that strategy every five years. Blueprint 2.0 represents
21 the first update to the original blueprint that includes
22 lessons learned from the first five years of the program.

23 Nineteen communities have been selected by the
24 CARB Board and are in different phases of development and
25 implementation. Since early 2022, staff have engaged with

1 diverse groups of representatives from communities highly
2 impacted by air pollution, air districts, business,
3 industry, academia, local government, and other
4 stakeholders to utilize what we have learned from the
5 first five years of implementation to reimagine the
6 program to benefit more communities highly impacted by air
7 pollution throughout the state.

8 Blueprint 2.0 is rooted in equity, environmental
9 justice, and civil rights. It reinforces CARB's
10 commitment to implement strategies contained in approved
11 community emissions reduction programs, or CERPs beyond
12 the initially proposed five-year implementation period.
13 Blueprint 2.0 also leverages community air protection
14 incentives, community air grants, and community focused
15 enforcement comment to support communities selected in the
16 program and consistently nominated.

17 By recommitting CARB and the air districts to the
18 requirements contained in AB 617, Blueprint 2.0 affirms
19 existing authorities to ensure non-discrimination and
20 provides key actions to bring benefits to more communities
21 through new pathways.

22 As part of today's presentation, staff will share
23 an informational update on the community air protection
24 incentives guidelines. Staff are updating the guidelines
25 to provide increased flexibility in the use of incentives

1 to support more communities highly impacted by air
2 pollution. The incentives projects developed in
3 partnership with air districts and community steering
4 committees over the past five years will serve as models
5 in the updated guidelines. This will allow air districts
6 to use community air protection incentives in other
7 communities highly impacted by air pollution, such as
8 consistently nominated communities and in any
9 disadvantaged and low-income community.

10 In today's item for Board consideration, staff
11 will present Blueprint 2.0, which is the update to the
12 statewide strategy required by statute to reduce emissions
13 of toxic air contaminants and criteria air pollutants in
14 communities affected by high cumulative exposure burden.
15 Blueprint 2.0 is the five year strategic plan and
16 implementation guidelines for the program.

17 Today's item will also include comments from
18 community members and air district staff who will share
19 their experience and perspectives on the Community Air
20 Protection Program and the new directions called for in
21 Blueprint 2.0.

22 So we look forward to hearing them from them
23 later in the agenda.

24 Dr. Cliff, will you please introduce the item.

25 EXECUTIVE OFFICER CLIFF: Thank you, Chair

1 Randolph. In January of this year, I shared CARB's
2 priorities for the coming years and they included a
3 commitment to bring the first update of the Community Air
4 Protection Blueprint to you in the fall. I'm excited for
5 the staff to share with you our vision for the next five
6 years of this landmark program.

7 When AB 617 was passed in 2017, staff had to move
8 quickly to translate the Legislature's directive for
9 community level air quality emission reductions into
10 program guidance. A year later, the Board approved that
11 guidance, the current blueprint, and approved the
12 selection of the first 10 communities into the program.
13 The current blueprint provided guidance on how to bring
14 agencies and communities together to create collaborative
15 solutions for the air quality issues faced by communities
16 affected by a high cumulative exposure burden at the local
17 scale.

18 Since the adoption of the current blueprint in
19 2018, an additional nine communities have been selected
20 for the program. These 19 communities represent about
21 four million Californians and make up approximately 10
22 percent of the state's total population. The 19
23 communities serve as a model for how CARB, air districts,
24 community members, and other stakeholders can work
25 together to take action to reduce exposure to air

1 pollution in their neighborhoods. Of these 19
2 communities, 13 are implementing their community emission
3 reduction program, known as CERP, five are developing a
4 CERP, and one is implementing their monitoring plan.

5 As of this May, 6,000 tons of oxides of nitrogen,
6 or NOx, and reactive organic gases, 200 tons of
7 particulate matter, and 90,000 tons of greenhouse gases
8 have been reduced in these 19 communities through CAP
9 incentive CAP incentive funding since the baseline year of
10 2018. Participation in this program has also benefited
11 CARB and air district staff by showing us how we need to
12 engage better with communities and seek ways to use an
13 equity lens, support power sharing, and facilitate
14 transparency, and accountability as we implement the
15 program.

16 There have been many lessons learned over the
17 past five years. Staff have heard from communities
18 throughout the state that more needs to be done and that
19 more communities need to support -- need the support
20 provided by this program. To better understand these
21 needs, staff conducted a robust engagement and outreach
22 effort in preparation of the blueprint update. This
23 public process included discussions with community
24 steering committee members, air districts, local
25 government, academia, and business associations. Staff

1 had discussions with members of communities that had been
2 consistently nominated for the program. Staff also
3 engaged with stakeholders through a set of public
4 workshops to discuss and refine blueprint language.

5 From those discussions, staff understood that
6 Blueprint 2.0 needed to reflect new directions that would
7 support more communities, center equity, environmental
8 justice, and civil rights, and enforce -- reinforce the
9 program's commitment to existing CERP actions in selected
10 communities. The new blueprint also needed to build on
11 the lessons learned from the work in selected communities
12 and provided pathways to actions for communities that have
13 been consistently nominated. For this reason, Blueprint
14 2.0 takes a comprehensive approach by providing guidance
15 on how to implement the program and it sets forth new
16 pathways to benefit even more communities.

17 Blueprint 2.0 includes three pathways to improve
18 air quality at the local scale, community air grants to
19 develop local community emission reduction plans,
20 community-focused enforcement, and increased flexibility
21 in the use of incentive funds. These new pathways will
22 allow us to offer real mechanisms to address air quality
23 concerns of the communities that have been consistently
24 nominated for the program over the next five years.

25 This reimagining of the program builds on the

1 strong foundation from the first blueprint and reinforces
2 the need for continued collaboration with air districts,
3 community members, land use decision makers, and
4 businesses and industry. Partnership is the foundation of
5 this program if we are to center environmental justice,
6 equity, and community directions to reduce emissions,
7 exposures, and improve air quality for the many impacted
8 communities throughout the state.

9 Today, I am pleased to present to the Board the
10 statewide strategy update, or Blueprint 2.0 for your
11 consideration of approval.

12 In addition, the Board will hear an informational
13 update on the community air protection incentives
14 guidelines. These guidelines updates represent one of the
15 three new pathways included in Blueprint 2.0. Updating
16 the guidelines to support projects that have been
17 highlighted as priority concerns in selected communities
18 will allow other disproportionately impacted communities
19 to benefit from these projects.

20 I will now ask Andrea Juarez and Adriana Smith
21 from our Office of Community Air Protection to introduce a
22 short video featuring the voices of some of the community
23 representatives at our summer workshops and give the staff
24 presentation. We will then hear from our panel of air
25 district representatives and community leaders who will

1 share their perspectives on the new Blueprint 2.0.

2 Andrea, please begin the staff presentation.

3 (Thereupon a slide presentation).

4 OCAP AIR POLLUTION SPECIALIST JUAREZ: Thank you,
5 Dr. Cliff. Good afternoon, Chair Randolph and members of
6 the Board. I'm Andrea Juarez and I'm policy staff and
7 community liaison for the Office of Community Air
8 Protection, otherwise known as OCAP. I work with the
9 Imperial County and the Eastern Coachella Valley
10 communities. I, along with Adriana Smith, will be
11 providing the staff presentation for today's board item.

12 As you will hear, engagement efforts to update
13 the blueprint were comprehensive. As part of the
14 presentation, we'd like to feature the voices of some of
15 the community leaders who shared their perspectives at our
16 workshops this summer through this short video.

17 (Thereupon a video was played.)

18 MOSES HUERTA: Well, good afternoon, everyone.
19 Thank you for the invitation to join this meeting and just
20 want to do this quick intro, quick -- really quick. So I
21 am outside, but let me switch my camera so you can see the
22 view. And what you see before you is air quality
23 monitors. And this -- these monitors are currently
24 testing for hexavalent chromium here in the City of
25 Paramount. You see that big large building off in the

1 way, that's a metal forging company. And then next to
2 that is another metal forging company. So it's the
3 neighborhood I grew up in. That house that's down in the
4 distance there with that white garage door, that's my
5 parents house. I grew up in that house.

6 JOHN HERNANDEZ: I'm a young 74-year old lifetime
7 resident of Imperial County, a border community. Very
8 rich agricultural area. We've been burdened with the
9 pollution of cross-border industry, and ag burning, and
10 all types of issues in our community for just about all my
11 lifetime.

12 SILVIA CALDAZA: (Spoke in Spanish).

13 MARISOL CANTU: I had a unique experience growing
14 up here. I saw my brother the first year in and out of
15 the hospital with asthma, not being able to breathe. It
16 is an expectation in Richmond when will your -- when will
17 your child actually get asthma, not if. And so our family
18 actually experienced that and he spent his first birthday
19 getting breathing treatments in the hospital.

20 MARGO PRAUS: We had our first meeting in
21 February of 2020 and then we were on Zoom. It was so
22 much harder to get to meet people and know who they were.
23 Zoom was extremely beneficial. It was a godsend when we
24 needed it, but it's not -- it doesn't build the cohesion
25 as well as in person does.

1 VINCENT VALDEZ: You know, we've had a couple
2 hands on events in Sacramento, where we had people
3 actually look at the monitors, looking at the on -- the
4 data coming at real-time. And those were great events and
5 opportunities for the community to actually see what the
6 monitors are doing real-time and the data they're
7 collecting.

8 LINDA CLEVELAND: In this co-lead model, because
9 you're bringing together organizations and to be able to
10 come up with a CERP that we all could live with, it's been
11 a challenge.

12 JONATHAN PRUITT: You know, at first, residents
13 were being paid so we had to fight for that. The part
14 that was difficult was having to come into it and learning
15 the information -- the air quality information as well as
16 Valley Air District overall.

17 TIFFANY ENG: We're trying to make sure that we
18 create health land use solutions and kind of undoing the
19 patterns of the past when it comes to zoning and
20 discrimination and, you know, a history of divestment.
21 What can we require the locals to do and can State level
22 policy or mandates help locals do the right thing?

23 KEVIN HAMILTON: The best thing that's happened
24 is the air district seems to have learned to a large
25 extent to let the community run it, and that there needs

1 to be room for everything that the community might bring
2 to the table. Could it better? Sure, it can always be
3 better, but the fact that we see the budget, see where the
4 money is from, and are able to control the budget at this
5 point with the agency, I think that's a -- that's a huge
6 step forward.

7 RICHARD GROW: I'm really excited to see this
8 reimagining, the extended outlook. I've really been
9 struck over the last year all the sort of angsting over,
10 oh, my God, we can't get this and that project off the
11 road, off the ground. And it reminds me that in West
12 Oakland, we started with very few dollars and very little
13 support in that. And the basic thing had to do with
14 getting the table together, quote getting the right
15 parties around the table and getting to work.

16 NAYAMIN MARTINEZ: It's imagining how you can use
17 more, all the multiple resources that you have right now
18 spread in so many programs and make it more strategic, so
19 we can be addressing these concerns.

20 CYNTHIA BABICH: I will say I'm in a little
21 different situation not being an official AB 617
22 community. And I say it that way, because I know there
23 are a lot of communities that are ground zero communities.
24 And so I'm representing the try-something-different group.
25 And I believe we fit into the community-focused

1 OCAP AIR POLLUTION SPECIALIST JUAREZ: We are
2 asking the Board today to approve Blueprint 2.0 and to
3 delegate approval of community emission reduction programs
4 or CERPs to the Executive Officer.

5 --o0o--

6 OCAP AIR POLLUTION SPECIALIST JUAREZ: To being,
7 I want to share the three State laws that make up the
8 foundation for air quality protection at the local scale
9 in California. Most folks know this program through the
10 law passed in 2017, Assembly Bill 617. But Assembly Bill
11 197, passed a year earlier, is also important. This is
12 the law that required more reporting of pollutant
13 emissions, more sources and more pollutants, also known as
14 the criteria and toxics reporting rule.

15 And just last year, Assembly Bill 617 was amended
16 for the first time to give communities up to a full two
17 years to write their community emission reduction programs
18 and it also required certain air districts to post
19 stationary source permits online. These amendments were
20 made through a Assembly Bill 1749.

21 Assembly Bill 617 gives CARB an important role.
22 We're required to translate what is in these laws into
23 guidance and to update that guidance, known as the
24 statewide strategy or Blueprint, every five years. The
25 Blueprint is guidance for how we and air districts will

1 meet the statutory requirements to reduce emissions of
2 criteria pollutants like PM2.5 and toxic air pollution in
3 the most burdened communities in the State.

4 CARB's Board approved the original blueprint in
5 2018 and we have now updated it as required by law. The
6 law also required us to consult with others in drafting
7 and updating the Blueprint. We convened the AB 617
8 Consultation Group in January of 2018 to help meet the
9 directive to consult with air districts who implement the
10 program with affected sources, such as industries and
11 businesses, and with environmental justice organizations
12 and residents who are impacted by poor air quality.

13 --o0o--

14 OCAP AIR POLLUTION SPECIALIST JUAREZ: This slide
15 shows the fundamental elements of the program. The
16 elements required by law are in blue including Community
17 Emissions Reduction Programs, accelerated retrofit of
18 pollution controls on industrial facilities, also called
19 expedited BARCT, community level air monitoring, enhanced
20 emissions reporting and permit transparency, and grants
21 for community groups.

22 In green are other program elements not
23 explicitly listed in the law, but are within CARB's
24 discretion, such as the types of projects we can fund
25 through community air grants, alternative pathways to

1 engage in the program, community focused enforcement, and
2 the guidelines for the use of community air protection
3 incentives funds, also called CAP incentives.

4 --o0o--

5 OCAP AIR POLLUTION SPECIALIST JUAREZ: AB 617 is
6 one of the few California laws that explicitly names
7 environmental justice organizations as one of the groups
8 that CARB is required to consult with when developing the
9 statewide strategy. In the fall of 2020, a subgroup of
10 the consultation group developed the People's Blueprint to
11 share community-based and environmental justice
12 perspectives. CARB supported this effort through a
13 contract for facilitation and technical writing to support
14 the subgroup in drafting the People's Blueprint in early
15 2021. This led to the release of the People's Blueprint
16 in September of 2021.

17 The key themes and concepts from the consultation
18 group discussions on the People's Blueprint significantly
19 inform the development of Blueprint 2.0. Some of those
20 key themes that are now in our Blueprint 2.0 are equity
21 and environmental justice, benefits of a co-leadership
22 model, and strengthening transparency and accountability
23 mechanisms.

24 --o0o--

25 OCAP AIR POLLUTION SPECIALIST JUAREZ: Another

1 element that we want to highlight is the increased
2 transparency of funding for the program. This was an
3 important theme raised in the People's Blueprint and it is
4 also essential if we are to make the best use of the
5 funding allocated to this program. We also heard this as
6 a consistent theme in the comments we received on the
7 draft Blueprint.

8 In response, we have now included a section
9 dedicated to the topic and it points to various resources
10 with additional information on funding transparency such
11 as: our Assembly Bill 617 budget frequently asked
12 questions document; CARB's CAP incentives dashboard tool
13 that breaks down where and how CAP incentive funds are
14 being spent across the state; annual reports from air
15 districts describing their use of implementation funds;
16 and community air grant projects scopes of work available
17 online.

18 --o0o--

19 OCAP AIR POLLUTION SPECIALIST JUAREZ: The AB 617
20 program budget is determined by the Legislature on annual
21 basis. This table shows how the funding is allocated
22 between three main categories, CAP incentives, air
23 district implementation, and community air grants. Each
24 community is selected into the program and we now have 19
25 communities, represents a multi-year commitment for both

1 CARB and air districts. The seven communities that were
2 selected for a CERP in the first year of the program in
3 2018 are still working to complete their plans. Five
4 communities are currently developing their CERP for
5 district and Board approval.

6 Funding amounts have stayed relatively stagnant,
7 even as new communities have been added each year.

8 Although the District implementation budget got a \$10
9 million increase in the last two years, the total program
10 budget received 10 million less than last year.

11 In reimagining the program, we must acknowledge
12 that the approach put forward in the 2018 blueprint is
13 very resource intensive and was always meant to create
14 opportunities to support more communities. Blueprint 2.0
15 reflects the very necessary transition to other models of
16 engagement that preserve community empowerment but that
17 distribute limited resources more broadly.

18 --o0o--

19 OCAP AIR POLLUTION SPECIALIST JUAREZ: In our
20 effort to improve air quality at the local scale, we are
21 applying what we've learned in the past five years to the
22 many other communities that need help. Blueprint 2.0
23 carries over certain elements from our 2018 Program
24 Blueprint while incorporating new elements to identify
25 ways to support more communities.

1 In dark blue on this figure, you'll see the
2 pieces of the first Blueprint that we are keeping. When
3 it comes to statewide actions and tools, we include our
4 commitments for rulemaking to reduce emissions from mobile
5 sources. We also remain committed to completing the
6 actions in the community emissions reduction programs and
7 community air monitoring plans. While Board approval of
8 community selection will remain an option, we don't
9 anticipate air districts putting forward any more
10 communities.

11 Lastly, we reiterate in the updated Blueprint how
12 both air district and CARB authorities can be used to
13 improve air quality at the local scale. In the light
14 blue, you'll see new areas of emphasis that are not in the
15 2018 Program Blueprint. Many of them are the result of
16 the People's Blueprint, and the topics highlighted in
17 yellow represent new pathways to support communities.
18 I'll touch on these new elements more in a moment, but
19 first it's important to reflect on how this program is
20 working to reduce emissions and exposure in communities.

21 --o0o--

22 OCAP AIR POLLUTION SPECIALIST JUAREZ: Blueprint
23 2.0 builds on the progress made to date and reflects
24 changes to strengthen the program. Since the first
25 communities were selected, air districts, CARB, and

1 community steering committee members have worked to build
2 agreement on shared priorities to address air quality at
3 the local scale and to implement those priorities.

4 Emission reductions have remained among the highest
5 priorities for overburdened communities. Through the use
6 of CAP incentives, the AB 617 program has contributed
7 significant emissions reductions, including statewide
8 estimates of 17,100 tons of NOx, 1,390 tons of ROG, and
9 790 tons of PM since 2018.

10 The green portion of this graphic highlights how
11 over a third of those reductions have taken place in
12 selected communities, yielding over 6,000 tons of NOx and
13 ROG reductions and over 200 tons of PM reductions.

14 Emission reductions are also achieved through
15 regulatory and enforcement approaches. Rule development
16 strategies, such as those in South Coast AQMD, will
17 provide further emissions and exposure reduction in many
18 of the communities in that area. CARB enforcement staff
19 provided support to developed project ideas with selected
20 communities to submit for consideration under the
21 Supplemental Environmental Projects Program. Since
22 September of 2021, over \$4 million have been directed to
23 projects in selected communities.

24 --o0o--

25 OCAP AIR POLLUTION SPECIALIST JUAREZ: Other

1 incentive programs, like the Carl Moyer Program, also
2 provide communities for projects -- opportunities for
3 projects that reduce emissions in disadvantaged and
4 low-income communities.

5 Here, we highlight some projects and actions that
6 have helped reduce emissions and exposure within both
7 directed and consistently nominated communities. For
8 example, in the San Diego Portside community, a CERP
9 commitment to reduce emissions from harbor craft has
10 resulted in the implementation of the nation's first
11 electric tugboat set to be in operation by 2026. The Port
12 of San Diego also became the first in North America to
13 install all-electric cranes to load and offload heavy
14 cargo at the port. This is expected to help the port
15 reduce green -- to help the port reduce greenhouse gas
16 emissions by 47 metric tons per year.

17 Through the methane task force, a joint effort
18 led by the Department of Conservation's California
19 Geologic Energy Management Program, CARB, the California
20 Environmental Protection Agency, and California Natural
21 Resources Agency are performing joint inspections of oil
22 wells in the Arvin, Lamont, and Shafter communities to
23 identify and fix leaks.

24 Accomplishments have also been achieved in those
25 communities that have been consistently nominated. For

1 example, in the cities of Maywood and La Vina a U.S. EPA
2 grant was secured to conduct air monitoring for toxic air
3 contaminants that are of greatest concern to the
4 residents, including monitoring for pesticides.

5 CARB also released a Request for Information in
6 September to support the State's \$30 million statewide
7 mobile monitoring initiative, in part aimed at supporting
8 communities that have been consistently nominated for the
9 program.

10 --o0o--

11 OCAP AIR POLLUTION SPECIALIST JUAREZ: The
12 program was always intended to allow us to learn from the
13 initial selected communities and apply those strategies in
14 more communities. The focus of Blueprint 2.0 is to out --
15 is to outline pathways to bring more resources to a larger
16 number of communities, specifically those that have been
17 consistently nominated but not selected. CARB staff, with
18 the help of air districts, and in response to community
19 self-nominations have developed a list of consistently
20 nominated communities. These are those communities that
21 have been nominated by the air district, community-based
22 organizations, or have been self-nominated to the program
23 since 2018, the first year of the program.

24 While we cannot engage with all of them at once,
25 we are proposing to begin expanded efforts over the next

1 five years to engage with representatives of these
2 communities to better understand air quality needs and
3 apply new pathways of support. These new pathways include
4 actions like community-focused enforcement, increased
5 flexibility for incentives, and outreach about community
6 air grants. In addition, CARB remains committed to
7 partnering with other State and local agencies to address
8 community concerns.

9 We will update the list of consistently nominated
10 communities annually beginning in 2025.

11 --o0o--

12 OCAP AIR POLLUTION SPECIALIST JUAREZ: It's
13 important to provide a foundation of how Blueprint 2.0
14 was developed and informed. This slide highlights our
15 outreach and engagement activity for the development of
16 Blueprint 2.0 from 2021 through 2023, a two-year process.

17 Starting in the center highlighted by the yellow
18 circle, you'll see that our engagement began in 2021 when
19 the AB 617 Consultation Group called on us to accelerate
20 the update to the Blueprint. Environmental justice
21 leaders within the consultation group with the support of
22 Dr. Balmes came together to write the People's Blueprint.
23 CARB supported the effort by providing a technical writer
24 and a facilitator.

25 After the People's Blueprint was completed in the

1 fall of 2021, we spent the rest of 2021 and much of 2022
2 engaging with the full consultation group about the
3 People's Blueprint, which was co-chaired by Board members
4 Dr. John Balmes and Davina Hurt.

5 We also focused on hearing from others about what
6 it needed to move the program forward through a
7 comprehensive engagement plan and took comments on our
8 draft engagement plan. Our process to develop Blueprint
9 2.0 was iterative. We first shared an outline of
10 concepts, then expanded the consents, and in June of this
11 year we released draft Blueprint 2.0 parts 1 and 2. From
12 December 2022 at our first workshop through January 2023,
13 we held focused discussions with close to 100
14 representatives of most of the community air protection
15 program's 19 community steering committees, or CSCs,
16 business associations, local government, and academia,
17 including leaders of the newest selected communities in
18 Bayview-Hunters Point, South East San Francisco, and North
19 Imperial phase 1.

20 We also held discussions with community leaders
21 whose communities have been consistently nominated. And
22 this past spring in April, we held a retreat with air
23 districts on the Blueprint concepts to share feedback and
24 ideas for future directions for the program. Each phase
25 of our engagement included discussions with AB 617

1 Consultation Group. Our three public engagement workshops
2 this summer in July were focused on the draft Blueprint
3 2.0. We also continued to have meetings with
4 organizations upon request and have received and
5 considered many written comments on the draft.

6 --o0o--

7 OCAP AIR POLLUTION SPECIALIST JUAREZ: The video
8 we shared with you earlier reflects some of the
9 perspectives we heard over the course of the three
10 workshops this July. We partnered and led each workshop
11 with community speakers who shared their unique
12 experiences and perspectives. The experiences shared and
13 feedback given were rich with a lot of great insight on
14 how it's reimagined the program. We heard an appreciation
15 from community members for providing a space in the
16 workshops for community members to talk with each other
17 and give recommendations to us.

18 Our July 18th workshop was Spanish led. It was
19 the first Spanish-led engagement we've conducted in OCAP.
20 This workshop was a learning experience and a reminder for
21 staff that we need to do more Spanish-led workshops in the
22 future.

23 Some of the key things we heard at the workshops
24 were the importance of CARB facilitating more peer-to-peer
25 learning across CSCs, which we have included as a

1 commitment in part 1 highlighting the accomplishments of
2 CSC work on their respective community emission reduction
3 programs and the need for clarity about local community
4 emission reduction plans, also known as L-CERPs, the
5 community selection process, and what to expect for
6 consistently nominated communities.

7 Much of what we heard, as well as written
8 comments from our many stakeholders over the last two
9 years of outreach and engagement, has informed the final
10 draft Blueprint 2.0. Let me share a few examples of how
11 we revised the Blueprint based on the feedback we
12 received.

13 --o0o--

14 OCAP AIR POLLUTION SPECIALIST JUAREZ: Here are
15 some additions we made in response to comments. We added
16 an action to work with the California Air Pollution
17 Control Officers Association and air districts to identify
18 key elements of a model civil rights compliance program
19 and a commitment to operationalize racial equity by using
20 a racial equity lens. We added a goal to partner with air
21 districts to enhance stationary and mobile source
22 strategies and associated priority actions. We also
23 commit to establishing an online dashboard to track
24 overall program and community emissions reduction program
25 progress.

1 --o0o--

2 OCAP AIR POLLUTION SPECIALIST JUAREZ: In support
3 of consistently nominated communities, we added an action
4 about the launch of a CARB statewide mobile monitoring
5 initiative to better develop and refine the approach for
6 L-CERPs, we added a commitment to conduct a case study on
7 the current community air grantee in the San Joaquin
8 Valley that is working on L-CERPs. We also added a
9 section to describe the annual CARB governing Board item
10 that will provide a program progress update. And we
11 included an acknowledgment that the role of air districts
12 may transition for community emissions reduction programs
13 that require additional time beyond the additional five
14 years.

15 These are only a few of the changes we made and a
16 full summary can be found online. With this framing in
17 mind, let's take a look at what's included in Blueprint
18 2.0.

19 --o0o--

20 OCAP AIR POLLUTION SPECIALIST JUAREZ: Blueprint
21 2.0 is composed of two parts. Part one, represented here
22 on the left side of the figure, details the statewide
23 strategy to reduce emissions of toxic air contaminants and
24 criteria air pollutants in communities affected by a high
25 cumulative exposure burden. Part one also outlines the

1 obligations for both CARB and the air districts as
2 mandated by State law.

3 Part two, shown at the right, offers guidance for
4 air districts, communities, affected industries, and other
5 potential partners on how to implement each component of
6 the statewide strategy. It is aimed at two groups, the
7 currently selected communities with a focus on improvement
8 to ensure successful completion of the current plans and
9 progress and the consistently nominated communities with a
10 focus on the new pathways to provide more supportive.

11 --o0o--

12 OCAP AIR POLLUTION SPECIALIST JUAREZ: I'll now
13 go over part one. Part one is our five-year strategic
14 plan. It defines the problem of disproportionately poor
15 air quality in California's most overburdened communities,
16 provides guiding principles based on lessons learned so
17 far, and presents a set of coordinated actions organized
18 under eight goals.

19 These goals and actions are intended to move us
20 closer to achieving mission of the Community Air
21 Protection Program as defined in AB 617 and in the context
22 of CARB's vision for racial equity and environmental
23 justice. Part one also recommits CARB and air districts
24 to the requirements contained in the program statutes,
25 affirms existing authorities to ensure non-discrimination,

1 and provides key actions to bring benefits to more
2 communities.

3 --o0o--

4 OCAP AIR POLLUTION SPECIALIST JUAREZ: Presented
5 here are the eight goals and actions that make up part
6 one. Each of these goals have key priority actions that
7 move the program forward over the next five years, for
8 example, in goal one, engage and partner evolving the
9 program. We commit to reinvigorating the AB 617
10 Consultation Group in 2024, including bringing
11 recommendations to the Board for expanded membership. In
12 centering non-discrimination in this program, we commit to
13 updating CARB's civil rights policy and discrimination
14 complaints process, which applies to all of CARB's
15 programs.

16 For goal four, which we added in response to
17 comments on the draft, we commit to strengthen or
18 partnership with air districts on both mobile and
19 stationary source strategies. In 2024, one of our
20 priority actions is to update the technology
21 clearinghouse, which identifies the best available control
22 technology for new sources and retrofit technologies for
23 existing stationary sources to control criteria air
24 pollutants and toxic air contaminants.

25 Under goal five, we commit to, among other

1 actions, co-design with air districts and CSC
2 representatives, peer-to-peer learning opportunities for
3 all communities in the program. We also commit to
4 conducting a programmatic valuation through a third-party
5 evaluator and publish findings and recommendations.

6 Later in the presentation, we will cover goal six
7 and seven in more detail. Actions under these goals
8 include making it easy to identify the communities on the
9 consistently nominated list through publishing a mapping
10 tool and a list. We also commit to partnering with other
11 State and federal agencies, such as U.S. EPA to leverage
12 resources to support consistently nominated communities.

13 In 2024, CARB will also launch a State mobile
14 monitoring initiative that will include, as appropriate,
15 consistently nominated communities in engagement and
16 monitoring.

17 Finally, as part of goal eight, we will continue
18 to make program and budget information more transparent,
19 including publishing additional information about
20 implementation funding online. As part of this update to
21 the Statewide Strategy, we will be redesigning our program
22 webpages to align with the guidance in Blueprint 2.0.

23 --o0o--

24 OCAP AIR POLLUTION SPECIALIST JUAREZ: Now, I'll
25 go over some of the changes and new guidance in Part 2.

1 consistently nominated communities; a commitment to
2 support frequent exchange across CSCs; and to conduct a
3 third-party programmatic evaluation and apply what we
4 learn so that other communities may also benefit.

5 It is important to stress that each of these two
6 concurrent paths represent significant commitments on the
7 part of CARB and the air districts. As described earlier,
8 we have revised the Blueprint to make clear that an annual
9 Board item will provide information on CERP completion,
10 efforts to support consistently nominated communities, and
11 findings from the programmatic evaluation.

12 --o0o--

13 OCAP AIR POLLUTION SPECIALIST JUAREZ: Here is
14 the status update for track one. Over the past five
15 years, 19 communities across the state have been selected
16 by this Board for action to either develop a CERP and/or a
17 community air monitoring plan. These 19 communities
18 represent approximately four million residents or 10
19 percent of the state's population.

20 It is important to note that CARB and the air
21 district's commitment to complete all CERPs is
22 significant. Note that seven, or about a third of
23 communities in the program are only just now entering
24 their fifth year of implementation. As we acknowledge in
25 Blueprint 2.0, it will take more than the initial five

1 years envisioned for implementation for most of these
2 communities.

3 Thirteen of these communities are in different
4 stages of CERP implementation, while five are currently
5 working to complete their CERPs, and one is implementing
6 their monitoring plan and preparing to develop a CERP.

7 --o0o--

8 OCAP AIR POLLUTION SPECIALIST JUAREZ: Here we
9 highlight some of the new guidance aimed to support these
10 communities in their current CERP implementation. This
11 new guidance includes ensuring completion of CERPs. CARB
12 and air districts will work with CERP communities that are
13 in the fifth year of implementation to ensure there is a
14 plan in place to complete all actions in the CERPs,
15 including beyond five years. CARB staff believe it is
16 appropriate to delegate approval of CERPs to the Executive
17 Officer, because as of early 2021, our role has shifted
18 from observers to more active engagement in the CERP
19 development process. This helps to ensure an approvable
20 CERP. CARB staff will continue to engage with the CSC and
21 the public on the CERPs that are submitted for approval.

22 Fewer Board meetings for CERPs means we can use
23 staff resources for more engagement with consistently
24 nominated communities and to meet the needs expressed by
25 communities in the program, such as facilitating more

1 frequent exchange across communities. We can also direct
2 staff resources to increase our support to community air
3 grantees and to work with an academic third-party
4 evaluator for the program.

5 Governance, tracking, and accountability of CERPs
6 is also important in supporting the current CERPs and I
7 will discuss those further in the following slides. We
8 will have an annual Board item about overall program
9 progress, including the consistently nominated
10 communities. We also anticipate that at our 2024 annual
11 Board item, the South Sacramento/Florin community will
12 transition to a CERP.

13 --o0o--

14 OCAP AIR POLLUTION SPECIALIST JUAREZ: In terms
15 of CSC governance, we learned from the People's Blueprint
16 and through practice with our CSCs in this program what
17 elements contribute to a collaborative process, including
18 community-centered design, skilled facilitation, a
19 co-developed charter, and an accessible process.
20 Blueprint 2.0 includes more detailed guidance and new
21 elements to be considered and included in CSC charters
22 like eligibility, recruitment, onboarding, information
23 distribution, decision-making processes, provisions for
24 dispute resolution, and conflict of interest and
25 disclosure.

1 OCAP AIR POLLUTION SPECIALIST JUAREZ: Now, I'll
2 talk about the Blueprint 2.0 guidance that supports the
3 implementation track for the consistently nominated
4 communities. This track includes three new pathways to
5 help support mor communities.

6 --o0o--

7 OCAP AIR POLLUTION SPECIALIST JUAREZ: The Three
8 new pathways to support more communities with an emphasis
9 on the consistently nominated communities are shown on
10 this slide. These include the use of community air grants
11 to support local community emission reduction plans,
12 community focused enforcement, and increased flexibility
13 for use of CAP incentives to allow projects developed in
14 selected communities to be replicated in other
15 communities.

16 --o0o--

17 OCAP AIR POLLUTION SPECIALIST JUAREZ: AB 617
18 requires CARB to administer community air grants as an
19 essential tool for communities who want to participate in
20 the community air protection process. That process
21 includes local air quality education, monitoring, and now
22 planning and prioritization. To date, close to 60
23 community-based non-profit organizations and California
24 Native American tribes have benefited from these fund.

25 CARB has the discretion to tailor the request for

1 Applications to support the participation of communities
2 in the CAP process. One new pathway does just that, by
3 allowing grantees to develop their own local community
4 emission reduction plan or L-CERP. This approach is
5 modeled after a project underway in the San Joaquin Valley
6 led by five environmental justice organizations that
7 include Central California Asthma Collaborative, the
8 Central California Environmental Justice Network, the
9 Central Valley Air Quality Coalition, Madera Coalition for
10 Community Justice, and Valley Improvement Projects.

11 The grant focuses on helping community members
12 understand the various emission reduction strategies
13 currently available in CARB-approved CERPs developed by
14 communities in the San Joaquin Valley. We anticipate
15 awarding a number of applicants for the L-CERP project
16 type this year. In 2024, we will hold a public process to
17 refine the next cycle of the community air grant request
18 for application, to learn from partners engaging in this
19 new project type, continue to improve this implementation
20 approach, and develop additional requirements for the
21 L-CERPs. We encourage grant recipients to build
22 partnerships with other State, local, tribal government,
23 and business entities that are relevant to the priorities
24 they are interested in addressing.

25 --o0o--

1 OCAP AIR POLLUTION SPECIALIST JUAREZ: It's
2 important to lift up some key differences between a
3 community emissions reduction program and a local
4 community emissions reduction plan. As spelled out in AB
5 617, a CERP is to be approved by air district and CARB
6 boards. Blueprint 2.0 provides detail on the criteria for
7 CERPs, while for the L-CERP, CARB will annually update the
8 request for applications that governs the community air
9 grant process.

10 It's also important to understand the relative
11 levels of funding that support air districts in developing
12 and implementing the many requirements and actions
13 included in a CERP. While district implementation plans
14 are generally between one and three million dollars
15 annually per community, community air grants offer up to
16 300,000 per award for typically a two-year project period.
17 Another key difference is in the roles of CARB and air
18 districts. For CARB-approved CERPs, the role of the air
19 district is clear. By law, the air districts convene the
20 CSCs for Board selected communities and are responsible
21 for developing and implementing the CERP. For L-CERPs,
22 CARB develops the community air grants request for
23 applications that will include the requirements for the
24 L-CERP. CARB also administers the community air grants
25 and provides technical assistance support to the L-CERP by

1 a CARB staff liaison.

2 Air districts may provide letters of support as
3 requested and appropriate, participate in the L-CERP as
4 invited, and implement actions as their authorities and
5 resources allow. As CERPs for the first and second year
6 CSCs are completed, air district capacity to participate
7 in L-CERP processes should increase. Air districts may
8 also rely on implementation funding to support their
9 participation in L-CERP development and implementation.

10 --o0o--

11 OCAP AIR POLLUTION SPECIALIST JUAREZ: Community
12 focused enforcement is another pathway for both the
13 consistently nominated and selected communities. In 2021,
14 CARB's Enforcement Division staff began hearing from EJ
15 communities that they continue to be impacted and that
16 more enforcement is needed. CARB staff were concerned
17 about these reports because of the relatively high
18 compliance rates for mobile sources in EJ communities.
19 This has motivated us to work in a different way by
20 working closely with community to better understand what
21 issues are not being addressed.

22 In a community-focused enforcement approach, CARB
23 staff concentrates investigations and enforcement in areas
24 identified by the community, some of which we have not
25 traditionally enforced. Community priorities are central

1 to developing and implementing targeted enforcement plans.
2 This is an approach that can be used in selected
3 communities, local CERPs supported by community air
4 grants, or other community-led partnerships.

5 Now, that I have presented an overview of
6 Blueprint 2.0, Adriana Smith of our CAP incentives team
7 will present an informational update on the community air
8 protection incentives guidelines.

9 --o0o--

10 OCAP AIR POLLUTION SPECIALIST SMITH: Hi. Good
11 afternoon. My name is -- sorry. Good afternoon, Chair
12 Randolph and members of the Board. My name is Adriana
13 Smith and I'm a member of the community air protection
14 incentives team as well as a community liaison for the
15 South Sacramento/Florin community.

16 In reimagining the Community Air Protection
17 Program to serve more communities, we have identified
18 three pathways as my colleague mentioned previously. One
19 pathway is to increase flexibility by updating the
20 community air protection incentive guidelines. This
21 update will include new chapters based on projects that
22 have been done in selected communities over the first five
23 years of the program to bring the benefits of those
24 project types to other communities.

25 I would like to emphasize that community air

1 protection incentives is a statewide program. While air
2 districts will prioritize funding in selected communities
3 and communities being considered for future selection,
4 these incentives can be applied to any disadvantaged and
5 low-income community across the state. In total, the
6 Legislature has provided approximately 1.2 billion for
7 community air protection incentives. Of this total, 465
8 million has been spent statewide with about 184 million,
9 or 40 percent, of those funds spent in selected
10 communities.

11 The program is also achieving emission reductions
12 of greenhouse gases. Over 235,000 tons of greenhouse
13 gases have been reduced statewide and almost half of these
14 reductions have come from the transition of heavy-duty
15 vehicles and equipment to zero-emission alternatives.
16 Additionally, 90,000 tons of these greenhouse gas
17 reductions occurred in selected communities. This slide
18 features two tools that we developed to help communities
19 better understand our community air protections incentive
20 program.

21 The first tool is our community air protection
22 incentive project dashboard, which is an interactive tool
23 to demonstrate projects funded statewide using these
24 incentives. It allows communities to stay up to date on
25 where air districts are spending this funding, what types

1 of projects they've funded, and how much emissions have
2 been reduced per community.

3 The second new tool that we're debuting for the
4 first time is an online mobile-friendly, self-paced
5 orientation on community air protection incentives. We
6 designed this educational resource in response to feedback
7 from communities and to help them better understand how
8 community air protections incentives fit within California
9 Air Resources Board community-focused work, who is
10 eligible for this funding, what types of projects can be
11 funded, and how to access these incentives for projects in
12 communities.

13 --o0o--

14 OCAP AIR POLLUTION SPECIALIST SMITH: Now, let's
15 discuss some of the changes we're looking to make to our
16 community air protection incentive guidelines. The
17 guidelines currently provide criteria and guidance for air
18 districts to implement a wide variety of different
19 projects. We intend to update some of the existing
20 chapters and add new ones.

21 The updated chapters include the "schools"
22 chapter, where we're expanding the scope to focus beyond
23 just schools and more broadly to all sensitive receptor
24 locations, such as local community centers, hospitals, and
25 assisted living homes. Other updated chapters include the

1 hexavalent chrome plating and the stationary source and
2 community identified chapters.

3 Over the past three years, air districts have
4 created a dozen new kinds of community identified and
5 stationary source projects for selected communities. In
6 addition to the update to the existing chapters, we are
7 proposing that these new community identified and
8 stationary source projects become available statewide, so
9 all communities can take advantage of them.

10 An example of a new chapter is agency
11 partnerships, which allows for monetary support for
12 partnership opportunities with other, federal, State, and
13 local agencies. Other new chapters are the vegetative
14 barriers and urban greening, paving sidewalk and bike
15 paths, and dial-a-ride replacements. The staff are also
16 working on potential chapters to address alternatives to
17 agricultural burning and low-dust nut harvester projects.

18 --o0o--

19 OCAP AIR POLLUTION SPECIALIST SMITH: Now, I'd
20 like to speak on our timeline to finalize these revised
21 guidelines. Although our team began discussions with air
22 districts last year, our external timeline began this July
23 with our Blueprint 2.0 public workshops where we shared
24 concepts for the proposed new and updated incentive
25 chapters. These proposed updates were well received by

1 community members at our workshops. We also heard a
2 desire from the air districts for a longer public process.
3 So in response to that, we have expanded our timeline to
4 allow for additional time to work on the guidelines
5 revisions in collaboration with the air districts.

6 In 2024, we will be finalizing the community air
7 protection incentive guideline revisions with a memo to
8 the Board from our Executive Officer.

9 Thank you. And I'll now pass it back to Andrea
10 with the rest of the presentation.

11 --o0o--

12 OCAP AIR POLLUTION SPECIALIST JUAREZ: On behalf
13 of the Office of Community Air Protection and other CARB
14 division partners who help implement this program, we're
15 excited for the future of this program. The statutory
16 requirement of AB 617 to reduce air pollution in the most
17 burdened communities is the mission of this program and
18 we'll keep it at the forefront. We'll build on the
19 accomplishments of the air districts and community
20 steering committees in guiding this program forward and
21 apply what we learn from our programmatic evaluation.
22 We'll work with air districts and CSCs to complete actions
23 in the CERPs and we'll partner with others and work to
24 expand benefits to the consistently nominated communities.

25 As the program has both matured and now is

1 transitioning, we count on the Board to serve as the
2 constant mechanism in providing transparency and
3 accountability. For example, we'll come to the Board in
4 2024 in support of a reinvigorated AB 617 Consultation
5 Group and request your consideration of members to serve
6 on this group. We'll also plan to annually come to the
7 Board with a report on our progress creating opportunities
8 for you to hear directly from program partners and
9 community representatives as you will shortly through our
10 guest panel. We understand that this program can also
11 serve as a catalyst for change and how we and air
12 districts engage and work with community members and will
13 include this in our Board update.

14 --o0o--

15 OCAP AIR POLLUTION SPECIALIST JUAREZ: Before
16 concluding, I'd like to point out some tools that we have
17 available in our program to help better support
18 communities. AQview is a community-focused air quality
19 data portal bringing together government and community led
20 air monitoring data into a single platform. Information
21 about how incentives funds are being used statewide can be
22 accessed by the community air protection incentives
23 project dashboard.

24 The technology clearinghouse is another tool that
25 can assist in identifying emission reduction strategies

1 for stationary, mobile, and area sources by providing
2 information on emissions limits control technologies, and
3 emerging technologies.

4 And lastly, CARB has developed community emission
5 inventory story maps to present emissions data for
6 selected AB 617 communities in a consistent and
7 user-friendly manner. These tools were created to help
8 community members to answer to your questions regarding
9 their air quality, emission sources in their community,
10 how emissions can be reduced, how to prioritize actions to
11 reduce emissions, and ultimately how to track the progress
12 being made in the program.

13 --o0o--

14 OCAP AIR POLLUTION SPECIALIST JUAREZ: In
15 conclusion, CARB staff recommends the Board approve
16 Resolution 23-22, which includes approval of the final
17 draft Blueprint 2.0., delegating authority to approve
18 district-adopted CERPs to the Executive Officer and
19 certification of the Final Environmental Analysis and
20 other CEQA documents.

21 We would also like to express our gratitude to
22 all the community members, organizations, air districts,
23 agencies, businesses, and academic institutions that came
24 to meetings and workshops, sent us comment letters, and
25 participated in the consultation group. Your dedicated

1 participation in this process has been tremendously
2 helpful and we look forward to continuing the partnership
3 that we've built over the past six years.

4 --o0o--

5 OCAP AIR POLLUTION SPECIALIST JUAREZ: Now, I
6 would like to introduce our panel of guest speakers, which
7 include air district and community leader partners to
8 share their perspectives about Blueprint 2.0.

9 Today, we have Marisol Cantu, member of the
10 Richmond, North Richmond, San Pablo CSC, and co-lead of
11 the fuel refining subcommittee; Belen Lopez, Air Pollution
12 Control Officer for the Imperial County Air Pollution
13 Control District; Domingo Vigil, Deputy Director of the
14 San Diego County Air Pollution District; Kimberly McCoy,
15 Climate and Environmental Associate for the Central
16 California Asthma Collaborative; Moses Huerta, community
17 leader for the City of Paramount; and Dr. Anissa
18 Heard-Johnson, Deputy Executive Officer of Diversity,
19 Equity, and Inclusion at the South Coast Air Quality
20 Management District.

21 Marisol, you can begin.

22 MARISOL CANTU: Hello. Thank you.

23 Hi. Hola.

24 My name is Marisol. My pronouns are
25 she/her/ella. I am a third generation Richmond resident

1 and a community steering committee member. And I grew up
2 in Richmond as a front-line community member living next
3 to the largest refinery, the Chevron Richmond refinery in
4 our backyard. And I that's actually one of the reasons
5 why I'm here today. I'm very excited to be here among
6 these incredible speakers next to me. And I would like to
7 take you on a journey as a community steering committee
8 member functioning under Blueprint 1.0 and what I'm hoping
9 for in Blueprint 2.0.

10 And so when I joined, I reluctantly joined, as
11 I'm not so fond of government agencies, in particular
12 protecting the community that I love and hold so dear to
13 my heart, but it was actually three youth members of our
14 CSC requesting me to join, because they hadn't felt fully
15 heard in the blueprint process. They were struggling,
16 finding their voices, finding their footing and working
17 alongside staff that were highly technical, and they were
18 in high school and early college trying to understand
19 their place in the world just wanting to fight for
20 environmental justice.

21 And as I noticed, it wasn't exactly community
22 led. It was staff -- air district staff really leading
23 the way, developing agendas, facilitating meetings. And
24 as a committee member, I found this quite problematic.
25 Things needed to really change, so I began having

1 one-on-ones, and small group discussions really to
2 understand what the barriers were. And, at that time, I
3 also noticed there were no refinery workers in our
4 community steering committee. And as a firm believer in
5 environmental justice and moving away from the fossil fuel
6 industry, I realized we needed to get workers at the table
7 alongside with us, if we were really going to understand
8 and learn the difference in how we could reduce emissions
9 and exposure directly from their voices.

10 And we worked tires -- tirelessly to make out CSC
11 community led. Bit in Blueprint 2.0 it is the community
12 leading. And that is the core difference with regulatory
13 agencies following their lead. With Blueprint 2.0,
14 communities are defining their problem, while creating the
15 solutions as they're the most impacted. It is our
16 community's values and our community in particular values
17 as a union industry town are our workers, so we needed
18 them to be at the table. And we have learned tremendously
19 from them and they have learned tremendously from us.

20 And we can also in 2.0 call on the best
21 government agency to back our plan. If that's a city,
22 local city, or county, because it's a county ordinance, or
23 a city plan, or the air district to fully -- or CARB even,
24 to fully be able to back our plan. And this process
25 ensures better policies, accountability, and transparency.

1 And I think in particular, the way that it is unique in
2 Richmond and how we've already started moving with this
3 Blueprint 2.0 community at the helm is through the various
4 subcommittees that will be able to drive the plan, whether
5 it's a subcommittee that's doing completely
6 communications, and making the website more accessible,
7 and the complaint system more accessible, or it could be
8 looking at a just transition and what the counties and
9 cities are doing, so that we're able to support them as
10 community steering committee members.

11 We also can take on actions and strategies to
12 move the implementation process more efficiently with
13 community at the helm. And this is really how we're
14 increasing our community engagement, our community
15 education, and fully understanding how we will have
16 community equity -- a community emissions reduction plan
17 with equity at the helm.

18 Thank you.

19 OCAP AIR POLLUTION SPECIALIST JUAREZ: Thank you,
20 Marisol.

21 Next, we'll have me Belen Lopez.

22 BELEN LEON LOPEZ: Hi. Good afternoon, Board
23 members. My name is Belen Leon Lopez. I'm with
24 Imperial -- I'm the Air Pollution Control Officer with
25 Imperial County Air Pollution Control District.

1 I stand before you today to express our
2 District's strong support for the Blueprint 2.0. Imperial
3 County APCD, is particularly excited to see the new
4 pathways that the Blueprint 2.0 includes to help support
5 more communities, such as the increased flexibility of the
6 community air protection incentives. We're actually very
7 excited for that portion of it.

8 Imperial County, like many other regions across
9 the state, faces unique challenges addressing air quality
10 issues. Our community often contends with adverse air
11 quality due to various factors and sources of air
12 pollution, such as national air quality, the Salton Sea,
13 and the New River. To address these challenges
14 effectively, we need to innovate -- we need innovative and
15 flexible strategies and the Blueprint 2.0 represents a
16 comprehensive framework that aligns with our needs. The
17 pathway of increased flexibility in community air
18 protection incentives is crucial for our air district, and
19 we'll be able to establish processes to respond to
20 requests from community for incentive projects as a result
21 of this increased flexibility and the use of community
22 protection incentives.

23 The community air protection incentives
24 guidelines updates, which will include new and updated
25 chapters, will allow Imperial County APCD to leverage the

1 dozens of new projects that the air district have
2 developed over the past three years and replicate them in
3 our communities. Some of these potential new chapters, we
4 are excited about, will include the vegetative barriers,
5 urban greening, replacement of paving, which have been a
6 huge help in our community. It has made tremendous impact
7 in our little community, and also the alternatives to ag
8 burning.

9 The broad applicability of the statewide
10 incentives program is essential as it allows protects --
11 it will allow us to protect implementation in
12 disadvantaged communities and low-income communities
13 across the entire state, not just in communities selected
14 by the CERP development. This means that the communities
15 that may not have been part of the initial selection will
16 still have the opportunity to benefit from these
17 incentives. The county ourselves have about four to five
18 other communities that are still in need of AB 617.

19 This inclusivity ensures more comprehensive
20 approach to air quality improvement in imperial county and
21 the entire State. AB 617 may be just a law, but it has
22 impacted our community tremendously.

23 In conclusion, the increased flexibility in the
24 CAP incentives and other new pathways highlighted in the
25 Blueprint 2.0 to help more communities will help Imperial

1 County APCD reach our goals for cleaner air, brighter
2 future. We believe that these incentives will play a
3 pivotal role in reducing emissions, enhancing public
4 health, and achieving cleaner air, not only in Imperial
5 County by the whole entire state. We support this
6 initiative and look forward to collaborating to make it a
7 success

8 Thank you for hearing me out today.

9 OCAP AIR POLLUTION SPECIALIST JUAREZ: Thank you,
10 Belen.

11 Next, we have Domingo Vigil.

12 DOMINGO VIGIL: Thank you. Good afternoon, Chair
13 Randolph and members of the Board. My name is Domingo
14 Vigil, Deputy Director with the San Diego County Air
15 Pollution Control District, or SDAPCD. On behalf of
16 SDAPCD, I would like to thank all the community members
17 who worked on the development of the People's Blueprint of
18 the -- for the CAP, which informs the Blueprint 2.0 before
19 you for your adoption. I would also like to thank CARB
20 staff and my fellow air district colleagues for their
21 collaboration on the Blueprint 2.0, as we share a
22 commitment to continuous improvement of the CAP.

23 The Blueprint 2.0 brings changes to the CAP that
24 will allow air districts to better serve environmental
25 justice communities through this program. An important

1 chain that we're very excited about in the Blueprint 2.0
2 is the introduction of local community emission reduction
3 plans, or L-CERPs, that with the support of community air
4 grants will provide additional communities with a path to
5 collaboratively addressing air quality priorities in their
6 communities.

7 Currently, SDAPCD has two communities
8 participating in the CAP, the Portside Community and the
9 International Border Community. We have initiated
10 engagement of six additional communities that would be
11 great candidates for L-CERPs to form an environmental
12 justice partnership where SDAPCD, CARB, and other partner
13 agencies can engage collaboratively to address air quality
14 priorities in those communities and conduct sensor-based
15 air monitoring.

16 To help this -- to help this work, SDAPCD
17 partnered with CARB and eight CBOs to submit a grant
18 proposal for the EPs government-to-government grant
19 program as part of the Inflation Reduction Act. We are
20 very excited to share that our project was selected to
21 receive funding. This is a testament of SDAPCD's
22 commitment to look for opportunities to continue
23 partnering with CARB and others to increase our capacity
24 to serve our environmental justice communities.

25 While this funding will be an important support

1 to help us kick-start the expansion of our engagement into
2 other communities, additional resources will be needed to
3 sustain these efforts in the long term. Our ability to
4 reimagine how more communities can benefit from the CAP
5 and to expand our partnerships with other State agencies
6 is essential for the success of the program, and so is our
7 ability to secure ongoing funding streams to support this
8 work.

9 SDAPCD looks forward to continuing working with
10 CARB and our fellow air districts to advocate for
11 sustainable and ongoing funding for the CAP, as we
12 continue to grow our agency partnerships and improve the
13 program through the implementation of the Blueprint -- of
14 the Blueprint 2.0. We stand committed to our communities
15 and to working with CARB to achieve our vision of clean
16 air for all.

17 Thank you for your time and we look forward to
18 your adoption of the Blueprint 2.0 today.

19 OCAP AIR POLLUTION SPECIALIST JUAREZ: Thank you,
20 Domingo for joining us virtually.

21 Our next panelist is Kimberly McCoy.

22 KIMBERLY McCOY: Good afternoon, everyone. My
23 name is Kimberly McCoy. I am a Climate and Environmental
24 Policy Associate with Central California Asthma
25 Collaborative. And currently in the San Joaquin Valley,

1 we are working with Stanislaus County, Tulare County, and
2 Madera County to develop L-CERPs. And what we come to
3 find out is that community is welcoming us in their -- in
4 their community. They're happy to see us. They're happy
5 to know that they're going to be heard and that the air
6 quality issues that they're having in their communities
7 are going to be addressed.

8 I think this is a good way to address air
9 pollution in communities that are not selected under the
10 AB 617 and how we can achieve clean air through the state
11 of California. We also noticed that under the AB 617
12 process that we're not using the traditional model that
13 anyone that lives in these communities can come to the
14 meetings and provide input into the L-CERP, and that seems
15 to work best for us. And we're also happy that we have
16 partnerships with CARB staff, and the San Joaquin Valley
17 Air District staff, and the Department DPR to be able to
18 bring in staff members to talk to our community members in
19 these communities that we're working with and address the
20 questions and provide resources.

21 I think that the Blueprint 2.0 addresses the
22 L-CERPs as a way to be able to address air quality in the
23 San Joaquin Valley and in the state of California, and we
24 just want to see the continuance of the California air
25 grant to be able to develop these L-CERPs.

1 Some of the questions that we receive from our
2 residents once we develop the CERP, how are we going to
3 implement it. So that's a question that our residents
4 have in each of the three -- four communities that we're
5 working in. And I just ask that CARB really think about
6 that when it's time to allocate funding for CAP to make
7 sure there's enough funding to implement it.

8 We know that there are existing programs and
9 incentives to address some of the sources of pollution
10 that the residents have identified, but there's also no
11 funding for some of the sources of pollution that
12 residents have identified. So when we have the final
13 drafts of these CERPs, and we submit them to you, we need
14 to make sure that we have funding to implement them,
15 because that's very important to our residents in these
16 communities.

17 Thank you.

18 OCAP AIR POLLUTION SPECIALIST JUAREZ: Thank you,
19 Kimberly. Our next guest speaker is Moses Huerta.

20 MOSES HUERTA: Good afternoon, Chair Randolph and
21 Board members. I want to appreciate the opportunity to
22 speak with you today. I am a resident of the City of
23 Paramount community member. I'm actually also working on
24 environmental justice grant project and monitoring
25 hexavalent chromium in the city, as you saw in the initial

1 video. That's me on the top of the roof next to the
2 monitors.

3 That's an example that I want to share to start
4 off in what we're going to see in this adoption of the 2.0
5 is the partnership and seeing the resources. I was able
6 to accomplish that goal with getting those monitors and it
7 was with the air district and the EPA, and also having
8 conversations with CARB staff. What's been addressed here
9 is, in my project, and what I've been doing now as a
10 consistently nominated community has not been chosen.

11 And the path that we've applied here is that
12 we -- you're getting a glimpse of what this is going to
13 be, as my community -- fellow members and staff is saying,
14 you know, this is the partnerships to have and we'll get
15 the result in these communities and bringing forward the
16 information, the participation, and the support that it is
17 to understand what impact the air quality in the
18 community.

19 To highlight the -- in part one, I think it's --
20 focusing on the L-CERPs in the community grants, I think
21 it's important. What help me to advance the project in my
22 community was to have that CAP support. I'm especially
23 looking forward with the grants and the funding and able
24 to get the necessary resources to then implement and then
25 engage the community members in my community.

1 It adds an aspect that was not missed early on in
2 the AB 617. And early on when I started attending these
3 meetings, I saw that gap, that -- in attending all these
4 maps, where -- and my community wasn't being addressed. I
5 kept attending, attending and those meetings, and what I
6 saw was that I needed to take support, which if --
7 reiterating back to the EPA grant is to get those funds
8 and then focus on the community focused enforcement. What
9 I saw in my community was I needed to address this issue
10 more focused, because that was the urgency there.

11 So I'm happy to see that this is in 2.0. And
12 upon the implementation of this plan, it's going to help
13 my fellow community members who are also getting to the
14 point where I'm already at. And we already have a year's
15 worth of data. We're going to be providing that data
16 supporting to not only CARB staff, EPA also with the air
17 districts, to then start moving the conversation forward
18 how do we mitigate, how do we address, how do we eliminate
19 the hazards that are affecting our communities now.

20 So I definitely want to highlight those aspects
21 in part one, especially with the flexibility of the
22 community air protection incentives. I think that will
23 benefit our communities going forward.

24 Like I said, my voice of what you hear now is
25 what is going to happen with these other communities,

1 because I've already -- I'm doing it. I'm there now and
2 I'm expanding to other areas of the city because of that.

3 So I look forward to implementation of this
4 and -- as we go forward. And thank you again for the
5 opportunity to speak with you.

6 OCAP AIR POLLUTION SPECIALIST JUAREZ: Thank you,
7 Moses. And to closeout our guest speakers, we have Dr.
8 Anissa Heard-Johnson.

9 DR. ANISSA HEARD-JOHNSON: Hello. Thank you.
10 Greetings Chair Randolph and members of the CARB Board.
11 Thank you so much for this opportunity to speak today on
12 the potential impact of CARB Blueprint 2.0 in my work as
13 Deputy Executive Officer for Diversity, Equity, and
14 Inclusion with community air programs at South Coast Air
15 Quality Management District. Thank you also to the CARB
16 staff for the invitation.

17 As stated before, my name is Dr. Anissa "Cessa"
18 Heard-Johnson, her/she/hers pronouns. I was born and
19 raised in Southern California living all of my childhood
20 years in either the three out of the six now identified AB
21 617 communities, al the while living in some of the
22 communities who are consistently nominated. I have spent
23 much of my career path teaching, training, and coaching
24 individuals on diversity, equity and inclusion in a higher
25 education context, but now I'm here pleased to speak to

1 what I feel are the benefits that the Blueprint 2.0 as it
2 relates to DEI and civil rights.

3 So from jump, what excited me about this document
4 was the inclusion and the elevation of diversity, equity,
5 inclusion in civil rights, so it was actually in the
6 document. It wasn't hidden. It wasn't in the -- in
7 the -- you know, in the back in the appendix. It was up
8 front in the beginning. So to me, that was very critical,
9 because too often these issues and concerns are being
10 sanitized or diminished from addressing the
11 intersectionality of our communities.

12 So Blueprint 2.0 did not shy away from
13 identifying the reality of or our reality, which is
14 particularly the role that it plays for agencies,
15 employees, and communities, specifically consistently
16 nominated communities. There are more than 19 communities
17 across the state that are living, and breathing in
18 contaminated air that make their homes and places
19 surrounded by pollution. It's daunting and overwhelming,
20 but we cannot forget the rest. So what I like about
21 Blueprint 2.0 is that it is talking about that.

22 And I say this, knowing it may not be a popular
23 statement, but there is privilege in being selected, that
24 I want to be authentic in my comments to you. There is a
25 finite amount of resources. And what I believe is a

1 really critical part of Blueprint 2.0 is the initiatives
2 that are proposed to address the disproportionality in the
3 Blueprint 2.0, that is what resonated with me. Because
4 not everyone is selected, I feel like that consistently
5 nominating communities and having processes for that is
6 essential moving forward.

7 So the L-CERPs is exciting. This is a great
8 beginning. And what I hope it moves forward is guidance
9 for our air quality districts across the state, regardless
10 of the presence of AB 617 communities. It's great that we
11 have the Blueprint, but I'm hoping that it serves as kind
12 of a baseline for how we interact with all our communities
13 regardless if their selected or not, regardless if an
14 employee is hired to work on AB 617 or not. These are
15 critical skills that are needed for all of our employees
16 who are doing this work.

17 I am pleased the inclusion of CARB's vision of
18 race, equity, environmental justice in the Blueprint. I
19 believe it is critical for providing context in
20 identifying what institutional and societal, historical,
21 and contemporary forms of oppression that continue to
22 impact our AB 617 communities. I believe that the
23 Blueprint is a manifestation of essential diversity,
24 equity, inclusion knowledge that all employees working on
25 environmental justice need to know to do this work. It is

1 essential.

2 So what I hope comes from the Blueprint 2.0 is a
3 baseline critical translating theory into practice by
4 using guidelines, principles, practices, procedures, and
5 as Moses said, partnerships, all using a DEI lens. One
6 such example is the inclusion of the non-discrimination
7 laws and protections in one of the goals. I feel that
8 that's critical, because it's important to identify the
9 laws that are intended to protect. But what I think
10 Blueprint 2.0 does at the same time is acknowledging the
11 generations of conflict and mistrust that exists within
12 our communities, which is why the importance of our power
13 sharing and partnerships in the Blueprint is trying to
14 address.

15 I also believe that ongoing program evaluation of
16 work is being done is also a critical necessity.
17 Transparent processes, such as surveys, interviews, focus
18 groups that involve our communities are going to be needed
19 to establish metrics moving forward. Our populations of
20 citizens are increasingly diversifying. The issues that
21 were faced by previous generations can only be looked at
22 with context. There are generations of young people who
23 are growing up with pollution. I know that I am preaching
24 to the choir. But there are seniors and children with
25 food insecurity amidst housing insecurity.

1 There are a multitude of citizens who are
2 vulnerable to pollution, because of prejudiced beliefs
3 towards their identity. And this is amidst ongoing social
4 injustice at the intersection of environmental racism and
5 classism, merging from the effects of a global pandemic.
6 All of that is real.

7 We have populations of communities of immigrants
8 who are fleeing global injustice without consistent
9 housing, disproportionately impacted by air, land, water
10 pollution. All of that is real. And because our
11 communities are populated with such citizens who represent
12 these multiple overlying and intersection identities,
13 what's next for our agencies is to train our employees on
14 how to provide this culturally competent care.

15 The Blueprint is saying this is how you do that.
16 They are looking at this ongoing DEI information resources
17 training and learning opportunities. And so we need to,
18 as employees, treat the members of our communities for
19 their lived expertise not experience, their lived
20 expertise. So too oftentimes our communities have been
21 silenced, erased, minimalized, and marginalized.
22 Blueprint 2.0 is a roadmap to not do that. That is why it
23 is critical.

24 So moving forward, I think it's critical for us
25 to provide individ -- not just individual training, but

1 institutional opportunities for employees to develop
2 skills to be able to address the needs of the population.
3 Again, Blueprint 2.0 provides clarification, establishment
4 of baselines, resources to be able to address those.

5 Let's see. All right, so I can find it.

6 The other thing that I really appreciate the
7 comments from the folks who are here today is how
8 Blueprint 2.0 elevates the expectation of community
9 engagement. Critical to AB 617 is the sharing of that
10 power with the community. Although we know historically
11 that has not been the case. So with the Blueprint 2.0, it
12 is establishing baseline again of those training
13 materials, actual skills, assessments. It feels data
14 driven, like success is -- we're going to be able to show
15 success with data.

16 So what I will say in closing is do not let
17 Blueprint 2.0 be a stagnant dominant -- a stagnant
18 document. It should be a living breathing document that
19 helps us to evolve, but helps us to involve, to help us to
20 engage with community members no matter when they join, no
21 matter where they live. I think that the Blueprint 2.0
22 has its roots in a quote from Dr. Maya Angelou. She said
23 "When you know better, do better." So that we have this
24 Blueprint 2.0, let's do better. And I look forward to
25 hopefully you all adopting that today.

1 Thank you.

2 OCAP AIR POLLUTION SPECIALIST JUAREZ: Thank you,
3 Dr. Heard-Johnson.

4 Now, I'll turn it over to Chair Randolph.

5 CHAIR RANDOLPH: All right. Thank you so much
6 and thank you to all of our panelists. We have about 20
7 to 30 minutes of public comment, so I'm thinking maybe we
8 do public comment and then we'll have Board questions and
9 discussion, so I hope the panelists can hang for a little
10 bit in case Board members have specific questions of you.

11 So I will go ahead and ask the clerk to call the
12 public comments.

13 BOARD CLERK MOORE: Thank you, Chair Randolph.
14 We currently have 10 -- or 8 in-person commenters and 4
15 commenters with their hands raised in Zoom.

16 Our first commenter in person is Caelin
17 Macintosh.

18 CAELIN MACINTOSH: Okay. Good afternoon or
19 evening, Chair Randolph, the members of the Board. My
20 name is Caelin Macintosh. And I'm here on behalf of AJW
21 Climate Innovation Project and I appreciate the
22 opportunity to speak on this item.

23 The concern we'd like to raise today is the lack
24 of clear commitments in CARB's Community Air Protection
25 Blueprint on industrial sources. Currently, there are

1 many signals coming from the top down at the federal and
2 State levels on actions needed to decarbonize the
3 industrial sector. The federal government is also now
4 providing billions of dollars in the form of grants and
5 tax credits in the -- to support decarbonization from
6 Inflation Reduction Act.

7 Unlike climate program -- climate programs,
8 industrial -- excuse me. Environmental justice and civil
9 rights actions are typically addressed from the bottom up.
10 While we understand the value this Blueprint, without
11 strong policy signals from CARB on the importance of
12 avoiding or abating local adverse impacts from industrial
13 sources, industries are receiving mixed signals.

14 The technologies needed to decarbonize and
15 address local impacts are not always the same. With
16 limited capital available, industries must decide which
17 pollutants to focus on. We believe without clear market
18 signals, industry may not consider the holistic benefits
19 of some technologies, especially non-combustion solutions.
20 The permitting framework that controls emissions from
21 industrial sources is outdated and was not designed to
22 consider non-combustion technologies that could provide
23 both climate and local emission benefits.

24 We ask today that CARB draws upon your existing
25 robust industrial source oversight authority to evaluate

1 climate and local air permitting programs to ensure that
2 these programs support the adoption of non-combustion
3 solutions first. It's clear that AB 617 was designed with
4 a focus on industrial sources and it is time that these
5 sources are recognized as an essential part of the
6 program.

7 Thank you.

8 BOARD CLERK MOORE: Thank you.

9 Our next commenter is Christine Wolfe.

10 CHRISTINE WOLFE: Good evening, Chair Randolph
11 and Board members. Christine Wolfe for the California
12 Council for Environmental and Economic Balance.

13 I first want to thank OCAP staff and Board
14 members Hurt and Dr. Balmes for facilitating many years of
15 dialogue among a broad set of stakeholders through the
16 consultation group. It's been invaluable to be able to
17 sit down at a shared table and learn more about what
18 everyone wants to see come out this program and what
19 various perspectives are barriers to success.

20 Our ability to continue to speak productively and
21 openly with each other will only be more important as we
22 move into this next phase of the program. We support the
23 Blueprint's focus on greater standardization of annual
24 progress reporting and establishing metrics for CERPs in
25 formally designated communities.

1 Clear metrics of success set shared expectations,
2 ensure transparency, and promote accountability. This is
3 why we're concerned about the proposed L-CERP approach in
4 the consistently nominated communities. AB 617 requires
5 the program to result in community scale emissions
6 reductions. It's unclear how this will be achieved
7 without following the CERP development process outlined
8 for formally designated communities, where local sources
9 of pollution are specifically identified through source
10 apportionment and the knowledge of the folks living in
11 that community, and then implementable solutions to
12 address those sources are designed and adopted by agencies
13 with the authority to address them.

14 Fining at least interim successes in the 19
15 formally designated communities and then following the
16 established process in the new communities seems like it
17 would more effectively achieve emissions reductions and
18 would avoid setting expectations that may not be met.

19 CCEEB looks forward to continuing to work with
20 all the other participants in the program to identify
21 where the program has made progress, identify tangible
22 fixes for program deficiencies, and work toward solutions
23 we can all find acceptable.

24 Thank you.

25 BOARD CLERK MOORE: Thank you.

1 Our next commenter is Vincent Valdez.

2 VINCENT VALDEZ: My name is Vincent Valdez. I'm
3 a member of the South Sacramento/Florin community steering
4 committee. And I thought I was going to have a little
5 more time than that, but these are some of the surveys
6 I've been doing out in the community in regards to AB 617
7 and our community, and this was at Southside Park. And a
8 community member there said that their children walk along
9 47th Avenue and have to go through an industrial area
10 and it -- to go to the Light Rail station there. And
11 they -- everybody knows that that community is
12 under-resourced and that area has never had bus routes.

13 And then this is the Autumn Moon Festival in
14 Little Saigon. And I took this survey there and a woman
15 and the family said that they can smell the trucks in
16 their community driving through and because in that
17 community there's more truck routes than bus routes. And
18 so this is what we're talking about when we do community
19 engagement.

20 And this was the National Night Out. I don't
21 have -- miss any event to survey in or try to get some
22 feedback from the community. And so these are -- this was
23 at my friend Richard's park in his community. And it was
24 another successful event. But when we talk about the
25 Blueprint -- the Blueprint, original one, and we were

1 hampered by a lot of different rules in there on what we
2 can do. And so one of my favorite projects is redoing the
3 landscaping industry in our community. And it's just not
4 a buyback program for lawn mowers. It's a whole trailer
5 refitting and everything with solar package and all for
6 renewable energy equipment and also the truck route on
7 Mack Road.

8 And so the two minutes isn't very long, but if we
9 do get approved for a CERP to be underfunded would be
10 neglecting the community once again and they are
11 under-resourced already in that community. And so I'm
12 speaking for the community here. And I hope to -- and I'm
13 for the Blueprint 2.0

14 Thank you.

15 BOARD CLERK MOORE: Thank you.

16 Our next commenter is Janice Snyder.

17 JANICE LAM SNYDER: Hi. Good evening, Chair
18 Randolph and members of the Board. My name is Janice Lam
19 Snyder and I am a Program Manager at the Sacramento
20 Metropolitan Air Quality Management District. I'm here to
21 give some comments in terms of Blueprint 2.0, as well as
22 our desire for, as Vincent alluded to, to ensure our
23 community is adequately funded to transition to a CERP
24 community.

25 We are here today in -- appreciative of CARB's

1 effort in updating the Blueprint to reflect the lessons
2 learned in the past years of implementation of this
3 program, and also to include a commitment in doing more
4 for our consistently nominated communities, and that is in
5 Oak Park, that is in Meadowview, and that is in North
6 Sacramento.

7 As you are all aware, the goal of the program is
8 to achieve equity and work towards exposure reduction and
9 emission reduction strategies as outlined in the Blueprint
10 2.0 ahead of you. However, our South Sacramento/Florin
11 community has been a CAMP community since 2018, and for
12 various reasons, but most notably because the lack of
13 State support funding, we are the last of 19 communities
14 to transition to a CERP.

15 We have made a lot of progress in our communities
16 in building meaningful relationships and building capacity
17 in our community to transition to a CERP. And now our
18 community needs CARB support and recognition that we have
19 achieved progress towards the goal of AB 617 through
20 adequate funding for a CERP transition. There is a strong
21 desire, as you have heard from one of our steering
22 committee members, to transition to a CERP. And our
23 steering committee actually has formed a CERP steering
24 committee.

25 BOARD CLERK MOORE: Thank you for your time.

1 JANICE SNYDER: Thank you.

2 BOARD CLERK MOORE: Our next commenter is Richard
3 Falcon. As a reminder to all commenters, these mics are
4 extremely sensitive, so we don't need to be at -- as close
5 to these mics, so just for your awareness.

6 RICHARD FALCON: Well, I'm going to stand back a
7 little bit, because I do have a loud voice here. My name
8 is Richard Falcon. I'm here representing United Latinos.

9 And as many of my colleagues here have already
10 said it, we are right now that 19th group, that we are
11 waiting to get this CERP in place, but we need your
12 support. We need that \$10 million in order to proceed
13 forward. There has been some question as to but they're
14 not ready. Who have you talked to that we're not ready?
15 Come talk to us. We'll show you some of the work that has
16 already been done. We'll show you some of the outreach
17 that has already been done. We will show you that we are
18 ready.

19 We are looking to expand our outreach into some
20 of those disadvantaged communities that didn't get within
21 the boundaries of your Blueprint 1 and AB 617 here in
22 Sacramento. That's why we are expanding out into our
23 Meadowview areas, our Del Paso areas, expanding the work
24 that has already been done by a number of organizations
25 here within Oak Park. My colleagues here and some of

1 those organizations that have been working this outside of
2 even the AB 617 steering committee have done amazing work,
3 have done amazing outreach. We know the work that has to
4 be done. They know the work that has to be done. And we
5 will collaborate to bring forward to you some of the
6 successes that are going to be necessary for us to reduce
7 the emissions and help our communities to breathe better
8 and live better.

9 As we talk about Meadowview, I just want to end
10 with this one comment. There was one lady I remember in a
11 CARB meeting and she was crying because she knew that she
12 had friends within that Meadowview corridor that were
13 suffering with asthma and that had died of asthma. That
14 can no longer be. Let us become that 19th CERP, give us
15 that \$10 million worth of funding so we can expand this
16 program to show the success. Thank you.

17 BOARD CLERK MOORE: Thank you.

18 The next commenter is Herman Barahona.

19 HERMAN BARAHONA: Good evening, members of the
20 Board. Thank you for having us here today. My name is
21 Herman Barahona. I'm with the Sacramento Environmental
22 Justice Coalition. We formed about two and a half years
23 ago. We cover the counties of Yolo, Yuba, Sutter, Placer,
24 and Sacramento.

25 Our expansion grew very fast because faith-based

1 leaders in the county like our local Catholic Bishop Jaime
2 Soto began a campaign to do environmental justice
3 education with us through parishes throughout the region.

4 That has been a very effective campaign where we
5 decided to raise our own money, not to take any government
6 money for this effort, because we wanted to really hear
7 from the community what their concerns are. And while we
8 are neutral on this position for the Blueprint, we have a
9 lot of concerns that are coming out from different parts
10 of the region, particularly in South Sacramento where you
11 had the AB 617 initiative.

12 That budget has been restricted to a set of
13 geographic boundaries that was established by AQMD and the
14 committee. We didn't agree with those boundaries. We
15 also didn't agree that they focus on mobile pollution
16 sources when AQM -- AB 617 clearly states that we need to
17 focus on EJ communities with non-mobile pollution sources.
18 For us, that's a major disappointment. We have taken that
19 message to all of our community partners, because if we do
20 have a next round of this effort, I ask the Board not to
21 give them any more money, because you can't throw money at
22 this kind of problem, if there's no effective grievance
23 process to see how the money is used, if there's no
24 effective public health evaluation.

25 We believe that if AB 617 is going to work, we

1 need a public health component to really see if public
2 health outcomes are better than they were 20 years ago.

3 And that's where I leave at this at this point.
4 Thank you for having me here today.

5 BOARD CLERK MOORE: Thank you.

6 Our next commenter is Mauro Libre.

7 MAURO LIBRE: What's up big pimpin?

8 I've got to say two minutes is scandalous. That
9 is a scandalous amount of time. In South Sacramento,
10 immediately outside the boundaries, you have the poorest,
11 most marginalized communities in closest proximity to
12 pollution. I Live in Oak Park. There is not a lot of
13 pollution there. If you go there now, it's mostly
14 collegiate white folks who gentrified a community at the
15 expense of a lot of black folks.

16 You guys have a grant in Sacramento for AB 716.
17 It serves Oak Park, but it doesn't serve the most
18 marginalized communities immediately outside the AB 617
19 boundaries. They face coal trains, auto body shops,
20 logistic centers, and an airport on one side and on the
21 other side, they face the same with Highway 99 behind
22 them. They were all excluded.

23 If you look at your public comments right now,
24 you probably have 20 comments from people in opposition to
25 the racism in Sacramento and three people here championing

1 it. It's shameless that they're championing Oak Park and
2 not the people who were excluded from the AB 617 process.
3 I can yell. I can scream. And I'll talk about their
4 outreach.

5 Recently, I went to their event in dense urban
6 housing full of Latinos and there was nobody there,
7 despite United Latinos being the group helping to host
8 this event. They couldn't give away free fans while
9 people were sitting outside their houses fanning
10 themselves because it was hot. That's outreach?

11 The last two public meetings of AB 617 I went to
12 was your grantee working in Oak Park and United Latinos.
13 There's no members of the community there. And when I
14 asked why, the two public partners spoke on behalf of the
15 government. One said it's too technical for the community
16 and they're not interested. The other said they were
17 tired. The truth is none of them know about it.

18 This is big poverty pimpin that benefited your
19 Board members, and Air District Board members, and our
20 electeds.

21 Thank you.

22 BOARD CLERK MOORE: Thank you.

23 Our next commenter -- actually our last commenter
24 in person is Monica Negrete.

25 MONICA NEGRETE: Hi. I'm Monica Negrete. I'm a

1 member of the Sacramento EJ Coalition and I'm a
2 parishioner at Saint Rose's Catholic Church in South
3 Sacramento.

4 I encourage the Board to improve AB 617 by
5 attaching a public health evaluator. As a mother with a
6 child who suffers from chronic health conditions, it only
7 makes sense to me that AB 617's success has to be
8 connected to better health outcome for our children.
9 Please don't allow greenwashing and respect the boundaries
10 or business as usual.

11 Thank you for your time.

12 BOARD CLERK MOORE: Thank you.

13 I'll now turn the mic over to my co-clerk for the
14 Zoom commenters, which we currently have nine.

15 BOARD CLERK GARCIA: Thank you. So we will be
16 calling on the Zoom commenters. That is going to be
17 Madeline Harris, Jonathan London, Erica Jaramillo, Jasmin
18 Martinez, Kevin Hamilton, Christine Zimmerman, Patricia
19 Shelby, Ryan Hayashi, and LaDonna Williams.

20 So Madeline, I've activated --

21 BOARD CLERK ESTABROOK: One moment. Just a
22 moment for a technical difficulty.

23 BOARD CLERK GARCIA: Okay. Sorry about that.
24 Madeline, I have activated your microphone. Please unmute
25 and you can begin.

1 MADELINE HARRIS: Thank you. Hi. This is
2 Madeline Harris with Leadership Counsel for Justice and
3 Accountability.

4 And as reflected in our written comments, our
5 primary concerns with the proposed Blueprint is the
6 general lack of commitment to ensuring measurable
7 reductions in toxic air contaminants and criteria air
8 pollutant emission in heavy impacted communities. And
9 this was the initial intent of the 617 program.

10 It's very concerning that the Blueprint 2.0 does
11 not detail how or if CARB will continue to formally select
12 communities for targeted emission reduction initiatives.
13 And additionally, it's concerning that the Blueprint
14 indicates that local CERPs won't be formally adopted by
15 CARB or air districts without adopting L-CERPs. The
16 process won't hold CARB and air distributes accountable
17 for implementing the L-CERP measures created by
18 communities.

19 We understand that the program's financial
20 resources are limited, but CARB must take an active role
21 in securing additional resources for the program to ensure
22 that it meets its goal to measurably reduce emissions in
23 current and future 617 communities.

24 Also, the Blueprint overlooks challenges we've
25 seen in agency collaboration. For example, in Shafter,

1 the community's efforts to establish a voluntary pesticide
2 notification program was supported with CARB funding, but
3 it didn't move forward due to opposition from the local ag
4 commissioner.

5 CARB should find solutions to overcome these
6 challenges and acknowledge and utilize your authority and
7 jurisdiction on these matters. Collaboration and
8 communication between CARB, the air districts, and other
9 government agencies should be maximized to improve air
10 quality and ensure community commitments are met. The
11 Blueprint should also include stronger language to hold
12 stakeholders accountable in land use and transportation
13 actions and ensure transparency in fund allocation for CAP
14 implementation.

15 Thank you.

16 BOARD CLERK GARCIA: Thank you.

17 Jonathan London, I have activated your
18 microphone. Please unmute and begin.

19 DR. JONATHAN LONDON: Good afternoon. I'm
20 Jonathan London, a professor in the UC Davis Department of
21 Human Ecology. My team and I have been conducting program
22 evaluation on the implementation of AB 617 since 2018.
23 Several of these reports are posted on the CARB website
24 and several more are forthcoming.

25 Based on my research, I'd like to both commend

1 the leadership of Deldi Reyes and CARB's OCAP and
2 recommend that you approve the final draft of the AB
3 61[SIC] Blueprint for several reasons. First, the process
4 drew on the deep community expertise in the People's
5 Blueprint.

6 Secondly, it addresses a number of shortcomings
7 in the first years of the program, including providing
8 significant improvements to integrating a racial equity
9 and environmental justice framework, providing specific
10 guidance for CARB to play a more proactive role and ensure
11 consistency across the districts, direction to the air
12 districts to support community decision-making, provisions
13 for capacity building, environmental justice and racial
14 equity, and tracking of actual clean air benefits to the
15 communities. I'm especially appreciative of permissions
16 for the local and community-driven CERPs, participatory
17 budgeting, new financial and regulatory support for the
18 consistently nominated communities, and a robust civil
19 rights and racial equity approach.

20 While I do support approving the Blueprint, I
21 also recommend the Board consider other measures. First,
22 a commitment -- a renewed commitment to power sharing and
23 community decision-making, as well as transparency in
24 budgeting, and investments must be further prioritized.

25 Second, for AB 617 to succeed, it must embrace

1 what we're calling an ecosystem of implementation that
2 expands beyond CARB and the air districts to include other
3 agencies as conflicts with these other agencies have
4 stymied successful implementation of several CERPs.

5 Finally, all efforts must be made to infuse AB
6 61[SIC] principles and practices into all CARB air
7 districts and other agency programs in a sustainable
8 all-of-government manner.

9 Thank you so much.

10 BOARD CLERK GARCIA: Thank you.

11 Erica, I've activated your microphone. Please
12 unmute and being.

13 ERICA JARAMILLO: Hi. Thank you. My name is
14 Erica Jaramillo and I am renter in Sacramento and I also
15 am a member of the Sacramento Environmental Justice
16 Coalition, and I am Vice Chair of the county's South
17 Sacramento Community Planning Advisory Council.

18 And one of the things that I want to know is --
19 I'm also a resident -- a long-time resident of Oak Park.
20 I recently moved in the last year due to displacement.
21 And Oak Park is mostly white and being gentrified. So I
22 just want to contribute a little bit of that information,
23 that it's mostly deep South Sacramento that has really
24 been excluded from this conversation and from the AB 617
25 boundaries.

1 And more importantly, I would like to know that
2 the -- that I'm in support with Sacramento Environmental
3 Justice Coalition that the AB 617 South Sacramento was a
4 major disappointment. There was really no transparency
5 and commitment to the law, which I am completely befuddled
6 and don't understand, and really am kind of looking to the
7 Board to address this.

8 So AB 617 was intended to address non-mobile
9 pollution sources, but the Committee and SAC AQMD
10 deliberately avoided major areas of concern to local BIPOC
11 and low-income communities by creating boundaries and
12 geographic restrictions to exclude high impacted areas.

13 Twenty-three million has been with AB 617, and it
14 was spent it, and it had no impact on the most polluted
15 neighborhoods. We are asking that CARB establish higher
16 standards for local air quality management districts to
17 have a robust, inclusive, and broad-based process to
18 implement AB 617, according to the law. There has to be
19 an accounting of how the funds are used with strong
20 evidence that marginalized communities and EJ zones
21 directly benefit significantly through transformative
22 health outcomes.

23 Thank you.

24 BOARD CLERK GARCIA: Thank you.

25 And I just wanted to remind everyone that wishes

1 to comment on this item, the public sign-up closure will
2 happen at 6:02. So please raise your hand, if you haven't
3 already.

4 Next, we will hear from Jasmin Martinez. I've
5 activated your microphone. Please unmute and begin.

6 JASMIN MARTINEZ: AB 617 was never meant to be
7 our sole EJ solution in California. Rather, the program
8 was meant to be an effective catalyst toward more
9 comprehensive and cohesive action to meet the needs of our
10 most overburdened communities. Since inception of the
11 program, participants can reference many promising
12 examples of the progress being made, but also the many
13 disappointing examples of how the status quo has remained.

14 The blueprint is an opportunity to reflect
15 honestly on the entirety of the program. I appreciate the
16 look at expansion of the program beyond selection toward
17 much needed enforcement and community investment. I also
18 want to urge staff to go further. CVAQ has worked with
19 partners to submit commenters on how the Blueprint update
20 fails to adequately acknowledge the reality of the program's
21 challenges in order to demonstrate the lessons learned and
22 ways we will move forward. CARB should be transparent
23 about issues, such as the Shafter agency collaboration one
24 and use the Blueprint to share how it will support
25 communities in the future.

1 Further, CVAQ has been supporting the L-CERP
2 pathway to develop community CERPs in the valley. Having
3 this firsthand engagement, the resources for this pathway
4 are nowhere near enough. The lion's share of resources
5 and responsibilities still lies with CARB and Valley Air.
6 We need to account -- accountability to community
7 priorities within and beyond the program, starting with
8 ensuring existing regulations are being met and
9 strengthened. We need more transparency on program
10 funding at every level, because the way we've utilized the
11 resources in the CAG lead me to believe that we are not
12 maximizing the existing funds to realize their potential
13 toward directly benefiting our communities.

14 Finally, the tracks outlined in the CARB
15 Blueprint carve a vision of support for existing
16 communities and the consistently nominated communities,
17 but we also need a more clear stronger commitment to
18 communities that don't fall on either list and how that
19 will be done in partnership with community based
20 organizations.

21 Thank you.

22 BOARD CLERK GARCIA: Thank you.

23 Kevin, I have activated your microphone. Please
24 unmute and begin.

25 KEVIN HAMILTON: Good evening. Kevin Hamilton,

1 Central California Asthma Collaborative.

2 First, I want to acknowledge and support the
3 statements from the panelists and thank them for the work
4 tonight. As a member of the so-called writers group, we
5 saw the benefits of AB 617 that were not being realized
6 and believe that many of them could be realized through
7 Blueprint 2.0. From CCAC's standpoint quite a number of
8 those have now been shown to be illustrated in this new
9 Blueprint. We feel strongly that this should be approved.
10 Obviously, there's more work to be done. This was a pilot
11 and we have to think about it that way.

12 But the learnings from the pilot need to be
13 applied broadly across the regions that the pilots were
14 developed in. The concerns that residents have brought in
15 the constructed CERPs, and CSCs, and the L-CERPs are
16 common across the region. That commonality should
17 demonstrate very clearly that rules and regulations need
18 to be extended to cover them all. The constant and
19 chronic complaining of not enough funding just doesn't
20 hold water when we look at the millions of dollars that
21 are deployed in the region regularly both in the San
22 Joaquin, Southern California, and across California to
23 support these industries in returning to good habits and
24 clean air for all of us.

25 So we need that to change. And the only way that

1 changes is if we have support from California Air
2 Resources Board. And through that support, we bridge our
3 relationships with the air districts. I will say that
4 both CARB and the air districts have been good partners in
5 this project and we expect to see that kind of partnership
6 continue with communities across the region. It is really
7 stunning to me that we would still want to create
8 boundaries. There should be none.

9 Thank you.

10 BOARD CLERK GARCIA: Thank you.

11 Christine, I have activated your microphone.
12 Please unmute and begin.

13 CHRISTINE LUTHER ZIMMERMAN: Good evening, Chair
14 Randolph and members of the Board. I'm Christine Luther
15 Zimmerman with the Western States Petroleum Association,
16 and I appreciate the opportunity to serve on the AB 617
17 Consultation Group, as well as to provide comments
18 regarding Blueprint 2.0 this evening.

19 We have appreciated the efforts of OCAP staff and
20 the consultation group members, as well as all
21 stakeholders in the development and refinement of this
22 document. It is hard work to capture the perspectives of
23 so many and reconcile them along with statutory
24 limitations and requirements of AB 617.

25 Broadly, my organization is concerned that the

1 Blueprint outlines a new approach, namely through local
2 CERPs, that is far less robust and effective at addressing
3 local air quality concerns. There's a specific need for
4 more explicit guidance in the document relative to the
5 following issues. The local CERP approach deviates from
6 the regulatory oversight provided in statute for standard
7 CERP implementation, lacks details, and is expected to
8 result in widely varied expectations from the program.

9 There needs to be more clarity on how L-CERPs
10 will be administered, including how applicants will be
11 selected, criteria for stakeholder engagement, criteria
12 and limitations on suitable measures, and transparency and
13 accountability, the allocation of limited program
14 resources to both existing and consistently nominated
15 communities, for example. For newer communities to
16 thrive, there must be mechanisms to manage open-ended
17 resource commitments. An understanding of how to use
18 available and emerging technical assessment tools and
19 developing community air monitoring and emissions
20 reduction plans that are consistent with statutory
21 requirements are key.

22 For these reasons, we believe that the document,
23 as it currently exists, is incomplete. CARB should
24 consider today, as part of this adoption process, a
25 resolution that a comprehensive plan be adopted that

1 outlines additional actions necessary to ensure consistent
2 support and data driven implementation of AB 617 for the
3 existing and 65 emerging communities (inaudible) valuable
4 program.

5 Thank you.

6 BOARD CLERK GARCIA: Thank you.

7 Patricia, I have activated your microphone.
8 Please unmute and begin.

9 PATRICIA SHELBY: Thank you very much. I am
10 Patricia Shelby. I am with the Sacramento --
11 Sacramento/Florin community steering committee.

12 I first want to say I want to adopt this 2.0.
13 The input that we've given seems to have been implemented.
14 It still needs to be a living document that can be
15 adaptive. We have suffered inadequate funding. We have
16 had los of funding. We have -- we're delayed by not
17 having the ability to have community input as effective as
18 we wanted to, also because of what happened nationally
19 with COVID.

20 We also know and have always from the beginning
21 wanted the intersectionality of environment, poverty,
22 health access, and outcomes to be part of our CERP for
23 South Sacramento/Florin. We know that the boundaries, as
24 laid out in 1.0, were inadequate, but we need the
25 opportunity and we need the source of flexibility and

1 adequate funding, because we were cut before, more so than
2 any other community when we were undercut with resourcing
3 distribution changes.

4 Please adopt it, please give us adequate funding,
5 and let us be able to move forward with our CERP that has
6 been long delayed, so that we can meet the needs and have
7 true health access outcomes as part of that, so that our
8 children, our elders, our community members are well
9 served by the research, by the data, and by the evidence
10 that we have garnered over the last few years.

11 Thank you.

12 BOARD CLERK GARCIA: Thank you.

13 Ryan, I have activated your microphone. Please
14 unmute and begin.

15 RYAN HAYASHI: Good evening, Chair Randolph,
16 members of the Board. Ryan Hayashi Deputy Air Pollution
17 Control Officer with the San Joaquin Valley Air Pollution
18 Control District and AB 617 consultation group member. I
19 would like to thank your Board for the opportunity to
20 provide comment and share appreciation to all those who
21 have participated in the Blueprint update, including the
22 People's Blueprint writers group, consultation working
23 group members, Deldi Reyes and the entire OCAP team, and
24 the numerous members of the public who worked
25 collaboratively to provide key feedback and language

1 recommendations.

2 One of the focuses of Blueprint 2.0, it --
3 Blueprint 2.0 is the transition of the program from the
4 current format of community selection at the State level
5 to a more open process that will provide program benefits
6 to more under-resourced communities across the state using
7 the vast knowledge and experiences learned from the
8 extensive ongoing community engagement through the CERP
9 and CAMP development and implementation.

10 Much of the important work being done in this
11 area includes the development of local CERPs. We are
12 thankful for the opportunity to be an active partner in
13 these new types of plans and understand that there is much
14 that will be learned from these processes over the next
15 several years. For this reason, it is imperative that the
16 Blueprint 2.0 be a living document and that CARB, working
17 with air districts, community members, businesses, and
18 local State and federal agencies have the ability to
19 continue to provide feedback and refine the document as
20 needed.

21 Lastly, while the law itself lacks mandates for
22 local, State, and federal agency participation on specific
23 actions, we have been fortunate to work with many
24 agencies, such as DPR, CalGEM, cities, counties, and other
25 services and resources to address community concerns and

1 needs. Similarly, many of the transitional changes
2 covered by Blueprint 2.0 also are not required by law and
3 we'll need to rely upon the goodwill developed between the
4 various stakeholders to bring these data resources and
5 benefits to more communities.

6 You have our commitment to continue to work
7 closely with community stakeholders to support these
8 efforts to ensure success of this program moving forward.

9 Thank you very much.

10 BOARD CLERK GARCIA: Thank you.

11 And lastly, we'll hear from LaDonna Williams and
12 then Joe Toney.

13 So LaDonna, I have activated your microphone.
14 Please unmute and begin.

15 LaDONNA WILLIAMS: Yes. Good evening, everyone.
16 LaDonna Williams with All Positives Possible.

17 First, I want to say with CARB, CARB your
18 practice of reducing the public's comment to two minutes
19 shows a lack of respect, disregard, and apathetic attitude
20 towards the communities' issues and voices. And I'm
21 talking about those EJ communities that are the most
22 disadvantaged and suffering in those areas of Woodbine and
23 the avenues, and those areas that have been left out of
24 your AB 617 process and given excused as to why lack of
25 budgeting, taking the funding, or what have you.

1 It is unacceptable to hear anyone within CARB be
2 complimented on their efforts if, in fact, these
3 communities continue to suffer these health disparities
4 and impacts and are burying their loved ones because they
5 cannot breathe because of that health impacts from
6 polluting sources where emissions are not being --
7 emissions reduction is not a priority in those
8 communities. Shame on you CARB.

9 Now, am I talking about individuals? No, I'm
10 talking about the process at large where you get this loud
11 beeping noise that reduces us to two minutes for us to be
12 able to come and share our fears and our concerns with
13 you. Cut down your panel's time and give more time to the
14 public who are severely impacted by these environmental
15 injustices, these racism -- racist practices.

16 There is these words that you give, and these
17 blueprints, and these plans, and equity and inclusion, and
18 all of those good words. But at the end of the day, our
19 communities are still sick and dying. We cannot allow you
20 to continue these processes where the most vulnerable and
21 disadvantaged poor suffering communities get the worst end
22 of the stick and even through commenting at these
23 meetings.

24 BOARD CLERK GARCIA: Thank you.

25 Joe, I have activated your microphone. Please

1 unmute and begin.

2 JOE TONEY: I'm before CARB reclaiming my power.
3 Air pollution is indiscriminate and leads to clearly
4 negative health outcomes for those who breathe it.
5 Environmental injustice is slow genocide. Resources to
6 Sacramento were cut due to the poor behavior on the Air
7 District's part with Brown Act violations, lack of
8 successful community inclusion, et cetera. And CARB
9 blueprints need to address the inherent racism at the
10 systemic level.

11 As the war machine is at work in Palestine,
12 silencing voices and ending lives forever in an instant,
13 the Bowling Green and surrounding South Sacramento
14 neighborhoods suffer directly from the negligence and
15 greed of those in power. You have misused AB 617 and the
16 community steering committee to allow these death
17 sentences to continue. I decided to come back because I
18 haven't given up on justice and believe it is my duty to
19 inform those not only on the Board but the community who
20 cares about their health, the livelihoods of their
21 children, and the future of their neighborhoods when
22 justice prevails.

23 My name is South Sacramento and I've been working
24 these street corners of this city since you were in
25 Pampers. Now, big daddy AD, which is short for air

1 district, may look down at me because he think I don't
2 know. He say he doing me a favor giving me these dirty
3 jobs and calling it economic opportunity. Him and
4 Supervisor Serna think I don't see their hands writhing
5 with greed and their lips seeping with lies. He say he
6 just as hungry as I am, but when I look around, I'm the
7 only one with an empty plate in hand. I know better. So
8 when you're selling me to the man who drives a hard
9 bargain, that sale and that price I pay for your economic
10 opportunity with my life.

11 Congratulations to the biggest pimps. You turn a
12 blind eye when your girl gets a black one. You clap and
13 applaud when the pushers pump me full of toxins. You're
14 hoping I won't sober up. I point to the old Campbell's
15 Soup factory, all the big rigs, and the airport. Instead,
16 you tell me to stay focused on the trees and the cars.
17 Those things I see every day are too far from your yard.
18 And when three black women rang the alarm, big daddy AD
19 shot them down one by one. I couldn't handle the heat --

20 BOARD CLERK GARCIA: Thank you.

21 JOE TONEY: (Inaudible) -- so I can't -- but you
22 can't --

23 BOARD CLERK GARCIA: That concludes the
24 commenters for this item.

25 CHAIR RANDOLPH: Okay. Thank you.

1 All right. I will bring the -- well, first, I
2 will ask staff are think any issues you wanted to address
3 before our Board discussion?

4 OCAP COMMUNITY PLANNING BRANCH CHIEF OLALUWOYE:

5 Thank you, Chair. Just a couple of things that
6 I'd like to mention, but first I want to thank all the
7 commenters today for commenting on this item. We really
8 do appreciate it. I want to thank you panel. We really
9 appreciate them coming out in person and virtually to
10 really participate in this program on this item with us.
11 I'm always honored to hear from them and I learn from them
12 every time they speak, so I really appreciate their time
13 today.

14 I want to speak to some of the comments that we
15 just recently heard and maybe a little bit to the comments
16 that we've gotten in our docket as well. A lot of the
17 comments really have centered around our local CERP
18 concept where we're looking at trying to provide a
19 community driven process and community driven part of this
20 program that is outside of the normal selected community
21 possess. And we believe it's an excellent opportunity for
22 grant recipients to write their own plans and that is in
23 the spirit of AB 617 for that more community-driven
24 process that we're hearing is so needed by so many
25 communities.

1 This is an opportunity for us to really drive the
2 ability of communities to use their lived experience and
3 their lived expertise, as Dr. Heard said -- Heard-Johnson
4 said to apply directly to their needs that their -- of
5 their communities. We have heard again that concern about
6 us not requiring Board approval. This is something that
7 we do not have the authority to do at the moment. It's
8 just -- it's not authority granted by AB 617. Instead of
9 that, what we are trying to do is provide staff support,
10 so we will have actually a liaison that actually is also
11 part of this process, again building on what you heard,
12 you know, from some of our comments earlier that are
13 engaged in this process currently, learning from what they
14 are experiencing, also learning from our new cycle of
15 grants that are going to be going out soon that would also
16 help inform what this process would look like.

17 We'll be having a request for application process
18 going into early next year, where again we'll provide
19 additional detail, additional criteria for what an L-CERP
20 will need, and again allowing the public to be part of
21 that process and helping inform what that process and what
22 those L-CERPs will need to look like to get the types of
23 reductions, get the type of actions that we're looking
24 for.

25 Also, I want to lift up what Kimberly McCoy said

1 earlier about addressing this program with non-traditional
2 methods. I think that's an excellent point. This program
3 is really trying to look at how are we doing this work in
4 ways outside of what we're used to, outside of our
5 traditional process. What do we do that's additional?
6 What do we do that provides a level of that equity that we
7 are centering this program on, a level that -- those civil
8 rights that we're centering this program on in ways that
9 again we are maybe unfamiliar?

10 So I think this is another one of those
11 opportunities to address the program and look at the
12 program in that way. We've also heard a lot of comment
13 about need for additional funding. We completely agree
14 with that. As you know, CARB staff are unable to advocate
15 for funding. However, we are in agreement that additional
16 funding would -- to support the program would be very
17 welcomed and very needed for a lot of the communities to
18 address the issues that they've been raising.

19 I also wanted to mention a lot comments that
20 we've gotten were from -- really centering around tracking
21 and accountability or transparency and accountability.
22 And really what we look at to provide that is some tools
23 that we offer as part of this program as well as our
24 annual reporting cycle and implementation funding.

25 Those reports really provide us the ability to

1 understand how districts are using their funding in their
2 communities and their district for this program. They're
3 actually enhancing that reporting to provide additional
4 granularity so that folks can see things like how the
5 district is funding stipends for communities, how funding
6 is being used for monitoring, staffing, language access,
7 facilitation contracts. We're trying to provide as much
8 detail and understanding as we can, so that there's less
9 confusion about how districts are using that funding.

10 Again, we are -- we are in support of additional
11 funding for Sacramento community to move to a CERP. As
12 you've heard, there's been a desire to -- for this for
13 many years. I will say, as I said in February, CARB is in
14 support of this happening sooner than later. So we're
15 happy to see that that's happening.

16 Again, we -- our expectation is this will be
17 towards the middle of next year. But again, we are happy
18 to work with the district in understanding how they're
19 going to pursue that process. We'll continue to work with
20 the district on that. I will say this presents an
21 actually unique opportunity for this said community. This
22 will be one community where we're actually looking at not
23 only coming into a CERP, but also using the lessons
24 learned over the last five years from many other
25 communities as to how do we address other communities

1 outside the selected community while we're addressing the
2 issues in accepted community as well.

3 You have -- as we think about reimagining this
4 program, we talk about taking these lessons learned,
5 exporting those out, so that they are not just things that
6 are to the privileged selected communities, but to these
7 other communities that we know of that have been
8 consistently nominated across the state. So we look
9 forward to continuing to work on that.

10 And I guess I will -- I would pause there, if
11 there are any questions or comments from the Board, we'd
12 appreciate that.

13 CHAIR RANDOLPH: Thank you, Femi. Appreciate
14 that.

15 Okay. I will bring it to the Board for questions
16 and discussion.

17 Dr. Balmes.

18 BOARD MEMBER BALMES: Thank you, Chair Randolph.

19 I specifically asked to go first. I usually
20 don't and I usually don't try to go on too long, but I
21 apologize in advance if I go on a little longer than
22 normal, because I've been involved with this process for,
23 I don't know, six years now, five plus. And I was really
24 honored when former Chair Nichols and former Executive
25 Officer Corey asked me to Chair the AB 617 Consultation

1 Group, because I really thought, and still do think, that
2 this program can be transformative. I've used that word
3 before.

4 For those of you who don't think about air
5 quality control in other places outside of California,
6 it's usually based on regional air quality and not at all
7 about local communities that are bearing the
8 disproportionate burden of air pollution exposure. So
9 this program, this legislation directed us to try to
10 address environmental injustice. And so while it hasn't
11 been perfect, I think we've made progress. It's been
12 hard. The road towards Blueprint 2.0 is just one example
13 of how hard it's been to implement AB 617 successfully
14 across all the communities that have been so designated,
15 but I -- we have to keep trying. I think we're, as usual,
16 setting the example for the rest of the country here and
17 so I really think we have to make this work.

18 And the Blueprint revision is an important part
19 of that work. So Kurt Karperos was working with me as a
20 senior staff person on the Consultation Group. And we
21 recognized, you know, somewhere 2019 that the Blueprint
22 had to be revised. It was always intended to be revised.
23 The staff -- really the original OCAP staff wrote the
24 original Blueprint with, you know, maybe some community
25 input, but nowhere near as much as was really wanted or

1 needed.

2 So we started in the context of the consultation
3 group, which is pretty big. I forget how many members we
4 had to think about revision. And it was just like we were
5 spinning our wheels. There were too many voices.
6 Couldn't get people to come to consensus on anything. So
7 I really want to thank the writers group. We heard from
8 one person -- actually two, Kevin Hamilton and Nayamin
9 Martinez earlier. When the -- when several senior
10 environmental justice folks stepped up to come up with a
11 draft Blueprint, the People's Blueprint, it was a major
12 help in moving the process forward. I can't say enough
13 that that effort. And I also commend Mr. Corey for
14 providing funding to hire a contractor to help write the
15 People's Blueprint, which I think was done roughly in
16 2020.

17 So I want to shout-out to Luis Olmedo, Christian
18 Torres from Civico -- I always screw it up. Comite Civico
19 del Valle, and then Margaret Gordon from the West Oakland
20 Environmental Indicators Project, Kevin Hamilton from he
21 Central California Asthma Collaborative, Nayamin Martinez
22 from Central California -- Central California
23 Environmental Justice Network. They were People's
24 Blueprint writers. I can't say enough. I also -- going
25 back to the old days have to give a shout-out to Trish

1 Johnson who tried to keep the Consultation Group going
2 when it was in danger of spinning out of control. And
3 then, you know, in the last few years, there's been --
4 especially working on the Blueprint for leading OCAP,
5 Deldi Reyes, who I'm really sorry couldn't be here in
6 person. I heard she's ill and I know she's on the Zoom.
7 Deldi, can't say enough.

8 So -- and all the OCAP staff that worked on this
9 project. I won't name everybody, because I'll forget
10 somebody, but specifically I want to give a shout-out to
11 Brian Moore who I think has played a major role in, you
12 know, moving the Blueprint revision process forward. But
13 there were others Malinda, Liliana, and another shout-out
14 is to Abigail May, who made sure that we were following
15 the law, which was sometimes contrary to our wishes, and
16 all the members of the Consultation Group. Because even
17 though we had trouble focusing on writing something, once
18 we had a draft -- once we had a People's Blueprint, they
19 all chimed in and gave us good feedback.

20 And then when we were working on the Blueprint
21 2.0, which, you know, staff wrote. It's informed by the
22 People's Blueprint, but is written by the staff, they gave
23 us really good feedback on that. This has been a long
24 process. It's taken us years to get to where we are now.
25 And I'll be the first one to say it's not perfect, but I

1 don't want to make perfect enemy of the good. And this is
2 good. It's a step forward.

3 You know, the original Blueprint didn't really
4 uplift environmental justice as much as it really should
5 have. And we were correctly taken to task by the
6 environmental justice community about that. The current
7 document I think does. We were also criticized about not
8 focusing on civil rights and racial justice, which we now
9 do. And a big change is participatory budgeting, which
10 several AB 617 communities with districts were already
11 implementing, but now it's sort of written in -- written
12 in stone, if you will.

13 And I have to give a little shout-out to Mr. De
14 La Torre. He is listening. Okay. He's always said that
15 this is really a pilot program and he wanted the program
16 to expand beyond the designated communities, so all the
17 disadvantaged communities that bear the disproportionate
18 burden -- I'm getting there -- burden of air pollution and
19 the health effects from that air pollution.

20 And I think that the new community pathway, the
21 localize CERP, is going towards what he wanted to see.
22 The real problem that has been mentioned by several of, I
23 think, panel members as well as the other people
24 testifying is the funding for the L-CERPs is relatively
25 constrained compared to designated communities. You know,

1 300,000 a year from community air grants and the
2 community -- the CAP incentives, there's a fair amount of
3 money there, but how much each L-CERP would get is sort of
4 not clear, or could get. So there's more work to do to
5 finalize the community pathway, the L-CERP pathway, but I
6 think it's the right way to go.

7 And I'm someone who is strongly interested in
8 trying to get more funding from the Legislature for the
9 L-CERP program. You know, slide 7 in the staff
10 presentation, you know, shows that there's been a decrease
11 in funding overall of about 10 million for the program,
12 when we really need more. And we need more -- we -- right
13 from the start, the very first Consultation Group meeting
14 five years ago, multiple EJ stakeholders, members said
15 where is -- where are the health outcomes being measured?
16 You know, this -- it's supposed to -- this program is
17 supposed to reduce emissions to impact health in a
18 positive way.

19 And the districts said, we don't think we have
20 enough money to just do the emission reduction, let alone
21 study the health impacts. And, you know, I think that's
22 another area where I'd like to see funding to add some
23 health impact assessment to the program. The Research
24 Division is working on that a little bit, but that's at
25 the margin. We really need money to do it properly.

1 So I shouted out to a lot of folks, but the most
2 important person I want to shout out to is Davina Hurt,
3 who -- you know, I was kind of overwhelmed by trying to
4 deal with the Consultation Group going different
5 directions and trying to keep the People's Blueprint
6 writing group happy, working with staff and I really
7 needed help at the Board level, and Ms. Hurt provided that
8 help. And more than help, her ability to articulate to
9 the Consultation Group really what we needed to do at any
10 given meeting was -- it just made the meetings go so much
11 better and I really appreciate her partnership.

12 So I think I've probably said enough, but I
13 wanted -- I'm very supportive of accept -- adopting the
14 People's Blueprint 2.0 with the -- with the
15 acknowledgement it should be a living document. We're
16 going to have to revise it as -- and I really wish -- I
17 especially want to thank, if I haven't already, panel
18 members. You all were really articulate and I agreed with
19 almost everything you said. And so thank you.

20 CHAIR RANDOLPH: Thank you.

21 I also neglected to close the record on this
22 item. So the record is now closed on this agenda item.

23 Board Member Hurt.

24 BOARD MEMBER HURT: Thank you, Dr. Balmes, for I
25 guess I could say maybe ditto and thanks to everybody that

1 you outlined that's been a part of this program. I think
2 a member of the public aptly commented that AB 617
3 Blueprint is just one tool in the toolbox for clean air in
4 the most impacted communities. And I just want to remind
5 folks, it cannot be lost on us that every time we have a
6 meeting, we're working on solutions to help the community,
7 and it's not just AB 617 that's going to do that help.

8 I also wanted to say I think, you know, our
9 comments will definitely not be a victory lap, but really
10 just reflecting upon seeds of change. That's what AB 617
11 is. This program and all the people who participated and
12 contributed to, I just want to say thank you. And we know
13 that there's a lot more work that needs to be done. But
14 when I think about this program in this reimagined state,
15 I think of community empowerment, power sharing. This
16 must be at the center. And I think of sacrifice and
17 commitment of time that so many people, participants, the
18 panel, that you've all contributed times away from your
19 family and other things in your life that have just made
20 this program better every year.

21 Someone stated it earlier, but like building
22 trust. This is not easy. There are a lot of diverse
23 voices, lived experiences at the table that have been
24 impacted in a very negative way. And sometimes you're
25 sitting next to a stakeholder who is part of that

1 framework, who has negatively impacted the health of your
2 community. And you're coming to the table to right the
3 wrongs and make positive strides forward. And that is not
4 easy. It takes time. It takes money. It takes a lot of
5 staff to be quite honest to do that change.

6 And so I just -- I want to thank the community,
7 the staff, the panel, and the air districts who I've seen
8 working hard. As someone who sits as the Vice Chair at
9 the Bay Area Air Quality Management District, they want to
10 see positive change in these communities, but we all need
11 a helping hand to know how to do it together. And so I'm
12 always surprised how positive and optimistic people
13 continue to be, continue to come to the table for the
14 change, because this is quite a bit of hard work.

15 The Consultation Group. Yes, my time on that has
16 been extraordinary. And I really appreciate partnering
17 with you and everybody who sat at the table, again talking
18 about really difficult topics around life, health, and
19 wealth. And I think we just keep listening and learning,
20 and this program keeps evolving. And it will continue, as
21 someone said, an organic document that will get better
22 with time. But as it's been pointed out, we need more
23 funding, more staff, more funding, more staff. And so we
24 really need to advocate at the Legislature as well to
25 bring that money to our communities.

1 There's one thing that I do want to leave with
2 folks. There was a key statement in the Board findings
3 that I think is really worth repeating, and it's that no
4 one person or agency will achieve environmental justice
5 without collective sustained commitment to clean air for
6 all. And I think we all have to keep that top of mind.
7 It's not necessarily about a program. It really is about
8 health and clean air. And everything we need to do
9 together to make the change that's necessary, we need to
10 do it.

11 So again, thank you all and I look forward to
12 editing this document as it needs to be. But right now,
13 this is a good start and we will continue to work hand in
14 hand.

15 CHAIR RANDOLPH: Board Member Guerra.

16 BOARD MEMBER GUERRA: Thank you, Chair Randolph.

17 You know, again, I want to echo my support and
18 thanks to all those at the staff level who have brought us
19 to this 2.0. And while Dr. Balmes was here six years ago,
20 a couple of us a couple of years, and I last year ago. I
21 think we all can benefit from the lessons learned in that.
22 So thank you to the staff who put together again this
23 Blueprint 2.0. I wasn't here for the 1.0, but we can
24 learn from the 2 -- here on the 2.0.

25 I want to give a special thanks to the South

1 Sacramento/Florin steering committee, and, you know, thank
2 you very much to Patricia Shelby today and Vincent Valdez.
3 And I see Bishop Baker in the back as well who has been
4 engaged, and Richard Falcon who spoke eloquently about the
5 efforts. And I just want to say how proud I am for their
6 engagement and commitment, and how much they have focused
7 on ensuring that the voices of the community are heard.

8 And I've spoken with a few of them at length
9 about where this process is going, and the frustration of
10 rigidity that the 1.0 version of the Blueprint had. I
11 think that one of the strong points here, as was -- as was
12 mentioned, is that adequate flexibility is critical and
13 that community-driven process in the process moving
14 forward is the only way we're going to be able to be
15 successful in moving with the community in addressing air
16 quality.

17 But I can't -- I can't -- I'd be remiss if I
18 didn't say how also the conversation about adequate
19 funding, not just funding, but adequate funding to move
20 these processes forward, to move the CERP program forward
21 and be an effective process is going to be critical. And
22 from someone just like, you know, Mr. Eisenhut -- Board
23 Member Eisenhut has grown up in agriculture, you can give
24 water to a plant and it will live, but if you don't give
25 it enough, it will never produce.

1 And so I think the important part here is that we
2 look at not only adequate next flexibility, which is
3 achieved here, not perfect, but it's our next 2. -- next
4 version in the Blueprint 2.0 process, but the next key
5 thing is ensuring that -- that adequate funding.

6 Now, the Legislature has appropriated money for
7 that and I think it's important that we work here with the
8 Sacramento steering committee and the CARB staff to
9 achieve that adequate funding. I'm very pleased and, you
10 know -- and within the last 24 hours I did hear from Mr.
11 Le over at the -- Executive Director for CAPCOA that is
12 supporting our last CAMP moving in the CERP, that it's
13 supporting South Sacramento moving in that direction.

14 And I do want to thank the other air districts
15 for joining in that effort and for recognizing, you know,
16 a particular point that I want to mention is that they
17 recognize that the CERP implementation is a par -- is
18 particular -- particularly extremely resource intensive
19 into -- so to achieve that, you know, additional funding
20 and adequate funding is critical. And I think that can't
21 be lost in this process.

22 Finally, I'll -- I will say, you know, that AB
23 617, even though it created boundaries, all of us that
24 have worked in air quality know that air doesn't see
25 political boundaries and AB 617 doesn't absolve any air

1 district or this Board for that matter for addressing the
2 impacts that are affecting the communities, whether
3 they're in those zones or not. I mean, we have our work
4 with us and we continue to do that work in every
5 regulation that we do and that we move forward.

6 So for those, you know, in the community, I want
7 to say that even with these zones as we're moving, there
8 are many other tools that can be used and -- to address
9 those. I want to thank the staff at the City of
10 Sacramento that we were able to allocate half a million
11 dollars to do -- over 200 community air monitors and a
12 very detailed local mobile monitor that we could take
13 (inaudible). The wasn't a requirement of AB 617. It
14 wasn't part of that, but it was something we could do in
15 tandem with that could be used not only in South
16 Sacramento but in other parts of our -- of our AMQ -- AQMD
17 District.

18 So AB 617, again this Blueprint I think it -- I'm
19 very supportive of it. I want to thank again the
20 leadership of not only the Board members here who have
21 been on it for a while and the staff, but I'm excited that
22 it's moving forward in the approval process.

23 CHAIR RANDOLPH: Thank you.

24 Board member De La Torre.

25 BOARD MEMBER DE LA TORRE: Thank you. I also

1 want to thank all of the community folks who have put all
2 this effort into -- I mean, this -- it's been awhile. And
3 I know that it was a lot of hard work and I really
4 appreciate you developing a consensus and putting this
5 together. We had no idea what this was going to be when
6 we started, because we wanted to get the feedback, but I
7 want to take it back to the beginning of this program, as
8 I do every time it comes up.

9 First of all, the concept was at the very
10 localized neighborhood level the micro level, we would
11 look at these communities that have multiple pollution
12 impacts. You can think about one -- normally, we're
13 silent. We've got this. We've got industrial. We've got
14 mobile, whatever. But in this case, we were looking at
15 everything all at once in the places that were underserved
16 and were having these pollution impacts. And so that
17 is -- and I say this over and over again. There is
18 nothing like this on the planet. No one else is doing
19 this. And so we're figuring it out, because there's no
20 best practice somewhere else. We're figuring it out
21 together as we go along.

22 I think at the beginning Dr. Cliff pointed out,
23 and they were in the slides, 17,000 tons of NOx reduced,
24 1,300 tons of reactive organic gases reduced, almost 1,000
25 tons of particulate matter reduced in this fairly short

1 amount of time, in these very small areas statewide.
2 That's significant.

3 I want to also, you know, thank Dr. Heard-Johnson
4 for your comments about the benefits of all of this,
5 because you're seeing it exactly the way it was intended
6 to be. And we're working our way through it. We're
7 adjusting. We're making sure that we're there. The other
8 thing from day one that we expected this to be, and this
9 was to your comment -- I always call it a sampler platter
10 of California. We've got rural areas. We've got goods
11 movement corridors. We've got industrial zones, et
12 cetera, et cetera, et cetera. And we're learning what
13 works in these places, so that we can impact other places
14 that are not AB 617. We're taking those lessons and
15 applying them statewide.

16 And I have a very tangible example. In my area
17 where I live, in South East LA County, which is nn AB 617
18 community, we have four of the 19 AB 617 communities,
19 because we're that contaminated and polluted, stacked up
20 one over the other in LA County. Truck routes was
21 something that came from the South Fresno CERP and has now
22 been copied into the South East LA ones -- or South Least
23 LA County ones. I mean, they didn't know that was a
24 thing. And the Fresno folks came up with it. And then
25 these folks said, hey, we want that. And so these kinds

1 of lessons that are replicated in other places, that's the
2 point. That's the power of this program. That's what we
3 want. We want local folks to say these are our issues.
4 What can we do about them? And then we look at other
5 places, and if they don't have anything, then we come up
6 with something.

7 Enforcement, another one that has been
8 replicated. Pesticides. If it wasn't for when we went to
9 the Central Valley and they kept hammering us on
10 pesticides, that would not have been included, because
11 it's not our direct jurisdiction. We had to work with
12 another sister State agency to make that happen and we
13 did, not everywhere. We're still expanding that one too,
14 but that came from this process.

15 And so I -- you know, again, it's never fast
16 enough. It's never enough. But we are doing things that
17 no one has ever done and we are meeting success obviously
18 with those numbers that I cited earlier. So with that,
19 I'm very supportive of this. Thank you to staff. I know
20 it's a lot of meetings, a lot of effort to get us here.
21 Thank you to the community folks who worked on this.
22 Thank that you to my colleagues that put in all of that
23 time to get us here. I'm just very pleased.

24 And again, I hear the voices that are saying
25 there's more to be done. Absolutely agree. But we are

1 here and we put something together that we can all be
2 proud of.

3 Thank you.

4 CHAIR RANDOLPH: Board Member Takvorian.

5 BOARD MEMBER TAKVORIAN: Thank you very much.

6 You know, it's tough to be here when you've been
7 here for a long time. And I just want -- not here in this
8 room a long time --

9 (Laughter).

10 BOARD MEMBER TAKVORIAN: -- but here in this
11 world of environmental racism for a long time and in civil
12 rights and the lack of civil rights for a long time. So I
13 want to appreciate everyone who's stick -- stuck with the
14 struggle, who's in this room now, who's out in the virtual
15 universe, and those of -- those of us who we know we've
16 worked with who aren't with us any longer and -- but who
17 laid the groundwork for all us to be here today.

18 So I just want to appreciate that, because this
19 has been a long, long struggle, much longer than -- 617 is
20 like a baby in the world of environmental justice and in
21 the world of racial justice. I mean, this is not -- you
22 know, this is not a -- it's a landmark program, but it
23 isn't an innovative program in some ways, because you all
24 have been doing the work for so long. So I just want to
25 express that gratitude to all of you for everything you've

1 done within this program, but also for all of the work
2 that you've done outside of this and leading to this. And
3 all the folks that Dr. Balmes mentioned, they all have a
4 strong history and brought a lot to that table, including
5 you, Dr. Balmes, and member -- Board Member Hurt. I feel
6 like you brought a lot. This didn't come out of nothing.
7 This came out of the work that you've both done, and all
8 the work that the Consultation Group, and all the work at
9 the districts and in the communities that you all
10 represent. So huge gratitude to you for that.

11 I know that the staff has done a ton of work with
12 all of the CSCs, and the districts, and the People's
13 Blueprint committee to bring us to where we are. And so I
14 think it is a huge improvement. And I want to say, Dr.
15 Balmes, reflective on some of the critique that we
16 received initially, and I want to say there's some real
17 responses here to that.

18 The environmental justice community was here to
19 say there needs to be transparency, there needs to be
20 accountability, there needs to be requirements, there
21 needs to be centering on racial equity. And it took a
22 long time to kind of bring that into a blueprint, but I
23 know that you all brought it into the CSC work. I think
24 some of that was really evident in various of the CERPs
25 and various of the CSCs. Some of it wasn't. And now

1 we're trying to institutionalize that. So huge
2 appreciation for that to come forward. We've learned a
3 lot in these first five years and the Blueprint 2.0 really
4 reflects on that.

5 I think it also is an attempt to acknowledge the
6 significant pollution burden that communities of color in
7 California suffer with. It acknowledges the impacts and
8 the realities of the limited resources. So I'm really
9 impressed with you all the panel here today, because your
10 testament of support means a lot to me. I think it's
11 important that you're saying you're going to stick with it
12 and that you're supportive of this. So I just want you to
13 know how much that means.

14 I have to say, and I've shared with staff, so
15 this isn't a surprise, I -- while I appreciate the real
16 creativity that's in the 2.0, I just don't want us to
17 forget that this is all about being creative, so that we
18 can accommodate limited resources. And we need to tell
19 the Legislature that we need more money for this program,
20 because we're calling it a model program, and yet we're
21 creating another program. I'm going to call the L-CERPs
22 another program, because it -- these are not the same as
23 the CERPs.

24 And I'm really nervous about creating a set of
25 second class programs. And I don't mean any disrespect

1 with that, but if you look at \$300,000 community air grant
2 that would be utilized to put a community in charge of
3 creating a CERP, I love that. I think the community
4 empowerment aspect of that is powerful and it's important,
5 but that is against millions of dollars that the districts
6 have had to do a CERP. And I just want us to be aware of
7 that and not think of these as the same thing. And I
8 don't think staff has said that they are. I think that
9 you've made clear that they are not, but they're not in
10 regards to the development of the CERP. There's a huge
11 difference in the money. And then there's not going to be
12 the district approval or the district buy-in potentially.
13 There's not going to be the millions of dollars in
14 incentives that will -- that will be required to follow.
15 We want that to happen, but we have a huge job to do to
16 ensure that it does happen.

17 So I'm' trying to balance community empowerment
18 with disenfranchisement honestly. I think that we cannot
19 set up a bunch of plans that have nowhere to go, that have
20 no implementation money associated with them. So I want
21 us to figure out how we say very clearly to each other and
22 to the Legislature that this -- I think you said it,
23 Davina, this is not a victory lap. This is us making due
24 again, which is what we do in our communities. And it's
25 not saying, oh, we figured it out. It's we can do this

1 with a lot less money. So I just -- I just feel like we
2 have a lot further to go. So I'm looking forward to doing
3 that with all of you.

4 I want to say a few specific things about the
5 CERP approval by the Executive Officer, which I think is
6 okay, if -- with a couple of conditions in my mind. One
7 is that I think contentious CERPs should have the option
8 of coming to the Board. We've had that happen. There
9 ought to be a place where those CERPs get -- can get
10 debated or elevated, so I'd like to suggest that and hear
11 what other Board members have to say about that.

12 And secondly, that program evaluation has to be
13 rigorous. And I love this idea of this annual meeting,
14 where we bring everyone together and look at the work that
15 all of the communities have done and look at it both in
16 terms of the hard metrics, how are we achieving the goals,
17 what are attributed to the CERPs, what are attributed to
18 the local work, what's attributed to the State level work,
19 and what, for instance, is being attributed to the BARCT
20 development, what's being attributed to new stationary
21 source rules at the local level, and so how are we
22 spending our money? That that should be really clear and
23 transparent in the development of -- in the evaluation.

24 And I think I'm reading it correctly, I'll look
25 the Chair, that we would spend an entire Board meeting on

1 just looking at the 617 communities and really dedicating
2 that time, because we're not going to be doing it all
3 during the year. So I'd love clarification on that, if
4 that's what I'm understanding.

5 I think the other is that, and I've said what I
6 wanted to say about the L-CERPs, I think we have to -- I
7 would like to see that the air districts would be required
8 to participate. And I don't know what that looks like.
9 I'm looking to all of you to figure that out. But what I
10 worry about is if a community is empowered to do it, they
11 do it. It's a great plan and the air district ignores it.
12 That's not going to work. So I feel like we need to
13 figure out a way to retain the community empowerment, but
14 require the district to come forward or strongly encourage
15 the district to come forward and be part of it.

16 And I think lastly I just want to say that, I've
17 said this before too, the funding allocations are not as
18 transparent and not as equitable as they need to be. And
19 I want to really appreciate the work that the staff have
20 done to provide additional funding to some of the
21 districts who have brought in second communities. And I
22 really feel like that's been very important and has
23 allowed them to do that. That may not continue, so I want
24 to make sure that we're looking at sustained funding for
25 the districts as well. And I want to appreciate CAPCOA

1 and their ability to have a collaborative approach that I
2 think is conning to evolve, so that we have equitable
3 funding.

4 So that's -- those are my comments. I am excited
5 about 2.0 and I appreciate Dr. Balmes' thought that we
6 need regular revisions. We can't wait five years for us
7 to take a look at this again. And I'd like to look back
8 on how we can actually make the L-CERP -- elevate the
9 L-CERPs in a way that makes sense for the community.

10 Thank you.

11 CHAIR RANDOLPH: All right. Thank you. And I
12 made a note to follow back on two of your specific points
13 after the comments.

14 Dr. Pacheco-Werner.

15 BOARD MEMBER PACHECO-WERNER: Hi. Thank you,
16 Chair and thank you to everyone who spoke today, including
17 the public commenters. I think there's two things. One,
18 I really want to applaud the emphasis on more meaningful
19 engagement sort of solidifying that within the CSC
20 membership. One of my concerns around -- and so I just
21 want to kind of understand this. And so if I'm incorrect,
22 please let me know.

23 One of the things I'm concerned about is in terms
24 of like how the Consultation Group continues, are we
25 building a bridge for more meaningful engagement for

1 people that have felt like they have not had a voice in
2 this process up until now to meaningfully participate?
3 And if it's not within the guidelines now, maybe it's on a
4 more voluntary basis in terms of folks doing some
5 leadership development and helping others step into these
6 leader spaces, because I really see that we heard from
7 people today that we only get to hear in public comment.
8 And I really want to see how we're building tracks for
9 folks to be more -- emerge in the leadership of what's to
10 come in this, because I do think that they provide
11 important feedback.

12 And then I also want to echo the concern around
13 the local CERPs just in terms of, you know, what are
14 the -- what are the requirements, what are the -- I think
15 that folks are still kind of confused. And so if not
16 here, I wonder, you know, in the future engagement with
17 all the stakeholders that spoke on business, on community,
18 on the Board side to actually get this a little bit more
19 solidified in terms of what are the opportunities for
20 the -- what the accountability is going to look like at
21 the end of the day. I know that when we started this
22 process and other processes, some of the -- some of the
23 concerns that I see are around expectation setting. And
24 so I just want to see that that -- we make sure to learn
25 those lessons. And I really see so many lessons learned

1 already reflected on the Blueprint. So just great job on
2 that.

3 Thank you so much.

4 CHAIR RANDOLPH: Thank you.

5 Dr. Shaheen.

6 BOARD MEMBER SHAHEEN: Thanks so much, Chair. I
7 wanted to echo a lot of the comments just very briefly
8 that have been made by other Board members, but I was
9 particularly moved by the video presentation at the
10 beginning reflecting everybody's comments coming together,
11 the hard work of the staff, really moved by the panel
12 presentation, and, of course, the public comments.

13 I agree this should not be considered a victory
14 lap at all. This is a really long road ahead of us, but I
15 see a lot of promise, a great deal of promise in Blueprint
16 2.0 and willingness for people to work together. So I'm
17 really eager to see even more voices at the table.

18 I was really happy to see the discussion today
19 about expanding the partnerships and working more closely
20 together, so I'm also really grateful for the leadership
21 of all the Board members who have worked really hard on
22 this, some no longer on the Board and all of you here with
23 us tonight.

24 So my comments fall into kind of three key areas.
25 The first is really around the importance of ongoing

1 evaluation, so delighted to hear about a third-party being
2 brought in, loved to echo Dr. Balmes' comments, and a
3 public commenter saying about the importance of bringing
4 in a public health component to that evaluation. That's
5 going to be critical to tracking and accountability.

6 Metrics are going to need to be continually I
7 think revisited and updated in the context of all of the
8 plans as they come in. They're all going to be diverse
9 and so we need to make sure we've got the right metrics
10 and consistently measuring that throughout. I wanted to
11 make a point related to data and data access.

12 So prior to joining the Board, I followed 617
13 quite a bit and was really excited about the ability for
14 communities to collect their data and really feel like
15 that it's theirs, but I want to work more on data access
16 and transparency as it relates to evaluation of the
17 program.

18 Second, I want to address the issue of
19 implementation. And this came through in comments that
20 came to the Board in advance and how do we ensure that the
21 emission reduction plans are indeed implemented? And I
22 think this is closely related to the issue of resources.
23 And so I would like to weigh in and also say that I think
24 we need more in funding from the Legislature for these
25 programs, but also for staff, so that we can get this

1 done.

2 I think related to this, this showed up in slide
3 34 in the deck tonight, on the focus and need for support
4 tools, so how are we going to prioritize emission
5 reductions in those plans, because I think that's going to
6 be a very important element to getting at implementation.
7 What should come first?

8 And then my third final comment area relates to
9 community focused enforcement. And I think this is
10 absolutely critical to empowering the voices at the table
11 and to ensuring that everyone feels like we're getting
12 towards implementation and towards the community feeling
13 that their wishes are being enforced along with additional
14 elements that may be outside of the Board's purview
15 including pesticides.

16 So again, my appreciation to everyone and very,
17 very grateful to be part of this process and to hear that
18 we're going to have annual updates if not more in the
19 future.

20 So thank you.

21 CHAIR RANDOLPH: Thank you. I am going to call
22 on Board Member Kracov followed by Assembly Member Garcia.

23 BOARD MEMBER KRACOV: Thank you so much, Chair.
24 And first, I want to thank our Board members, Dr. Balmes
25 and Davina Hurt for working so hard on this. I think it's

1 a great example of getting the Board members involved in
2 substantive areas and having the Board members lean in.
3 And I think it's something we can really learn from in all
4 the different program areas, find ways to get the Board
5 members involved, find ways to get the Board members to
6 make a difference.

7 I was just observing, because he's sitting next
8 to me, Dr. Balmes reading his notes here. And you know
9 what they say about doctor's handwriting, I don't know how
10 you read any of this here, Dr. Balmes.

11 (Laughter).

12 BOARD MEMBER KRACOV: Yeah. But thank you so
13 much for all the work that you did here. I also want to
14 thank the OCAP staff Deldi and Femi, good to see you.
15 Andrea, Adriana, Heather. Is here. I see Liliana in the
16 back. So thank you all. And of course, everybody that
17 was part of the committee working on the Blueprint, the
18 Consultation Group. Too many people to name, but again, I
19 we've done our best to try to shout out the people that
20 really made a difference on this and I know that there's
21 others as well.

22 You know, in the South Coast AQMD we have six of
23 the AB 617 communities all the way from Carson through the
24 710 freeway area out to San Bernardino and then out to
25 Eastern Coachella. So it's really a big program. I want

1 to thank the participants from the South Coast here today.
2 Moses so good to see you. Dr. Heard-Johnson. I see
3 Kathryn Higgins from the South Coast AQMD in the back as
4 well. So it takes just a tremendous amount of work to
5 effectively manage these 617 programs. And I want to
6 thank you all so much for that.

7 Don't have a lot more to add from what has been
8 said by the others today. One thing though that I did
9 want to talk about a little bit -- of course, my computer
10 just froze here on my notes. Maybe I should have hand
11 written it like you, Dr. Balmes -- is best available
12 retrofit control technology, BARCT. Pursuant to AB 617,
13 certain of the air districts are required to adopt an
14 expedited schedule for BARCT for implementation by the end
15 of this year, December 31st, 2023. And I don't know why
16 my computer is freezing here, but I know that we, in the
17 Blueprint goal 4, talk about how one of the things that
18 CARB is trying to do is work with the air districts on the
19 BARCT aspects, on stationary sources. I had it here right
20 in front of me, but it's gone now, so I'll talk off the
21 cuff.

22 That -- we have the clearinghouse. We have the
23 website which goes through the different air districts and
24 lists how they're doing on BARCT. But I do have a
25 question for staff if I can on this, Chair. We didn't

1 hear a lot about BARCT today. I know it's part of the
2 Blueprint. I know it's goal 4. Can we spend a couple
3 minutes in getting staff's observations on how is the
4 expedited BARCT coming along with the air districts, that
5 part of AB 617? And then if you don't mind a related
6 question, which is what do you see as CARB's role in
7 making sure that the districts are -- and that includes my
8 own, but I think we're doing a pretty good job, but you'll
9 let me know. What do you see as CARB's role in reviewing
10 the districts' compliance or assisting the districts'
11 compliance with this aspect of 617.

12 Thank you.

13 EXECUTIVE OFFICER CLIFF: And I'm going to ask
14 Deldi who's online to respond to this, please.

15 OCAP CHIEF REYES: Certainly. I hope everyone
16 can hear me?

17 CHAIR RANDOLPH: Yes.

18 OCAP CHIEF REYES: Oh, I apologize for my voice.
19 Good evening Chair Randolph and CARB Board. Board Member
20 Kracov, thank you for this question. This is a very
21 important element of AB 617. CARB does track the progress
22 of each of the 18 air districts that have stationary
23 sources that fall under this requirement of 617. At this
24 time, the air districts are on track to evaluate the rules
25 that cover these sources and update the rules that need to

1 be brought up to the BARCT level.

2 You asked about our role. We have two major
3 roles. One, we administer annual grants to air districts
4 to implement the program. This is to all 18 air
5 districts. And in part those funds support the air
6 districts the meet the expedited BARCT requirements.

7 And we also have oversight responsibilities for
8 all air districts. This includes coordinating,
9 encouraging, and reviewing the efforts of all levels of
10 government in terms of air quality. We support air
11 districts to provide transparency about the implementation
12 of AB 617, including the expedited BARCT provision. Air
13 districts pose their updated rulemaking schedules online
14 and we link to those pages to allow the public to review
15 the progress for all the districts in one place.

16 And we've also posted -- together with air
17 districts, we have worked on many, many answers to many,
18 many questions about stationary source permitting that
19 have come to us from the public and that includes a number
20 of questions about expedited BARCT. And these are on
21 CARB's website.

22 And you are -- thank you for calling out goal 4.
23 That is one of the places in Blueprint 2.0 where we are
24 reflecting this commitment. And also in part two of the
25 Blueprint, we also detail the foundation of the law -- of

1 617, including expedited BARCT. And we would like to work
2 in partnership with the air districts to be able to assess
3 the impact of these expedited BARCT provisions in terms of
4 actual emissions reductions.

5 Thank you.

6 BOARD MEMBER KRACOV: So thank you very much for
7 that. I'm sorry to make you talk so much. I can tell
8 that you're a littler under the weather. So I do want to
9 highlight that, you know, the importance to -- of BARCT.
10 I know that it was one of the things that was important to
11 author Cristina Garcia back in the day with AB 617. And
12 I'm happy to see that CARB is continuing its commitment
13 to, in a transparent way, identify how the districts are
14 doing and keep an eye on it and work with the districts in
15 a cooperative way to implement those really and important
16 stationary source requirements.

17 So thank you for that. I'm very supportive of
18 this effort. And I was joking with Dr. Balmes and
19 Councilmember Hurt, I was saying if it's -- if the
20 Blueprint is good enough for the two of you after all the
21 work you've put in, it's good enough for me. So thank you
22 very much for the time to everyone and supportive
23 certainly of this item, Chair

24 CHAIR RANDOLPH: All right. Thank you.

25 Assemblymember Garcia.

1 ASSEMBLYMEMBER GARCIA: Thank you, Madam Chair,
2 colleagues of the Board, and staff. I'll start off by
3 saying that I truly believe that Blueprint 2.0 is a better
4 plan, because of all of the efforts to ensure that our
5 reach was farther when it comes to developing what I
6 believe is a strategy to achieve the AB 617 goals and
7 objectives. And so I'll dare to say that it is a better
8 plan, because of that work, all of the voices that have
9 contributed to this effort.

10 A lot has been said and I would just like to
11 point to the comments made by Board Member De La Torre.
12 He pointed out very specific measurable reductions and
13 improvements in specific communities as it relates to
14 emissions, better air quality in certain areas, as a
15 result of this program. And even though it's the first of
16 its kind and we're building it as we go, I think it's fair
17 to say that it is meeting its objectives. And so I just
18 wanted to reinforce that point, because if it wasn't, then
19 why move forward with a 2.0 Blueprint, why would there be
20 so many communities raising their hand wanting to
21 participate in this program.

22 And I'll tell you, this program isn't and wasn't
23 intended for everyone. It can't be everything to
24 everyone, because then it won't be anything to those
25 communities that are disproportionately impacted by air

1 quality issues. And I understand that there are other
2 communities that believe that they should be part of the
3 program and perhaps they should. But that does not mean,
4 as it's been reiterated today, that there aren't ways of
5 mitigating, minimizing those air pollution issues, those
6 air quality issues in those communities just because
7 they're not a 617 community. I want us to make sure that
8 we really look at that through that lens.

9 I want to make sure that everyone knows that I've
10 heard loud and clear the issue of funding is fundamental
11 moving forward. We will continue to work to champion the
12 issue of increased budget for these programs, but we can't
13 do this alone. When it comes to the budget, when it comes
14 to those conversations, we need all of the voices that
15 have shown up today to be there as well and to advocate
16 for the funding, and get their representatives on board
17 with this effort. We won't be able to do this alone and I
18 just wanted to say thank you to all those who have
19 participated from the community all the way to the members
20 of the CARB team.

21 I know this isn't just an exercise where we're
22 checking boxes. I know that everyone involved is taking
23 this extremely serious and recognizes the implications of
24 this work. It is transformational. And it is to improve
25 the health and well-being of Californians who live and

1 those who unfortunately are no longer here with us and
2 have suffered from pollution for decades that this is a
3 program that we believe in could turn around those
4 circumstances.

5 So I just wanted to say thank you to all,
6 including the team at CARB who have put together Blueprint
7 2.0, which I strongly believe is a better plan for us
8 moving forward. Those are my comments, Madam Chair.

9 CHAIR RANDOLPH: All right. Thank you,
10 Assemblymember Garcia.

11 I'm going to disagree with some of my colleagues
12 a little bit, because I kind of think a victory lap is
13 somewhat warranted here.

14 (Laughter).

15 CHAIR RANDOLPH: There has been so much work that
16 has gone into this Blueprint 2.0. and in two ways, right?
17 One way is the process of preparing this document. It's
18 the Consultation Group. It's the People's Blueprint.
19 It's the writers group. It's all of the things that Dr.
20 Balmes talked about. And it's, you know, hours of
21 discussion and thought, but it's also the work of all of
22 you, particularly the members of our panel, those that we
23 saw in that video, which was amazing by the way. Thank
24 you so much, staff, for putting that together.

25 The willingness to share your experiences with

1 the program, you know, both those of you who are on CSCs
2 and those of you who are participating in other ways, you
3 know, being willing to take the time and express what went
4 well, what needs work, all of that has gone into this --
5 to this document, the hours and hours of air district
6 staff time that I know is really challenging sometimes for
7 air district employees.

8 And so I just want to appreciate that work and
9 the thought that went into this. And, of course, Dr.
10 Balmes and Board Member Hurt who were really instrumental
11 in this process and really want to uplift Chanell Fletcher
12 and Deldi Reyes in, you know, just showing such incredible
13 leadership in moving this process forward and bringing
14 this to us here.

15 I want to follow up on a few points that my
16 colleagues mentioned. I think to Board Member Takvorian's
17 point, I don't know that we need to always say it's the
18 only item on the Board, but I think your point is really
19 well taken, which is, you know, we want to make sure as
20 we're planning that annual meeting that we're giving
21 ourselves the time and the space to really engage,
22 recognizing that we save some time throughout the year and
23 this is really an important opportunity for us to talk
24 about the program, hear how it's going, and hear from as
25 many voices as possible.

1 I think -- and I think it's also helpful to
2 provide guidance to our Executive Officer that if there is
3 a CERP that is difficult and controversial that, you know,
4 we would encourage you to bring that forward if it's
5 needed.

6 And then to Dr. Pacheco-Werner's point about the
7 Consultation Group and sort of, you know, how do we keep
8 engaging on that. I think perhaps that's something that
9 staff can take back and think about how that's going to
10 occur. And that would be a good opportunity for that
11 first annual update, like how have we continued to engage
12 with the folks that have put so much work into building
13 this sort of next iteration of the program. And I was
14 very hopeful when I saw Assemblymember Garcia's hand up
15 that he would share his continued support for funding for
16 the program and we very much appreciate that.

17 And so with that, the Board have before them
18 Resolution 23-22. Do I have a motion and a second?

19 BOARD MEMBER BALMES: I make the motion to
20 approve

21 BOARD MEMBER HURT: I'll second.

22 CHAIR RANDOLPH: All right. Board Clerk, will
23 you please call the roll.

24 BOARD CLERK MOORE: Dr. Balmes?

25 BOARD MEMBER BALMES: Yes.

1 BOARD CLERK MOORE: Mr. De La Torre?

2 BOARD MEMBER DE LA TORRE: Yes.

3 BOARD CLERK MOORE: Mr. Eisenhut?

4 BOARD MEMBER EISENHUT: Yes.

5 BOARD CLERK MOORE: Senator Florez?

6 BOARD MEMBER FLOREZ: Florez aye.

7 BOARD CLERK MOORE: Mr. Guerra?

8 BOARD MEMBER GUERRA: Guerra aye.

9 BOARD CLERK MOORE: Ms. Hurt?

10 BOARD MEMBER HURT: Davina Hurt aye.

11 BOARD CLERK MOORE: Mr. Kracov?

12 BOARD MEMBER KRACOV: Yes.

13 BOARD CLERK MOORE: Mr. Rechtschaffen?

14 BOARD MEMBER RECHTSCHAFFEN: Yes.

15 BOARD CLERK MOORE: Dr. Pacheco-Werner?

16 BOARD MEMBER PACHECO-WERNER: Yes

17 BOARD CLERK MOORE: Dr. Shaheen?

18 BOARD MEMBER SHAHEEN: Aye.

19 BOARD CLERK MOORE: Ms. Takvorian?

20 BOARD MEMBER TAKVORIAN: Aye.

21 BOARD CLERK MOORE: Chair Randolph?

22 CHAIR RANDOLPH: Yes.

23 BOARD CLERK MOORE: Madam Chair, the motion
24 passes.

25 CHAIR RANDOLPH: All right. Thank you so much

1 and thank you again to our panelists for being here with
2 us this evening

3 (Applause).

4 CHAIR RANDOLPH: And that was our final agenda
5 item, so the October 26th, 2022 -- sorry, 2023 CARB Board
6 meeting is now adjourned.

7 Thank you.

8 (Thereupon the Air Resources Board meeting
9 adjourned at 7:19 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

