

JOINT MEETING
STATE OF CALIFORNIA
AIR RESOURCES BOARD
AND
ENVIRONMENTAL JUSTICE ADVISORY COMMITTEE

ZOOM PLATFORM

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
COASTAL HEARING ROOM
1001 I STREET
SACRAMENTO, CALIFORNIA

THURSDAY, SEPTEMBER 11, 2025

4:19 P.M.

JAMES F. PETERS, CSR
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APPEARANCES

BOARD MEMBERS:

Liane Randolph, Chair

John Balmes, MD (Remote)

Hector De La Torre

John Eisenhut

Senator Dean Florez (Remote)

Todd Gloria (Remote)

Eric Guerra

Lynda Hopkins (Remote)

Dawn Ortiz-Legg (Remote)

Cliff Rechtschaffen

Susan Shaheen, PhD

Diane Takvorian

ENVIRONMENTAL JUSTICE ADVISORY COMMITTEE:

Martha Dina Argüello, Co-Chair, Physicians for Social Responsibility, LA (Remote)

Dr. Catherine Garoupa, Co-Chair, Central Valley Air Quality Coalition

Juan Flores, Center on Race, Poverty & the Environment (Remote)

Kevin Hamilton, Medical Advocates for Healthy Air

Thomas Helme, Valley Improvement Projects

Matt Holmes, California Environmental Justice Coalition

Luis Olmedo, Comité Cívico del Valle (Remote)

APPEARANCES CONTINUED

ENVIRONMENTAL JUSTICE ADVISORY COMMITTEE:

Jill Sherman-Warne, Native American Environmental
Protection Coalition

LEAD MEDIATOR/FACILITATOR:

Jane Harrington, Leading Resources, Inc.

STAFF:

Steve Cliff, PhD, Executive Officer

Courtney Smith, Principal Deputy Executive Officer

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

Chanell Fletcher, Deputy Executive Officer, Equity,
Communities & Environmental Justice

Christopher Grundler, Deputy Executive Officer, Mobile
Sources and Incentives

Edna Murphy, Deputy Executive Officer, Internal Operations

Karina Jhaj, Air Pollution Specialist, Office of
Environmental Justice, Tribal Affairs, and Border
Relations

ALSO PRESENT:

Edgar Barraza, Physicians for Social Responsibility - Los
Angeles

Casey Dunn, Southern California Edison

Nile Malloy, California Environmental Justice Alliance

Katie Valenzuela, Central Valley Air Quality Coalition

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PROCEEDINGS

CHAIR RANDOLPH: Good afternoon. Welcome to the September 11th joint meeting of the California Air Resources Board and the Environmental Justice Advisory Committee.

CARB Board Clerk, will you please call the roll of the CARB Board members.

BOARD CLERK FRENCH: Dr. Balmes.

BOARD MEMBER BALMES: Here.

BOARD CLERK FRENCH: Mr. De La Torre.

BOARD MEMBER DE LA TORRE: Proudly here.

(Laughter).

BOARD CLERK FRENCH: Mr. Eisenhut.

BOARD MEMBER EISENHUT: Here.

BOARD CLERK FRENCH: Senator Florez.

BOARD MEMBER FLOREZ: Florez here.

BOARD CLERK FRENCH: Mayor Gloria.

BOARD MEMBER GLORIA: Here.

BOARD CLERK FRENCH: Mr. Guerra.

BOARD MEMBER GUERRA: Here.

BOARD CLERK FRENCH: Ms. Hopkins.

BOARD MEMBER HOPKINS: Present. And should I make my disclosure now or shortly?

CHAIR RANDOLPH: You can go ahead and do it now.

BOARD MEMBER HOPKINS: Okay. For the record, I

1 was planning on attending the meeting in person in
2 Sacramento today, but one of my children suffered an acute
3 injury last night and I was up all night getting her
4 medical care. I am unable to participate at the meeting
5 in person in Sacramento due to the need to remain home to
6 care for her, as well as my inability to drive to
7 Sacramento due to the risk of -- very real risk of falling
8 asleep behind the wheel at this point.

9 (Laughter).

10 CHAIR RANDOLPH: Thank you. And I hope she's
11 feeling better.

12 BOARD CLERK FRENCH: Assembly Member Jackson.

13 Mayor Lock-Dawson.

14 Ms. Ortiz-Legg.

15 BOARD MEMBER ORTIZ-LEGG: Here.

16 BOARD CLERK FRENCH: Dr. Pacheco-Werner.

17 Mr. Rechtschaffen.

18 BOARD MEMBER RECHTSCHAFFEN: Here.

19 BOARD CLERK FRENCH: Dr. Shaheen.

20 BOARD MEMBER SHAHEEN: Here.

21 BOARD CLERK FRENCH: Senator Stern.

22 Ms. Takvorian.

23 BOARD MEMBER TAKVORIAN: Here.

24 BOARD CLERK FRENCH: Chair Randolph.

25 CHAIR RANDOLPH: Here.

1 BOARD CLERK FRENCH: Madam Chair, we have a
2 quorum.

3 CHAIR RANDOLPH: Thank you. I will now ask the
4 meeting facilitator Jane Harrington from Leading Resources
5 to call the roll of the Environmental Justice Advisory
6 Committee members.

7 FACILITATOR HARRINGTON: Thank you. Good
8 afternoon.

9 Martha Dina Argüello.

10 MARTHA DINA ARGÜELLO: Here.

11 FACILITATOR HARRINGTON: Juan Flores.

12 JUAN FLORES: Here.

13 FACILITATOR HARRINGTON: Dr. Catherine Garoupa.

14 DR. CATHERINE GAROUPA: Here.

15 FACILITATOR HARRINGTON: Kevin Hamilton.

16 KEVIN HAMILTON: Here.

17 FACILITATOR HARRINGTON: John Harriel, Jr.

18 Thomas Helme.

19 Matt Holmes.

20 MATT HOLMES: Present.

21 FACILITATOR HARRINGTON: John Kevin Jefferson

22 III.

23 Rey León.

24 Luis Olmedo.

25 Jill Sherman --

1 LUIS OLMEDO: Here.

2 FACILITATOR HARRINGTON: Thank you, Luis. Noted.

3 Jill Sherman-Warne.

4 JILL SHERMAN-WARNE: Present.

5 FACILITATOR HARRINGTON: We have a quorum.

6 CHAIR RANDOLPH: All right. Thank you. I will
7 now take a moment to address a few housekeeping items. We
8 are conducting today's meeting in person with remote
9 options available to the public by phone and in Zoom.
10 EJAC members may attend this meeting remotely in
11 accordance with Government Code section 11123.5, and some
12 Board members may also attend remotely in accordance with
13 Government Code section 11123.2.

14 Anyone who wishes to testify today in person
15 should fill out a request-to-speak card available in the
16 foyer and turn it into a Board assistant prior to the
17 commencement of the item. If you are participating
18 remotely, you will raise your hand in Zoom or dial star
19 two, if calling in by phone. The clerk will provide
20 further details regarding how public participation will
21 work in just a moment.

22 For safety reasons, please note the emergency
23 exit to the rear of the room through the lobby. In the
24 event of a fire alarm, we are required to evacuate this
25 room immediately and go down the stairs to the left of the

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

4 A closed captioning feature is available for
5 those joining us in the Zoom environment. In order to
6 turn on subtitles, please look for a button labeled "CC"
7 at the bottom of the Zoom window, as shown in the example
8 on the screen now. I would like to take this opportunity
9 to remind everyone to speak clearly and from a quiet
10 location, whether you are joining us in Zoom or calling in
11 by phone.

12 Interpretation services will be provided today in
13 Spanish. If you are joining us using Zoom, there is a
14 button labeled "Interpretation" on the Zoom screen. Click
15 on that interpretation button and select the meeting --
16 select Spanish to hearing the meeting in Spanish. If you
17 are joining us here in person and would like to listen to
18 the meeting in Spanish, please notify a Board assistant
19 and they will provide you with further instructions. I
20 want to remind all of our speakers to speak slowly and
21 pause intermittently to allow the interpreters the
22 opportunity to accurately interpret your comments.

23 Oh, turn on the mic.

24 THE INTERPRETER: Good afternoon, Board members.

25 (Interpreter translated in Spanish).

1 CHAIR RANDOLPH: Thank you. I will now ask the
2 Board clerk to provide more details on today's procedures.

3 BOARD CLERK FRENCH: Thank you, Chair Randolph.
4 Good evening, everyone. I will provide additional
5 information on public participation for today's meeting.
6 We will first call in-person commenters who have turned in
7 a request to speak card and then call commenters who are
8 joining us remotely. If you are joining us remotely and
9 wish to make a verbal comment, you must be using Zoom
10 webinar or calling in by phone. If you are watching in
11 the webcast, but you wish to comment remotely, please
12 register for the Zoom webinar or call in. Information for
13 both can be found on the public agenda for Tuesday's
14 meeting. To make a verbal comment, we will be using the
15 raise feature in Zoom. If you wish to speak on a Board
16 item, please virtually raise your hand as soon as the item
17 has begun to let us know that you wish to speak.

18 If you are using a computer or tablet, there is a
19 raise hand button. And if you are calling in on the
20 telephone dial pound two to raise your hand. When the
21 comment period begins, the order of commenters is
22 determined by who raises their hand first. We call each
23 commenter by name and will activate each commenter's audio
24 when it is their turn to speak. For those calling in, we
25 will identify you by the last three digits of your phone

1 number. We will announce the next three or so commenters
2 in the queue so you're ready to testify when we come to
3 you.

4 Please note, your testimony will not appear by
5 video for all commenters, please state your name for the
6 record before you speak. This is especially important for
7 those calling in by phone. Each commenter will have a
8 time limit of two minutes, although this may change at the
9 Chair's discretion. During public testimony, you will see
10 a timer on the screen. For those calling in by phone, we
11 will let you know when you have 30 seconds left and when
12 your time is up. For anyone giving verbal comments today
13 in Spanish, please indicate so at the beginning of your
14 testimony and our interpreter will assist you. During
15 your comments, please follow any instructions the
16 interpreter provides. Please note, your time will be
17 doubled if you require Spanish interpretation.

18 To submit written comments, please visit CARB's
19 comment on Board items box on the public agenda on our
20 webpage for links to submit your comment. Written
21 comments will be accepted until the chair closes the
22 record. If you experience technical difficulties, please
23 call (805)772-2715 so an IT person can assist.

24 Thank you. I'll turn the microphone back to
25 Chair Randolph.

1 CHAIR RANDOLPH: All right. Thank you. As the
2 Board clerk mentioned, there will be an opportunity to
3 provide public comment at today's meeting following the
4 presentations and the joint discussion between the
5 Environmental Justice Advisory Committee and the CARB
6 Board members. So if you are here in the room and wish to
7 comment, please go ahead and fill out a request-to-speak
8 card as soon as possible and submit it to a Board
9 assistant per the instructions that she just provided.

10 Assembly Bill 22 directs the California Air
11 Resources Board to convene an Environmental Justice
12 Advisory Committee, also known as EJAC to advise the Board
13 in developing the Scoping Plan and any other pertinent
14 matters related to the implementation of AB 32. The
15 Committee is comprised of environmental justice and
16 community leaders from throughout the state. This is the
17 third joint meeting between the Board and EJAC, since both
18 bodies adopted the EJAC Charter in March 2023 establishing
19 EJAC as an ongoing advisory committee.

20 As an ongoing advisory body, the Committee
21 provides a key bridge between the Board and the
22 communities most impacted by air pollution and the effects
23 of climate change. These joint meetings provide a
24 critical opportunity to elevate priorities identified by
25 the Committee to the Board and to build on the work

1 conducted by EJAC at its public meetings throughout the
2 year.

3 This joint meeting is of particular importance as
4 it is the last one before the current committee members
5 end their terms in March 2026. I want to really take a
6 moment to thank all of the Committee members for your
7 incredible dedication and the time and effort that you
8 have put into this Committee and in to representing
9 communities across California. EJAC's ongoing engagement
10 reminds us all of our commitment to incorporate equity and
11 environmental justice into our programs, which continues
12 to be a focus for CARB into the future.

13 I'm looking forward to our conversation this
14 afternoon, as we have reaffirmed our shared commitment to
15 addressing the climate crisis, while protecting and
16 uplifting communities, and most importantly, those
17 communities that are vulnerable to air pollution and the
18 effects of climate change. I'm sure we all agree that
19 there is a sense of urgency now more than ever as our
20 environmental justice and climate efforts are challenged
21 in ways we have not experienced for a long time, maybe
22 even ever.

23 We see and acknowledge the horror and lives lost
24 in the devastating fires experienced by Californians at
25 the beginning of the year, and the floods in Texas in

1 July. The increasing frequency and severity of extreme
2 weather events and natural disasters like these across the
3 U.S. and around the world shows us the true impact of our
4 changing climate and the critical need for us to work
5 together to build lasting and durable solutions.

6 As those of you who read the papers know, the
7 California Legislature is still in session and the
8 Cap-and-Trade Program, which EJAC is bringing forth a
9 resolution to discuss, is still currently under
10 consideration. The program is in flux and so staff aren't
11 really in a position to respond to the legislation and the
12 specific recommendations, because we need to not be a --
13 to get ahead of that legislative process, but I think we
14 are all looking for the important opportunity to hear the
15 specifics about the resolution and recommendations that
16 EJAC has provided.

17 Lastly -- oh, there she is. I just wanted to
18 give a special thanks to our Co-Chairs. Martha Dina and
19 Catherine - I'm going to carry the mic - have put in an
20 amazing amount of work along with Kevin who isn't here
21 yet, so I -- we can't really.

22 (Applause).

23 CHAIR RANDOLPH: But I just thought it was
24 important to personally acknowledge the hours and hours of
25 conversation that we have had over the last few years, the

1 amount of time that you both have put into this process,
2 and I know this work will continue with both of you in --
3 no matter what capacity. But I really personally wanted
4 to thank you for everything you've done and how great you
5 are to work with you and how kind and thoughtful you are,
6 so...

7 (Applause).

8 MARTHA DINA ARGÜELLO: It's not often I get
9 called kind.

10 (Laughter).

11 CHAIR RANDOLPH: Okay. Now, I will turn over the
12 mic to Jane Harrington to facilitate the meeting.

13 FACILITATOR HARRINGTON: Thank you, Chair. My
14 name is Jane Harrington with the firm Leading Resources
15 here in Sacramento. I'm a third-party facilitator working
16 with EJAC and CARB. My role tonight will be to assist in
17 facilitation, keeping us on time and moving through our
18 two topics. Those topics include both presentations and
19 discussion on building decarbonization and the
20 Cap-and-Trade Program.

21 To make sure we have the discussions we would
22 like on these topics, I will work to keep us on time and
23 may interrupt with a reminder when needed. I will now
24 move to opening remarks by the EJAC Co-Chairs.

25 Martha Dina.

1 MARTHA DINA ARGÜELLO: Good afternoon, Chair
2 Randolph, members of the Board, and my colleagues from the
3 EJAC. Well, I want to thank -- well, first, thank you for
4 the flowers. And I want to thank both CARB and CalEPA for
5 standing with our communities even when it's hard, as it
6 is in this moment. Your commitment to environmental
7 justice matters and we stand with you holding the line for
8 justice. You know, the moment we're living in makes this
9 dialogue with CARB even more important. The work of the
10 EJAC is critical. We bring insights rooted in lived
11 experience and insights too often ignored, and they're
12 often ignored at a great cost to everyone.

13 Right now, as the legislature debates
14 Cap-and-Trade reauthorization and the future of the
15 program, our conversations are even more important for the
16 millions of Californians living with the worst air quality
17 who are not thriving and who do not profit from the
18 current fossil fuel economy. This Board is the last line
19 of defense. The choices you make here determine whether
20 climate policy reduces harm or worsens inequality.

21 This is why we need the Board to engage more
22 deeply with the environmental justice community and the
23 Environmental Justice Advisory Committee. We've advanced
24 resolutions. We've gone through processes that have
25 helped strengthening this process, including authentic

1 community engagement, the work we've done with building
2 decarbonization and showing you what a model of real
3 co-design looks like with community where you engage
4 first, not decide, announce, and defend a Scoping Plan,
5 but actually work with us and in an iterative process.
6 That's incredibly important. And these tools are not
7 symbolic.

8 They point toward healthier and more just
9 solutions as we'll hear later on. So as the EJAC and
10 Board needs to deepen this communication, our community
11 can provide these vital insights from everything from
12 improving community engagement, assessing the
13 environmental justice impacts, and developing rules or --
14 with processes like SB 905, and certainly the
15 Cap-and-Trade regulations once we show what is going to
16 happen.

17 And in closing, I want to urge this Committee and
18 the Board to create working groups that are structured
19 within the open meeting rules that will allow deeper dives
20 between the Environmental Justice Advisory Committee and
21 CARB, so we can share space, examine some of the ongoing
22 issues that we have not been able to resolve in the
23 Scoping Plan, like the modeling, equity analysis,
24 engagement strategies. And so that we ensure that the
25 climate policies that we're passing and honor the intent

1 of AB 32 that does not -- and that is to not make things
2 worse for our communities that are already overburdened by
3 pollution and poverty.

4 This is the kind of intentional co-created work
5 that will make California's climate policies worthy of the
6 people we serve. Thank you.

7 DR. CATHERINE GAROUPA: Thank you, Martha Dina.
8 This is Dr. Catherine. As always, ditto to that. And
9 thank you to the Chair and everyone for the special
10 recognition. It's definitely been my honor to work as
11 Co-Chair over the last few years. As the Chair
12 acknowledged, this is always an intense time of year,
13 particularly heightened now, given the critical issues
14 being discussed in the legislative session and the ongoing
15 egregious attacks from the federal administration on many
16 issues that we hold dear.

17 These are dangerous times, given these vicious
18 attacks, and the cover that that -- those attacks provide
19 for additional violence. I want to ground us and remind
20 us that people of color and poor people are hit first and
21 worst by immigration raids, by the affordability crisis,
22 by the extreme weather events that are driven by global
23 warming and by rollbacks on the environmental protections
24 that we all hold so dear, including the authority that
25 CARB has on mobile sources.

1 Now is more important than ever that we stand
2 together for racial equity and environmental justice. So,
3 despite everything that's going on around us, in this
4 moment what we are here for is a robust discussion between
5 CARB and EJAC, and also want to take a moment to recognize
6 that this is our last joint meeting as this iteration of
7 EJAC with the CARB Board, and that we've been in
8 existence, and many of us have been on this Committee for
9 the last four years.

10 So we started out in 2021 and 2022 during the
11 Scoping Plan process with a strong foundation. We
12 developed robust recommendations for every sector included
13 in the Scoping Plan, developed an environmental justice
14 scenario, and as a body, since that time, we've continued
15 to evolve. It took the leadership of Chair Randolph
16 allowing us to become a permanent body, instead of just
17 convening during the Scoping Plan process. And while I
18 will admit there have been growing pains and there are
19 still structural issues and divides with staff over some
20 of the logistical paths forward, I'm proud that EJAC has
21 learned to speak CARB's language by passing resolutions,
22 by engaging directly with technical experts and with CARB
23 staff when it's possible.

24 We have also developed our voice by speaking at
25 workshops and meetings and appreciate the space that has

1 been carved out for us there. I'm also proud of the work
2 that we've done to pass resolutions on the Low Carbon Fuel
3 Standard, which we had a lot of dialogue about at our last
4 joint meeting. We also had resolutions on Carbon Capture
5 Use and Storage. And the two topics that we'll discuss
6 tonight, equitable building decarbonization and the
7 Cap-and-Trade Program.

8 Now, more than ever, EJAC and CARB leadership
9 need to continue building trust and deepen our
10 consultation and coordination. We are charged with
11 protecting progress on clean air and advancing racial
12 equity. Times like these prove whether the mantle of
13 environmental justice is only claimed when it's
14 politically popular or the commitment to racial equity and
15 justice is steadfast. The Central Valley Air Quality
16 Coalition will not back down on these commitments.

17 Thank you.

18 FACILITATOR HARRINGTON: Thank you, Co-Chairs. I
19 will now turn it over to CARB staff for a presentation.

20 (Slide presentation).

21 OEJTB AIR POLLUTION SPECIALIST JHAJ: Good
22 afternoon, Chair Randolph, members of the Board, and
23 Assembly Bill 32 Environmental Justice Advisory Committee.
24 My name is Karina Jhaj and I'm part of the EJAC team in
25 CARB's Office of Environmental Justice, Tribal Affairs and

1 Border Relations. I'll be providing a brief overview of
2 EJAC's work since the last joint meeting is September of
3 in 2024 to set the stage for today's planned discussion.

4 Next slide, please.

5 [SLIDE CHANGE]

6 OEJTB AIR POLLUTION SPECIALIST JHAJ: So I'll
7 first provide some background information on EJAC, discuss
8 EJAC's resources, progress and areas of focus over the
9 last year, recent EJAC input and responses made by CARB,
10 important acknowledgments, and next steps.

11 [SLIDE CHANGE]

12 OEJTB AIR POLLUTION SPECIALIST JHAJ: Since there
13 are new CARB Board members this year who have not been a
14 part of the past joint meeting discussions, we wanted to
15 take a moment to provide some background on the EJAC. The
16 Board approved the ongoing EJAC in March of 2023. EJAC's
17 directive is to advise the Board on AB 32 related program
18 implementation pursuant to Health and Safety Code,
19 Division 25.5 of Assembly Bill 32.

20 The Committee currently has 11 active members
21 with three members serving as EJAC Co-Chairs, and six
22 members have alternates designated who can attend meetings
23 in their absence. Public meetings with EJAC are currently
24 held a minimum of eight times per year. Joint EJAC
25 meetings with our Board are held one time per year, and

1 the current EJAC members' term limits end on March 23rd,
2 2026.

3 [SLIDE CHANGE]

4 OEJTB AIR POLLUTION SPECIALIST JHAJ: CARB's EJAC
5 team has also grown over the last couple years. The staff
6 team includes: Deputy Executive Officer Chanell Fletcher,
7 who engages with EJAC on CARB policy; Branch Chief Radhika
8 Majhail, who helps connect EJAC members with CARB program
9 staff; and manager Ashley Georgiou, who leads the Office
10 of Environmental Justice, Tribal Affairs, and Border
11 Relations.

12 CARB staff who support the ongoing EJAC process
13 include myself, Christabel Ukomadu and Rebecca Neumann.
14 We also have multiple points of contact from the relevant
15 CARB divisions who we meet with on a routine basis
16 specific to EJAC work. And we have a third-party
17 facilitator and technical writer Leading Resources who
18 plays an integral role in EJAC public meeting
19 facilitation, and technical writing.

20 [SLIDE CHANGE]

21 OEJTB AIR POLLUTION SPECIALIST JHAJ: The ongoing
22 work of EJAC has been very active over the last year.
23 CARB has convened nine public meetings since September
24 2024 covering a range of EJAC topics of mutual interest,
25 including Building Decarbonization, the Five-Year

1 Strategic Research Plan, Methane Satellite Data, Senate
2 Bill 905, Low Carbon Fuel Standard, Cap-and-Trade, Carbon
3 Capture Use and Storage, Natural and Working Lands, CARB
4 research programs and Senate Bill 1137. We're thankful to
5 EJAC members for their thoughtful and informed
6 contributions to these discussions.

7 [SLIDE CHANGE]

8 OEJTB AIR POLLUTION SPECIALIST JHAJ: Ongoing
9 EJAC was developed for a very specific purpose to advise
10 the Board on AB 32 related program implementation. From
11 our perspective, EJAC has contributed to CARB programs and
12 processes alike. For example, back in April of 2025, CARB
13 staff presented to the EJAC in the public meeting to allow
14 for open dialogue on concerns with the proposed
15 Zero-Emissions Space and Water Heater Standards. Staff
16 took EJAC questions from that meeting and developed a
17 written response to allow this information to be readily
18 accessible, including to the public and support future
19 engagement on this topic.

20 EJAC developed Building Decarbonization and
21 Cap-and-Trade Program Recommendations to the Board, which
22 were approved during the August 14th, 2025, public meeting
23 and planned for discussion today. CARB developed a memo
24 in response to the EJAC Building Decarbonization
25 recommendations, which are linked here. And Executive

1 Officer Dr. Steve Cliff provided remarks in the May 2024
2 EJAC public meeting specific to CARB's authority for the
3 Cap-and-Trade Program, no trades zones, and facility level
4 caps. Dr. Cliff also followed up with EJAC members Dr.
5 Catherine Garoupa, Martha Dina Argüello, and Kevin
6 Hamilton in July of 2024 to discuss EJAC's recommendations
7 and concerns with the Cap-and-Trade Program.

8 [SLIDE CHANGE]

9 OEJTB AIR POLLUTION SPECIALIST JHAJ: EJAC is
10 also developing recommendations for Natural and Working
11 Lands, which will be further discussed and voted on later
12 this year, emphasizing the importance of nature-based
13 solutions and achieving greenhouse gas emission
14 reductions. Over this past year, EJAC also provided
15 extensive feedback on the amendments to the Low Carbon
16 Fuel Standard Regulation. CARB developed responses to
17 these recommendations and cited where changes were made,
18 if applicable, which are posted to our EJAC meeting page
19 and linked here. Staff were ultimately able to
20 incorporate some of this feedback into the final
21 regulatory amendment package, namely the inclusion of
22 interstate fuel as a deficit generator and inclusion of
23 modeling of the LCFS Program without avoided methane
24 credits in the comprehensive environmental justice
25 scenario.

1 Next slide, please.

2 [SLIDE CHANGE]

3 OEJTB AIR POLLUTION SPECIALIST JHAJ: We want to
4 express our utmost gratitude to former Board Member Gideon
5 Kracov who was a champion of EJAC and a support for staff
6 and EJAC members alike. We know a champion provides great
7 value allowing for better communication with EJAC and the
8 Board, keeping the Board informed and involved in EJAC
9 activities, and allowing for more support for EJAC.

10 [SLIDE CHANGE]

11 OEJTB AIR POLLUTION SPECIALIST JHAJ: Leading
12 Resources has been a part of the ongoing EJAC process
13 since July of 2024 providing meeting facilitation for
14 joint and public EJAC meetings and working with EJAC
15 members to support development of recommendations to the
16 Board. LRI has been a fantastic resource for both
17 productive public meetings and behind-the-scenes support
18 for ongoing EJAC and CARB. We want to take this time to
19 express our gratitude to Jane Harrington for her continued
20 dedication to this process.

21 [SLIDE CHANGE]

22 OEJTB AIR POLLUTION SPECIALIST JHAJ: And then
23 looking ahead, we will be working with EJAC members to
24 maximize the final year of the first member term, and to
25 cover all desired topics before welcoming on new members.

1 We will have an October 2025, EJAC public meeting to
2 debrief from joint discussion and have guest speaker
3 presentations for EJAC's Natural and Working Lands
4 recommendations. We aim to gather feedback from current
5 EJAC members by late 2025 to ensure we consider their key
6 takeaways from the EJAC process and how we can best move
7 forward and develop our solicitation materials.

8 In order to prepare for a new EJAC solicitation
9 to be released in early 2026, we'll also consider Board
10 member feedback. Recommendations for new EJAC membership
11 is anticipated for Board approval in Summer of 2026.

12 This completes the presentation. Please let me
13 know if you have any questions. Thank you for your time.

14 FACILITATOR HARRINGTON: We'll take a comment.
15 Go ahead.

16 BOARD MEMBER TAKVORIAN: I'm not sure if -- this
17 doesn't bend, so -- and I'm not tall enough, but whatever.

18 (Laughter)

19 KEVIN HAMILTON: It is weird, yeah.

20 BOARD MEMBER TAKVORIAN: It is weird, right?

21 I'm not sure if this is the time that we're
22 talking about the future of EJAC and the transition. Is
23 this -- is this our time?

24 CHAIR RANDOLPH: Yes. That is my understanding.
25 Is staff finished with their presentation on that?

1 EXECUTIVE OFFICER CLIFF: Yes.

2 CHAIR RANDOLPH: Okay. Yeah.

3 BOARD MEMBER TAKVORIAN: Okay. Can you go back
4 to the next steps slide?

5 Can you go back to any slides?

6 BOARD MEMBER TAKVORIAN: So what I wanted to ask
7 about was if I -- if I saw it correctly, it looks like not
8 only is this the last meeting -- and I'd like to express
9 my huge gratitude to the Co-Chairs. Flowers are great,
10 beautiful. Thank you for doing that. And I hope you know
11 that there's appreciation I think from all of us on the
12 Board, but to also say to all of the EJAC members, both
13 those of you who are here today, but who have been here
14 for so long, that I think the EJAC input has been
15 incredibly helpful to the Board. I appreciate our Chair's
16 push to make this a permanent committee. That I think has
17 made a huge difference having lived through that not being
18 the case, and now seeing you as an ongoing resource for
19 us.

20 So, all of that to say, it's a little concerning
21 to me to see the timeline, given that it looks like this
22 is the last -- this is obviously the last joint meeting
23 that we'll have with this EJAC, but it also looks like
24 then there's an October EJAC meeting and then you launch
25 into the recruitment and solicitation for the new EJAC,

1 which is -- which is great. But then, there aren't
2 meetings until mid to late 2026, which seems like it's --
3 that seems like quite a long time, when there isn't much
4 EJAC activity. And if I am reading the landscape
5 correctly, there's going to be a lot to be talking about
6 to fulfill, I think, a lot of the things that our
7 Co-Chairs have -- and our chair of the Board have talked
8 about in terms of issues that need to be addressed.

9 So I'm concerned about that and wonder if we can
10 think about either having another joint meeting or having
11 these workgroups that Martha Dina talked about that
12 perhaps will keep some of that dialogue going, especially
13 with all of you who have such expertise and experience,
14 that, as a Board member, I really want to take advantage
15 of during this period.

16 So, I don't know if we can put that on the agenda
17 for today and have a conversation about how we might
18 change that, but I'd be interested in figuring out a way
19 to maintain communications and -- at least through the
20 working groups if not having another joint meeting.

21 CHAIR RANDOLPH: Does staff have thoughts on
22 that?

23 EXECUTIVE OFFICER CLIFF: Yes. Thank you, Chair
24 and thank you, Board Member Takvorian. So, this is Steve
25 Cliff, Executive Officer. We -- you know, we really value

1 the relationship and the work that you have done. And I
2 didn't get a chance to say thank you, but I will now and
3 really appreciate the efforts that the Co-Chairs and, you
4 know, all of the EJAC have made in continuing this really
5 important work. We very much value the Committee. We're
6 glad to see that you're able to do a meeting in October.
7 And we want to get that new solicitation underway
8 consistent with what the Board had directed us to do in
9 the Charter.

10 We -- as we continue that work next year, we'll
11 endeavor to get our new EJAC, you know, whatever that is.
12 And, of course, all of you can apply to be on the EJAC.
13 There's no limit on who can apply, but we want to open
14 that back up and that will give an opportunity to put
15 together this new Committee, and then we can continue our
16 good work.

17 I would say that with regard to some of the
18 individual rulemakings, to the extent that there are
19 rulemakings that are going on that are of interest to
20 EJAC, that those are an opportunity for individuals, and
21 as representatives of organizations, to participate. We
22 continue to do engagement with a variety of groups that
23 represent communities, one-on-one, and, you know, in
24 various group settings. So I think there's lots of
25 opportunities to continue to inform that work.

1 And then, of course, you guys did a lot of great
2 work. We already have that. We have the resolutions that
3 you put together, so we can learn from that. And, you
4 know, all -- we have these various processes that we put
5 together, including the Community Engagement Model, that
6 can help (clears throat) -- you know, can help us use
7 principles for developing our work going forward.

8 At this point, I'm just -- I don't know that I
9 can commit to resources that allow us to do another joint
10 meeting with this EJAC early in the year, but that's
11 certainly something we hear loud and clear and something
12 that we can look at.

13 CHAIR RANDOLPH: And then, I have a quick
14 question. So, aside from joint meetings, just EJAC
15 meetings, the plan is October would be the -- is the
16 current -- currently planned last EJAC meeting,
17 theoretically --

18 EXECUTIVE OFFICER CLIFF: For this year, that's
19 correct, yeah.

20 CHAIR RANDOLPH: For this year. I mean,
21 theoretically EJAC could meet between now and March as a
22 group, depending on staff resources. But, in terms of the
23 Board calendar, it would be really challenging to insert
24 another joint meeting, am I correct about that?

25 EXECUTIVE OFFICER CLIFF: That's right.

1 CHAIR RANDOLPH: Yeah. Yeah. Kevin.

2 KEVIN HAMILTON: Thank you, Madam Chair, and Dr.
3 Cliff.

4 So, I mean, this is a little bit of a surprise
5 here. Given what's happening right now nationally and
6 within the state, and as we see the Legislature come to a
7 close and a new budget be finally approved, and the
8 changes that are happening there, and the directives that
9 are being crafted and pointed at CARB as the entity along
10 with the energy entities to be making a lot of big
11 decisions and recommendations very soon, as a matter fact,
12 it seems imperative that the EJAC, at the very least, be
13 meeting on a schedule that it creates. And that we would
14 expect to work with CARB on that of course, but we would
15 expect that we would have at least one meeting, if not
16 two, before March to talk about these things and hear from
17 staff and what staff is doing with these.

18 As far as a joint meeting, we understand that
19 that's much more complicated and I leave that to my
20 Co-Chairs to work out. But, as far as, again, EJAC itself
21 meeting, I could see needing at least two meetings between
22 now and March with the work that we see in front of us.

23 Thank you.

24 CHAIR RANDOLPH: So I think -- I think it's
25 important to note -- and, you know, perhaps this is a

1 conversation with the Co-Chairs and staff, but I think
2 it's important to note that regardless of what happens at
3 the Legislature, sort of the timing of when the next steps
4 in the process would be are unclear. Like we don't know
5 exactly what's going to end up landing and we don't know
6 exactly sort of what's going to be on our to-do list and
7 how that's going to be scheduled.

8 So, I think perhaps leaving that open as a
9 conversation between staff and the Co-Chairs probably
10 makes the most sense, because I'm just not sure how much
11 there is going to be between now and March, which was sort
12 of what the Charter anticipated as the next steps. And we
13 also want to make sure that the solicitation process gets
14 underway, you know, quickly and expeditiously and sort of
15 recognizing that that takes some staff time as well. But
16 I think sort of having that dialogue would be useful after
17 the meeting.

18 KEVIN HAMILTON: Sure, but we've all been through
19 this before. Most of us have run down this road for quite
20 a few years now, right? So I think we have a pretty good
21 idea. And tea leaves are fairly simple to read at this
22 point. So, I appreciate that. And, yes, definitely the
23 Co-Chairs. But I'm just throwing in my own two cents
24 there, that there's an imperative here that we get after
25 this. And EJAC needs to be up and on it.

1 And by the way, as far as recruitment, I'm not
2 sure why again another meeting where the recruitment and
3 discussion of those folks who are nominated might also
4 come to the EJAC, because it's the EJAC's members. So,
5 just tossing that out there as well. May as well throw as
6 many logs on the fire as I can while I have the mic.

7 Thanks.

8 (Laughter).

9 CHAIR RANDOLPH: All right. Thank you.

10 KEVIN HAMILTON: But thank you, Madam Chair.
11 You've met -- you met your deal. You did it. This is
12 here and I'll never forget that, so we owe you for that.

13 Thank you.

14 FACILITATOR HARRINGTON: Thank you. I believe
15 that concludes discussion on this item.

16 Oh, go ahead. I'm sorry Dr. Catherine. Please.

17 DR. CATHERINE GAROUPA: Yeah. Thank you. This
18 is Dr. Catherine. So generally I agree with taking the
19 conversation off-line. Obviously, there's a lot to
20 coordinate. I just wanted to also add the additional
21 impetus under the solicitation going out early to
22 mid-2026, and then the new EJAC convening mid-to-late
23 2026. I would encourage us not to have a lag of several
24 months between when this EJAC starts meeting and when the
25 next one starts meeting. So, you know, I think those are

1 the types of conversations that we want to have, is about
2 how to align this overall timeline, knowing that we term
3 out in March, so that there is a smooth hand-off, there's
4 an adequate time for transition, and there's not a lapse.
5 If the goal is to have a minimum of eight meetings a year
6 for EJAC, starting in late 2026 won't set us on that path.

7 CHAIR RANDOLPH: Okay. Thank you.

8 FACILITATOR HARRINGTON: Thank you. I believe
9 that concludes discussion on this item. I do want to note
10 for the record and invite him to state his presence,
11 Thomas Helme has joined us. Tom, would you?

12 THOMAS HELME: Yeah. Sorry. Amtrak was two and
13 a half hours late.

14 (Laughter).

15 THOMAS HELME: So I tried to do public
16 transportation best I could. Tom Helme, co-founder of
17 Valley Improvement Projects. He/him/his. Thank you.

18 FACILITATOR HARRINGTON: Thank you. Glad you
19 made it.

20 All right. We will now turn it over to the EJAC
21 presentation on Building Decarbonization.

22 I will turn that over to EJAC Co-Chair Martha
23 Dina.

24 MARTHA DINA ARGÜELLO: And I will be turning it
25 over to Katie Valenzuela and to Edgar Barraza from PSR,

1 who is I believe on Zoom.

2 And before we start, I do want to, sort of, from
3 both the perspective our organization works on building
4 decarbonization from an equity perspective. And so, it
5 was good to have a lot of expertise on something that was
6 coming up at CARB. And I do think that this has been a
7 model for how we can work with the California Air
8 Resources Board and the staff in a really different way.
9 We felt heard, and we felt supported, and it made a
10 difference, right? It made a difference in the work that
11 we were doing at the local level to promote building
12 decarbonization. It was expansive in a way that I hadn't
13 seen.

14 And so, listening to tenant rights groups,
15 listening to housing justice advocates as well as the
16 folks who feel we have to rapidly decarbonize and balance
17 that. Yes, we have to rapidly decarbonize, but not if
18 we're going to push burdens onto low-income communities,
19 both energy burdens and having been just displaced from
20 the place I lived in for 30 years because of
21 gentrification, I'm highly sensitive to that -- the things
22 that we do sometimes to improve housing, actually means we
23 can't have the nice things once the neighborhoods are
24 better.

25 And so with the building decarb and the staff, I

1 just -- you know, to Emma, just thank you for being a
2 really good partner. And so a lot of the work that both
3 Edgar and Katie are going to talk about is about what that
4 partnership has given us, and I'm -- can I talk about what
5 happened in LA?

6 KATIE VALENZUELA: Yes.

7 MARTHA DINA ARGÜELLO: Yes. So because of this
8 work, the housing justice and other advocates in LA were
9 like, yes, we want to decarbonize, but we want to make
10 sure we protect tenants. So while we were working on
11 this, we actually were able to pass a city ordinance that
12 protected -- it's called the renovictions protection. It
13 means that tenants can't be evicted during major
14 renovations. That is a major barrier to making sure that
15 we deploy, whether it's appliances or other ways to reduce
16 exposure to natural gas in homes. That's a major step in
17 making sure that as we do this, we do it equitably.

18 And that -- you gave us time, right, and data,
19 and other tools to be able to successfully push for that.
20 So that's the kind of collaboration that can happen, so
21 that we get -- and, you know, learning from the clean car
22 campaign, the solar roof campaign, we really took those
23 lessons to heart, and CARB listened.

24 So we're just really grateful and excited about
25 the work. And I'll hand it over to Katie and to Edgar.

1 KATIE VALENZUELA: Yes. And I'll just briefly
2 introduce myself, since Edgar is doing the bulk of the
3 presenting today. But, hi, I'm Katie Valenzuela. I'm a
4 consultant based here in Sacramento that's been working
5 with CVAQ and I've been helping facilitate the BEEP
6 Coalition since we started in 2021. So really excited to
7 be here. Thank you for the time and I'll pass it over to
8 Edgar on the Zoom.

9 EDGAR BARRAZA: Hello, everyone. My name is
10 Edgar Barraza. I use he/him/his pronouns and I'm with
11 Physicians for Social Responsibility, Los Angeles.

12 As Katie just mentioned and Martha, we -- us and
13 other environmental justice organizations across the state
14 of California make up the BEEP Coalition, Building Energy,
15 Equity and Power. We have member organizations in Los
16 Angeles, the Central Valley, and the Bay Area.

17 Now, I wanted to quickly just give thanks once
18 again to the CARB Board, CARB staff, and EJAC members for
19 inviting me to this space and giving me time to present.

20 Next slide, please.

21 Next slide, please.

22 Next slide, please.

23 [SLIDE CHANGE]

24 EDGAR BARRAZA: Thank you.

25 Since the last EJAC meeting, the BEEP Coalition

1 has held three listening sessions to check in with our
2 communities around challenges and opportunities for
3 building decarbonization. In these sessions, we were able
4 to actually collaborate with CPUC, but we also invited the
5 CEC and CARB, and CARB staff. I wanted to quickly thank
6 also CARB for being able to attend them and hear directly
7 from our community members. In these sessions a lot
8 surfaced up, things such as barriers to access to energy
9 programs and tenant protections were coming up.

10 And next slide, please.

11 [SLIDE CHANGE]

12 EDGAR BARRAZA: And as suspected what we recently
13 heard from these listening sessions lined up with the
14 EJAC's Building Decarbonization -- Building
15 Decarbonization resolutions. For the interests of time, I
16 won't be able to speak to all the resolutions, but I
17 wanted to elevate key items the CARB Board should really
18 focus in on. Some of the things that came up was in these
19 listening sessions was that there was deep need to
20 identify and develop resources that prioritize
21 environmental justice communities to decarbonize.

22 The BEEP coalition also acknowledges that CARB
23 doesn't have the legal authority to create or fund
24 programs that are deeply needed in our communities, but
25 which is why State agency coordinations that allow for

1 public participation is critical, so we have the right
2 agencies in the room to address the challenges that are
3 surfacing up in our community.

4 Lastly, I wanted to quickly share again, and
5 you'll -- CARB staff will get a lot of kudos and flowers
6 from us -- is just thanking them for coordinating with
7 the -- CARB staff to coordinate with the BEEP coalition
8 and their members and to really dive into exploring the
9 co-design process of what community engagement looks like,
10 what does policy design look like and what does
11 implementation look like. That deep coordination and that
12 listening from our community members is deeply needed.

13 Next slide, please.

14 [SLIDE CHANGE]

15 EDGAR BARRAZA: So, to keep these great
16 partnerships going and moving forward, I'd like to propose
17 a few requests to the CARB Board and EJAC members. First,
18 I would like to request BEEP to -- have enough time to
19 debrief CARB's memos that are sent to us, so we that -- so
20 that we may have a thoughtful response and can share all
21 our feedback in a proactive way.

22 Secondly, I would love for BEEP to come back to
23 the EJAC and so we can be able to present our findings
24 from the listening sessions. And we'd love to use it as
25 an opportunity to raise some of the issues that our

1 communities are hearing, but also find opportunities to
2 address them collectively.

3 And lastly, just a quick mention like once again,
4 the need for collaboration and co-design is deeply needed
5 to ensure that a CARB rulemaking is truly equitable at its
6 core. And so in order to do that, we need to have
7 continuous conversations. We need to explore community
8 based solutions, and that's going to be the foundation to
9 really be able to develop and apply a standard rulemaking
10 that really centers the communities and are solutions
11 based out of the community.

12 Thank you so much for your time. I'll pause
13 there.

14 KATIE VALENZUELA: Okay. So I'm going to bring
15 us home here with a couple of just questions and points
16 for the Board members, and would love to hear your
17 thoughts and feedback. Something that you may be thinking
18 as you hear EJ's concerns with building decarbonization is
19 like, wait, CARB doesn't have anything to do with housing
20 protections. CARB doesn't have anything to do with CPUC
21 and incentives or legislative funding. And you are
22 absolutely correct. And we acknowledge that and we've
23 told staff repeatedly the problem with building
24 decarbonization is that you don't have access to all the
25 tools you need to be able to ensure that it will be done

1 equitably.

2 So our major ask for the CARB Board to consider
3 is that point that Edgar made about agency -- interagency
4 coordination. How do we get CPUC, CEC, HCD, all the
5 different acronym soup of agencies together? And we think
6 CARB is really uniquely positioned to do that, because
7 you've done these sort of complex processes before,
8 because we're going to need everything to be pointing in
9 the same direction for this to really work well for
10 communities.

11 And we want to make sure that whenever CARB does
12 address a rulemaking, we're confident that there's the
13 web -- the ecosystem of policies and funding out there to
14 ensure that it achieves the goal that we're trying to all
15 achieve, which is to decarbonize our most vulnerable
16 communities. So that would be my main discussion
17 question. I will say to the point of the resolution, and
18 I just want to keep underscoring, and this sounds like
19 we're just being super flattering, but we're not, CARB, in
20 this rulemaking, has really done something that EJAC has
21 been asking for for decades, which is come to us early,
22 come to us often. Let's meet often.

23 We met with CARB staff back when this was an
24 appendix in the Scoping Plan. CARB staff has now funded a
25 UC Berkeley research study that we're participating in

1 based on our issues and concerns. We're meeting regularly
2 with CARB staff we're -- we feel deeply intertwined with
3 like agenda planning and workshops. And like, it has made
4 this process so much better.

5 And so we highlight this process as an example
6 that we'd love to see occur for other rulemakings.
7 Obviously, you don't always have the luxury of time on
8 your hand, but to the degree you do, this team has really
9 shown what's possible for co-design within environmental
10 justice communities and we're really excited to see where
11 it can land us in terms of a final regulatory process,
12 so...

13 But I will circle back though to the question,
14 which is what do you think CARB Board members? We
15 acknowledge that you can't do this by yourself and we're
16 asking you to both acknowledge that vulnerabilities in our
17 communities, especially when it comes to housing and to
18 think with us about how we could pull the other agencies
19 together. I mean, you've got folks sitting up, here, like
20 Mr. Cliff who was on the CPUC for a long time. How can we
21 work together and use your relationships and experience -
22 also, Chair Randolph - and think about how we solve this
23 problem, so that CARB's rule is part of a larger strategy.

24 Thank you.

25 CHAIR RANDOLPH: All right. Thank you very much.

1 Thoughts, questions, comments from EJAC members or Board
2 members?

3 All right, Jill.

4 JILL SHERMAN-WARNE: I don't know why that seems
5 so weird to me. I just want to bring up the fact that
6 even though CARB has no jurisdiction over tribal lands
7 within the state, the things that CARB does, the actions
8 that you take do impact tribes, whether it's services,
9 markets. And it's impacting us without the ability for
10 tribes to really be consulted on these issues. And so, we
11 need to be mindful, or I would just encourage CARB to make
12 a greater effort to engage with tribes and the -- you
13 know, I'm the Executive Director of the Native American
14 Environmental Protection Coalition. And one of the things
15 that we're working on is trying to raise tribal voices in
16 this space, because the impacts to tribes are
17 disproportionate and it's being done without a voice.

18 And while I -- you know, the first thing anyone
19 will say is this state has no jurisdiction over tribal
20 lands. But, in fact, the decisions that you make, in
21 fact, do impact us and impact us in a disproportionate
22 way, because it's being done without a voice.

23 And I am very proud to be from California and all
24 the things that our California Air Resources Board has
25 done has been a leader nationally. And so I appreciate

1 that work. But at the same time, I have to advocate for
2 tribes to have to be consulted on how these impacts may
3 be -- may be disproportionate for them, whether it's
4 housing, or appliances, that all those things come into
5 play to impact tribal communities who are also
6 disadvantaged in a way that we haven't really adequately
7 identified.

8 Thank you.

9 CHAIR RANDOLPH: Yeah. I think that's -- I think
10 that's a great point and absolutely an imperative as we
11 think about implementing our -- the engagement we're doing
12 on this rule and other rules. Absolutely agree.

13 Cliff.

14 BOARD MEMBER RECHTSCHAFFEN: Well, I very much
15 appreciate hearing that Emma and the rest of the staff
16 have been so terrific in building in early consultation.
17 Emma, of course, worked at -- for us at CPUC. I think
18 that's where she learned it all. No, I'm just --

19 (Laughter).

20 BOARD MEMBER RECHTSCHAFFEN: -- just kidding. I
21 would -- I have more of a question than a comment.
22 Although I'll preface it with a comment. The -- you're
23 absolutely right to identify this need for coordination.
24 We've made very little progress on building decarb and
25 reducing greenhouse gas emissions from the thermal sector

1 of our building supply. We've done much better in the
2 power sector, transportation. So it is a very important
3 need and it is -- having sat at the PUC with Chair
4 Randolph, it is -- they -- the PUC only has one piece of
5 the puzzle too. The Energy Commission has an enormous
6 piece. CARB does. HCD.

7 There have been ongoing efforts, and I know
8 through the Scoping Plan, CARB was very consultative with
9 the energy agencies. And I know that some of that's
10 continued, so I -- I appreciate everything you're saying
11 and I guess I'd like to hear from staff, and it could be
12 at a later meeting after -- with a debrief with the
13 coalition or otherwise to update us on the ongoing
14 coordination efforts and what we can do to accelerate or
15 strengthen those efforts.

16 KATIE VALENZUELA: If I could respond, Chair, if
17 that's okay. Yeah, I think that's part of our request as
18 well, and it speaks to the immediate past discussion on
19 timing of the next meetings. You know, we're currently
20 doing a series of listening sessions with the Public
21 Utilities Commission and CARB staff and CEC staff have
22 been attending those sessions as often as they can. So
23 those will finish this fall and we would love the
24 opportunity to come back and talk about what we've been
25 hearing as sort of the next phase of input on this

1 regulation, and maybe that would be a good opportunity for
2 staff to present on their process as well.

3 CHAIR RANDOLPH: Yeah. And I will add -- I will
4 add that there is a lot of coordination that continues at
5 the staff level, as Katie mentioned, sort of making sure
6 that the staff's from the different agencies are
7 represented as we're going through these processes, but
8 there is also engagement at the leadership level as well.

9 As you will recall, we have the long-term -- the
10 CPUC has the long-term gas proceeding, which I started,
11 which Cliff took over, and Commissioner Douglas has now.
12 And we meet on a biweekly basis, both leadership and
13 staff -- or actually I think it's a monthly basis now,
14 both leadership and staff to kind of talk about generally
15 that proceeding, and sort of how we're thinking about this
16 long-term decarbonization strategy. And the -- and sort
17 of continuing. So I guess there's those two different
18 levels, right, the big picture long-term gas piece and
19 then the appliance decarbonization conversation, demand
20 forecasting, things like that. That continues to happen
21 at the staff level.

22 That said, that doesn't cover a lot of the pieces
23 that this presentation identified, right? It doesn't
24 cover housing issues, doesn't cover other things. And so
25 I think there are opportunities to think about as --

1 particularly as our team continues to develop the reg.
2 You know, I think one of the great things about the work
3 with the BEEP Coalition is that it has sort of allowed our
4 staff to really be able to make those connections and work
5 with other agencies and other groups that are outside of
6 the traditional energy space.

7 And one of the things that I have really
8 appreciated about this process is that when we first
9 started talking about the appliance reg, I sort of didn't
10 really have the awareness of the -- of the potential
11 impact on housing security. And so, my conversations with
12 the Co-Chairs and them talking about the work they were
13 doing with BEEP and with our staff really kind of helped
14 elevate that issue. And so I think there's a huge
15 opportunity for that work to continue and for some of
16 these cross-cutting issues to be part of the conversation.

17 That said, I will -- I will say that one of the
18 things that's challenging about decarbonization work is we
19 are doing this in the backdrop of an incredibly unequal
20 society and we cannot always solve those problems. We can
21 elevate those problems. We can make sure we don't make
22 those problems worse, but sometimes we can't always solve
23 for these problems in the structure of our rulemakings or
24 in the structure of our implementation.

25 And so that is also kind of an ongoing useful

1 dialogue, between EJAC and the Board, and at the staff
2 level, like where are the places we can make a difference
3 and how do we make sure that we are not letting the fact
4 that we can't solve all of those problems slow down on our
5 continued decarbonization efforts.

6 Okay. Any other questions or comments?

7 Oh, Dr. Shaheen.

8 BOARD MEMBER SHAHEEN: Thank you, Chair. I just
9 wanted to quickly acknowledge my gratitude to the
10 Committee. I see all the hard work you put in or I see
11 you online. You don't see me, but I know how hard you've
12 worked. And I really appreciate it. And I also
13 appreciate the comments to hear how wonderful this process
14 was. And I hope we can replicate that in the future and
15 continue to work on our engagement. And the one thing I
16 just wanted to comment on is in the -- in the memo that we
17 received, I saw the comments about ranking and targeting
18 communities, and I think this is a potentially tricky
19 area. I saw the response of CARB staff to this issue.
20 So, that's something that I'd love to dig into more in the
21 future. I don't think we should be doing it here at this
22 meeting, but I do think looking at how to prioritize
23 investments and strategies is very important, but the
24 method in which we do that and the data that we call on to
25 do that I think is really important. So happy to be part

1 of conversations around that issue.

2 Thank you.

3 CHAIR RANDOLPH: Board Member Ortiz-Legg.

4 BOARD MEMBER ORTIZ-LEGG: Good afternoon. Thank
5 you so much for everybody's input on this. I can see how
6 much passion and concern for your communities, and
7 being -- contributing for these last years has got to be
8 really, you know, such an important piece for you
9 personally and collectively. You're the inaugural class
10 that's here to help your communities and so thank you for
11 that.

12 What really comes to mind for me, and again this
13 probably comes from my background in energy, is that part
14 of the puzzle that I see here in this decarbonization
15 policy, and while we've got, you know, great kudos across
16 the nation for AB 32, we still have a missing piece in
17 understanding energy generation. And without that energy
18 generation aspect, it's really hard to decarbonize. I
19 think that there's pieces of the education. And I guess
20 it goes back to two things. One is that energy poverty is
21 real. And that is really where we're talking about, where
22 if we don't have access to electricity that's affordable
23 and have it to be able to -- for industry to be able to
24 utilize it to be able to decarbonize, then we're just kind
25 of pointing fingers and things like that.

1 And I really think it's just smart policy comes
2 with energy policy. And, you know, as the staff's
3 probably going to know that I'm going to say is that, you
4 know, while our renewable portfolio is impressive, the
5 fact is is that there's still carbon free energy sources
6 that are not included. And being the person that
7 represents the last nuclear power plant in California, I
8 can tell you that we could have a much robust -- more
9 robust response in support of all these communities, if we
10 had an acknowledgement of that technology.

11 And I leave it there, but thank you very much for
12 your contributions.

13 CHAIR RANDOLPH: Board Member Takvorian.

14 BOARD MEMBER TAKVORIAN: Well, I think Katie was
15 first.

16 CHAIR RANDOLPH: Oh, I'm sorry.

17 KATIE VALENZUELA: No, you go ahead.

18 BOARD MEMBER TAKVORIAN: Okay. Well, I guess I
19 want to say a couple things. I mean, one is that I think
20 the idea of an interagency task force or coordination
21 that's more formal could be a really good move. And I
22 think some of us have experienced that with HCD and
23 Caltrans on transportation, because we do have that
24 interagency coordination. And so, we've learned some
25 things from that. So I think to the degree that we can

1 apply that learning, it would be a good thing. And I
2 think some of the things that our Chair has said could be
3 applied there. I think it's important to do that, but
4 perhaps there are more informal ways that could actually
5 make more progress, because I know, as we've talked about
6 already, there's a lot of resources that go into formal
7 meetings and to coordination that may be better spent --
8 time better spent to actually get the work done, and in
9 other ways.

10 So I hope we can discuss it all those levels, so
11 that we can actually make progress on this. And I think
12 it's important. I worked in lead hazard control for a
13 long time, and I think some of the equity issues are quite
14 similar. And so, to the degree that we're providing
15 incentives for building decarb, I think it's really
16 important that we look at what the requirements may be for
17 housing developers, for landlords, for public housing
18 folks, because, you know, with lead, we provided
19 requirements that if there was that kind of public
20 investment that rents couldn't go up for a pretty extended
21 period of time, so that we weren't contributing to
22 gentrification and to housing insecurity. And I know that
23 those are the things that are getting discussed, but I
24 think it's appropriate for CARB to be part of those
25 discussions, even though we don't have authority over

1 that. So, I hope that we can integrate that somehow into
2 our rulemaking.

3 And then the last thing is just to say -- and I
4 guess I'm hoping Jill might talk about this a little bit,
5 And I want to say that I really appreciate Jill's work and
6 the work of CARB staff on the tribal tours. Tours is the
7 wrong word, but visits that we took earlier this year.
8 And there was lots that we learned, including that there
9 are -- there continue to be California residents, and they
10 may be on tribal lands, that have no electricity, that
11 have no power, that are living next to transmission
12 lines -- huge transmission lines in San Diego County and
13 the eastern part that have no access to electricity
14 period.

15 So, when we talk about energy poverty, I think
16 that you demonstrated that to those of us who were
17 fortunate enough to be on that visit. And those seem like
18 perfect -- that seems like a perfect opportunity to talk
19 about building decarb in a way that really helps people to
20 actually have access to resources. I mean, fill in the
21 blank what you don't have when you don't have electricity,
22 and when you have the high winds in those areas that mean
23 that the electricity that they do have gets cutoff.
24 Everybody may not be aware what of that. Because of
25 wildfires, we're cutting off the electricity to anyone who

1 actually does have it.

2 So there's a lot to do, but I think that
3 localizing it and the building decarb conversation could
4 really help people in that situation.

5 And, Jill, you may want to -- I don't want to put
6 you on the spot, but we learned a lot. And I think that's
7 a really good place for us to engage with tribes who could
8 really use our assistance.

9 JILL SHERMAN-WARNE: Thank you. I really
10 appreciate that. I'm so grateful that you attended,
11 because I -- that's one of the biggest misnomers,
12 especially for San Diego County. When we think of San
13 Diego County, we think of an urban environment where
14 everybody has electricity and access to clean
15 transportation and that's -- as you could see with your
16 own eyes, that's just not the case. And, you know, and
17 don't even get me started about PSPS events, because
18 that's a whole nother thing, but it does -- it is going to
19 take, as you suggested, a task force among agencies to
20 really look at it and try to acknowledge that there is
21 these deficits in these areas.

22 And, you know, getting back to what I said
23 earlier that while the State has no jurisdiction over
24 tribal lands, the decisions that are being made are
25 definitely impacting. And the change for tribes, just

1 within the last nine months, has been that they are
2 looking at the State for financial resources, for engaging
3 in our air quality programs. You know, one of the tribes
4 that we visited has had an air quality monitoring program
5 since 1998.

6 So tribes have been engaged in these spaces, but
7 we've never been acknowledged and we're not about tooting
8 our own horn either, because we just work with other
9 tribes, right? So it's just other tribes that get to know
10 the things that we're doing, but we want to engage. We
11 want to engage at the State level. We want to have a
12 voice, but oftentimes, you know, it's difficult when
13 tribes don't have the money to travel. So sometimes, you
14 have to go to those spaces where they're at.

15 And that was one of the things that bothered me
16 with the energy summit was that there were no tribes there
17 who didn't -- the only tribes who were present were those
18 with successful economic endeavors. And so, you're
19 leaving out almost 70 percent of the tribes in California.

20 CHAIR RANDOLPH: Thank you.

21 Katie.

22 KATIE VALENZUELA: Yeah. This is a great
23 discussion and thank you as always, Jill, and for your
24 insights. I just want to say too in terms of context in
25 response to some of the comments. I mean, we all

1 recognize the federal environment that we're in. And we
2 saw what happened in South Coast. We're seeing what's
3 happening in the Bay. Everybody said, oh, they adopted
4 it. They kind of adopted it, right? Like there's still
5 off-ramps there, if they can't meet certain metrics. And
6 they're already talking about off-ramps that aren't going
7 to look a lot like South Coast's off-ramps.

8 And so, I think what we want is a world where
9 there are no exceptions, that everybody can't have access
10 to this technology. And what we're kind of pushing right
11 now for this interim period is an investment approach.
12 There's a ton of money going into these programs. There's
13 a ton of money, and the utilities are investing money.
14 And CPUC, CEC, State, you know, we have all of these
15 different rebate programs and incentive programs.

16 Imagine what would happen if, you know, as SMUD
17 was increasing a capacity for future growth, if we were
18 following them and putting in appliances right after or as
19 to the SB 1221 implementation at CPUC, right? Like,
20 instead of investing in that gas line upgrade, you're
21 putting that money into investing to get that neighborhood
22 off. And what that could look like to really set up --
23 sort of raise the baseline a little bit, so that our
24 communities are a little bit further along, so that we
25 aren't -- we know a little bit more about how to do it in

1 these areas. We have great pilots in the San Joaquin
2 valley and other places that have really shown us.

3 We just filed to open phase three of that
4 proceeding at the CPUC to keep that going and expand that
5 to additional communities. You've got equitable and
6 decarb program at CEC. You've got all this work
7 happening. And I think where we see CARB being uniquely
8 positioned is like what does that roadmap look like,
9 right? Like, how do we get all these pieces to be going
10 in the same direction as efficiently and equitably as
11 possible, because we do believe it's very possible for us
12 to make significant progress in these next couple of
13 years, despite the federal administration, so that when
14 CARB does do a rule, you're standing on top of a solid
15 foundation of alignment. Like, right now, if you're going
16 to do a rebate, you've got to apply to eight different
17 programs.

18 And I'm sorry, there is no program for like if
19 the wall behind your water heater is rotting or has mold
20 on it. There's nothing you can do. And so when your
21 water heater goes out, what are you going to do? Not
22 replace it, try to fix, because you can't access this new
23 technology. Like -- and I appreciate that this isn't an
24 issue you all can solve, but how CARB plugs in and when
25 you plug in is just so critical. And that is within our

1 control, right? And I think, there's a lot you could show
2 and help with in terms of making that roadmap happen, and
3 we're here to help.

4 CHAIR RANDOLPH: All right. Thank you.

5 Any other questions or comments?

6 Okay. And -- oh, sorry, Kevin. Go ahead.

7 KEVIN HAMILTON: I'll be brief. I think you get
8 from all of this that this goes back to the conversation
9 of the need to have additional meetings moving forward.
10 We can't stop. The momentum has to be kept up. CARB is
11 essentially the leader in this and the coordinator, if you
12 will, if anybody is at this point. There are five
13 entities this has to go through before it even gets to
14 CBSC, so we can get a Title 24 update that contains this,
15 right, and changes the building code standard for the
16 whole state.

17 And that's what we need to see happen, because
18 what we're having right now is individual -- I'm mad at my
19 microphone -- individual -- it won't bend enough --
20 individual metropolitan areas, local government agencies
21 are sort of creating their own, which is nice. It's good
22 if it works out, but they keep control of it. And it --
23 there needs to be a standard template that lays over it
24 all that says, no, you can't go further than this. And
25 that's where this comes from.

1 And until that's created, and put on the ground,
2 and all the agencies agree, and put their money and power
3 behind that, and then that happens, and that update
4 happens that instruction to those local government
5 agencies on what they can put in their various building
6 plans for their community's changes, it's just going to
7 end up being this sort of checker board out there, where
8 some places have it really good, some places don't, and
9 their inequity again.

10 So, hey, CARB. I mean, I'm sorry to put it on
11 you, but I'm putting it on you. I didn't do that, by the
12 way. It just is, right? And I think that what we're
13 seeing as guidance from the Legislature, they recognize
14 that as well. Well, we'll see if that sits in concrete at
15 some point here soon. But assuming that it does, and no
16 reason to believe it won't, there is an imperative here to
17 get moving.

18 And the other thing is just what you said, Katie.
19 If you have a moldy wall in your house, you're afraid
20 to -- and it's your apartment or your house you're
21 renting, you're afraid to even tell your landlord about
22 it, because they're going to fix it, yeah, but they're
23 going to raise the rent or they may and put in a new
24 energy efficient everything in the house. That's nice,
25 but then they're going to raise the rent and you're going

1 to be out.

2 So, I'm not saying that's not their right, but
3 how do we create a situation where they don't feel they
4 have to do that, that they can still fix it and leave you
5 in the house, and they're happy and you're happy. And I
6 think nested within this is that possibility.

7 Thank you.

8 CHAIR RANDOLPH: Okay. Go ahead.

9 JILL SHERMAN-WARNE: I just have a quick comment.
10 Some of you may not know, I also sit on EPA's Clean Air
11 Advisory Committee, and that was just disbanded. And so I
12 got this really nice email saying thank you for your time,
13 but, you know, we're moving on. And it was interesting,
14 because the Clean Air Advisory Committee was paying
15 attention to what CARB is doing. You know, California is
16 the leader in clean air activities. And so, this next
17 meeting was supposed to be a meeting that we were going to
18 be talking about some of the things that California was
19 doing, and now that's gone.

20 So your place is more important than ever before
21 on a national scale, not just for California but on a
22 national scale. So, you know, again, I applaud the work
23 that you're doing, and we just keep charging forward. I
24 just wanted to say that.

25 CHAIR RANDOLPH: Thank you. I think it's -- it

1 is, you know, just one of those moments to really express
2 appreciation for the almost 2,000 staff members we here --
3 have here at CARB that are carrying this work forward,
4 when so many of their friends and colleagues at U.S. EPA
5 have been laid off and have had their life's work ended or
6 interrupted. And so, expressing appreciation for them
7 and, you know, showing some solidarity for them I think is
8 really important.

9 And, you know, I also think that I really
10 appreciate the work of our staff, our decarb staff, for
11 having that close relationship with BEEP and all the folks
12 that are working on elevating these issues. And I think
13 that's the way, you know, we can continue to move forward
14 as they continue to develop relationships throughout the
15 State apparatus, you know, the State government apparatus
16 and try to figure out how to keep that communication going
17 and how to help that shape the rulemaking, as the
18 rulemaking progresses. So, you know, a lot of
19 appreciation for their work and their -- and their
20 openness to be creative, because these are -- there's not
21 simple answers to a lot of these problems.

22 I think it was -- the lead example I thought was
23 actually a good example, because it highlighted sort of
24 how many different pieces there are and how many different
25 entities, right? There's the entity giving out the money.

1 There's the entity setting out the rules. There's the --
2 there's the entity doing the housing building code
3 requirements. There's the entity providing funding for
4 the housing. So, it's a lot. And I really appreciate you
5 all elevating these important issues.

6 Oh, Martha Dina.

7 MARTHA DINA ARGÜELLO: Yeah, it's -- I know.

8 (Laughter).

9 MARTHA DINA ARGÜELLO: So I do want to say to the
10 other CARB staff that whether we're meeting or not, if
11 there is an issue that you -- whether it's building decarb
12 or other regulations, if, you know, the research
13 program -- you know, we are here as a resource and we'd
14 rather you come to us, even if we're busy and it's
15 stressful, early than sort of move and then you sort of
16 get like what are you guys doing, right? So, we want to
17 be able to help you in as many ways as we can, because it
18 really matters to us. So, feel free to reach out to us.
19 Well, you can reach out to me. I'm not going to speak for
20 Catherine.

21 (Laughter).

22 MARTHA DINA ARGÜELLO: I'm glad I stopped myself.
23 But reach out, because we do have staff that works on, you
24 know, building decarb and other issues. And we have a lot
25 of connections to the social movements that could help

1 with the engagement and learning from other examples. So
2 I spent the first, you know, five or six years of my
3 career at PSR working on lead, and we had to do all of
4 that. We had to work with the Housing Department. We had
5 to work with the Health Department. We ended up training
6 contractors. You know, it was so much, because it's a
7 big -- ending childhood lead poisoning is a very
8 complicated issue, and it required multi-sectoral
9 coordinated approaches. And we found ways to, you know,
10 work with building and safety to make sure they were
11 stopping bad practices. And so we have experience in that
12 kind of coordination and community engagement. So,
13 whether we're having EJAC meetings or not, just think of
14 us as that resource.

15 CHAIR RANDOLPH: All right. Thank you. I think
16 we were thinking about taking a break, but since we got a
17 late start, my inclination is to just keep going unless
18 anybody strongly disagrees. All right, we can always do a
19 break a little bit later, if we need to.

20 Okay. The next item on our agenda is the EJAC
21 presentation on the Cap-and-Trade Program.

22 Dr. Garoupa.

23 (Slide presentation).

24 DR. CATHERINE GAROUPA: Thank you. And good
25 evening again everyone. This is Dr. Catherine Garoupa. I

1 will be kicking off this presentation. And we'll be
2 working with my collaborator to my right, Katie, again on
3 CVAQ's behalf.

4 If we can get the slide deck pulled up. I'll
5 just say in terms of introduction, obviously, the
6 Cap-and-Trade Program is a big deal. It has a lot of
7 implications for environmental justice communities. And
8 we have always taken the position, I think as a movement,
9 of saying that market-based mechanisms are not going to
10 work for environmental justice communities, because they
11 inherently replicate the existing injustices. At the same
12 time, I think over the last few years, we have pivoted to
13 an approach where we've said similarly on other issues
14 like carbon capture, we do not fundamentally agree with
15 this, and also we understand that it's going to move
16 forward.

17 And so if it does move forward, here are some
18 things that we really need to heavily consider.
19 Obviously, it's already been acknowledged that there are
20 critical discussions going on in the Legislature right
21 now. And in the next few days, they'll be giving you all
22 additional direction on the program. And at the same
23 time, this is CARB's program and there is a lot that you
24 all have discretion over whatever the outcome there.

25 Next slide, please.

1 [SLIDE CHANGE]

2 DR. CATHERINE GAROUPA: So you all well know,
3 CARB's original charge is to ensure clean air for all
4 Californians, but unfortunately the San Joaquin Valley is
5 the most polluted air basin in the nation for fine
6 particles and competes with the South Coast Air Basin for
7 being the most polluted for ozone. So it's critical in
8 all of CARB's programs that we approach it with the
9 question what tools and strategies will ensure
10 improvements in environmental justice neighborhoods?

11 We thought it was important to start this
12 conversation with some historical context of the direction
13 that the Legislature has already provided, which is part
14 of what we tapped Katie for for her deep expertise. So if
15 we could advance to the next slide, I'll be handing it to
16 her for the next few.

17 [SLIDE CHANGE]

18 KATIE VALENZUELA: All right. Hello again. So,
19 I love starting with AB 32, because a lot of us weren't
20 involved, some of us were, when AB 32 passed in 2006. It
21 did more though than set the 2020 target. I think a lot
22 of times when people talk about AB 32, we just focus on
23 the target, which is important, but there was a lot of
24 other language in that bill. It's actually quite a long
25 bill. I like to show law students and like grad students

1 like photo -- like screen shots of all the pages of the
2 bill. Like, there's a lot in here beyond thou shall meet
3 2020 target. And a lot of that had to do with addressing
4 inequity and addressing historical legacies, to the point
5 we were making before of disinvestment of the fossil fuel
6 extractive economy and really trying in the process of
7 achieving those emissions reductions to do as much as we
8 could to find those co-benefits, right, to find that
9 public health benefit, to find that economic co-benefit,
10 not just for the businesses that exist, but for the people
11 who've historically been left behind.

12 That's why this body exists, the Environmental
13 Justice Advisory Committee. And it also set, as you all
14 know very well certain standards for CARB regulations in
15 the Scoping Plan that I do not need to repeat, but
16 basically this real, quantifiable, verifiable, we're going
17 to meet this target.

18 Next slide, please.

19 [SLIDE CHANGE]

20 KATIE VALENZUELA: Unfortunately, what we have
21 seen since AB 32 passed is a certain level of stagnation
22 in certain sectors. As was mentioned before, the
23 electricity sector being the major exception. You know,
24 there are some wins that we see in transportation from the
25 vehicle standards, from the fuel standards that have been

1 put in place. But when it comes to the industrial
2 facilities, and especially in oil and gas, we have not
3 seen the level of reductions that we need to see. And
4 this matters, because the facilities that are regulated as
5 industrial facilities are overwhelmingly located in
6 communities of color.

7 And so we've had this argument over, and over,
8 and over again. And I always tell people, it's the same
9 smoke stacks. It's the same tailpipes. And people like
10 to try to separate air quality from GHG. Is there a
11 one-to-one correlation between particulate matter and
12 greenhouse gas emissions? Not necessarily. But can you
13 argue that reducing emissions at that tailpipe and at that
14 smoke stack isn't going to improve air quality now? Like
15 we know that if we reduce emissions at the site, that
16 whether it's one-to-one or not, there will be health
17 improvements in our communities, and that's why we've
18 always historically had concerns with Cap-and-Trade being
19 the main, and sometimes the only mechanism that's
20 regulating the facilities in our communities.

21 Next slide, please.

22 [SLIDE CHANGE]

23 KATIE VALENZUELA: So -- and so some of you may
24 recall in 2016, we were starting to see evidence. CARB
25 used to have something called an Adaptive Management Plan

1 that has gone away since 2017, but we were tracking data.
2 You have your air pollution monitoring tool. And research
3 was starting to emerge that showed that as much as CARB
4 was making progress in certain areas, that the air quality
5 impacts in environmental justice communities weren't being
6 seen, and in some cases were being made worse.

7 So, the Legislature made this very clear in 2016
8 when they failed to pass SB 32 in 2015. Everybody went to
9 Paris. They huddled in a room. They tried to figure out
10 what to do. And the result was that they linked SB 32 to
11 the passage of AB 197. AB 197 was the Latino Caucus and
12 other ethnic caucuses' idea to say this is our solution.
13 Let's direct CARB to prioritize direct emissions measures.
14 We understand market measures might have a role. We
15 aren't saying don't do them. We're telling you to
16 prioritize the direct emissions measures, because we want
17 to see those air quality benefits in our community.

18 They also established the Joint Legislative
19 Committee on Climate Change Policies, where they want to
20 hear more regularly from CARB what you're doing, are you
21 on track with your targets, and so they can provide more
22 direction.

23 Next slide, please.

24 [SLIDE CHANGE]

25 KATIE VALENZUELA: And then finally, you came

1 around AB 398, which I don't need to go over, not the --
2 I'm not a huge fan of this deal, even as a lot of us were
3 there and still have the trauma scars from that
4 experience. But once again, the Legislature expressed
5 their concern that Cap-and-Trade was continuing to
6 increase pollution. They did not have the votes for this
7 bill until they put 617 out on the table. Now, we're
8 not -- we have a lot of improvements we'd like to see with
9 617 that we'll cover later, but I'm pointing this out to
10 continue to beat the drum on the fact that the Legislature
11 has said over, and over, and over again, yes, we are
12 approving CARB to use market mechanisms. However, we want
13 you to keep looking for ways to ensure emission reductions
14 are happening in EJ communities, whatever that takes.

15 And I'm frankly one that tends to believe that
16 the 617 statute, you -- know, legislative counsel drafts
17 these things very thoughtfully. This was not a new code
18 section that was being invented. It was subsections of
19 existing code that already give air districts and CARB the
20 authority to monitor and direct emission reductions, and
21 put in place rules, which is how we solve things like
22 South Coast and other air districts that forward with --
23 was it hex chrome? I forget. Oh, there's like the metal
24 platers that they were dealing with. So, like there is
25 precedent for this already happening. 617 just kind of

1 put a finer point on it and really put the resources and
2 the requirements in place say we need to do this. We need
3 to take it more seriously and we need to be doing more to
4 ensure emission reductions actually occur.

5 Next slide, please.

6 [SLIDE CHANGE]

7 KATIE VALENZUELA: And I'll finish on this slide,
8 because I don't think -- I mean, I say this all the time,
9 and you all will smile when I say this. I mean like
10 you -- we know we don't always agree on stuff CARB does.
11 However, I think we all have the same goal here, right? I
12 mean, our goal is to meet these climate targets and to
13 ensure that we are improving air quality for everybody. I
14 hope we all have the same goal, because as Cat -- Dr.
15 Catherine said, that's in the mission of CARB, right?

16 And I point this quote out from 2018, because I
17 thought this was really insightful, because at that time,
18 even the Board was starting to express concerns. They
19 were adopting the regulation based on the 398 guidance.
20 And Chair Nichols was saying, look, we know that we're not
21 on track. We know that this isn't enough. We're now
22 adopting a rule that is not sufficient to get us where we
23 need to go. And so, it's been several years since that
24 was said at a CARB Board meeting. We want to continue to
25 remind you that as much as the Legislature has taken a

1 sort of micromanagement approach to Cap-and-Trade, you
2 still have broad authority to regulate facilities outside
3 of Cap-and-Trade. This does not have to be the only thing
4 we do. And if for no other reason, if it's not about
5 public health, if it's not about air quality, if it's not
6 about because I'm a really compelling speaker, it's
7 because we see on this chart that the LAO created that we
8 are not on track to meet the goals. And we know that we
9 need to be doing way more and we need to be getting really
10 inventive and partnering with communities especially
11 during this administration.

12 So with that, I think I'll pass it back to Dr.
13 Catherine.

14 [SLIDE CHANGE]

15 DR. CATHERINE GAROUPA: Thank you, Katie. Just
16 two quick editorial comments. One is Katie, you have such
17 vast knowledge and expertise, so correct me if I'm wrong
18 here, but you were also the first staff for the joint
19 Legislative whatever that long title is that I always mix
20 up the words, committee policy. Yeah, so have a lot of
21 expertise on this issue. I really want to appreciate that
22 and appreciate the collaboration that you've brought to
23 CVAQ to help us keep up to speed with these issues.

24 Also, I know we are covering a lot of information
25 right now and looking forward to the discussion. So for

1 people who haven't already noticed, Board members, you do
2 have a copy of the slide deck and our resolution in your
3 packet, in case you want to be able to look at that and
4 follow along for reference.

5 In terms of how we adopted this resolution, we
6 have established -- sorry, next slide.

7 [SLIDE CHANGE]

8 DR. CATHERINE GAROUPA: Thank you. Got to keep
9 those two things synced.

10 In terms of processes, we, as EJAC, have
11 established a process where we hear from a range of
12 different experts. And so on the Cap-and-Trade Program
13 particularly, we heard from representatives from the
14 Legislative Analyst's Office about their analysis showing
15 that the program is not on track and lacks the necessary
16 specificity. We've heard from a vast array of researchers
17 from resources for the future who looked at the
18 implications of facility level caps. We heard from
19 researchers at UC Berkeley and University of Southern
20 California who have a deep history looking at equity
21 issues related to the Cap-and-Trade Program, and
22 long-standing recommendations that they've made that align
23 with environmental justice advocates in terms of how we
24 can make improvements.

25 We heard analysis from Michael Wara at Stanford

1 about the implications of the California climate credit
2 for low-income households and we've heard from former EJAC
3 members, like Caroline Farrell, like Martha Dina, like
4 Katie, who also used to Co-Chair the EJAC about the work
5 that has gone in to developing robust recommendations.

6 So, along with being a Co-Chair over the last few
7 years, since the inception of this EJAC in 2021, I've
8 convened a work group focused on the Cap-and-Trade
9 Program, that then expanded to include Low Carbon Fuel
10 Standard. These are really important issues and we've
11 spent years developing these recommendations and
12 submitting comment letters. So, I want to provide that
13 context and appreciate how much work from EJAC members and
14 from colleagues and allies that are not represented on
15 EJAC that really went in to developing this resolution.

16 So over the next few slides, I'm going to provide
17 a high level overview of the main points, the main
18 recommendations in the resolution itself and then a few
19 summary slides, and then we'll get to the heart of the
20 discussion, which we're very much looking forward to.

21 So next slide, please.

22 [SLIDE CHANGE]

23 DR. CATHERINE GAROUPA: The first recommendation
24 in our resolution is to eliminate free allowances for the
25 industrial sector. As Katie spoke to in the historical

1 context and as the chart showed, the industrial sector is
2 where we are not seeing emissions go down, right?
3 Transportation, and, electricity, we've seen progress,
4 largely not because of the Cap-and-Trade program, but
5 because of direct regulation and things like the renewable
6 portfolio standard. So we think it's critical that free
7 allowances for the industrial sector be eliminated.

8 We also recommend the elimination of offsets.
9 And if offsets are not eliminated, we think it's critical
10 that the values be corrected for projects that are
11 overestimated, and that we prioritize projects that happen
12 within the state of California. We also believe that CARB
13 should prohibit the use of offsets that fund projects that
14 increase air or water pollution.

15 Next slide, please.

16 [SLIDE CHANGE]

17 DR. CATHERINE GAROUPA: I also want to pause on
18 the topic of offsets and make space for Jill and Katie to
19 also weigh in on the concerns here.

20 JILL SHERMAN-WARNE: So, again, while Executive
21 Order N-27-25 doesn't implicit -- explicit -- explicitly
22 impose mandates on tribal governments, it does have broad
23 effects that will impact tribal communities, and that --
24 we can see this through market shifts, supply chain cost
25 increases, infrastructure expectations and other vehicle

1 service dynamics. And in these programs, in general,
2 the -- especially when it comes to the return of tribal
3 ancestral territories back to tribes, there is no -- and
4 again, I have to hammer the Hoopa thing, because that is
5 not a choice. The land -- the 10,000 acres that we
6 received back has already provided the value of those --
7 of the Cap-and-Trade Program to the individuals who
8 purchased the property first. And they dumped it. They
9 dumped those 10,000 acres, which includes a sacred
10 mountain to us that we haven't had access to. They dumped
11 that literally, because it wasn't going to make them the
12 amount of money that they could see from it.

13 So we've inherited this program. We would like
14 to -- the tribe would still like to divorce itself from
15 those commitments. And I wish that there was a way for
16 tribes to do this under the intention of returning
17 ancestral lands to tribes. And that is, you know, the
18 Truth and Healing Council. Like all of these government
19 agencies are looking to do that. And again, having --
20 tribes have no representation in terms of consultation on
21 policies that are going to impact them. And most tribes
22 don't have the financial capacity to bear the burden of
23 having attorneys review and create documents that can help
24 them advocate for themselves in a very, you know, not -- I
25 don't want to say in an eloquent manner that would make

1 the agencies understand the burdens that this places upon
2 tribes.

3 So as a result, we are -- tribes are being
4 impacted with the burden without any kind of
5 representation to be consulted with. And that -- you
6 know, and that has to move beyond EJAC, because many of
7 our tribal engagement programs are in public outreach.
8 And so, it fails to even recognize the tribes or
9 governments. And I understand that the State isn't used
10 to working that way, but we need to have a different
11 consultation process for tribes to be engaged. We're not
12 the public and we have a different responsibility.

13 And so, it would be amazing if we could follow in
14 California Department of Transportation's footsteps,
15 because they're the ones who are actually throughout the
16 State and all of the agencies, Caltrans has actually done
17 a really amazing job of ensuring that tribes have access
18 to consultation and input.

19 KATIE VALENZUELA: And to carry over - thank you,
20 Jill - her important points, I have to always remind. I
21 mean, obviously, the Legislature has taken a great
22 interest in the overall amount of offset credits and
23 direct environmental benefits. This was an explicit part
24 of the bill in 2017. And it looks like it will be another
25 explicit part of this year's bills really directing CARB

1 that we want more of these investments to be happening,
2 the high quality projects that are in the state.

3 I will also say that again offsets were
4 completely created by CARB. This is a program that we
5 created. It's a program that you are uniquely positioned
6 to influence. There have been significant questions
7 raised about the integrity of these programs that we
8 alluded to. There's also very recent research that's been
9 done on CARB's classification of which offset credits
10 qualifies direct environmental benefit or not.

11 There are -- these are real questions that are
12 being raised that we really do believe CARB has the
13 authority and ability to address, and we would love to see
14 whatever happens in the next few days that proceed.

15 DR. CATHERINE GAROUPA: Thank you, Jill and
16 Katie.

17 Next slide, please.

18 [SLIDE CHANGE]

19 DR. CATHERINE GAROUPA: So this is a hefty one.
20 We fit a lot of recommendations into item number 3 and it
21 is because it is so critical that we address cumulative
22 healthy impacts, which again we acknowledge CARB cannot do
23 alone. However, CARB can ensure real quantifiable,
24 verifiable, surplus and permanent emissions reductions.

25 And so, part of why this is such a lengthy set of

1 recommendations is because we have a lot of ideas that we
2 would like to really substantively work with you all on,
3 in terms of how do we ensure that the Cap-and-Trade
4 Program is not, in fact, worsening air pollution and
5 increasing burdens in Environmental justice communities.

6 So, believe it or not, I actually tried to
7 convince -- condense and shorten what is in the
8 recommendation on this slide and to bold some of the
9 call-out points. But again, there is more robust detail
10 and a lot of clauses in the longer resolution for those of
11 you who have an opportunity to look through it later. For
12 a long time, environmental justice advocates have
13 requested restricting trading in disadvantaged
14 communities, sometimes referred to as no trade zones or
15 the establishment of facility level caps, particularly for
16 those sectors which are not decreasing their emissions at
17 a rate that's equivalent to the overall declining cap.

18 Again, we've sought -- we've seen analysis even
19 from the Office of Environmental Health Hazard Assessment
20 that shows refinery communities are actually suffering
21 more emissions. That's a problem and that's a problem
22 that CARB should address.

23 We also, item B, are asking for the prohibition
24 of permitting, including the expansion of stationary
25 sources in disadvantaged communities that directly emit or

1 increase the volume or concentration of indirect or
2 area-wide pollution. So think of facilities where there
3 are going to be more truck trips, which we experience a
4 lot in the San Joaquin Valley. It's not just the smoke
5 stack. It's all of the -- it's the lifecycle of all of
6 the things that are associated with those facilities and
7 the fact that they continue to be clustered in already
8 overburdened communities.

9 Item C encourages CARB to conduct statewide
10 audits of facilities that are in environmental justice
11 communities. Again, we would argue that this was also
12 something that was reiterated in AB 617 with looking at
13 those facilities and ensuring that they have the cleanest
14 technology. Statewide audits should include things like
15 permit reviews, site inspections, source testing. I've
16 learned from some enforcement nerds that I've worked with
17 that even if you have the best technology, after a few
18 years, if you don't check it, it might not be working as
19 well as it should, right?

20 And these are real health outcomes for people,
21 right? This is asthma attacks, strokes, premature death
22 that people are experiencing because of this
23 disproportionate exposure. Again, what we're really
24 trying to get at, item D, is ensuring direct emissions
25 reductions beyond the Community Air Protection Program.

1 As much as we appreciate the opportunity to develop those
2 local plans, there are way more communities that need this
3 help. And as we've discussed those plans currently are
4 not enforceable, so there has to be more done beyond the
5 Community Air Protection Program to ensure that
6 environmental justice neighborhoods are not experiencing
7 foregone reductions, because of carbon markets, because if
8 it's cheaper and easier to use credits and to trade within
9 the system, we're not seeing those direct reductions that
10 we really want and we need.

11 And then finally item E is about strengthening
12 the Community Air Protection Program. And again, we have
13 a whole set of sub-ideas here, including, but not limited
14 to, making community plans legally enforceable by the Air
15 Resources Board and by citizens. For those of us who work
16 in the air quality world, we know State Implementation
17 Plans are legally enforceable. If air districts don't
18 follow what is supposed to happen within that plan,
19 citizens have a right to hold them accountable and say you
20 did not do this correctly. You need to. And that's
21 incredibly important and powerful for our communities.

22 We also want to ensure the money that is
23 affiliated with the Community Air Protection Program is
24 targeted at community priorities. Some of you have heard
25 me speak at length being on the South Stockton steering

1 committee to how much of the incentive money has gone to
2 the largest polluting sources, at times against the will
3 of the community who is concerned that that's actually
4 subsidizing the expansion of these facilities in a way
5 that could make air pollution cumulatively worse. We want
6 the money to go to community priorities, community
7 protections. And that's one of the innovations of the
8 program is allowing community members to set their
9 priorities.

10 We think CARB could really improve data
11 transparency, including providing online access to air
12 permits. And again, that piece of ensuring that the best
13 and cleanest technology is implemented and that we're
14 updating permits and standards every five years. So a lot
15 there that we are really committed to working with you on
16 and discussing.

17 Next slide, please.

18 [SLIDE CHANGE]

19 DR. CATHERINE GAROUPA: Recommendation four is to
20 prohibit crediting for carbon capture or direct air
21 capture projects, both in and out of state. This measure
22 is critical, because it's counterintuitive to credit
23 projects if they're meant to address legacy emissions. If
24 you give it a credit, then at best you're achieving status
25 quo. At worst, if that injection underground doesn't last

1 for a hundred and plus years, we're actually creating a
2 deficit by generating credits from those programs. And
3 they're unproven at this point, so we think that that's
4 incredibly risky and would highly discourage that being
5 done.

6 We'd also like to see recommendation five, annual
7 certification by CARB that the program is being carried
8 out in compliance with the civil rights requirement of
9 Title VI and the 1964 Civil Rights Act and California Code
10 11135.

11 Recommendation six is to continue to build on
12 previous work for Adaptive Management Planning, which
13 again previously iterations of the EJAC has worked on and
14 which Katie referenced earlier.

15 Next slide, please.

16 [SLIDE CHANGE]

17 DR. CATHERINE GAROUPA: So that does round out
18 our list of recommendations for the resolution. So now,
19 to take a few minutes to talk about what we've learned
20 both holistically through the processes that we've engaged
21 in at EJAC and also through things like the building
22 decarbonization process and the AB 617 Program.

23 First, to acknowledge that environmental justice
24 is both about recognizing the disproportionate impact to
25 our communities that are historically suffering from

1 environmental racism and that also, as important as
2 recognition is in doing things like establishing an
3 Environmental Justice Advisory Committee, we also really
4 need to see improved outcomes, right? We need improved
5 quality of life, better health outcomes, better
6 protections for our communities. And we do believe that
7 the Community Air Protection Program has been innovative
8 and has built on a robust academic literature of community
9 engaged and community-based participatory action research,
10 where we acknowledge community members' lived expertise as
11 valid data that can be helping us to really innovate and
12 be forward thinking.

13 We've also seen agencies like CARB and even the
14 San Joaquin Valley Air District improve accessibility by
15 providing translation, having stipends for community
16 members, scheduling meetings in the evening, which is
17 again acknowledging that this is part of why we're doing
18 our meeting in the evening. Trust and relationship
19 building is critical in communities that have been
20 disenfranchised and disinvested in for decades. And the
21 Community Air Protection Program has introduced a process
22 that has allowed for longer term investment and trust and
23 relationship building that needs to be continued.

24 And informed consent, right? Communities should
25 be able to say not only that they're the leading expert in

1 their experience, their lived experience, but also the
2 type of economic development that they would like to see
3 that truly will benefit low-income households.

4 So I'll just call out across the bottom, there's
5 the spectrum of community engagement to ownership and
6 recognizing varying capacity, varying processes allow for
7 varying levels of ownership. Obviously, at the end of the
8 spectrum where we're absolutely don't want to be is
9 ignoring the voices of environmental justice communities,
10 and that our goal is really to move along the spectrum
11 from providing information, to consulting, to being
12 involved, to collaborating, to deferring to. Again,
13 depending on the issue and the process, AB 617 is one
14 process where a lot of lessons have been learned. And
15 even though it's a program that many EJ groups were not
16 consulted on when it was passed and it still needs
17 reforms -- still needs reform, we have leveraged it for
18 direct investments and things like urban greening, and air
19 filters, and real improvements such as stronger rules and
20 regulations.

21 So these community-engaged lessons should be
22 integrated into CARB's rulemaking and the next Scoping
23 Plan. And one thing EJAC said was from inception to
24 implementation, it was a mantra that we repeated
25 throughout the Scoping Plan process. And we want to see

1 more outcomes, right? Process is super important, because
2 it's connected to the outcomes. But ultimately, what we
3 need to see are real reductions for our communities.

4 Next slide, please.

5 [SLIDE CHANGE]

6 DR. CATHERINE GAROUPA: So rounding it out with a
7 couple of visuals, bringing us back into thinking from the
8 community perspective and really valuing our community
9 leaders. Many of you have seen this image before. It's a
10 conceptual drawing From CVAQ's and partners February 22nd,
11 2022 listening session on the Scoping Plan, where we
12 prioritized hearing from our partners and community
13 leaders in environmental justice communities. So we were
14 in the middle of COVID lockdown. We had to do this all on
15 Zoom. We were maxed out in terms of the number of people
16 that we could have in the Zoom space. And we heard a lot
17 from community members on all of these various sectors
18 about both their fears of being left behind, of being sold
19 false solutions, and dirty jobs and their aspirations,
20 right, the innovative things and the existing knowledge
21 that we have that can be tapped.

22 So these are the types of visions and fears that
23 I draw inspiration from and use to ground myself and guide
24 my, you know, why do we keep doing this work?

25 Next slide, please.

1 [SLIDE CHANGE]

2 DR. CATHERINE GAROUPA: Then I also wanted to
3 share and uplift this graphic that CVAQ has developed over
4 the last couple of years, working internally with our
5 member organizations to have the critical conversation,
6 because environmental justice is so often put in the box
7 of all you do is say no, no, no. We don't want any of
8 these things. All you all do is complain. We don't even
9 need to talk to you.

10 Well, we very much disagree with that. We are
11 very proactive and we have a vision for our region. And
12 we have amazing community leaders and partner
13 organizations who are doing innovative work around zero
14 waste, around community gardens, around workforce
15 transition. So, you know, again, this image helps us
16 visualize what do we want? We want good jobs. We want
17 safe and resilient infrastructure. We want intentional
18 investments and we want equitable decision-making, and
19 it's something that, again, CARB is not going to be able
20 to do all of it, but you all can be a critical partner
21 with us in achieving these visions.

22 So then my very last and final slide.

23 [SLIDE CHANGE]

24 DR. CATHERINE GAROUPA: And appreciate your
25 patience and attention as we wade through these really

1 thick, but very important conversations. We have two
2 broad kind of topic areas that we would like to engage
3 Board members in discussion about. So I'm just going to
4 briefly introduction -- introduce them and then pass it
5 back to the Chair to facilitate those conversations.

6 So obviously, we just presented a lot of
7 recommendations related to the Cap-and-Trade Program. And
8 it's important for achieving climate goals, and improving
9 air quality, and living up to the commitment to racial
10 equity. So, questions in this category we'd like to
11 explore include things like what is the role of the
12 Cap-and-Trade Program in improving air quality and racial
13 equity? With the authority lost on mobile sources or at
14 the very least under threat for the next few years, is
15 Cap-and-Trade expected to fill the gap in achieving some
16 of these goals? And if so, how will it fill the gap? How
17 will air quality improvements be assured? Again, as the
18 original charge of CARB, multiple times reinforced by the
19 Legislature, those real, permanent, quantifiable,
20 verifiable, and surplus emissions, how will get them?

21 And again, underscoring throughout all of that,
22 the Chair and your leadership at the Board expressing
23 commitment to achieving racial equity, how does that
24 interface with the Cap-and-Trade Program? The Legislature
25 will give its direction and then it will come back to you

1 all. You have an imminent rulemaking that is supposed to
2 take place. So this is a critical time to be thinking
3 about and discussing these questions.

4 In the second category, again woven throughout
5 our comments and our presentation, you've heard us talk
6 about inclusion and process. So how will EJAC and
7 environmental justice communities be included in future
8 rulemakings and the Scoping Plan process? Can some of the
9 improvements learned from things like equitable building
10 decarb, and AB 617, the Community Air Protection Program,
11 can we integrate those into the next round of the Scoping
12 Plan, things like early outreach, community engaged
13 decision-making? What will engagement from EJAC look
14 like?

15 So, I know that's lot to discuss, but we wanted
16 to lay that out on the table for you all to consider. Our
17 priority now, because we've spent quite a bit of time
18 talking at you, is to hear from you all as Board members.
19 And so I will pass it to the Chair to facilitate a
20 discussion.

21 CHAIR RANDOLPH: All right. Thank you very much.
22 Appreciate the -- all the work that EJAC put into the
23 resolution itself and appreciate the presentation. I
24 guess I'll start with, you know, you alluded to our, you
25 know, mobile sources and sort of the challenges we have at

1 the federal level. And, you know, and I think it's
2 important -- you know, there was that slide talking about
3 2018. And I think it's really important to acknowledge
4 all the work that's happened between 2018 and now, right?

5 There -- the incredible progress in the
6 electricity sector, SB 100. And I -- you know, my first
7 EJ tour was to see a gas plant called Etiwanda, which has
8 since been closed, along with many other gas plants in the
9 state, and the incredible progress that has been made with
10 our mobile sources, and the focus that CARB has put over
11 the last several years on focusing on those mobile sources
12 in communities that are most impacted, communities that
13 are experiencing heavy-duty -- high volumes of heavy-duty
14 trucking, communities near ports, you know, huge focus and
15 huge progress on, you know, shifting that heavy-duty
16 sector to zero-emission vehicles and to cleaner combustion
17 vehicles, right?

18 You know, the Advanced Clean Trucks Regulation,
19 the Omnibus Regulation, both of which we are fighting in
20 court to maintain, was really intended to target
21 communities that were most impacted, but not just those
22 rules that have been under attack, but also the Heavy-Duty
23 Inspection and Maintenance Rule, which deals with the
24 legacy fleet and makes sure that they're consistent with
25 the emission standards and that they are tested and fixed

1 when they're not. Things likes the Commercial Harbor
2 Craft Rule, the At-Berth Regulation, again rules that were
3 intended to benefit port communities in particular, which
4 are impacted communities.

5 So, I do think it's important to acknowledge that
6 intersection that Katie talked about between air quality
7 and climate. In many instances, that work goes
8 hand-in-hand. And, of course, we've also had stationary
9 source work that's not climate related, like the Hex
10 Chrome Rule right? So South Coast kicked it off, but CARB
11 took it and took it statewide to do that work. So, I
12 think it's important to recognize that there is a lot of
13 work that has happened and that has been focused, in large
14 part -- not entirely, but in large part because of a lot
15 of the work that 617 communities have done. You know,
16 things like what is now a statewide pesticide notification
17 process came out of a 617 community and their dogged
18 advocacy on pesticides, and finally elevating that to the
19 State level, so that action could happen.

20 So I do just want to take a moment to acknowledge
21 all that work. But to your point, there is still -- there
22 are still impacts in communities. There is still progress
23 that we can make. And I think kind of the continued work,
24 as we see kind of what comes out of the Legislature and as
25 we see how the program evolves moving forward, but also

1 what are the opportunities around continuing to strengthen
2 and elevate the 617 program.

3 I know I have heard a lot of direct concern that
4 the steering committees are doing their work, and they're
5 creating CERPs, and then, you know, consistently nominated
6 communities are creating L-CERPs, and local governments
7 aren't necessarily seeing those when they're making their
8 land use decisions.

9 So what are the opportunities to kind of link
10 that communication and how can there be more of a
11 sustained sort of loop between those things, so that it's
12 clear kind of what community residents are experiencing,
13 what businesses are interested in doing, as part of the
14 community steering committee process, what air districts
15 are willing to do, but also what the land use authorities
16 are doing and how are they talking to each other, and
17 communicating, and implementing. So I do think there's
18 some opportunities there going forward that we can think
19 about and work on.

20 So I guess kind of those are my comments. I
21 would -- happy to open it up to questions or comments from
22 Board members or Committee members.

23 Thomas.

24 THOMAS HELME: Yeah. Thanks. I just wanted to
25 share an experience from Valley Improvement Projects at

1 least to -- you know, it was kind of on the same page with
2 most environmental justice groups about Cap-and-Trade and
3 AB 617, but it passed. And we've been involved in the
4 process since 2018 nominating communities from Stanislaus
5 County, not having them selected, but still being involved
6 and standing in solidarity with our other San Joaquin
7 Valley communities that were selected. Learning from
8 their process, seeing a lot of the issues that happened
9 with everything that was, you know, talked about with
10 facilities and places getting money that we felt, you
11 know, was going to actually expand their pollution to, you
12 know, the pesticide issue. And so, we kind of did get to
13 benefit from that, from not having a selected community
14 and getting to learn from the process. And, you know,
15 agree that there are a lot of issues to be worked out.

16 But what's been really painful for us is going
17 through that process, not getting selected, saying that
18 because, you know, working with our great partners, like
19 CCAC, and CVAQ, and CCEJN to do community air monitoring
20 projects, and then saying, well, wait, we could just use
21 our, you know, community air grant to kind of mimic the
22 process, just start inviting community members to meetings
23 and doing air quality 101, and then saying, okay, what in
24 your specific community.

25 And it took off with members from throughout the

1 county, so much that we just wanted to make it a
2 county-wide thing. We didn't want to leave any small
3 community out or just focus on, you know, the most urban
4 areas. So we've had in the last, you know, three years,
5 dozens of meetings, eight different communities in
6 Stanislaus County have membership or representation as
7 part of our L-CERP that -- we've been calling it SCERP,
8 Stanislaus Community Emissions Reduction Project, just to
9 go along with our Valley Improvement Projects name, and
10 the Stanislaus Community Air Monitoring Projects, so we
11 call SCAMP SCERP, which is --

12 (Laughter).

13 THOMAS HELME: -- catchy, right?

14 And now -- so we've come like this years long
15 process to this point where we have, you know, 20 plus
16 community members involved on a regular basis. They're
17 like really excited to be pointing out the things in their
18 communities that they want to focus on. And then getting
19 to the point where it's like, okay, we're officially
20 recognized as this process by CARB. And now, it's like,
21 well, there might not be any funding, and this might, you
22 know, take a really sharp ending right here for -- to tell
23 these community members that, you know, we've done all of
24 that work.

25 Like you were just mentioning, the steering

1 committee members have been doing that work. They're
2 getting pumped up and excited to advocate on behalf of
3 their own communities. They went from, you know, not --
4 or many of them. Some of them did understand the
5 relationship between, you know, the local air district and
6 State policy, and federal policy, and now feel like they
7 have tools in their tool box, and an understanding, and
8 they know their communities and what needs to be looked
9 at. And then, to say, well, now, we're not sure if the
10 State is going to have the resources or give the focus,
11 you know, to those communities and have to tell
12 communities members, that has been, you know, really
13 tough.

14 So just to put in our experience in the AB 617
15 process that we all know isn't perfect, but did provide
16 that opportunity. And if we can't expand it and continue
17 it, it's going to be a real big let down to a lot of
18 community members who were ready to advocate on behalf of
19 their communities and see some of these policies take
20 place, some of the folks that were involved in the -- you
21 know, advocating for the spray days and the other
22 successes that we've talked about.

23 So just want to really keep their excitement
24 levels going by giving them something to look forward to
25 and to hope for. I'll leave it at that for now. Thanks.

1 CHAIR RANDOLPH: Matt.

2 MATT HOLMES: I can follow that just to tie the
3 last two comments together. I'm glad that you've
4 identified that there are these other resources out there
5 in our communities. The Inflation Recovery[SIC] Act, and,
6 you know, the supreme planning agencies of each of the
7 counties are sitting on a pile of coin that can do a lot
8 for all of our local emission reduction planning efforts.
9 But, you know, we can't -- we can't -- we can't summon
10 that crowd alone. That's going to have to be a really
11 bold supportive move by the Air Resources Board to help
12 support all these L-CERPs and Local CERPs.

13 We're going to need your help to do that. And
14 that's -- it's going to be good to come out bold, because
15 CARB is at a crossroads. Because while Jill's Clean Air
16 Advisory Committee with U.S. EPA is being disbanded, my
17 Department of Energy USE IT Task Force is streamlining
18 permitting, unifying permitting, streamlining projects for
19 gas capture plants, to use carbon capture utilization and
20 storage, and to permit pipelines. And those pipelines are
21 coming through tribal country, and they're coming through
22 second class California.

23 And if CARB is asleep at the wheel on this,
24 you're going to lose a lot of stature. And so, the only
25 way to show up for this strongly is to show up with a

1 budget, and the budget is a moral document.

2 CHAIR RANDOLPH: All right. Thank you. Any
3 other questions or comments?

4 I'm not seeing any online.

5 Martha.

6 MARTHA DINA ARGÜELLO: You know, I wasn't going
7 to do this, but I can't help myself. Sorry, Catherine.

8 (Laughter).

9 MARTHA DINA ARGÜELLO: So, while in my office,
10 there's a firewall between myself and our 617 project,
11 because I serve on this Committee, there is work that's
12 being done in South LA that isn't being done in other
13 places that's -- and the only funding we could find for
14 this work, which is really sad, is through AB 617.

15 And so we have the only just transition chapter.
16 And we're doing something really different. We're
17 actually working with the small businesses that are the
18 backbone of the economic -- of the economics of that
19 community. We're working with auto body shops. We're
20 working with dry cleaners. We're working with some metal
21 manufacturers, but we're also working with other
22 researchers who are bringing new technol -- so we have a
23 technology assessment person who's helping us bring
24 cleaner technologies. I work on toxics, so we're looking
25 at talking to green chemists to figure out can you change

1 these processes? Can you look at what this facility is --
2 their effluent? And can you change this? Can you modify
3 these things?

4 And it's incipient work, but it wouldn't be
5 possible, right, without the 617 funding. And with --
6 through the participatory budgeting, the community decided
7 where those funds would go, right? So it's everything
8 from switching out dry cleaners, to wet cleaning in their
9 boilers, which actually means less regulation. So there
10 is innovation. We weren't -- so we've all found a way to
11 make lemonade. And so we think the program is really
12 important.

13 But I want to also go back to something -- I
14 can't remember if it was Katie or Catherine, who talked
15 about the Adaptive Management Plan, and how -- you know, I
16 was part of the Committee who was working on that, it was
17 also one of these great innovations, which allowed us, you
18 know, real-time course correction ability, which is really
19 important when you're dealing with air quality issues, and
20 when you're permitting a lot of things that we know are
21 harmful, that have bad emissions that will -- and as we
22 know, they will be placed in low income communities of
23 color.

24 So I really want to figure out how we can bring
25 that program back and make it online, because it's the --

1 it's -- you know, part of what we say is we want to be
2 part of the process from inception to implementation, to
3 evaluation. And without that Adaptive Management Plan,
4 it's really hard to say, right, if we should have no trade
5 zones, because -- and maybe that plan will let us know,
6 there's emissions increasing. Whether it's related to the
7 trades or not, if a community is having air quality --
8 worsened air quality, that's a serious public health
9 issue, and we should be acting quickly to figure out what
10 we can do to bring relief to that community.

11 And so, to me, those two things that -- you know,
12 how we look at -- how we limit the trades in places where
13 we are seeing the negative health impacts, in terms of air
14 quality. Air quality is sort of a proxy for bad health
15 outcome. So, if we can talk about what -- how to make
16 that happen, that adaptive management work. I mean, we
17 had a whole beta test of it and it was pretty awesome, and
18 then it just disappeared.

19 Yeah it was a beta test of adaptive management.
20 Okay. So the adaptive -- it was actually a platform,
21 adaptive management, where we could see -- they tracked
22 air quality improvements in a number of trades, and you
23 could -- you could see in each community where the trades
24 were happening and what was going on with air quality. It
25 was actually really cool.

1 KATIE VALENZUELA: And it was created by CARB --

2 MARTHA DINA ARGÜELLO: Yes.

3 KATIE VALENZUELA: -- independent of statute and
4 run by --

5 MARTHA DINA ARGÜELLO: Yes.

6 KATIE VALENZUELA: -- CARB. And then when the
7 renewal happened on 398, it vanished from the Scoping Plan
8 and we never got any closure.

9 MARTHA DINA ARGÜELLO: Yeah.

10 CHAIR RANDOLPH: Okay. Juan Flores has his hand
11 up.

12 JUAN FLORES: Thank you, Madam Chair. As we're
13 talking about all these programs and continue this
14 partnership of not only the EJAC with the CARB Board
15 members, but the entire environmental justice communities
16 of California, I do wonder, and I do have to ask what sort
17 of commitments does the Board will make to improve their
18 consultation with EJ communities?

19 Because I think that given in that space to share
20 their expertise from the common residents that are being
21 impacted by all the harmful effects of poor air quality,
22 water quality, I think that would definitely gain more
23 support from community members to the Board. So again,
24 just to state my question again, what sort of commitments
25 the Board will make to improve their consultation with EJ

1 communities?

2 CHAIR RANDOLPH: Does staff want to talk a little
3 bit about the Community Engagement Model that you all have
4 been working on and how you sort of envision the
5 implementation of that?

6 EXECUTIVE OFFICER CLIFF: Sure. Maybe I can ask
7 Chanell to address this in more detail.

8 DEPUTY EXECUTIVE OFFICER FLETCHER: I'm back
9 here. Sure. I think one of the things that I think has
10 been really great about having this EJAC and being able to
11 talk to folks both I think in the -- as a group setting,
12 but also one-on-one has really been thinking about the way
13 that we -- not just I think in the AB 32 programs, but as
14 an agency start to really think about how we're engaging
15 and doing that outreach.

16 And so part of what I think within our agency, we
17 worked to develop was a Community Engagement Model. And
18 so that wasn't something where CARB just developed it and
19 rolled it out, but it was really a team effort, where we
20 worked collaboratively with a group of external, you know,
21 community members and residents to help us to think
22 through like what does it look like for us as an agency to
23 do this work, how do we do that outreach, how do we do
24 that engagement, and how do we make sure that we're doing
25 it meaningfully.

1 And so I think I really appreciated the spectrum
2 of engagement and really being transparent on that front.
3 So that's something that I think we've actually come I
4 think to be presented, I believe, at our Board meeting.
5 This year we presented on it. You'll hear about it with
6 our Research Division. They're always talking about how
7 they've used it. Actually, STCD in our building -- our
8 building decarb -- so the Zero-Emission Space and Water
9 Heater. They've used it as well. And really for us, it's
10 been a really a tool to think about again how do we start
11 to get more consistency agency-wide in terms of how we're
12 working with communities.

13 The one note that I will make -- I think, Jill,
14 this is kind of some comments that I think we've gotten
15 from you, both I think in this space, but also in our
16 tribal advisory committee, which is convened by the
17 California Environmental Protection Agency, is exactly
18 that on the tribal consultations, right? And so it AB, I
19 believe, 52, right, does require us to have those
20 consultations with tribes. And so while we do do that, I
21 think we have a tribal team now at CARB where we've been
22 really thinking about what does that look like, how do we
23 do that thoughtfully?

24 And I know that Jill, we've talked about -- a
25 little bit about this tribal engagement model. We did

1 those tribal tours in San Diego. But one of the things
2 that we really do want to work on and think about in
3 addition to how do we outreach to communities is exactly
4 what you brought up, right, is that tribes are sovereign
5 governments. So how do we have those conversations? How
6 do we hold those formal consultations, right, with a big
7 "C"? And then also with that little "c" and how do you do
8 that meaningfully?

9 So that's what a little bit of the work that's
10 been happening in my shop, in addition to the
11 Environmental Justice Advisory Committee. And I'll hand
12 it back to you, Dr. Cliff.

13 EXECUTIVE OFFICER CLIFF: Thanks, Chanell.

14 CHAIR RANDOLPH: All right. Thank you.

15 Board Member Takvorian.

16 BOARD MEMBER TAKVORIAN: Thank you. This is
17 really a wide-ranging conversation. And, as it kind of
18 should be if we're in an environmental justice space,
19 because that's what environmental justice is. But I guess
20 I wanted to say a couple things.

21 One on what Chanell just talked about. I think
22 that CARB has been developing this community engagement
23 approach for a really long time. And I -- one of the
24 acknowledgments I'd want to make is that it took a hit
25 with the pandemic, I think a real hit, because

1 pre-pandemic when we started 617 projects, we were meeting
2 in every community. We were traveling around the state
3 and going to the selected communities, at least at that
4 point. And I think really opening the eyes of Board
5 members as well as staff, and it really was giving voice
6 to community to be able to really demonstrate what the
7 issues were.

8 And I would say that the pesticide notification
9 issues came to light in a very robust, using a diplomatic
10 term, set of meetings that really put CARB and community
11 members together in a unified way to say this has got to
12 stop. We really need some answers here. So it was one of
13 those moments where I think we are all really excited and
14 proud to be working together, understanding that there had
15 been decades of work that had happened previous to 617 --
16 I think folks would back me up on that -- demanding basic
17 notification for being exposed to poisons, you know,
18 chemicals that are designed to kill.

19 So -- but that I agree with you, Chair, that
20 that's a victory that we can celebrate together. And it
21 really came out of that unified approach. I think our
22 approach on trucks also is part of that. And when we
23 traveled to communities where everyone got to see these
24 trucks traveling through communities in front of homes and
25 schools, it really increased, I think, awareness. So, I

1 appreciate that there's a model being developed. But I
2 just want to say I think CARB has been leading the way in
3 a lot of ways for a number of years. And it would be
4 great to kind of get back to that to the degree that we
5 could, with being in person with folks.

6 I guess, the other thing I would say kind of
7 that's exciting, by more mundanely, but importantly is to
8 say I know that had this been timed at a different time,
9 there was a link to what are CARB staff's responses to the
10 very thoughtful recommendations that the EJAC has made and
11 that the timing, given the Legislature, is not the best
12 time for that to be an active link, because it's -- so
13 it's not. But when might all of us be able to see that
14 and what are we seeing as the timeline for rulemaking, if
15 we can even start to project that, for Cap-and-Trade? And
16 then going back to how can we have more conversations
17 about these thoughtful recommendations that have been made
18 that are more relevant -- they will be more relevant in
19 the space of whatever the Legislature does.

20 So, I guess that's about what's the future here,
21 in terms of rulemaking and how might we look forward to
22 that?

23 CHAIR RANDOLPH: Can I ask staff to address that?

24 EXECUTIVE OFFICER CLIFF: Yeah, I think with --
25 specifically with regard to the Cap-and-Trade Program, you

1 know, we have done some outreach already. We started that
2 rulemaking 18 months ago or so and have done a couple of
3 community meetings already. And, you know, to the extent
4 that we continue forward with, you know, that rulemaking
5 later this year, if -- you know, if the Legislature does
6 give us that direction, we would continue to do that
7 engagement.

8 And, in fact, you know, we'll have -- we have
9 this kind of overall model that we're able to follow with
10 the work that Chanell's team has done working with
11 everybody at CARB to develop the Community Engagement
12 Model. So I think using those principles will be really
13 critical in continuing our outreach and engagement there.

14 BOARD MEMBER TAKVORIAN: So I guess the questions
15 are, are you going to be following the same model with
16 having direct responses to the EJAC recommendations? I
17 mean, it was there in the agenda. And I know you did that
18 on the building decarb and had done that on LCFS, so I was
19 just wondering if that's part of the model.

20 EXECUTIVE OFFICER CLIFF: Yeah. I think to the
21 extent that we can respond to that, I know staff has some
22 questions about what's in the Resolution. So, hopefully,
23 we can continue to engage in our -- in our October meeting
24 and then -- and then respond to that as we move forward.
25 Does that makes sense?

1 CHAIR RANDOLPH: Okay. Kevin.

2 KEVIN HAMILTON: So one of the things that is
3 avoided in this conversation on a regular basis is no
4 trade zones. No one really wants to talk about it. You
5 know, it's like no trade zones. We can't have that. So
6 this takes me back to just what Ms. Takvorian was just
7 saying -- Board Member Takvorian regarding CARB's.

8 BOARD MEMBER TAKVORIAN: With a "V", Takvorian.

9 KEVIN HAMILTON: Takvorian.

10 BOARD MEMBER TAKVORIAN: That's okay.

11 KEVIN HAMILTON: I am so sorry.

12 BOARD MEMBER TAKVORIAN: No, you're fine.

13 KEVIN HAMILTON: After 25 fucking years --

14 BOARD MEMBER TAKVORIAN: After 25 years, yeah.

15 KEVIN HAMILTON: -- I can get it --

16 (Laughter).

17 BOARD MEMBER TAKVORIAN: That's why I made the
18 correction.

19 KEVIN HAMILTON: -- still can't get it right.
20 How many times have I been corrected? Sorry. That was
21 terrible and the mic is on, but we need a little humor at
22 this point, I think.

23 So, there we are. Picture this in your mind, AB
24 617, first three communities in the valley have been
25 chosen. Shafter is one of those communities. It's six

1 o'clock at night and it's in the fall, so it's getting
2 dark early. We're having a meeting that night at the
3 local veterans hall. Who's at that meeting? CARB's Board
4 comes to Shafter to talk about AB 617 and it's plan. And
5 I want to tell you, the place was packed to falling out
6 the doors. And those people -- and, by the way, CARB
7 Board members were there until 10 o'clock that night
8 listening.

9 And it was so powerful for that community. They
10 have taken that forward since. And I consider them one of
11 the stars of the 617 program, because that gave them the
12 power to go to the Air District and feel like they had
13 power, and say, no, I don't want this. I want this in my
14 617 plan. I don't want another little locomotive here I
15 hardly ever see and doesn't affect the emissions I'm
16 getting from the big trains from BSN -- BNSF and UP,
17 because you can't change those for us. But you know what
18 would be great, what if we had trees and shrubs that grow
19 up and down our streets here and protect us from that, and
20 by the way at the same time cleaning the air and said to
21 the Air District how about we take that money and do
22 something unusual with it. And they did something
23 innovative. It's not a mobile source, is it? It's not
24 even a stationary source, but yet it gets done. Some
25 sidewalks get fixed.

1 These communities have needs that go beyond just
2 what's the standard sort of thing that we see in plans
3 from this district, and yet it got done. It was able to
4 be done. But yet, that community still sits in a spot
5 that pollution accumulates on a regular basis. And it
6 accumulates from energy production, and that energy
7 production is related to the local industries there. And
8 those carbon emissions coming out of those industries,
9 especially black carbon, are causing tremendous health
10 problems in those communities.

11 So why are we still with those same industries
12 offering them to be part of the Cap-and-Trade Program and
13 to trade emissions off that they've purchased or buy
14 emissions that allow them to continue to put that
15 pollution into the air and cause those same health
16 consequences to those folks in that area, rather than
17 cleaning it up?

18 And I've said this to businesses many times in
19 the valley. We are not out to shut you down. We are
20 out -- we want this information to do the kind of things
21 Martha is talking about, where we can examine what you're
22 doing and give you a better way to do it that doesn't
23 create this problem. And those better ways are out there.
24 It's a matter of investment at that point or willingness
25 to invest.

1 And as they're able to take advantage of this
2 amazing program, that by the way I hate, but anyway. It's
3 here, so I have to deal with it as it is, right? And to
4 allow that, just seems criminal to me to be quite honest
5 with you. Why are we doing that? We have plenty of
6 people out there who'd like to have those credits, who are
7 doing what they should be doing. Why are we still giving
8 them to people who aren't and allowing them to be part of
9 this program?

10 Now, I wouldn't just go down there and say, okay,
11 well because it's here, you can do that. I would say if
12 you don't do that, then you will not be able to be part of
13 this program and we will remove you from it, because we
14 have data that shows that you're not complying with the
15 program.

16 I don't understand why everybody is so afraid of
17 that. I mean, we enforce on the air pollution side much
18 better than we do on the climate side. So we just kind of
19 let this keep on running. So, these areas have already
20 been pretty well identified, where this failure to
21 actually reduce these emissions is happening, and yet
22 again, Kern County is like the poster child for this too,
23 that and Wilmington. And, you know, maybe around Torrance
24 and South -- you know, there in Long Beach too.

25 I still remember trying to be sold a piece of

1 property there that had an oil derrick in the back of it.
2 And I laughed at the guy, like I'm from Ohio brother. You
3 know, I lived next to a steel mill.

4 Yeah. So, I think we're looking to CARB to lead
5 on this. Now, this is -- this is hard, because you've got
6 the Legislature sitting over here talking, you know, about
7 how do we put more people in this program. But you are
8 the actual entity that polices this, and so we expect the
9 police force to do their job, and make sure that whatever
10 is happening and whatever you're being responsible for
11 this is not harming people.

12 And I don't want to say anything that's going to
13 make people feel bad, but it's -- and I don't want to
14 accuse anybody of anything. I'm not doing that. But I am
15 saying that you need to do a better job with this. And
16 there are opportunities to do that that don't destroy the
17 Cap-and-Trade Program. They don't diminish it. They
18 actually use it in a way that I think we always envisioned
19 it would be used for, as a tool to lead rich people into
20 doing the right thing. And when they don't, there has to
21 be -- there has to be a consequences.

22 And right now, there's just no consequences
23 there. So the threat of even becoming a no trade zone
24 will get everybody's attention right away and be very
25 politically difficult. But in the end, it might create

1 the types of change that we need to see there.

2 I know that was really long. I'm sorry.

3 CHAIR RANDOLPH: Thank you. Appreciate that.

4 Matt.

5 MATT HOLMES: I just have an unpleasant
6 correction. So if you wanted to respond, please go ahead.

7 CHAIR RANDOLPH: No. No. You can go ahead.

8 MATT HOLMES: Just -- this is not at all to bring
9 a rain cloud down on the Shafter success. I saw it as a
10 resounding a success, 19,000 people were allocated -- you
11 know -- yeah --

12 KEVIN HAMILTON: (Inaudible).

13 MATT HOLMES: Always true, Kevin. You know, \$38
14 million, 19,000 people. Whereas in Stockton, we were
15 punished for our solidarity and had \$5 million removed
16 from our CERP, so 320,000 people received \$32 million in
17 support. So you know, see how the -- so this is not to
18 detract from Shafter, but I do have to -- I do have to say
19 this or I'm going to lose my seat in this Board -- at this
20 table. Spray days is in no way a human health protective
21 notification system. It is at best a geographically
22 restrained, you know, use inventory.

23 There is no way to take that data and protect
24 yourself in real time. It can be that. It's a very
25 important step in the right direction and we should all

1 celebrate it, but I am completely unable to utilize spray
2 days to protect anyone from an application.

3 CHAIR RANDOLPH: All right. Thank you. Okay.
4 Well, appreciate all the -- all the dialogue. I know
5 there's, you know -- oh, I'm sorry, Catherine.

6 DR. CATHERINE GAROUPA: No. If you want to
7 respond to other people comments, I can wait.

8 CHAIR RANDOLPH: No. No. You go.

9 DR. CATHERINE GAROUPA: Okay. I'm trying to
10 follow potluck rules, because I already spoke, so I wanted
11 other people to have the opportunity first. But I would
12 remiss if I let this item close without making a few
13 points.

14 One is I understand it seems CARB is -- has been
15 treading lightly, because you're waiting on direction from
16 the Legislature. So I want to reiterate again encouraging
17 both the staff and the Board to fully read the Resolution.
18 We really tried to focus high level on what our
19 recommendations were. But, you know, the whereases and
20 the be it further resolved are also really important
21 context and recommendations. And along the lines of
22 really appreciating Jill's role in helping us with tribal
23 consultation, I wanted to call out that one of our final
24 be it therefore resolveds says Native American tribes have
25 an inherent right to exercise authority over their members

1 and territory, which includes removing their lands from
2 carbon offset agreements.

3 So even though we didn't make that a formal
4 recommendation in our list, it is something that we've
5 acknowledged in here. And, you know, so again part of the
6 encouragement is that I want to make sure that those types
7 of points aren't missed.

8 I also wanted to put on people's radar, because
9 Katie mentioned during her presentation that Barbara Haya
10 at UC Berkeley has done a lot of research on direct
11 environmental benefits. And so I've asked her to come to
12 the October EJAC meeting to help us gain a deeper
13 understanding of her research and what she's found. And
14 so again, I want to present that as a further opportunity
15 for more information for hearing from experts for
16 furthering that conversation.

17 And then my last point on the be it therefore
18 further resolved points is that we did also ask CARB to
19 clarify in writing where it has decided that it does not
20 have legislative authority or political will to implement
21 any of the things that we had recommended above. And part
22 of why we particularly put that in there was because we
23 had lot of back-and-forth conversations particularly
24 around facility level caps and no trade zones.

25 And we were basically told that because of the

1 legislative direction on aggregate caps, that facility
2 level caps couldn't be implemented. And I'm a geographer
3 by training. So I said, okay, if you can't do facility
4 level caps, can you do no trade zones? And this was in
5 November 2024 before the legislative session started,
6 because we understood, if we couldn't get that from CARB
7 that we would need to take those recommendations to the
8 Legislature, but we never got an answer.

9 So, you know, that effectively ends the
10 conversation when we're basically told, we don't have --
11 we don't know if that's within our legal authority. Like,
12 we're just kind of not going to discuss it anymore. It
13 really hampers our ability as advocates to figure out how
14 the solutions that we're grappling with, whether you all
15 can implement them, what the challenges are for you to
16 implement them, is it that you need legislative direction,
17 are there technical aspects of it that need to be worked
18 out?

19 So I really want to particularly point out no
20 trade zones is something that's been talked about for
21 decades, that there's a lot of research around from very
22 credible researchers. And, you know, maybe more dialogue
23 about it would help us figure out exactly what that looks
24 like, because again, there -- as a geographer, there are
25 all kinds of different ways you could define what do even

1 mean when we say no trade zones? We haven't been able to
2 get to that level of conversation, because we essentially,
3 at this point, haven't gotten a response.

4 CHAIR RANDOLPH: Okay. At this point, I think,
5 you know, we are awaiting sort of final action from the
6 Legislature. We'll see what happens there, and then we
7 have to figure out next steps, you know, what are the next
8 regulatory steps going to be based on that? And I think
9 that is the -- you know, there is an opportunity to think
10 about, you know, there may be regulatory steps that are,
11 you know, shorter term, clearer, sort of next steps, but
12 there also is an opportunity to think about, okay, does
13 there need to be a set of potential regulatory
14 conversations that happen? And I think we don't know yet
15 what that's going to look like.

16 And so, I think sort of, as was mentioned
17 earlier, I think there is an expectation that even as we
18 move forward with the selection process and doing the next
19 EJAC, that you all will continue to be a really important
20 resource, this resolution will continue to be an important
21 resource, the organizations that you all represent will
22 continue to be an important resource, as we continue the
23 next steps and as we figure out what those next steps are
24 going to be.

25 So, really appreciate the dialogue. And the work

1 on this topic. And I think now it is time for public
2 comment. So can I turn it over to the clerks to
3 facilitate public comment.

4 BOARD CLERK MOORE: Yes. We have two commenters
5 in person.

6 After the in-person commenters, we'll call on
7 anyone who has their hand up in Zoom. Please note that
8 the deadline for commenter sign-ups will be at 7:18.

9 The first commenter is Casey Dunn.

10 CASEY DUNN: Hello. Good evening Chair and Board
11 members. My name is Casey Dunn with Southern California
12 Edison. I'm speaking here today in support for the
13 Cap-and-Trade Program and the significant benefits it
14 delivers, both by reducing emissions in the state and also
15 the revenue generated, which is being used to fund
16 critical clean air and climate investments. In the
17 electric sector, the Cap-and-Trade Program has put the
18 price of carbon directly into the heart of utility system
19 planning and resource procurement.

20 CARB leadership and staff should be complimented
21 on their thoughtful design of the program over the years.
22 It is a fundamental and cost-effective program that will
23 help California reach carbon neutrality affordably. As
24 we've seen, it's become a model for other jurisdictions as
25 well. We are glad to see the legislative efforts to

1 extend the program moving forward this year and we urge
2 the California Air Resources Board to swiftly develop and
3 improve the necessary regulatory changes when the
4 legislation is passed.

5 Thank you very much.

6 BOARD CLERK MOORE: Thank you. Our next
7 commenter is Keith Dunn.

8 It looks like maybe Keith isn't here.

9 Okay. Then we are going to move on to the
10 commenter in Zoom. We have one commenter in Zoom named
11 Nile Malloy. I will unmute. I'll ask you to unmute. And
12 please begin.

13 NILE MALLOY: Yes. Good evening. Thank you for
14 the opportunity to speak. My name is Nile Malloy. I am
15 the Climate Justice Director with the California
16 Environmental Justice Alliance. CEJA is a coalition of 10
17 grassroots organizations working across California with
18 low-income communities and communities of color most
19 impacted by pollution and cumulative health impacts.

20 First, because the scheduling is so important, we
21 respectively urge CARB to reconsider holding hearings like
22 this during the final week of the legislative session.
23 There are several community participants are forced to
24 make the difficult decision between -- unnecessary and
25 difficult decision between attending legislative hearings

1 or participating in this important CARB EJAC meeting.

2 Secondly, supporting the EJAC Chair's opening
3 remarks about equity, affordability, the need for stronger
4 air quality improvements and for environmental justice for
5 our communities and members, we all know that climate
6 policy is not just abstract. It's daily life. We all
7 know how communities breathe the impacts of pollution
8 every day. So with the legislative session winding down,
9 CARB may soon have even greater authority over air quality
10 offsets and allowances. And the central question is will
11 the CARB authority deliver real pollution reductions in
12 our neighborhoods or will industries continue buying their
13 way out while our children, families and workers bear the
14 burden.

15 And importantly, will CARB final consider --
16 finally consider supporting some of the EJAC resolution
17 and recommendation that was provided to, which was
18 excellently presented by the CVAQ team. So really
19 appreciate those things.

20 We also really appreciate the thoughtful
21 recommendation from the EJAC and we urge CARB to put some
22 of those in action thinking about the next regulatory
23 process, specifically around strengthening the offsets and
24 then also environmental benefits around AB 617. We know
25 that these are very important programs as mentioned by the

1 Chair and also other EJAC members. And so I want to
2 consider that work continuing to move forward.

3 Thank you.

4 BOARD CLERK MOORE: Thank you. That concludes
5 our commenters, both in Zoom and in person. I'll turn the
6 microphone back over to Chair Randolph.

7 CHAIR RANDOLPH: All right. Thank you. And I do
8 have to say I plus one that last commenter's point about
9 the joint meeting at the end of session. And I feel like
10 that's -- as the next EJAC iteration is constructed and
11 put together, I think looking at the calendar and figuring
12 out if we can tweak this meeting a little bit, so it's not
13 the same week as the legi -- end of the legislation --
14 legislative session is actually a great idea.

15 So, with that, I think we are adjourned and, you
16 know, heartfelt thanks once again, and to all of the
17 Committee members who have been doing all this work, and
18 to our Co-Chairs. And there's lots -- there's more
19 comments.

20 Thomas, we'll start.

21 THOMAS HELME: Yes.

22 CHAIR RANDOLPH: Oh, I forgot. I'm sorry. I
23 apologize.

24 THOMAS HELME: I saw the closing remarks on
25 there, so I was saying a very quick comment, but it has to

1 do with everything we were just talking about, early
2 engagement with community. Valley Improvement Projects as
3 I'm sure some of the other folks in this room have been
4 involved with various groups working on upcoming
5 regulations, one of them being the Landfill Methane
6 regulations. We heard that that might, you know, kick off
7 as early as November. So, early community engagement has
8 kind of been a theme of this meeting. We definitely want
9 to say early community engagement, especially to those
10 front-line communities that this -- that this impacts
11 strongly is done.

12 And again, just in relation to some of the
13 conversations we had today really listening to those
14 community voices, not giving in to, you know, voluntary
15 industry programs and make sure that we have robust
16 commitments to, you know, transparency, and data
17 collection, and actually making some of the things that we
18 know will alleviate some of these burdens on communities
19 near landfills and other sources, you know, are heard and
20 have access to that. So I just wanted to put a plug in
21 for that real quick.

22 Thank you.

23 CHAIR RANDOLPH: Thank you, Tom. And my copy of
24 the Cap-and-Trade Resolution was covering my agenda order
25 and I completely lost track of where I was. So sorry

1 about that.

2 Catherine.

3 DR. CATHERINE GAROUPA: No worries. Just again
4 don't want to miss this last opportunity for closing
5 remarks and happy to let Martha Dina have the last word
6 from the EJAC. So just want to take the opportunity to
7 thank everyone for their time and attention today to these
8 really important issues. And a special thanks to Katie
9 with CVAQ for supporting us on so many of these issues
10 from building decarb to the Cap-and-Trade Program, and to
11 Carbon Markets Work Group members. Our work group has
12 included again EJAC and non-EJAC members who put in many,
13 many, many, many hours not just to help us develop this
14 resolution, but to invite our expert speakers to prepare
15 questions and have meaningful dialogue with them. And it
16 really is a robust process that we engage in to develop
17 our resolutions.

18 I think it's clear that on these issues, we need
19 to dig in and work both harder and smarter. I'll be
20 honest that I was caught off guard to hear tonight that
21 October was our last meeting since we don't term out until
22 March. So I'm looking forward to continuing that
23 conversation off line, because there is more work to be
24 done, and I have already been working at reaching out to
25 other speakers, assuming that we were having more

1 meetings.

2 I'll just close by saying that regardless of
3 legislative outcomes, CARB has broad authority over
4 critical programs like Cap-and-Trade that we need you to
5 use towards improving health outcomes and advancing racial
6 equity.

7 MARTHA DINA ARGÜELLO: Ditto to everything she
8 said. And I must have not been paying attention for a
9 moment in a co-chair's call, because I was also unaware
10 that we weren't having meetings after -- I knew that
11 November and December no, but I assumed we'd be coming
12 back in January and are ready to work. So, that -- that's
13 one comment.

14 The other is, you know, I did propose that -- and
15 I'm not sure what the logistics are that I think it's
16 important for us to be able to have conversations about
17 some deeper dives on some of these issues. And I would
18 hope that there's appetite on behalf of the Board members
19 to do that and let us know how we can start to make that
20 happen. There is wide expertise in the Committee, but
21 there's also wide expertise within our organizations on
22 everything from just transition, to community air
23 monitoring, to program design.

24 And so, it would -- you know, as the longest
25 serving member of this Committee, and I -- I was on the

1 floor when AB 32 passed in 2006. And we were that first
2 class of people and I stayed. And I don't know why. I'm
3 a little crazy, but everybody knows that, but the -- yeah,
4 well, but the thing is that, you know, what we say in our
5 organization is institutional memory is everything. And
6 when I -- when you realize that you've been something for
7 almost 20 years and some -- we've been here through
8 different Chairs, through different staff. And so, we are
9 an incredible resource and have institutional memory and
10 know program -- knows -- like I didn't realize nobody knew
11 about the Adaptive Management Plan. How did not -- you
12 know.

13 KEVIN HAMILTON: It's been a long time.

14 MARTHA DINA ARGÜELLO: It's been a long time.
15 That's why. So, you know --

16 KEVIN HAMILTON: COVID purged a lot of memory.

17 MARTHA DINA ARGÜELLO: There's that. So, I just
18 really hope that we take -- that we do that and we do it
19 seriously, because a lot is at stake. Our -- you know,
20 our ability to meet climate goals, to stop climate
21 catastrophe is at stake. And our ability to innovate and
22 have a different economy, right? It's important. If the
23 Cap-and-Trade Program continues to be, you know, lowering
24 the cost of compliance for the people who got us here
25 versus clean air and a future for our -- I don't have

1 kids, but certainly my niece who is 15. And I think I
2 look at her and I think what are we leaving you? What are
3 we leaving her? And it's not good.

4 And so, this institution needs to stop putting
5 its finger on the scale in favor of industry. We will not
6 get to the new economy. I remember when I first started
7 doing climate change work, there was this great quote,
8 "The Stone Age did not end because we ran out of stones.
9 The fossil fuel age will not end because we run out of
10 fossil fuel." It's a really old quote. That's how long
11 I've been doing climate change work.

12 And you are an important part of helping us get
13 there, because with CCS and all this other stuff, they
14 want to extract for another hundred years. Our
15 communities will not survive that. Our lungs will not.
16 The cancer rates won't let us survive that. And so, that
17 transition has to start. And, you know -- and we have to
18 figure how to do it to protect those workers, but
19 industries have been externalizing their cost onto our
20 communities for too long, and now a Cap-and-Trade Program
21 is going allow them to continue to say sorry, but the
22 price of gas. Well, you know, much profit are you making?

23 So, if this agency doesn't take that charge
24 seriously, given what's happening at the federal
25 government, you know, our -- we are in a lot of trouble.

1 And we're already past the point where we need to act.

2 And so now, you know, we're offering our help, because we
3 understand that it means to not be able to breathe clean
4 air. We understand what it means to live next to a
5 freeway. We understand what that means for the health of
6 our communities. And so we're offering this help and we
7 really hope it's taken.

8 CHAIR RANDOLPH: All right. Thank you very much.

9 And on -- Martha Dina gets the last word and our
10 meeting is adjourned and thank you all.

11 (Thereupon the Air Resources Board, Environmental
12 Justice Advisory Committee meeting adjourned
13 at 7:00 p.m.)
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CERTIFICATE OF REPORTER

I, JAMES F. PETERS, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing California Air Resources Board Environmental Justice Advisory Committee meeting was reported in shorthand by me, James F. Peters, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed, under my direction, by computer-assisted transcription;

I further certify that I am not of counsel or attorney for any of the parties to said meeting nor in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of September, 2025.



JAMES F. PETERS, CSR
Certified Shorthand Reporter
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