



Tribal Activities Report

FY 2020–2021

In fond memory of Harry Williams, Big Pine Paiute Tribe of the Owens Valley
and Tribal Advisory Committee Member

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California Air Resources Board 2020-2021 Tribal Activities Report

This report contains all California Air Resources Board (CARB) consultation, outreach, engagement and work with California Native American Tribes (Tribes) from September 1, 2020 until August 31, 2021 (hereinafter “reporting period”).

Tribal Consultations

CARB adopted its Tribal Consultation Policy following a Board Hearing on October 25, 2018. CARB tracks all consultations and is reporting the following consultation activities for this reporting period:

- Assembly Bill 52 Notices: CARB sent AB 52 “Notice of Preparation” to the Ohlone/Costanoan-Esselen Nation, Colusa Indian Community Council, San Gabriel Band of Mission Indians, San Manuel Band of Mission Indians, and Viejas Band of Kumeyaay Indians on the following matters: (1) 2022 Scoping Plan Update; (2) State Implementation Plan Strategy; and (3) the following mobile source regulatory work: amendments to the Advanced Clean Cars II Regulation, Commercial Harbor Craft Regulation, and Transportation Refrigeration Units (TRU) Regulation. The San Manuel Band of Mission Indians requested CARB include specific cultural resources mitigation language in its Environmental Analysis pertaining to the Commercial Harbor Craft regulatory amendments. CARB included the language, which the Tribe approved.
- Blue Lake Rancheria: CARB received a request for consultation regarding a biomass plant owned by Blue Lake Power (BLP). CARB conducted an informal consultation with the Blue Lake Rancheria in 2018 and explained CARB’s authority and the air district’s authority as well as the Tribe’s concerns related to BLP. CARB conducted a joint inspection of BLP with the air district. CARB committed to inspecting BLP when it begins operation. BLP has not begun operation during this reporting period. CARB is monitoring the situation and this consultation remains open due to the unknown status of BLP.
- Closed Consultations from Previous Years: Passamaquoddy Tribe at Indian Township (closed November 22, 2016); Mescalero Apache Tribe (closed May 25, 2016); Coyote Valley Band of Pomo Indians (Closed November 22, 2016); San Manuel Band of Mission Indians (closed March 15, 2017); Mescalero Apache Tribe (closed January 23, 2018); National Tribal Air Association (closed October 10, 2018); and National Tribal Air Association (closed May 28, 2019).

Tribal Advisory Committee Meetings

The California Environmental Protection Agency (CalEPA) Tribal Advisory Committee (TAC) meets with each CalEPA board, department or agency (BDO) throughout the

year to discuss environmental issues and projects involving Tribes. CARB participated in the following TAC meetings for this reporting period:

- CalEPA Headquarters (Zoom): March 4, 2021.
- CalEPA Headquarters (Zoom): July 16, 2021.

Tribal Website and Listserv

CARB created a *Tribal Relations* [website](#) and a *Tribal listserv* to keep Tribes apprised of CARB's activities and publishes the monthly Board hearing schedule to the Tribal listserv to provide Tribes with notice of CARB's monthly Board items. The Tribal Relations website contains important information, such as the Tribal Consultation Policy, information on State Implementation Plans and air districts, presentations, and other information that may interest Tribes. CARB has continuously updated the Tribal Relations website and released email blasts to Tribes. Specifically, CARB sent the following notices to the Tribal listserv during the reporting period:

- Monthly Board Hearing Agendas
- California Climate Investments
- Regional Haze Workshop
- Public Workshop to Discuss Development of Regulation to Accelerate the Deployment of Zero-Emission Forklifts
- San Diego Air Pollution Control District Board Hearing for San Diego County's Ozone Attainment Plan
- 2020 San Diego Ozone State Implementation Plan
- Estimation of Greenhouse Gas Emissions from Forest Management Activities, Contemporary Wildfire, and Historical Fire
- Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Selection of 2020 Communities
- Zero-Emission Drayage Truck and Infrastructure Pilot Project Application Period Extension
- Local and Regional Forest Management Priorities Survey
- Clean Mobility Options Voucher Pilot Program
- Toxics and Transportation Division Fact Sheets
- Apply to the AB 32 Environmental Justice Advisory Committee
- AB 32 Climate Change Scoping Plan
- Comment Period Now Open to Inform CARB's Fiscal Year 2022-2023 Research Planning Process
- CARB Reopens Incentives for Clean Trucks and Buses
- Invitation to Virtual Workshops on the Draft Wildfire Smoke Clean Air Center Grant Guidelines
- Release of Community Air Grant Request for Applications July 15 Workshop Notice.
- Apply Now to Address Sustainable Transportation and Communities Data and Information Gaps
- Virtual Workshop Draft Cap-and-Trade Auction Proceeds Fourth Investment Plan

Training

Beginning in 2019, CARB's Tribal Liaison conducts training on tribal history, laws, and cultural resources and continues to conduct trainings to increase understanding and sensitivity. CARB also conducts two to three rulemaking trainings to educate staff on the importance of Tribal outreach. In addition, CARB engages in quarterly Tribal Coordinator meetings between the Tribal Liaison and the Tribal Coordinators as a means to share information, touch base, and brainstorm opportunities to increase Tribal/State collaboration.

Community Air Grants

Assembly Bill 617 (Garcia, Stats. of 2017, Ch. 136) (AB 617) seeks to ensure that all Californians benefit equitably from California's air quality and climate efforts, especially those who live in the areas of California most severely impacted by air pollution. AB 617 includes a provision for grants to community-based organizations and Tribes to support their efforts in this process. CARB administers these grants. CARB awarded grants to three Tribes in 2018 and three additional Tribes in 2019. The following activities occurred during the reporting period:

- Twenty-Nine Palms Band of Mission Indians: CARB provided funds for the Tribe to establish a Tribal Air Monitoring Program. The Project will place a new air quality PM10/PM2.5 monitoring station at the Cabazon Band of Mission Indians complex. The data collected from the station will be shared online, and the Tribe will conduct community outreach on a quarterly basis to keep the community informed of unsafe air. CARB engaged with the Tribe on June 22, 2020, September 15, 2020, October 16, 2020, October 29, 2020, November 25, 2020, January 11, 2021, February 4, 2021, September 9, 2021, April 7, 2021, April 12, 2021, and June 9, 2021.
- Big Pine Paiute Tribe of the Owens Valley: CARB provided funds for the Tribe to install an air monitor and coordinate with local air district and Tribal air monitoring networks, and for student engagement through Science, Technology, Engineering and Math (STEM) awareness. CARB engaged with the Tribe on September 10, 2020, September 30, 2020, December 31, 2020, March 30, 2021, and June 30, 2021. As part of the program, the Tribe shares air quality data collected for AB 617 with CARB staff and these data are then made available for public download at the AB 617 Community Air Quality Data Portal (AQview) (<https://aqview.arb.ca.gov/>).
- Pala Band of Mission Indians: CARB provided funds for the Tribe to develop an air-monitoring network and real-time data website, coordinate with neighboring Tribes, and for partnership and capacity building. CARB engaged with the Tribe on October 29, 2020, March 3, 2021, and June 28, 2021. The website for this project is available at: <http://airpala.com/>.

- Blue Lake Rancheria: CARB provided funds for the educational project titled *Community Air Monitoring with Kids Making Sense*, which will bring hands-on air quality monitoring and curriculum to Blue Lake Elementary, with focused AB 617 information. Through the Pathmakers Program, the project would additionally serve three priority populations at Arcata High School, McKinleyville High School and Hoopa High School. CARB engaged with the Tribe on January 27, 2021, February 11, 2021, March 24, 2021, April 13, 2021, and June 15, 2021.
- Morongo Band of Mission Indians: CARB provided funds for the *Morongo Community Air Quality Monitoring Network*, which will be located on the Morongo Indian Reservation, in Riverside County, California. Five low-cost air quality monitors will be installed in strategic locations on the Reservation. Most of them will be in undeveloped, open space, adjacent to the Morongo Community area. Due to the remote monitoring locations, these sensors will be configured with solar power. CARB engaged with the Tribe on September 10, 2020, September 23, 2020, December 15, 2020, March 3, 2021, and June 15, 2021. The website for this project is available at: <http://morongoair.com/>.
- Santa Ynez Band of Chumash Indians: CARB provided funds for the *Chumash Community Air Quality Monitoring Project*. This project will serve the Santa Ynez Chumash Reservation in Santa Barbara County and will help improve air quality on the Reservation. This goal will be achieved through the establishment of a real-time monitoring network, strategic air quality sampling, community engagement and education, and Tribal capacity building. CARB engaged with the Tribe on February 26, 2021. The website for this project is available at: <http://chumashair.com/>.

For all of these projects, CARB staff engaged with these Tribes regularly via telephone and email regarding grant payments, reporting, project implementation questions, grant amendments, and air monitoring data throughout the reporting period.

AB 617 Community Air Protection Consultation Group

CARB is conducting a comprehensive public outreach and community engagement process to inform the development of the Community Air Protection Program under AB 617. As one aspect of this outreach, CARB convened a multi-stakeholder Consultation Group. Members of the Consultation Group include individuals representing environmental justice organizations, Tribes, air districts, industry, academia, public health organizations, and local governments. CARB staff met with the Consultation Group on September 28, 2020, June 15, 2021, and August 12, 2021, which included the Blue Lake Rancheria.

Native American Day

In person Native American Day activities were cancelled for this reporting period.

State Implementation Plans

The federal Clean Air Act requires areas with unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide to develop plans, known as State Implementation Plans (SIPs). SIPs are comprehensive plans that describe how an area will attain national ambient air quality standards (NAAQS). The 1990 amendments to the federal Clean Air Act set deadlines for attainment based on the severity of an area's air pollution problem. All Board Hearings that include all SIPs are noticed on the Tribal listserv every month. CARB engaged on the following additional matters:

- 2022 State SIP Strategy: In 2015, U.S. EPA strengthened the 8-hour ozone standard to 70 parts per billion (ppb). Nineteen areas in California were designated nonattainment in 2018. CARB will be considering regional SIPs for this standard in 2022. The 2022 State SIP Strategy will include measures and commitments to reduce emissions from State-regulated sources to support attainment of the 70 ppb standard in all nonattainment areas across California. CARB kicked-off the process for the 2022 State SIP Strategy with a public workshop on July 27, 2021. CARB provided notice to Tribes through its Tribal Relations website and an email blast through its Tribal listserv. The SIP Strategy will feed into and support attainment SIPs for the 70 ppb 8-hour ozone NAAQS with a due date of August 3, 2022. CARB is planning a webinar with NTAA as CARB is expanding its direct engagement to get input from Tribes through targeted meetings and presentations.
- San Diego Joint SIP: On October 16, 2020, CARB notified Tribes of CARB's November 19, 2020 Board Hearing regarding the San Diego Joint SIP for the 75 ppb and 70 ppb Ozone Standards. CARB posted the notice on its Tribal Relations website and sent an email blast to the Tribal listserv.
- 2021 Regional Haze SIP: U.S. EPA published the Regional Haze Rule (Rule) in order to protect visibility in strategies and set interim goals every ten years in SIPs that show what actions will be undertaken to protect and improve visibility in these federal national parks and other scenic federal lands. The Rule directs every state to prepare long-term plans for Class I Areas nationwide. These SIPs focus on reducing regional haze caused by man-made pollution. This pollution scatters and absorbs light thereby impairing visibility in parks and other wilderness areas. Most of these Class I Areas are located in the western United States. California is a member of the Western Regional Air Partnership (WRAP) and worked with fifteen other western states, federal land management agencies, U.S. EPA, and Tribal representatives to assess regional progress in improving visibility through particle pollution monitoring, and to identify causes

of haze through regional modeling. CARB is working to establish reasonable progress goals for California for 2028. CARB held a workshop on September 17, 2020 and provided notice to Tribes through its Tribal Relations website and an email blast through its Tribal listserv. It is anticipated that the matter will go before the CARB Board in January 2022. CARB will then submit California's Regional Haze Plan to U.S. EPA.

National Tribal Air Association Coordination

As part of the commitments CARB made in two separate responses to the National Tribal Air Association (NTAA) tribal consultation requests, CARB agreed to present at tribal informational webinars and collaborate with the NTAA. In the past, CARB presented on the federal Safer Affordable Fuel-Efficient Vehicle Rule, Particulate Matter and Ozone National Ambient Air Quality Standards Review, and the Mercury Air Toxics Standard in the form of webinars. This year, CARB presented at the following webinars/meetings:

- Proposed Ozone National Ambient Air Quality Standards (NAAQS): U.S. EPA proposed to maintain the current Ozone NAAQS, rather than make it more stringent. CARB submitted comments on this proposal and on September 15, 2020, presented at NTAA's informational webinar and met with NTAA to discuss the proposal. U.S. EPA ultimately finalized its proposal and CARB, along with a multi-state coalition, filed suit questioning the Agency's action. As of September 2021, U.S. EPA announced that it expects to decide whether to reconsider the finalization by late October 2021.
- Daimler Settlement: CARB staff met with NTAA on June 2, 2021, August 18, 2021, and September 17, 2021, to provide an update on the status of CARB's Daimler settlement agreements designed to remedy excess emissions from illegal vehicles. CARB staff described the mitigation component of each settlement, and the public process to provide input on funding program development.
- Supplemental Environmental Projects (SEPs): CARB participated in several webinars/meetings with NTAA (June 2, 2021, August 18, 2021, and September 17, 2021) and U.S. EPA Region 9/Tribal RTOC (July 21, 2021 and August 4, 2021) to discuss SEPs and provide information to Tribes on how to apply to be on the SEP list to receive monies from future enforcement settlements. NTAA is planning to draft a SEP toolkit for Tribes to use to make the application process easier. CARB plans to work closely with NTAA on this process.

2022 Scoping Plan Update

In 2006, the Legislature passed the California Global Warming Solutions Act of 2006, known as AB 32, which created a comprehensive, multi-year program to reduce greenhouse gas (GHG) emissions in California. AB 32 required CARB to develop a

Scoping Plan that describes the approach California will take to reduce GHGs to 1990 levels by 2020. The Scoping Plan was first approved by the Board in 2008 and, by statute, must be updated at least every five years. Since 2008, there have been two updates to the Scoping Plan. Each of the Scoping Plans have included a suite of policies centered around regulations, incentives, and carbon pricing to help the State achieve its GHG targets, in large part leveraging existing programs whose primary goal is to reduce harmful air pollution.

In 2016, the Legislature passed Senate Bill 32 requiring California to reduce GHG emissions to 40 percent below 1990 levels by 2030. The 2022 Scoping Plan Update will assess progress towards achieving the SB 32 2030 target and lay out a path to achieve carbon neutrality no later than 2045. The State achieved its 2020 target four years earlier than required and the 2017 Scoping Plan Update laid out a cost-effective and technologically feasible path to achieve a 40 percent reduction from 1990 levels by 2030. Achieving carbon neutrality will bring a number of changes to California, including moving the State away from fossil fuel combustion in a manner that supports job retention and creation as California makes a just transition towards a clean energy economy. Moreover, data shows disadvantaged communities are disproportionately impacted by fossil fuel combustion related air pollution. Phasing out fossil fuels will deliver greater benefits in these communities,

To further assist CARB in its efforts to advance environmental justice, AB 32 requires CARB convene an Environmental Justice Advisory Committee (EJAC) to advise the Board in developing the Scoping Plan. A member of the Gabrieleño Band of Mission Indians (Kizh Nation) plans to serve on the EJAC. CARB will consult with the Committee throughout the development of the 2022 Scoping Plan Update to ensure that environmental justice principles and actions are incorporated into the Scoping Plan.

CARB also held a series of virtual workshops to develop the Scoping Plan on June 8, 2021, June 9, 2021, June 10, 2021, July 20, 2021, August 2, 2021, August 17, 2021, September 8, 2021, and September 30, 2021. CARB has provided notice on the Tribal Relations website and Tribal listserv to gather Tribal input on natural working lands. Opportunities to participate in the process can be found [here](#). Tribes may also contact CARB's Tribal Liaison.

Cap-and-Trade: Compliance Offset Program for U.S. Forest Projects

The Cap-and-Trade Compliance Offset Program provides an opportunity for sectors not covered under the Cap-and-Trade Regulation to generate additional greenhouse gas benefits. Through this program, projects which meet rigorous CARB-adopted Compliance Offset Protocols, such as the U.S. Forest Projects Protocol, are eligible to generate offset credits that may be utilized within Cap-and-Trade. Tribes, because of their unique status as sovereign nations, must include a limited waiver of sovereign immunity that is legally binding under the Tribe's laws as part of the offset project listing requirements to participate in the Compliance Offset Program.

As of September 15, 2021, CARB issued 184.7 million forest offset credits pursuant to the U.S. Forest Projects Protocol. Of that, 83.9 million credits were issued to Tribal entities and Alaska Native Corporations for improved forest management, sustainable forest projects, or avoided conversion offset projects. CARB staff participated in various calls with multiple Tribes and/or their authorized project designees regarding carbon offset projects.

As of this reporting period, the following Tribes and Alaska Native Corporations are participating in CARB's program:

- The Yurok Tribe (CA)
- Round Valley Indian Tribes (CA)
- Sealaska Corporation (AK)
- Passamaquoddy Joint Tribal Council (ME)
- White Mountain Apache Tribe (AZ)
- Confederated Tribes of the Warm Springs Reservation of Oregon (OR)
- The Confederated Tribes of the Colville Reservation (WA)
- Mescalero Apache Tribe (NM)
- Spokane Tribe of Indians (WA)
- Ahtna Incorporated (AK)
- Haida Corporation (AK)
- Port Graham Corporation (AK)
- Chugach Alaska Corporation (AK)
- Goldbelt, Inc. (AK)
- Huna Totem Corporation (AK)

CARB staff also began assessing co-benefits from Tribal participation in the Compliance Offsets Program and scheduled virtual interviews with participating Tribes to better understand Tribal experiences with and co-benefits coming from their participation. Tribes interviewed/scheduled for interviews include the Yurok Tribe, Passamaquoddy Tribe, Round Valley Indian Tribes, and Confederated Tribes of the Colville Reservation beginning in February 2021 until present.

Salton Sea

CARB staff met online and/or spoke on the phone with Tribal members of the Torres Martinez Desert Cahuilla Indians and Twenty-Nine Palms Band of Mission Indians regarding their participation in a CARB research project focused on assessing community health impacts from exposure to Salton Sea emissions. Tribal representatives participated in 3 two-hour long planning group meetings held on November 10, 2021, December 11, 2020, and January 22, 2021. CARB also met with the Torres Martinez Desert Cahuilla Indians to discuss monitor type (BAM was chosen), location (existing shelter near Salton Sea Beach was chosen), and archive location of the data that would

be collected (displayed on the U.S.EPA Air Quality System). CARB extended an invitation for the Tribe to have the data also displayed on the CARB AQMIS site.

Governor's Climate & Forests Task Force & Tropical Forest Standard

CARB engaged with representatives of indigenous peoples and organizations from Central and South America in 2021, including the Alianza Mesoamericana de Pueblos y Bosques and the Coordinadora de las Organizaciones Indigenas de la Cuenca Amazonica. Efforts include meetings to discuss principles of engagement between subnational governments of the Governor's Climate & Forest Task Force and indigenous peoples and local communities; the goal is to structure meetings with subcommittees for longer-term collaboration. Discussions built on years of partnership and work to develop and endorse Guiding Principles for this collaboration, as well as incorporation of these Guiding Principles into the California Tropical Forest Standard, which was endorsed by CARB on September 19, 2019. CARB engaged in virtual meetings in September and October 2020.

Tribal Liaison Meetings

CARB's Tribal Liaison participated in CalEPA Tribal Liaison meetings and quarterly Governor's Office Tribal Liaison meetings for this reporting period.

California Climate Investments

The Climate Investment Branch (CIB) works with 20+ other state agencies who administer California Climate Investments (CCI) programs, funded through the Greenhouse Gas Reduction Fund (GGRF). As part of this work, CIB conducts statewide outreach to increase awareness of these CCI programs. CIB also collects data from each CCI administering agency on individual projects that they fund. This includes both outreach activities and funded projects. CARB engaged in the following activities during this reporting period:

- CCI Webinar: Funding Opportunities for Tribal Governments and Fourth Investment Plan Input Session: The CCI webinar held on July 27, 2021, highlighted (1) funding opportunities available to Tribal Governments, and (2) avenues for Tribes to provide input on program efforts, with an emphasis on the CCI Fourth Investment Plan. The webinar included Tribal grantees from two highlighted programs (Community Air Grants and Clean Mobility Options) and a Q&A session. A recording of the event, slides, and supplemental resources are posted online as longstanding resources at the California Climate Investments [website](#). Engagement with Tribes/Tribal members included outreach to Tribal leaders statewide through mailers and Tribal listserv/website, tailored outreach to Tribal Governments based on location, telephone calls, emails, speaker recruitment (Tribal Government employees), and feedback solicitation (the CalEPA Tribal Advisory Committee). Registrants and attendees of the webinar

also received email communications regarding webinar materials after the event. Tribal funding opportunities can be found [here](#).

- Sustainable Transportation Equity Project (STEP): STEP is a new transportation equity pilot that aims to address community residents' transportation needs, increase access to key destinations, and reduce greenhouse gas emissions by funding planning, clean transportation, and supporting projects. The purpose is to increase transportation equity in disadvantaged and low-income communities throughout California via two types of grants: Planning and Capacity Building Grants and Implementation Grants. Within these two grant types, CARB currently has up to \$19.5 million available. CARB has \$1.75 million available for the Planning and Capacity Building Grants and \$17.75 million available for the Implementation Grants. The solicitation period closed August 31, 2020. In July 2020, CARB's technical assistance provider worked with the Rincon Band of Luiseño Indians to determine applicability, and in October 2020, CARB received feedback on that technical assistance and the solicitation via a CARB-provided survey.
- Clean Mobility Voucher Pilot Program: Also known as Clean Mobility Options (CMO), is a statewide program that will make it easier for communities to get funding for clean mobility projects to improve their sustainability and quality of life. The program enables smaller groups and communities of concern that may have fewer resources to access funds for clean transportation choices. The program focuses on providing community-based clean mobility solutions that include smaller scale car- bike- or scooter-sharing projects, subsidies for transit, or car-hailing services. Projects will also aim to address first and last-mile connector trips (getting residents to and from their homes and local transit stops). The program also provides funding for community transportation needs assessments to support communities design their mobility projects by centering the residents' primary needs. Awarded to CALSTART and managed by CALSTART in partnership with the Shared-Use Mobility Center and the Local Government Commission, the Program Administrator team and CARB conducted outreach to several Tribes.

The following Tribes and/or Tribal coalitions have been selected for the CMO Voucher Pilot Program in 2020:

Twenty-Nine Palms Band of Mission Indians: Received an award to launch a zero-emission carshare program. The project will provide residents with eight electric vehicles, four Level 2 charging stations and one Level 3 DC fast charger as part of an overall e-mobility solution for the community. The program will help the health, welfare and sustainability of Tribal members, community, and their natural environment.

- Big Pine Paiute Tribe of the Owens Valley: Received an award for community transportation needs assessment to determine possible pedestrian/vehicle conflicts and see where to focus on alternative transportation options. Additionally, this assessment is to review the residents' preferred modes of transportation and evaluate which streets can add sidewalks and bike lanes.
- Paskenta Band of Nomlaki Indians: Received an award for community transportation needs assessment to understand transportation patterns, modes, costs barriers, and other factors of the Tribal members and dozens of people who work on the reservation. Additionally, to address concerns around resident shuttle/on-demand services car/vanpooling, and e-bike sharing programs.
- Cahuilla Band of Indians: Received an award to launch Cahuilla's first zero-emission carsharing program. The project will provide residents with six electric plug-in vehicles to increase Tribal members' access to essential goods like medical services, education, and religious and cultural gatherings.
- Native American Environmental Protection Coalition (NAEPC): Received an award for community transportation needs assessment to determine knowledge of clean transportation and mobility options, and identify problems, solutions, and opportunities for transportation for both the community and tribal government. This assessment focuses on the Manzanita Band of Diegueno Mission Indians (Manzanita Band) across the Manzanita Reservation.

CARB has provided the following assistance:

- One-on-one technical assistance during pre-application window for mobility project vouchers.
 - Onboarding assistance and support on voucher agreement execution.
 - Consultation on document language.
 - Designated tribal office-hours to provide technical assistance for community transportation needs assessment awardees.
 - Training on survey and mapping tool.
 - Clean mobility equity alliance networking event.
 - Communications through telephone, CMO website, email, e-blast and tweeter.
- Access Clean California (Previously "The One-Stop-Shop Pilot Project"): CARB conducted outreach for Low Carbon Transportation Equity Projects as part of Access Clean California. NAEPC, the Northern Circle Indian Housing Authority, and Blue Lake Rancheria are official outreach partners of this program and are

involved in the development of the streamlined application tool and conducting outreach to Tribal communities on equity-focused, clean transportation incentive projects. There were four quarterly convening meetings for community practice, monthly partner network meetings as well as training events for outreach partners. During the reporting period, CARB and its partners held virtual monthly project meetings and One-Stop-Shop 1:1 partner meetings (each one-hour meetings once per month) from August 2020 until August 2021 and the Torres Martinez Tribe used their existing social media platforms for a weekly social media campaign from September 14, 2020 until March 22, 2021. There were also the Clean Mobility educational webinars (via zoom) on November 21, 2020 at 10 am, 2pm, and 4pm. In addition, the Torres Martinez Tribe distributed transportation needs assessments forms both in physical and digital formats to Tribal members from September 21, 2020 through October 12, 2020.

- CCI Outreach Discussion: On August 24, 2021, CARB held a virtual CCI discussion meeting with the Morongo Band of Mission Indians, La Posta Band of Mission Indians, Hopland Band of Pomo Indians, Pala Band of Mission Indians, Karuk Tribe, Shasta Indian Nation to discuss CCI past and future funding opportunities, programmatic gaps, and opportunities for enhanced Tribal participation.

Air Quality Monitoring

CARB is delegated the authority and responsibility for collecting ambient air quality data as directed by the federal Clean Air Act. CARB's Quality Assurance program ensures that CARB's decisions are supported by data of known and documented quality. Federal regulations require CARB to provide quality assurance oversight to local air monitoring organizations within CARB's Primary Quality Assurance Organization (PQAO) to ensure that consistent procedures are followed to produce data of similar quality.

U.S. EPA designated CARB as one of the four PQAOs responsible for air monitoring in California. CARB engaged in the following activities for this reporting period:

- Portable Air Quality Monitoring Equipment Support for Wildfires: From September 26, 2020 through October 16, 2020 and July 13, 2021 through August 31, 2021, CARB provided wildfire air monitoring support for the Monument and McFarland Fires by coordinating deployment of portable air quality monitoring equipment and support to the Hoopa Valley Tribe. From September 26, 2020 through October 16, 2020, CARB provided similar assistance to the Yurok Tribe as well.

- Tribal Air Programs: CARB worked with the Morongo Band of Mission Indians to answer questions regarding the Tribe's development of air monitoring audit capabilities.
- Standards Laboratory Certification Services: CARB worked with the Gila River Indians Community in Arizona, La Jolla Band of Luiseño Indians, Morongo Band of Mission Indians, Pala Band of Mission Indians, Pechanga Band of Luiseño Indians, and the Salt River Pima-Maricopa Indian Community in comparing ozone reference standards to ozone transfer standards as well as scheduling for drop off and pick up of ozone transfer standards. A certification report was provided for each instrument.

Advisory Panels and Research

- Historical Wildfire Emissions in California: Senate Bill 901 (Dodd, Stats. of 2018, Ch. 626) requires CARB, in consultation with academic experts, to publish a report on historical natural wildfire regime before modern fire suppression in California. This work needs to consider historical fire research covering the recent millennia when Native Americans were conducting cultural burning practice (similar to present-day prescribed burn). For this project, CARB staff brought together a scientific advisory group consisting of seven academic experts of historical fire, cultural burning, and native land management practices in California and the Western United States. This group met several times to discuss various topics on historical wildfire and cultural burning issues, as well as provided as needed advice and data. Additionally, CARB staff has had several phone discussions about Native American history, land use, and cultural burning issues related to this project. The Native American scientists within CARB's science advisory group participated as scientific experts and are not representing their Tribes in an official capacity. On December 1, 2020, CARB held a webinar to discuss the proposed draft report. The presentation was made public on December 31, 2020. CARB sent a notice to the Tribal listserv and posted it on the Tribal website. CARB received one comment letter from an "Anonymous Native Resident of Northern California."
- Research Concepts and Solicitation: CARB sent notice to the Tribal listserv to notify Tribes of its public meetings to discuss CARB's (1) annual research program comment and concept collection survey, and (2) pre-proposal solicitation requirements for a community engagement project being funded in the Imperial Valley. The first was for a public meeting to discuss CARB's annual research program comment and concept collection survey. Each year the Research Program collects research concepts and comments from the public which have the potential to become funded research contracts the next fiscal year and also help inform the type of research the public wants CARB to address. The second item was for the announcement of a public meeting to discuss the pre-proposal solicitation requirements for a community engagement

project being funded in the Imperial Valley. This project is anticipated to kick off at the beginning of 2022 and will result in a community driven research roadmap addressing community concerns around air quality, climate and/or sustainable transportation.

Compliance and Technical Assistance

- Truck and Bus: Under California's Truck and Bus Regulation, companies must comply with certain requirements, including retrofitting their truck engines with filters, replacing the engines, or using them below a mileage limit. Beginning on January 1, 2020, under Senate Bill 1 (Beall, Stats. of 2018, Ch. 5), vehicles that are not compliant with or have not reported an exemption from the Truck and Bus Regulation to CARB receive automatic denials of registration renewal or transfer from the Department of Motor Vehicles. Tribes that operate vehicles off-reservation must comply with the Truck and Bus Regulation for the miles they operate off-reservation. CARB provided compliance assistance to Tribes during the reporting period to help them utilize the Low-Use Exemption, where applicable; release registration holds; and where relevant, waive penalties.
- Laytonville Landfill: CalEPA conducted consultation with the Cahto Tribe of the Laytonville Rancheria regarding the Laytonville Landfill. The Laytonville Landfill is a 35-acre site in Mendocino County. It is located near the town of Laytonville and is adjacent to the Laytonville Rancheria, home to the Tribe. The landfill was closed in 1993 and capped in 1997. CARB provided information to CalEPA on its Landfill Methane Regulation and Emission Guidelines as well as the air district. CARB plans to conduct an air monitoring campaign and submitted purchase orders for passive air monitoring tubes to monitor for hydrogen sulfide, ammonia, and BTEX (benzene, toluene, ethylene, and xylene). The purchase orders for the tubes was submitted in 2021 and is going through the procurement process.
- Low Carbon Fuel Standard: CARB engaged in an informational phone call with the Yocha Dehe Wintun Nation regarding requirements under the Low Carbon Fuel Standard (LCFS) for generating credits from public EV chargers, as well as registration and reporting requirements.
- Regulatory Process: On December 30, 2020, CARB staff spoke with the Environmental Director for the Campo Band of Mission (Kumeyaay) Indians Tribe who was curious generally about CARB's process for determining the economic impacts of regulations and their impact on the regulated communities. CARB staff described the regulatory economics process for all regulations, that they are included in a document called the Initial Statement of Reasons and that CARB also drafts a Standardized Regulatory Impact Analysis for major regulations.

Supplemental Environmental Projects (SEP)

CARB adopted a SEP Policy that allows community-based projects to be funded from a portion of the settlement penalties required by CARB enforcement actions. SEPs can improve public health, reduce or prevent pollution, restore and protect the environment, increase environmental compliance, and bring public awareness to neighborhoods most burdened by environmental harm. CARB's SEP Policy includes:

- A public process to solicit potential SEPs from disadvantaged communities.
- A term to allow the amount of the SEP to be up to 50 percent of the settlement penalties.
- An annual list of SEPs that may be selected to settle a portion of an enforcement action.
- Consideration of the relationship between the location of the violation and location of the proposed SEP with priority given to projects in disadvantaged communities.

In order to qualify, project proposals must meet all the following criteria:

- Reduce direct/indirect air emissions or exposure to air pollution (e.g. diesel particulate matter, greenhouse gases, volatile organic compounds).
- Relate to the violation.
- Not benefit the violator.
- Go above and beyond regulatory requirements.
- Demonstrate that the proposal is technically, economically, and legally feasible.

CARB has previously presented on SEPs to Tribes to inform Tribes that they are eligible to submit proposals. CARB also created brochures in English and Spanish and posted them to the Tribal Relations website and emailed them to the Tribal listserv.

The La Jolla Band of Luiseño Indians submitted a SEP proposal (La Jolla Air Monitoring and Community Reporting Project) and was approved as an eligible SEP on the SEP list. This project will provide funding to purchase the necessary equipment for reporting the ozone and PM2.5 Air Quality Index (AQI) value to the Tribal community in real time.

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CARB 2020-2021 Tribal Activities Report

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Disclaimer

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