

Solicitation of Applications for Compliance Offset Task Force Membership

Background

Assembly Bill 398 (AB 398) requires the California Air Resources Board (CARB) to establish a Compliance Offsets Protocol Task Force (Task Force). The Task Force will provide guidance to CARB in establishing new offset protocols for the Cap-and-Trade Program with direct environmental benefits in the state while prioritizing disadvantaged communities, Native American or tribal lands, and rural and agricultural regions.

Applicants should have expertise in the existing Board-approved compliance offset protocols, voluntary offset protocols, implementing projects to reduce greenhouse gas (GHG) emissions, community advocacy and outreach, and represent one of the following stakeholder groups:

- (1) Scientists.
- (2) Air pollution control and air quality management districts.
- (3) Carbon market experts.
- (4) Tribal representatives.
- (5) Environmental Justice advocates.
- (6) Labor and Workforce representatives.
- (7) Forestry experts.
- (8) Agriculture experts.
- (9) Environmental advocates.
- (10) Conservation advocates.
- (11) Dairy experts.

CARB may also select up to two Task Force members from outside of the statutory stakeholder groups (public members) who have played an advocacy role related to offsets that may benefit the work of the Task Force.

Terms for the new members will be at the pleasure of the Board. Members of the Task Force will not receive compensation for their service on the Task Force, and travel, food, and related costs of participation will be borne by the Task Force member. CARB will consider requests for limited reimbursement of travel related expenses.

A copy of the Task Force Charter is attached to this solicitation.

Limitations

No state registered lobbyist may serve on the Task Force. Membership is limited to the individuals appointed and is non-transferrable.

Attendance Requirements

Attendance is essential to the effective operation of the Task Force. Task Force members must be available for at least two in-person meetings. Task Force members cannot participate remotely due to open meeting requirements. The anticipated meeting dates and locations are as follows:

	Date	Location
Kick-off Meeting	October 24, 2019	Sacramento
Final Report Adoption	August 20, 2020	Sacramento

A draft final report due by July 1, 2020, will be finalized at the August Task Force meeting, and will be presented to the Board at a Fall/Winter 2020 Board hearing. Task Force members must also be able to commit time outside the in-person meetings to participate in the drafting of the final report. Task Force members may be assigned by the Task Force Chair to participate in subgroups responsible for drafting portions of the final report, subject to open meeting law requirements.

How to Apply

Each applicant must submit a detailed resume and maximum 2-page cover letter describing their interest, reasons for application, qualifications, and how their membership will benefit the Task Force. The cover letter must also identify the stakeholder group (statutory or public member) for which the applicant wishes to apply. Applicants may not apply for more than one stakeholder group and may not submit multiple applications. Applicants from within the statutory stakeholder groups must also submit at least two (2) letters of recommendation from other individuals in their stakeholder group but outside their organization, substantiating their qualifications to represent the stakeholder group on the Task Force. Applicants for the two public member positions will need to submit at least two (2) letters of recommendation from individuals outside of their organization, substantiating their qualifications to participate in the Task Force.

The application deadline is 5:00 PM Pacific Time on July 31, 2019. Applications must be received by CARB by the deadline.

Applications should be sent by e-mail to OffsetTaskForce@arb.ca.gov or by regular mail to: California Air Resources Board, Attention: Paul Cheng, 6th Floor, P.O. Box 2815 Sacramento, CA 95812. If submitted by regular mail, applications must still be received by the deadline.

Selection Process

The selection committee consisting of the CARB Executive Officer, Assistant Executive Officer for Environmental Justice, and Director of Legislative Affairs will review all applications. Applicants will be scored based on how well they are able to evidence that they meet the criteria identified in this solicitation. The top scoring candidate for each stakeholder group will be recommended to the Board for approval. The top two candidates for the public member positions may be recommended to the Board for approval as well. To avoid spending limited Task Force time on administrative setup, the Executive Officer will also recommend a Task Force Chair to the Board.

The recommended Task Force membership and Chair will be presented to the Board for final approval in the fall of 2019.

For more information, please submit questions to OffsetTaskForce@arb.ca.gov.

Compliance Offsets Protocol Task Force Charter

The Compliance Offsets Protocols Task Force (Task Force) is established by Assembly Bill 398 (AB 398; Chapter 135, Statutes of 2017) as one of several provisions on a post-2020 cap-and-trade program *"to provide guidance to the state board in approving new offset protocols for a market based mechanism for the purpose of increasing offset projects with direct environmental benefits in the state while prioritizing disadvantaged communities, Native American or tribal lands, and rural and agricultural regions."*

Scope of Responsibility:

The California Global Warming Solutions Act of 2006 (AB 32) gives the California Air Resources Board (CARB or Board) the responsibility for developing methodologies for the quantification of voluntary greenhouse (GHG) emissions reductions, often referred to as Compliance Offset Protocols. All GHG emissions reductions achieved and quantified by these Compliance Offset Protocols must be real, permanent, quantifiable, verifiable, enforceable, and additional to any GHG emissions reductions otherwise required by law or regulation or that otherwise would occur. CARB offset credits are tradable compliance instruments that represent verified GHG emissions reductions or removal enhancements made in sectors and sources not covered by the Cap-and-Trade Program. In the Cap-and-Trade Program, covered entities may use CARB offset credits to fulfill a limited portion of their compliance obligation.

The Task Force will aid CARB in identifying potential new Compliance Offset Protocols for the Cap-and-Trade Program to generate compliance offset credits available for compliance use from 2021 through 2030, and specifically, protocols that have direct environmental benefits in California. As specified by AB 398, the Board shall appoint members to the Task Force from the following stakeholder groups:

- (1) Scientists.
- (2) Air pollution control and air quality management districts.
- (3) Carbon market experts.
- (4) Tribal representatives.
- (5) Environmental Justice advocates.
- (6) Labor and Workforce representatives.
- (7) Forestry experts.
- (8) Agriculture experts.
- (9) Environmental advocates.
- (10) Conservation advocates.
- (11) Dairy experts.

CARB may also appoint up to two Task Force members from outside of the statutory stakeholder groups (e.g., public members) who demonstrate substantial related experience that would benefit the work of the Task Force.

Task Force Process:

Task Force Membership and Chair

The Task Force is approved by the Board at a public hearing.

The Board will select a Chair for the Task Force. The Chair will be responsible for setting the meeting agenda, the orderly conduct of Task Force meetings, ensuring the timely and thorough discussion of meeting agenda items and adherence to the Task Force's role and responsibilities as delineated below.

Members of the Task Force will not receive compensation for their service on the Task Force, and travel, food, and related costs of participation will be borne by the Task Force member. However, CARB will consider requests for limited reimbursement of travel related expenses.

Once convened, the Task Force will meet to establish its internal rules for processes and procedures, under the guidance of CARB. The Chair will direct the priorities of the Task Force based on the needs and interests of CARB and as directed by AB 398.

Task Force Role and Responsibilities

Information provided by the Task Force members shall be advisory only and limited to providing input on potential new Compliance Offset Protocols for the 2021-2030 compliance periods identified in AB 398. Any recommendations provided by the Task Force will be considered in a post-2019 rulemaking allowing time for the Task Force to establish itself and provide recommendations through a thoughtful and deliberative process.

Members of the Task Force shall not serve in the capacity of staff of CARB and shall have no authority to negotiate or otherwise act on behalf of CARB. Official communication between the Task Force members and CARB shall be conducted in compliance with existing laws governing interactions between government bodies.

The Task Force will formulate a record of discussion through documentation of what is shared at Task Force meetings. This record is a public document that can be used to help educate staff and the Board on relevant topics. The Task

Force may also, at the request of either the Chair of the Task Force or the Board Chair, draft and submit written and verbal statements to the Board.

Task Force members are not “consultants” under the Political Reform Act and are not subject to the Act’s restrictions or the requirement to file an annual economic interest statement.

Within a year of convening the Task Force, the Task Force will prepare a final written report identifying potential new Compliance Offset Protocols. The report should clearly identify how each of the potential new Compliance Offset Protocols meet the requirements of AB 32 while providing direct environmental benefits to the state and prioritizing disadvantaged communities, Native American or tribal lands, and rural and agricultural regions.

Task Force members may be assigned by the Task Force Chair to participate in subgroups responsible for drafting portions of the final report, subject to open meeting law requirements.

Meetings

The Task Force is expected to meet twice. Meetings will be public and CARB staff will ensure that they are conducted according to applicable public meeting rules and regulations. Board members, members of the California Legislature, and Executives from CARB and other state agencies may attend these meetings. Any person present at a Task Force meeting shall be afforded a reasonable opportunity to make oral comments.

CARB Roles and Responsibilities

CARB staff will work closely with the Chair to set meeting agendas, identify critical issues for Task Force consideration, and coordinate public input. CARB staff will provide proper notice of an agenda for each Task Force meeting, provide Task Force members with necessary materials, and ensure that the public has an opportunity to participate in Task Force meetings.

CARB staff will work closely with the Task Force to ensure that any new potential Compliance Offset Protocols being discussed by the Task Force are evaluated to assess whether they satisfy AB 32 requirements that all GHG emissions reductions achieved and quantified by the offset protocol must be real, permanent, quantifiable, verifiable, enforceable, and additional to any GHG emissions reductions otherwise required by law or regulation or that otherwise would occur under a conservative business-as-usual scenario. (See Health & Safety Code § 38562(d).) To assist in this evaluation, CARB staff will

work with the Task Force to assess whether the quantification methodologies are sufficiently accurate and conservative.

CARB staff will provide technical and logistical support to the Task Force in setting up meetings and provide information and materials that have already been developed by CARB in designing and implementing the compliance offset program. CARB staff will provide ongoing updates to the Board on Task Force activities at public meetings as necessary. Task Force members may appear before the Board at public meetings at the request of the Board or at the decision of the Task Force Chair.

Formal consideration and approval of any of the new recommended Compliance Offset Protocols will be conducted by the Board, at its discretion, pursuant to applicable state laws on adopting new regulatory requirements.