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

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Ms. Katie Valenzuela Garcia
Ms. Sekita Grant
Mr. Kevin Hamilton
Mr. Rey León
Mr. Luis Olmedo (via teleconference)
Ms. Mari Rose Taruc
Ms. Eleanor Torres
A P P E A R A N C E S  C O N T I N U E D

STAFF:
Mr. Richard Corey, Executive Officer
Ms. Edie Chang, Deputy Executive Officer
Ms. Ellen Peter, Chief Counsel
Ms. Veronica Eady, Assistant Executive Officer
Ms. Emily Wimberger, Chief Economist
Ms. Trish Johnson, Staff Air Pollution Specialist

ALSO PRESENT:
Mr. JP Cativiela, Dairy Cares
Dr. Amy Kyle
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PROCEDINGS

FACILITATOR McGEE: Thanks, everybody for coming today to this joint meeting of the ARB and the EJAC.

My name is Caelan McGee. I'm a facilitator with Sac State. I'm going to be brief with the agenda review and then I'm going to invite us to be efficient with introductions and opening comments, because we have an ambitious agenda today. So let's save our time for -- for the juice.

For today's agenda, we have two types of discussions. We're going to start with some opening comments. But really the first discussion will be a big picture focus about strategies and approach to incorporating environmental justice concerns and strategies into the scoping plan. And if not there, then what might come next.

But then we're going to get specific by sector, and so we're going to save some time to have some specific comments about the scoping plan by sector. Towards the end of the meeting, taking a look at coordination and implementation looking forward. Also looking for opportunities for public comment.

For those in the room right now that may want to indicate -- may want to do a public comment today, would you mind raising your hand or just letting me at this...
moment. I'll be checking later as well. Thanks. This is just for numbers.

If you'd be so kind, please do take an opportunity to sign a comment card, so that we can build a queue for y'all.

I'll be back in a minute, but why don't we do a round of introductions. If you'd be so kind please let us know who you are and your affiliation. I'm Caelan McGee. I'm from Sacramento State.

CHAIR NICHOLS: I'm Mary Nichols. I'm the Chair of the California Air Resources Board. I'm from Los Angeles.

VICE CHAIR BERG: Sandy Berg also from ARB, Vice Chair, and I'm also from Los Angeles.

EJAC MEMBER TORRES: Eleanor Torres, Incredible Edible Community Gardens, San Bernardino County.

BOARD MEMBER DE LA TORRE: Hector De La Torre Air Resources Board member from South Gate, California.

EJAC MEMBER HAMILTON: Kevin Hamilton, EJAC member from Fresno, California.

EJAC MEMBER VALENZUELA GARCIA: Katie Valenzuela Garcia EJAC member here from Sacramento.

EJAC MEMBER GRANT: Sekita Grant EJAC member, Greenlining Institute from Oakland.

EJAC MEMBER DINA ARGÜELLO: Martha Dina Argüello,
EJAC member from Los Angeles and Silver lake.

BOARD MEMBER Balmes: John Balmes, CARB Board member currently from Berkeley, from Chicago originally.

(Laughter.)

BOARD MEMBER MITCHELL: Judy Mitchell, member of the CARB Board. I'm also on the South Coast Air Quality Management District Board. I live in Los Angeles in Rolling Hills Estates, represent 51 cities from the western half of L.A. County.

EJAC MEMBER TARUC: Good afternoon. Mari Rose Taruc with the Asian Pacific Environmental Network on the EJAC, and coming from Oakland today.

ASSISTANT EXECUTIVE OFFICER EADY: Veronica Eady, ARB staff, Assistant Executive Officer for Environmental Justice.

DEPUTY EXECUTIVE OFFICER CHANG: I'm Edie Chang, Deputy Executive Officer at the Air Resources Board.

EXECUTIVE OFFICER COREY: Richard Corey, Executive Officer, Air Resources Board.

AIR POLLUTION SPECIALIST JOHNSON: Trish Johnson. I'm the ARB staff lead for the AB 32 Environmental Justice Advisory Committee. And now I want to turn it over to our second location in National City.

Can you please go ahead.

EJAC MEMBER OLMEDO: Hi. This is Luis Olmedo
with Comite Civico Del Valle, Environmental Justice Advisory Committee member.

BOARD MEMBER TAKVORIAN: And this is Diane Takvorian, ARB Board Member, San Diego, National City.

AIR POLLUTION SPECIALIST JOHNSON: Thank you for that. I'm going to take one minute for the folks in the room here to provide logistical information and Emergency procedures.

There are restrooms and water fountains outside the door further down the atrium, past the green chandeliers. And there's also a cafe on the first floor. Please notice the emergency exit signs at the rear of the room. In the event of a fire alarm, we're required to evacuate this room and go downstairs and out the building to the park across the street. When the all-clear signal is given, we can return to the room and resume our meeting.

FACILITATOR McGEE: We're schedule for 1:00 to 5:00 today. I don't think we need guidelines for our discussions. But I will just remind us, it is important, especially with those Participating remotely, that we speak one at a time or it's very difficult for people to hear.

Always best if we speak for our own interests and our own needs. And then because we do have such an
ambitious agenda, if we could work to be efficient and brief, so that we can have as much room to talk about what we need to talk about.

And if things do get out of hand, we brought some extra resources today. We have Mutti, the attack dog, who --

(Laughter.)

FACILITATOR McGEE: -- if things get sideways, if she senses that you're upset, she's very sensitive. She may come up and lick you and see what's wrong. So some extra resources today.

(Laughter.)

FACILITATOR McGEE: With that, I wanted to make a chance for some opening comments. The order doesn't matter, but we did identify Chair Nichols and Vice Chair Berg and Mari Rose to speak.

Chair, would you like to start us off.

CHAIR NICHOLS: First of all, I'm just happy to be here and that we were able to get this meeting organized. I know it was difficult for people to find the time to make the time to be here. And so I appreciate the fact that we have a good representation, both from my Board and from the EJAC here today.

This is a very significant undertaking that we're involved in. And I think all of us take it very
seriously. But sometimes it feels like we're slogging through a very complicated and difficult set of issues. And so I guess my major wish for this meeting, I'll put it in the form of my hopes for the meeting, are that we can, as a group, reach some agreement on some aspect of how we're moving forward with the scoping plan, because I think if we can do that, that other things will come together more readily. But remembering that our purpose, at least for the Air Resources Board's perspective is to produce a plan that shows how we will meet our very ambitious climate goals by 2030, and do it in a way that also benefits the State as a whole, including our disadvantaged communities. So if we can -- if we can make some progress on that, I will be a very happy person, and Mutti will be happy, too.

FACILITATOR McGEE: Thank you very much. Thank you.

Vice Chair Berg let me know that she's fine at the moment. And so what we would like to do is Mari Rose can offer not only her opening comments, but this can be a transition into our big picture section, which will include a presentation about 1 -- and discussion about AB 197.

As you're ready.

EJAC MEMBER TARUC: Great. It's wonderful to be
here. Yes, I agree. It was hard to get folks here and on
the phone. And I'm really glad we are all together. The
first and last time that we met in February, we -- the
EJAC has done quite a bit of work since. We've had an
EJAC meeting. And then on top of that, several statewide
community meetings to present our recomm -- our top
recommendations, and also where we were seeing the -- our
recommendations land in the scoping plan.

And so the staff has since -- thank you, staff of
ARB, for producing the table of cross-referencing the EJAC
recommendations and where they landed in the scoping plan.
And so now that we have that, we were able to pull out
the -- some priorities to discuss with our communities in

And from there, we started to pull together some
of the top ideas that we wanted to discuss today, so that
we can try to get those, as Chair Nichols was saying, it's
like let's get see concrete agreements on what we'd like
to see in the scoping plan.

So it was also great to see, and as a request
from the EJAC, a presentation on AB 197. We see that as a
key feature of -- of how we move forward from 2017 on
towards our 2030 goals, and the interest in making sure
that the biggest stationary and mobile sources of the
emissions are reduced and especially in fenceline
communities and environmental justice areas. So we look forward to hearing that presentation, and having a discussion on that.

FACILITATOR McGEE: Thanks. And those opening comments reflect one of our challenges today, which is that some of these issues overlap, and are broader than the scope of the scoping plan, and are still important and need to be discussed. And this is an opportunity given the timing to talk about the scoping plan. So we'll try to balance those today.

And in line with that is a -- was a request to have a discussion about AB 197, updates on that. And let's go right ahead. ARB staff worked to put together a presentation on that. We can follow that with some question and discussion.

I think you've got the controller, Edie.

(Thereupon an overhead presentation was presented as follows.)

DEPUTY EXECUTIVE OFFICER CHANG: I do have the controller.

So I'm going to kick off the discussion today by talking a little bit about some of the new statutory requirements.

Who's controlling that?

Before I get into the details on the new climate
change requirements, I wanted to back up just a little bit and review ARB's overall mission. The first pollutants that ARB addressed starting in the late 1960s were criteria pollutants like ozone and PM2.5. Both U.S. EPA and ARB have set ambient air quality standards for criteria pollutants. And the Clean Air Act requires us to develop State Implementation Plans, or SIPs, to show how we will meet those standards.

The Mobile Source Strategy that we incorporate into the scoping plan was also developed to meet those federal standards. In the 1980s, new California laws were passed to focus on air toxics. And the early part of the program focused on industrial sources, both large ones, like refineries, and then smaller ones like chrome platers. After the identification of diesel exhaust as a toxic air contaminant, in 1998, our efforts turned to diesel engines, and ARB had set a goal to reduce diesel emissions and exposure by 75 percent by 2010, and 85 percent by 2020, and we're well on our way towards that goal.

A couple of years ago, OEHHA updated their health risk assessment methodology to reflect new science about the impact of toxics exposure to children. And this science shows that exposure to toxics is three times as harmful as we had previously thought.
So as a result, ARB and the districts are now reevaluating our toxics control programs, including the need for potentially additional controls to address these pollutants. And then finally, on climate change, in 2006, AB 32 was enacted setting up a statewide framework for addressing climate changing emissions. AB 32, SB 32, and AB 197 set out the statutory framework for addressing climate change and outlined priorities for the scoping plan and our regulatory efforts.

So I'm going to focus on the new statutory requirements that were enacted in 2016. That's SB 32, and AB 197.

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DEPUTY EXECUTIVE OFFICER CHANG: SB 32 set a 2030 greenhouse gas target of 40 percent below 2020 levels. And AB 197, the companion legislation, which was authored by Assembly Member Garcia, who is also our new Board member, set out additional new requirements. I've summarized the ones that are most relevant to the climate change program, and the scoping plan on this slide.

So AB 197 asks ARB to provide more access to emissions data for greenhouse gas, criteria pollutants, and air toxics. It also says that when we adopt greenhouse gas regulations, we should consider the social cost of carbon and we should prioritize direct emission
reductions, that is emission reductions at individual sources.

AB 197 also requires the scoping plan to identify for each evaluated measure the projected greenhouse gas emissions, the projected air pollution reductions, and the cost effectiveness. And we're also supposed to consider the societal costs of those greenhouse gas emissions.

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DEPUTY EXECUTIVE OFFICER CHANG: So we put together this table, which shows how we're looking at these new statutory requirements. So, first, and perhaps most importantly, the scoping plan will meet the scoping plan -- will meet the target for 2030. This is because the cap-and-trade regulation limits emissions with a declining cap to ensure that we reduce emissions towards achieving our target, even if other measures fail to perform as anticipated.

To meet the requirements for transparent emissions information, we developed a tool. It's called IEVT, the Integrated Emission Visualization Tool. This is a web-based tool that's built on Google Maps, and it shows greenhouse gas and criteria pollutant emissions for all large stationary sources that report greenhouse gases under the mandatory reporting regulations.

This tool went live at the end of last year, and
we are working with local air districts on the toxics data. And as required by AB 197, we are going to make that information available by the end of this year.

One of the things that's become really clear as we've gone through this is that the type of data that we get from each of our programs is really different.

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DEPUTY EXECUTIVE OFFICER CHANG: And this is a short slide that just sort of summarizes that. In January of this year, we did a presentation to the Board to talk about the inventory and how the different objectives of our programs have led to different responsibilities, different reporting regulations, different timelines, different levels of detail, and different methodologies for each of these programs.

We recognize we had to have to move beyond this parallel system that we've set up towards a more integrated system. This is a substantial effort that's going to take a little while, but it will allow us and the public to better connect emissions data for different pollutants enhancing our ability to compare trends, and evaluate our programs from a multi-pollutant perspective.

This slide also shows that there are different techn -- just like there are different technical tools for these different pollutants, we also have different
statutory authority and different regulatory tools to control these different emissions. And we can most effectively address pollutants with control strategies that are directly focused on them.

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DEPUTY EXECUTIVE OFFICER CHANG: So I'm going to go back to the table to talk about the other requirements. These other requirements sort of focus more specifically on scoping plan related issues. 197 requires ARB to consider the social cost of carbon. And that is the value of the damage resulting from the emissions of greenhouse gases. So for every measure we evaluated in the scoping plan, we took the anticipated greenhouse gas reductions, and using that we calculated the cost of avoided damages from the -- from that.

For the scoping plan, we're using the federal social cost of carbon. It was calculated by the federal government. The National Academy of Sciences is currently initiating a process to evaluate the social cost of carbon, which we are participating in to make sure that we are keeping abreast of the most current thinking and also to evaluate whether we should be pursuing a California specific social cost of carbon to reflect specific sort of California unique things.

AB 197 also requires ARB to prioritize direct
emission reductions when we're developing regulations. We've incorporated that direction into our development of the scoping plan, and evaluated the potential for direct emission reductions from the scoping plan measures.

Our concepts from last year before the legislation was passed included programs to directly reduce emissions from the energy sector, transportation sector, and the industrial section from programs like renewable portfolio standard, energy efficiency, the Low Carbon Fuel Standard, Clean Car Program, and the Cap-and-Trade Program.

For the industrial sector, we were already working on a regulation to reduce methane emissions from oil and gas operations, but we had not proposed to pursue other direct regulations on other sources as part of the scoping plan.

We've added a measure that's focused on refineries, which is the largest source of industrial emissions, which also contributes to transportation, which is the largest sector for greenhouse gas emissions.

So with a relatively small number of refineries contributing a high percentage of the industrial emissions, this gives us the large potential emission reductions from a relatively small number of facilities.

AB 197 also asks ARB to include information about
potential greenhouse gas and air pollution reductions for each proposed measure in the scoping plan. So we've estimated potential reductions associated with each of the measures in the scoping plan. These are estimates, and we will only get these reductions if we're actually successful at adopting and implementing these regulations.

I think you all know we engage in a very extensive rulemaking process consulting with the public, with industry, with environmental and environmental justice stakeholders. And through that process, we find we may get more than we thought, or maybe we may get less than we originally thought.

As directed by the Board at the January Board meeting, we've also taken a more detailed look at the health benefits associated with the scoping plan. Based on the estimated air pollution reductions, we've estimated avoided health effects, such as hospital visits, lost work days, and premature deaths. And when we presented this information at a workshop in March, we noted that we -- when we compared the health benefits from the different alternatives that we've looked at, the results were very much similar across all of the alternatives. On a -- at a statewide health perspective, no one alternative appears better than any of the other alternatives, although individual measures may provide different benefits.
We've also estimated the potential benefits of increased active transportation to meet the VMT reduction goal. This is a relatively new area for ARB, but we felt it was really important to include, because if we can actually increase active transportation, so actually getting people to really do more, the potential benefits can be much larger than those that are associated with reducing air pollution.

We're also evaluating how ARB can include public health considerations, like we're doing with the active transportation analysis, in the implementation of other scoping plan programs as we go forward.

And then lastly, AB 197 requires ARB to identify the cost effectiveness of each measure in the scoping plan and we've shown that in a table on -- in the scoping plan. So AB 197 provided important direction to ARB as we were developing the scoping plan that we've been working on. And we've provide information in this development of the plan that helps the public understand the differences between, and then the similarities between some of the alternatives.

Based on these analyses and the refinement of that work that we've been doing, we continue to believe that our proposed plan provides a cost effective, flexible and environmentally sound program.
FACILITATOR McGEE: Thank you.
Let me open the floor for discussion.

EJAC MEMBER VALENZUELA GARCIA: Thanks, Caelan.
We have a system where we like to put up our typed cards,
so that you know we don't have to like raise our hand and
do that.

FACILITATOR McGEE: Brilliant. Love it.

EJAC MEMBER VALENZUELA GARCIA: Thank you for that, Edie.

So at one point, you mentioned that you're trying
to integrate -- integrate the data sources across. What
is the status of that?

DEPUTY EXECUTIVE OFFICER CHANG: So what we're
doing right now is we're putting the information -- we're
taking the information that we have, and we're showing
it -- we're showing this -- it's kind of -- sort of in one
place, right?

But what we're seeing is that we're going through
is that, for example, the greenhouse gas data is collected
on a different time frame, the process it's collected by
is a little bit different. And the source that you're
collecting from is a little bit different. It's like it's
a facility based instead of equipment based.

So we've done our best to map the criteria
pollutant inventory and the greenhouse gas inventory, so
that you're looking at sort of the same universe, and that's what you see on the visualization tool right now. That's what -- that's what we're in the process of doing on toxics also.

So what we're doing right now is we're kind of taking these three different things that aren't quite exactly the same, and we're trying to equalize them. In order to take this more -- this really more integrated approach, where we have more consistency across all three of them, that's going to be probably a multi-year program, because the data that we get some of it comes from the air districts. So facilities report to the air districts, the air districts report that data to us.

So it's a pretty complicated process. When we talked about it at the Board in January, sort of who has responsibility for the data and for quality assurance and quality control, who determines what the methodologies are, they're kind of different in everyone of those venues. So it's going to take us a little while to go through that. And so what we're doing right now is trying to make sure that we're still providing that information, but recognizing it's not an exact perfect fit.

EJAC MEMBER VALENZUELA GARCIA: Okay. Thank you for that. You also mentioned that AB 197 for the scoping plan requires you to do analysis of each measure within
the scoping plan, but what I see is sort of this overall scenario analysis. I think what I'd like to see is maybe a finer grain of detail within those scenarios of individual policies, and what their potential emissions reductions might be, what the target for those might be.

You know, since April when we met in San Bernardino, I've been talking about metrics. Like, I really want metrics. I want something so we know -- like saying globally a number is changing is one thing, but really understanding, oh, it's going down in transportation, or it's going down here, or it's not going down as much as we thought it would, in natural and working lands, makes it easier for us to track. And I think also, like one of the things -- because we know there's -- there's different regions in the State that experience these issues differently and they experience different sectors differently.

Like in certain regions like in Sacramento, our number one source of pollution is transportation.

DEPUTY EXECUTIVE OFFICER CHANG: Right.

EJAC MEMBER VALENZUELA GARCIA: So if we're able to break out those numbers more geographically, I think -- because it's going to be different across all the regions in the State. So I think what I'd like to see us move towards is that type of emissions reduction production and
standards. Like, this is how much we're expecting this measure will achieve. This is -- and then this is where, even if it's regionally, we expect those emissions to go down, so that we can really understand more from an environmental justice perspective where changes are or are not happening geographically, moving away from sector-based numbers and towards more a finer tooth on that.

DEPUTY EXECUTIVE OFFICER CHANG: So just -- just so know, there is a table that's in the scoping plan that goes through each of the measures. So there's a table that goes through like for Low Carbon Fuel Standard and for the Renewable Portfolio Standard, here's the expected greenhouse gas reductions and criteria pollutant reductions. So that -- that actually is in the document.

EJAC MEMBER VALENZUELA GARCIA: But I think there's like a regional level, you know, like something that happens in the San Joaquin Valley versus what is it going to do in the Sacramento region. I mean really getting to a finer tooth on where we're expecting those emissions reductions to happen by region.

DEPUTY EXECUTIVE OFFICER CHANG: So that isn't in here. And I think that we could probably do something like that, but recognizing that it's -- it would be an estimate. So, for example, as we think about like
transportation reductions, what we would probably be doing is just saying, oh, you know, we know -- I'm making up numbers here -- 15 percent of the mobile source emissions are in Sac -- 15 percent of the statewide mobile source emissions are in Sacramento.

So we just take 15 percent of that number and say it's in Sacramento. Until we actually get further into a regulatory process, and we know a little bit more about exactly what it would look like, we wouldn't have more detailed information geographically.

EJAC MEMBER VALENZUELA GARCIA: Okay.

EJAC MEMBER TARUC: My question actually piggy-backs on what Katie was trying to get answers on around geography and the emissions by area. So the -- your list on AB 197 looks great. And I was just looking up the text of the law, a major part of the law that isn't actually on your document and in -- maybe in your radar is section C of AB 197.

It says, "Continuing to reduce greenhouse gas emissions is critical for the protection of all areas of the State, but especially for the State's most disadvantaged communities, as those communities are affected first and most frequently by adverse impacts of climate change, including increased frequency of extreme weather events such as drought, heat, and flooding. The
State's most disadvantaged communities are also disproportionately impacted by the deleterious effects of climate change on public health".

And so I'm trying to figure out where in ARB's implementation of AB 197 where you're looking at EJ communities. And I think where we would like to see you point to is are these fenceline communities, are these geographies that you are -- you have data on disadvantaged communities and how to make sure disadvantaged communities are protected. And so if you are not, I guess, parsing out data according to where EJ communities are at, it's almost like you're -- you're ignoring that. Like, I don't know how you do that without being specific about how it's impacting EJ communities.

So can I -- yeah, can we get some thoughts on that.

DEPUTY EXECUTIVE OFFICER CHANG: So I can take a shot at this. I guess the way that I've been looking at 197 is there is -- I think the language that you're reading is there, and then it says, you know, and then -- so focus on direct emission reductions from the largest stationary sources, and from mobile sources, and from other sources.

And so the sort of task to ARB, recognizing the impact on disadvantaged communities, is let's focus on
those direct emission reductions, let's make sure that that data is available, so that people can see what's going on. We are looking at -- we have been looking at how we can get more granular and more regional in the -- in the analysis that we are doing.

One of the things that we're doing in the refinements of the economic analysis is to look at a regional analysis of the economic impacts of the scoping plan, and whether in different regions, we would expect different economic impacts in disadvantaged communities versus other communities.

And so what we're seeing right now is that we don't see greater impacts in disadvantaged communities, based on the proposed scoping plan. In some cases, we're actually seeing, for example, more job growth in those areas than in other communities.

So we are trying to see where we can go more regional with this. To try to go to a census tract kind of level with the very broad strategy that we have right now I think would be -- we would be making so many assumptions about what -- what would be happening at a census tract level that I'm not -- I would be concerned that it would -- they wouldn't really be real results. So we've tried to do what we can on the economic side.

EJAC MEMBER TARUC: Well, that's the economic
side. So even on the public health and emission's side, I'm curious from Board members like how -- how are you hearing or seeing the EJ part of AB 197?

FACILITATOR McGEE: That's a question.

BOARD MEMBER DE LA TORRE: That language that you read I take that there was nothing -- there was no direct mandate in it. It's a general order, expression of the goal of all of this. And so when I heard that language from last year, I just took it as that's what we need to be doing overall, that there isn't a specific mandate that we need to do X, Y, or Z.

So how do we go about doing it is to identify the sources of the emissions, whether they're stationary or mobile as Edie just pointed out, and we ratchet down on them.

So when I hear what you're saying, and I'm just -- I'm hearing what Edie is saying I'm thinking all right we're -- in granularity, we're not talking about zip code. We're talking about facilities. We're talking about highways. We're talking about the places that are emitting, and that's where we're going to be focused on. By definition if we're doing that, then that zip code, that region the emissions will come down, things will be better for those communities in turn.

So I'm thinking about the source. And I think
that's what Edie was referring to. We don't have the ability maybe to do -- right now. Hopefully in the next 13 years we will -- to do a whole region. But we do know thought-specific sources. And so that's where we need to focus our energy is on the highways. And we've talked about this highways, stationary sources, other places that are causing our problems, and we have to ratchet down on them. I hope that's -- I hope that addressed it.

BOARD MEMBER BALMES: I'd also like to respond to Mari Rose and do it in a more macro-level. I totally think we were asking the right question. You know, how does ARB see its mandate from AB 197 in terms of what we'll do about environmental justice concerns?

And I just want to say that I've been on the Board since 2008, environmental justice wasn't really there. I mean, it was probably in the language somewhere, but it wasn't really there. And I know from all my environmental justice advocacy friends here that you -- you know, you want it to go a lot farther.

But I just want to say it's a big culture change that you guys are pushing on us appropriately. And we've made a lot of progress, believe it or not. And it's going to take awhile for the agency to really embrace everything that we're supposed to be doing under AB 197 in a meaningful way.
But I just want to say I think the Agency is trying. And I'm saying this as somebody who was skeptical for many years that we'd ever really get to think about health co-benefits and exposures at the local toxics level. And I'm just -- I'm not trying to be defensive about the Agency, but I really truly feel that the Agency is trying.

Not that you shouldn't keep pushing, but there is a culture shift that I sense, and it's going to take time, just like Hector said. But I think with the continuing nudging, we're going to, you know, make some real progress. But you can't turn this ship of State around as quickly as you'd like is what I'm also trying to say.

FACILITATOR McGEE: Any other comments along this line of question? We do have some in the queue, but in response to Mari Rose's question, any other comments?

BOARD MEMBER TAKVORIAN: Yeah, I have a comment. Can I get in the queue?

FACILITATOR McGEE: Please go right ahead.

BOARD MEMBER TAKVORIAN: Thanks. This is Diane Takvorian. I think it's a good question to ask, because it -- we are, I think as Dr. Balmes, I think, pointed out that we're in a culture shift at this point. And we're -- I think we're feeling it. Just in the year that I've been on, I'm feeling the change. I'm feeling the openness. I
think there's a strong sense of how -- of everyone asking
that question around a series of things.

    But harkening back to Mary's goal for today and
for, I think, maybe another meeting as well, how are we
reaching agreement on the scoping plan, and how does AB
197 fit in with that? You know, we have to push ourselves
to answer that question in concrete ways that are
reflected in the scoping plan itself. And I think that
staff has attempted to do that, in part. And I recognize
that there are a lot of unknowns as 197 just came into
being, and so -- but I think that where we're -- where
we're going to really show it as it goes beyond the
culture shift will be in specific requirements and
agreements that we make, if I can use that word, in the
scoping plan itself.

    So, for instance, the inventories that are due in
the beginning of 2018, that's a real shift in terms of
ARB's work and focus. And it's going to really require
hopefully cooperation, but also setting a model with the
districts on the stationary source emissions.

    So I think some of that is what we really need to
nail down as to what the approach will be, because this is
a lot of data, and it can take a very long time to gather
together, or we could really go on a fast track, and ARB
can lead and really say this is the way we need the data,
and be directive.

So I'm just hoping that we can nail -- that it's good to have this general conversation, but that we have to nail it down for the scoping plan provisions.

FACILITATOR McGEE: Okay.

CHAIR NICHOLS: I think maybe this has been said, but I want to try to say it in a different way to reflect how I understand the question and what I think the answer is. So 197 focuses on what ARB is supposed to do in order to get a scoping plan done, but it also has some more general directives in it. And the question is sort of what gets done when and how.

I don't necessarily use the word "culture change" as other people are doing, because I don't think that's so much what the problem is, if it is a problem. I think the question is we have three -- at least three, actually maybe four, very distinct programs that we run. We have a program that's addressed at meeting federal ambient air quality standards, which are set on the regional basis, but are based on public health, and do not focus on anything smaller than a region, except in terms of taking data from sources, and looking at how you get to the regional numbers.

But your target number is not a community or a person, it's a monitoring station basically to achieve a
federal ambient air quality standard and showing that it violated that standard at a particular monitoring station for a certain period of time. That's just how the law is. That's how it's written.

Toxics, a completely different law. It's based on risk assessment of individual chemicals. It's not regional in approach. The data is collected in a different way. And as Edie said, it's collected by the districts who give it to us basically when they get around to it, to be perfectly honest.

And, you know, with CO2, and other greenhouse gases, we set up that program. We collect the data. It's verified. It's done according to facilities in a certain way. And we have a data set about that.

These three things don't map to each other very well at all. And one of the best things about AB 197, from my perspective, is it gave us the ability and the mandate to go back and try to reconcile those three things, so -- oh, the fourth is we do direct emissions controls on vehicles, and fuels, and related things, which we do based on another set of data that we collect in a different fashion over different periods of time.

And there's -- it's incredibly difficult to figure out how to do the priorities, and the processes to make all of these things work together as efficiently as
possible.

It's exciting that we have the opportunity to do it. But this isn't just like a culture change, this is like reinventing our thinking about air pollution and its effect on public health, and what our job is. And, you know, you people -- you people, you the EJAC, you representatives of community groups, and others, have played a part in catalyzing that opportunity.

And, you know, you're part of the -- of the change that is going to be happening, but it's not a -- it's not just a question of like let's -- let's think differently. It's, there's some -- there's some really hard analytical work that has to go on here, as well as data crunching, as well as -- as well as probably in the end some legal changes to actually get to a program where we can look simultaneously at all of these different things and prioritize what our actions are going to be with respect to them.

So maybe that's -- I'm not trying to make it sound bigger and -- just to make it sound bigger. I think it really is a very big question that we're dealing with. But again, to reference back to what Diane was just saying, we still have a scoping plan that we have to do. It's not the last one we'll ever do, but it's the first one since 197. And so, you know, we have to do our best
in producing it to comply with both the spirit and the letter of the statute.

FACILITATOR McGEE: We have a request for one more response on this string. And I want to acknowledge the patience of those that want to get in. So after this comment, I want to do a check on where we are.

Please.

EJAC MEMBER VALENZUELA GARCIA: Yes. Sorry, I just wanted to respond directly, because I -- I always -- I never really, like, like the bifurcation of intent from legislative mandate, right? Because it was written in the same piece of paper that we said here's what you're going to do when we say here's why we're doing it. And so it's important for us to recognize that. And I wanted to draw our attention to the sheet -- and I know you all didn't get this far in advance, and I want to apologize for that. It was much of my Sunday and our early week working on this more refined document for you all.

But this first bullet on equity, like, I think what we're really getting to here is that we know that there's an inequity. And we know the inequity is very geographic. We know there are communities, based on health data, based on emissions data that are seeing worse health outcomes more exposure to pollutants than other communities. We know that.
And when we look at point two here, partnership with EJ communities, we know we need to be monitoring that better. We know we need to do it in a more timely way. We need to partner with neighborhoods to make sure that we do everything in our power to address those inequities as early as possible.

As much as I know that we're in the middle of a scoping plan, AB 197 is also the law of the land. So if we're doing a scoping plan, now that this is the law of the land, we should be making every measure we can within the current scoping plan to get it as far as we can towards addressing this inequity and putting in place new data measures, and new tracking measures, new air monitor programs, new partnerships, so that we make sure that the intent of AB 197, as far as rectifying that inequity in health outcomes and exposure to pollution is corrected as quickly as possible.

FACILITATOR McGEE: Kevin and Sekita, you've been very patient. I do want to do a check. I am aware that our next conversation is going by sector and getting a little more specific about the scoping plan starting with transportation. And I'm aware that some people that need to be a part of that transportation conversation won't be here for all of the meeting. So we -- we're scheduled for about another seven minutes on this conversation. You've
been in line. Please take the time you need. And I'm also inviting and encouraging us to try to get to the by-sector response while we still have some folks we need. Kevin.

EJAC MEMBER HAMILTON: I appreciate what -- so getting back to just a brief comment on this so far. I think all this is evident. I think the agency has been moving forward on this in this arena before there was 197. I was already sensing that and seeing that.

I agree with your statement there, Mary. I don't think it's so much a culture change, because working for a number of years with various staff and others here, I've never sensed that there wasn't a drive toward making this better, and creating clean air for all of us.

But there are some areas I think that we need to just buckle in and do the work. But we don't really have conformity here, and that was one thing that was illustrated well by the OEHHA reports and others in the meetings that we were in. In reviewing these, some of the things that popped to the top was again this lack of conformity in the reporting networks across both the air toxics and the air pollution world.

So just simple things like QA/QC. On the quality assurance and quality control in the equipment, I mean, everybody has a different mouse trap for how they're doing
this, based on the age of the legislation. The air toxics legislation goes back to the late eighties for goodness sake. You know, sampling frequency, reporting structures, the coordination and integration of the data, as it's revealed, this data is sitting in silos. It doesn't get integrated with other pieces or other data that could create a better story, and, in fact, maybe reveal some of this regional level information, and even some local level information that is there.

But because of the way the data was collected, and where it sits in the silo it sits in, it isn't readily available. If you don't know it's there, you're not going to go find it, and so it won't be used. I don't think there's any excuse at this point. Given the level of data that we have collected about these different sources, I'll go to the refinery, for instance.

Refineries don't -- aren't just popping up all over the place, okay? Refineries are built in places where it makes sense for them to build them, where the source of oil is -- the source that they're refining is most common and is reduced.

And so they will -- they will locate there and there will be clusters of them. And so we should be able to assess in those areas what impact they have on that region. So at the very least, for these really large
sources, large distributions centers that exist in the Inland Empire, for instance, or the shipping areas on the coast, or the large railyards, I think we should be able the better characterize the impacts of the different sources there, regardless of whether they fall out in the air toxic inventory, or if they're carbon producers, or if they're producing criteria pollutants, or whatever else they may be producing as part of their regular daily business work.

And then the last thing that I always like to focus on is the transparency. I'll step back. The resolution of the data though. I think we have enough data to get some decent resolution on the ground of being able to at least go to the regional level. It's just a matter of having the will and probably the dollars to put behind it, and therefore staff who can actually take on projects like this, but transparency is critical in this area.

And in some of the areas where this data sits, it's really hard to get to it. So you feel like was this buried over here intentionally or, you know, the idea again that we look at air toxics and we find out that with compliance comes this sort of grace of being able to only report once every four years, and notice if you have technology changes, and it's all self-report.
And so who's watch-dogging this? And you don't get the sense -- though it's the task of the Air Resources Board, we're talking about something that by its very name, "toxics", is toxic, is something that's incredibly dangerous, enough so that it was carved out separately from just the inventory general for air pollution. Not like PM2.5 isn't toxic enough by nature, we had to, you know, create this special category.

And again, this isn't a slam on any of the industries - these are things that we need - is to create things that we need, like I always point out, like these tables and this tech I'm talking into. So we need to better understand the emissions that come from these and how they're affecting the environment around us. The reporting network and mechanism that was put in place in the late eighties was what they had and based on what everybody knew then, but we know a lot better now.

So I think one of the things that ARB needs to do -- and you're in the unenviable position of being stuck with this. I'm sorry, but it falls for you, so -- is the idea of uncovering, as you're doing this evaluation, old -- I'm going to call it old legislation, is still driving us today, and requesting help from the legislature with people who are here from the legislature, and now assigned to this Board, that they can take back to their
various sectors, to the Assembly and the Senate, and say, you know, this is a problem, and we really need a legislative fix for this bill, that was great at the time, and it's not disrespectful at all, but here's what we need to do our job.

And then letting us know that this -- letting everybody know, you have transparency, that you made these kinds of requests so that I think the communities can get behind you on this, that you have more assets in place to help out with these kinds of things than you might realize, and a willingness to do that.

So I'm just saying I get it. You don't have enough -- you don't have all the tools you need right now to do what we would really like you to do, but you're also not telling us what you need, what are those tools that you're missing. So we need to know what that list looks like, and again, start the work of remedy.

FACILITATOR McGEE: I'm seeing a lot of nodding and acknowledgement.

Sekita, please, and then I'll --

EJAC MEMBER HAMILTON: When you state the obvious, I think it always happens that way.

(Laughter.)

EJAC MEMBER GRANT: Yeah. I -- that was absolutely one of the points that I was going to make.
This is Sekita with EJAC and The Greenlining Institute.

That is really kind of continuing this conversation, so that we know -- you know, we're all -- kind of seem to be in agreement that -- and I'm glad -- thank you for Katie and Mari Rose for kicking this off, this conversation around data, and how we can be more granular -- as granular as possible in terms what are the pollution and the impacts are in the communities that we represent.

And to Kevin's point is, you know, yeah, let's just keep talking about it and seeing what's missing. Do we -- is it that we need to move resources, is it that we need to put more regular -- legislative pressure on these facilities, on the air quality management districts to ensure that the data, and the transparency, and the accountability is there?

One other thing I wanted to mention is I am encouraged, or at least for me it's very help helpful to see, Edie, how you're kind of approaching this with these three buckets and acknowledging that, you know, the Air Resources Board, you know, sees the need to kind of be a little bit more de-siloed and strategic in terms of how the State is addressing these three different categories.

But, you know, we have been, as a State, very aggressive and successful in how we legislate around and talk about greenhouse gases. And that's great. And, you
though, we need to continue that.

There is, you know, these other categories that really have the health impacts and -- or have been incredibly damaging in the communities that we represent. And so being able to, within these categories, really strengthen, which is -- I feel like I'm Repeating a lot of what other folks are saying or acknowledging the need for, but really strengthening those areas, and setting goals, and just being transparent and accountable about those goals.

So, you know, whether it's through the scoping plan, let's be very transparent in terms of how far can we get with our climate regulations when we're looking at the toxins and the air quality contaminants that we're, you though, experiencing in our communities? How far can we get? Let's be transparent and get the data, and then ensure that based on our targets and how we want to see the air quality improved in these communities, and health indicators that there are goals within -- you know, maybe our goal is to drastically reduce asthma for communities of color particularly that are being impacted the most by that.

But whatever the goals and targets are to ensure that we're using whatever regulatory abilities that we have as a State to reach those goals and targets. And if
those -- if that jurisdiction is not there, then go into the legislature, and to make sure that we have, you know, all the tools we need to address -- to address these issues.

And I just want to mention quickly that we've been working with the Energy Commission on -- in response to SB 350 on a report for equity -- well, different reports, but one thing that they're doing on their own is to create an equity indicators report, which ideally I think this agency is coordinated on, you know, covering GHGs, covering the health indicators, and also going beyond into kind of other kind of ways that we could look at whether or not the policies that we're pushing through as a State are actually maximizing all the co-benefits that we'd like to see in our communities. So I think there's opportunity to kind of collaborate with what's happening there.

FACILITATOR McGEE: Let me check briefly if Mr. Luis Olmedo wants in on this conversation, another participant.

EJAC MEMBER OLMEDO: Yeah, I'm sorry. I'm just stepping back in. What was the question?

FACILITATOR McGEE: Just wanted to see if you wanted in on this before I summarized this conversation and moved to the transportation sector.
EJAC MEMBER OLMEDO: I'm sorry, I missed the last few minutes.

FACILITATOR McGEE: No, you're quite all right. I just wanted to see if you had a hanging item, and I wanted to make space for you. I'll do that as we go.

But in the way of summary, here's what I heard. I heard an acknowledgement of the inequity of the disadvantaged communities facing disproportionate share of pollutants. I heard from the ARB both inclination and action to incorporate 197 into the scoping plan, but that there aren't currently frameworks or mechanisms for that level of fine scale detail and monitoring, indeed partly because you're drawing upon several frameworks that collect in different ways.

So one strategy to mitigate that is to look at direct emissions is one way to try to go at that tension and that problem; that the scoping plan is new and evolving; and that the requests are there from the EJAC keep going. Let's get more specific on targets, goals, finer scale data, cleaning up legislation where necessary.

That's what I heard on this conversation.

Can we move -- we are scheduled for a break in a little bit, but are we ready to move to by-sector comments about the scoping plan, particularly transportation.

Please, as you're ready.
EJAC MEMBER VALENZUELA GARCIA: Thank you. And thank you for letting me go first. It's legislative deadline to do bills, so I have to run to the Capitol and hopefully make it back before the end of this meeting in a few minutes.

So under transportation -- and again, with the sheet, and it's in bold at the very top, but again, like we want to keep reemphasizing that we do have fuller documentation. And I know you've seen it a zillion times. But in effort to better streamline our conversation today, we, at our March meeting, really identified what those key points were that kept coming up. And then further synthesized them by pulling out overarching themes in more detail.

But when you looked at transportation, which is mid-way through page three, the first is again around SB 375. And I know we've talked about this a lot -- and obviously -- sorry -- the target setting process won't be done.

My folder is working against me.

But we want to -- at least, maybe we identify like of all the emissions reductions we're going to go forward to 2030, can we at least identify, like quantify that chunk that's supposed to come from 375, so that staff working on those targets that can continue to revise them
every few years has a really clear goal that they know they're supposed to achieve if they're going to meet their part of the bargain for the 2030 targets. We think that might be a good, like, middle-ground approach to recognize that target-setting process is still ongoing.

We mentioned the 350 studies, we mentioned this in other sectors as well, really looking to see how we can integrate those findings and recommendations from that report.

And to examine transportation regionally. As we mentioned before, and I think you're going to hear this again and again throughout the day, that each region really faces unique challenges, and has unique opportunities. And so to the degree to which within the scoping plan we can start analyzing those barriers and opportunities by region, to ensure that a region that's overburdened by freight has recommendations and policies put in place to address that. Regions that have opportunities that have different needs because they're more rural, before -- because they're trucking routes, because there's -- you know, there's a whole variety of reasons why we think a more regional approach within the transportation sector.

Again, you see we keep moving -- trying to move away from this like sector-based statewide thing towards
more regional specific recommendations and ideas within
the scoping plan, so we can try to start to address the
inequities that we see in different parts of the State.

The -- we would like to see off-road sources for
transportation included in the analysis, such as
agricultural equipment, and other construction equipment,
and other off-road sources of emission and transportation
included within the scoping plan. And we'd also like to
see some of the innovative ideas that have come out from
our workshops, like green transportation hubs.

And I know Rey has been working, has been a
champion of this in his region for a long time. But How
do we really identify those exciting things that will
achieve multiple adaptation and energy-related goals
within the scoping plan to give regions more guidance.

And finally, and I've personally been a champion
of this, under local action, there's program that CAPCOA
has been developing that would essentially allow -- they
call it the GHG Rx program on CAPCOA's website. It's
basically going to allow for local developers to offset
increased vehicle miles traveled by purchasing credits
from energy efficiency projects either within their region
or across the State.

I think that's directly contradictory to the
goals of the rest of the scoping plan. And I think a lot
of stakeholders would appreciate that program being stricken, and us really pushing local jurisdictions and local air districts to reduce VMT through projects and promote more infill and more equitable and sustainable development patterns.

FACILITATOR McGEE: So our strategy for these by-sector discussions were to do just that, do an overview. And so that was a long list. Let's decide now to have -- how to have a conversation around this, because we can go back and talk about each of these items.

So let me open the floor, whether from EJAC or from ARB. Do you want to pick off this list and either respond generally or to start an item off this list -- and we've got some time to talk about this issue.

EJAC MEMBER VALENZUELA GARCIA: Can we just go, yeah, one by one, and maybe start with the 375, like -- and I think the overarching questions of is that something we can do within a scoping plan? And if not, specifically for 375, how do we make sure that those targets, since they haven't been set, do align with our larger goal that SB 375 is apart of.

DEPUTY EXECUTIVE OFFICER CHANG: So the scoping plan builds on the Mobile Source Strategy. And the Mobile Source Strategy calls for a 15 percent reduction in VMT, which is pretty aggressive. It's very, very aggressive.
The conversations that we've been having about
the 375 targets are that we know that 375 isn't going to
get us all the way to that 15 percent reduction. It's
going to be a piece of it, but the State is going to have
the step up and do more. And there have been a lot of
conversations. In the scoping plan development process,
we've had some sort of special workshops working with OPR
and SGC, CalSTA, CalEPA, and ARB to talk about what else
we can do.

And so I'm trying to -- I think your ask, Katie,
was can we -- can we look to see what portion of 375 how
much it's going to contribute? I'm trying to --

EJAC MEMBER VALENZUELA GARCIA: Yeah.

DEPUTY EXECUTIVE OFFICER CHANG: I guess I see
the -- I see the target as being so big.

EJAC MEMBER VALENZUELA GARCIA: Yeah.

DEPUTY EXECUTIVE OFFICER CHANG: And I guess part
of the question is -- I mean, obviously, the 375 targets
are important, but the VMT reduction target is bigger than
375.

EJAC MEMBER VALENZUELA GARCIA: I guess when you
look at the pie of reductions that we need to get to 2030,
I'm looking for an estimation of how much of that needs to
coming from 375 within the scoping plan.

I don't want us from day one of adopting the
scoping plan, you know, six months later we adopt targets that are already not aligned. So sending clear guidance to the MPOs that this is how much of our 2030 reductions we're anticipating. And I do think that we can get a lot more than we have gotten from land-use changes.

I mean, the way we develop and where people live in proximity to where they work and what resources they have to get around that aren't based on their car is a critical part of how we reach this strategy, and we're not seeing effective implementation of SB 375 in the regions across the State. So I think there's an opportunity for us to do a good chunk of that 15 percent within SB 375.

And we'd like to see a number identified, so that staff working on SB 375 align those goals with this overall statewide plan, so we're still on track and we don't fall off in six months.

DEPUTY EXECUTIVE OFFICER CHANG: I think that -- Kurt is not here. Kurt who oversees 375. So it's great. I can like make commitments for him.

I think that there are --

(Laughter.)

DEPUTY EXECUTIVE OFFICER CHANG: I think that, you know, we can think about ways. I think what you're saying is how can we put something into the scoping plan to ensure that we are -- we are aiming high and that
there's a hook that we're just not letting folks off easy. And I think we can think about ways they could do that, but that maybe don't pre-suppose an outcome for the 375 targets, but put that sort of -- that direction out there.

CHAIR NICHOLS: I want to jump in on top of what Edie said, and maybe give a different spin, because I think we could do better than that actually, in response to your point. I think we could actually help to integrate our thoughts about transportation and land use with 375.

So 375, again, it's a separate program with its own set of rules, and its own implementers, and groupies and everything else, but it has a role to play. And I think we could find a way to come up with a better apportionment of reductions, the same as we're doing with working lands and natural resources, which is the same kind of problem. It doesn't integrate well into our existing regulatory system, but it still is really important. So I would like to make a commitment to respond to that one, okay?

EJAC MEMBER VALENZUELA GARCIA: Thank you.

FACILITATOR McGEE: I thought I might have heard someone trying to get in on the phone?

BOARD MEMBER TAKVORIAN: Yeah, I was. Thank you. Yeah. And thank you, Mary, you took the words right out
of my mouth, so -- I love that. And I think, you know, there's -- I really appreciate that the Board and you, Mary and Richard, have been open to pushing the timelines for the scoping plan. And as we've all said, you know, there's so many components to it, it could keep getting push until we have everything right in line, and that won't happen.

But SB 375 is critical. And we won't be firm with those -- we won't have solidified those targets until the fall. So I think this is a really good middle ground, as Katie said, that we can get to, which is what can we expect in terms of these emission reductions that can be incorporated as a commitment into the scoping plan with the understanding that then we can -- we, as a Board, can carry those forward as our vision for what we do in the 375 target setting. So I really appreciate that.

Thank you.

EJAC MEMBER LEÓN: Good afternoon. Rey León, Valley LEAP. My apologies for arriving late. I've been battling a flu, but I think I'm winning.

(Laughter.)

EJAC MEMBER LEÓN: So in regards to the transportation, I guess it's perhaps more practical comments from the experience that we're having on the ground. And it seems like the good thing is
infrastructure seems to be rolling out. It will roll-out way -- way faster than the vehicles. But I still see it that for farm workers, it's really difficult to get those electric vehicles. We've got to work on that. That's, I think, a challenge that is before us. There's -- it's -- yeah, it's something that needs to be taken care of through the program that we've got going on. We're helping with the infrastructure, and to the exposure of the EV plug-ins.

But I think there -- kind of like Covered California, how they did that big old campaign and getting people registered, something similar, if it existed, such as that for families -- low-income families to try to put in paperwork and get the support to get those vehicles would be really helpful, something of that sort.

But the other comment in regards to the Volkswagen settlement. You know, I think -- it falls, I think, within the parameters of this discussion, I believe. What it looks like is that their first phase of investment is just very -- it's very absent of impacting environmental justice communities, the DACs that we speak of here, the low income communities.

So I think we need to make sure that those investments fall within SB 375, AB 32, you know, all the parameters that we have here, so that we can ensure that
environmental justice is happening there with those monies as well.

That's all.

FACILITATOR McGEE: Kevin, Sekita?

EJAC MEMBER HAMILTON: So this -- I want to compliment staff and ARB in developing -- by the way, I've been in transportation meetings lately, and developing this methodology to help the transportation folks assess the footprint of their projects, as far as criteria pollutants are concerned. So I think that's an evolving thing, and we made some real progress with staff this morning hitting on that.

I think that one of the things that the VW settlement -- I'll refer to that -- has sort of percolated to the top is something that we all know is important, and that's the idea of induced demand in this area. The idea of creating an actual demand for these vehicles. It was disturbing for me to look at data from our region, from the San Joaquin Valley, and see that the valley indeed has been an early adopter of zero emission and near zero emission technology, even at the individual level has exceeded most areas of the State and grabbing ahold and purchasing these vehicles, but that we're starting to see a little fall off there, because we're not seeing the infrastructure investment that we need to support that.
I have a personal story about my former associate director driving an EV vehicle to work. The only charging station is at a place called Grundfos Pumps about three miles from the office. The space that we rent was interesting in putting in any tech into their parking lots, because they don't see how it's going to fit in there quite yet. There's not quite enough money to actually support doing that for them, so -- and they're a large developer. They own shopping malls and other things. And if they don't see that, and that access, and that support for doing that, I'm not sure how it will happen.

And so in her new vehicle purchase, she's not going to purchase a new EV now. She's going to go to a hybrid at least. But, you know, she was very unhappy about having to make that decision.

So I think in SB 375, we actually have an opportunity to build on that relationship ARB's been building with the transportation people and to talk more about that. And ARB's role could be to create definitions here, because I don't think that's well understood.

Concepts like this are not well understood.

What do we mean about these targets, and, you know, how do I develop this community, this county, this city? And in the case of our region again it's counties,
but SCAG and, you know, with five or whatever seven counties, and other areas that have multiple counties.

So how do we do that in a way that both supports the demand for residential, and commercial, and industrial properties, but still gets us to reducing these targets?

And so, you know, we need better definitions. We need better -- more clarification on exactly what kinds of methods they can use to make these changes. Substantive stuff that they can put on the ground, because again attending both sets of meetings and talking to staff, I can see there's not a lot of -- that they feel this hasn't been well clarified for them. And even though the leadership at the agency here and the Capitol is certainly on board, seeing that move to the local MPOs I think has been a lot more challenging.

And they would tell you the same thing, that while they've been overriding push-back from the MPOs, which is fine, but is that actually going to create changes on the ground.

EJAC MEMBER GRANT: This is Sekita with EJAC the Greenlining Institute. So when I -- when we approached transportation, you know, three areas that I'll address quickly. The -- you know, first starting with the goods movement sector with freight, which I think, to me, there's a lot of similar issues to what we began speaking
about when we're talking about really locating the sources of the pollution and getting the data and having the transparency, and, you know, what can we all do to help move that conversation forward and really work with and put pressure on, you know, entities like the ports, and large companies, and goods movement companies that are creating a lot of pollution in our communities.

So I think the increased data transparency and this continued conversation how we can support carrying out the freight -- the Sustainable Freight Plan, and other initiatives that the State is embarking on.

The second is people movement. So it's public transit, which is incredibly important for -- both from an air pollution standpoint, and just from a people mobility standpoint for the communities that we represent. And, you know, for me, it really is -- is, I think, a great opportunity for California to lead in its public transportation, to really bring in the electrification technologies early, and to really showcase that, you know, tech technology is here. We're seeing at least cost parity with electric buses. And if we can -- you know, the State can get serious about an effective conversation around financing for those technologies and buses, and really targeting the roll-out of the technologies in disadvantaged and low-income communities, it has --
there's so many wins that we can have across the Board.

And again, looking at, you know, who are the stakeholders, the MPOs, others? Who are the stakeholders in this -- this space and how do we provide the right carrots and sticks to ensure that we see, you know, whether it's school buses and public transportation, making sure that we're totally getting away from diesel. In my opinion we're skipping natural gas and we're getting electric out there into our communities.

And then the third is really, you know, going to Rey's points in looking at kind of the passenger vehicles and ride sharing, and those types of things, those other mobility options. And I think, you know, a lot of this is in -- this is where it kind of blends with what's happening with the climate investments, you know, what's happening with the 350 barrier studies, which, you know, you're -- the team here at CARB did a really, really great job on that.

And so I think really looking to that study, which identifies the barriers and opportunities to overcoming the barriers to really see the -- for us, it's about access. You know, it's great. We're moving to a clean energy technol -- clean energy economy, but our -- you know, the communities that we represent should be benefiting, first and most, from that transition, and how
do we -- and that's really a question of access.

And so I think the 350 Barriers Study is to have that connection with the scoping plan is key, because all -- that whole transition is what's helping us meet the targets laid out into -- in the scoping plan. And, you know, for us, it's our communities that are really show -- showcasing the future of clean energy. That's how we -- we don't want to -- we're not here for trickle-down benefits. It's really about, you know, the communities that have been hit first and worst by the pollution benefiting first and most by the solutions.

And so with that kind of expression of enthusiasm, I think from the scoping plan -- even though as I've acknowledged, a lot of this sits in other spaces, but recognizing the connection and kind of expressing that enthusiasm for what disadvantaged and marginalized communities can represent within a policy structure around air quality and climate, that is something that could and should be replicated outside of this State. But for California to be -- really be a leader in that way, I think would be incredible.

FACILITATOR McGEE: Let me check with our participants on the phone.

Then here's what I'd like to do. Let's do another check and see. I have one comment form submitted.
Just wanted to check with those in the room.

EJAC MEMBER HAMILTON: I think I heard someone on the phone.

FACILITATOR McGEE: Oh, well, then I should make space for that.

Pardon. Please. Diane, would you like in?

BOARD MEMBER TAKVORIAN: No, I was saying I'm fine. And I think Luis is fine, too.

FACILITATOR McGEE: Thank you very much.

Just by raise of hands, are there other people that would like to make a public comment during the public comment section today?

And have I already received your card, speaker card maybe?

Great. Thank you.

Well, then here's what I'd like to do. We're scheduled for a 2:30 break. Is that a good idea or does this group want to press through.

Want to keep going.

Okay. Great. Then I'm going to hold on to comment for a moment.

Let me do a last call on transportation discussion.

Okay. Great.

Martha Argüello, are you willing to help us kick
off the discussion on industry?

    EJAC MEMBER DINA ARGÜELLO: I just realized, oh, my God. I had an assignment.

    (Laughter.)

    EJAC MEMBER DINA ARGÜELLO: Thank you, because I'm not at all prepared. I will -- I won't lie.

    So the top priorities from the EJAC continue -- well, emissions reductions from -- I don't need to look at the notes. I actually know this.

    (Laughter.)

    EJAC MEMBER DINA ARGÜELLO: We continue to really want to focus on those major polluters that are the big problems in our communities that are driving the major emissions, and, you know, power plants, cement plants, and we need to have some more specific strategies within the scoping plan to achieve those reductions. And I have to say this was probably written before we saw the 197 presentation, because I think there's a lot, so I will acknowledge that, right, so...

    And then we need to continue to work with OEHHA on these studies around emissions. So a lot of this first bullet is really related to the things we already heard, right? Our -- we've got to improve how we collect data. We have to be able to verify that data. So all that kind of got said during our earlier conversations.
And CARB should abandon cap-and-trade systems for non-trading systems options like cap and tax, also referred as cap and -- a carbon tax, also referred as a cap and tax, cap and dividend, fee and dividend, or command and control regulations. And we think that those -- that we should.

(Thereupon automated voice regarding conference call came on.)

EJAC MEMBER DINA ARGÜELLO: It's on. And so the -- I mean we continue to think that we need to eliminate free allowances and offsets and allow CARB to set facilities caps. CARB should conduct a full economic analysis of those alternatives. And we feel that again, you know, we sort of the -- we felt that there was a bit of a finger on the scale in support of what we already know. And which is -- you know, I understand why that happens, but we need to have a robust, fair analysis of the other measures in terms of the air benefits, but financial benefits, in terms of being able to generate funds that folks are now very accustomed to having through the GGRF funds.

So we -- we're not saying that those should be replaced, but that we should find more equitable sources to continue to generate those funds. And then we've got to commit to reducing our consumption of oil and include
a -- we'd love to see a moratorium and an end to all fossil fuel infrastructure, whether that's refineries. But we'd certainly like -- certainly, you know, my work a lot is around urban oil drilling, and we would love to see stronger ways to protect communities from this practice.

Imagine Aliso Canyon next to you every day, so -- and then also we don't want -- do not authorize CAPCOA to create a new carbon market. We want to say -- we actually want a sentence removed from the scoping plan that says, "Where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits issued by a recognized and reputable accredited carbon registry.

So again, I mean, really an industry is like these pollutants -- these facilities, whether they're large refineries, cement kilns, small oil and gas facilities in neighborhoods are having a tremendous impact within air quality and health, and we need to move quicker. And then again the full analysis around other options.

FACILITATOR McGEE: As you see, your strategy for this meeting is to start general and then get specific. Other general comments at the moment, and then we can take items off this list as we like.
EXECUTIVE OFFICER COREY: I'm going to take a stab at a response, and I think others will fill in. But, Martha, I want to go to your point, because I think it's an important one about petroleum. I mean, we make no bones about it, the fact is that we're looking to phase-out the use of petroleum. We're approaching it from both ends, pushing vehicles forward, not just light-duty vehicles, trucks, and heavy-duty vehicle applications to electrify new zero emission electrification, fuel cell technology.

So on one end that obviously takes time. I mean -- and it doesn't move fast enough for us, and we are looking to -- I think the comment that Rey, Kevin, and others made about the important role that infrastructure investments play. The IOU investments are going to be huge. VW, and the fact that many of those investments are going to be in DCs matters a lot. That's on one side of it.

The other side, to me, is not only increasing competition for alternative fuels that are outside of petroleum, they are cleaner traditional fuels. How do you lower the carbon intensity. Low Carbon Fuel Standard we clearly are tightening down on that regulation. And in putting the, you know, investments in some of these other areas on the infrastructure side.
So pushing both sides of this. Recognizing a point that you made, and I think it’s one I wanted to add to here as well, and that’s with respect to the industrial sector. You know, I was thinking about Edie’s presentation talking about GHGs, criteria, and toxic pollutants, and I was also thinking about traditional authority more stationary sources traditionally have been in the district’s role.

One of the efforts, and this is really in response to these conversations and in response to 197, I’ve called together the CAPCOA Board, California Air Pollution Control District, and through them have established an industry work group that’s going to be focused on industrial measures.

The first one is refineries. I’ve put that in a letter to the Bay Area. And I think many of you are familiar with that letter. I’ve already sat down with Jack, Wane, the large district representatives. We’re starting on that work. Now -- and they are supportive and on board with doing that. That’s important.

You know, and does more need to be done? No doubt. But these are specific incremental commitments to move forward, both in terms of being very clear of the increasing role that electrification and zero emission transportation is going -- needs to play, but also really
a different strategy to get the industrial sector, recognizing historical authority. And the fact is we're really talking about community exposure to criteria and particularly toxic pollutants.

FACILITATOR McGEE: Let me open the floor. Oh, Martha, please.

EJAC MEMBER DINA ARGUELLO: No, actually, go ahead. Go head. I have to think about all that.

FACILITATOR McGEE: I think you're actually the only in the queue.

EJAC MEMBER DINA ARGUELLO: Okay.

FACILITATOR McGEE: Not anymore.

EJAC MEMBER DINA ARGUELLO: Go for it. Yeah, go for it. I want to formulate this question.

EJAC MEMBER TARC: So I'm trying to see if we can get a little more concrete around public health and EJ communities, and exposures of environmental justice communities, as we were trying to do in the AB 197 conversation.

And so we had an EJAC work group call with the industry folks, including CARB staff yesterday, and we were -- we were -- we were at a standstill. It was like a repeating conversation. And I wanted to offer a perspective on how we're looking at the industrial sector, and including cap and trade and alternative scenarios to
cap and trade as we move forward to reach the 2030 goals.

So right now, we see that there are data gaps.

So as the OEHHA report also pointed out, we need more -- and as we've been talking today, we need more of the those data sources to figure out where toxic and criteria pollutants are along with the GHG data, and where these are.

So right now, what we're seeing is there's early indications that there are increased localized emissions for fenceline communities. We already know, through CalEnviroScreen, that these are the communities that have the highest pollution burden of various cumulative impacts and sources. And so it's not like they're starting out healthy. And so when -- when we are seeing the -- so we know at least that cap and trade is going to probably continue through 2020.

And so even now, what we're seeing is there are -- so from whether the OEHHA report or the Cushing report indications that offsets, for instance, are potentially allowing for those emissions increases free allowances, and so basically the carbon trading happening with these facilities in the most disadvantaged communities.

And so with -- there's -- staff is looking at closing the data gap, but we don't know when you're going
to have that data. And until you get there -- what we've
been hearing is until you get there, you're not
necessarily going to be proactive about preventing harm to
the EJ -- the fenceline communities to these facilities.

And so what we're trying to see is, is there a
way and direction or signal from -- from CARB and the
Board to be able to prevent further harm to the most
vulnerable communities now. And so if -- if, for
instance, between now and 2020, the Cap-and-Trade Program
is -- is -- is allowing vulnerabilities or loopholes
through offsets, or trading, or free allowances, is there
a way to hold -- hold those from happening until we have
the data that it's not actually -- that cap and trade is
not harming these fenceline communities?

So I guess that's -- that's being specific, and a
question to the Board, which -- and the staff, is there a
way to prevent further harm to EJ communities in the
industrial Cap-and-Trade Program now, so that -- so that
you don't cause further harm?

EXECUTIVE OFFICER COREY: Let me take a stab at
this. And I wanted to challenge a little bit the
assertion Mari Rose, and first, though, there's no doubt
there's need for more reductions, more reductions at the
community levels of industrial sources, and actually
smaller sources as well that generally are -- can be very
close to receptors. Auto body shops actually can lead to really high exposures, so can chrome plating.

But my point about challenging the assertion is that the action that the Board just took last month in terms of SIP measures, mobile source, on-road, heavy duty, off-road, it was about NOx, it was about diesel PM, significant reductions that we're going to get in communities. Our transportation -- we all know that transportation contributes a significant share of our emissions in the State, about 80 percent of our NOx, about 95 percent of our diesel PM.

It's important, and it plays a key role in the overall strategy when we think about toxics-related exposure as well as regional air quality. But it doesn't stop there. It goes back to the point I made earlier about traditional industry sources. And the fact is that traditional industrial sources have been permitted at the local level, and we need further reductions. And that is the work we are doing, will do with CAPCOA, in terms of ratcheting down emissions from industrial sources. And it also is where there are opportunities for further reductions from traditional toxic sources.

And several mentioned the history of the toxics program, where there's about 30 measures they've adopted over the years. The updated OEHHA data and analysis, in
terms of the risk methodology tell us, and Edie mentioned it earlier, the youth are particularly vulnerable, even more so than previously thought. The whole revisiting of our historical toxics program is what is the level of protection it provided, and what is that residual risk, where do we need to ratchet down?

So it is -- it is not a one-size-fit-all. It's not a silver bullet. It is going at toxic, it's going at criteria, and it's going at transportation and stationary. And it's partnering, honestly, to a stronger partnership with the air districts, given the key role that they play on this. So it is the package of strategies to get at the issue.

But I would argue right here we're already seeing reductions from those mobile source and historical measures. We just need to do more and the monitoring supports that, the work near ports and diesel PM. I think in the last ten years, we've seen a reduction, and this is of diesel PM, about 70 to 80 percent near the Port of LA, Port of Long Beach due to a whole series of measures, many of which we adopted.

I'll be the first to say that's not sufficient, because the residual risk and exposure is still too high and we need to do more, but I think there's something to be learned from the successes we've already had, and see
what we can build on them.

EJAC MEMBER TARUC: I think CARB has been better at mobile sources in the -- and the programs that you have. What we are also pointing out is around stationary sources where refineries, and oil drilling, and power plants are. And so -- and you did say yes there's a lot of authority on the local district level on that. But ARB has authority on cap and trade, and where trading happens, and when -- offsets and free allowances. And I think that's -- that's what I'm pointing out is that you have authority to design and -- and fix -- and shape that program.

And right now, the early indications from the OEHHA report and the Cushing report are that these -- the design of the program as it comes to trading and offsets and free allowances are possibly increasing harm to the fenceline communities. And so you have an authority to change the design of the Cap-and-Trade Program.

FACILITATOR McGEE: Two in the queue.

EJAC MEMBER DINA ARGÜELLO: So I want to -- so what's in the SIP is great, but I live in the South Coast, and many of their measures are pending all in -- some magical -- oh, sorry.

So, you know, the SIP is great, and it's good that it was strong on the NOx and SOx. But many of the
measures in the South Coast are supposed to come from --
and I'm just really tired. The words are not coming to
me, so the only thing I can think of is magical money,
right that may or may not come from the federal
government, may or may not come from other sources. So
many of those key reductions are guaranteed.

And so I guess I want to go back to saying, you
know, we -- from the -- you know, from 2006 knew that
there were potential design flaws in a Cap-and-Trade
Program that could potentially drive up emissions in
communities. That was sort of universally acknowledged as
one of the challenges, right, even from CARB staff about
the design issues.

And so now we have to report that begin to show
some indications that those design flaws and issues that
all of us are concerned, not just the EJAC, but staff at
ARB. I remember the presentation of how to get this
right. So now we're starting to see that. So that's
where I have a real challenge when there's sort of an
unwillingness to acknowledge that there may be a challenge
in these communities and that we could actually do things,
like stop giving them away, no trading in any place where
until we have the verified data, if it looks like things
are going up, no trading, right? You can't trade in.

So -- and these were all actually things that we
said into 2006 and '07, '08, '09, and '10 around some --

And so now -- and we waited patiently for the
data, right, because we're told no. It may not happen,
but now -- and I understand all the caveats with the
quality of the data and all of those things. But it seems
to me if folks that know more about this than aye, they're
talking about these major design flaws, now we're seeing
them verified in early data, then we want a response to
that. And, yeah -- I don't know how else to put it.

BOARD MEMBER FLOREZ: Thank you. Maybe tying
both of your comments together. Martha, I think when we
did or when AB 32 was passed, obviously ten years later
we're looking at -- maybe not design flaws, but structural
problems. And Mari Rose's comment, I think we spoke about
this many times in the past on offsets, so we just focused
there.

So there is really no adequate structure, in my
view, and maybe the staff could correct me, on engagement
with disadvantaged communities in the offset programming
truly. I mean, we don't have a metric that says
co-benefits and offsets.

And I think the frustration is when we talk about
offsets, we tend to leave that part out of the equation,
so we're not really talking about health benefits but in
the offset program. And I think the frustration has been if you look at whether we have required investments in the offset program in disadvantaged communities. No.

Do we have -- are these located in disadvantaged communities offset programs? We don't know. I don't think we know. And if we ask staff to say show us where our offset program is in disadvantaged communities, I'm not sure we could have that data set. I'm not sure we have a benefit for disadvantaged communities in the offset program. I'm not sure we have co-benefits or actual co-benefits quantified.

So I think we have a data gap, and a transparency gap that leads to a lot of mistrust. And I think it leads to the fact that you want us to point to the benefits of the program. I'm not sure structurally we have the data to do that, and maybe I'm wrong. I'm -- if -- but I'm not sure the staff themselves and CARB itself can actually look at that co-benefit side of the offset program to provide, you know, that map. So if you think about disadvantaged communities on CalEnvironmentalScreen[sic], and you look exactly where those might be, I think you'd come up to the conclusion that we don't know, can't quantify, can't prove.

And that leads to a lot of mistrust. So I'm not sure if that's the case, but it seems to me that's where a
lot of this comes in.

Let me use an example, so I'm not just kind of -- so we have urban off -- urban forestry offsets. So one of the problems is we have a GGRF fund that does a lot of that on that side of the equation, but when you get to the offset program here on the CARB side, you know, we know that actually that reduces pollution. I think we can agree on that, right?

So if you have, you know, urban off -- forestry offsets, in a sense are a co-benefit. It is part of our set program. But I don't think we can prove we have one offset program implemented in that category at CARB. So we have no zero offset urban forestry program.

Now, if we did, you'd say we could say to you, ah, co-benefit, works, offset program, quantifiable, I can tell you where it's at, you can point to it. But the fact that we can't do that I think leads to a lot of this dialogue of the program itself as an offset program just doesn't work, so let's eliminate it.

And I think what I hear you saying are either two things, either the improvement of the program -- eliminate the offset program all together, because you haven't really proven to us any sort of offset benefit on the co-health benefit side. And without the data set necessary, I think it's very difficult for us to show you,
particularly on forests. I mean we know that's a
cobenefit, but we don't have a program that we've
actually implemented in this. Your criticism is correct,
because we should be doing that. We should have more
dialogue with disadvantaged communities in that particular
category.

So I think from the Board side what we need to do
is try to figure out, you know, in the co-benefit arena
how we can actually include more disadvantaged communities
in the structure, in the design, and maybe the -- you
know, we try to find something that works, and we can go
into other items. It's not just foreign -- the forestry
program. We can go into transportation. We can go into a
whole host of other things.

But I would just say that I think it's a great
comment both of you have mentioned. I think it's proven
that we don't necessarily have the co-benefit discussion
in this category. And I think it's incumbent on the staff
and the Board to try to figure out either fix that,
include a structure, include disadvantaged communities,
and have a more robust discussion about it, or you're
probably correct is my view.

FACILITATOR McGEE: Open floor.

Please.

EJAC MEMBER TARUC: On that co-benefit point,
what I understand, for instance, the offsets program or
even the carbon trading program, it's not one of the goals
as of right now around that program, or those programs, to
be beneficial to most impacted communities or
disadvantaged communities.

So I would love to see -- if that's a direction
that the Board wants to go in actually putting co-benefits
alongside cost effectiveness, I -- I would love to see how
that works.

FACILITATOR McGEE: Seeking additional comments
regarding the industrial sector.

And let me do a check. We've been at it for a
little under two hours. How is this group? We have a bit
to go. Should we press on? Should we take a break?

I would suggest a 10-minute break coming back at
3:00 o'clock, when we'll pick up again talking about
natural and working lands and waste. Does that work for
everyone?

Thank you so much. See you at 3:00 o'clock.

(Off record: 2:50 p.m.)

(Thereupon a recess was taken.)

(On record: 3:00 p.m.)

FACILITATOR McGEE: As the last are taking their
seats, I have a suggestion for how we get going. So
here's my request or suggestion.
Diane, do we have you back?

Maybe we never lost you.

EJAC MEMBER OLMEDO: Yeah, this is San Ysidro.

I'm back. This is Luis Olmedo on the call. Diane is -- she's moved on to another meeting, I believe. I'm here alone.

FACILITATOR McGEE: Glad we have you Luis. Thank you. Feel free to make a noise or hit a dial button if -- if you're feeling neglected, if I haven't checked in with you.

So here's my suggestion for starting off the next part of our meeting. I have it on good info that the one comment card that has been submitted is a relatively brief public comment. I'd like to accommodate now, if that's okay with the group. Then I'd like to make space for general comments on our discussion so far, and then I'd like to move us into our next specific discussion, which is natural and working lands, and also waste.

Does that work for everybody? Or rather, if it doesn't work, would you let me know?

AIR POLLUTION SPECIALIST JOHNSON: There's not many people in the room. Is that okay with her?

FACILITATOR McGEE: Yeah, let me ask our public commenter. We're still collecting some of our folk back. Would you like to wait till you have a bigger audience or
is it okay on the record now?

Either way is fine. I can work with it.

That's great. Please let us know who you are.

And if that doesn't work, you're welcome to use one of these mics at the table.

DR. KYLE: Is this on?

FACILITATOR McGEE: Not -- no. So please feel free to use that.

DR. KYLE: Thank you for giving me a moment.

My name is Amy Kyle. And I'm recently retired from active duty at UC Berkeley, but now I have more time for fun stuff like this.

And I just wanted to comment a bit on the data related suite of issues, because I've been working with some members in this room on some of that stuff, and suggest that perhaps you might consider adding to the scoping plan something about attributes of your data systems, because you need data to assess whether you have achieved everything you're doing in the plan. So you have measures that you're adopting, which have some metrics associated with them that are supported by data.

And some of those are about health, and some of them are about air pollution, and some of them are about carbon, et cetera. And yet, the data system part that would support that seems very underdeveloped so far. And
so we're talking a lot about all the issues with data. Maybe, you've had enough comment and this is the system's way of shutting down.

So my suggestion is maybe -- I would suggest considering perhaps adding to the scoping plan some attributes of what your data systems might look like that would include that they're interoperable, so that you can get all the different things you need out of all the different pieces to answer the questions you have today, and tomorrow, and then ten years from now, that they be transparent, and so that they're fully documented, and have a public access component; georeference so we can see where -- and georeference so we can see where some things are.

And then as we think about all of this, we need a public interface for them, that lets the public understand this whole process beyond the kind of we're seeing in the scoping plan. And I think that needs an intentional design, because it's -- it's -- honestly, I found the scoping plan almost incomprehensible. And I know a lot about this. And I know how that happens. You know, it gets put together and from different things.

But we need a more consistent interface that people can go to to see where are we, what did we say we're going to do, did we do that, how do we know, what
was the metric, what data supports that, did it work or not? Okay. Where now?

And there are all these pieces of this thing that, you know, part of it's yours, part of it's somebody else's, and it's -- we need a design to deal with that I would suggest to you with respect.

So thank you.

FACILITATOR McGEE: Thank you very much.

So I wanted to open this up for general comments so far. And I also know what's coming, and we need some folks that aren't in the room. So I actually -- please take just a moment, I'm going to step outside, and give an eyebrow and a sideways glance to folks that --

VICE CHAIR BERG: Do you want me to do that?

FACILITATOR McGREE: Please. That would be great. Thank you for help rounding.

VICE CHAIR BERG: I'm good at herding the cats.

(Laughter.)

FACILITATOR McGEE: That would be great.

Thanks. Thank you for that.

And also, we have a couple Board members that have joined us. Let me just invite an opportunity to say hello and let us know that you're here.

BOARD MEMBER RIORDAN: Thank you. I'm Barbara Riordan. I'm delighted to be here. And sorry for the
delay, but I drove in today. So it's the best time I can make.

FACILITATOR McGEE: Thank you.

BOARD MEMBER GIOIA: Hi. John Gioia. I'm on the Bay Area Air Quality Management District Board and from Contra Costa. So better late than never, as they say.

FACILITATOR McGEE: Thanks very much for coming. So again we're about to jump into more discussion by sectors. But after substantial discussion, two hours of discussion so far, let me just open the floor and see if there's general comments, something that was missed, something that you wanted to get in before we go back into specific discussions.

Okay.

Well, I don't mean to put you on the spot, just as you're sitting down, Mr. Hamilton, but are you ready to lead us off on the conversation on natural and working lands and waste.

As you're ready.

EJAC MEMBER HAMILTON: Sure. Thank you.

So I had a question that I wanted to ask to sort of start this. Can anybody show me in this area of natural lands where the EJAC recommendations are? Anybody point those out to me? Because I can't really find them.
You know, this goes back to sort of a core issue that we started talking about about six or eight months ago. And I just wanted to raise it, because I don't see any space for it on here. So I'm going to inject it into my conversation right now.

We had talked with staff about how we might be able to better -- this goes back almost two years when folks were recruiting people like me to be on this committee to talk about where the EJAC, the environmental justice lens would be placed in a way that everyone could see it that was transparent to everyone, and that it had a meaningful place in the scoping plan.

And while there has been a meaningful process for me personally, and I feel that staff has been very committed to assisting us in every way possible, and in fact they've developed all these really cool tools like, you know -- if you don't mind, Mr. De La Torre, to hold this up -- so now I've got this crosswalk document, which is 108 pages thick. I've got a scoping plan, and I have the EJAC -- EJ recommendations located with a lot of other ones here in this big appendix document.

And so what we had requested, and what I had asked for, and what I thought we had agreement on was that this -- by this point in time, we would have obviated the need for something like a crosswalk document, which forces
me to constantly go back and forth and look here and here, back to the scoping plan, and try to assure myself that what I'm seeing I'm really seeing. And I know my counterparts on EJAC feel the same way.

So unfortunately, I have to suggest that there's been a failure to communicate maybe on my part. I'm not quite sure. And I'm feeling, and I know others on the EJAC are feeling, somewhat frustrated by this. And I would wonder from, Mary, to tell me specifically, or Richard, since you're the leaders of the respective entities here, what seems to be the problem?

We asked for a simple annotation where the recommendations from the scoping plan were actually annotated with footnotes into -- into the scoping plan. So I understand there's a lot of different, I think -- maybe I'm misunderstood staff, and I won't call anybody out, who mentioned to me well, there's a lot of people who want things in the scoping plan, or something similar to that.

And I thought to myself later, you know, we're not people. We're actually in here because of statute. The EJAC is actually, you know, constructed by statute and our participation is mandated there. And so I see no reason that most people would go to that particular appendix. I don't know about you, when I you look at
appendices, I'm usually looking at bibliography expansions, because I've seen a footnote that interests me, and I want to go and look for it in the appendix or I've seen a reference to a table, or a graph that I want to see better illustrated in the appendix.

But I see almost nothing. And I was looking through natural and working lands trying to find, you know, exactly where I could call it out. I actually recognized a number of things in here that align with the EJAC recommendations. So I know there's stuff that's there, so -- but the only reason I know it is because, hey, I helped construct it.

So I think that the communities that we serve would like to see where their voices are being raised and put in a substantive way into the plan. And that a simple process that somebody like Dr. Balmes, I'll speak since -- for him since he's not here -- I'm sure he would agree with me, might assign to one of his grad students, on a paper that he's working on, is a -- is a prospect that again we called out to staff here back in -- was it October guys, something like that, or August, last year, where we identified, well, we're getting to the point where we need to start seeing that, and then we started seeing this crosswalk document.

And it kept getting more and more developed over
time. And we're asking like why are we continuing to put so much energy into this document? You're looking for clarity there. I think we've had that.

And then recently, we went through a set of deep dive phone calls where some of us thought we were going to be looking at that. And instead, it was just are you happy with what's in the crosswalk document?

Yeah. Yeah, I'm happy with what's in the crosswalk document. We, you know, have been looking at it now for three months, so -- and it's the third version. So, yes.

But I really just want to call that out to start with, that I don't understand. So I'm going to give you guys a chance if you could answer me please just that simple question and then I'll move on to the rest of natural and working lands.

CHAIR NICHOLS: I would like you -- Kevin, I'm going to answer your question simple. The decision has been made not to do that.

EJAC MEMBER HAMILTON: Why would you make a decision like that?

CHAIR NICHOLS: I made the decision that way, and communicated to staff because this is an ARB document. The EJAC was created by statute. Actually, there were several committees that were created by statute to advise
us. We have never used the work of any advisory committee as ARB's work. We've had economic advisory committees, we've had other advisory committees. We meet with you, we ask your advice, and as you've pointed out, we take your advice much of the time, although not always, because we're not required to take your advice. We're only required to seek your advice at pay attention to it.

But we believe that the correct way to deal with an advisory committee, yours or any other advisory committee, is to do what I just said, listen, meet, incorporate where we can, and is consistent with our other responsibilities, and then note, in a separate document, which is what we're doing, every piece of advice that you gave us, so that if you, or anybody else, ever wants to go back and look at it and see what you said, and whether it was followed or not, you have the ability to do that.

But the document that we are putting out, the scoping plan is the administration's scoping plan for meeting the goals of SB 32. We take responsibility for it. It's not an academic work. It's not a published work for, you know, anything other than being the official scoping plan for meeting the SB 32 goals. And I don't think it's right to do it in the manner that you're suggesting, unless we were going to footnote it for everybody else whose advice we took who would want it
acknowledged to. And we're not going to do that. It doesn't make it a workable document.

Now, I could probably be overruled. I could be overruled by the Governor for sure. I'm not sure that it's a votable item for the Board to vote on. Although, maybe they could if they wanted to, but that was -- that's the reason for the decision. And I'm sorry if it wasn't communicated to you clearly, if you felt like you were just being kind of led along.

But the reason why you didn't get the answer that you wanted was because you didn't get the answer that you wanted. And I hope you at least consider it as a -- you know, an honest response on my part, because it is. That's all that's happened.

EJAC MEMBER HAMILTON: I do. And I appreciate your honesty and your forthrightness on this. I'm interested that you made this decision unilaterally as an individual who has a lot of power here obviously. And you made this decision, it sounds like, without taking it to the Board, which is certainly your prerogative --

CHAIR NICHOLS: No, I made it in conjunction with staff.

EJAC MEMBER HAMILTON: -- at least I didn't see it on the agenda.

I will credit your staff with never giving you
up. They never stepped up and said Mary told us we can't
do this, so -- I'm not sure why.

CHAIR NICHOLS: Well, I'm taking the credit or
the blame, but I had -- I consulted with the people who
were writing the scoping plan, Kevin. I didn't mean to
say I only, sitting in a room by myself, came up with this
idea. We sat together, as we have -- you know, I work
here. I work full time at this job, and we've -- we meet
frequently about what's going on with the scoping plan.

EJAC MEMBER HAMILTON: Absolutely, of course.

CHAIR NICHOLS: And so I had the conversation on
a number of different occasions with Richard, with Edie,
probably with other people - Although, I don't remember
who they all were at this point - at every meeting.

EJAC MEMBER HAMILTON: Sure. So that's
frustrating, in the extreme, as you can imagine. We've
certainly talked about this enough in various open
meetings. And it would have been great to hear that to
begin with, so then we could have done the work of
potentially, quite honestly, challenging that decision,
and maybe developing a process that we felt made this
more -- these recommendations and this several years worth
of work that we put in, and some of us who worked on the
previous one for a short while put in, and the opportunity
to make sure that the communities' voices were raised in a
fashion that we felt, as representatives of those communities who have been appointed to be that, as you mentioned by statute.

The statue often doesn't construct exactly how that input will happen. I won't disagree with that either. But I think there's a certain amount of fidelity here that could be kept by doing something as simple as this. I don't believe that there are that many entities providing input here that rise to the level of statute-driven input.

I think most of those are areas where you've quite rightfully and intelligently consulted for information. And so I think there's -- there is a difference there between the two, at least it would seem so to me. And I think others might agree with me and others might disagree certainly. Obviously, you do.

So I'll just sort of let that stand for right now, because obviously we're not going to change that here. The Board members are now completely aware of our concerns here. I -- if I wasn't clear about it in our last joint meeting as an ask, I'm still asking for it. I see no reason for this decision, other than the various examples that you've brought to the table about others who have input who you would have to include all of those as well, or you have chosen not to, because there's so many
of them. I'm not quite sure which, but either one of
those things.

It's your choice. You have the ability to make
that decision. So I'm certainly not suggesting that you
don't. I think that should be a more public discussion,
quite honestly, with the Board, as the scoping plan is
essentially the voice of not only the agency, but the
Board.

And so -- and it speaks also to all of
California, including those communities who, I think,
would not be as supportive of that kind of decision.

But again, I can't speak for all of them either.
So it looks like there's some other comment on this. So
I'll let this sit before we move on to natural and working
lands.

I had mentioned that I was going to bring this up
today to staff. And I hope maybe to see it agendized or
something at least briefly, but -- so I apologize for sort
of hijacking this spot in the meeting and bringing it up,
but I couldn't see where else I might be able to do that.
And I did talk to the boss here, Mari Rose and Katie.

FACILITATOR McGEE: We have two in the queue. I
want to do a quick time check. It's 3:20. We're talking
about natural and working lands. And what I observed so
far is we've been focused on procedure and procedural
concerns. I see mutual understanding, though not agreement, around procedural concerns.

I wanted to check the time. Let's talk about procedural as much as we need to. And I'm also inviting us to move into the substance of natural and working lands.

EJAC MEMBER TARUC: Quick comment.

FACILITATOR McGREE: We have Mari Rose and Hector in the queue. Thank you.

EJAC MEMBER TARUC: I just want to echo what Kevin was saying, in that the Environmental Justice Advisory Committee has been taking the scoping plan out into the public and in communities. Thousands of people now know about the scoping plan, and have sent their ideas through the EJAC. They want to see themselves in the scoping plan. And I just want to honor that spirit and why it is that we have wanted to see them, and see us in the scoping plan document.

BOARD MEMBER DE LA TORRE: I would approach it a couple of other ways from -- with the full understanding of what Mary just said.

One is, and you referenced it, Kevin, that there are some things in the scoping plan that look an awful lot like your recommendations.

So the interaction that you're talking about is...
happening, and it is reflected there. It may not be all of them, but it's there. And so there is an acknowledgement, an implicit acknowledgement, that we are listening, and we are taking those things to heart. And they're reflected in it.

Are they, you know, called out as something that came from the EJAC? No. That's just, you know, to Mary's point why that wasn't done. So that's number one.

Number two, this other document to me -- and this goes back to our last joint meeting, last month, two months ago, which is that we want to address every single one of the hundred something recommendations that you gave us, whether it's in the scoping plan, outside the scoping, plan, in our day-to-day functions, wherever we're doing it, whether it's us or another agency, which we had conversations about as well, that it gets done.

And, to me, that's why we're here is -- from my perspective, is we've got to get this stuff done. And so at the end of the day, to me, that's what's the ultimate goal. The scoping plan is part of this to me, but it's not all of it. And so we need to identify these things. Again, if they're not going to be in the scoping plan, then where are they? Where are we going to be managing them?

If it's another agency, who is that, and how are
we going to engage them with our already oversized egos --
according to other people --

   (Laughter.)

BOARD MEMBER DE LA TORRE: -- that we're going to
be engaging with these each other agencies to get them to
do the things that we want them to do.

   And then pivoting off of that to a very pragmatic
thing, I had a conversation before our meeting today,
based on the letter that I think we all got from a number
of folks regarding the working land -- natural and working
lands asking that we put a target there. And it seemed --
I thought that was an eminently reasonable proposal.

   Five million metric tons. We have a 50 million
gap. And so it seems to me that to put a -- plant a flag
there for natural and working lands and say we're going to
achieve it through any of these number of recommendations,
or maybe there are others, carbon stock -- increase carbon
stocks, urban forestry, reforestation, wetland
restoration, avoided conversion in a variety of range
land, and agriculture and management activities, or
others.

   But I think that is something we should put in
here, set a target, and let's go after it. So I know I
covered two different things, but thank you.

   EJAC MEMBER TARUC: Trish, can you make sure the
EJAC gets a copy of that letter?

AIR POLLUTION SPECIALIST JOHNSON: (Nods head)

EJAC MEMBER TARUC: Thank you.

EJAC MEMBER HAMILTON: Great. So we'll just respectfully agree to disagree on this, I think, and move forward, and hopefully have some bigger discussion.

I do want to clarify that simply referencing something doesn't mean that that's where it came from so I wouldn't want the conflate the two at all. We do reference an awful lot of things inside the document, which is appropriate for a document of this level of complexity. There should be multiple references here, and they should even cross over and some times conflict with each other as do some of these parts of the plan.

For instance, moving into natural lands, the idea of a healthy soil initiative versus a biomass initiative. So I spent the last week in the company of Edie on a panel looking at renewable natural gas and how it's going to be produced.

We were talking about dairy digesters to begin with, but we kind of went afield there - I did at least - and we talked about all the different areas where this could happen. And a group of people who for them this is -- this is a really stellar way to approach climate change. And I was impressed by their commitment and
passion around this issue to generate some very lively conversations, I thought, and turned what could have been a very boring panel into something that was kind of entertaining I think in the end.

But -- so it's good to have options. But in the end, I think the EJAC's stand from day one has been the best place for CARB in this return to the soil. So every strategy should lead there.

We understand that short-term we need better solutions that can be activated fairly quickly, and possible other ways to deal with this mess, literally, a mess that we can perhaps turn to our benefit, and have -- be converted into something more useful than soil carbon, though I can't quite imagine that it is.

But the idea of taking that energy, and instead of taking that carbon and putting it into something like composting, which is actually discussed in here, at length and very well.

But the flip side of that is to take that same waste, and then through various methods, turn it into energy.

And I find having the two being conflicting for me, one produces very little subsequent criteria pollution. It certainly doesn't emit any more carbon. It sequesters that carbon or prepares it for sequestration.
And then the other does have, unfortunately, at least with the process that we have to date, quite a bit concomitant criteria pollution, especially in the form of PM2.5. So we've seen that in the creation of some of these different generation facilities.

So, you know, there's a concern there that the emphasis isn't strongly enough placed on the idea of carbon sequestration, and carbon conversion over the idea of using this refuse, this waste to produce energy through creation of say natural gas, biodiesel - I still see that talked about - and biogas as in liquid gas versus natural gas.

So many of these things are going to happen, and I concede the fact that they are. I think one of the things that I'm concerned about is who's watch-dogging these pilots and these processes. So an entity like the EJAC, or other group, I think should be formed to closely watch these pilots as they evolve. I think the EJAC agrees with this.

I think that this is the only way to be sure that again the fidelity to the communities, the promises that have been made to ensure that in our rush to reduce these carbon emissions, we don't accidentally increase the burden, and this is carved out in legislation, of criteria pollutant emissions on these communities or their
precursors.

So while we talk about the pollutants themselves, I don't think we're quite as clear on the precursors. So we want to make sure that we're not producing more ammonia, we're not producing more black carbon, we're not producing more oxides of sulfur, or oxides of nitrogen. I think NOx is handled pretty well, but the rest I don't see -- and the various volatile organic compounds.

So we just want to be very sure there that that doesn't happen, and we really need to -- and the term that we're using is repair the fractured ecology that has moved our agriculture to more of a corporate sort of industrial process, that has really proven itself in some cases, not in all causes, but in some cases, to be unfriendly to the land, and the people who live on it.

I'll cite the example again. I hate to keep beating up on the dairy industry, because I really like dairies overall, just not the big industrial style. But the idea of taking waste that we would like to compost, and put back on the land naturally -- cows kind of do that when they wander around the pasture-based environment. And it really doesn't insert a lot of nitrogen back into the soil. Yet, in the San Joaquin Valley, we've got a huge problem with nitrate poisoning happening in our water reservoirs.
So we have wells that are not just dry now, but even if they weren't, couldn't be used because of the nitrate levels in them. And the geologist I talked to, my friends who some of them I went to school with, suggested we may have reached a point of no return in some of these areas, where the nitrogen seepage into the water table is beyond repair in these -- in smaller local areas.

So we don't want to see that expand, so we want to make sure that that way of doing business is discouraged. And I'm afraid that the digester approach at the high level, not so much at the smaller level operation to power equipment on the dairy, but the idea of injecting transportation or energy gas into a pipeline and there into storage, or for transport could lead to a continue of that practice -- continuation of that practice to grow feed for the dairy, which they have to do. If you've got 10,000 cows, may, you've got to feed them, so...

And the only way to do that really in an economic fashion is to grow your crops, as much as possibly locally on a high level. And the way to fertilize those crops is to use a liquid nitrogen compound that also unfortunately -- and the plan does call out the idea of reversing that purchase of that particular fertilizer from other countries, while we're dropping the existing waste into our landfills, or burning it, or selling it to other
people, so they can process it and sell it back to us.

So this is an area that I think is -- demonstrates this fracturing of the ecology of what is really an operation that is pretty much necessary, whether the people agree with that or not, moving forward to our health. The products that come from this kind of operation are good products. We may overuse them a bit, but the reality is they've been contributing to our health as human beings for tens of thousands of years. People suggest we can do without that. I challenge that assertion.

So the second thing we need is we need to look at the urban forestry piece and be more clear on urban forestry. I think, and in talking to folks at the local level, who are trying to get these projects off the ground, I think it's still difficult for cities to understand local jurisdictions and their land-use planning, not necessarily now to put them in place, but how to support them long term.

These are expensive maintenance projects. You can't just plant a tree and leave it next to a sidewalk for the rest of its life. You will eventually have to tear it up or it will tear up the sidewalk. And you've got a water. And if you're going to do it in a way that creates greenbelts, or protective layers around, for
instance, secondary highways that have high density of travel, or freeways, which I think is very useful for, again somebody has to plant this stuff, somebody has to maintain the stuff, and it all costs money.

And so how that might happen, it's great to talk about doing it, but I don't see any long-term planning that's going to assist those entities in helping them make that happen.

So moving on in the forestry level, this idea -- and I heard this very much in San Francisco the other day, about the idea of actually thinning forests. Wow, that's -- that's just so amazing. So I was reviewing the mediterranean forest policies, just looking around the world to see what other people have done, and then looking at some of this stuff in the western region forestry planning documents to see what's happening outside sort of the hotbed here of rhetoric around this, that has really driven it, to some extent, at least about getting better access to the deep forestlands.

And I still find the same solutions that they suggest as being best is low to moderate intensity burning, for instance. That forest thinning isn't really an option, if you truly want to reduce the fire risk in these large areas of property. And that if you -- if you do that in the smaller areas where they've tried that, it
doesn't appear that it's been successful as these older
more common strategies that kind of fell out of favor here
in California for a while and put them in conflict
sometimes with local air districts who are trying to
reduce black carbon.

So this can be done, as it turns out, but it has
to be done in cooperation. And we need that interagency,
both at the federal and State level, of folks working
together to make sure that when the -- those controlled
burns, for instance, are happening. And then again, we're
looking at putting that carbon back in the soil. I think
some of us concede. I don't know that the whole EJAC
agrees with this, but that at the local level in cities
and communities in the mountains where safety becomes an
issue, we have to move more quickly, and we have to remove
that -- that waste.

I think my friend Tom Frantz would -- would jump
on me for referring it as waste. He's schooled me a
number of times, in fact, that it's -- it's just carbon
waiting to go back into the soil. But once it's cut down
and -- or if it falls down across your road or your house,
you really look at it in a different way.

So if there's -- and there's a lot of that.
There's tons and tons of that stuff. So helping to
dispose of that quickly through various processes that
communities decide in those local communities should be supported, and is within the document. And I think we need to move forward with that.

However, I don't think we should give people carbon offsets for that, and the EJAC agrees with that, and it's in one of our recommendations. And I don't think that that's necessarily putting carbon back into the soil. And it's great if you want to do that, if you can get people to pay for it, and the community wants to invest in it. And I also don't think it's a long-term solution, because the forest is going to change in the way that it looks and the way it's built. And that amount of fuel will slowly disappear, and so what will those communities and those installations that have been built 20 years from now, when that forest -- when that fuel runs out, where will they turn to to find more fuel to continue that processes, and to honor that investment they made which often is in the millions of dollars? And for those small communities, it can be pretty significant.

So I just think the plan is a scoping plan, so scoping out the 2050 is completely appropriate.

You know, the idea of emphasizing recycled water in the development is hugely important, so -- and then increasing the access, the money piece, really comes into play here, and incentives for community recycling is
incredibly important.

So I'll kind of leave it at that. I think I ran the clock a little hard there, but not too bad.

FACILITATOR McGREE: That's okay. I just wanted to know --

EJAC MEMBER OLMEDO: You just let me know when I can -- I just need a minute. I'll be signing off.

FACILITATOR McGEE: Now is a great time, Luis.

EJAC MEMBER OLMEDO: Okay. Thank you.

Yeah. So I -- just a couple of things, not necessarily substantive to any of the scoping plan discussion, and everything that's being said. I just wanted to reinforce and express my strong support for these meetings -- these joint meetings to continue, and continue to expand the role of the EJAC, continue to strengthen its utility, and institutionalize. I know that -- at least some of the -- one of the meetings, I know one of the Board members and others have mentioned the institutional component of it, and I'd like to continue to support that -- the progress of that -- that effort.

And just in closing, I wanted to also thank -- you know, before the EJAC members and as well the Air Resources Board members, I want to thank Richard Corey and Veronica Eady for spending an entire day. I know it's not
easy to get to imperial, take a tour from border to the
Salton Sea and everything in between. We spent an
enormous amount of hours. And I know that they became
very familiar with our area, you know, got very familiar
with our air monitoring network and met some of the
community members, our local leaders, our educators, and
some opportunities that would be a good fit for the
climate investment, climate goals and so on.

So I just want to thank them, you know. And I
have to sign off. I look forward to getting the minutes
and proceedings of the rest of the meeting.

Thank you.

FACILITATOR McGEE: Thank you.

And, Kevin, thanks for framing that up for us.

EJAC MEMBER HAMILTON: Sure. I do want to
mention briefly that we haven't had a chance to take it to
the EJAC yet, but I do want to support personally Mr. De
La Torre's suggestion that this idea of setting a hard
target of five million metric tons of carbon is a great
idea. I think we have the breadth to do that, and we
should set hard targets wherever we can.

FACILITATOR McGEE: Excellent. Let me open the
floor.

EJAC MEMBER TARUC: So that target that you all
talked about, like what -- where does that -- where can
that happen, and what process?

CHAIR NICHOLS: Through the Climate Action Team, which has convened discussions with the Natural Resources Agencies that are responsible for implementing the kinds of programs that would be included here.

I think that discussion is actually already underway. I had a conversation yesterday with Secretary Laird of the Natural Resources Agency, and they're actually interested in proposing a target. So obviously that will have to be discussed, vetted, and the rationale on how it would be implemented would be written into the plan, at least to some degree to give it some detail, so you don't just pick a number out of nowhere.

But I think they're -- they're looking at a number, which is actually more ambitious than what was in the letter.

So we're very interested.

(Laughter.)

CHAIR NICHOLS: We're very interested.

FACILITATOR McGEE: Kevin, I'd actually like to give you one more chance. Anything you'd like to say by way of summary on this?

EJAC MEMBER HAMILTON: No. I think I've said enough. Thanks.

(Laughter.)
EJAC MEMBER HAMILTON: You know, I think everybody is -- we've met a lot now with CDFA, and with CalRecycle and others. And I think this is probably one of the most complex of all the sectors to be quite honest with you. How we deal with our trash, I mean, has been haunting mankind and informing it. I mean, my minor was in anthropology. So we would -- we learn more about society from the trash, by the way, than we have just about anything else.

So maybe we can change that, so we can do something with our trash that people won't dig up later and talk bad about us, so...

(Laughter.)

FACILITATOR McGEE: This probably doesn't matter to anybody, but I started the new year in Haiti where trash is a way of life.

My goodness.

May I transition us to our next sector discussion on energy?

Mari Rose, are you ready for us?

EJAC MEMBER TARUC: Yeah.

FACILITATOR McGEE: Please.

EJAC MEMBER TARUC: I actually want to start by echoing my favorite quote of the day, which is, "We're not here for trickle down benefits", says Sekita Grant.
(Laughter.)

EJAC MEMBER HAMILTON: That was great.

EJAC MEMBER TARUC: And so in the energy sector, and energy development is exactly cap -- trying to capture exactly that sentiment. I'm curious -- I know that it's late in the afternoon -- who here -- I'm going to do a little hand raising, and see if you're still awake. Who here either lives in or works in a building that has solar panels?

(Hand raised.)

EJAC MEMBER TARUC: And who here owns an electric car?

(Hands raised.)

EJAC MEMBER TARUC: Okay. So I'm also noticing a lot of the EJAC members not raise their hands.

(Laughter.)

EJAC MEMBER LEÓN: Who wants to be able to forward it?

EJAC MEMBER TARUC: Raise your hand if you want to be able to afford an electric vehicle or solar on your home or office?

(Hand raised.)

EJAC MEMBER TARUC: Yeah. Yeah. So solar backpack, powering all things.

So the energy section of the scoping plan points
to the excitement around clean energy development in California. And why Sekita's quote is so particularly important is that if you don't do that with -- with specificity around benefiting disadvantaged communities, we are -- we are going to be ignored. And so right now, the way we see the scoping plan is it doesn't really talk about directing those benefits or making sure those investments, or those projects land in EJ communities.

And even though we -- I don't see the ARB as an economic engine, a lot of the economic benefits of the clean energy economy actually can be found or have already started within the clean energy sector. And so there's not much discussion there. I see the discussion on clean energy -- the clean energy economy in the first part of the scoping plan around the themes, but it doesn't make it into this -- the energy sector.

And so there's a -- there's a part that needs to be reconciled with the themes of the scoping plan, or these big goals, and to make sure that they're echoed in the different sections of the scoping plan. And so this is one of them.

And so in the priority EJAC recommendations, document in the energy, green buildings, and water section, is around prioritizing distributed generation or small-scale solar, and renewables in EJ communities. As
we have seen that, yes, you know, it's also important to have the large scale renewable projects to have them appear in EJ communities brings so many benefits as well as the feeling that that -- that ARB, or the CPUC, or our State agencies actually care about these communities.

And so when we're talking about environmental justice goals, and implementation of the scoping plan, or other programs, if they don't see it in EJ communities, they think that you don't care. And so you all and we all have to do a better job in making sure these projects -- these good projects land in the communities that need them the most.

And so the SB 350 studies are actually identifying what those barriers are, and so there are recommendations in how to overcome them. And so that needs to have some discussion. We want to see some of that discussion. There's mention of SB 350 in the scoping plan in the energy section, but not about -- but not necessarily about overcoming the barriers for low income folks to be able to get access to these clean energy technologies projects, et cetera.

What else is in here?

In -- let me finish and then let's get to your question Mary.

The other thing is I want to choose the analogy
of whack-a-mole -- whack-a-mole game. This applies to
industry as well as energy, where we might be from
cleaning up in one place, and then it's -- it's popping up
somewhere else. And so the same with greenhouse gas
reduction, we might be an energy -- promoting clean energy
projects in one hand, and then we're allowing for fossil
fuel power plants to come on line. And so where is the
reconciliation there around the whole sector? For
instance, that the energy sector needs to decrease its
emissions, not just that we're putting clean energy on
line, but also there has to be some statement around we
should not be allowing for new fossil fuel infrastructure
to be built.

And we're seeing that. You know, there's a
proposal right now in Oxnard for a big power plant and
other types of fossil fuel infrastructure, including in
the -- under industry. And we have to make sure that the
sector as a whole, whether the industry sector, the energy
sector, should have goals to reduce their emissions.

So that's the part on setting a moratorium on new
infrastructure. And then stop investing in dirty energy,
including related to the natural and working lands and
waste recommendation, and biomass burn -- so don't --
don't subsidize biomass burning waste-to-energy projects,
et cetera.
FACILITATOR McGEE: Please, and then we'll come back.

BOARD MEMBER GIOIA: Thanks for that. I wanted to ask you. I know there's some discussion in the environ -- the sort of, what I would call, the general environmental justice section, which I realize is maybe not as long as it should be. It's on -- starts on page 20, that recognizes it is critical that environmental justice communities share in the benefits of the cleaner economy, and so forth.

And so there's some general language that gets at the importance of having benefit to EJ communities for these projects. I -- are you suggesting or recommending that some of that language and some of that expression of priority should occur more throughout the document in the individual sections? I mean, I take the document and say this is -- when I read this, it's important in all these areas. But you're saying to highlight it more, it should be discussed in these different sections a little more.

EJAC MEMBER TARUC: Absolutely. And I think what we potentially could see is once the scoping plan is approved -- yea, end of June --

(Laughter.)

EJAC MEMBER TARUC: -- is that there are agencies or folks interested in certain sectors will just look at
that sector --

BOARD MEMBER GIOIA: Yeah.

EJAC MEMBER TARUC: -- and if it's not --

BOARD MEMBER GIOIA: Yeah, right.

EJAC MEMBER TARUC: -- if it doesn't say, hey, in

the energy sector you should be --

BOARD MEMBER GIOIA: Right.

EJAC MEMBER TARUC: -- making sure there's

benefits to disadvantaged communities. That's going to be

completely lost.

BOARD MEMBER GIOIA: Right. I think that's a

really good suggestion. I think while this lang --

general language expresses and intent, that this is a

priority throughout the document, it may not be --

sometimes what's intended and what's perceived are two

different things. And so maybe -- and having some

additional discussion about this priority in the context

of those other sections may make some sense. Yeah, I hear

you. I think that's a good point.

FACILITATOR McGEE: Great. And then in the

middle was a question about specific suggestions or

recommendations, I think, regarding the scoping plan.

EJAC MEMBER TARUC: What was the question?

CHAIR NICHOLS: It's really on access by lower

income -- EJ community residents to the benefits of a
electric transportation, whether beyond the sort of things
that have already been identified, the -- you know,
getting zero emission vehicles into ride sharing, and
genewing more zero emission buses. Were there other
suggestions that you all had or priorities that you had
that you thought should be emphasized?

EJAC MEMBER TARUC: Sekita also is one of the
leads on this, especially around electrification of
transportation. And I know she stepped out.

I think there are beginnings of those equity type
programs, and programs to make sure that EVs and solar
gets into disadvantaged communities. But they're so, so
initial. They're not -- they're not like a substantial
part of the programs yet. And so I think that's also why,
you know, in the scoping plan it's good to reiterate that
that is a value or a goal of the Air Resources Board to
specify that.

CHAIR NICHOLS: I think it's a great thing to do.
I'm not pushing back on that at al. I'm just looking for
even more ideas.

EJAC MEMBER TARUC: And that is -- and I want to
reiterate or emphasize small scale solar and distributed
generation around that, because there's a lot of benefits
that don't necessarily happen when it's large scale
industrial solar or renewable development. And so rooftop
solar, and these community scale projects are really important to see in the communities.

FACILITATOR McGEE: Open floor.

Sorry, Kevin. I'm sorry. Please.

EJAC MEMBER HAMILTON: No. I think if you're looking for a programmatic -- Mary, were you looking for programmatic level suggestions? I think we could probably get together as a -- as the energy team, again Sekita, myself and a few others have been working on that and be happy to provide you.

There are some barriers that have occurred in things like the trade-up -- trade-up programs and things like that that have been -- made it challenging for a lot of our communities to participate in. Local air districts I think have been particularly creative around this, so it kind of leads away from the -- the San Joaquin has done, I think, a pretty good there through the EJAC that I sit on where we've taken away some of those paper barriers, if you will, that some of these communities can't meet, as far as say having the car already registered or title moved and things like that that prevent some folks that -- State run programs may not allow this to happen. And so we need to talk about, at some point, how that can work better.

I did want to mention with regard to energy. So
the thing that I recognized, as I look at this conversation, and I think we all do, is that the demand for energy insatiable and growing. We have to recognize that. So the demand to produce it and the monetary profit that essentially that can come from that is also recognized as an issue.

So getting folks to invest in these renewable energy projects that make it difficult for them to monetize their investment I think has been challenging, other than doing it on a very large scale. So this really was illustrated to me recently looking at the CEC contracts going out to the three big energy companies in the State initially around renewables and the idea of -- and where they participate on the transportation system infrastructure development, and the fact that they were -- that those who are not -- that didn't own energy transmission facilities -- generation and transmission facilities were actually excluded from participating.

So Community Choice, for instance, couldn't participate in that RFP process, because they didn't meet that standard. They don't own any facilities. And so just being part of the transmission piece was not adequate. And so there's a lot of interesting pieces there that need to fit together that I don't think come together very well.
But one of the things about this voracious appetite we have for energy and need for energy that I worry about, and I'm going to go connect it back to natural lands and the forestry discussion. So let's say that I put up these one megawatt or I put up, you know, 500 megawatt transportable tech or whatever in the forest, so what happens again when I run out of that particular energy? How do I manage that going forward?

There is a finite -- there are a finite numbers of trees. So we can only cut and process these things to a certain point when we start looking at, wow, we don't have enough here. But if it is in the goals of an industry to keep producing that energy, and if we now create a demand for that, and in fact that section of the production of energy, that area within that sector that's producing that percentage of the energy we need it, we become dependent on it.

So once we crack that egg, we can't put it back together again at that point. So we really need to be thinking about things like that when we suggest that means opportunities within something like the scoping plan. Again scoping out 2030, 2050, thinking about what happens when.

So it seems great right now, because we need this. But, yet again, once we're committed, and we
invest, and we're talking about millions of dollars, and we have jobs attached to it, and a demand for the product, turning that switch off -- you know, Governor Gray Davis found out right away what happens when you try to flip a switch when the commitment Pete Wilson made in the registration of automobiles to say that we're going to give everybody this money back right now, but if the economy tanks, we're going to have to switch back again. How well did that work out for him?

Okay. So once we get committed to something, and get used to it as a population, it's really hard to flip that switch and go backwards again.

So once we start harvesting forests to create energy, once we start taking waste from various points to create energy, we need to really think about what that's going to look like when those stocks of that, because we have become less wasteful over time. Or maybe the energy demand outstrips the need for the product that created the waste in the first place, so it turns around and just starts creating waste, because there's more money in the energy business.

So these kinds of dynamics do happen in real life and we have to be thinking about those. And I think within this scoping plan, that's not well addressed what those outcomes might be.
So, I don't mean to be the profit doom --

FACILITATOR McGEE: I've got two in the queue.

Martha -- and John, do you mind muting your mic for just a moment --

EJAC MEMBER HAMILTON: Oh, yeah.

FACILITATOR McGEE: -- I'm getting some echoes, if it's still on.

Thank you.

EJAC MEMBER DINA ARGÜELLO: Well, if you're looking for specific projects -- oh, yes it is. I'm just not close enough.

So if we're looking for specific projects, we just learned the other day that there is now ways to -- there's electric trash trucks. So it would be great to figure out how to --

(Thereupon an automated voice regarding the conference call came on.)

EJAC MEMBER DINA ARGÜELLO: Why does this guy keep interrupting me.

(Laughter.)

EJAC MEMBER DINA ARGÜELLO: Only one who has the balls.

Sorry. Sorry.

So electric trash trucks is one. And, you know, I keep -- and I know it's out of order, but sorry, I keep
going back to this auto body stuff. And one of the things
that's sort of missing, I think, in the plan and just sort
of overall at CARB is how do you develop -- you know,
Boston did an amazing project to clean up auto body shops.
And they did it through the health department. You know,
why aren't we developing programs like that that entail
some outreach and education? And you can talk to us
health educators who actually know how to talk to
community and get them to sign up to programs, right?

Because whether it's the vehicle program -- I
mean, Dr. Balmes is here telling me how affordable it is.
I'm like it was really hard to figure that out, right? So
how --

BOARD MEMBER BALMES: Specifically in the San
Joaquin Valley. There's extra money for it.

EJAC MEMBER DINA ARGÜELLO: And now I want to
move there so I can get in -- I can afford and electric
vehicle. But so --

(Laughter.)

EJAC MEMBER DINA ARGÜELLO: -- that piece, right?
And I -- you know, we need to figure that out. And EJAC
is sort of a perfect place, right, because you've got
collectively hundreds of years of experience of doing, you
know, grass roots organizing, community-based programming,
so that when you develop a program, you actually know how
to get people to sign up for it. So that's one. And then just the trash trucks and auto body shops. Like, let's figure out how to clean those up.

FACILITATOR McGEE: Any comments, thoughts, or responses?

Please, Mari Rose, as you're ready.

EJAC MEMBER TARUC: So, I guess the specific question to the staff and Board, so when I gave the example of a whack-a-mole, where we are reducing emissions through clean energy projects through the RPS, and then there's facilities that are opening up, new facilities -- fossil fuel facilities that are opening up, power plants. How -- well, I guess the idea is should there be an energy sector-wide emissions reduction goal that isn't just reliant on clean energy and RPS, because right now it's -- there's a loophole for facilities to come up or to be built.

Mike, I don't know -- like, so the CPUC or the CEC like how do they -- when they read the scoping plan, what signals to them that they shouldn't be allowing for the operations of new facilities and new infrastructures that are fossil fuel based?

BOARD MEMBER DE LA TORRE: In my mind, and this isn't me speaking for CARB, we're allowing new facilities to be come on board. They're not necessarily the problem.
The problem are the oldest, dirtiest that are still there. So we need to do something about the oldest dirtiest. We're going to need, for the foreseeable future, some natural gas facilities in addition to our hydro and others, in order to have stability in our system. Renewables don't do it all by themselves. We need to have a mix, right?

And so -- so that's what we know today. It could change five years from now, ten years from now, 20 years from now. Who knows? But for right now, we know we need -- we need a mix.

As new facilities are coming on line, we need to do a better job of identifying those older dirtier ones, and getting them off line. And so -- that's -- that's a conversation that obviously, to my point earlier about other agencies, we need to engage those other agencies and have that conversation, because I don't think, as long as folks are making money from older dirtier, they're going to.

And so that does take some intervention, some -- something on our part, if there's this broader mandate, this broader goal that we have for 2030 and 2050.

EJAC MEMBER TARUC: So, yes, around taking down old, bigger polluting power plants. Now -- so what we're seeing is with new infrastructure and new facilities is
that once they're built, they're like, what, a 30 to 50
year commitment to that. And so I know we're planning for
2030, but with an eye towards 2050. And so that will
blast through that. And so how are we going to get to 80
percent emissions reduction of the 1990 levels, if we're
allowing new facilities to come up also?

We should -- so there -- there's that, and then
also where these facilities are going to be located. And
almost all the time it will be in EJ communities. And so
that is a -- that's a huge concern and does not meet
environmental justice goals if we allow new facilities to
be built in EJ communities.

EJAC MEMBER HAMILTON: So just to the point of
the older dirtier facilities, I agree, but it's my
understanding, and please correct me if I'm wrong, that
the majority of those facilities are peak -- peak-time
facilities. So they come on line when the demand is at
peak. And so we have to incentivize those folks to shut
those plants down.

I think that's -- again, you're talking -- we
talk about investments. And so I -- I always feel at a
certain level I have to honor the fact that people spend a
lot of money to create these things. And so -- and they
did it with the best of intentions, again because we have
this huge demand for energy and power. And that was kind
of the way you did it when they created those.

So we need to figure out how to down-cycle those things and remove and replace them with -- with better alternatives that we have available today. And then the second step is when we're building new things today, we need to be taking advantage of that -- of that newer technology whenever and however possible.

I know that right now some of that tech is not reliable 24 hours a day. And I think that's -- you know, we're all waiting -- I mentioned this the other day just in passing as a joke, for Elon Musk to save us all with the cool battery tech that allows us to start storing some of this solar energy we create in the daytime, so that we can use it at night.

But right now, you know, that's just not there. So -- but it doesn't excuse us continuing to build --

(Laughter.) --

EJAC MEMBER HAMILTON: -- build --
Is that a yes, yes, yes?
CHAIR NICHOLS: No. It is there.
EJAC MEMBER HAMILTON: Oh, it is? Okay.
CHAIR NICHOLS: Last week, I attended a ribbon cutting where Southern California Edison took a peaker plant that they built after 2000, because remember we were worried that the lights were going to go out.
EJAC MEMBER HAMILTON: Right. Yeah, Yeah.

CHAIR NICHOLS: They have five peaker plants in their service territory. Everyone of them is going to be paired up with a new G.E. solar battery array, which can take solar energy and store it off peak, so they don't have to fire those puppies up when they need to. They are amazing.

EJAC MEMBER HAMILTON: That should be front page news.

(Laughter.)

CHAIR NICHOLS: It exists. It just -- it took a little while, but the reason why Edison is doing it is because of the need to reduce carbon, because they don't want to have to buy allowances and they had to buy allowances to cover the cost of starting up the peaker plants.

EJAC MEMBER HAMILTON: Then why are we building a new plant in Oxnard?

CHAIR NICHOLS: I don't know.

(Laughter.)

CHAIR NICHOLS: I don't know. Nobody asked me.

BOARD MEMBER DE LA TORRE: So the generator is the same, the fuel is different.

CHAIR NICHOLS: The diesel -- it's not diesel. It's natural gas. The natural gas peaking plant, which
is, you know, still more efficient than your average power
plant, is still there, but it doesn't have to be fired up
as often. And when it is fired up, it's fired up using
the battery as a ignition.

BOARD MEMBER DE LA TORRE: So it's not on --
CHAIR NICHOLS: Yeah. Yeah, much less. There
just not operating much at all. Apparently -- I mean,
according to the statistics that they were giving out,
it's going to cut the overall emissions of that plant, of
conventional and CO2, down to, you know, just like a tiny
percent of what they were before.

And it's because General Electric went into this
business. They have these big battery arrays. And it's
more than the battery. It's not just Elon Musk and his
batteries. It's also some very fancy switching equipment,
so you've got sensors that work like almost
instantaneously, but that's all happening because of the
need to deal with reducing carbon.

So right on. Yeah. Good stuff.

BOARD MEMBER MITCHELL: So actually I was going
to mention that, because I read it in --
CHAIR NICHOLS: I was there.

BOARD MEMBER MITCHELL: I saw the notice that you
had attended that. But one of the other things that's
happening with power plants is they're remodeling and
adding new turbines --

FACILITATOR McGEE: There's a little bit of chaos in the room. If we could go with one voice, please.

BOARD MEMBER MITCHELL: -- because the old peaker plants it took a long time for them to gear up. And that was always -- you know, that's carbon intensive.

So the new turbines gear up immediately, and it reduces the time that a peaker plant has to come on line, so -- and I think this plant may have been combined with turbines, the one Mary is talking about. That it has batteries that store and turbines are included in -- new turbines, I think, are included in --

CHAIR NICHOLS: (Shakes head.)

BOARD MEMBER MITCHELL: No, you didn't think it was the way. It was all battery. Okay. Anyway, there's some very new technologies out there that are going to be a lot cleaner than what we've seen. I don't know about that --

EJAC MEMBER HAMILTON: But I think there's a difference between a batter that's -- I'm sorry.

BOARD MEMBER MITCHELL: No. I was just going to say I don't know about Oxnard either.

EJAC MEMBER HAMILTON: So I don't -- I think there's a difference between a battery being -- using -- stored for igniter purposes and a battery storage for
powering the grid.

So, I -- so, Mary, was it one or the other. I just want to --

CHAIR NICHOLS: Again, my understanding is I should -- I should have brought the brochure with me. I'm very bad with this stuff.

EJAC MEMBER HAMILTON: That's okay. I'll look it up. It's fine. I Just --

CHAIR NICHOLS: But it's easy to find. But I believe that they can use the stored electricity on a routine basis, not just -- and because --

EJAC MEMBER HAMILTON: Because that's -- that's the trick.

CHAIR NICHOLS: -- we've got excess solar. Yeah, we've got excess solar that we can store there. So it is going to be used to even out the operation of the renewables when the renewables are not available.

EJAC MEMBER HAMILTON: Because I don't need to fire a generator, if I've got power in the battery to start. I just flip a switch, right, and --

CHAIR NICHOLS: Right, but there's not enough, I think.

EJAC MEMBER HAMILTON: -- or actually there's sensors that let you know when the power drops and it kicks it on. Sort of like what's in your solar on your
house going out to the grid right now, yeah.

EJAC MEMBER LEÓN: So my question naturally is when do we get that technology to the valley?

CHAIR NICHOLS: Well, Edison operates into what -- up only to --

EJAC MEMBER LEÓN: Tulare and part of Kings County.

CHAIR NICHOLS: Yeah, so they've got some.

EJAC MEMBER LEÓN: I know we got somebody from Edison here somewhere.

Raise your hand.

How about does -- PG&E, they've got the greater majority of the valley.

CHAIR NICHOLS: They've made other commitments on the renewable side of things, but who's proposing this new plant though, this new gas plant that you're talking about? Is that Edison or probably the local muni probably.

BOARD MEMBER DE LA TORRE: I'm sure it's an independent, because Edison sold all their power plants during the electricity crisis. So it's probably an independent that's planning to sell to the Edison grid.

FACILITATOR McGEE: You can tell the interest in this conversation. Good conversation. I want to draw us back to the scoping plan.
Please.

EJAC MEMBER LEÓN: Oh, I just want to make a really quick comment. There's money out there for a dam. And I guess they're going to build a dam. No matter what, it's going to happen. It's a decision between two locations, one in the San Joaquin Valley up the hill, and one up north around here somewhere.

But, you know, I'm just thinking what -- pumping storage. You know, I wonder if that's going to come with it. Maybe not, but I just wanted to throw it out there.

FACILITATOR McGEE: Excellent.

I want to acknowledge your patience and your stamina. It's been a great meeting so far. We're at 4:10. I want to see if this is a good time to wrap up the energy sector conversation regarding the scoping plan?

By way of transition and efficient use of time, I have one more comment card here. Is this an okay time for me to do a public comment?

JP Cativiela(co-way-la).

MR. CATIVIELA: Cativiela(cat-a-vee-el-a)

FACILITATOR McGEE: Can I blame the handwriting and not my terrible pronunciation of your word -- of your name?

(Laughter.)

FACILITATOR McGEE: I'll take any excuse.
MR. CATIVIELA: I'm HP Cativiela. I'm here today representing the Dairy Cares coalition. I just wanted to both respond to some of the meeting materials and also to some of Kevin's comments. I do appreciate, Kevin, you talking about how much you like dairies today, so thank you for that.

(Laughter.)

MR. CATIVIELA: In the crosswalk document, there is a fairly good discussion of some of the issues that Kevin brought up today and some others that have been brought up by the EJ. And I just want to thank ARB for their thorough responses to those comments. I'm not going to repeat that discussion that's in the document, but we only had about half of the conversation today. And the other half is in the ARB responses. They're very well researched and have developed over time. And I think ARB has done a good job responding to the EJ concerns on those issues.

And, in particular, the clarifications on things like whether or not it's a good idea to put methane from dairies into pipelines, the LCFS credit policy, and some of the limitations on alternatives to digesters.

With regard to some of Kevin's comments on digesters, I just wanted to clarify a few things. I think it's really important to understand. I say this a lot, so
hopefully I'm not repeating myself to too much -- to too many of you.

Digesters do not evaporate manure. Almost as much manure comes out of a digester as goes in. Yes, methane is extracted, but there's still quite a bit of great organic fertilizer that comes out of that other end of that digester.

So this sort of false choice of we have to choose between energy or soil amendment, it's not real. We can still use that digestate as a soil amendment. There's a lot of it, and it will sequester carbon. It will build the soil. You can get both.

Now, that still requires us to build the most environmentally friendly digesters we can, but I don't think it makes us make that choice. You can compost what comes out of a digester. So you don't have to choose between composting and digesting.

It's important to understand, and I'm a big fan of composting. I do it myself in my home -- in my -- at my home, but composting does also produce emissions. So the same lens that we're looking at digesters through the pros and cons need to be looked at with composting. And in response to that, that fact, the State has put together some fairly comprehensive rules for composting that are going to make it tough for widespread adoption of
composting by dairies. So we need to think about other alternatives.

    Digesters do reduce other emissions. We've talked a lot about NOx today. It is true that NOx is emitted by digesters. Fortunately, it's a smaller number than what -- even by tens or hundreds of times than -- depending on how far back you look at the pollution standards for natural gas engines.

    It's getting better and it's dropping. And the fuel projects that we're looking at have the actual potential to reduce NOx emissions, a net reduction that's very significant.

    By some of our estimates, one dairy with a digester that -- that has -- that use -- where it is used as fuel to replace older diesel trucks fuel, you could reduce the emissions from the equivalent of six or seven old-style digesters. So that's something I think that we can't dismiss.

    Digesters also reduce ammonia, hydrogen sulfide, and VOCs. So I think that -- and odors. So there are a lot of benefits to digesters that I think need to be considered. They're not the solution for every case, but they're in the -- they should be in the mix.

    Finally, I want to kind of address the -- there seems to be this sort of ongoing narrative about, well,
that's fine for small dairies, but big dairies shouldn't get that, or, you know, big dairies should be discouraged because they pollute.

And I just want to say I'm here representing a wide variety of sizes of dairies. Our members have dairies as small as 25 cows and all the way up to thousands of cows. So I care about all of them, but I think it's really important to judge a business by its environmental performance, not by its size, and certainly not in a blanket way.

What if we bought cell phones, cars, or coffee the way we're hearing the conversation talked about with dairies today? Would we only buy our cell phones from a company that had five employees? Would we only buy our cars from a company that had ten employees?

It's not a fair analysis. We should judge those companies on what they're willing to do and commit to in terms of environmental performance.

I give the example of Walmart. On April 19, they announced the Project Gigaton, which is a commitment to reduce one billion tons of CO2, which is, you know, a huge amount by 2030. That one company's decision could make a much bigger difference than any one small decision.

So I think it's important to think big and think that it's -- that we can accomplish things by going big
and small. One very large dairy in the valley converted with the help of a grant from the San Joaquin Air District to an electric feed mixing system that's reduced its NOx emissions by 20 tons a year. So we need to support those types of projects. And, frankly, we won't get to the 40 percent goal that's in SB 1383 without including the larger dairies in that mix.

Thank you.

FACILITATOR McGEE: Thank you. Excellent.

Our homestretch conversation is about looking forward, coordination and implementation both on the scoping plan and beyond. And I think maybe a member of the EJAC might want to tee us up on this conversation?

EJAC MEMBER TARUC: I can start. So I wanted to echo what Hector was saying around staff taking the EJAC recommendations, and then figuring out which ones are in the scoping plan, which are in other programs or other agencies, and in what timeline. Is that something that staff is going to do?

EXECUTIVE OFFICER COREY: My understanding of the role of the crosswalk was to identify each of the recommendations, and indicate where they were treated in the scoping plans where there's citations, in terms of page numbers and so on, as well as flag those areas that are really outside of the scope of the scoping plan, in
terms of even the conversation here about auto body shops. That's clearly a toxics issue that needs attention. There's no doubt about it, not so much a sloping plan. So my short response to your point is that's the intent, even with the draft that we have right now. And that was the intent with the crosswalk to be clear where those opportunities lie within the scoping plan or outside of it.

VICE CHAIR BERG: Do you feel it doesn't cover it?

EJAC MEMBER TARUC: So Sandy asked if we felt it wasn't. So when the EJAC met in -- last met, we were looking at the crosswalk document and there -- the parts that I read, I know that there were problems with it in terms of whether the staff even understood what the EJAC recommendation was - there were parts there - and then also what to do about it.

And so, I mean, we can all look at this document. And maybe, Hector, you can also say is this what you are looking for or is there something -- a different format of this that we can have, so that it lives beyond the scoping plan process. It's not just taking the scoping -- the EJAC recommendations, but there's something that we're addressing environmental justice issues in different programs?
Yeah.

BOARD MEMBER DE LA TORRE: I'm just flipping through it right now as you were talking. And there are some that don't have that at all. And so, clearly, it's not -- some may have it, not all do. And so maybe there's just some simple coding that can be, is it a CARB thing, is it a scoping plan thing, is it some other agency? You know, some -- that everyone of these has a location where it belongs.

EJAC MEMBER VALENZUELA GARCIA: Well, and these, like -- I think 29. I counted quickly, so I might be missing some shorter recommendations that we have. I mean, the reason -- I mean, part of why we kept pulling this out and we created this longer narrative at the front is because we do not believe that it was appropriately addressed within the cross-link table. So I don't want us to keep going back to the cross-link table and so the answers were there, because that's why we created another document that said, no, no, we're still missing it. And I think -- I know I obviously missed a solid chunk of the discussion today.

But before I left, I mean, there were items that came up like around 375 and a few other things that they said, oh, we'll get you a response on that. Like, that makes sense. So I think I'd like to see more movement
within the actual scoping plan document around equity and environmental justice analysis, here's what we've heard, here's what we're changing, here's what we're not changing, here's why as we move towards a final plan, because the plan is going to be revised hopefully to include some of our recommendations, as well as other recommendations of stakeholders.

So I guess we're looking for -- that crossing table for me was based on the last draft, so I guess I'm looking for a new analysis of now that we're working on a final plan, what is in there, what isn't in there, and why, in a greater level of detail.

Yes.

EXECUTIVE OFFICER COREY: Yeah, and just to add to that, Katie, and I actually think that this conversation/exchange has actually been really helpful. Honestly, the crosswalk impact we worked really hard to put it in a format that was responsive to what you all had asked for, but it is a overwhelming document. It's overwhelming, and that can make it really difficult to process and even relay.

And this conversation, at least for me, has been a much more targeted on a subset. In other words, I've been thinking all along in this conversation a few points. In fact, just to call out a point that just as one example
that Mari Rose made with respect to SB 350. And talking about the barriers. And that's actually -- it's more than barriers to EVs. SB 350 also talked about barriers to solar voltaics, and went through a whole process that CEC had been going through. I know you were all aware of in terms of barriers for multi-unit dwellings, barriers for renters in terms of gaining and the opportunity to engage in those technologies.

The same point with the EV. In fact, we're going to the Board next month with the process that we've been going through. And what I picked up from you, as this example, Mari Rose, is we do a better job in the document of even linking to that -- there's specific recommendations in both those SB 350 reports, in terms of how -- one, recognizing the barriers is one thing, it's how do you move forward and trying to do a stronger connection?

That's kind of the filter of trying to apply with the team, in terms of this conversation, seeing where they can relate to, I'm going to say, more effective treatment in the document. But it's a more manageable set this conversation, because I think it's been a lot more focused.

FACILITATOR McGEE: I've heard at least one -- please.
EJAC MEMBER HAMILTON: One way to start approaching this, I think, Supervisor Gioia had a great suggestion there about taking the EJAC -- EJ piece that is discussed in the initial part of the plan and taking some of those elements and making sure that they reach the sector level at the lead-in to again meet the needs of those folks who say are in the energy sector and really just kind of look at it through the lens of the energy sector, and those recommendations.

So, for me, that would -- that would be a huge step forward and really create a little bit more resolution for communities that we are trying to speak for, as best we can, and keep fidelity with, so that they could look and say, oh, yeah, that overarching theme that we at least expressed to you in all those meetings that we showed up for those nights, is there. So that -- that, I think, was a great suggestion. It might start down that road at any rate.

BOARD MEMBER GIOIA: It came from Mari Rose. Reiterating it.

EJAC MEMBER HAMILTON: So, yeah.

FACILITATOR McGEE: Hearing at least two suggestions. One is using this recently prepared document as the next foundation to do an analysis of which of these are making it into the scoping plan. The second is a
desire or request to integrate the language, the tone into
the different chapters and sectors.

Other discussions or ideas about next steps,
especially about the scoping plan or other.

Please.

EJAC MEMBER VALENZUELA GARCIA: And I -- again, I
apologize if this came up while I was gone, but I know
there was an email sent this morning, I think, about
possibly a May meeting with the Board, when we thought
that we might not be able to pull today off, that, you
know, they started polling Board members to say, oh, okay
when are with free in May? And we were kind of like, hey,
that would be cool, because we keep not quite having
enough time to feel like we have a clear list of this is
making it into the final scoping plan, this isn't, but
this is what we're going to do about it to make sure that
it gets addressed in our larger ARB or just California
role. So I wonder if that's -- has that come up yet?

No.

Okay.

FACILITATOR McGEE: First time.

EJAC MEMBER VALENZUELA GARCIA: Oh, wow. Good.

FACILITATOR McGEE: Is that a request.

EJAC MEMBER VALENZUELA GARCIA: That is a
request.
So I'm imagining that like there's -- you know, obviously staff will have made a lot more work on the final plan and been able to probably create a different chart based on this now much shorter list of recommendation of, okay, now that we're revising the plan moving towards a final plan, here's what's in there, here's what's not, here's why.

And then our May meeting would really be about sort of starting to tie up those continued issue that still aren't in the plan and thinking about how we move forward on those.

FACILITATOR McGEE: Please, Sandra.

VICE CHAIR BERG: Thank you.

I just want to clarify -- and thank you so much. This list will be really helpful to start working on this. But I just want to clarity on some things that -- where you have made a request, which would be going back to other stakeholders, and to my view would be brought in front of the Board, and then there would be ultimately a Board discussion about it, and whether it went forward, or didn't go forward, or was changed.

So if staff indicated that this would be up for -- that this would be under the Board's preview, that's acceptable, as you understand why it wouldn't be included.
EJAC MEMBER VALENZUELA GARCIA: I think I'm hearing like a -- sort of different levels of response. Like one response being, yeah, we're going to put it in the scoping plan. That's a great idea, and like another response being, no, it's not in the scoping plan, but we believe it's still under the Board's authority, and maybe just in a different program. And maybe a third option of not within the Board's authority and something we need to talk about how we move forward working with sister agencies or the legislature.

VICE CHAIR BERG: Yeah. For example, I just don't think it would be under the preview of this group to decide not to authorize CAPCOA to create new carbon markets, for example.

EJAC MEMBER VALENZUELA GARCIA: Oh.

VICE CHAIR BERG: I just don't think we have that ability around this table to make that decision, and --

EJAC MEMBER VALENZUELA GARCIA: Yeah, I think you do when it comes to across jurisdictions for the local air districts.

VICE CHAIR BERG: Well, I understand.

EJAC MEMBER VALENZUELA GARCIA: Yeah.

VICE CHAIR BERG: I'm not bringing it up to debate. I'm just letting you know that, you know, from staff's perspective, I would imagine that it would be
helpful if we could go down and really identify, just as
you said, which things from this discussion and with
further discussions within the process of ARB, yes, we'll
put those in the scoping plan; which ones will go into
maybe a different program as all of us have talked about,
but Hector reiterated; and then which ones are outside of
ARB's preview, maybe another agency and a reference to
that; and then which ones we're going to agree to
disagree.

But even in agreeing to disagree, they still can
come back in front of the Board, and we can have Board
discussion, and then the final vote is taken.

Does that sound right?

EJAC MEMBER TARUC: And will we have a May
meeting to discuss that?

EXECUTIVE OFFICER COREY: At this point, I'd like
to -- short answer, I think the next step is we've got
about a -- well, we've got about a month, next few weeks
to work on revisions to the scoping plan. This
conversation, I mean, has been really useful, in terms of,
one, focusing on a subset of the highest priority issues.
I'd like to regroup with the team on that. And the short
of it is -- the short answer is, I'm not sure.

I need to circle with the -- with Mary. But
what's clear to me is that the document you provided is a
pretty rolled up synthesis of your highest priority
issues. And I'm keying off what Sandy just said, and
really this is going to be the follow up that we do with
the team is look at this rolled up list and see where they
map to or can translate into revisions, and communicate
with you all where those revisions will be, before --
that's absolutely I'm committed to do that and have that
cornerstone with you all.

Whether that means a full-on, full-on follow-up
EJAC Board meeting, I think that's something we need to
follow up and discuss. But irrespective of the answer to
that question, the follow up with you all, in terms of the
treatment of the issues, whether or not it will translate
into revisions to the scoping plan, you'll know that. You
know, and we'll give our best summary of that -- how that
treatment will be handled.

EJAC MEMBER VALENZUELA GARCIA: Yeah, and
that's -- we definitely requested of staff another EJAC
meeting in late May or early June when the final plan was
out, so that we could discuss, and look -- review and
figure out what sort of final comments we want to provide
to the Board.

I just feel like we keep -- like, we're edging
closer to some resolution on some of these bigger issues,
but we're not quite there. And it's hard to do that, and
we've talked about this, in front of a Board hearing, because we get three minutes, and you all are up on a dais, and there's about 10,000 other people that are also trying to have their own issues discussed.

So if there's a way for us to potentially, around the next May meeting when you know you'll have a full draft available, and staff will be potentially prepared to have a more in-depth conversation, and Board members will in theory be in town, because you have a meeting on the 25th, if we could try to make that work, even if only for a few hours, I think that would be really -- it would help me feel like I got a little bit more resolution on some of these continued sticking points, and at least know who we need to talk to about moving forward with our communities' needs and getting them addressed.

EJAC MEMBER TARUC: Can I also ask, so when the final draft of the scoping plan comes out, is staff going to brief the Board before the vote in June?

CHAIR NICHOLS: Yes

EJAC MEMBER TARUC: So you'll brief them in the May meeting, separately?

CHAIR NICHOLS: Staff briefs Board members individually or in groups of less than a quorum.

EJAC MEMBER TARUC: Okay. So this --

CHAIR NICHOLS: They're allowed to do that and
they're required -- I mean, it's expected that they will
do that.

    EJAC MEMBER TARUC: Okay, but not necessarily in
a group where you can have conversation about the draft?
    CHAIR NICHOLS: (Shakes head.)
    EJAC MEMBER TARUC: Okay. So, I mean, that's
another point for it might be good to have a May meeting,
so that there is discussion about what we see in the
draft.

    EXECUTIVE OFFICER COREY: Yeah. I think the --
again, I've taken the request. And my point is
irrespective of a full on meeting or not, we will circle
back with you, because that's the point is what is the --
what is the impact of this discussion, and how does that
translate into treatment and revisions to the document?
That's going to happen. So I'm saying that will happen.

    But I also recognize that the timing on -- staff
has a lot of work to do to get the report completed, and
to have a responsive report. I think we're going to be
jammed getting that out to about the end of May, early
June. So I just wanted to make sure that I'm not
overcommitting, overpromising with respect to timing. But
the follow up with you is going to happen.

    VICE CHAIR BERG: And I just want to circle back
that there is a process to the once we get the final plan
out on the street, and I think we want to be respectful of that process. So my understanding is once we have published the final plan, there isn't an opportunity to meet with individual groups and revise it before we get to the Board meeting. That is part of the public process that needs to be honored.

And so if -- I do think it's important whether we can meet in this particular venue or meet with staff with some Board members to hear what the continuing concerns are, that that would be part of the process. And I'll just leave that to Richard to figure out what will be the best to handle on that.

EJAC MEMBER VALENZUELA GARCIA: Yeah, it's just -- it's tough when we're both publicly noticed entities, because like we're limited on who -- how we can talk to each other. You are limited on how you can talk to each other. That, by de facto, limits how we can talk to each other. So, I mean, we can be flexible to ARB's timeline. If you say, oh, it's not going to come out till early June. Cool, like, we can meet -- we can meet in early June. Like, I'm not in any super rush, but recognizing how much work you all have ahead of you.

But I just -- I think given like sort of these big old mandates, and obviously timing is an issue, but if there's something that we say cool, we can commit to
working on it, like -- or hey, we need to go talk to the legislature, because that's not in our authority right now, or hey we need to go pull CalTrans in here, because this is clearly their thing and they're just not doing it the right sway. Whatever that looks like, we can be flexible.

But I do think, given the nature of our Bagley-Keene requirements that that just might be what we need to do, if we can squeeze it in before your June meeting.

FACILITATOR McGEE: Item 10 says that I'm to summarize key themes.

But that sounds too hard, so I'm just going to ask the stenographer to read back the transcript.

(Laughter.)

CHAIR NICHOLS: That's a first.

(Laughter.)

FACILITATOR McGEE: Please, let me open the floor for closing comments and we'll wrap this meeting.

Please.

As you like. I'm going to stop moderating. Jump in as you like.

EJAC MEMBER HAMILTON: So I'll jump in. I just want to thank staff and the Board and my counterparts here, companions in this journey that we're on. This is a
lot of work. And I don't ever want to suggest that
we're -- that I am or any of us disrespecting the amount
of work that everybody puts into this, or any product that
comes from it.

I appreciate the fact that we have this chance
for open dialogue with the Board. I think -- and I hope
you find value in that as well, Board members. I think
it's helped us to develop a better understanding of what
your concerns and needs are. And I would like to think
that that has happened in return.

And the same goes for the leadership here at ARB,
who you're ably represented by Floyd and his team.
However, we -- we also don't get much face time with
either. So I think having that arena to be able to
express our concerns and have them addressed, and not
always dealt with in a way we might like, but accepting
the fact that that's going to happen as well, and we can
work to consensus or compromise on a lot of these issues.

So we'll continue to do this work until it's not
heeded my more. And I don't think that point will ever
happen, but when it does, yeah, we'll all put it down. So
thank you.

BOARD MEMBER BALMES: First off, I just want to
apologize for missing a good chunk of the meeting. But
I'm participating in a -- or was participating in an
environmental justice and children symposium next door.

So --

(Laughter.)

BOARD MEMBER BALMES: But, you know, that said, what I did hear, I think it's -- you know, it's incredibly important to have the input from EJAC. I know it makes me feel more empowered to work with staff. And staff, as I indicated before, staff has reached out to me like never before with regard to co-benefits in terms of health, and local impacts in terms of health.

So I just want to say that I will keep holding staff's feet to the fire in that regard. But again, as I tried to indicate, not to be Pollyanna-ish about it, but I think there's actual genuine, believe it or not, for certainly dealing with local impacts.

It's -- that enthusiasm is certainly spurred by AB 197, and other efforts. But what I really like is that staff has embraced this as a new challenge that they actually want to do something about.

BOARD MEMBER GIOIA: I just -- I want to thank the EJAC members for staying with this really long process. This is like been a multi-year process. And I think if one looks at the scoping plan, one will see a lot of influence in that plan that came out of the environmental justice community. Sometimes it's obvious,
sometimes it may be less obvious.

And I think, you know, even before AB 197, let me just say, I think there's been a lot of discussion at the Air Resources Board about how policies impact environmental justice communities, how they should benefit the community. So I just want to say your efforts to stay involved are impactful, they're significant, and they're important to us.

VICE CHAIR BERG: I also want to join in to say thank you. You know, I appreciated, Mary, when you opened up the session and described it as we're slogging through. And we are. And if we don't do that, we don't get to the easier run.

And I really appreciate each and every one of you. Articulate, you know the issues, you work very hard to present them very fairly, and yet passionately, and I really love that. And so I really thank you very much. It is really, really hard work and you're doing the lion's share.

I also appreciate staff. You know, one of the discussions I had with Susan Kennedy, as a matter of fact, before we vote -- before we did the early action items, and every -- we were creating everything from scratch. And you look at the original scoping plan, and then when Mary came aboard, and we were looking at -- the discussion
was how is this going to be different from criteria pollutants?

And it's vastly different. And it -- and we all learned on the job. And then as Mary has led us through to this point, and we realize actually they're coming together, and how the new wave. And so I do agree that it's different than a culture change, because a culture change to me is something that you do differently because you believe differently.

I think we believe very much in the health and the protection of our air. And I think that what we're seeing is an evolving. And we're going through that. And with that, it's painful to get to where we want to go. And so I want to thank everybody for really sticking with us, getting through this, because I do believe that we will see some changes.

Thanks.

BOARD MEMBER MITCHELL: And I just want to say before we even began the meeting today, Eleanor Torres said to me, this is remarkable we're actually meeting again.

And this is a first time for me to go through this process. But it really is valuable, I think, to sit around the table and talk to each other, and hear what your concerns are, and try to address them. And the
cross-link document is so comprehensive. And I can see
how much work went into this on both sides. And so I just
want to say that it was well worth it. It was well worth
the work that everybody put in it.

And hopefully, we'll get there. We've got a goal
in front of us. Let's keep reaching and we'll get there.

FACILITATOR McGEE: Do I have any recommendations
from additional discussion items that will keep us here
after 5:00.

(Laughter.)

EJAC MEMBER HAMILTON: Now, that you mention it.

(Laughter.)

FACILITATOR McGEE: Thank you for a fine meeting.

A lot of work went into this meeting. Good discussion.

Thank you very much.

(Thereupon the Air Resources Board and EJAC
joint meeting adjourned at 4:44 p.m.)
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 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 10th day of May, 2017.

JAMES F. PETERS, CSR
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