BOARD MEMBERS:
Ms. Mary Nichols, Chair
Ms. Sandra Berg, Vice Chair
Dr. John Balmes
Mr. Hector De La Torre
Mr. John Eisenhut
Senator Dean Florez
Supervisor Nathan Fletcher
Assembly Member Eduardo Garcia
Supervisor John Gioia
Ms. Judy Mitchell
Senator Bill Monning
Mrs. Barbara Riordan
Professor Daniel Sperling
Ms. Diane Takvorian

STAFF:
Mr. Richard Corey, Executive Officer
Ms. Edie Chang, Deputy Executive Officer
Mr. Steve Cliff, Deputy Executive Officer
Mr. Kurt Karperos, Deputy Executive Officer
Ms. Ellen Peter, Chief Counsel
Ms. Veronica Eady, Assistant Executive Officer
APPEARANCES CONTINUED

STAFF:

Ms. Barbara Bamberger, Air Pollution Specialist, Program Operations Section, Industrial Strategies Division (ISD)

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

Mr. Pippin Brehler, Senior Attorney, Legal Office

Ms. Laura Carr, Air Pollution Specialist, Central Valley Air Quality Planning Section, AQPSD

Mr. Dave Edwards, Assistant Division Chief, AQPSD

Mr. Jason Gray, Branch Chief, Climate Change Program Evaluation Branch, ISD

Mr. David Hults, Assistant Chief Counsel, Legal Office

Mr. Mike McCarthy, Chief Technology Officer, Emission Certification and Compliance Division

Ms. Rajinder Sahota, Assistant Division Chief, ISD

Mr. Todd Sax, Division Chief, Enforcement Division

Mr. Craig Segall, Assistant Chief Counsel, Legal Office

Mr. Webster Tasat, Manager, Central Valley Air Quality Planning Section, AQPSD

Ms. Sylvia Vanderspek, Branch Chief, Air Quality Planning Branch, AQPSD

ALSO PRESENT:

Mr. Shannon Albers, Yurok Tribe

Mr. Juan Alberto Varela Marquez, Gobierno del Estado de Jalisco

Ms. Teresa Almaguer, PODER

Mr. Nathan Alonzo, Caglia Environmental
ALSO PRESENT:

Mr. Bradley Angel, Green Action for Health and Environmental Justice

Mr. Oseas Barbaran, CONAP

Mr. Will Barrett, American Lung Association

Dr. Libby Blanchard, University of Cambridge Conservation Research Institute

Mr. Michael Boccadoro, West Coast Advisors

Mr. Daniel Brindis, Greenpeace USA

Dr. Jonah Busch, Earth Innovation Institute

Mr. Francisco Carlos Cavalcanti

Mr. Tim Carmichael, SoCalGas

Ms. Mirian Cisneros, Pueblo Originario Kichwa Sarayaku

Mr. Jeff Conant, Friends of the Earth

Mr. Daniel Cordalis, Yurok Tribe

Mr. Paul Cort, Earthjustice

Mr. Jon Costantino, Tradesman Advisors, Inc.

Ms. Francisca de Lima Costa, IPCL Committee GCF

Ms. Monica De Los Rios, Earth Innovation Institute

Ms. Janet Dietzkamei

Ms. Maria Dorsey, Idle No More SF Bay

Dr. Joanna Durbin, Conservation International, Climate, Community & Biodiversity Alliance

Mr. David Festa, Environmental Defense Fund
APPEARANCES CONTINUED

ALSO PRESENT:

Mr. Henrik Fliflet, Norway Ministry of Climate and Environment

Mr. Konrad Fisher, Water Climate Trust

Ms. Genevieve Gale, Central Valley Air Quality Coalition

Ms. Katherine Garcia, Sierra Club California

Ms. Catherine Garoupa White, Central Valley Oil and Gas Workgroup

Ms. Tamra Gilbertson, Indigenous Environmental Network

Ms. Isabella Gonzalez, The Nature Conservancy

Ms. Barbara Haya, University of California, Berkeley

Mr. Tim Hayden, Yurok Tribe

Mr. Gary Hughes, BioFuelWatch

Ms. Laura Jimenez Bautista, Uzachi

Mr. Norman Jiwan, Tuk Indonesia

Ms. Julia Jordan, Leadership Counsel for Justice and Accountability

Mr. Tom Jordan, San Joaquin Valley Air Pollution Control District

Mr. Thomas Joseph, California Kitchen

Mr. Ryan Kenny, Clean Energy

Ms. Jutta Kill, World Rainforest Movement

Mr. Kevin Koenig, Amazon Watch

Ms. Jennifer Laughlin, United Nations Development Programme
ALSO PRESENT:

Ms. Gladys Limon, California Environmental Justice Alliance

Mr. Robinson Lopez, COICA

Mr. Bill Magavern, Coalition for Clean Air

Mr. Kevin Maggay, CoCalGas

Ms. Chris Malan, Institute for Conservation Advocacy Research and Education

Mr. Edward Mann, Yurok Tribe

Ms. Rebecca Marcus, Food and Water Watch

Ms. Kathy McAfee, San Francisco State University

Mr. Candido Meza, Alianza Mesoamerica de Pueblos y Bosque

Ms. Angela Maria Mendes

Mr. Thomas Menz

Ms. Julie Messiaiis, GCF Brazil

Ms. Sophia Mitchell, Yurok Tribe

Ms. Loretta Moreno

Dr. Dan Nepstad, Earth Innovation Institute

Mr. Brian Nowicki, Center for Biological Diversity

Mr. Graham Noyes, Noyes Law Group

Ms. Osprey Orielle Lake, Women's Earth and Climate Action Network

Ms. Veronica Pardo, California Refuse Recycling Council, Northern District

Ms. Diana Perez Juama, Yucatan Government
ALSO PRESENT:

Ms. Cynthia Pinto-Cabrera, Central Valley Air Quality Coalition

Ms. Susan Reece, University of California, Berkeley Student

Mr. Rafael Robles de Benitez, SEMD and ROO

Ms. Katelyn Roedner Sutter, Environmental Defense Fund

Mr. Mark Rose, National Parks Conservation Association

Ms. Leila Salazar, Amazon Watch

Mr. Marlon Santi, Mov.Pachakutik

Ms. Colleen Scanlan Lyons, GCF

Mr. Ninawa Snu Pereira Numes Huni Kui, La Federacion Huni Kui Del Acre

Ms. Muriel Strand, Ecological Engineering

Mr. Eduardo Taveira, Amatonas State

Ms. Ana Valadez, Centro de Estudios Para El Cambio En El Campo Mexicano

Ms. Katie Valenzuela, California Environmental Justice Alliance

Mr. Floriberto Vasquez Ruiz, Oaxaca State Government Environment Ministry

Mr. Basilio Velazquez Chi, Produccion Comunitara Zona Maya

Mr. Joaquim Luis Yawanawa, Yawanawa

Mr. Josiah Young, Bioenergy Association of California, California Natural Gas Vehicles Coalition

Ms. Megan Zapanta, APEN
<p>| Item 19-8-1   | Chair Nichols | 6 |
|             | Motion        | 8 |
|             | Vote          | 8 |
| Item 19-8-2 | Chair Nichols | 8 |
|             | Motion        | 9 |
|             | Vote          | 9 |
| Item 19-8-3 | Chair Nichols | 9 |
|             | Motion        | 10|
|             | Vote          | 10|
| Item 19-8-5 | Chair Nichols | 10|
|             | Executive Officer Corey | 11|
|             | Chief Counsel Peter | 12|
|             | Motion        | 18|
|             | Ms. Dietzkamei | 18|
|             | Mr. Noyes     | 19|
|             | Ms. Garcia    | 19|
|             | Mr. Magavern  | 21|
|             | Mr. Barrett   | 23|
|             | Vote          | 25|
|             | Board Discussion and Q&amp;A | 25|
| Item 19-8-4 | Chair Nichols | 43|
|             | Executive Officer Corey | 44|
|             | Staff Presentation | 45|
|             | Mr. Jordan    | 65|
|             | Ms. Roedner Sutter | 68|
|             | Ms. Dietzkamei | 70|
|             | Mr. Costantino | 71|
|             | Mr. Barrett   | 72|
|             | Mr. Cort      | 74|</p>
<table>
<thead>
<tr>
<th>INDEX CONTINUED</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Item 19-8-4 (continued)</strong></td>
<td></td>
</tr>
<tr>
<td>Mr. Young</td>
<td>75</td>
</tr>
<tr>
<td>Ms. Jordan</td>
<td>77</td>
</tr>
<tr>
<td>Mr. Alonzo</td>
<td>78</td>
</tr>
<tr>
<td>Ms. Pardo</td>
<td>80</td>
</tr>
<tr>
<td>Ms. Pinto-Cabrera</td>
<td>81</td>
</tr>
<tr>
<td>Ms. Garoupa White</td>
<td>82</td>
</tr>
<tr>
<td>Mr. Rose</td>
<td>84</td>
</tr>
<tr>
<td>Mr. Menz</td>
<td>86</td>
</tr>
<tr>
<td>Mr. Magavern</td>
<td>87</td>
</tr>
<tr>
<td>Ms. Gale</td>
<td>89</td>
</tr>
<tr>
<td>Mr. Carmichael</td>
<td>90</td>
</tr>
<tr>
<td>Mr. Kenny</td>
<td>92</td>
</tr>
<tr>
<td>Mr. Maggay</td>
<td>94</td>
</tr>
<tr>
<td>Mr. Boccadoro</td>
<td>96</td>
</tr>
<tr>
<td>Mr. Joseph</td>
<td>98</td>
</tr>
<tr>
<td>Board Discussion and Q&amp;A</td>
<td>100</td>
</tr>
<tr>
<td><strong>Item 19-8-6</strong></td>
<td></td>
</tr>
<tr>
<td>Chair Nichols</td>
<td>107</td>
</tr>
<tr>
<td>Executive Officer Corey</td>
<td>116</td>
</tr>
<tr>
<td>Staff Presentation</td>
<td>118</td>
</tr>
<tr>
<td>Assistant Executive Officer Eady</td>
<td>141</td>
</tr>
<tr>
<td>Assembly Member Garcia</td>
<td>142</td>
</tr>
<tr>
<td><strong>Afternoon Session</strong></td>
<td>149</td>
</tr>
<tr>
<td><strong>Item 19-8-6 (continued)</strong></td>
<td></td>
</tr>
<tr>
<td>Ms. Dietzkamei</td>
<td>151</td>
</tr>
<tr>
<td>Mr. Nowicki</td>
<td>151</td>
</tr>
<tr>
<td>Mr. Conant</td>
<td>153</td>
</tr>
<tr>
<td>Mr. Yawanawa</td>
<td>155</td>
</tr>
<tr>
<td>Ms. Zapanta</td>
<td>158</td>
</tr>
<tr>
<td>Ms. Strand</td>
<td>160</td>
</tr>
<tr>
<td>Ms. Messiais</td>
<td>162</td>
</tr>
<tr>
<td>Ms. Scanlan Lyons</td>
<td>163</td>
</tr>
<tr>
<td>Mr. Carlos Cavalcanti</td>
<td>165</td>
</tr>
<tr>
<td>Mr. Fisher</td>
<td>168</td>
</tr>
<tr>
<td>Ms. Haya</td>
<td>170</td>
</tr>
<tr>
<td>Ms. Jordan</td>
<td>172</td>
</tr>
<tr>
<td>Dr. Blanchard</td>
<td>173</td>
</tr>
<tr>
<td>Mr. Hughes</td>
<td>174</td>
</tr>
<tr>
<td>Mr. Jiwan</td>
<td>177</td>
</tr>
<tr>
<td>Mr. Santi</td>
<td>178</td>
</tr>
<tr>
<td>Ms. Valadez</td>
<td>182</td>
</tr>
<tr>
<td>Mr. Huni Kui</td>
<td>186</td>
</tr>
<tr>
<td>Name</td>
<td>Page</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Ms. Cisneros</td>
<td>189</td>
</tr>
<tr>
<td>Ms. Valenzuela</td>
<td>191</td>
</tr>
<tr>
<td>Ms. Gilbertson</td>
<td>195</td>
</tr>
<tr>
<td>Mr. Angel</td>
<td>199</td>
</tr>
<tr>
<td>Ms. Almaguer</td>
<td>201</td>
</tr>
<tr>
<td>Ms. Salazar</td>
<td>202</td>
</tr>
<tr>
<td>Ms. Dorsey</td>
<td>207</td>
</tr>
<tr>
<td>Ms. Albers</td>
<td>208</td>
</tr>
<tr>
<td>Ms. Mitchell</td>
<td>211</td>
</tr>
<tr>
<td>Mr. Joseph</td>
<td>212</td>
</tr>
<tr>
<td>Mr. Koenig</td>
<td>216</td>
</tr>
<tr>
<td>Mr. Brindis</td>
<td>218</td>
</tr>
<tr>
<td>Ms. McAfee</td>
<td>220</td>
</tr>
<tr>
<td>Ms. Malan</td>
<td>224</td>
</tr>
<tr>
<td>Ms. Kill</td>
<td>226</td>
</tr>
<tr>
<td>Ms. Moreno</td>
<td>229</td>
</tr>
<tr>
<td>Ms. Jimenez Bautista</td>
<td>231</td>
</tr>
<tr>
<td>Mr. Festa</td>
<td>234</td>
</tr>
<tr>
<td>Ms. Mendes</td>
<td>236</td>
</tr>
<tr>
<td>Ms. De Los Rios</td>
<td>239</td>
</tr>
<tr>
<td>Ms. Limon</td>
<td>241</td>
</tr>
<tr>
<td>Ms. Marcus</td>
<td>245</td>
</tr>
<tr>
<td>Mr. Barbaran</td>
<td>247</td>
</tr>
<tr>
<td>Mr. Hayden</td>
<td>248</td>
</tr>
<tr>
<td>Mr. Cordalis</td>
<td>250</td>
</tr>
<tr>
<td>Mr. Mann</td>
<td>252</td>
</tr>
<tr>
<td>Dr. Busch</td>
<td>252</td>
</tr>
<tr>
<td>Dr. Durbin</td>
<td>254</td>
</tr>
<tr>
<td>Mr. Taveira</td>
<td>256</td>
</tr>
<tr>
<td>Mr. Lopez</td>
<td>258</td>
</tr>
<tr>
<td>Mr. Velazquez Chi</td>
<td>261</td>
</tr>
<tr>
<td>Ms. Reece</td>
<td>263</td>
</tr>
<tr>
<td>Ms. Orielle Lake</td>
<td>264</td>
</tr>
<tr>
<td>Mr. Albert Varela Marquez</td>
<td>266</td>
</tr>
<tr>
<td>Ms. Gonzalez</td>
<td>269</td>
</tr>
<tr>
<td>Ms. Laughlin</td>
<td>271</td>
</tr>
<tr>
<td>Mr. Robles de Benitez</td>
<td>272</td>
</tr>
<tr>
<td>Mr. Vazquez Ruiz</td>
<td>276</td>
</tr>
<tr>
<td>Ms. Perez Jauma</td>
<td>278</td>
</tr>
<tr>
<td>Mr. Fliflet</td>
<td>279</td>
</tr>
<tr>
<td>Dr. Nepstad</td>
<td>281</td>
</tr>
<tr>
<td>Mr. Mezua</td>
<td>282</td>
</tr>
<tr>
<td>Ms. de Lima Costa</td>
<td>286</td>
</tr>
<tr>
<td>Item 19-8-6 (continued)</td>
<td>PAGE</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Board Discussion and Q&amp;A</td>
<td>288</td>
</tr>
<tr>
<td>Motion</td>
<td>289</td>
</tr>
<tr>
<td>Board Discussion and Q&amp;A</td>
<td>289</td>
</tr>
<tr>
<td>Vote</td>
<td>333</td>
</tr>
<tr>
<td>Public Comment</td>
<td>334</td>
</tr>
<tr>
<td>Adjournment</td>
<td>334</td>
</tr>
<tr>
<td>Reporter's Certificate</td>
<td>335</td>
</tr>
</tbody>
</table>
CHAIR NICHOLS: Good morning, everybody. While we're waiting for the Board members to assemble and take their seats, we've got a couple of people in the back, a couple of people coming upstairs, I would like to get these proceedings underway, because we have a big agenda in front of us. And we know we have a lot of people with us who want to be heard.

So the September 19th, 2019 public meeting of the California Air Resources Board will come to order. And as we generally do, we will begin with a Pledge of Allegiance to the flag.

Please, rise.

(Thereupon the Pledge of Allegiance was recited in unison.)

CHAIR NICHOLS: And good morning. You know, I boycotted grapes for so long, I still can't eat grapes.

(Laughter.)

CHAIR NICHOLS: Seriously. Like, yeah.

(Laughter.)

CHAIR NICHOLS: It's funny but it's true.

All right. I think we can dispense for the moment with the roll call and just start with a few announcements.

We do have interpretation services provided in
Spanish for Item number 19-8-4, an update on the 2018 PM2.5 SIP for the San Joaquin Valley. And we also have Spanish and Portuguese for Item 19-8-6, the proposed endorsement of an updated California Tropical Forest Standard. Headsets are available outside the hearing room at the attendant sign-up table and can be picked up at any time.

(Thereupon the interpreter translated.)

CHAIR NICHOLS: Thank you very much.

For safety reasons, please note the emergency exits at the rear of the room. And you go out through the lobby that way. In the event that a fire alarm sounds, we are required to evacuate this room immediately, and go down the stairs to the left of the elevators, and out of the building. When the all-clear signal is given, we will return to the hearing room and resume the hearing. So don't wait if you hear the alarm, move out to the exits. Board members exit out to the sides of the podium here and go down that same staircase.

Anyone who wishes to testify should fill out a request-to-speak card available in the lobby outside the Board room. Please return it to a Board assistant or Clerk over here prior to the item that you're here to testify on. They will sort the cards and put the them in order and eventually the list will make it up onto the
screen.

So we do appreciate it if you are planning to give your time, to cede your time, to another seek, if you would follow the guidelines that are in the lobby on how to do that. And we have seen many groups that have already taken advantage of that -- of that process.

Speakers need to be aware that the Board will be imposing a 2-minute time limit. Please state your first and last name when you come up to the podium, put your testimony in your own words. It's easier for the Board to follow what you're saying if you go straight to your point, and we don't need a lot of introductions of anything about who you are, unless you feel compelled. But you can get right to the point of what you want us to hear.

Before we begin, I do want to remind everybody that whatever the proceedings may be, we try to maintain a hearing room in which everyone can hear and see what's going on. It's particularly difficult for people who are listening on their headsets, if you are also using a electronic devices, i.e. cell phones at the same time. So we really want to make sure that everybody has the best possible experience and ability to participate and be heard. So we would appreciate it if while there's translating going on, if you would turn off your phones.
Okay. I think at this point, we have one other item that I need to mention before we begin. And this is actually not part of our agenda, but it's something that I think is appropriate to bring up for the Board and for those who are here. And that is that next month, the California Fuel Cell Partnership is celebrating its 20th anniversary. CARB is proud to be a founding member of this organization, which has been globally recognized as a leader in hydrogen and fuel cell electric vehicle development and commercialization.

The progress that's been made by this partnership and its member organizations is enabling the deployment of zero-emission vehicle technology that contributes to the achievement of California's ambitious greenhouse gas and criteria emission reduction goals. And in recognition of this upcoming anniversary, I just want to take a moment to acknowledge the accomplishments and ongoing work of the partnership.

Specifically, I think it's important to recognize that we have had pioneering efforts in the design of fuel cell recharging stations, fueling stations that the collaborative has undertaken, developed a vision for the partnership itself to continue its existence in a self-sufficient manner. The vision of 1,000 hydrogen fueling stations and a million fuel cell electric vehicles into
the future is something that people have rallied around, industry has rallied around, and it's given this technology, I think, a boost that it needed, but also that it deserves as an alternative path to zero when it comes to transportation emissions.

So I think it's important as we launch into our meeting this morning, particularly as we will be touching on issues relating to electrifying the transportation system across all types of vehicle sectors, that we acknowledge the work of this public-private partnership over two decades, and congratulate them on having gotten to this point. I hope we can all continue to hear more from them in the future.

And with that, I think we are ready to move to our regular calendar, beginning with the consent calendar.

Oh, woops, roll call. I passed it by. Thank you. Yes, please call the roll.

BOARD CLERK SAKAZAKI: Dr. Balme?
BOARD MEMBER BALMES: Here.
BOARD CLERK SAKAZAKI: Mr. De La Torre?
BOARD MEMBER DE LA TORRE: Here.
BOARD CLERK SAKAZAKI: Mr. Eisenhut?
BOARD MEMBER EISENHUT: Here.
BOARD CLERK SAKAZAKI: Supervisor Fletcher?
BOARD MEMBER FLETCHER: Here.
BOARD CLERK SAKAZAKI: Senator Florez?
Assembly Member Garcia?
Supervisor Gioia?
BOARD MEMBER GIOIA: Here.
BOARD CLERK SAKAZAKI: Ms. Mitchell?
BOARD MEMBER MITCHELL: Here.
BOARD CLERK SAKAZAKI: Senator Monning?
BOARD MEMBER MONNING: Here.
BOARD CLERK SAKAZAKI: Mrs. Riordan?
BOARD MEMBER RIORDAN: Here.
BOARD CLERK SAKAZAKI: Supervisor Sperling?
BOARD MEMBER SPERLING: Here.
BOARD CLERK SAKAZAKI: Ms. Takvorian?
BOARD MEMBER TAKVORIAN: Here.
BOARD CLERK SAKAZAKI: Vice Chair Berg?
VICE CHAIR BERG: Here.
BOARD CLERK SAKAZAKI: Chair Nichols?
CHAIR NICHOLS: Here.
BOARD CLERK SAKAZAKI: Madam Chair, we have a quorum.
CHAIR NICHOLS: Excellent. Thank you.
Okay. Now, we can begin with the consent calendar for this morning. The first item is a research contract titled, "Sources of On-Road Vehicle Emissions and their impacts on Respiratory Disease Symptoms in
California”.

I guess the first question I have to ask is whether there are any witnesses who have signed up?

BOARD CLERK SAKAZAKI: (Shakes head.)

CHAIR NICHOLS: No.

Any Board members who want to have this item removed from the consent calendar?

Seeing none.

I can then move on and ask if all the Board members have had an opportunity to review this item?

And can I close the record?

Yes.

BOARD MEMBER BALMES: I have to be out of the room.

CHAIR NICHOLS: Ah, we have one Board member who needs to recuse himself, because he's --

BOARD MEMBER BALMES: More than recuse myself, I have to be out of the room.

CHAIR NICHOLS: You just have to be out of --

Sorry. Excuse me.

(Laughter.)

BOARD MEMBER SPERLING: Well, I guess I'm --

CHAIR NICHOLS: We will technically be correct, yes.

BOARD MEMBER SPERLING: I guess I have to be out
of the room also.

CHAIR NICHOLS: Our two University of California professors will be out of the room while this item is being voted on.

So do I have a motion and a second to approve this item?

BOARD MEMBER RIORDAN: I would move, Madam Chairman, this item.

BOARD MEMBER DE LA TORRE: Second.

CHAIR NICHOLS: Very good. I think we can do this by a voice vote then. But all those in favor of funding this project, please say aye?

(Ayes.)

CHAIR NICHOLS: Any opposed?

And we don't have anybody recused. We just have a couple of people who weren't here.

All right. Thank you.

Next item is another research contract with UC Davis called, "Determinants of Medium- and Heavy-Duty Truck Fleet Turnover".

And again, I'll ask the clerk if any witnesses have signed up for this item?

BOARD CLERK SAKAZAKI: (Shakes head.)

CHAIR NICHOLS: No.

Are there any Board members who would like to
have this pulled off of the consent calendar and heard? Okay. Then I will close the record on this item and ask if all the members of the Board have had an opportunity to review it.

Seeing heads nod, could I have a motion and a second?

BOARD MEMBER MITCHELL: I'll move it.
BOARD MEMBER DE LA TORRE: Second.
CHAIR NICHOLS: Very good.
In that case, we can call the item.
All those in favor, please say aye?
(Ayes.)
CHAIR NICHOLS: Opposed?
VICE CHAIR BERG: And I am, Madam Chair, recusing myself.
CHAIR NICHOLS: All right. Ms. Berg will recuse herself on this item. We'll duly note that. And the item passes.
Okay. Now, moving on to consideration of proposed membership to the STEPs Research Consortium at UC Davis. Again, are there other -- are there members of the public who have asked to people on this item?
BOARD CLERK SAKAZAKI: (Shakes head.)
CHAIR NICHOLS: No. I see that as no.
All right. And are there any Board members who
also would like to have this taken off the consent calendar?

Seeing none.

Do I have a motion and a second to approve this item?

BOARD MEMBER DE LA TORRE: So moved.

BOARD MEMBER RIORDAN: Second.

CHAIR NICHOLS: And second.

In that case, all those in favor please say aye?

(Ayes.)

CHAIR NICHOLS: Opposed?

Are there any recusals on this one?

CHIEF COUNSEL PETER: Yes. Professor Sperling and Ms. Berg are recused on this one?

CHAIR NICHOLS: Are both recused on this item.

Okay. We still have the -- we had the quorum and we have a sufficient vote on this one, so good, because this has been a very important program for us.

All right. Let's call them back then, so we can begin the next item that everybody can participate in.

While we're waiting here, I guess I can at least begin with my opening statement here.

The next item on our agenda is Item 19-8-5. It's a briefing on the framework for light-duty vehicle emissions. As I'm sure you all know, the Trump
administration is moving to flatline federal greenhouse
gas emission standards for cars and light-duty trucks.
The administration is also assaulting our long-standing
authority to set greenhouse gas emission standards. The
resulting litigation and confusion may last for years.

Some visionary auto companies comprising a
substantial portion of the national market in negotiations
with CARB have instead endorsed a framework under which
they would continue to make progress on emissions during
this period of uncertainty. CARB is working to support
their efforts and staff are working on potential
agreements that would be individualized memoranda with
these companies that reflect this better direction.

I will give an update on where we are on this
item in a minute. But I think the first thing that we
should do is to actually endorse this process and the
framework, and then we can talk about what's happening
today, and tomorrow, and in the next couple of days.

So I think, Mr. Corey, you need to introduce this
item.

EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.
We're pleased that despite the ongoing challenges we're
facing, automakers are recognizing that cutting vehicle
emissions is the right decision. That is, there's a path
to continue to make cleaner affordable cars and CARB is
proud to support those efforts.

With that, I'll ask Chief Counsel Ellen Peter to begin the staff presentation.

Ellen.

(Thereupon an overhead presentation was presented as follows.)

CHIEF COUNSEL PETER: Good morning. I'm here to update the Board on the framework to reduce vehicle emissions that was supported by several automakers. I want to make a few key points about the framework and then offer a few recommendations for the Board to act on.

--o0o--

CHIEF COUNSEL PETER: So if you look at this slide, bullet 2 was correct yesterday.

(Laughter.)

CHIEF COUNSEL PETER: It's no longer correct. This morning, just as the Board meeting started at 9:00 a.m. Pacific, the Trump -- U.S. EPA revoked California's waiver that was granted years ago and the waivers both for the automobile greenhouse gas emissions and also for the zero-emission vehicle standard, which is separate.

And along with the U.S. Department of Transportation, they're making the ill-founded claim that our waiver is preempted by the federal fuel economy
statute. Although, released today, the Trump administration said that it does not go into effect until 60 days after publication in the federal register, so it is currently in effect.

To State the obvious, California will sue. Today's release, however, did not include the rollback of the vehicle -- the actual vehicle emissions standards for cars and small pickups. The federal proposal, released over a year ago in August 2018, is promised soon. That proposal is to flatline the federal greenhouse gas emission standards at 2020 levels all the way through model year 2026.

CARB filed extensive comments on these federal proposals, and obviously opposed them. When released, the actual standards, California will sue.

--o0o--

CHIEF COUNSEL PETER: The proposed emissions rollback has significant negative consequences. Greenhouse gas emissions will increase by tens of millions of tons over time. Other pollutants will also increase, which will make our smog worse. As you know, large parts of California have the worst air quality in the nation, and CARB needs these very strong vehicle greenhouse gas standards to meet our State implementation commitments to meet our various federal air standards.
Californians risk asthma, heart disease, and other health threats from these rollbacks. Moreover, our efforts in the climate change arena are also going to be impaired. During the litigation, CARB will need to adjust its other programs to make up the many tons of lost air pollutants. CARB can impose stricter limits on refinery emissions. We could impose roadway pricing. We could do -- and we must do other things to meet our SIP commitments. However, CARB's preference is to stick with the effective and existing greenhouse gas emission standards for cars.

Meanwhile, during this litigation, the auto manufacturers will also face great disruptions to its current marketing and manufacturing plans.

--o0o--

CHIEF COUNSEL PETER: To address this uncertainty, many of the auto manufacturers plan to stay the course of their progress. These auto manufacturers will want to continue to make and do promise to make cleaner cars and invest in increased electrification. After all, that is where the global market is going.

Therefore, CARB is involved in individual negotiations with the four auto manufacturers that committed to the framework. These are Ford, Honda, VW, and BMW. The framework articulates principles that
provide a bit more flexibility than the Obama-era standards, while accelerating the transition to electrification.

The framework can be reflected in individually negotiated settlement agreements or similar instruments with each individual company. CARB supports this framework as a reasonable compromise in light of the uncertainty created by the looming federal emissions rollback.

---00---

CHIEF COUNSEL PETER: So what's in the framework?

It builds upon the existing federal program, but provides some additional flexibility and additional focus on electrification to reduce greenhouse gas emissions. Specifically, the framework extends the time to reach the existing standards by one year to 2026. It continues the existing extra credit feature for increasing zero-emission vehicles. And when greenhouse gas emissions are reduced in other ways, such as improving the aerodynamics of a vehicle, that also will get credit underneath the framework.

The upshot is that auto manufacturers would take voluntary actions to avoid the rollback's erosion of our air quality and climate programs. If this framework were actually part of the upcoming federal rules, CARB would
see this as a reasonable compromise with the Trump administration. If the Trump administration rejects this framework, as apparently the President indicated, and as we expect, the -- CARB could still recognize this framework in voluntary efforts in bilateral agreements with each company. Moreover, CARB could accept this framework as compliance with our own program.

--o0o--

CHIEF COUNSEL PETER: The Trump administration claims that California has no authority to enforce our California emissions standards. In my view, they're wrong. Today, the Trump Administration revoked our waiver and plans to rollback the standards. Litigation is going to last for years. I predict CARB will win, as we did before, and the existing standards will snap back into place.

The question is then, how will CARB enforce our standards during this -- and violations potentially during this litigation period? As with all rules, CARB has enforcement discretion.

Again, the framework could be implemented through voluntary bilateral agreements rooted in our enforcement and contracting authorities. And these agreements can provide auto manufacturers with certainty and can allow these companies to stay on track to reduce greenhouse
gases and spark more vehicle electrification.

Our Section 177 State colleagues, who have the exact same standards as California, support the framework's support and its recognition of progressive companies during this uncertain time.

--o0o--

CHIEF COUNSEL PETER: So discussions are going to continue. Although we think it's not necessary, out of an abundance of caution, we ask the Board to consider and approve the proposed resolution. And what that does is confirm that our Executive Officer, Richard Corey, has the authority to sign any agreement, if he decides that's appropriate.

And CARB staff will continue to update the Board as these issues unfold. Thanks very much. And I'm happy to answer questions.

CHAIR NICHOLS: Thank you, Ellen. This is a pretty straightforward delegation. I don't know that, as you say, we actually have to delegate it. But in practice, we've always held it as the Board's allegation to act on these types of agreements. And it seems like a prudent idea to make sure that Mr. Corey can act in between Board meetings, because, as you can tell, just from this very succinct briefing that we just heard, this is a very complicated and, to some degree, even chaotic
situation. So I would like to ask for a motion.

VICE CHAIR BERG: Madam Chair, I'll go ahead and move Resolution 19-20.

CHAIR NICHOLS: A second?

BOARD MEMBER FLETCHER: Second.

CHAIR NICHOLS: All in favor, please say aye?

(Ayes.)

CHAIR NICHOLS: Any --

BOARD MEMBER RIORDAN: Any comments.

CHIEF COUNSEL PETER: There were commenters.

CHAIR NICHOLS: Oh, I'm sorry. Excuse me. I didn't see that. There was a paper put in front. Forgive me. We will not vote. We will table that action, and we will hear from the four witnesses who've signed up. Excuse me.

Janet Dietzkamei, could you come forward please if you signed up and be ready to speak, because this is a very crowded agenda that we have today. So if you would be standing by at the microphone. We would appreciate it. Thank you.

MS. DIETZKAMEI: Good morning, Madam Chair, Board Members, and CARB staff. I was very concerned about this when I heard about the interference in our efforts at cleaning our air. I have asthma. I'm from Fresno. And come here to speak on behalf of other asthmatics.
Industry is coming very rapidly to Fresno. Our land is still rather reasonably priced and we, I guess, have incentives that are really attracting them, which attracts large trucks, small trucks, delivery trucks, all sorts of transportation vehicles. And our hope, our goal is to electrify as much of those vehicles as possible as soon as possible, because we have many, many people in the valley -- San Joaquin Valley who are suffering from asthma and other respiratory disease. And our reactions to the air are very serious, which possibly can end us in the emergency room, which has happened to me.

So I'm feeling a little better after the presentation. And I -- you have my support, my prayers, my anything to find a way around this, because California has the most vehicles of any state. We are known as the car culture. And so for us -- and I might add, it is well known in Washington. For us, this is very important.

Thank you.

CHAIR NICHOLS: Thank you.

MR. NOYES: Good morning, Madam Chair, members of the board. Chief Counsel Ellen Peter covered this issue very well. I'll ceded my time today.

CHAIR NICHOLS: Thank you.

MS. GARCIA: Good morning. I'm Katherine Garcia policy advocate for Sierra Club California.
This week the Trump Administration announced that it is revoking the Clean Air Act waiver that allows California to adopt and enforce stronger greenhouse gas emission standards for new cars and light trucks.

Chair Nichols, thank you for calling this a fight of a lifetime during yesterday's press conference. On behalf of our members and supporters in California, and indeed around the country, we wholeheartedly agree.

California's waiver to enact stricter emission standards is one of the most important policies to combat harmful air pollution and climate change. As the climate crisis intensifies, cleaning up air pollutants will become even more challenging.

Washington's attempt to undermine our efforts for clean air is out of step with what every survey indicates that Californians want, clean air. Trump is not only jeopardizing the health of millions of Californians, but he's throwing a temper tantrum to try to get auto manufacturers on his side.

Unfortunately, Trump is enabled in his efforts to rollback emissions controls by some automobile manufacturers. The most egregious enabler is General Motors. Even though that company has developed one of the most popular all-electric cars, the Chevy Bolt, which I drive myself, the company continues to side with a policy
approach designed to reduce demand for and production of electric vehicles.

We strongly condemn GM's continued alignment with the Trump administration, and we urge GM to reject Trump's reckless clean cars rollback and instead stand up for the clean vehicle future that they claim to believe in.

Thank you.

CHAIR NICHOLS: Thank you.

MR. MAGAVERN: Good morning, Madam Chair and Board members. Bill Magavern with the Coalition for Clean Air. Let me first say that the Coalition for Clean Air stands 100 percent with this Board, with the Attorney General, and with the Governor in your struggle to preserve California's Clean Air Act authority, which has been so important to protecting the health of Californians.

We also support the existing California and national clean car standards. And it's because of that, that we have some concerns with the compromise. And I don't say this in any way as a criticism, because I understand the difficult position that the State is put by the reprehensible rollback proposal by the Trump administration, but I do want to raise some questions.

First of all, we know, as Ms. Peter said, that it's not only greenhouse gas emission reductions that will
be lost through this compromise, but also smog-forming pollutants. So I would like, at some point, for -- if the staff could quantify how much we'll be losing on the criteria emissions' side.

My understanding is on the greenhouse gas emissions' side, if this deal were observed nationally, we would attain 75 percent of the emission reductions that we would have under the existing policy. So we know -- we were counting on these emission reductions on both sides, criteria and GHG. So we need to make up these reductions.

So I wanted to propose three possible ways, and I'm sure there are others, that we could make up the lost emission reductions. First of all, we need to crack down more on refinery emissions, which I think is very appropriate, since some of the oil companies have been driving this rollback proposal. And that should include re-examining the refinery exemption that was granted two years ago under AB 398.

Secondly, we know that most of our emissions are coming from transportation, and, of course, that's the sector that's affected by this. So we need to look at taking stronger steps to reduce vehicle miles traveled through transportation reform and focusing our spending on reducing VMT.

And thirdly, we need to hasten the
Thank you.

CHAIR NICHOLS: Thank you very much. Appreciate those comments.

And now Will, you are the last speaker.

MR. BARRETT: Good morning. Will Barrett with the American Lung Association in California. Yesterday, I was able to spend the day with our National CEO Harold Wimmer in a meeting in Southern California. And he asked me to convey to you that the American Lung Association stands with California and will fight to protect the public's health as envisioned under the Clean Air Act.

The Clean Air Act is fundamental to our mission and he wanted to be clear that that was on the record here today, as were entering into this new reality unfortunately.

Our 2019 State of the Air Report highlighted the fact that climate change is impacting our ability to clean up the air in California today with widespread increases in ozone pollution and particle pollution that threaten the public's health, driven by extreme climate events.

We saw major wildfires and extreme heat waves over the last 3-year period in our report, reversing progress and actually increasing unhealthy doses of air pollution that people are affected throughout California.

Governor Newsom yesterday noted that we continue
to need the full weight and strength of the Clean Air Act, as we remain home to 7 of the 10 most polluted cities in the United States.

Our report also notes that we are the 6th most polluted for particle pollution in the United States. The transportation policies that we advocate before you are carried through beyond California's borders, making the air cleaner and healthier to all Americans and protecting the climate for all Americans.

We know that we need these emission reductions to occur. And we know, as noted in the discussion, that we'll need those to come from somewhere if they're not coming from the vehicle standards that we all support.

We had a recent poll that showed that over 70 percent of Americans support the existing standards and urge you to continue the strong case for moving forward. We also have over 90 health organizations across the United States in support on the record for the existing standards and state's rights to protect their citizens.

We view this as a critical public health issue and we encourage you to continue the strong fight. And just to close, the Lung Association will be here with you in that fight. Again, the Clean Air Act and California's authority is central to our mission and we'll make as strong a case as we can.
Thank you.

CHAIR NICHOLS: Thank you.

Thanks very much. That will close the testimony. And although I should just go back to -- I guess to the resolution and the vote. Why don't we do that and then I'll do a little bit more of an update on where we are with this issue.

So we already had a motion and a second. I'm afraid I prematurely called the vote. So let's do this again.

Would all who are in favor, please say aye?

(Ayes.)

CHAIR NICHOLS: Any opposed?

No recusals on this one.

Okay. Perfect. Thank you.

Now, let me just say that, as you heard from the witnesses this morning, this is -- it's going to be an adventure for lawyers and, you know, I don't want to sound too excited about this. But, you know, it's true that for those of us who have been working on -- for the Clean Air Act for decades now, it's sort of a -- it's a bitter moment, because I never thought I would see something like this happen. It's a disappointing -- beyond disappointing. I think I used the term heartache yesterday. And I really felt it and so did many people
that I spoke to over the course of the day who have worked with EPA over the years, because the idea that EPA was signing off on something so contrary both to the law and to what they know is right is just -- it's very sad.

It's very sad to see that happening to an important institution of our society and reflects a new low that I never thought would happen, even when we've had very robust disagreements with previous administrations, including the fight that we had to get our vehicle standards approved in the first place. The current program did not just come into being happily overnight. It was something that we had to fight for.

But in this case, it's a really frontal attack on the whole structure of the Clean Air Act program. And so in that sense, it really does represent a new low.

You know, it's -- I suppose you could say the good news is -- the good news is that organizations and individuals around the country are rallying to this -- to our side on this one, not only the 177 states, but states that are now stepping up and volunteering to either become 177 states, or adopt ZEV standards, or just to support the litigation, because it's obviously also a very serious attack on the federalism that usually has been a principle for the Republican party as the Governor noted yesterday at the press conference.
And, of course, there's, you know, lots of press enthusiasm about this and speculation and about why is the President doing this, when it seems so unnecessary, to put it mildly? And, you know, there's -- there is certainly a very obvious political line here and a connection with what's going on in the effort that's being made in this administration to rollback or eradicate every bit of progress that's been made in recent years on everything from energy efficiency in light bulbs to -- you know, to public health standards, to science. It's across the board.

And California represents all of those things and we do. It's -- we stand for those things. And so inevitably we are -- we are in the crosshairs. But again, we have -- I think we have both right and also the public on our side. So that's a good place to be. As I think Ellen's testimony indicated, this action does not actually become real for 60 days. But we will be looking at filing our lawsuit. And we have very fine legal tacticians looking at every aspect about where, when, and how to file and who to involve in all of this. So I don't think we're going to be lacking for legal help and counsel in that regard.

And, you know, the other thing I guess I just have to say in terms of what's in front of us now in this
framework agreement, the harassment that has occurred -- harassment by the Department of Justice of the -- of the four companies who did approach California and agree to work with us was also something unprecedented. People who are antitrust lawyers, which I certainly don't pretend to be have told me that they've -- they were shocked, because it was so obvious that under, you know, black letter law reading the statute, talking to government about regulatory matters is something that is exempted from antitrust laws.

But nevertheless, this is an area where companies can be, and presumably will be, forced to go through a lot of work and to gather documents and submit things. And this particular kind of government-sponsored persecution I think is not too strong a word to use for it. It is something that frankly I don't think there's anyway to stop, other than to change the minds of the people who are -- or change the personnel who are doing this, because even if they never find any grounds to file a lawsuit or to hold them -- they don't find any violation of any laws, they can still keep this case open for a long time and it will be hanging over their heads.

So I do have to give credit to the leadership at Ford, and to BMW, and Honda, and Volkswagen for standing their ground on this issue. I think that this, as Mr.
Magavern indicated, they recognize that what we were offering was a compromise and frankly was a good compromise for them. And so they are -- they are not backing away. And when it now comes time to start moving forward in the new regime, they will hopefully be in good stead when we start moving forward in the next phases of our operation.

The Governor has been very keenly interested in all of this. He's talked to other governors. He's talked to CEOs of car companies. He has some ideas of his own about what California can be doing to continue to push our overall agenda here. And I'm sure we're going to be hearing more from him in the next -- in the next few days.

So I'm happy to answer any questions if any Board members have --

BOARD MEMBER GIOIA: Comment.

CHAIR NICHOLS: -- but I just thought I should let you know that it's -- no shortage of interesting news around here.

(Laughter.)

CHAIR NICHOLS: Yes.

BOARD MEMBER GIOIA: Less of a comment -- less of a question, more just a comment. And everything you said I think we all agree with. I think we need to be really clear here, that the health of Californians as being
intentionally sacrificed in the interests of this Trump administration seeking to further divide this country to get reelected. I think it's really clear that California has become -- and when we say -- we talk about California, we need to sort of characterize what interest we're talking about. And in this case, it's the health of California residents, which are being used as a pawn by this President to get reelected. That's really what this is about.

And I think to add what you said with regard to the automakers, the four automakers really have demonstrated that you can have a successful business model with cleaner and more fuel-efficient cars.

And they -- for four automakers to take that step with their agreements with California and to bypass the federal standards says a lot about how irrational the federal standards are.

CHAIR NICHOLS: Thank you.

Yes, Ms. Fletcher.

BOARD MEMBER FLETCHER: Thank you.

Either for the Chair or for anyone, I have a -- it just seems like if you have a more fuel efficient car, then you will use less gas, which if you have to fill up your car with gas means you'll pay less for gas. And so I'm curious if there's been estimates of the cost savings
to the consumers of California in terms of how much less they will have to pay in order to fill up their car? I don't know if that's been done or not.

ASSISTANT CHIEF COUNSEL SEGALL: Yes. We submitted this in our comments. I don't have the exact numbers before, but it's hundreds maybe over a thousand dollars. So essentially, what we've determined and what the market has shown is that people, in fact, want to drive cleaner cars.

BOARD MEMBER FLETCHER: Right.

ASSISTANT CHIEF COUNSEL SEGALL: And it's also a better deal, especially for folks who may be lower income.

BOARD MEMBER FLETCHER: Yeah. It just strikes me that we focus a lot, because of the nature of being on this Board and this body on the air quality impact of less fossil fuels being burned and the lives that get saved. And certainly quantify it and can show the lives that are actually saved. It's just an irony that Trump, in addition to increasing pollution and costing lives through air quality, is also essentially taxing the people of California by forcing them to spend more on gasoline, which is just an irony I think sometimes that gets lost, is that the actions not only harm our environment, but they harm the pocketbooks of working Californians.

It's my understanding is we have the agreements
with the four auto companies. And so our ability to 
enforce this is predicated on those agreements, is that -- 
that's right?

CHIEF COUNSEL PETER: We would take the position 
that our standards are still in effect --

BOARD MEMBER FLETCHER: Understood.

CHIEF COUNSEL PETER: -- and so we can enforce 
against all of the car companies -- 

BOARD MEMBER FLETCHER: All of them across the 
Board.

CHIEF COUNSEL PETER: -- in future years.

BOARD MEMBER FLETCHER: Okay.

CHIEF COUNSEL PETER: What the agreements do is 
give certainty to the four -- you know, once we reach into 
the --

BOARD MEMBER FLETCHER: Okay.

CHIEF COUNSEL PETER: -- reach these bilateral 
agreements, that we would say that counts.

BOARD MEMBER FLETCHER: So we certainty there. 
And then we have a belief that we're good across the 
board. So if some of them pulled out or if more folks 
came in, that doesn't change our existing belief of our 
ability to enforce it statewide?

CHIEF COUNSEL PETER: That's correct. So what 
happened in the last time we had this fight, which is when
I was over at the Attorney General's office, there was an argument about -- and that's why I made the reference that the standards snap back into place, because that was a dispute back then. Then we were fighting with all the auto, you know, manufacturers in that litigation that started in 2004 --

BOARD MEMBER FLETCHER: Right.

CHIEF COUNSEL PETER: -- which we won. And as the Governor - I was quite impressed in his press conference - started citing to the actual case decisions in 2007. So we have all of our folks are very up to speed on the litigation.

So we won that. At the time, some of the automakers came in and asked the federal court here in California if they could basically get a pass. Well, why this is all up in court, can we not comply with California's standards? And the judge said, no, they're in effect. They -- you know -- and this is, you know, a district court judge in California. But in response to requests can I get a free pass, the judge said, no, you -- this is your business decision if you want to comply or not.

BOARD MEMBER FLETCHER: Got it.

CHIEF COUNSEL PETER: And so -- you know, our notion is our, you know -- you know, program stays in
effect. Now, obviously, others will disagree. They said we pulled our waiver, therefore we don't have a program. But that's all what's going to be in court --

BOARD MEMBER FLETCHER: Right.

CHIEF COUNSEL PETER: -- and that's the uncertainty that continues. And what the framework offers is certainty to the car companies that do it.

And they also -- one thing that's, I think, really important that's in the framework is the additional steps for electrification. And those are very car-company dependent. They could do additional vehicle models. They could do charge -- there's different ways you can approach that.

BOARD MEMBER FLETCHER: Right.

CHIEF COUNSEL PETER: And so this is -- as the Governor said yesterday, this is very free enterprise. You know, they can -- you know, they can take different steps that they want to meet that kind of a commitment.

So I think this is -- it's -- it provides --

BOARD MEMBER FLETCHER: But our operating assumption moving forward is we will enforce our existing standards across the board for all automakers short of a judge telling us we can't. And then if a judge were to tell us we couldn't, we would still have it on those who had voluntarily agreed?
CHIEF COUNSEL PETER: That's my view.

BOARD MEMBER FLETCHER: Okay. Thank you.

CHAIR NICHOLS: Anybody -- yes, Mr. Monning.

BOARD MEMBER MONNING: Thank you, Madam Chair. I just want to thank the Chair and others for their comments and the staff for the framing. As has been said, this is not just an attack on our standards. The net effect would be an adverse public health impact. This will hurt the health of Californians particularly at-risk communities.

I did have a question I think for Ms. Peter. In your characterization of the agreements with the different auto manufacturers, you did indicate these are bilateral agreements, is that correct?

CHIEF COUNSEL PETER: That's correct.

BOARD MEMBER MONNING: And there are bilateral conversations with some of the other manufacturers under way?

CHIEF COUNSEL PETER: So as -- I'll take the direction that Mary said, at this point, that we actually kind of in a shift. There are -- so there's -- I don't want to promise that other then the four are going to join in. We're open to discussions. The agreements have not been reached. We were put on pause a little bit with the antitrust allegations, while the companies got antitrust counsel. It's not a new issue. People think about
antitrust all the time when you're dealing with regulatory agencies and they work with each other. So it wasn't a surprise issue. What happened was a surprise that they actually opened an investigation.

But those -- the progress with the four will proceed. And then also in terms -- just as an other, you know, overriding comment, which actually relates to what Supervisor Fletcher said, is that the car companies tend to not bump up against the standards as they were going along. So if you flip back a decade ago, half of the car company actually could meet the greenhouse gas standards for 2009, 2 years before they started. So most of the companies have this, you know, kind of cushion that they do. So we think that a lot of the companies just following their current, you know, manufacturing plans, and they do these years in advance, are going to be on the right path anyway.

So it's not like we're going to, you know, crack down. But we do think that we -- the framework gives them a precise certainty, what would be in compliance, we recognize these additional credits, which appears are going to disappear under the actual emission standards, if the federal government ever puts them out, and we'll see what happens with that.

BOARD MEMBER MONNING: Thank you. And then just
a final question. Is there anything under our current free enterprise system that would prevent a manufacturer from aspiring to create more efficient, less polluting vehicles as part of their own manufacturing goals and objectives for producing efficient vehicles?

CHIEF COUNSEL PETER: Nothing that precludes them. And, in fact, that's where the global market is going. And most of them are already heading in that direction. So I see this as a speed bump. But there's nothing that precludes them. Many of them are doing it, and we -- but we do commend the four that just stepped up. This is -- was a risk, which was obviously, you know, by the investigations.

Also, Mary, you didn't mention, you got a letter the same day that the Wall Street Journal --

CHAIR NICHOLS: That's true.

CHIEF COUNSEL PETER: -- article came out about the antitrust investigation. The two general counsels of the U.S. EPA and U.S. DOT sent Chair Nichols a letter saying, you know, your actions are illegal, unspecified. But --

BOARD MEMBER DE LA TORRE: Are you an antitrust expert?

CHAIR NICHOLS: I didn't actually get the letter.

(Laughter.)
CHAIR NICHOLS: It was announced that it had been sent to me, but I haven't actually received it, so...

(Laughter.)


BOARD MEMBER MONNING: Well, just to wrap up, I just want to thank the Chair for her leadership on this and staff for navigating the path that you've navigated to date, and as we move forward together to protect the public health, not just of Californians, but as California leads, the public health nationally and internationally. So thank you.

CHIEF COUNSEL PETER: Thank you, Senator Monning. If I could just jump in, since you gave me an opening right there. This is Assistant Chief Counsel Craig Segall, who is sitting next to me, who you've seen in closed session before. He's one of the major people that has been working on this on the legal side. As I mentioned at 9:00 a.m., the waiver was supposed to be released. We're checking our phones here. A little hard to read it.

And so upstairs, I wanted to call on it, you know, Pippin Brehler, Randy Reck, Alex Wang, and Wesley Dyer, who are actually up there working on this right now. The AG mentioned he had a team of people working on it.
Some of them are the people that worked with me back, you know, 12 years ago when I was at the AG's office going, oh, here we go again. And so the AGs are just pulling in. This NGOs, American Lung Association stepped out. But a lot of the nonprofits, environmental and health, are with us. Other states have stepped up. Mary alluded to that. It's not just the 13 states. And so, you know, there's a big coalition, much bigger than it was when we had this fight the first time around. But thank you for giving that opening.

BOARD MEMBER MONNING: Thank you.

CHAIR NICHOLS: Thank you, sir.

Yes, Ms. Mitchell.

BOARD MEMBER MITCHELL: I just want to add some emphasis to the comments by Bill Magavern -- Magavern. I always get that wrong. Bill Magavern. Because while the issue at hand attacks greenhouse gases, we also need to pay attention to what will happen to criteria pollutants and the public health issue that we're looking at.

One thing is that ozone is the pollutant that we're very concerned about. And recent reports came out that ground level ozone has a severe impact on lung disease. It causes a lot of lung disease.

And for nonattainment areas like the San Joaquin Valley, South Coast District, this will have a really
severe impact on all of the communities, but certainly on
our disadvantaged communities.

And so let's not lose site of the fact that
criteria pollutants will be affected by this loss of our
waiver and by an eventual rollback. And public health is
really the issue here. That Californians are going to be
sacrificed for this Administration's policies.

Thank you.

CHAIR NICHOLS: Thank you.

Others?

Mr. De La Torre.

BOARD MEMBER DE LA TORRE: I feel like I told you
so.

(Laughter.)

BOARD MEMBER DE LA TORRE: In March of 2017, at
one of our meetings, I called out the auto manufacturers.
They were all there for some other issue. And I told them
if a divorce was coming, we were going to litigate it to
maximum extent possible. I even said that we were the
cool parent --

(Laughter.)

BOARD MEMBER DE LA TORRE: -- and we still are.
And everything that -- I mean, it was so obvious where
this was all going. I called it out and it's all come to
pass in two and a half years. It's ridiculous. I think
it was even worse than what they expected, which is why we have these four manufacturers sidling up with us, because they were so poorly treated with the not cool parent.

So that's first of all. I mean, this was always going to end up here and we're going to fight, as Ellen said, as Mary said.

I want to acknowledge, despite the fact that it was obvious where it was going, the hard work by the Chair, by staff over these last couple of years, the trips to D.C., fruitless trips to D.C., the trips to Detroit and other places to meet with folks to see, you know, what could be done. We've come to as good a result, at this point, as possible to have some auto manufacturers willing to step up in the face of pressure and stick with the higher standards. It isn't sticking with us. It's the standards.

And the idea that any government agency would attack private sector folks who are overcomplying is ridiculous. They're voluntarily overcomplying to their standard, the standard that they're going to pass or whenever they get around to it, is just preposterous. If somebody came to us and said they're going to overcomply voluntarily, we would -- we would -- we would say thank you.

(Laughter.)
BOARD MEMBER DE LA TORRE: We wouldn't sue them. So it's just -- the whole thing is just topsy-turvy and crazy. And I know it's going to get crazier in the next year and a half. But I did want to acknowledge how much hard work has come to get us to this point. It is, I think, as good as we could expect or better. Hopefully, some of those other, what is it, about 13 other auto manufacturers left see the light and join in.

And I'm really proud of the other states that have stepped up with us. It really feels like things are as good as they could be in light of how bad they are.

CHAIR NICHOLS: Yeah, exactly.

(Laughter.)

CHAIR NICHOLS: Well said. Well said.

BOARD MEMBER DE LA TORRE: Thank you very much.

CHAIR NICHOLS: Thank you.

Mrs. Berg, did you want to add something here?

VICE CHAIR BERG: I will. I'll just -- maybe this might close up. I got a text from my daughter, and I have grandchildren, we all do, and so this is for our grandchildren. "Heard Mary on NPR this morning. So grateful that you all are carrying on the fight for our future".

CHAIR NICHOLS: Thank you. Thank you very much to your children, grandchildren, all of our children and
grandchildren who have been speaking out. I couldn't help but think about the fact that we have the largest climate demonstration, which is led by young people, going on in New York on Friday. I can't get their in time for that and I'm feeling bad about it, because I'd like to see it, even though I'm a person who doesn't do really well in big crowds. You know, this is one where I wish I could be there. But I'll be -- I'll be with them in spirit. And it is important to remember the backdrop to why we do what we all do. That's a good note to close on, so thank you for that.

Now, Mr. Corey, you're free to move forward with the agreements and we will be getting updates on a very regular basis, I'm sure.

So let's move on to the next agenda item, which is 19-8-4, an update on the 2018 PM2.5 SIP for the San Joaquin Valley. And, of course, this is really at the heart of what we do.

In January of this year, we adopted the PM2.5 plan for the valley which address four PM2.5 standards in a comprehensive way and relies on ambitious emissions reductions from mobile, stationary, and area sources. These measures will provide significant air quality benefits for the valley.

When we adopted this plan, the Board emphasized
that this plan was not one that was just going to sit on a shelf, that implementation was going to be key. And although it will be very challenging, successful implementation of this plan will need continued engagement from all stakeholders, including the San Joaquin Valley Air Pollution Control District, business, agriculture, community advocates, and, of course, the Air Resources Board.

The Board directed the staff, at that time, to return annually with an update on the status of plan implementation. And today, we are going to hear the first of these updates covering work that has already been accomplished since adoption of the plan, as well as the areas where we know we need to do more.

Mr. Corey, would you please introduce this item.

EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

So it's been 8 months since the Board adopted the PM2.5 SIP for the valley. And in that time, CARB and the San Joaquin Valley Air Pollution Control District and many stakeholders have been working together closely to implement the measures contained in the plan. We have some good progress to report on, but we also want to be clear about where we need to do more in the coming months to keep cutting emissions to attain the four fine particulate matter air quality standards, which the valley
is in non-attainment.

In today's informational item, you'll hear updates on the implementation of the PM2.5 SIP in the valley, including the status of rulemaking activities, how incentive funds are being put to work quickly, air quality and emission trends through 2018, the status of CARB's review of the District's emission reduction credit program, and the framework we're putting in place to ensure that we continue to stay engaged on collaboratively implementing a plan through 2025.

With that, I'll ask Laura Carr of the Air Quality Planning and Science Division to give the staff presentation.

Laura.

(Thereupon an overhead presentation was presented as follows.)

AIR POLLUTION SPECIALIST CARR: Thank you, Mr. Corey. Good morning, Chair Nichols and good morning, Board members. I'll be giving an update today on the status of implementing the 2018 PM2.5 plan for the San Joaquin Valley.

--o0o--

AIR POLLUTION SPECIALIST CARR: The valley PM2.5 plan was developed jointly by the San Joaquin Valley Air Pollution Control District and CARB, and reflects a
comprehensive strategy to address PM2.5 air quality in the Valley, balancing reductions in direct PM2.5 and NOx emissions from mobile, stationary, and area sources, using both a regulatory- and incentive-based approach.

CARB adopted the plan in January 2019 and submitted it to U.S. EPA as a revision to the California SIP. A lot has been going on since January to implement the SIP, and at the same time, AB 617 efforts for the valley have been underway, which have valuable synergies with the SIP process, and staff are coordinating to make sure the two programs work together. In fact, the valley is considering the AB 617 community emission reduction programs for South Central Fresno and Shafter today.

--o0o--

AIR POLLUTION SPECIALIST CARR: The SIP addresses four PM2.5 standards, two of which - shown above the arrow - are for PM2.5 levels measured on a 24-hour basis, and two of which - below the arrow - are PM2.5 levels measured on an annual basis with attainment deadlines in 2020, 2024, and 2025 as shown on the slide.

--o0o--

AIR POLLUTION SPECIALIST CARR: When the plan was adopted in January, the Board conveyed that implementation was going to be key to meeting these health-based standards in the valley, and directed staff to return
annually with an update on implementing the plan.

So today's discussion is the first of those annual updates, the first checkpoint in the multi-year process.

--o0o--

AIR POLLUTION SPECIALIST CARR: Understanding the science of what makes up PM2.5 pollution in the valley was critical to the control strategy developed in the plan.

As shown here, the major constituents of PM2.5 are ammonium nitrate and carbon particles from sources like trucks, agricultural equipment, and residential burning. Because these sources are important contributors to PM2.5 pollution, they were addressed extensively in the plan, and work that CARB and the District have done to reduce emissions from these sources will be a principal focus of today's update.

--o0o--

AIR POLLUTION SPECIALIST CARR: First, I'll start with regulatory actions already taken by CARB and the district, as well as actions that are upcoming. Next, three implementation highlights focus on some of the most critical parts of the strategy in the plan: agriculture, trucks and buses, and residential wood burning. Then I'll give an update on air quality and emissions trends and progress being made towards attaining the four PM2.5
Since the Board raised concerns last January regarding the District's emission reduction credit program, I'll also provide a status update on CARB enforcement staff's ongoing evaluation of the ERC program. Finally, I'll conclude with our next steps for continuing to implement the SIP.

--o0o--

AIR POLLUTION SPECIALIST CARR: Starting with an update on regulatory actions.

--o0o--

AIR POLLUTION SPECIALIST CARR: In the plan, CARB and the District committed to pursuing a suite of measures to get NOx and direct PM2.5 reductions. And both agencies have acted over the past year to make progress on these commitments. On the top left hand of the table, you can see that CARB has already adopted four mobile source measures in the plan. There are also several important measures coming up for Board consideration over the next couple of years, just some of which are shown on the right-hand side of the table, including the Heavy-Duty Low NOx Engine Standard and the Heavy-Duty Vehicle Inspection and Maintenance Program in 2020, and Advanced Clean Cars 2 and a low-emission diesel fuel requirement in 2021.

On the District side, the District adopted
important amendments to strengthen the residential wood-burning rule, which I'll talk more about later. And several stationary source measures are scheduled for District Board consideration in 2020 and 2021, including but not limited to the measures shown here.

So both agencies have already taken action to meet SIP rulemaking commitments and have further measures calendared for consideration in the near future that will achieve the NOx and PM2.5 emissions reductions for mobile and stationary sources needed to attain the PM2.5 standards in the valley.

--o0o--

AIR POLLUTION SPECIALIST CARR: The PM2.5 plan for the valley relies on a strategy with both rule-based and incentive-based measures. Regulations form the base of the plan with 90 percent of emissions reductions coming from regulations, including ones like the Truck and Bus Regulation, and the off-road regulation, as well as recently adopted and future regulations like the ones discussed on the previous slide.

Those new measures CARB is adopting for the SIP will achieve 9 tons per day of NOx reduction in 2024 on top of the 157 tons per day achieved from existing regulations.

Incentive-based measures are also critical to
help accelerate the last increment of reductions needed for attainment, achieving 23 tons per day NOx reduction in the SIP. As we'll see, incentives play an important role in the three implementation highlights we'll be discussing today.

--o0o--

AIR POLLUTION SPECIALIST CARR: The first of these implementation highlights has to do with agriculture and replacing agricultural equipment. Replacing old, dirty ag equipment with newer, cleaner equipment is a key strategy in the plan. It's important for getting substantial NOx reductions needed for attainment and it's also important from a local health perspective by reducing near source exposure from emissions including toxic diesel PM in rural communities.

--o0o--

AIR POLLUTION SPECIALIST CARR: The agricultural industry has been successful at leveraging incentives to replace dirty equipment, including meeting a 2017 target identified in the ozone SIP. Since January 2015 with incentives and the cost share on the part of the farmers, the District and valley farmers have replaced over 4,000 pieces of agricultural equipment. This includes mainly tractors as well as wheel loaders, forklifts in agricultural applications and various types of harvesting
equipment.

Since the beginning of this year alone, almost 400 pieces of new cleaner equipment are on the ground in the valley funded with over $22 million in incentives. It's also good news that the District has already contracted all of its FARMER funds for fiscal year 2017-18. This means all of the approximately $100 million allocated to the valley that year is spoken for.

FARMER funds for 2018-19 are also in the process of being distributed. So in addition to the thousands of pieces of equipment already turned over, there are more projects ready and waiting for funding.

--o0o--

AIR POLLUTION SPECIALIST CARR: Valley agricultural stakeholders and the District have been working hard to get emission reductions from these turnover projects, demonstrating effective use of incentive dollars. And it's important that we take credit for the reductions achieved.

To make sure the reductions are credited against our obligations, CARB is working with the District and U.S. EPA to develop an incentive measure that will be submitted into the SIP.

This measure is currently under development and going through the public process and will be coming to the
Board for consideration in November. This measure will show that emissions reductions from completed ag equipment replacement projects, including those funded with the first 2 years of FARMER Program money have gotten us half way to our SIP target for agricultural equipment.

To achieve the remaining reductions, staff estimate we will need about $150 million per year from 2020 through 2023.

--o0o--

AIR POLLUTION SPECIALIST CARR: Specific to agriculture, several pots of money are available that may be used to reach that funding target. The 2018 Farm Bill allocated $37.5 million nationwide annually for fiscal years 2019 through 2023 through the USDA's Natural Resource Conservation Service, or NRCS. And while we don't know precisely how much of that nationwide allocation will come to the valley, historically California has received about $20 million and the valley has received most of that.

The California State legislature appropriated $65 million statewide to the FARMER Program for fiscal year 2019-20. This appropriation is smaller than the previous 2 years, about half the amount. Returning to the higher appropriations is critical to continue ag equipment turnover at the rate the industry has maintained in the
last couple of years.

   CARB has not allocated fiscal year 2019-20 funds
to the state's various air districts yet, although
historically the valley has received 80 percent of the
available FARMER funds.

   The District also applied for and received
several EPA grants, including Diesel Emission Reduction
Act and Targeted Airshed Grant funds, which yielded about
$15 million for the valley for fiscal year 2019-20.

   Other funding sources and programs are available
that can be used for replacing ag equipment - Carl Moyer,
AB 617, plus District funds - but we wanted to highlight
these three as being specifically for agriculture and
vital for successful turnover of ag equipment.

   --o0o--

   AIR POLLUTION SPECIALIST CARR: I also want to
highlight a few of the District's other ag programs that
are proving successful and are currently oversubscribed.
Through the FARMER Program, the District has provided
incentives for about 1,500 all-electric ag utility terrain
vehicles, or UTVs, and has a wait list of about 500 more.

   Stakeholders have indicated to CARB that this
program has spurred increased production and employment at
an equipment manufacturing operation in order to support
this demand. These projects achieve both criteria and
greenhouse gas emission benefits.

The District also kicked off two new pilot programs in November of last year for alternatives to open agricultural burning and low-dust nut harvesting, both of which quickly went through their respective initial allocations and prompted the District Board to put more incentive funds towards each to meet demand.

--o0o--

AIR POLLUTION SPECIALIST CARR: The second implementation highlight is on trucks and buses. As we saw in the pie chart earlier, emissions from trucks and buses contribute to ammonium nitrate, which makes up about half of PM2.5 pollution in the valley, making this an important source to control.

--o0o--

AIR POLLUTION SPECIALIST CARR: Staff plan to develop a measure to take SIP credit for surplus emissions reductions from turnover of trucks and buses, analogous to the incentive measure for agricultural equipment discussed earlier and similar to a truck and bus incentive measure CARB developed for South Coast. The Board will consider this measure in 2021.

Current staff estimates are that about $3.3 billion in incentives will be needed through 2024 to help fund all the truck and bus replacements needed to meet the
SIP target for emissions reductions from this source category, but that estimate is currently being refined as staff starts the measure development process.

--o0o--

AIR POLLUTION SPECIALIST CARR: This slide shows a few of the funding pots available for truck and bus replacements. It's important to note though that these funding sources are not exclusively for trucks or buses, which adds uncertainty about the amount of funding that can go to those vehicle categories. CARB staff are working on ways to identify available funding.

--o0o--

AIR POLLUTION SPECIALIST CARR: The third implementation highlight today is on the District's residential wood-burning emission reductions strategy. This strategy is a key part of the SIP. Carbon from burning makes up about a third of PM2.5 in the valley and residential wood burning is one of the contributors, and is also a source of near-source exposure to PM2.5 that valley residents have expressed concern about during the SIP development process.

--o0o--

AIR POLLUTION SPECIALIST CARR: This summer, the District approved amendments strengthening the valley's residential wood-burning rule by lowering curtailment
thresholds telling residents when they may or may not use a wood-burning device. The burn or no-burn declaration is based on forecasted daily PM2.5 air quality during the winter. The more stringent thresholds apply in urban hotspot areas of Kern, Fresno, and Madera counties, and will take effect this winter starting in November. The district's action on this rule is a major step forward on implementation of the SIP.

Under the new limits for these hotspot areas, there are no restrictions on residential wood burning if the daily PM2.5 levels are forecasted to be less than 12 micrograms per cubic meter, as shown on the lower right-hand side of the graphic. Valley-wide, outside the hotspot areas, there are no restrictions up to 20 micrograms.

If daily PM2.5 levels are forecasted to be higher than 12 but up to 35 micrograms, only stoves that are EPA certified to be cleaner burning and registered with the district are allowed to burn, whereas outside the hot spot areas, registered stoves are allowed to burn up to 65 micrograms.

And for forecasted PM2.5 levels over 35 micrograms, no stoves are allowed to burn in hot spot areas, while burning outside hot spot areas is restricted over 65 micrograms.
The goal of these changes is to reduce direct PM2.5 emissions in urban areas that are most heavily impacted by PM2.5 pollution, and where the option of switching to using natural gas as a heat source is more feasible.

---00o--

AIR POLLUTION SPECIALIST CARR: Complementary to the curtailment program, the District's residential wood-burning emission reduction strategy also has an incentive component, in which the District offers grants to residents to incentivize switching out a wood-burning stove for a cleaner burning alternative, usually a natural gas stove.

This past winter, the District put $2.2 million of its incentive budget towards replacing 1,300 wood-burning devices with cleaner burning alternatives. In total, the District has replaced about 16,000 devices in the valley. And almost 80 percent of replacements are wood to natural gas, both reducing near-source exposure and improving regional air quality.

As part of the recent strengthening of this program, the District also increased the incentive amounts available to residents for switching out wood-burning devices.

---00o--
AIR POLLUTION SPECIALIST CARR: The programs I just described, among others, together achieve benefits in air quality for the valley, and reduce emissions of NOx and PM2.5. The next few slides will look at some trends to date.

--o0o--

AIR POLLUTION SPECIALIST CARR: The slide shows the 24-hour design values for a subset of sites distributed throughout the valley from Bakersfield in the south to Stockton in the north. Overall, PM2.5 concentrations are trending down, although we can clearly see the impact of meteorological factors associated with drought, as well as the wildfire impacts from two major fires in 2018, especially in the northern part of the valley. CARB will work with the district and EPA to evaluate these wildfire events, and the impact on 2018 design values for making progress towards the standard.

The good news is that all sites in the valley now attain the 65 microgram per cubic meter 24-hour standard. However, as we can see, there is still a lot of work to do to meet the lower 35 microgram 24-hour standard valley-wide by 2024.

--o0o--

AIR POLLUTION SPECIALIST CARR: On the annual side, we see a similar overall downward trend with
meteorological Impacts. Of course, the valley needs to attain the PM2.5 standards irrespective of conditions like drought. We can also see the 2018 wildfire impacts here. And again, we will evaluate these events and the impact on 2018 annual design values.

The 15 microgram annual standard will be a challenge to attain valley-wide by 2020, since there are currently six sites located in the southern portion of the valley with design values over 15.

Attaining the 12 microgram annual standard by 2025 will also be challenging.

We anticipate that the District's strengthened residential wood-burning curtailment program will contribute to better winter air quality and we are working with the District and U.S. EPA on evaluating how wildfires may impact the data moving forward.

--o0o--

AIR POLLUTION SPECIALIST CARR: Now, looking at emissions trends, trends of NOx emissions illustrate the impact of CARB measures on mobile source emissions. Since 2001, NOx emissions have been cut in half. Post 2018, CARB's mobile source strategy will continue to lower NOx emissions. The chart also shows reductions in emissions due to District rules controlling stationary and area sources as well.
AIR POLLUTION SPECIALIST CARR: PM2.5 emissions trends also show ongoing reductions in area sources, including resulting from the District's residential wood-burning program and reductions in mobile sources. These PM2.5 trends will need to continue into the future, along with the NOx reductions to bring down PM2.5 concentrations to levels that are healthful and attain the standards.

AIR POLLUTION SPECIALIST CARR: Now, I'd like to transition to talk about the District's emission reduction credit program. In January, the Board directed staff to conduct a review of the District's ERC program and to report back to the Board in September 2019. Staff in CARB's Enforcement Division have taken the lead on this review.

AIR POLLUTION SPECIALIST CARR: Within the scope of this project, staff will review the ERC system, including the equivalency determination in the context of the broader District program for reducing emissions from stationary sources, including New Source Review, permitting, and regulatory requirements.

This scope is necessary to fully evaluate and
explain the context in which the ERC system operates under the requirements of local, State, and federal rules. Staff is focused on looking for opportunities for future improvement that could increase the program's effectiveness in achieving and maintaining ambient air quality standards.

--o0o--

AIR POLLUTION SPECIALIST CARR: The review includes four elements. The first element is to provide a description of the ERC program which will explain the basis for the regulations behind the ERC program. It will also give some background and historical information on both the District and the ERC program. The function of the ERC program will be explained, including the context in which the ERC program fits into the New Source review, or NSR Program as a whole.

The second element is an evaluation of a sample of ERC banking actions to assess consistency with District rules and State and federal law, and generally accepted ERC banking criteria.

The third element is a review of the District's Federal Offset Equivalency Tracking System. The purpose of the Federal Offset Equivalency Tracking System is to show each year on a program-wide basis that the District's NSR rule requires an equal or greater amount of offsets.
and "surplus at time of use" emission reductions than
would be required under the terms of federal NSR.

The fourth element is a review of the ERC program
as it relates to the air permitting program as a whole
under the requirements of the District's NSR rule. The
focus is on how and when offsets are required in specific
NSR actions and includes reviewing actions where offsets
were not required.

--o0o--

AIR POLLUTION SPECIALIST CARR: Since starting
the project, CARB has held two workshops and met with many
different stakeholders. Staff also recently released a
written progress report, which is available on CARB's
website. Staff is continuing to request and analyze
information from the District and appreciates District
staff's help and cooperation in this work.

Recently, community members have asked CARB to
include certain specific facilities in a review of ERCs
and permitting. We will be meeting next week with the
community members to better understand the request and
will coordinate with the District on the additional
review.

Staff is developing findings and recommendations
as analysis of each project component is completed. Staff
anticipates a third public workshop in early spring 2020
and a report to the Board on staff's findings and recommendations in the spring of next year.

--o0o--

AIR POLLUTION SPECIALIST CARR: Finally, I'll briefly discuss some next steps for implementing the PM2.5 SIP.

--o0o--

AIR POLLUTION SPECIALIST CARR: Moving forward, we have a three-part strategy. CARB and the District need to stay on track with our rulemaking calendars as committed to in the plan. As we saw earlier, several measures are coming up for consideration over the next couple of years that will have significant emission reduction benefits.

It is also critical to continue pushing for incentive dollars. Replacing agricultural equipment and trucks and buses will require substantial amounts of funding through 2024, and we need to ensure funding is consistent and sufficient to achieve the emission reductions needed.

Third, CARB will continue looking for additional opportunities for emission reductions. Throughout the SIP development and implementation process, we've heard suggestions from advocates and we'll keep those ideas on the table.
AIR POLLUTION SPECIALIST CARR: As part of the effort to keep the plan on track, CARB formed a working group to provide a venue for stakeholders to collaboratively facilitate SIP implementation. The group will identify barriers hindering efficient implementation and develop concrete actionable solutions. And this is also a venue for CARB and the District to discuss any opportunities for additional measures. The group met in August and other meetings are forthcoming.

AIR POLLUTION SPECIALIST CARR: This presentation started by noting that this is just the first update in a multi-year process, and our plan is to return annually with implementation updates.

Looking ahead for our next update, we would plan on providing new updates on regulatory actions taken and pending, where we are with incentive funds and administration of grant programs, plus findings or updates from ongoing CARB research on topics of relevance to the valley such as ammonia, and finally, any updates on additional emission reduction opportunities we may pursue.

That concludes the presentation, and we'd be happy to answer any questions.

CHAIR NICHOLS: Thank you very much. Overall, it
seems like a very positive report. But obviously, some places where we need to be paying particular attention. And I'm really grateful that there has been so much collaboration. It seems clear that the staff took this to heart, and we didn't just go down to the area and, you know, adopt something and then go away. There's been a lot of ongoing engagement through this process. And, of course, we also have other areas in which we're collaborating, especially through the 617 process.

But we have a number of people who've asked to come in and comment. We will be keeping to our two-minute time limit and let's begin.

MR. JORDAN: Good morning, Chair Nichols, members of the Board. My name is Tom Jordan. I'm with the San Joaquin Valley Air District.

First of all, I want to tell you our Executive Director, Samir Sheikh, sends his regards. He wishes he could be here today, but as was previously mentioned, our Board is meeting right now and dealing with, among other things, our 617 plans for the valley.

This PM2.5 plan was the culmination of years of work, coordination between CARB, the District, stakeholders from both the business community, environmental community. It was a very collaborative process. I can't say that there weren't times that we
pushed CARB, CARB pushed us, but that's the way the process is supposed to work. So that led to the plan being approved and submitted to EPA, where we're awaiting approval from them.

As your staff mentioned, it's now time for implementation. And as they've also mentioned, we take that very seriously and our Board has hit the ground running. We've already taken our residential wood-burning rule to the board, made some significant enhancements to that. It should be noted that this plan -- the incentives get a lot of attention, but this plan really builds on 30 plus years of regulatory controls, along with some significant regulatory enhancements in the plan.

And over the next couple of years, the District, along with ARB, is going to be dealing with a number of industrial regulations as we move forward.

One important thing to note is, as you work on SIPs, and SIPs get adopted, and you begin developing rules and regulations, we always find the case where there's some measures that are going to overperform and some measures are going to underperform. Those are implementation issues. And as we go through that process, we're going to have to deal with them.

It's our commitment as the local air district, as we look at our sources, to continue to look for
opportunities to enhance our programs, whether it's in the plan or not. So while the plan has reached the finish line, we're not done looking for opportunities to achieve emission reductions.

As your staff mentioned, a couple of ways we've done that already is through our incentive programs. We've adopted two new incentive programs that we're very proud of. One of them deals with eliminating of -- elimination of open burning. We've had over 6,000 acres of land apply for grants to do alternatives to burning that material in the fields. Our board today is adding another $1.5 million to that program.

We've also created a low-dust harvester program for almond harvesting. That program has been fully subscribed as well and we continue to look for opportunities to fund that.

So finally, my commitment here today with you all is to continue working with the process, continue looking for opportunities. And we're definitely there with you to fight for incentive dollars at the State and elsewhere.

So thanks.

CHAIR NICHOLS: Thank you. We shouldn't have put you just as a -- on the list of witnesses. I think the District is entitled to a little more time, as a partner in this effort.
Thank you very much.

Okay. Let's move forward with the others who've signed up then. Again, if you see your name up there, please come on down to the front and be ready to speak when your time comes.

Thank you.

MS. ROEDNER SUTTER: Good morning. I'm Katelyn Roedner Sutter with Environmental Defense Fund. But I'm also a resident of San Joaquin Valley, so this is an item near and dear to my heart.

Thank you for the opportunity to provide comments today, and thank you to CARB, and the Air District, and especially the local stakeholders for all of the work that has gone into this process.

As you know, for decades, San Joaquin Valley has suffered the impacts of severe fine particulate matter pollution and the serious health impacts that result. It's long past time that significant steps are taken to address the levels of PM2.5 in the valley. And, of course, one of the sources of this pollution is diesel emissions from mobile sources, especially heavy-duty vehicles.

EDF strongly recommends that the proposed PM2.5 plan for San Joaquin Valley include a specific strategy to address mobile source pollution that will deliver real
emission reductions. This, of course, requires direct engagement by CARB and include the goal of accelerating the deployment of zero-emission vehicles in the valley.

This acceleration could still include incentive funding for these vehicles, but the proposed plan already relies heavily on incentive funding. And incentives are not going to get us all of the reductions that valley needs and deserves.

As such, there's also need for regulatory action from the local air district and CARB on the multiple sources of PM2.5, but especially mobile sources. We'd like to see both agencies take some meaningful steps forward on this in their respective areas of authority.

This urgent need to address mobile sources also aligns with questions raised by the Legislature who represent AB 617 year one communities, and that is how is mobile source pollution going to be directly addressed by CARB in the community emission reduction plans?

So whether it is this valley PM2.5 plan or the AB 617 plans, communities urgently need real reductions from mobile sources. And this requires CARB's continued partnership with local air districts, and stakeholders, and specific regulatory strategies.

Thank you very much.

CHAIR NICHOLS: Thank you.
MS. DIETZKAMEI: Good morning. Janet Dietzkamei. I spend most of my winter inside. I can't go outside because of PM2.5. I appreciate the reduction of the level -- PM2.5 level before the no burning -- we call it check before you burn program goes into effect. And I hope that there will be extensive enforcement of the check before you burn when people report that there is burning going on during this time, when fireplaces are not to be used.

Fresno is the 4th -- 5th largest city in California. People are coming in there by droves. Mobile sources are increasing because -- when I used to go to work from -- our -- my work was 9 miles from my home and all of that was rural. And now, 75 percent of that 9-mile drive is houses. Houses are being built everywhere. The cities of Clovis and Fresno are expanding, north, south, east, and west. And interestingly, they're getting closer and closer to the Rio Bravo Biomass Facility, which belches out a lot of PM2.5.

I appreciate the work being done. I have participated in the PM2.5 plan from its inception. And I appreciate the work both CARB and District have done. I urge that we do everything we can to keep the PM2.5 down, especially during winter months, because I would like to go outside of my house. I have cabin fever, I have
depression, because I'm in the house all the time.

Thank you for the efforts and please, please
support, funds, and everything the PM2.5.

Thank you.

CHAIR NICHOLS: Thank you.

MR. COSTANTINO: Hi. Good morning. This is Jon
Costantino.

CHAIR NICHOLS: Is it on?

MR. COSTANTINO: Hello.

CHAIR NICHOLS: Hello.

MR. COSTANTINO: The lowered this on me, so --
Jon Costantino on behalf of Trillium, a member of
the Loves Family of Companies. And they are the
alternative fuel heavy-duty provider for a lot of
California's heavy-duty industry.

And the goal here today is -- we support. We
support the incentive programs and we support the idea
that turning over heavy-duty diesel trucks is important.
We just want to remind the Board that with the funding
plan coming out tomorrow that low-NOx technologies,
renewable natural gas technologies are available, and
ready, and cost effective today.

And so with that, I will conclude.

Thank you.

CHAIR NICHOLS: Thank you.
MR. BARRETT: Good morning again. Will Barrett with the American Lung Association in California.

And first off, I wanted to say thank you for the -- holding these discussions. I think it's really important that we know where we are, where our gaps are, and where we need to go. A lot of what I would say here today is going to be echoed by many members of the Central Valley Air Quality Coalition, or CV AQ, who have been deeply engaged in this process throughout, and really I do think are benefiting the dialogue with the Air District and with you all.

Throughout the process, we have also voiced concerns, similar to those around the incentives and the reliance on this sort of potential for funding to come along to accelerate emission reductions. We are very concerned that within the State budget and within the overall process for looking for these incentive funding, that it's not materializing, and that is really going to jeopardize public health, if we don't get that funding that we need to accelerate emission reductions.

We think that the fact that the funding may not materialize is something that all of us as stakeholders really do have to work on with your agency, with all the other State agencies that are involved here, and with the State Legislature, and really make the case that if we're
going to hit these targets, we need consistent, steady funding, especially on the heavy-duty side, so that we can accelerate diesel fleet turnover.

Other areas that we think we can really make a difference in going forward in the valley is looking at the programs that are coming down the pike, the Advanced Clean Trucks Program. We think that that needs to be strengthened coming out of the gate to make sure that zero-emission technology on the truck side is really accelerated and deployed to the San Joaquin Valley to help clean up the particle pollution issue.

We also think that, as laid out in the CVAQ letter, there's a real need to take a look at some of the other stationary and area-wide sources beyond mobile sources, including wood burning, charbroiling, agricultural burning. We think all of these are ripe for further discussion and really do appreciate the fact that CVAQ has put so much time and thought into this for your consideration.

So with that, I just wanted to say thank you for having these discussions, for airing the challenges, and looking for ways to really ensure that we do approach and achieve clean air in the valley.

Thank you very much.

CHAIR NICHOLS: Thank you.
MR. CORT: Good morning. Paul Cort with Earthjustice.

I submitted a support card this morning, because advocates in the valley have had a great working relationship with CARB staff and appreciate sort of revisiting these issues and digging in more deeply, investigating some of the concerns that we have. But I have to say, I was a little surprised by what I felt was an overly sunny presentation by staff.

As we look at the numbers, this was a plan that was built on incentive funds. Those incentive funds have not materialized. And there's no plan, at this point, for filling that gap, which is why I think in the presentation there was a vague allusion to exploring additional control measures, but that not really in isolation that we have a problem. We need a new plan.

I also thought the trends on emissions and air quality again was a little misleading. If you look far enough back, I think you see those trends. But if you look over the last few years, you can see that emission reductions have flatlined and air quality has actually deteriorated over the last year.

So we urge you to consider the comments submitted by the Central Valley Air Quality Coalition that highlight some of the needs and opportunities. Again, we appreciate
CARB's staff's participation and believe that the more you scratch at these things, the more you'll find problems and opportunities, whether it's emission reduction credit manipulation, whether it's the lack of specific PM2.5 limits in the air quality permits, whether it's the fact that existing rules have not been revised in many years and at this point do not satisfy most stringent measure requirements under the Clean Air Act.

Again, we look forward to continuing to work with staff, but there are bigger problems here that require, I think, more investment.

Thank you.

CHAIR NICHOLS: Thank you.

MR. YOUNG: Thank you, Chair, Board members, staff, members of the public. My name is Josiah Young. I'm here speaking on behalf of the Bioenergy Association of California and the California Natural Gas Vehicles Coalition. I want to first start off by saying thank you for the presentation and we certainly support the notion that there needs to be increased incentives and also immediate reduction in diesel emissions.

I just wanted to kind of take some of the things from that presentation and show how important it is to continue to fund on behalf of my clients, particularly the low NOx vehicle incentive categories just to point out,
you know, the California Department of Food and Ag is funding 43 dairy digester projects, yielding carbon negative transportation fuel, millions of tons of CO₂ reductions, and nearly a quarter of a billion dollars in economic investment.

You know, they're going to need a lot of trucks that are going to be able to use that fuel. And there is technology and these trucks are readily available. And again, as mentioned by my colleague, Jon, you know, available and cost effective.

So I also want to make some comments on behalf of the Bioenergy Association who represents more than 70 local governments, private companies, public agencies, and community groups working to convert organic waste to energy. Of course, converting organic waste to energy talking about bioenergy, these projects are critical to achieve the state's climate goals. You know, the 2030 Climate Change Scoping Plan is relying on short-lived climate pollution reductions. And biogas from organic waste is the lowest carbon intensity fuel of any in the LCFS program.

So many BAC members have received cap-and-trade funding and other State grants to convert this organic waste into fuel. So I just talked on behalf of the vehicle folks and on the biofuels production side. You
know, there's plenty of fuel available, but we need these projects to be able to incentivize fleet turnover. We need to be able to have more trucks on the road that again are doing what these communities are asking to do, reduce diesel emissions, and doing it immediately.

So, you know, we urge ARB to continue to allocate a portion of HVIP funding to the near-zero emission vehicles in the vehicle classes where there is not a zero tailpipe emission alternative. These are the most cost effective and the most effective projects, and they're the best investments the State can make.

Thank you.

MS. JORDAN: Hi. My name is Julia Jordan. I'm with Leadership Counsel for Justice and Accountability. And thank you, members, for your time.

I wanted to also support my colleagues with the Central Valley Air Quality Coalition. Leadership Counsel works with communities in the San Joaquin Valley. And as you know, and has been well presented, it has some of the worst air quality in the nation. We all know that. This is about real people dealing with the impacts of public health from particulate matter in the valley.

And this is an issue I think that is too serious and urgent to simply rely on incentives, and for polluting industries to change status quo, especially when we know
that the money is not there to do so. The health of the valley residents deserves more than this, more than a plan that relies on unappropriated funds.

Additionally, I think funding alone isn't going to solve our problems, and it's not going to get us where we need to be when it comes to air quality. We know it's going to take much more. And the people who are impacted who live and work in the valley deserve more than this, and incentives for facilities that are really drastically polluting the air quality.

For these reasons, I just want to join my colleagues in asking for a revision of the SJ -- the San Joaquin Valley PM2.5 SIP.

Thank you very much.

CHAIR NICHOLS: Thank you.

MR. ALONZO: Thank you, Chair Nichols and members. My name is Nathan Alonzo on behalf of Caglia Environmental. We are a locally owned company operating in Fresno county and Madera County for the past eight decades. We share the San Joaquin Valley APCD's goal of 33,000 clean trucks. Our company has been eager to adopt and implement these goals. In addition, as a recycling facility, we are supporters and suppliers of organic material that can be converted to RNG, which can fuel our fleet of trucks.
This is part of a carbon negative future that we can see in our valley. As a company, we are excited about having zero-emission trucks available in our fleet. Our reality is that we are unable to move faster than the technology does, and that we are hopeful that in reasonable increments of 5, 10, or 15 years, we can do more than we are doing now.

To reduce our emissions, we have converted many of our fleet to CNG from diesel and we are looking to convert a lot more in the near future. This would not have been possible without a partnership with our air district and CARB due to a $50,000 increase cost of those trucks as compared to a new diesel truck.

In fact, many in our industry buy used equipment. We are going the extra mile to rollout the cleanest trucks available to us today, which are near-zero and powered by RNG. You'll hear from us again next month to ask you to rethink the 3-year investment plan that will potentially kill our near-zero truck plan.

In conclusion, we are supportive of our air district's efforts and encourage CARB to bring all resources to bear on helping us reach our clean truck targets. We can't do it alone.

Thank you.

MR. PARDO: Hi. Veronica Pardo --
CHAIR NICHOLS: I think -- just to -- I would say before you start - excuse me - that that was a reference to the funding plan that will be coming to the Board in October, is that correct?

EXECUTIVE OFFICER COREY: Yes.

CHAIR NICHOLS: Thank you, staff. Okay. Yeah.

Thank you.

MS. PARDO: Veronica Pardo on behalf of the waste and recycling industry members of the California Refuse Recycling Council, Northern District.

I'd like to echo the comments of Mr. Young and Mr. Alonzo. We are here in support and to highlight the importance of CARB's low carbon transportation funding incentive programs, in particular, for the refuse industry the HVIP incentive programs that allow us to accelerate our Class 7, 8 trucks to commercially deployable and available near zero-emission technologies.

And I'd like to also say that we're in a really unique moment here to leverage this program to help meet some critical waste diversion goals, reducing organics in our landfills by 75 percent in 2025, which means that we need to essentially triple our current organics management infrastructure.

And as part of developing SB 1383 regulations, jurisdictions will be required to procure recovered
organic waste products like compost and renewable natural gas. So this is really just a beautiful opportunity to achieve a number of our air quality goals and support in-state production of renewable energy.

So I thank you for your support and time today.

CHAIR NICHOLS: Thank you.

MS. PINTO-CABRERA: Hi. Good morning. Good morning, Chair Nichols and members of the Board. I'm Cynthia Pinto-Cabrera with the Central Valley Air Quality Coalition. I just wanted to thank staff for their update on the State -- San Joaquin Valley State Implementation Plan and thank you for allowing us the opportunity to comment.

As this Board considers the San Joaquin Valley PM2.5 plan, I would just like to bring to your attention the internal analysis that CVAQ did of 27 facilities and corporate operations that we outlined in an April 15th, 2019 letter addressed to staff. These 27 facilities collectively emit as much PM2.5 as all on-road mobile sources in the valley, and as much NOx as all passenger vehicles and medium-duty trucks combined.

CVAQ's analysis of hundreds of permits associated with these facilities revealed multiple opportunities for improvements and an overall need for more stringent regulations and rules for stationary sources.
I would just like to take this opportunity to present some of the findings from our analysis. So we found no direct PM2.5 emission limitations associated with these permits across various industries. While there are limits on NOx and PM10, including -- as well as other pollutants, we found no limits for direct PM2.5. We found opportunities for electrification, with the most notable being the internal combustion engines, which are -- we found to be some of the most common units used in facilities, as well as steam generators and boilers.

And lastly, we found that while several facilities might have been in -- under BACT at the time of construction, review of the latest technologies suggest opportunities for upgrades.

So with these findings, we urge CARB to examine all 27 facilities and industrial operations that we have outlined for emission reduction opportunities, and that those findings be brought forth to the Board in the first quarter of 2020.

Thank you.

CHAIR NICHOLS: Thank you.

DR. GAROUPA WHITE: Good morning. My name is Dr. Catherine Garoupa White. And this morning, I'm going to focus my comments on two additional measures that your Board agreed to at the January meeting where you adopted
the San Joaquin Valley's PM2.5 SIP, the emission reduction credit program review, and the requested review of stop-top stationary sources of PM2.5.

Thank you all for passing these measures and also to the Enforcement Division staff who have undertaken a thorough and rigorous look at the emission reduction credit program in the San Joaquin Valley, which again we raised significant concerns about.

Their recently released preliminary report is mostly a summary of the process to date, yet, it also reaffirms our initial concerns about the lack of transparency and the way emission reduction credits have been audited, banked, and used within the San Joaquin Valley, and also confirmed that a large percentage of those credits are old, and if they were reduced to reflect the value that they should have today based on intervening rules, many of these credits would have much lower values than they currently have within the bank.

The inventories and models that the Air District and that you all use to anticipate emissions for the San Joaquin Valley rely on accurate data. So any issues between facilities that have been permitted using credits that are potentially invalid are obviously huge loop holes that we're interested in closing.

It's fundamentally important that we ground truth
the emissions that are written in permits in models and inventories with what is actually happening on the ground at those sites, which is why we feel that the ongoing ERC program review must be complemented by this review of the top 27 stationary sources of PM2.5.

As we look towards improving these programs for the future, we can't ignore the problems that these programs have had in the past, so we really want to urge a rigorous review of those stationary sources, particularly the ones using the emission reduction credits to confirm that their emissions reflect the numbers that we are relying on.

Overall, we also want to urge more oversight and enforcement of the Valley Air District and support the calls of the Central Valley Air Quality Coalition to amend the SIP with improved measures.

Thank you.

CHAIR NICHOLS: Thank you.

MR. ROSE: Good morning, Madam Chair, members of the Board. My name is Mark Rose. I am with the National Parks Conservation Association. I want to thank you for this opportunity to comment.

I remember back in January when this plan was approved being both very excited that we'd finally gotten there with the help of staff from the Air District and
CARB, but also significantly concerned about the price tag and the amount of unfunded incentive-based measures that this plan relies on.

With the recent passage of the State budget here, I feel like our fears at the time have really come to pass with funding for the valley air programs coming up roughly 150 million plus dollars short of what we were hoping for this year.

That first year funding gap will likely only increase as incentive funding needs balloon to over 800 million for each year for the next 5 years totaling roughly about $5 billion over the lifetime of this plan.

That is why we come to you today asking that the PM2.5 SIP be revisited and revised. To be clear, we're not asking you to scrap the plan. We are just asking that we add measures that will make this plan more viable for the future.

Right now, we do not see a viable path for this plan to reach attainment by the 2024-2025 deadlines. Doubling down and betting on incentive funds in the future is not going to get us there either. I think that's been proven by this year's budget. We do need more funding, but we also need on-the-ground regulatory measures that will help close the funding gap that is already existing.

And we need an actual path to reach the
attainment deadlines that are clearly laid out in the Clean Air Act. We identified a number of emission reduction opportunities in the letter that CVAQ had submitted earlier this week. Many of those opportunities we have been advocating for years now to have been included in the plan.

Looking forward, there's no single party that should bear the burden here. I think both CARB and the Air District need to move forward to close loopholes, exemptions, and especially stuff like heavy-duty trucks.

Thank you so much.

CHAIR NICHOLS: Thank you.

MR. MENZ: Good morning. My name is Thomas Menz. I'm a member of CVAQ and also a resident of Fresno County. I haven't been in favor of this plan from the beginning and I urged you not to adopt it last January. I'm neutral on it, because there are obviously some good things in the plan. The 12 microgram threshold with respect to open hearth fireplaces is probably as strong as such rule for that source category in the nation, but there were other areas that were left out, for instance banning the oldest, most highly polluting of those wood stoves, wood-burning heaters as other districts have done. I felt that was a deficiency of the plan that merited its rejection.
But it's come forward and I've tried to keep an open mind. But as Mark alluded to, there is this funding gap that has occurred with the Legislature. And, you know, it's real. It's something I think that if you stroll around the halls of that august domed white building a few blocks south of us, from the conversations that I've had, which are limited conversations I've -- you know, privy to, that other people have alluded to, there is a real reluctance, I think, on the part of the Legislature to fund natural gas burning devices, the low NOx trucks, because that's seen as a dead end.

And I just don't see, you know, with what in the coming years with this plan relies on, 800, you know, million dollars over each of the next four years for a total of 3.4 billion at the end of that period in order to achieve compliance. And most of that money is going for the low NOx trucks. It's been ear -- or, you know, asked for. And I just don't think that that's going to happen.

So we really need, I think, to open this up, to look at those alternatives that are outlined in the SIP.

Thank you.

MR. MAGAVERN: Madam Chair and Board members.

Bill Magavern with the Coalition for Clean Air. And we really appreciate the continued engagement by this Board and the staff on trying to deliver breathable air for the
residents of the San Joaquin Valley.

And I wish I could say that I thought we were on target to meet the standards. But I would say we really are not on track to meet three of the four standards. If you look at the particulate levels, they have remained stubbornly high. And then we look at the incentive funding, and it is discouragingly low. And certainly, we advocate for more incentive funding and we'll continue to do so, but we can't base an attainment strategy and risk the health of the residents of the San Joaquin Valley on the wish that that funding will materialize.

We have not heard the Governor make funding for reducing particulate matter a priority in the budget. We know there are a lot of other priorities. So we continue to advocate. But at the same time, if we look at that three-part strategy, the third part, the search for additional emission reductions, needs to be -- needs to be made much more specific and needs to have a concrete process attached to it. And I think that should start with a very thorough review of the 27 largest stationary sources that CVAQ has identified and the potential to get additional PM2.5 reductions from those largest stationary source emitters in the San Joaquin Valley.

Thank you.

CHAIR NICHOLS: Thank you.
MS. GALE: Good morning, Board. Genevieve Gale with the Central Valley Air Quality Coalition. I thank staff for that wonderful presentation. I agree with Paul it was a little rosy, but I understand the need for some rose glasses on this public health problem that we have in the San Joaquin Valley.

As many have said before us, the incentive funding has not come through all the way this year. And next year, our ask sky rockets to 800 -- over $800 million for the next couple of years.

And I think the presentation, especially showing trends of pollution levels in the valley, shows how far we need to go in how short a period of time. And betting on unappropriated funds for needed emission reductions is really scary for us. And we don't think it's an acceptable path. We don't see us attaining our clean air standards based on this plan.

And so we did submit a letter. I know it was very long, but I think it shows all the ways that we can get further emission reductions from a wealth of source categories from a backstop regulation on charbroiling, a backstop regulation on agricultural burning, technology upgrades at stationary sources.

We uncovered a wealth of opportunities there that come from electrifying engines, using solar panels or
solar power on oil fields, upgrading PM and NOx control technology at major stationary sources. If we can find this, what can CARB and the District come up with?

I think there's a lot of opportunity. And so our ask is for the SIP to be reopened for additional measures to be pursued, especially at stationary sources and for additional amendments included early next year.

Thank you so much.

CHAIR NICHOLS: Thank you.

MR. CARMICHAEL: Good morning, Chair Nichols, members of the Board. Tim Carmichael with Southern California Gas Company. Thank you for the opportunity to make a few brief comments.

I'll try and not repeat some of the many good comments that have already been made, but trucks are the key. And whether we're looking at the Central Valley or we're looking at the South Coast Air Basin, there's plenty of evidence that if we're trying to protect public health, or reduce -- or attain federal standards, or achieve our climate goals, trucks are the key.

In the San Joaquin Valley, a few people already mentioned this $3 billion price tag associated with the accelerated turnover of 33,000 trucks, which is a key to the current plan.

What hasn't been mentioned is if the strategy
were to focus on zero-emission, based on current
technology and current price points, we're looking at two
to three times that $3 billion price tag for the same
number of trucks being turned over.

We believe that the investment in near
zero-emission heavy-duty truck incentives is the most
effective strategy for reducing emissions from trucks.
You've heard a couple people mention that. It would be
helpful to have the staff take a look at that and either
confirm or refute that. If it is our most effective
strategy, shouldn't we continue it and shouldn't we
actually expand it?

We have taken a look recently about -- at fleet
purchases without incentives. And unfortunately, we were
not able to find any evidence of fleets buying near
zero-emission or zero-emission trucks without incentives.
So what they're buying, and what they will buy, and we
should expect them to buy is conventional diesel.

And unfortunately, ARB has handcuffs on. You
can't adopt -- you can adopt a regulation. You can't
implement it until '25 or '26. And so that's 5, or 6, or
7 years of more diesel -- conventional diesel purchases.

More than a year ago, as part of the VW
settlement briefing here -- adoption and briefing, staff
committed to -- if I could just finish this point -- staff
committed to give regular, and I think quarterly updates, on the incentive programs more than a year ago. And I don't think you have received one in the last 15 months. And we strongly encourage that to be part of the program going forward. It is very important for this Board to be briefed on all of your incentive programs and their effectiveness.

Thank you.

CHAIR NICHOLS: All right. Thank you.

MR. KENNY: Hi. Good morning, Chair Nichols, members of the Board. I'm Ryan Kenny with Clean Energy.

Just building upon that, I do want to mention a number, 679. I'll say it again, 679. We're part of a 45-member coalition that has deals in place right now for 679 low-NOx trucks pending HVIP approval.

And we believe that those deals will fall apart and go to diesel vehicles if it's not approved this year in the next funding plan for HVIP.

I'll also mention too, you may have heard, that the CEC recently adopted their investment plan for the clean technology program. And they have zeroed out low-NOx trucks for the third straight year. So if they're not funding incentives for low-NOx trucks, you know, we -- who will?

We do believe that any attempt to move low-NOx
trucks into Carl Moyer will be met with the market saying it's ineffective. Those 45 coalition members that we have are saying that the program Carl Moyer and Carl Moyer VIP is not working and it's ineffective.

Also, the Governor just yesterday signed AB 5, codifying the Dynamex decision. And Carl Moyer VIP requires that an applicant be a sole proprietor and have 10 or fewer vehicles. Many independent operators feel that they're going to be rushed out of business and they're going to have to go in-house to a commercial fleet. That's one less applicant base, a huge applicant base, for those funds. So again, Carl Moyer is not an effective program in our view.

As you consider the HVIP program over the next month, we do ask that the same funding be allocated as it was last year, 18.6 percent, and that the industry does work with staff to maybe fix AR -- or Carl Moyer over the next year.

It is very difficult for us to suddenly find ourselves defunded with incentive funding at the last minute when these deals are in place. And we're looking to put more low-NOx trucks on the road and fewer diesel. And I think that does fit into the three-part strategy of more incentive dollars and fewer emissions.

Thank you.
MR. MAGGAY: Oh, sorry.

CHAIR NICHOLS: I guess they need to reset the timer here.

MR. MAGGAY: Chair Nichols --

CHAIR NICHOLS: Yes.

MR. MAGGAY: -- Vice Chair Berg, Board members, good morning. My name is Kevin Maggay. I'm with SoCalGas.

The accelerated truck turnover measure is set to begin in 2021 and that leaves just three years to turn over 33,000 trucks with incentives. We urge the Board to take as much action as possible prior to that 2021 date to meet that goal.

We ask that the funding plan be completed as soon as possible as well, because this is one of the biggest uncertainties of the plan. We also ask that the funding plan take a portfolio approach where all technologies are eligible for all programs.

As you know, we’ve been hearing that staff is considering removing low-NOx trucks from HVIP. This goes against a 3-year heavy-duty investment plan. The investment plan identifies low-NOx trucks as a priority for HVIP for at least the next two years. And it quite doesn't quite make sense to me to defund a priority and continue to fund non-priorities.
It's been identified as a priority, partly because regions like San Joaquin and South Coast need that funding to make attainment. They will not make attainment unless there's a balance between funding near-term and long-term emission reductions. We've asked for balance many times. Staff has always said to look at all the programs holistically and there's funding in that program or the other program.

During the -- as Tim mentioned, during the VW settlement hearing, which took place in May of 2018, the Board directed staff to present the holistic view of funding and demonstrate that balance. Again, this is May 2018 and we still haven't seen that.

Until staff demonstrates the balance, and the San Joaquin funding plan is complete, there should not be any major shakeups in funding programs, such as defunding low-NOx trucks.

Lastly, I just wanted to point out that because of the Truck and Bus Rule, trucks are going to have to turn over to 2010 standards by January 1st 2023, meaning that the bulk of the trucks are going to be turned over in 2022, which is right around the corner.

There are 300,000 trucks that will need to be turned over by then. And this is a huge opportunity to move to alt fuel, but there may not be any funding
available. By then, VW will run out -- it only goes for 2 years. By 2022, there will be no VW funding. They won't be eligible for Carl Moyer, because it's for compliance. And if you defund HVIP, there will be no funding to turn over. Without incentives, as Tim mentioned, people will stick to the status quo. They'll purchase diesel trucks and that's what we'll be stuck with in the valley and in the state for a long time.

Thank you.

CHAIR NICHOLS: You know, this meeting has been hijacked already by the natural gas folks, who are here to complain about the allocation of funds between natural gas and other kinds of vehicles. And I've let it happen, because incentives is a -- you know, a general part of the topic, but we need to be addressing this in another forum. So you've had your time, you've made your point, but you're not going to get a response as part of this proceeding. And I think it's really unfair to the people who came here from the valley to talk about the overall plan that you've -- that you've used the hearing this way.

I will know call on Mr. Boccadoro.

MR. BOCCADORO: Thank -- excuse me. Thank you. And I'll try not to talk about trucks, even though I had planned to talk about trucks.

(Laughter.)
MR. BOCCADORO: So a couple of things.

Yesterday, CDFA did announce 93 additional dairy methane reduction projects, 50 alternative manure management projects, and 43 dairy digester projects. We now have funded over 200 such projects. And I -- it's not related to this SIP, but those projects are going to achieve 25 percent reduction in manure methane toward the 40 percent goal that was enacted just 3 years ago in Senate Bill 1383.

It's a tremendous success story for this Board and the cooperation with the San Joaquin Valley. Those digester projects, those AMMP projects are meeting their mark. The digester projects do provide a very important benefit from an air quality standpoint as well. Those projects, as they come online, were capable of producing 50 million gallons of diesel gallon equivalent transportation fuel, which will directly replace diesel.

Very important, because that can achieve - we've calculated this number with the Air District - 1,100 tons of NOx reduction per year. And so I'm promised not to say trucks --

(Laughter.)

MR. BOCCADORO: -- but without trucks, we can't get those NOx reductions.

So it is a very important point. It's a
tremendous success story. We need to make sure it happens. We'll have comments when the HVIP funding comes up next month. Thank you.

CHAIR NICHOLS: Thank you. And as you know, we've been big supporters of those digester projects.

MR. BOCCADORO: Absolutely. We greatly appreciate that. Thank you.

CHAIR NICHOLS: Okay.

MR. JOSEPH: Madam Chair Nichols and the Board. My name is Thomas Joseph. And my father comes from the Payahuunadu Valley, which is now known as Owens Valley. And I grew up there looking at Mount Tumanguya, which is known as Mount Whitney today. And my mother comes from the rainforests of Northern California, what's the last remaining part of our -- our rainforest.

And I've been to the San Joaquin Valley multiple times and have experienced their air quality, and have known that the decline of the air, and of our water, and of our land in the State of California has been because of the colonization of my ancestral lands, has been because of this introduction of capitalism, and that these are not solutions to be used in order to correct the errors of our livelihoods of the land that we live on.

My ancestors have lived over on this lands for over 10,000 years. We have the ancestral knowledge and
wisdom, we have the education and values, and the
traditional teachings to protect these lands. And that
I'm urging the Board to consider a new path and a new
direction for the protection of the State of California
and our air that we breathe.

That we can't continue to use mechanisms that's
just going to further perpetrate the destruction of our
ancestral lands. And I'm asking these people in the room
here, as they're standing on my ancestral lands, to be
empowered in this moment, to be courageous, and to know
that there's a decision that we need to make and that this
leadership needs to come from you, this new pathway
forward.

I come from a younger generation than the people
that's sitting at that table -- at the decision table.
And I have seen the process that your generation has made
and the direction that they have taken and the destruction
that that has caused on my ancestral lands. And so I know
that it's hard to think about this differently, but I urge
you to. And I urge you to do what is in the best
interests of not only San Joaquin Valley but the rest of
California and the earth as well.

Thank you.

CHAIR NICHOLS: Thank you.

(Applause.)
CHAIR NICHOLS: That concludes the list of witnesses on this item. It's not an action item, but if there are Board members who want to add any thoughts, I will urge you to be brief just because of the large number of people that are waiting to talk about the next item.

Mr. Florez, did you want to say something?

BOARD MEMBER FLOREZ: Yes. Thank you, Madam Chair.

Just a question to Mr. Corey and to staff that do you see anything unreasonable with the request from CVAQ to keep this open and to appoint a time that we could have additional workshops in the district to hone in on two items, stationary sources and also some of the locomotion sources as well. Simple question.

EXECUTIVE OFFICER COREY: I do not. Actually, I think both those requests are reasonable and appropriate. And our commitment is to follow up with the District, other stakeholders and have workshops in the valley concerning additional opportunities for reductions.

BOARD MEMBER FLOREZ: And thank you for that.

Thank you.

CHAIR NICHOLS: Yes, Dr. Balmes.

BOARD MEMBER BALMES: So the other physician on the Board Alex Sherriffs is down at the San Joaquin Valley Air Pollution Control District hearing, so couldn't be
here. I'm not going to try to speak for him, but I will emphasize that I have a long history working with folks in San Joaquin Valley on air pollution health effects. My research started -- it's now about two decades ago. And I'm actually happy that I just received word this week that I'm going to be able to continue the children's health and air pollution study that we've had funding for many years for, and the initial funding came from CARB to get that project started. So I thank CARB for that.

But I'm trying to say that I have -- even though I'm not a resident of the San Joaquin Valley, I do understand how bad the air is. And even though we've made great progress, which staff showed, you know, my research, which is going on now with current Fresno air quality, is still showing health effects on kids, and disturbing health effects with regard to risk of diabetes, risk of obesity, risk of blood pressure increase, all of which could contribute to the metabolic syndrome that many middle-aged folks have in this country, but in particular folks of Latino decent in the valley.

So there is an important public health impact that we're discussing today, and I thank the witnesses that have brought that up.

And when we did approve the current SIP a lot of people talked about the need for a plan B, if the
incentive monies did not appear as we'd hoped. And I think I agree with some of the witnesses it's time to consider a plan B. Senator Florez just mentioned stationary sources. I think that's an area where more could be done. And I think CARB staff working with the District staff could review where we could do more with stationary sources, especially for those 27 facilities that CVAQ identified — and I really applaud them for doing, I think, pretty nice research to get the ball rolling on this — and where best available control technology isn't being used anymore, I mean, even if it was appropriate 40 years ago when the facility was built.

And I'd just point out in the context of what we talked about earlier today about the Trump Administration's effort to rollback our authority to regulate fuel efficiency, that -- you know, that's -- who's that benefiting? It's benefiting the oil companies. And, you know, of those 27 facilities that CVAQ identified, the top 5, I believe, are oil and gas facilities.

Just saying.

(Laughter.)

BOARD MEMBER BALMES: And, you know, the hearing that is the reason that Alex Sheriffs isn't here is about AB 617, at least in part. And I think that having a
better handle on stationary sources in the San Joaquin Valley is important for AB 617 implementation in terms of the community emission reduction plan.

So I would endorse what Senator Florez just asked staff about to keep the SIP process -- the SIP review -- SIP process review in play with additional workshops and additional work between CARB staff and the San Joaquin Valley Air Pollution Control District, because I just think incentives, you know, aren't going to do the trick.

CHAIR NICHOLS: Thanks.

Mr. Eisenhut, did you want to say something?

BOARD MEMBER EISENHUT: Yes.

CHAIR NICHOLS: You had your hand up first, I think.

BOARD MEMBER EISENHUT: Thank you, Chair Nichols. Since this is non-regulatory item, I had some preliminary discussions with Dr. Sherriffs. And as has been referenced, he's unable to be here or has decided that his efforts would be better served by being part of the action item on 617. He is -- while I am not speaking for Dr. Sherriffs, I think our comments are decently aligned.

I want to acknowledge the staff -- the report of the staff, as we had requested, and the progress that has been made both through mobile source and stationary source work by the District and the Board -- the District and the
Board, and through the use of incentive funds.

The CVAQ note has made this a little easier and more direct. I also endorse with Senator Florez and Dr. Balmes the very succinct and directed request from CVAQ. I would -- I would suggest that early 2020 is a little -- a little prompt, given where we are at the end of 2019, and suggest possibly mid-2020 as a time frame for a report back.

The -- and specifically, there are also four -- which I don't think have been referenced, there are four ERC facilities which have been requested to be added to the 617 program. I believe that request came from a member of the committee, but not necessarily from the committee. So assuming that the committee is -- the 617 committee in Fresno is compatible with that request, I think it's worthy of attention.

So those are my only comments. Thank you.

CHAIR NICHOLS: Thank you.

Ms. Takvorian.

BOARD MEMBER TAKVORIAN: Thank you. Thanks to staff for the report. I appreciate it and it certainly is information filled. And particular thanks to everyone who is here today from the community who has provided such important information and to CVAQ particularly, the research is really stunning. I want to congratulate you
on that and thank you for the incredible work that you're doing.

    I would support Senator Florez's request as well as Dr. Balmes. I would also like to put a little bit more substance on the plan B request. I think that while the -- it's clear and the staff acknowledged that there's funding uncertainty, there has not been a connection between funding and the reductions that are needed to reach attainment. We need to see all that on one chart. And I know that's a difficult lift and I understand that, but we need to see where we're -- where the shortfalls are and where we need to make up for those with more stringent regulations, because that's what it's going to come down to and we need to have that conversation sooner rather than later.

    And I appreciate the staff's candor, particularly on the slide 17, which is -- it talks about total funding in each of those areas on slide 17. And you acknowledge that the funding was uncertain in terms of whether all of that would come at all, or what -- and how much would come for the valley, but we also need to get those projections on paper as compared to where we are with the reductions.

    So I think we need to see that all together. Otherwise, it's disjointed and difficult to make policy decisions going forward, but thank you.
CHAIR NICHOLS: Okay. I am going to bring this to a close, but I want to sum up what I think I've heard. And that is that there's a strong sense on the part of the Board that we would like to see further engagement and action in developing the measures that we feel are necessary for backstopping, if you will, or, in fact, adding to, as needed, the existing plan. I think there's no reason to wait for further reports before beginning that effort. So I would -- I see heads nodding at the staff table. I think they're ready to do that.

I would like to say on the funding issue that I was frankly disappointed this year also by the shortfall in the funds for the incentive programs that we have asked for. Aside from the question of which kinds of trucks get funding, there's a lot of funding needed no matter what.

And I would urge my fellow Board members who are the appointees or actually sit in the Legislature to keep an eye on this. I think that's one of the great advantages that we have from having you with us. And I will pledge to do my bit when it comes to talking with the Department of Finance about the budget, which is now under development. So that's not a promise that we'll achieve it, but at least it's a commitment that we will do -- we'll do better in terms of making the case for why this is so important.
I appreciate everyone who came. I think your continued vigilance is necessary and really helpful. So thanks to everybody. We'll see you again before too long.

I want to talk a minute now about what comes next, because there are many people here who are here that have an interest in our item on the Tropical Forest Standard. And I think we need to plan our time also.

So here's my proposal. I'd like to ask everybody to stand up and stretch in a minute for at least a minute or two before we sit back down, but not to leave the room and to get started right away on the staff presentation. And I'm also going to ask Assembly Member Board Member Garcia to give us a report on his work on this, effort, because if you will all recall, this is not the first time we've heard this item and the standard itself hasn't change. So we've already heard a lot of testimony about this issue in the past. I'm not saying we can't hear it again. But just a reminder that we've -- we have created a very voluminous record on this issue.

But I want -- at the end of the last meeting, we did not take action and we specifically asked Mr. Garcia to do some work on our behalf and he has done that and so I want to hear his report.

After that, I would like to take a break, because there's so many witnesses. I would like to have our lunch
break be short. I know others in the audience may want to
take a break too, but at least you'll be able to see where
you are in terms of the witness list. I would say a half
an hour is more than reasonable.

So we should do that, and then we'll proceed with
the 2-minute testimonies. And we'll ask those who have
formed groups and are ceding time to each other to, you
know, follow through on the commitments that you all made.

So with that, let's stand up for a minute.

(Off record: 11:26 a.m.)

(Thereupon a recess was taken.)

(On record: 11:28 a.m.)

CHAIR NICHOLS: Is this still working?
Yes. The sound is working. Good. Okay.
We're ready to get started again, folks.
I have a gavel here.
And how effective was that?
Somewhat. It was better anyway. Better. Maybe
it's just not a big enough gavel. Maybe I need one with
a --

BOARD MEMBER RIORDAN: A sledgehammer.

CHAIR NICHOLS: -- Bronze or something on it.

Somebody actually did bring me a gavel though.

All right.

BOARD MEMBER DE LA TORRE: That's a little one
CHAIR NICHOLS: I know. I know. I need a bigger gavel.

All right. Ladies and gentlemen, the next item on our agenda is Item number 19-8-6.

If you're not in your seat, you're not going to hear this.

Try again. Please, could you take your seats.

Thank you. Thank you.

We're going to talk now about tropical forests.

Tropical forest sequester billions of tons of globe-warming carbon dioxide. And they play a critical role in world weather patterns. They do a lot of other importance things for us too. But as far as the Air Resources Board is concerned, our jurisdiction is to deal with the climate issues.

We've all witnessed the disappearance of tropical forests across the globe over the last decades. And most recently, we have all seen images of the Amazon burning. So far this year, more than 87,000 first have ignited across Brazil alone. This amounts to more than 80 percent more fires than this same period last year. Many of these fires are ignited specifically to clear land for cattle ranching, and for crops, reflecting the current economic reality that values cleared forests more than intact
This is the economic backdrop that many in the region are forced to deal with as they try to feed their families. This is the current status quo that we face. And we can all agree I think no matter why we are here with respect to the standard, that this is a situation that has to be changed.

The scale of the destruction is difficult to imagine. Every day, we are losing, the world is losing, a forest area the size of the City of Sacramento. We lose these trees, as we said before, to land clearing, but also to harvesting, and other threats, including resource extraction, and fires.

Today, we have an opportunity to help change the destructive status quo by providing an alternative and incentivizing investment that flips the economic equation that has led to the wholesale clearing of tropical forests. That is the motivation for this issue being in front of us.

California's Tropical Forest Standard is the first of its kind, the first governmentally-enacted standard to -- in the world that makes it possible to value standing forests more than forests that have been cleared, slashed, and burned or degraded.

To achieve that goal, the standard raises the bar
higher than any standard currently in effect anywhere.
This has been a very long and difficult road to get to
this point where we're holding this meeting today. The
standard has been under discussion, under review for more
than a decade, not just by people in this room but by
people in many other forums as well.

In the original 2008 scoping plan, we wrote that
providing incentives to developing countries to help cut
emissions by preserving standing forests and to sequester
additional carbon will be crucial in bringing these
countries into the global climate protection effort.
California recognizes the importance of establishing
mechanisms that will facilitate global partnerships and
create sustainable financing mechanisms to support
eligible forest carbon activities in the developing world.
That's a quote from 2008.

In the intervening years, we've worked to develop
that vision. We evaluated other international
deforestation reduction programs. We worked alongside and
with the encouragement of other governments, including two
dozen tropical states and forests -- and provinces, sorry.
The governments of Norway, South Korea, and Mexico.

We were also committed to ensuring that along
with providing incentives to protect tropical forests, we
also worked to ensure that the standard would safeguard
the rights of the indigenous peoples who live and work in and around them.

Thanks to the help and partnership with expert scientists, extensive meetings with indigenous leaders from affected areas, and the engagement of subnational governments that have jurisdiction over tropical territories, I can now say that this standard will have the effect of motivating investments into better tropical forest management in a way that is more protective of indigenous rights than is anything -- than anything that currently exists.

Does that mean it accomplishes all of our goals? No, I'm not saying that. I am saying it is better than what currently exists. The standard improves livelihoods, slows loss of tropical forests, and sends a strong signal for jurisdictions to take immediate action.

Founded on a bedrock commitment to safeguard indigenous and local rights, the standard will support the following approaches that will assure that these forests remain:

International payments for programs that can demonstrate reductions in deforestation; sustainable commodity supply change initiatives by corporations; making progress towards the Paris agreement goals; providing the highest standards for emerging compliance
markets that already include forests; and provide the highest standards for voluntary carbon markets. Voluntary carbon markets.

The standard is different from other mechanisms in place in terms of its scale. It's designed for use by national and subnational governments over an entire jurisdiction, such as a province or state, and not through individual or smaller scale projects. That scale helps to address concerns about leakage and permanence.

The standard also addresses questions of additionality, enforcement, and governance at this higher jurisdictional level. And on the issue of engaging the people who live and work in these forests at the larger scale, I want to make it clear that the standard includes a robust set of principles in effect for collaboration between State and provincial governments and indigenous and local communities.

To be clear, endorsement of this standard will not produce any credits for California's climate programs. While the standard will very likely inform other carbon offset programs, acknowledge that, I want to emphasize the point that it will also drive additional approaches for preserving forests. In fact, the strength of the standard is that it supports a broad array of approaches, not just offsets, to help preserve tropical forests beyond offsets.
It can, for example, serve to establish a methodology to support sustainable chain -- supply chain initiatives, or provide payment for forest service programs, or support efforts by foundations or governments that want to set up verifiable actions to slow or reduce deforestation.

I also want to take a moment to address some of the comments I've read on how the Tropical Forest Standard may relate to international aviation as there seems to be some confusion on this part.

We agree that emissions from international flights are a serious concern and we know that efforts to address these emissions must increase. These efforts include changes to transition -- changes and a transition from petroleum-based fuels to cleaner, renewable alternatives, looking at electric and solar planes, which are actually under development even as we speak, including in California, and other engineering solutions.

California should be proud that some of the engineering and alternative fuel development is occurring here thanks in part to the signals sent by our Low Carbon Fuel Standard that we adopted way back in 2008.

We also know that transforming the global aviation sector is an effort that's going to take a little time and that the sector has already announced that
they're looking to forests as a component of their near-term emissions planning.

It's unclear which types of methodologies and approaches the aviation sector may look to, and there's a risk that it may be weak, which is why we believe that the Tropical Forest Standard actually sends a signal that's a high bar, and that a high bar could not only be possible, but that we will hold aviation accountable to focus on transitioning out of petroleum, as well as using rigorous and transparent standards for any form of mitigation to become carbon neutral.

This is not a case of California's actions on tropical forests encouraging the aviation sector or any other market programs to suddenly start looking at forests. On the contrary, these folks have been looking at forests for many, many years.

Rather, it's about ensuring that the highest standard possible is in effect, so that they don't resort to programs or approaches based on lower standards. As I mentioned earlier, this is our second Board hearing on this -- on this very matter. Following a very full meeting last November, in which we heard many different perspectives, we opted to take no formal action.

After that Board hearing, Assembly Member Garcia convened several meetings inviting others to attend,
working with fellow legislators to continue engaging with stakeholders, on their concerns.

He undertook this effort on his own. ARB staff was invited to observe, I believe, but was not involved in creating, running those meetings. I would like to ask Assembly Member Garcia now to provide us some details on this process, as well as his perspective on today's actions.

It's impossible, I would say, to forget the recent images of the Amazon burning. There's no better time for California to lead or for the Board to take action. We are losing forests at the rate of more than 30 football fields each and every minute. And we really cannot just keep moving this issue forward without doing anything about it. That would be, I think, unforgivable.

So I guess, Mr. Corey, you want to do -- introduce the staff report and then we'll hear from Assembly Member Garcia, is that how you want to do this?

EXECUTIVE OFFICER COREY: That's correct.

CHAIR NICHOLS: Okay. If that's acceptable, then that's what we'll do.

Okay. Thank you.

EXECUTIVE OFFICER COREY: All right. Thanks, Chair. The -- as you noted, for the past decade, staff has been working with expert scientists, indigenous
leaders from the tropics, and other subnational
governments to develop partnerships and expertise that has
lead to today's proposal.

Following the public hearing last November, and
based on further consideration of the issues raised by
stakeholders and additional input from members of the
Legislature, staff released an updated version of the
standard on July 30th, 2019 for public comment.

Revisions presented by staff today serve to
strengthen, bolster, and clarify key provisions of the
standard to further address stakeholder comments. We'll
hear about specific changes in the staff presentation, but
I wanted to high -- highlight one critical area.

We revised the standard to more explicitly list
the social and environmental safeguards that must be
present for any jurisdictions using the standard. This
includes consultation processes and rights recognition
processes with indigenous peoples. We're the best
guardians of the forest.

The Standard is truly the first of its kind, as
you noted. It combines a focus on increased rigor,
transparency, and benefit sharing, as well as leveraging
the ongoing efforts in the United Nations process.

The Tropical Forest Standard serves as an
actionable model that will bolster discussions and action
within other jurisdictions and other programs as noted. If endorsed today, we'll report to the Board annually on the progress being made by implementing jurisdictions. The standard provides a strong signal to value the preservation of tropical forests over continued destruction activities, such as oil exploration and extraction.

It recognizes that lands managed by indigenous and local communities contain higher levels of carbon and encourages this model in establishes rigorous social and environmental safeguards.

While endorsement of the standard will not result in any changed regulatory programs in California, as you noted, it will support important actions to address climate change. And we'll make it available to jurisdictions throughout the world to incorporate in their tropical forest protection efforts. So we'll be asking you, in the staff presentation, to endorse the standard.

I'll now ask Barbara Bamberger of the Industrial Strategies Division to give the staff presentation.

Barbara.

(Thereupon an overhead presentation was presented as follows.)

AIR POLLUTION SPECIALIST BAMBERGER: Thank you, Mr. Corey.
We are here today to talk about the increasingly critical situation facing tropical forests and to present the updated California Tropical Forest Standard for Board consideration. As the world continues to lose tropical forests the size of South Carolina every year, I will be presenting the culmination of an 11 year process to develop the standard. We have made important strides addressing emissions in state, and we know we have a lot of work that remains ahead of us. We also know that we cannot address climate change without consideration of emissions from all sectors, including tropical deforestation.

Since last November, we have made updates to bolster and clarify requirements within the standard. I will present those updates and why it is important for the Board to act on this globally critical issue. I also want to be very clear that today's action is not about California's Cap-and-Trade Program nor will it result in any offset credits that would be able to be used in California.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: I will start by discussing the state of tropical deforestation and what has occurred since last November's Board hearing. I will talk about why California's action on tropical forests is
significant and how California's leadership has the
potential to move the global needle and set the highest
level Standard ever endorsed by a government to date.

I will describe the key updates staff has made to
the Standard and what these updates mean, and I will
detail the additional three independent sets of social and
environmental safeguards that have been directly
incorporated into the Standard, requirements that support
the rights of indigenous peoples and local communities.

And finally, I will --

CHAIR NICHOLS: Excuse me, Barbara. I want to
interrupt you for just a second. I apologize. But I just
want to make sure, because we are translating this part of
our meeting. You're obviously moving pretty quickly and
we can follow you, but I want to make sure that whoever is
translating for all the people in the audience is able to
keep up with this, because this is a very different pace
than what's normally used in a -- like a UN type
proceeding, where they're doing simultaneously
translating.

So this is not a simultaneous -- we're not
offering simultaneous translating. We're not at that
level. But I just want to make sure that people are able
to follow it. If I could ask the translator who's here
with the group, I would appreciate that.
We okay?

(Laughter.)

CHAIR NICHOLS: Thumbs up. All right. Okay.

(Laughter.)

CHAIR NICHOLS: Thank you very much.

Thank you.

All right. Go ahead. Sorry for the interruption.

AIR POLLUTION SPECIALIST BAMBERGER: No problem.

Finally, I will present staff's recommendation to endorse the Standard today.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: Tropical forests are vital ecosystems for all of us. They are home to incredible biodiversity and provide the foundation of indigenous peoples' lives and cultures. Tropical forests help cool the climate and climate science is clear in documenting the links between tropical deforestation and its effect on global weather patterns, including here in California.

The rapid loss of tropical forests continues to threaten our climate, our public health, and the global economy. Since the November Board hearing, we have seen devastating levels of deforestation around the world. Tropical forests are experiencing greater threats than
just 1 year ago. And tropical deforestation has hit
levels not seen in over a decade.

Tropical forests are being cleared at a rate of
30 plus football fields per minute, and land is being
cleared for cattle, mining, oil extraction, and crops.

In the last 10 months alone, more than 20 million
acres of tropical forests have been lost. Some recent
estimates point to even higher rates of loss.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: There are
specific types of activities that continue to threaten
tropical forests. We have seen a nearly 80 percent
increase in fires in Brazil since 1 year ago. Last week,
the New York Times reported that a coordinated series of
fires were set to clear forested land, inspired in part by
the economic signals that favored cleared overstanding
forests.

We continue to see tropical forests cleared for
oil extraction and mining, such as the devastating gold
mining impacts seen in parts of Peru. Cattle ranching is
one of the main drivers of deforestation in the Brazilian
Amazon. Soy and palm oil production, timber, and other
agribusiness are devastating South American, Indonesian,
and African tropical forests.

For many people involved in these activities,
this is their livelihood and this is the status quo now. That status quo is influenced by the demand for these products here in California and around the world. So today, these forests are valued more to be cleared than they are for their vital ecosystem and climate values.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: Given the scale of these threats, it can help to look to remote sensing imagery for a better sense of the global problem. The fires throughout the tropics have rightly grabbed global attention. This is a map made from the Global Forest Watch website.

Satellite imagery is now available at a scale that enables anyone to view near real-time changes in fire incidents and forest canopy across the globe. This fire is free to create, it is available publicly, and it is easy to analyze.

It illustrates fire alerts around the globe during a 7-day period of time. We'll show a map of forest cover and forest loss on slide 7. Finer resolution data is also available from various sources.

For instance, Planet Lab satellites took this image of fires in Para, Brazil last month. And if the Standard is endorsed and utilized by a jurisdiction, it requires this finer resolution data to be made publicly
available on an annual basis. Those images will be
accompanied with field-based measurements and third-party
verification.

As we'll describe toward the end of the
presentation, all of this information is available for the
public to review.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: So what does
this all mean from a climate perspective?

Emissions from deforestation exceed emissions
from the global transportation sector, meaning they exceed
emissions from all buses, cars, trains, and plains
combined. And even before the current fires, the IPCC
estimated that tropical deforestation results in between
11 and 14 percent of all global greenhouse gas emissions.
That is more than 10 times larger than California's
emissions.

The effects of tropical deforestation are global
and impact all of us, California included. As discussed
last November, widespread deforestation in the Amazon
could result in reduced snowpack in California and impact
our rainfall. Two recent IPCC reports, including the
recent climate change and land-use report emphasize the
need to focus on all emission sources, including from
forests, in order to limit warming to 1.5 degrees Celsius
by mid-century. So the question becomes what can be done about this?

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: That is the very purpose of this Standard, to provide one tool to help address that question and to reverse the status quo. It seeks to incentivize actions that ensure economic development for jurisdictions, communities, and families, while protecting tropical forests.

The Standard stems from years of partnerships between CARB and expert scientists, indigenous leaders from tropical forested regions and subnational governments with jurisdictions over tropical territories.

In particular, those with the Governors' Climate and Forests Task Force, which includes 38 states and provinces from around the world and covers more than 25 percent of the world's tropical forests. We have developed the Standard to move the needle toward valuing standing intact forests over cleared land.

The Standard is a best practice methodology that provides an economic incentive to preserve forests; it establishes an international model that can incentivize jurisdiction-scale emission reductions from deforestation and it does so with increased stringency, accountability, and transparency.
The Standard creates a usable and transparent method to measure, monitor, and verify the impact of actions to reverse the trend of deforestation. As mentioned on slide 5, this monitoring would require the use of remote sensing. This slide provides a time series showing forest loss maps from the Global Forest Watch from 2001 to 2018 from the State of Rondonia, Brazil. The color red indicates forest lost over time.

The Standard also incorporates three of the most progressive, social, and environmental standards available today, improving livelihoods while slowing the loss of tropical forests. It requires consultation and engagement with indigenous peoples and local communities, as well as rights recognition, and sharing of financial benefits, so these benefits flow back to those communities. Today's endorsement of the Standard will send a necessary strong signal to encourage jurisdictions to see value in reducing deforestation rates.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: The Tropical Forest Standard is a detailed stepwise approach that quantifies and tracks greenhouse gas emission reductions. It establishes clear, robust criteria providing full transparency to staff and the public to assess jurisdiction-scale deforestation reduction programs in
action.

The standard is designed to address tropical deforestation at scale at the size required to address the problem. We have focused at the subnational government scale, because our early workshops and meetings pointed to stories of concern and experiences from operators or observers of small scale projects that did not take into account the rights of people living in those communities or affected by those decisions.

We have listened and learned from those experiences and we have designed our Standard to avoid those experiences. And we have instead asked the representative of those communities and indigenous organizations what they need and incorporated those elements into the design of the Standard.

We have not designed this in a vacuum. It is very much a product of participation and inclusion over a decade. We have focused on government scale, policy, and legal-driven approaches. And we have done so because partner jurisdictions have urged California to develop this type of methodology for many years.

The Standard highlights requirements for consultation and engagement with indigenous peoples and local communities. It requires rights recognition and benefits to flow back to those communities. Governments
must comply with a series of social and environmental safeguards, including principles developed by a global partnership of indigenous peoples representing millions of individuals for rights recognition, and territorial recognition, and free, prior, and informed consent.

Study after study shows that tropical forests in indigenous territories are the most protected, but lands outside of those territories and lands without recognized rights result in encroachment and threat to indigenous territories.

This is key - our most recent updates emphasize that without rights recognition of indigenous peoples, efforts to halt deforestation will not work.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: The Standard has been developed and refined over the past decade. The core of the Standard is the jurisdictional sector plan. The sector plan is the roadmap for the jurisdiction. While the Standard provides rules and procedures by which a sector plan is developed, the sector plan would typically include a suite of jurisdictional programs and policies that will result in reductions in emissions from deforestation. A sector plan must have detailed requirements for monitoring, reporting, and verification. It must identify the jurisdiction's reference
level, a value that reflects historic deforestation based on a 10-year consecutive time period.

There are requirements for annual reporting of emission reductions. The Standard requires that jurisdictions use the best available satellite imagery coupled with ground-level measurements to monitor and report on their progress.

Third-party verification is also required to ensure accuracy of reported emission reductions and conformance with the sector plan. Verification ensures accuracy and integrity of any claims of emission reductions, as well as conformity with social and environmental safeguards.

The standard specifies that verification must be conducted by a team of experts that includes forest biometricians, indigenous rights experts, social scientists, and others. These verifications must be conducted independently and must be demonstrated to not have conflicts of interest. There are requirements to ensure the permanence of any emission reductions and contributions to a forest buffer pool to ensure against reversals.

The Standard requires additional emission reductions below the crediting baseline. Crediting or payment for services would occur once a jurisdiction
achieves 10 percent below that crediting baseline.

The sector plan must also take into account leakage. The plan must address mechanisms to mitigate or eliminate leakage. The sector plan must include an effective forest mechanism -- enforcement mechanism and must make reports and data publicly available annually.

Finally, the sector plan must include the three sets of safeguards to ensure its plan takes into account indigenous peoples and local communities. We will discuss in detail the safeguard requirements on the next slide.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: Our recent amendments to the Standard now emphasize that without rights recognition of indigenous peoples, efforts to halt deforestation will not work. Jurisdictions using the Standard must conform with three independent sets of social and environmental safeguards. The safeguards include: the United Nations Framework Convention on Climate Change Cancun Safeguards, which form the basis of the international safeguards approaches.

Jurisdictions must demonstrate consistency using the principles, criteria, and indicators that conform to international best practices for social and environmental safeguards.
Thirteen safeguards from the Governors' Climate and Forests Task Force's Global Committee on Indigenous Peoples and Local Communities, known as the GCF Guiding Principles. CARB has worked closely with the GCF Task Force since 2008, partnering with subnational jurisdictions who are establishing programs to reduce emissions from tropical deforestation.

During this process, 13 principles were developed through a global collaboration of indigenous peoples representing millions of individuals and GCF member states and provinces.

Last year, at the Global Climate Action Summit of San Francisco -- in San Francisco, these same indigenous leaders, some of whom are with us here today, brought the guiding principles to the member jurisdictions of the GCF Task Force for a historic vote, pledging that any program they implement would incorporate and follow the principles adopted: namely rights recognition, territorial recognition, and free, prior, and informed consent. These principles are incorporated into the California Standard.

A coalition of human rights and environmental organizations, including human rights organization CARE International, developed a series of social and environmental safeguards that included 7 principles, each with its own set of criteria and each criteria with its
own set of measurable indicators. These safeguards have been incorporated into the California Standard.

Together, these safeguards require consultation with, participation by, and benefits sharing with indigenous peoples and local communities in the design and implementation of any program that uses the California Standard.

These safeguards ensures recognition and respect for rights to land, territories, and resources, and requires benefits to be shared equitably.

--00o--

AIR POLLUTION SPECIALIST BAMBERGER: Following the Board meeting in November, staff has continued to assess comments from the hearing, and has received input from members of the Legislature. In response, staff proposed revisions to the Standard to address stakeholder concerns. We released the revised Standard for comments in July and received comments from many stakeholders. We'll talk about those revisions in the next slide.

--00o--

AIR POLLUTION SPECIALIST BAMBERGER: Our revisions strengthen, bolster, and clarify provisions in the Standard. The three international safeguards described earlier have been fully included as attachments to the Standard. We have added provisions to better
identify and address leakage risk. These include requirements for transparent analysis of the economic drivers of deforestation in any jurisdiction using the standard, as well as an assessment of the types of activities the jurisdiction will implement to move toward more sustainable production while drastically reducing deforestation, or to replace the unsustainable activity while drastically reducing deforestation.

We have clarified annual reporting and verification requirements to ensure that greenhouse gas emission reduction and social/environmental safeguard reports are reported and verified annually, and the revisions enhance transparency throughout the Standard.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: A great deal of work has gone into developing the Standard before you today. It is the result of multiple stakeholder workshops, white papers assessing expert recommendations, meetings with subnational and national partner jurisdictions, a full public comment period, a Board hearing, and legislative input. The result is a revised Standard that raises the bar to a level not seen before at a jurisdictional scale.

We have been asked by many other governments to compile these efforts into a workable Standard, because
California is looked upon as a leader -- a climate leader, as a State and a people who can help set the bar high and continue to push it higher.

This is what the Standard is all about. It is purposefully designed to motivate investment into better forest management in a way that is more protective of indigenous rights than anything that currently exists.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: To be clear, this discussion today is not about the Cap-and-Trade Program or about California offset credits. The Standard does not link with any jurisdiction with California's program. Endorsement of the Standard does not allow tropical forest offset credits to be used in California. Rather, all of our discussion today is about a methodology for incentivizing needed action to reduce tropical deforestation.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: So how could the Standard be used? By providing a usable and transparent method to measure, monitor, and verify actions to reverse the trend of deforestation. It is designed to attract investment in maintaining standing forests. Investment could include international payments for jurisdiction-scale programs demonstrating reductions
in deforestation.

Sustainable commodity supply change initiatives — such as a certification program designed at a jurisdictional scale to support net-zero deforestation commitments. On this point, just last week, reports came out indicating that the 350 most influential companies whose operations affect forests were far from on track to meet their commitments under the 2014 New York Declaration on Forests. This declaration seeks to slash deforestation in half by 2020. We now have a standard that can be used at scale to support these efforts.

It can also support efforts to make progress towards Paris agreement goals. Donor programs such as those from Norway, Germany, and others could look to jurisdictions to utilize this Standard as potential partners. And we know markets such as those being developed in China, Mexico, and the civil aviation sector plan to use the forest sector in their design. This Standard ensures that there is a high bar that these programs can use.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: I'd like to focus more on the engagement we have had with indigenous peoples and organizations related to the Standard. This group included -- this -- this has included years of
discussion an engagement with indigenous groups, including: the Yurok Tribe; The Alianza Mesoamericana de Pueblos y Bosques, representing 11 indigenous governments from throughout Mexico and Central America; the Coordinator of Indigenous Organizations on the Amazon Basin, representing 9 national level organizations and 2.5 million people from 9 countries of the Amazon; the Indigenous Peoples' Alliance of the Archipelago of Indonesia, representing nearly 15 million indigenous peoples; and others.

Together, these indigenous governments and organizations have created a global committee of indigenous peoples and local communities of the Governors' Climate and Forests Task Force.

These same organizations have fought for their people, their territories, and for recognition in the United Nations process and within their own countries. They are the best defenders of their forests and they developed the GCF Guiding Principles that are so critical for the Standard.

This engagement has also included years of discussion with GCF jurisdictions. And we're pleased to see the participation of many jurisdictions in the public process of this standard, as well as the ongoing participation of so many indigenous leaders.
AIR POLLUTION SPECIALIST BAMBERGER: At the Board hearing last November, this Global Committee of Indigenous Peoples and Local Communities of the GCF Task Force offered to provide crucial oversight of implementation of the Standard in jurisdictions that seek to use this Standard.

This offer includes monitoring the design and implementation of any jurisdictional program, including assessing how it comports with the GCF Guiding Principles and other aspects of the standard. The Global Committee indicated it would focus on ensuring consultations are carried out in full and that benefits are shared equitably. These indigenous leaders are on the ground in these jurisdiction and are best able to monitor and report on progress, on lessons learned, successes, and challenges in the implementation of the Standard.

We expect to hear that same offer again today. And we look forward to receiving direct ongoing information and monitoring from these indigenous leaders.

AIR POLLUTION SPECIALIST BAMBERGER: In the event that the Board endorses the Standard, staff will provide vigorous and proactive monitoring of its use.

First, any jurisdiction that follows the
requirements in the Standard must make its sector plan, its deforestation rates, its annual greenhouse gas reports, its consultation possess, and safeguard reports, and all remote sensing and ground-level data about its program publicly available.

Second, it must also ensure conflict-of-interest-free, independent, third-party verification of its reports. And those verification reports must also be made publicly available. These verifiers will be assessing the impacts of the Standard on the ground and in the field. CARB staff and the public will have access to all this information.

Third, we look forward to receiving information from the Global Committee of Indigenous Peoples and Local Communities described on the private -- on the previous slide. This information will come directly from indigenous people on the ground, who will be working to ensure the social and environmental safeguards program, program consultation requirements, and results benefit indigenous communities.

Fourth, based on the level of interest in this item from non-profit organizations, think thanks, academic institutions, researchers, and civil society in general, we know there will be many eyes on how the Standard is used. Since the Standard requires so much information to
be made publicly available, and since existing remote
sense technology is improving and increasing, CARB staff
and the public will be able to observe changes in near
real-time on the ground. We'll be able to observe
improvements in deforestation rates in jurisdictions that
use that standard.

Finally, we expect to monitor and compile all the
this information, assess it, and report it back to the
Board. This monitoring and reporting will enable CARB
staff to suggest recommendations on improvements or
changes to the Standard as needed.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: CARB staff
prepared a draft environmental analysis, which was
released to public -- for public comment on September
14th, 2018 through October 29, 2018. This Standard --
this analysis assessed compliance responses, potential
alternatives, reasons for rejecting alternatives, and
providing the environmental background behind the
Standard.

CARB staff prepared revisions to the Standard in
July 2019 that served to clarify -- to strengthen,
clarify, and bolster the requirements of the Standard.

None of the modifications presented in the
revised Standard altered any of the types of foreseeable
compliance responses evaluated or conclusions reached in
the Draft Environmental Assessment or provided new
information of substantial importance relative to the EA.
These revisions did not require recirculation of the draft
document pursuant to the CEQA guidelines before
consideration of the Board.

CARB has prepared a Final EA, as well as
responses to comments received on the Environmental
Analysis which were released on November 9th, 2018, and
more recent comments on September 9th, 2019.

--o0o--

AIR POLLUTION SPECIALIST BAMBERGER: As Chairman
Nichols stated in her opening remarks, the status quo for
tropical forests is devastating. We believe the Standard
with all of its rigor and ability to monitor its use will
help provide an alternative to incentivize sustainable
economic development that protects forests, people, and
the climate.

Given the threats faced by tropical forests
today, we cannot afford not to act. Staff recommends
endorsement of the Tropical Forest Standard, approval of
the response to environmental comments, certification of
the Final Environmental Assessment, and making the
required CEQA findings.

If endorsed, we expect to see jurisdictions and
programs take the Standard and use it. We will conduct monitoring based on transparent public reporting and verification. The GCF Global Indigenous Committee will be monitoring the use of the Standard, as well as civil society, and academia. CARB staff will continue to engage with the GCF Task Force, indigenous peoples, and others as the Standard is implemented.

We will collect information from all of these and other sources to enable us to vigorously and proactively monitor the use of the Standard to determine if improvements are needed and we will report back to the Board annually on our findings.

Now, Veronica Eady, our Assistant Executive Officer for Environmental Justice would like to make a few remarks regarding the staff proposal.

Veronica.

ASSISTANT EXECUTIVE OFFICER EADY: Thanks, Barb. Since there are some very clear environmental justice and indigenous peoples' rights issues here associated with this proposal, I just wanted to make a few quick comments.

First, I want to thank the staff for all the work that they've put into this in bringing it to this point. These are some really complex and difficult issues. So I want to thank them for that. But I also want to
acknowledge the great distances that people have traveled both today and last November to be here and to weigh in. Obviously, that signals the importance of the issue. And I think that we're really fortunate to have everyone here today to weigh in on the issue.

Finally, I want to underscore the importance of the monitoring and reporting that Barb mentioned in her presentation. I think that local and traditional knowledge should factor strongly into the implementation and how we carry it out. And to that end, if the Board does adopt the Tropical Forest Standard, I think that we should make a commitment to ongoing dialogue with stakeholders, especially those from indigenous communities who may be impacted.

We can do this through the monitoring process. And I think that this will help to ensure that any human rights abuses that are a potential here are eliminated.

So thank you.

CHAIR NICHOLS: Thank you. Appreciate that.

Now, should we turn to Mr. Garcia?

Yes.

ASSEMBLY MEMBER GARCIA: Thank you.

Thank you for the opportunity to say a few words before the public testimony, certainly recognizing the work of the team here at the ARB for preparing this
presentation and thank you, Chair Nichols, for the
opportunity to chime in.

After listening to all the views that were raised
on the proposed Tropical Forest Standard back in November,
I offered myself to seek further stakeholder and
legislative input on the issues surrounding the proposed
standard and certainly have no regrets to doing so.

Together with Assembly Members Bloom, Kalra, and
Reyes, we held three, what I would say, in depth
stakeholder meetings on the proposed Standard that were
all open to the stakeholders. And at any given meeting,
we had anywhere between 20 or 30 representatives from the
various organizations that many who I see here today of
course. At the third meeting, we did have someone show up
and say I didn't hear about any the first two meetings.
And, of course, that tends to happen usually with things
like this. But we made every effort to ensure that
everyone was invited and could participate.

The first meeting was with opponents, the second
with supporters to respond to opponent arguments, and the
third was with all the stakeholders sitting at the table
together going over some of these concerns, concerns that
have been highlighted in the presentation. Many of them
additionality, permanence, leakage, verification, and
indigenous and human rights, which I believe are at the
top of the list of prioritization for us to consider. Everyone, of course, very passionate and concerned about the proposed standard and what happens next.

I would like to say that it didn't matter who they were, all the stakeholders agreed that a tropical forest action -- doing nothing certainly was not an option. Really, the question here was whether or not the Standard is what we should be moving forward and does it do enough to address the adverse impacts on indigenous people and on the climate. We also concluded that action has to be taken to reverse the loss of tropical forests that is occurring today, including loss due to economic signal that spur mining and oil development, as well as the creation of pastures for cattle grazing, just a couple of areas that were specifically mentioned.

Despite this broad agreement, it's obvious that supporters and opponents of the Tropical Forest Standard have very strong and divergent views on whether the Standard should be part of the strategy for addressing tropical deforestation.

In the discussions we had, I was inspired by the experiences that leaders of indigenous communities from tropics shared with us, including the very real struggles they face, the often dangerous situations forest guardians confront, and the wisdom of their approaches to ensuring
they are at the table and helping lead these discussions. These indigenous leadership stories and input reminds me of many communities, even like the ones that we represent in California who have paved the way for increased community monitoring, increased environmental justice dialogue, and increased focus on equity.

I certainly am committed to continue to push at this level, as well as at the community level, that I just referenced, people that I represent in my district and throughout California.

After considering all sides and arguments, you know, my colleagues and I sent a letter to the Board dated June 17th recommending a series of revisions to the Standard to further strengthen it and encouraging the Board to endorse the Standard, because we believe that informed action, as presented by the Standard, however imperfect, is preferred over the status quo, which is why we noted it's not sustainable.

When endorsing the standard, we also recommended that CARB should commit to vigorous and proactive monitoring of any jurisdiction that uses it. I'm pleased to see that several of the recommendations were incorporated. There certainly was feeling that more rigorous monitoring could be done by the Air Resources Board. And I know that was mentioned in the presentation
just now.

I understand the staff and all the indigenous leaders and others are committed to ensuring vigorous and proactive monitoring of this use of standard. I look forward to hearing more about this during the public testimony. Should the Board endorse the standard, all of us need to work together to monitor its use report on what's working and what will not be working, as well as be prepared to make future changes to reflect what we learn.

This cannot be set -- set it and, as they say, forget it, kind of a situation. I expect we will hear a wide range of views today. Many may see the standard falling short of being perfect, but for my colleagues and I, it provides a necessary signal that places the preservation of tropical forests over continued destruction activities, such as oil exploration, and extraction. It represents and important step forward ensuring indigenous communities are consulted and protected while pursuing action in this critical ecosystem that protects our climate.

I encourage the Board to endorse this revised Standard today, because I know that all of us take concerns of stakeholders seriously and the responsibility that comes with leadership on this issue is too important for us to abandon.
Again, you know, we expect to hear from staff and from others who will be monitoring the use of the Standard, on how it's being used, how we can make it better, and how we take stock and take action, if we run into problems or implementation doesn't go as planned.

Thank you. I look forward to this public hearing and getting some additional feedback. I wanted to make sure that I read that statement. I speak on behalf of the colleagues that I mentioned earlier that wrote the letter dated June 19th. Certainly, an issue that we took very seriously and many of the concerns to heart and consideration. And I just wanted to say I appreciated the opportunity to be part of those discussions and continue to remain engaged, even after an action is taken today, whether endorsed or not.

But we know that this isn't an issue that's going to go away, if it isn't endorsed. So those are my comments. I'm happy to answer any questions to anyone on the Board. But again, certainly don't regret volunteering to participate in this process. I think I realize how significant -- today, more than I did in November how significant this decision before us is than I did when it first came to us in November.

So thank you again.

CHAIR NICHOLS: Thank you for all of the extra
time and effort that you and your staff put into
cconducting those discussions and your very thoughtful
comments on what you learned.

My suggestion would be that we take our break
now, resume on time, and when we do, we go immediately to
the public testimony. And then Board members can
obviously raise questions and issues that they will have
of the staff, the staff will have an oppor -- opportunity
to respond and then we'll go from there.

So thanks all. Thanks very much for your
attention. This has been really a good process so far
today. I appreciate the fact that people are holding up
their signs and making their views known with their
T-shirts and other ways, but that you have listened so
attentively.

So look forward to speaking with you and hearing
from you in a half an hour. So let us come back at 5 of
12:00 or is that 10 of -- I mean, 10 of 1:00? Can you do
that. Five of 1:00. Okay. Five minutes to 1:00 o'clock
we will try to be in our seats at that point.

Thank you.

(Off record: 12:20 p.m.)

(Thereupon a lunch break was taken.)
AFTERNOON SESSION
(On record: 12:55 p.m.)
CHAIR NICHOLS: It's working. It's working.
Okay. We're about to begin again. But I want to say something to the people who are not in the audience here today.
Hello?
Okay. This is an announcement that's going out via the web.
BOARD MEMBER RIORDAN: Yeah. I don't think you're on.
CHAIR NICHOLS: Okay. Oh, Okay.
Are we now back?
Not quite. About to be back.
Okay. This is an announcement that's going out to members of the public. It has nothing to do with tropical forestry. It has to do with trucks. We have been hearing chatter out there that there are some people who think that the Trump administration's announcement about its revoking our waiver for parts of the Clean Car Standard now means that maybe it's a free-for-all out there and there are no regulations in effect at all for air quality, and therefore, they can do whatever they like.

I want to make sure that people understand is
that while we are vigorously debating and litigating about
the federal action on the Advanced Clean Cars, all the
rest of the California compliance requirements are still
in effect, so don't take the risk. Be in compliance. If
you are in compliance now, stay in compliance.

Thank you.

All right. Others are here, but in the back room
and about to reassemble. Are there any other -- oh, I do
have one other announcement to make. I am going to have
to close off the sign-ups to speak. I'll make this
announcement again in a couple minutes, because we have
100 people who've signed up. Everybody who has signed up
will be able to be heard. But it's hard to believe that
there are any points of view that won't have been heard
from those 100 people. But if you are thinking about
possibly considering the idea of speaking to the Board on
the Tropical Forestry Standard, you need to sign up within
the next 10 minutes. At about 1:15, I'm going to make an
announcement again, and then I'm going to cut it off. And
if you aren't on the list by that point, we will not let
you put in a card and sign up at that point. But
everybody who has signed up has a chance to speak or be
represented by someone else. So I think with that, we are
ready to get started with the witness testimony.

And I don't have the list in front. Oh, here I
do. Sorry. I have the list.

And you are number one.

MS. DIETZKAMEI: Good afternoon. I'm 74 years old and my entire life I have known the importance of our tropical forests. I have been made aware through things I have read, including National Geographic that the whole world is dependent upon the health of our tropical forests. I am sorry to say I did not know about this Standard. And I have been very troubled by the pictures I have seen on the television regarding the fires that have been going on in Brazil and the reasons for the fires for clearing land.

And it makes me feel a little happier to know that there is effort in the world to try to protect those forests and the indigenous peoples who live in those forests and maintain those forests.

I'm hoping soon we are going to be able to curb our forest loss. It is very frightening actually to lose the -- what those forests do for us, including providing us with oxygen, something we all rather need. So I am very happy to see this and hope that we will have this endorsed. Thank you.

MR. NOWICKI: Good afternoon. I'm Brian Nowicki. Hello?
CHAIR NICHOLS: Yes, we can hear you.

MR. NOWICKI: Good afternoon. I'm Brian Nowicki with the Center for Biological Diversity.

Is this timer going to -- all right. Thank you.

I appreciate very much all of the work that's gone into this. Appreciate Board's work over the many years that we've all been working on this and the commitment to forest issues, commitment to working on reducing tropical deforestation.

Speaking for myself and the Center for Biological Diversity, we very much share the sense of urgency about the destruction of the tropical rainforests. Obviously, stopping deforestation is critical, not just to the climate crisis, but to saving wildlife, important ecosystems, and some of the wildlife that -- the most iconic wildlife on earth.

We fully understand the sentiment as well that we have got to do something. But this Tropical Forest Standard is not the right way to move forward. We appreciate the idea that this is not just for offsets. But let's be clear, this is a product of many years of discussion, a product of the discussions of the REDD Offsets Working Group. And just reading it, you see it's intended as a market mechanism.

There may be -- there may have been a time for an
offsets approach that would have worked for tropical frosts. But that time has passed. We need to be talking about directly addressing the drivers of deforestation and the consumers, like California, who are supporting those markets that are taking the products that are driving that deforestation.

Tropical Forest Standard has multiple problems within it. You'll hear from many other speakers today. But one of the ideas I would like to mention here is that it has the potential to be undermining the larger international effort to come up with a monitoring program to deal with these issues at the greatest level. So thank you very much.

CHAIR NICHOLS: Thank you.

MR. CONANT: Madam Chair and members of the Board. Good afternoon.

For over a decade, we've seen CARB promoting tropical forest offsets with support from, among others, the petroleum industry, the timber industry, the utilities, and the corporate carbon trading lobby, as well as from many of the green groups present here today. We've seen governments and corporations around the world pledge to voluntarily slow the destruction of the world's forests, while in the real world, the opposite has happened.
From Indonesia, to Brazil, to the Congo, basin, to Mesoamerica we've seen failed forest carbon projects forced evictions of indigenous communities, and entrenched government interests failing to adhere to international human rights norms. We've seen a tidal wave of paper promises like the treaties that have historically been used to deceive and betray the first peoples of every continent.

Now, the world's forests are burning more than ever for palm oil, for soy, for beef, for timber, commodities that will always outcompete offset credits in the market. Why not put California's limited resources into demand-side regulations to restrict the production and sale of these commodities rather than into risky, dubious, and complicated forest offsets.

Science tells us that forest lands from California, to Kalimantan, to the Amazon have turned from carbon sinks to carbon sources. In this context, while we all share a profound hope to turn this situation around, the TFS is a fantasy. Time and again, market-based schemes and paper promises have failed to incentivize forest conservation in a way that can outcompete the demands of a fundamentally extractive global economy.

Time and again, such schemes have divided indigenous peoples and local communities and failed to
uphold rights as states, by their nature, primarily serve
the most powerful economic actors.

We see and we respect the plea for financial
support from some of our brothers and sisters from the
forests of the global south. We respect your plea and
your hope for much needed economic support. But an
offsets-based approach is fundamentally flawed. Simply
put, offsets pollute and industry lies.

While the TFS does contain some pretty words in
regards to safeguards, it is explicitly intended to allow
industry to continue to pollute beyond the 1.5 degree
target of Paris. Rather than endorsing what you may see
as a gold standard, why not instead send a signal to
industry that the offsetting of growing emissions is
simply unacceptable.

I'll leave it there.

CHAIR NICHOLS: Thank you. You've had your 2.
Minutes. Thank you.

MR. CONANT: Thank you.

(Applause.)

CHAIR NICHOLS: This is a group with 6 minutes?

MR. KNAUFT: I'm Eric Knauf, 1 of 6,656 awe 150
Californians who signed a petition to support the Tropical
Forest Standard. I'd like to cede my time to Chief
Yawanawa.
MS. BURGA: My name is Saara Burga. I'm the Executive Director of the Brazilian Center for Cultural Exchange of Sacramento, and I want to cede my time to Chief Tashka.

CHIEF YAWANAWA: (Singing in native language.)
My name is Tashka Yawanawa. I'm Chief of the Yawanawa people. The Yawanawa people live in the Yawanawa territory, located in the State of Acre, in the Brazilian Amazon rainforest.

I did a big trip at up here. It's about 4 days traveling from the heart of Amazon to here. Just leave a message. I'm not part of any government. I'm just a Chief of my people. And my message is we all belong a global community. Whatever we do, we have affect each other. If I burn my forest, they're going to affect you here. If you pollute here, going to affect me there, because you are all interconnected between us.

For so long indigenous people found Amazon is fight for their land. Today, and not just indigenous people responsibility to protect the land, to protect the Mother Earth, is responsibility of each one that live in this planet. We are not here on vacation. We born here. We live here. We're going to die here. What are we going to leave for the future generation? What are we going to -- I say what we going to -- really, we're going to
leave a safer world, a clean environment, or we just
going -- when the future get this land, they just don't
scrap.

And for this reason, we are -- I say for anytime
we use the land the same way. We hunt. We fish. We have
a lot of knowledge for so many kind of seasons. And I'm
here to say that we all, as a human, live in this planet.
We all depend of each other. And anyone can change this
world. It's not matter if in Amazon, if you're here. If
you're anyone of us, do something. We can change this
situation that we live in here. Especially in the Amazon
now, it's burning.

This is not something another planet. Amazon is
part of this planet here. And what I'm asking for the
member of the Board. I think this law can really help to
protect more than we are doing, we are just doing by
ourself. I think we are -- here, you have the power in
your hand to change the situation. Do something for your
planet, for yourself, for your family, and for future
generation.

Thank you very much.

CHAIR NICHOLS: Thank you.

So Megan Zapanta I believe would be next?

MS. WONG: Hi. Actually, I'm Alvina Wong and I'd
like to cede my time to Megan Zapanta.
MS. ZAPANTA: Good afternoon. My name is Megan Zapanta. And I am the Richmond organizing director at the Asian Pacific Environmental Network. APEN is actually celebrating our 25th anniversary of organizing Asian immigrant and refugee communities next week. And our organizing started where I work where Supervisor Gioia is a representative in Richmond, California, where the Chevron refinery, among many other toxic corporations, poisons our air, soil, and water.

In Richmond, we work with refugees from Laos who are displaced by U.S. wars in Southeast Asia. Before coming to Richmond, they lived off of and cared for their ancestral lands like the communities who will be impacted if the Tropical Forest Standard passes today.

The families I'm here representing came to this country to find safety and rebuild home after surviving war and violence. Over the years, they have fought tirelessly against refinery pollution and other problems in their community.

I am inspired to speak today by two things that happened about a year ago. First, late last -- early last fall, we had to bury one of our most active long-time leaders Boone Thong Kardsuvong[phonetic] who like so many in our community, died after a long battle with cancer.

Second, in the midst of last year's wildfires, I
led a meeting with Richmond youth members right after being here for the TFS hearing in November. I explained to them what the international offsets were by having one group of students draw a forest, and imagine how they would live off their land if they had -- there.

I had the other group of students draw town with a refinery and imagine the future they wanted for that community. I explained that offsets means stealing the land of the first group and allowing the refinery to keep poisoning the air of the second group of students.

Our students who are either immigrants or children of immigrants were shocked and angry. I felt really clear that by considering international offset, the State is not only considering selling out their future, but also selling out the future of their families and their homelands.

Today, I'm speaking to you with both the legacy of Boone Thong Kardsuvong[phonetic] who worked so hard to fight pollution in Richmond and the future of those youth in mind.

Listening to the staff presentations, I was frankly outraged by how opportunistic and disingenuous the claims that the standard has been develop to help indigenous communities are, indigenous communities like the people I work with in Richmond, and like the land --
indigenous land defenders I visited in my home land in the Philippines. How dare you say this is for them? We know very well that this is about corporations right to pollute and not about people's right to live and breathe.

(Applause.)

MS. ZAPANTA: I urge you to take responsibility in representing environmental justice communities here in California. I urge you to listen to the youths climate striking tomorrow, who are not calling for complicated false solutions like offsets, but are calling for something simple, stopping pollution now.

I urge you to live up to what you're saying you're trying to do which is save the rainforests by opposing Tropical Forest Standard today.

(Cheering.)

(Applause.)

MS. STRAND: Good afternoon, Madam Chair and members of the Board. I'm Muriel Strand. I'm here just on my own account.

My comments are general. And I'm going -- just going to highlight some of the things that you should have in hand on paper. As -- going forward, considering not just the Tropical Forest Standard, but other proposals to address climate change, where money and fossil fuels are
evolved -- involved is what I'm speaking to.

Now, the staff report was thorough and complete, just as all the other staff work that I was involved in when I worked for the Board.

I want to direct your attention also to the half-sheet, which is a summary of Charles Eisenstein's book *Climate -- A New Story*. He makes a persuasive argument that the ecological degradation, such as deforestation, which humanity has used fossil fuels to inflict on our world, rivals the degradation that's due directly to the various greenhouse gas emissions.

Whatever motivations have provoked and allowed such ecological degradation as Eisenstein describes must be at issue in the health of tropical forests and many other situations in our world today.

In fact, it is our fossil fuel addiction that is responsible for this degradation. Yet, our addiction is understandable since the energy we get from gasoline at the pump is for us here and now about 300 times cheaper than human power energy.

Thus, price signals cannot be expected to give us accurate information about the most efficient and effective choices for meeting our needs.

And I would observe too --

CHAIR NICHOLS: Your -- that buzzer mean that
your time is up, so, please.

MS. STRAND: -- we are living very differently than the ways that we're evolved to live and it's causing a lot of problems.

CHAIR NICHOLS: Thank you.

MS. STRAND: So anyway, I draw to your attention the rest of my comments on paper.

CHAIR NICHOLS: Thank you. And if they're in writing, we will be happy to read them.

MS. MESSIAIS: (Spoke in native language.)

CHAIR NICHOLS: Excuse me, could you stop for the translator, please.

There is a translator.

Here. Yes.

Perhaps you're going to have to summarize, unless you have her written statement.

THE INTERPRETER: I do have the written version.

MS. MESSIAIS (through interpreter): So good day to all of you. My name is Julie Messiais. And I have the honor of representing the Global Community of Indigenous People, the Governors' Task Force on Climate and Forest. We're 38 states from 10 countries with tropical frosts. We have continuously been in a dialogue among indigenous peoples, and traditional communities, and government. In 2017, here in California, we instituted the Global
Committee of Indigenous Peoples and Traditional Communities together with State governments and indigenous and traditional community leaders prepared a letter of guiding principles that recognizes the contribution of these people -- historic contribution of these people for the maintenance of forests and natural resources.

CHAIR NICHOLS: Thank you.

THE INTERPRETER: That's not in writing.

MS. MESSIAIS (through interpreter): Okay. Eighty percent of these people -- Okay. We signed a declaration for reduction in 80 percent of tropical deforestation. And we have an agenda for the creation of regional committees to increase dialogue and activities between government and indigenous peoples to avert climate change. We recognize the Tropical Forest Standard for having been constructed in a participatory manner with consultation with the regional committees. It's a consolidation of joint action between governments and indigenous peoples.

So we're going to deliver a letter that was signed between indigenous leaders and the government in our local area showing our support for the Tropical Forest Standard.

Thank you.

MS. SCANLAN LYONS: Good afternoon, Chair Nichols, members of the Air Resources Board. My name is
Colleen Scanlan Lyons. I come to you today as a research professor, as an anthropologist, as the project director of the Governors' Climate and Forests Task Force, most of all as a mother.

You've just heard from a colleague of mine from the Brazilian Amazon. You've heard from Chief Tashka also from the Brazilian Amazon. And they both highlighted the importance of an endorsement of the Tropical Forest Standard for those living in some of the most important forested regions of our world.

I'm here to talk about how the standard will be monitored in tropical forest regions around the world through unique partnerships between governmental, indigenous, and local community leaders. This was very well portrayed in the staff presentation, so I will be brief.

First, we commend the State of California for including the stand -- the guiding principles of collaboration and partnership for subnational governments, indigenous peoples, and local communities in the standard. They were endorsed here in California just one year ago, and they were endorsed by 35 subnational tropical forest governments, by 18 indigenous organizations, and by 17 NGOs. A lot of people were behind this. A lot of work went into this.
Incorporation of these principles demonstrates how the rights of the people who live in and depend upon the forest are front and central in the standard. This is a crucial first step, but it's only good if it's realized in practice. And to do so, as Julie was just talking, we have various processes in place on various levels. And as Board Member Garcia noted, we will need continued vigilance on a variety of levels.

On a global level, the GCF's Global Committee for Indigenous Peoples and Local Communities is comprised of representatives from the world's largest indigenous organizations from Peru, Brazil, Mexico, Indonesia. They work closely with governmental representatives of the GCF task force.

This Committee will report on the implementation of the guiding principles. It will share strategies, approaches, and information. And monitoring will also happen locally in Peru, in Brazil, in Mexico.

In sum, we're on it. We have our back -- your backs, and we will be working together with governments and indigenous peoples to make sure that this happens in practice.

(Applause.)

MR. CARLOS CAVALCANTI(though interpreter): Good afternoon. My name is Carlito Cavalcanti. And I'm the
President of the Climate Change Institute of the State of Acre. Our State is in the midst of the Amazon forest. The State has 87 percent of its tropical forests still preserved and about 800,000 inhabitants, including indigenous peoples, riverbank dwellers, small, medium, and large landowners.

Global environmental issues make it evident that the need to redefine new styles of development. Although economic growth is a necessary condition, it's not sufficient for development. In other words, economic growth is no longer acceptable with social environmental regress or even with the market as a sole guideline and goal.

We recognize that a cohesive State level leadership on climatic and forest issues is more important than ever. Conservation of tropical forests really does have a global reach and requires unity. We are very proud to have environment -- robust environmental policy whose legal framework is based on the Environmental Services Incentives System, SISA, which is created through a participatory process with consultation that considers indigenous peoples and traditional communities. It's a pioneer model in the world.

SISA has enabled Acre to implement the first REDD+ program in the world. The REM program which was
signed in 2012 with the German Bank KFW. We've significantly reduced deforestation and benefited over 20,000 families who live in and from the forest. Our safe -- social environmental safeguards are certified by the International REDD+ SES Standard.

So we have a governance system that monitors, accompanies, assesses, and validates our efforts to mitigate climate impact and to provide social inclusion. We are mobilized in support of the TFS due to the clarity of the participatory construction and particularly because it recognizes the principles of the forest peoples. Acre and California have signed a joint commitment to seek solutions to avert -- to provide protection for natural resources, especially for the reduction of deforestation.

Okay. California, through the TFS, has a historic opportunity to decisively contribute to maintaining the standing forest and to improve the quality of life of traditional populations.

Acre supports the Tropical Forest Standard and hopes that ladies and gentlemen will understand that we -- what we advocate for is a change of economic model and a response for the actions of mitigation of climate impacts.

Thank you very much.

(Applause.)

MR. FISHER: Hi. Thank you for this opportunity.
I could see the emotion when everyone was talking -- here was talking about the ultimate goals, the destruction of the forest, especially considering what has happened in the Amazon. Given those goals, I would encourage ARB to look at more effective ways to accomplish those goals.

We've heard a few times, but we, as one of the largest economies in the world, have a lot of power to curb our demand. And I would argue that would be infinitely more cost effective than a scheme that is reliant upon certifiers and a lot of uncertainties. And this -- despite what has been said, this is ultimately aimed to allow emission reduction avoidance in California. And that should -- we should not develop a system predicated on Californians not reducing emissions. We should set a target and we should meet it ourselves.

This discussion has happened since the 1992 Earth Summit, when the developing countries of the world said we can solve the climate crisis through market mechanisms. It's continued to the Kyoto protocol, which has failed miserably, if we do the math. And I really would encourage us to try not -- try to do the math on this and not be fact resistant.

COP24 Paris agreement, this was a debate between the developing countries. Norway was very much pro-trading. G-77 was very much anti. So the discussion
we're having here is -- was, happening at COP24 and it
will happen at COP25.

So now is the pivotal moment in history for
California to truly lead us toward more effective climate
policy that is based on reducing emissions, incentivizing
the tradition at home and not off -- not creating another
offset system that has failed since the Earth Summit.

I spent the better part of a year researching the
CER verifiers. And I can tell you they get lobbied
heavily. They are effectively individuals who can turn
nothing into something that is worth cash. In India, they
got lobbied heavily by the World Bank and industries that
were the project proponents. That will invariably happen
in South America, if you walk -- if you look at the fact
that it's the project proponents and the verifiers, and
not necessarily those asking for more cost effective -- a
more cost effective solution.

I will just -- I'll just close by saying, Chair
Nichols, I was happy to see that you were excited to
possibly go to New York. And I just wanted to say that
fortunately, there are youth -- there's a youth climate
strike event happening in Sacramento tomorrow and public
transit is free. So I would encourage you all to go.

I'm just curious --

CHAIR NICHOLS: You time is up.
MR. FISHER: -- who here -- who here is going to
go to the climate strike?

(Hands raised.)

MR. FISHER: Tomorrow in Sacramento?

(Hands raised.)

CHAIR NICHOLS: Los Angeles. I'm going home.

MR. FISHER: Who's going to any climate strike?

(Hands raised.)

CHAIR NICHOLS: Thank you.

(Applause.)

MS. HAYA: Hi. Thanks. I'm Barbara Haya,

research fellow at UC Berkeley. I first wish to
acknowledge the important ways ARB has strengthened the
TFS since 2016, as well as the attention and concern ARB
is bringing to tropical deforestation. Even with the
changes made, by endorsing the TFS a credit-based approach
to forest protection, California would be putting the
State's reputation behind a policy approach that risks
weakening global climate efforts, has not worked so far,
and is currently being negotiated under the Paris
agreement. I will highlight two critical weaknesses in
the standard and offer a process recommendation.

First, to have a strong standard on permanence,
ARB would need to clarify and make explicit in the
standard itself that the jurisdiction using the credits is
ultimately responsible for replacing them in the event of a reversal. This is absolutely critical. The challenge then becomes one of enforcement. The risk of reversal is far greater than the 10 percent buffer pool. This means that any jurisdiction using the credits must be prepared to replace them if there's a large reversal that could happen due to many causes, such as the political changes we're now sadly seeing in Brazil.

Second, the leakage requirements are vague and subjective and therefore are unenforceable. They need to be made more specific in the standard. And even if they are monitoring and estimating leakage, it's highly uncertain and a fundamental weakness of a trading approach in the forest sector.

Lastly, last November, I was 1 of 110 scholars who jointly submitted a public comment to ARB raising concerns about the standard. To my knowledge, ARB -- and forgive me if I'm wrong, to my knowledge, ARB has not engaged directly with the members of this research community to understand and discuss the concerns we raised and the basis for them. And I believe such engagement is needed in the process of designing a strong policy on tropical deforestation.

Thank you.

(Applause.)
MS. JORDAN: Hi. Julia Jordan with Leadership Counsel for Justice and Accountability and also on behalf of the California Environmental Justice Alliance and in support my colleagues at APEN.

We are here also urging the Board to reject the Tropical Forest Standard. Carbon offsets are not the answer and do not create the emission reductions we want to see. There are many well-documented critiques of international offset programs, some of which previous comments have well laid out. And adopting these standards will slow meaningful progress towards climate justice.

In California, we need to make progress on local community emission reduction -- emission reductions. And we just discussed in a previous item the impacts -- the localized impacts that exist in the San Joaquin Valley in particular, and that residents face every day in terms of poor air quality, non-attainment, and other deeply rooted environmental injustices.

We can't just go along with the framing and approach of neutrality and it will continue to have a negative impact on local communities. And it's people of color and indigenous communities that are, and will, and continue to be impacted.

As members of a global community, California has to reckon with the many unintended consequences that would
come of buying into this offset program, including continued harm to marginalized communities. CARB cannot ensure that the human rights will be upheld, that the necessary monitoring will be conducted, and emission reductions are far from guaranteed. We need to consider more proven, less detrimental ways of combating deforestation.

Thank you.

(Applause.)

DR. BLANCHARD: Good afternoon. My name is Dr. Libby Blanchard. I'm with the University of Cambridge Conservation Research Institute. I hold a Ph.D. from Cambridge as a Gates Scholar.

It has been argued that this Standard provides a strong signal to value tropical forests over destructive activities, such as oil exploration and extraction. It has also been argued that this Standard will benefit forest-dwelling communities in the developing world. I am here today to urge this Board not to endorse this Standard --

(Cheers.)

DR. BLANCHARD: -- given the economic realities of carbon markets and the large body of research that has documented similar programs resulting in social harm. Tropical forest carbon offsets are inexpensive. While
this makes them bargain big emitters, their low prices can't compete with the lucrative industries that drive deforestation, such as the fossil fuel industry.

If endorsed and implemented, this Standard would offer big emitters another way to continue business as usual. Let's not forget that California's refineries process an average of 7.12 million gallons of Amazon crude a day and have a 74 percent market share of Amazon crude imports to the United States.

A large body of research has also shown that despite even the most rigorous social safeguards, such programs pose serious risks to people in the developing world. Very often, it is the landless and the poorest of the poor who are not here today who will miss out on the financial benefits of such programs, while facing restricted access to needed resources.

I urge this Board to heed this evidence and not endorse this Standard. It is a risk to put California's stamp of approval on a policy with a large body of evidence documenting its environmental ineffectiveness and unintended social harm.

(Thereupon an overhead presentation was presented as follows.)

MR. HUGHES: Thank you. Hello, directors. Hello, Chair Nichols. My name is Gary Hughes and I'm here
today representing the organization Biofuelwatch.

I feel compelled to remind directors that the ultimate responsibility of the Board at this hearing is not to design a tropical forest offset scheme, put to oversee the application of bedrock California environmental law, in this instance, the California Environmental Quality Act.

Unfortunately, the CEQA review of this matter is simply deficient. And the poor quality of the review, if allowed to stand, undermines the integrity of California environmental law. The review fails to provide a substantive alternatives analysis. The piecemealing of this matter by conspiring to address the rulemaking for cap-and-trade at a later date is prohibited by CEQA. And the cumulative effects analysis is particularly poor, refusing to address, in anyway for instance, the cumulative impacts of endorsing offsets for global aviation. Note that ARB emissions data demonstrates how climate damage from aviation is rapidly intensifying. This reality cannot be ignored.

I am trying to advance here.

--o0o--

MR. HUGHES: Oh, there we go.

Strangely, ARB contends that concern about the standard being used in the global aviation ICAO CORSIA
scheme is based on speculation.

Now, it's not speculation when the Chair even makes efforts of this matter today to bring up the question of aviation. But unfortunately, that was not addressed at all in the CEQA review.

It's not speculation when powerful proponents of the standard with an extremely close institutional relationship with the ARB, such as the Climate Action Reserve, has actually applied to CORSIA as an implementing program and states in their comment letter that the Standard once endorsed will be used in CORSIA. This is not mere speculation.

The environmental analysis is fatally flawed with this capricious dismissal of valid public comment about the impacts of endorsement of the Standard.

Directors need to know ICAO CORSIA is built around two mechanisms, offsets and aviation biofuels. The price signal from endorsing this standard for CORSIA --

CHAIR NICHOLS: Excuse me. You've finished your 2 minutes --

MR. HUGHES: -- is a price signal of forest and climate destruction.

CHAIR NICHOLS: -- unless -- unless someone ceded their time to you --

MR. HUGHES: The truth is that there is a lot at
stake today.

CHAIR NICHOLS: You are taking other people's time.

MR. HUGHES: -- including the integrity of California environmental law.

Thank you for your time.

CHAIR NICHOLS: Thank you.

And by the way, we are not directors, we're Board Members, just FYI.

Okay. Go ahead. Also, I neglected to do what I had said I was going to do, which was to cutoff further sign-ups. So I'm giving you now a 5-minute warning. If you're here or you're listening and planning to come over at the last second, please sign up within the next 5 minutes, or we will cutoff additional names.

Thank you.

MR. JIWAN: I'm Norman Jiwan on behalf of my organizations, supervisory board members of Transformation for Justice Indonesia. I'm also self-identified myself as indigenous persons, a native of Borneo, one of the largest islands in Indonesia.

The current models for climate change, especially carbon offset, has been felt in Indonesia. One -- Indonesia is -- many provinces in Indonesia have been part of the Governors' Climate Task Force. But evidence that
prove that in 2015 we face one of the most disastrous
forest land fires that burn 2.6 million hectares of land
and forest resulted in 221 trillion stat loss in terms of
economics, according to World Bank data.

So therefore, I'm here -- we reject California's
Tropical Forest Standards, because it is contrary to
climate justice. In Indonesia, carbon offset projects
have resulted in human right abuses and land grabs of
indigenous peoples' territories. We reject offsets
because they have failed to pro -- to respect our
fundamental rights and principle of free, prior, and
informed consent.

Offset allow for deforestation and pollution to
increase. Shut down Governors' Climate and Task Force
now.

Thank you.

CHAIR NICHOLS: Next speaker.

MR. SANTI (through interpreter): Good afternoon.
For the second year in a row, I am here in this hearing.
And I want to say, first and foremost, that I celebrate
your goodwill and your good intentions, but carbon markets
are not the answer.

California was founded as a State on the basis of
justice and freedom. But what you're doing does not bring
justice and freedom for indigenous peoples in the Amazon.
You're violating the rights of indigenous peoples and that we are not going to allow. In Ecuador, over 2 million hectares of our rainforests, our territory, is being put in the carbon market. And that was done when Jerry Brown -- Governor Jerry Brown signed with the Governor of Pastaza without our knowledge and behind our backs. This means that every right that we hold as indigenous peoples was violated with this pen stroke. And this territorial ex -- land grab has violated our rights that are consecrated and enshrined in -- by the International Labor Organization, the United Nations, as well as the Organization of American States. And I'm referring to the Convention 169, the UN declaration on the rights of indigenous peoples and the American declaration on the rights of indigenous peoples.

We --

CHAIR NICHOLS: Excuse me. Excuse me, ma'am. I want to stop you for just a moment.

Are you acting as a translator?

THE TRANSLATOR: I am translating what he just said. He spoke in Spanish. I believe that a translation --

CHAIR NICHOLS: I understood that he was speaking in Spanish.

THE TRANSLATOR: -- into English is required.
CHAIR NICHOLS: Yeah, yeah. No, I understand. I just want to make sure that's what you're doing.

MR. SANTI (through interpreter): Okay. We know that you are suffering from pollution. Perhaps you are suffering pollution more than we are, because of the Amazon isn't as polluted as California is.

Yesterday, I was in Richmond and I realized that there's a contradiction, because I don't see that you're reducing pollution in Richmond. You're not reducing pollution at source. You just want to use the Amazon as a sponge. Well, this -- that violates the rights of indigenous peoples and it actually violates human rights in general.

So I do believe in your goodwill, but I want to late you know that carbon markets are absolutely not the answer. The world is on the brink of disaster. I urge you not to adopt the Tropical Forest Standard. In fact, I'm here to inform you that we have, in fact, initiated litigation against the State of California and the Governor of Pastaza for violating our right to free, prior, and informed consent.

So California Air Resources Board, you have a historic responsibility to future generations. And we hope that you will fulfill that responsibility. We are protecting the forests and we are here to tell you that
you must not adopt the Tropical Forest Standard, because it violates our rights, but also the rights of future generations. It violates, in addition to indigenous peoples rights, human rights, and the rights of Mother Earth, and it must not be adopted here today or ever.

    Thank you very much.

    (Applause.)

CHAIR NICHOLS: You want to say something?

Excuse me, just -- Mr. De La Torre.

BOARD MEMBER DE LA TORRE: Yes. I wanted to clarify one thing. He referenced, on a couple of occasions, bonos de carbon, which was not reflected in your translation. Bonos de carbon, carbon offsets, carbon bonds. He said it at least twice and there has been no action taken by Jerry Brown or this Board with regard to making offsets for California. He specifically said that.

    So just like last year, there was a question about things missing in the translation. And again, that translation was mostly correct, but it was missing that one key point, which was that there was an action taken by Jerry Brown, and by inference this Board, with regard to carbon offsets for California based on tropical forest efforts.

    So thank you.

CHAIR NICHOLS: Okay. We will move on. Thank
you for your testimony and for representing the large
group of people that you represented, but we will now hear
from our next group, I guess.

Yeah. So who's next?

Okay. Go ahead.

**MS. VALADEZ (through interpreter):** Good

afternoon. I hail the authorities who are here assembled,
and at the indigenous peoples, and the sky, and the earth.
And I also acknowledge the historic suffering of the
indigenous peoples of these lands.

We met a year ago face to face. And at that
time, I conveyed to you what I am going to reiterate,
which is that the California Tropical Forest Standard is
illegal in our country. Mexico is a sovereign nation and
all issues and matters related to the environment and
natural resources must be decided by the people of Mexico,
including the indigenous peoples of Mexico.

Last time this discussion was suspended, but
nonetheless, the activities related to this process have
moved forward, but not with indigenous peoples, but with
non-governmental organizations who are associates in this
process.

So I'd like to ask what rights are really at
stake here? Are the rights that are enshrined in
Convention 169 of the International Labor Organization?
And if California really wants to be at the forefront of protecting the environment or the environmental vanguard, then it needs to recognize and protect the ecosystems that are found in indigenous peoples' lands and territories. Eighty percent of the biodiversity of the world is found in indigenous peoples' lands and territories. And so the first thing that you -- California really should do is recognize and ratify Convention 169. But instead of doing that, it's being violated.

Furthermore, Articles 2, 4, and 27 of the Mexican Constitution are also being violated, because these articles recognize our rights to land and territory. And that's not being respected.

Furthermore, this initiative is dividing communities and violating the self-determination of indigenous peoples, and the sovereignty of our nations.

So I'm here to inform you that we've initiated two lawsuits against the Tropical Forest Standard. It's also been denounced before the National Human Rights Commission of Mexico for violating the sovereignty of indigenous peoples. There's also another lawsuit from the Peninsula Maya Council against the ASPY program, which is supported by The Nature Conservancy.

And also, part of this initiative, so there are two pending lawsuits on this matter. And I urged you last
time in the last hearing not to adopt the Tropical Forest Standard. But here today, I am also here to inform you that the Governors' Climate and Forests Task Force is pointless. It's causing divisions. This is an indigenous people's issues. When you talk about trees, water, and natural resources, and air on carbon sinks, it is really a matter for indigenous peoples to decide.

This is a question of offset systems and an offset mechanism. I urge you to reread your own documents, because they do talk about carbon credits and offsets, at least the versions in Spanish do.

The last hearing Supervisor Gioia said that this was not a question of REDD, but it obviously is. And certainly in our countries the workshops on this standard do explicitly mention REDD.

So I think there's a bit of a confusion about who indigenous peoples are and our knowledge systems. If you review the draft form, it talks about indigenous groups. Indigenous peoples are not groups. We are peoples. And the Convention 169 specifies and stipulate our right to self-representation and to self-identification as peoples.

And so I'd like to urge the brothers and sisters who are here in favor of the TFS to take note that you're not being recognized as peoples, you're just mere groups here.
I'd also like to point out that this whole process and the TFS has divided us. It has created conflicts amongst indigenous peoples and this is very unhealthy.

Obviously, I'm sure you want to promote well-being and peace. What you have created is conflict and fights, and resentment. I also want to let you know that this is already limiting the use of our territories, midwives, and farmers. And herbalists can no longer go into their own land to farm, or to harvest. It's restricting the use to our own land. And that is endangering our culture, our food, our community, and our very lives.

Many of our communities only eat corn. And so when we can no longer grow corn on our own land, there's hunger and our people are endangered. Also, I want to let you know that in the areas designated for this kind of initiative, mining is allowed, agribusiness, even GMO trees are being planted. And The Nature Conservancy, which I understand is influential in this process also is supported by mining interests and Monsanto. So obviously, there's some very grave conflicts of interest here at play as well.

So what to do you may ask? What we say to your question of what to do is let us live in peace. Respect
our sovereignty. Let us take care of our lands and territories as we have always done. We don't want to be partners with you. We want to be what we are, which are historic subjects and protagonists.

And just in closing, I'd like to recall that in Mexico, there are 37 students that are still missing from Ayotzinapa.

Than you very much.

CHIEF NINAWA HUNI KUI (through interpreter): Good afternoon. My name is Ninawa and I'm the President of the Huni Kui people of the State of Acre of the Brazilian Amazon. I'm also the President of Huni Kui Federation.

It's, first of all, important to say that I believe that everyone in this room is in favor of the forests and the biodiversity and of life itself. We know that the -- that we all also share the goal of stopping deforestation, but there are truths, and there are things that are not true. And honestly, I was here to ask that the Board reject the Tropical Forest Standard and I'm going to cite three points of why.

I understand that the Board is trying to draft a standard, but I want you to know that it's affecting the lives of the humans and animals that live in my land and territory. And that the State of California should not try and decide about the life of people that they've never
met and who have no idea about this standard that is being proposed.

Trying to decide about our life violates convention 169 and our right to consultation. This is the third time that I have been here in a hearing of the CARB, and none of you, none of the governments here have come to my village to talk with my communities. And that also is a violation of the Convention 169 and our right to consultation.

You have been meeting with organizations, but you have not been respecting our right to free, prior, and informed consent. And this is grave, because the Tropical Forest Standard represents the expropriation of our lands and territories, and handing over our land to international capitalists and governments and it violates our sovereignty.

It actually -- this standard is an attempt to legalize the loss of indigenous peoples' sovereignty. And essentially, it's a form of colonialism in our land. In 2010, I was here at a Board meeting and the representatives of the State of Acre said that they had consulted with the peoples of Acre, including the indigenous peoples, the rubber tappers, and the communities that live on the river, and that everybody was in favor of this standard, and they also consulted with
peoples in Chiapas and that everybody was on board. That is not true.

Many of indigenous peoples do not know about the Tropical Forest Standard. And really, instead of talking about trying to monitor what our communities are doing, and what the rubber tappers are doing, and what the river folk are up to, you should be monitoring the oil companies, because they're the ones that are cutting down the rainforests.

So if the objective here is to reduce deforestation, then you also need to be monitoring the legal and illegal logging companies that are exporting our trees, to foreign places. I heard somebody say that the strategy is to combat deforestation. But in the world, there are new strategies. And a lot of these offsets are just used by big companies who are the main polluters in the world.

And it's no secret that I'm talking about the oil industry and the aviation sector. These are the environmental criminals that are going to use offsets and are already using offsets. So our communities are not responsible for climate change and you have a monumental responsibility today. When you take a decision about the Tropical Forest Standard, you can either be heroes and reject the Tropical Forest Standard, or you can be
responsible and complicit with neocolonialism, the
expropriation of our lands and territories and the
violation of the sovereignty of our peoples.

So I've said all of this with my heart in my
hand. And in closing, ladies and gentlemen, I would like
to cordially invite you to visit my home and see what the
real impact of your policies is and also what the impact
of the Governors' Climate and Forests Task Force is. And
you will see with your own eyes that you are threatening
our lives. You are threatening our very existence. So
please reject the Tropical Forest Standard.

Thank you very much.

(Applause.)

MS. CISNEROS (through interpreter): Greetings.
I held you in your language. My name is Mirian Cisneros
owes and I am the President of Sarayaku in the Ecuadorian
Amazon. I'm here for the second time to express the most
heartfelt feelings of my people and other indigenous
peoples of the Ecuadorian Amazon.

I am of a people made up of children, and elders,
and men and women who dream of a life of dignity. I've
been listening attentively to what governors have been
saying to indigenous peoples. And the truth is it feels
me with sorrow. It hurts my heart. And I disagree and
I'm here to tell you that indigenous peoples' life and
well-being is at risk. The social and cultural risks are terrible. This is just about lining the pockets of governments. It's not for indigenous peoples and the children and elders and men and women of my people are raising their voice through me to say no to extractive industries, no to mining, no to oil drilling, no to big dams, and no to carbon markets.

The very life of humanity depends on indigenous peoples, because we have large territories, and we defend life, and give the world oxygen. So I call upon the Governor of California to stop signing deals with the Governor of Pastaza. And also I want you to know that we have a lawsuit that has been initiated to stop this, because our free, prior, and informed consent has not been granted. Our right to consultation has been violated and we are going to exercise our rights in our own defense.

Our territories are not for sale. They're not to be negotiated with. Our territories are for living in harmony. Brothers and sisters of indigenous peoples, we need to be united in resistance. And as we speak, there are indigenous peoples that are disappearing. They're being wiped out. They're losing their identities.

Carbon offsets are actually putting indigenous peoples in danger. And indigenous peoples need to be making the decisions about our lives and lands. Your
life, and your children's lives, and your grandchildren's
lives depend on us. Without indigenous peoples caring for
the forests, there will be no air, there will be no oxygen
for humanity to breathe.

So I've spoken with some representatives of
indigenous peoples, and the truth is I'm quite sad that
there are people who represent indigenous peoples who do
not speak with the communities, and do not represent the
communities, and the grassroots folks who actually defend
Mother Earth, and who are guided by their dreams. So
there are people that do not represent us. And obviously,
we have not been consulted on these matters.

So I ask the Governor and the representatives
here and -- to be aware that our very destiny and future
depsends on this decision. And I hope you will listen to
us and hear our opinion. Many of us have traveled for
days to be here and we've left our families and our
children to be here now.

(Applause.)

MS. VALENZUELA: Good afternoon. My name is
Katie Valenzuela. I'm here on behalf of the California
Environmental Justice Alliance in opposition to the
Tropical Forest Standard. I participated in the
stakeholder process. In fact, I staffed it for my now
former boss Assembly Member Eduardo Garcia. I also
staffed the legislative delegation that went to Acre Brazil last summer.

What the proponents of this Standard have failed to do time and time again is respond to the technical critiques that have been raised by the opponents and to answer the numerous alternatives that have been proposed as to why those are inadequate.

Instead, they question the integrity of those who are critiquing the Standard and then sometimes imply that we don't understand what we're talking about, which is disrespectful and not okay, or they point to the need to reserve forests, which none of us are disputing.

EDF's own Steve Schwartzman this morning, in reference to the Chair's opening comments about the importance of fire, we were on a radio show right around the same time you started this program, and what he said repeatedly was that the Tropical Forest Standard would do nothing to prevent the fires that are happening in the Amazon right now. It wasn't designed to do that.

So if we had started the Tropical Forest Standard before these fires had occurred, we would have literally seen all of the carbon that we were supposed to be sequestering go up in smoke.

And this is not without cost. Because in exchange for these credits -- and yes, we are talking
about credits. On page 2 of the Standard, that is how it functions by generating offset credits. We are not talking about anything, if we are not talking about a program to generate offset credits.

The companies who use these credits, around the world and here in California, will continue to pollute, not just carbon, but co-pollutants that impact the life expectancy of people who live and suffer in our communities right here in California. And that is your job, Air Resources Board, is to protect those of us who live here, not to engage in international diplomacy or to do what we think other jurisdictions might want us to do, but to ensure that everything we do protects the communities who live here.

You are considering a Standard that is proven to fill. There have been billions of dollars invested in this program. Let me repeat, billions of dollars have been spent on schemes very similar, if not identical, to the one being proposed today without success. If we think that we are going to change and do something magically right to make this succeed, I don't understand where the proof for that comes from, because again the critiques have not been responded to.

And you also need to do this understanding that after today, you will have absolutely no jurisdiction to
do anything about what happens with this program. You could see the most egregious human rights violations anywhere in the world, and you would have absolutely no authority to do anything. Because you put out a standard that other people are using, and that's not in California's regular framework. We would have no authority to even pull back credits.

We would just have to watch and say, hey, wait a minute. That's not what we want you to do. And that's not sufficient, given what we've seen, time and time again, in these countries and in these states when it comes to human and indigenous rights.

This standard fails every test of scientific rigor and does nothing to help achieve our statutory requirements of achieving our climate targets here in California. This isn't a question that this is better than nothing. This is worse than doing nothing.

It will start a chain of events today that you cannot undo. Please, please, I implore all of you, I have seen most of you outside of this room. I have worked with many of you for years. Please do not endorse this Standard. This is harmful. This is dangerous. And we need to work on the real solutions that California can really do as the fifth largest economy to lead the way on protecting the forests.
Thank you.

(Cheering.)

(Applause.)

MR. GOLDTOOTH: Chairwoman Nichols, I'd like to ask that you recognize my request to seed my 2 minutes to our network research Tamra Gilbertson. She's number 52 on your list. Thank you.

Okay.

MS. GILBERTSON: Madam Chair, and members of the Board, good afternoon. Thank you for hearing us out. My name is Tamra Gilbertson. I'm a researcher and advisor to the Indigenous Environmental Network. I am a Fulbright Scholar and Fulbright Scholar and Ph.D. Candidate at the University of Tennessee. I've spent almost two decades researching carbon trading and carbon pricing initiatives around the world. I've traveled to almost over 50 countries and I've followed these programs and projects all the way through.

The Indigenous Environmental Network firmly opposes the Tropical Forest Standard. The Tropical Forest Standard will be unable to protect tropical forests and reduce emissions. Therefore, the Indigenous Environmental Network recommends terminating, not endorsing, the TFS and the Governors' Climate and Forests Task Force.

Indigenous people are frontline defenders against
extractive development and climate change. Tropical forest offsets impact indigenous peoples who've protected the living forest for thousands of years. Indigenous peoples have league -- legal recognized rights to just 10 percent of the world's land, yet safeguard 80 percent of the earth's biodiversity, and control as much as 65 percent through customary, community-based tenure systems.

The majority of the earth's remaining forests and biodiversity is safeguarded by indigenous peoples already, who have protected the forests and will continue to do so for thousands of years into the future, but only if colonialist programs, such as the TFS do not interfere.

Empirical evidence demonstrates that since the World Bank and the United Nations framework convention on climate change lost its reducing -- launched its reducing emissions from deforestation and forest degradation program in 2007, communities have been negatively impacted. And some of those impacts include loss of rights, loss of forest entries and use, deforestation, cultural degradation, land grabbing, and armed dispossession.

Forest offset programs and projects sold on the voluntary carbon markets -- and let's be clear, this is a carbon -- voluntary carbon market have exacerbated the problem by incentivizing carbon brokers, and third-party
land grabbers.

The various land dispossession regimes are fueled by government led and imperialist expropriation that represents predatory and feral capital. The TFS will increase land grabbing and carbon brokering in often vulnerable communities. This is not a weak state argument that places the blame on governments in the global south for regulation failure. Rather, this is a fundamental flaw in the design of the forest offset plans, like the forest -- Tropical Forest Standard that legitimates land grabbing and places the blame of deforestation on indigenous and forest dwelling communities. It is indeed global, environmental racism. You're targeting the wrong people.

The TFS will lay the groundwork to expand the link and link forest offset programs and projects internationally. If the members of CARB are truly concerned about protecting forests, and reducing emissions, and ending white supremacy, the members of the -- would target the real drivers of deforestation, such as logging corporations, agribusiness, oil, coal, gas corporations, and other large scale multi-national corporations, many operating here in California.

Therefore, to offer offset credits to California oil refineries and groups such as the International
Commercial Aviation Organization is to favor, protect, and 
uplift an industry that is responsible for climate change 
at the expense of indigenous peoples' rights, their 
cultural material, livelihoods, and ecological health. It 
is quite the opposite of protecting forests.

Further, forest offsets divide communities who re 
already living under incredible pressures from the 
industries that enact the root causes of climate change, 
and are drivers of deforestation. Twenty-five percent of 
the murders of land and environmental defenders recorded 
by Global Witness last year were indigenous activists and 
defenders through indigenous peoples -- though indigenous 
peoples represent just 5 percent of the global population.

The Indigenous Environmental Network stands in 
solidarity with people of color and poor communities 
living in California. These are public health issues. We 
stand in solidarity with the communities living in areas 
with increased asthma and life-shortening illnesses, 
because its government does not choose to take their health seriously.

Therefore, I urge you to stand in opposition of 
the Tropical Forest Standard and dismantle the Governors' 
Climate and Forests Task Force. We have about 12 to 15 
years to stop climate change. This is a load stone. And 
if it is endorsed, then the tower crashes down.
Thank you.

MR. GOLDTOOTH: Thank you.

MR. ANGEL: Good afternoon. My name is Bradley Angel and I'm the director of Green Action for Health and Environmental Justice. I am also here on behalf of the California Environmental Justice Coalition, a statewide community-led grassroots coalition of about 75 grassroots groups from urban, rural, and indigenous communities. And we're here in solidarity with visitors from the Amazon and the entire environmental justice movement in the State of California to urge you, to request, to beg that you reject the Tropical Forest Standard and protect health.

This is an issue of life and death. It's an issue of life and death for the planet and for the communities right here in California that CARB is committed and mandated to protect our health.

Our organization has a really long name, Green Action for Health and Environmental Justice. And that's because it was founded, not by mainstream environmentalists who cozy up to polluters, but by people from Richmond, and Oakland, and Kettleman City, and the San Joaquin Valley, and East L.A. and South Central, and indigenous communities, communities where people are fighting for their breath.

In fact, it was just a couple of months ago that
Green Action leader who's a Bayview-Hunters Point community leader and a statewide environmental justice leader who's been here many times, Marie Harrison, died, because she could no longer breathe. I'm sick and tired of working with government agencies and watching our people die.

We need to work together to protect and support the indigenous people of the Amazon. And Green Action and everybody here I think is committed to that and we are doing that to the extent we can.

But again, this is a life and death issue. We work with CARB every day across this State on a very good program, the 617 Community Air Monitoring Program. But you know what, it's not just enough to monitor the air. We need to keep fossil fuels in the ground. We need to reject false market solutions that allow the Chevrons of the world to poison people from Richmond across this planet.

So please follow your mandate, protect public health, protect lives. This is not a joke. This is not a theory. People are doing. And we can do both, protect the health of California communities by reducing pollution and work together in solidarity with the indigenous people of the Amazon. Please reject the Tropical Forest Standard.
Thank you.

(Applause.)

MS. ALMAGUER: Hello. Good afternoon. My name is Terri. I'm here with PODER, the California Environmental Justice Alliance and the Climate Justice Alliance.

And I began organizing in my community when I was a teenager, because my family was affected by the environmental racist policies that our government has instituted in our communities, in poor communities of color, working class communities of color.

And because of that, I have continued to organize and hope that we are all here because we love our forests, all our forests, the forests in the Amazon, the forests in California, that -- and that we respect indigenous sovereignty, that we respect indigenous self-determination.

And I think -- and TFS is a false solution, because basically it puts the solution in the hands of the market, in the hands of corporations that got us in this mess. In the hands of corporations that then have the ability to further pollute our communities, to put -- and even though I'm -- you know, there's like a lot about the carbon offsets and California, yes, California, no, we all know that this is going to give them the opportunity to
pollute more in Richmond, to pollute more in Wilmington.

And I have been here many, many times with hundreds of members who have come up and talked about the cancers that they have, the asthma that they have, the lung collapses that they have. And so as the California Air Resources group, then you are responsible to the taxpayers of California as well in their health, all our health, regardless of where we live, regardless of our immigration status, regardless of -- you're responsible to our health. And this policy does not protect our health.

We are interconnected. A lot of us come from a lot of the different communities where forests are being privatized by our tax dollars in this State. And so what are the ways in which we are acknowledging that interconnectedness, in standing in solidarity and not being pitted against each other? Because I want to work with everybody here to make sure that all voices are heard, all our health is protected, and that the forests are protected. And we know that the market has never protected us.

Thank you.

(Applause.)

MS. SALAZAR LOPEZ: Good afternoon. My name is Leila Salazar Lopez. I'm a mother and a defender for Mother -- I'm a mother, a defender of Mother Earth, and
the executive director of Amazon Watch. I'm Chicana
Latina from Southern California.

And this is the first time I've made it to this
meeting and seeing that so many people are wearing
T-shirts with Chico Mendes. I wanted to start with a
quote from him. I had the same when T-shirt when was in
high school, so...

"At first, I thought I was fighting to save the
rubber trees. Then I thought I was fighting to save the
Amazon. And now, I realize I'm fighting to save
humanity".

I would add that we're also saving to protect all
our Mother Earth and our climate for all of our future
generations, and all life on this planet, if we want any
sign, any kind of survival on this planet.

Chico Mendes was a Brazilian rubber tapper, a
trade union leader who was assassinated in 1988, 20 years
ago -- 30 years ago. And he was fighting to protect the
rainforests and advocating for human rights and indigenous
and forest peoples.

And unfortunately, in Brazil, this still happens
today. Brazil is one of the most dangerous places to be a
land rights defender, to be an indigenous person. As
Tamra mentioned, Global Witness reported this last year in
2008[SIC], it is the most dangerous place to be a land
defender. And it's even worse now under the regime of Jair Bolsonaro.

The fires that we see happening right now that have devastated the Amazon that are breaking our hearts when we see these fires are not an accident. They are caused by government policies, they are caused by political racist rhetoric that embolden people to go burn fire -- burn and set fire to forests, to degraded land, to indigenous peoples' land. Over 100,000 fires have been set this year, mostly set -- mostly intentional. They're not an accident. It's not a natural fire. They were set and they were set by the administration -- by the Government of Brazil, and there's no end in sight. The fires continue to burn, even if this is not the mainstream media story anymore.

We have to stop the fires, both the actual fires and the political fires in Brazil and across the Amazon. We have to stop the threats. And we have to protect the forests if we want to protect our climate. The best way to protect the forests is by standing with indigenous peoples and protecting and defending their rights, and not causing these divisions that are caused by throwing money at these issues.

It really saddens me to see, you know, brothers and sisters who are all working to protect the forests to
be wearing different T-shirts, because we're all here to protect the rainforest. But we're being told that there are different strategies to do that. And if we throw money at this part, or this part, that then these are the solutions.

But we all know those are false solutions. Putting -- throwing money at a problem is not going to solve this. What we actually need to do is face the real issues --

CHAIR NICHOLS: You have far, far exceeded the 2 minutes that you were given.

MS. SALAZAR LOPEZ: Oh, I didn't realize that.

CHAIR NICHOLS: Well, the bell went off --

MR. SALAZAR LOPEZ: Oh, I don't even hear that.

CHAIR NICHOLS: -- and I just kind of let you keep going.

(Laughter.)

MS. SALAZAR LOPEZ: Sorry.

CHAIR NICHOLS: You were very eloquent and so we --

MS. SALAZAR LOPEZ: Reject the Tropical Forest Standard --

CHAIR NICHOLS: We hear you.

MS. SALAZAR LOPEZ: -- for our future.

Thank you.
(Applause.)

CHAIR NICHOLS: Than you. We are going to take a 10-minute break at this time, because our Portuguese Translator needs a break, and we don't have two translators. We may be the State of California, but we do not have a back-up translator into Portuguese.

So in order for those who need the translation to be able to hear what's going on, understand what's going on, we need to give the translator a brief break and very much appreciate his services. So we will be resuming again at exactly 10 past 3:00.

(Off record: 2:54 p.m.)

(Thereupon a recess was taken.)

(On record: 3:10 p.m.)

CHAIR NICHOLS: Break time is over. Break is over. Time to get back to work.

I hope you're photo ops are good. Everybody looks good. Those red T-shirts photograph very well. They look good.

Okay. Dr. Balmes.

Who else do I see out here?

Mr. Corey, Ms. Peters -- Peter, sorry. I'm starting to call -- I'm calling names.

(Laughter.)

CHAIR NICHOLS: Taking names. All right. Where
are we? What number are we at?


MS. ZIZI: Hi. I'm Isabella Zizi. I'm actually ceding my time to Maria Dorsey.

CHAIR NICHOLS: Okay.

MS. DORSEY: My name is Maria Dorsey. I'm a member of Idle No More SF Bay, a signatory on the for Indigenous Women of the Americas Defending Mother Earth Treaty, and a co-founder of the Brasil Solidarity Network.

I'm finding it disturbing that so much thought is being given to indigenous people. But what I would really like to know is why, after thousands of years, you all are still trying to tell indigenous people what's best for us.

After hearing the line about how action must be taken because of the fires, I'd like to know what exactly you think that you are going to do for indigenous people on the ground when they lose their homes and territories to these fires, when, as you well should know, they're being set intentionally and approved of by government leaders.

Like Assembly Member Garcia said, what will you do when things don't go as planned? Case in point, the fires tearing through the Amazon.

What power do you think you have to put a stop to these fires and what will you do to stand up to fascist
governments who allow them to happen?

If you actually care about indigenous rights, and
human rights at all, and the fight for the future, like
you all say, then you must recognize that the TFS is a
false solution. And it not only supports the extractive
industry, it perpetuates colonization in indigenous
territories.

You cannot say that it's up to California,
without recognizing that the actual power to stop,
destruction of all kinds in the Amazon comes down to
stopping the bulldozing, literally and figuratively, by
large financial institutions, corporations, and government
officials who are quite clearly profiting off of tropical
forests and the destruction there of worldwide.

It would do us better to focus on real solutions
instead of feel good false solutions. To adopt the TFS is
to partake in human rights violations going forward.

Please vote no.

(Applause.)

MR. ALBERS: (Spoke in native language.)

That's Yurok for, hello. My name is Shannon. I
come from the village of a Ser-per.

And I'm here to ask you guys -- you guys --
earlier, you guys talked about you guys had grandkids and
children and stuff. And I'm not too old myself. I'm
probably in the same generation as your grandkids and your children.

    So, you know, listen to my voice when I talk to you guys. You know, pay attention, because in the future the next time I'm here, I might not be able to find a breath to stay as strong, or as bold, or as brave. I might not be able to breathe to gather my words. Maybe next time we're in this room, it won't be me. Maybe I'll be one of these older folks talking about the younger generation. And it will be your guys' grandchildren standing here opposing what you guys could have stopped now or -- you know.

    And it's important you guys listen. And I come here and I -- I came here to represent the Yurok Tribe. And I know that they're one of the tribes that agreed with this. And I'm here to say that we haven't agreed with this. The membership hasn't been notified or anything. This is something few -- this is something a couple of people signed over, but they come over here and say that they have 6,000 members that doesn't even understand or even heard of this.

    And then when they find out about this, it's already a done deal. And now, they're mad. All the council members that signed this over are not even reelected anymore. That's how upset our membership is
about this.

And it's irritating that we have to come all the way down here and we don't even see our leadership in the room. They send employees that are not even tribal members. They send -- I don't even see and elected official of the Yurok Tribe here. Not one. But here, we have to, the membership have to, drive all the way down here to make sure that you guys know that we weren't informed about any of this. We had to go on our own time and our own resources that we gathered as our own -- as a people to research this and to learn about this.

And now that we've researched it and learned, we're upset with what our council has done. And we don't even give that -- we never gave them authority to say they can do this, not once. And, you know, like you guys said, there's -- everyone is worried about a new generation, and they're coming. And they signed a 100-year contract. And I can guarantee you that ain't going to last 100 years with this new generation coming up.

You guys -- you guys are just setting something up and it's just going to get reversed. This is just stalling it. I can tell you right now this is just stalling it, because we're going to reverse it.

CHAIR NICHOLS: Okay. Thank you.

MR. ALBERS: And we're going to fix it. And I
thank you for listening. And I appreciate you guys all paid attention and weren't looking down and whispering. Thank you.

CHAIR NICHOLS: Thank you.

(Applause.)

MS. MITCHELL: Hello. My name is Sophia Mitchell. And I am also a member of the Yurok Tribe. This TFS standard is an absolute obstruction of justice for my people -- not only my people, but all indigenous peoples of the world. The emotion that I feel right now, I'm trying not to let it take over. With that being said, I am very upset. You know, it hurts -- hurts my heart that my own tribe has sold out to this carbon market that says and promises us these false hopes of, oh, you know, this is going to protect your lands. This is what's -- this is what's going to happen. You know, it's all BS, excuse my language.

It has never worked. I don't think it will ever work. And we are here empowered to fight for what is right, for what we know, for what our people know for tens of thousands of years.

The lies, deceit, betrayal that we have lived through for thousands of years, you know, it's no different. It's no different from all of that.

Sorry.
I challenge my Yurok Tribe. I don't see my, you know, head representatives here today. But I challenge the people that are here today, and I challenge my tribe, and I challenge you guys to please say no to TFS, please. This is not only, you know, for the future of us, our people, but it's for humanity. It's for everyone. I, please, from the bottom of my heart, hope that you reject TFS.

Thank you.

(Applause.)

CHAIR NICHOLS: Thank you.

MR. JOSEPH: I spoke earlier. To introduce myself, I'm the same Thomas Joseph that spoke about the --

(Laughter.)

MR. JOSEPH: -- Joaquin Valley -- or San Joaquin Valley's pollution standards our issues. And I just want to address the Board again to ask you guys to stop thinking in this colonial linear process that has gotten us in this -- problems in the first place. And that your true obligation and duty is to the citizens of California, and to clean up our air, and not to find mechanisms to allow California polluters to continue to pollute.

And to understand that these indigenous nations have maintained their ancestral lands for thousands of years here in California. And that we understand that
knowledge and that ancestral wisdom that protects us. And we've done that for -- before capitalism even existed, before money even existed. So you don't need to give us money to teach us how. We already have that knowledge.

This money has caused corruption, not only in indigenous nations in the South and Central America, but the indigenous nations of the State of California. That you also have representation to an obligation to protect. That these California nations are now divided against each other. And that like the young man that spoke before me, those representatives are no longer even elected representatives of the tribe that signed that year contract, and that they send down paid hands to deliver their message of allowing these corporations to pollute.

This division is caused because of these type of mechanisms and because this Board sees that it's more valuable to create markets for businesses to pollute than it is to protect the air quality of California.

And so stop thinking in the same patterns and the same mindset that got us in this in the first place. And I also want to not shame, but like foreshame with a -- if I had a bell, I would ring it right now. Shame on all of you people sitting down here and thinking that that is the correct way to move forward. That these new markets that -- that you know better than indigenous people and
how to protect their land, that you know better than
indigenous people on what's important to them, and that
their -- about their culture and about their heritage.

They know what they need to do to protect it.
And then shame on this Board for coming up with these
false solutions, and endorsing them, and giving them a
rubber stamp.

I'm asking you to be courageous in this moment,
to know that, yeah, maybe you made a wrong decision.
Listening to the testimony today is evidence that this is
a bad decision that has been proven wrong in the past, and
there's no reason to continue to go down this road when we
know that it's just a false solution, that is not going to
save the Amazon. It's not going to save the indigenous
peoples of the Amazon, and it's not going to save this
earth from the climate destruction that's going to befall
us.

You might not experience that great climate
catastrophes, but we will, and the younger generation
will. I remember the last time I spoke to you guys, we
were are all pretty shook up, because we were experiencing
a climate catastrophe. We gathered here when we couldn't
even breathe outside and we came in here for shelter. And
when we broke, we broke for a small moment in time and you
urged us not to go outside.
And now we're going to endorse these kinds of mechanisms and these kind of proposals when we know that there's no real clear pathway forward, that it doesn't really change the results of climate change?

You're really going to put that on the shoulders of your children and have them be shamed out that their grandparents had the opportunity to come up with real solutions, but they decided to allow corporate bailouts instead?

This is in your hands. You have a grave responsibility, but you stand on some land that has been defended for years. This is a sacred place. Now, we might be two stories up, but Sacramento is a sacred place. It was 10,000 years ago and it is today. And I urge you to reconnect to that sacredness, as a human being, as a person. Understand your own heart and understand that your heart is urging for you to make the right decision. You know that this is a false claim.

Don't line your pockets either. Don't allow other tribal indigenous nations to line their pockets, and Don't allow tease climate so-called justice heroes here that are supporting the TFS to also line their pockets with these corporate monies and dollars.

Thank you.

(Cheering.)
MR. KOENIG: Good afternoon, Madam Chair and Board. Kevin Koenig. I'm the Climate and Energy Director for Amazon Watch.

I've work for 25 years in the Western Amazon with indigenous people. Much of that in communities and in the forests. And I have seen first hand the impact of industrial resource extraction and development projects on communities. And I've also seen the impact of well-intentioned projects. Some of those have been successful, some last, and some of them disastrous.

I believe the Tropical Forest Standard will be disastrous for communities in Richmond, in the Amazon. It will be disastrous for forests and for our planet.

We've heard a lot of mention today about commitment of rights and ethics standards by the jurisdictions in TFS. And that -- in my experience, that is not how this stuff works on the ground.

We heard examples from Marlon Santi and Mirian Cisneros from Sarayaku, the jurisdiction, the province of Pastaza literally overnight declared the whole province a protected area. Sounds great, except they didn't consult with anybody nor, you know, get their consent.

So much so that the regional indigenous confederation, CONFENIAE, which is part of COICA that was
referenced earlier supporting this initiative, they had to take legal action to try to stop this protected area. So the way this stuff is actually happening in practice doesn't square with what we heard earlier today.

In Ecuador, Ecuador does not even have a consultation or a consent law, right? So we can have all this conversation about the right to ethic, but the countries -- and I think the same is in a lot of these tropical forest countries, there is no actual way for the right to consultation or consent to even be realized by indigenous people.

So I have a hard time seeing how this standard can uphold toes, when the consultation processes in this protected area in Pastaza absolutely violated the rights of all those communities.

If California is going to take action --

CHAIR NICHOLS: Enough. That's it.

MR. KOENIG: -- you need to take action from the purchasing --

CHAIR NICHOLS: Your time is up. Thank you.

MR. KOENIG: Fifty percent of crude from Ecuador comes to California. California can take action. Amazonians don't need a Tropical Forest Standard.

CHAIR NICHOLS: Right.

MR. KOENIG: They don't need California buying
Amazon crude.

(Applause.)

CHAIR NICHOLS: Great.

Please, the longer you go over your time, the harder you make it for everybody else.

Yes.

MR. BRINDIS: My name is Daniel Brindis. I'm the Forest Campaign Director Greenpeace U.S. Greenpeace is -- has been at these hearing before. Unlike what some folks who are supportive of TFS have said, we are strongly opposed to this proposal. We are present in 60 countries around the world. We've seen from the field that these sort of projects don't work. We have written about it.

I just want to focus my comments on the staff report. I feel like time and time again the data points that the experts on carbon offset projects have brought up haven't been answered. I also think that no one denies that the forests are in crisis and that action is necessary.

But California has acquiesced when it had an opportunity to adopt a procurement policy, for example, around high-risk forest commodities that would have been actionable and impactful options to address tropical deforestation.

And the other thing that the report talked about
was what this would mean for corporate supply chain commitments. And we all know that those corporate -- those 2020 commitments are going to be -- are not going to be fulfilled. This is a big problem. And one of the companies who is supporting the Tropical Forest proposal is Unilever. Unilever doesn't even do what's bare minimum within its control in terms of being transparent about where it's buying all these forest -- high-risk forest risk commodities.

So I think we can't, you know, just believe that these corporations are tied -- that their hands are tied and that this is the only thing that's getting in the way between them and taking action within their control to address deforestation, their supply chains.

And just finally, we've see what certification -- even the strongest certification that FSC, in my opinion, fails. They have auditors. They have a complaint mechanism. They have leverage over who they certify. They fail in the field time and time again. It does not match up with what the -- their principles and criteria. What is California going to do when we go to high-risk countries, where people don't even feel comfortable or safe to express their discontent and disagreement with these projects? What is California going to do?

CHAIR NICHOLS: Good question. And -- good
question.

(Applause.)

CHAIR NICHOLS: Okay.

MS. McAFEE: This is Mr. Diaw is here to give me moral support. He ceded some time to me.

This is Kathleen McAfee. I teach in global environmental policy and political economy at San Francisco State. Before that, I was on the faculty of the Yale School of Forestry. And I have about 20 years now research experience, field work, peer-reviewed publications on exactly the kind of projects that the TFS is based upon and on the international dispute over whether carbon offset trading belongs in the Paris climate agreement.

And that is relevant here, because if the TFS is endorsed, the message that will go out is that California is weighing in on one side of this controversy through endorsement of global carbon trading. So let's not pretend it's not

And honestly, I've got to add something to my notes here, that I thought that the ARB staff presentation was - to think of the nicest word I can - disingenuous, because it gave the -- it didn't use the word "offsets". This TFS is a product of the REDD Offsets Working Group and that is what it's about. Linkage this year or at some
future year, irrelevant. It's about offsetting.

Anyway, for 14 years now from my research, I have seen similar programs that have tried to pay people and states for rainforest conservation and they've had no success in reducing deforestation. And it's not -- no wonder why. As you have -- has the staff acknowledged this morning, the actual causes of forest -- deforestation are ranching, soy, palm oil, mining, et cetera.

But what you haven't mentioned is that these extractive, destructive industries are subsidized, and promoted, and protected by the very same governments that are accepting funds for forest conservation, and that are members of the Governors' Climate Task Force.

Anyway, the price -- the point is the prices of carbon, as any honest economist will tell you, are not going to be competitive with the profits from these forest-destroying industries.

Then, you know, California law, as I know you know, says that offsets need to be real, additional, quantifiable, permanent, et cetera. There's no way the TFS can guarantee this. And that means that California or other entities using the standard are going to end up with a lot of, what we call, false credits, liability.

You know, industries, when they use offsets, as everybody know, they put -- they can put out extra
greenhouse gas emissions. Now, forests in the offset selling states might or might not store an equivalent amount of greenhouse gases, but there are dozens of reasons why this carbon sequestration is likely to be temporary, starting with the Amazon fires, but many others. Sooner or later, that carbon is going to reenter the atmosphere.

I hope I still have time to say something about alternatives. But I also just want to say something quickly about leakage and then alternatives.

So a tropical forest state that wants to sell credits under the TFS might be able to prevent or postpone forest destruction within that state in order to sell offsets. But we can be sure that at least some of the deforestation in that state is going to move across the border into the next state, or the next country, or the other side of the planet. That's the economic reality.

So we could imagine, we're preventing deforestation when we're really pushing it from one place to another and the result is that we would be allowing more emissions than we would be without this program.

So finally, there are alternatives. One thing, and I know a lot of people are concerned about our consumption of forest-destroying commodities. And there's a lot we could do about that. We need to -- CARB could
invest in research, and legislation, towards phasing out our own imports of forest-destroying commodities. Amazon crude is only one.

And we can, of course, as many people have said, lead by example by reducing our own greenhouse gas emissions.

And then finally, we could do a lot to provide support, and not support based on the false hope of offset sales. We can provide much more support to indigenous and rural communities in their struggles --

CHAIR NICHOLS: Thank you.

MS. McAFEE: -- to have their territorial rights respected --

CHAIR NICHOLS: Did you hear that bell that just went off?

MS. McAFEE: Am I out of time?

CHAIR NICHOLS: You are.

MS. McAFEE: Okay. I have more to say about what we can do beyond direct support but I'll say it some other time.

CHAIR NICHOLS: I hear you.

MS. McAFEE: Okay.

CHAIR NICHOLS: If you can't hear the bell, you can also look at those red numbers right over there. Right over there.
MS. McAFEE: Oh. Okay. Oh, I didn't see that.
CHAIR NICHOLS: Okay. But thank you.
(Appplause.)
CHAIR NICHOLS: You did a good job. Thank you.
MS. MALAN: Chris Malan, Institute for Conservation, Advocacy, Research, and Education.
I came suddenly to this meeting. I wasn't planning on it. But when I saw a Facebook post, I thought it was strange that the California Air Board was getting involved in indigenous lands. And it just, at the gut level, it seemed wrong.
So when I got here and there were so many indigenous people, I want to thank you for coming so far to give us your ideas, your thoughts, and your heart, and I heard your heart today. I heard it.
So I'm wondering if there shouldn't be an international inquiry into the sudden and massive increase in the burning of our tropical forests? It should be an independent commission looking into this, because it smacks of corruption.
I live in Napa. I do a lot of water work and I advocate for fish up and down the north coast. And I work in a coalition of 18 different nonprofits. And I can speak with a authority that there are 1,000 acres in Napa County on the books for deforestation for wine in Napa
County right now.

So let's look at our backyard, okay? What are we doing here? What can we change here? We need to respect the indigenous people and how they think we should go forward to protect the rainforests. And I think it's presumptuous, it's arrogant, and it's improper, and it continues the disrespect of indigenous people and their lands for centuries. We shouldn't proceed in this manner. And I think they were very articulate in telling us that.

And also, I think there should be some indigenous people sitting in those seats.

(Applause.)

MS. MALAN: Okay. The precautionary principle. You should be aware of the precautionary principle which tells you to do no harm. I think that's a very good step for you to take as far as a policy on your Board. You should do no harm and focus on air quality here.

And why are burn days allowed? One burn pile in Napa County pollutes the entire valley. So a burn day --

CHAIR NICHOLS: Excuse me, ma'am.

MS. MALAN: -- translates to a bad day.

CHAIR NICHOLS: -- just look to your right.

MS. MALAN: Thank you.

CHAIR NICHOLS: Thank you.

MS. MALAN: Do something about burn days.
They're not working.


All right. These are two people and they've got
4 minutes.

MS. KILL: Madam Chair, good afternoon. Members
of the Board, my name is Jutta Kill and I would like to
thank Lauren Kelley for ceding her time to me.

For the past 25 years or so, I have carried out
research for a very wide range of civil society
organizations, both in the global north and the global
south on the environmental and social justice impacts of
international forest policy, and the instruments that then
flow from international forest policy. REDD and carbon
markets quite obviously have been a big part of that
research in the recent decade or so.

I'm here to urge you as Board members to not
endorse the Tropical Forest Standard for the following
reasons:

It's been argued I hear that rejecting the
Standard would send a bad signal because of the time
that's gone into it and because the world somehow expects
that you approve the standard. As a scientist, I very
strongly believe in the -- that evidence for proof of
concept, not time or energy spent on endeavors, nor a bad
decision taken in the past must guide the kind of decision
that you're asked to take today.

And I believe that history has a great many
lessons that underscore the importance of being guided by
evidence for proof of concept if your goal is good
environmental policy.

With regards to REDD and the Tropical Forest
Standard, there is no convincing evidence for that proof
of concept. There is no convincing evidence that
offset-based conservation has reduced deforestation,
despite more than 12 years of very well-funded pilot
initiatives on REDD. My own government, Germany, has
funded the REDD Earlier Movers Pilot Program in Acre with
more than $25 million.

Deforestation has gone up, despite all that money
this year. The fires have been burning in Acre despite
all that money. In fact, deforestation in Acre is
exploding like it has been in other places. REDD has not
been able to prevent that. I'm not even aware of another
single jurisdiction where REDD has lead to significant
deforestation -- decreases in deforestation.

So endorsement, not rejection, would be sending a
bad signal. The signal might be outright damaging,
because you're asked to endorse a Standard that isn't
really a standard, but a collection of minimum
requirements for a product that's spectacularly,
spectacularly controversial and conflict ridden. And yet, I have read the Standard several times in search for information about the governance structure, the procedures that will be applied not if, but when conflict comes to you, if you green-light this Standard.

I have not found anything in the document before you that will guide any community that will be seeking redress if the implementing jurisdiction is violating their territorial rights. Where will they address their grievances to?

Nothing in the standard that will guide them. And I believe the testimonies that have been shared with you today underscore that it is a "when" and not an "if". That concerns me very much that you're asked to approve a standard that has no mechanism to ensure that those communities that will suffer from you green-lighting this standard that they do not know where to go. This is grave. And once again, it's endorsement not rejection that will send a very bad signal indeed.

I've run out of time. I have more things to say. And I will use a tiny moment to say I visited a lot of communities affected by REDD. In all of those communities, members for or against have shared their big grief and pain about the division that REDD has brought to their communities.
CHAIR NICHOLS: Thank you.

MS. KILL: This undermines resistance.

CHAIR NICHOLS: We've heard.

MS. KILL: And that is not what you will want to do.

CHAIR NICHOLS: We've heard from others as well on this point.

MS. KILL: Thank you very much.

(Applause.)

CHAIR NICHOLS: You're not the first to say it.

We're really at the point where almost everything has been said, even if it hasn't by said -- been said by everybody. If you're listening to each other, you'll know that you've said the same. We've heard you.

Okay. We're not voting. We're listening. We're trying to listen.

Okay. Who is next?

MS. MORENO: Hello. I'm Loretta Moreno.

CHAIR NICHOLS: Yes.

MS. MORENO: I'm here to convey my experience as an academic, a Fulbright Scholar and former NGO representative working in the tropics, including Asia, Africa, and South America. My work has focused on agricultural frontiers in the tropical forest, facing active an acute deforestation pressure involving soybean,
cattle ranching, and otherwise for export to places like California.

I'm providing additional context for decision-makers as to how adoption of the Tropical Forest Standard is an important step that may help enable creation of future regulatory markets needed among a set of tools for conservation and carbon sequestration with the effect of directing deforestation away from native forests.

Working predominantly with agro-industrial corporations - as you see on the screen behind you, this is the scale we're talking about - I explored opportunities for voluntary forest carbon projects to avoid planned deforestation. In the tropics, international agro-industrial corporations acquire land cheaply, with minimal environmental oversight, obtain permits legally to convert native forests to cattle fattening operations or soybean, and do so predominantly as an investment strategy.

Tens of thousands of hectares at a time are removed, including tractor chain clearing, piling, and burning of native forests. Later, pastures are established and subsequently often change to soybean.

Threat to native forests is growing as corporations are creating more drought-tolerant and robust
seeds. A key research finding is that there is interest and willingness by agricultural investors to cease or redirect land clearing when presented alternatives. However, without a robust forest carbon market via a regulated carbon marketplace to buy and sell credits, we lack supply chain interventions that have potential to redirect agricultural development and change deforestation trends.

Tropical forests are being cleared and burned as I speak. The Standard, with its substantial safeguards proposed presents a step in the right direction and offers the key tool among many approaches needed to push supply-side interventions and a void further loss of native forests.

Thank you very much.

CHAIR NICHOLS: Thank you.

MS. JIMENEZ BAUTISTA (through interpreter): Good afternoon, members of the California Air Resources Board, society, and the people who are here present. My name is Laura Jimenez Bautista. And I represent and indigenous group from the northern part of Oaxaca.

Mexico has 66 million hectares of forests. And they represent about 34 percent of the national territory. Of this total area of forests, about 70 percent belongs to indigenous communities. The State of Oaxaca is one of the
entities with a high percentage indigenous populations. And within this area, there are at least 16 ethnic groups that are in this area.

And right now, I am representing a group of Zapoteca and Chinantecos. And they have been managing, and using, and conserving their forests for the last 20 years.

We know that together we can achieve more along with indigenous communities, local and international governments, and civil society. We also know that tropical forests protect biodiversity, and they store carbon, and they contribute to mitigating climate change. We have a solid governance and we know what we can do, and how, and what to do. We are also the decision-makers in our own destiny. We know and we live there daily.

We have maintained and we have generated local and ancestral knowledge. And we have also taken advantage of the territory by means of sustainable practices and by integrating further into the territory.

We also have -- we have also been adapted to our environment and our economy is something that really contributes to our quality of life.

We work in the forests and we also restore and regenerate them. For the longest time, we have managed, we have used, and we have conserved with great effort our
forests through a responsible, community-driven forest management system. We have generated local capacities within our own communities and these capacities are certified. We have monitored biodiversity and our resources. And we know the state -- the state of these resources and how to guarantee their well-being.

We also seek to transmit this knowledge to our children, so that they continue being the guardians of our natural resources. We women also contribute, and we support, and value the knowledge that we have given. And we have also been women who take decisions in this process. And we have tried to conserve our natural resources within the indigenous communities.

And so I believe that this Standard should be endorsed. Because even though it is not a perfect solution, I believe that we are on the right path and this will put us on the right path.

(Applause.)

MS. JIMENEZ BAUTISTA (through interpreter): I believe that together we can contribute and generate alliances to mitigate climate change, because climate change has no borders. Therefore, we support the approval of this technical Standard of tropical forests. We consider that it is important to have a free, prior, and informed consent. And we believe that it is also
important to establish accountability mechanisms between
the State of California, and the local peoples, and local
indigenous communities.

And so I believe that the work that we have done
has been a respectful one and it has been geared towards
guaranteeing our natural rights and the traditions and
knowledge of our territory. Together, we can do more. We
can contribute more and we can establish mechanisms that
will mitigate climate change, and we do this.

And I propose that you approve and endorse the
technical Tropical Forest Standards of California.
Because in this way, we can guarantee the future of our
children for whom we live, we work, and for whom the
decision-makers, and families, and community members can
really help out with.

And I know that we can reach our goals together
along with local communities and indigenous communities.

Thank you very much.

VICE CHAIR BERG: Thank you. You're done.

Thank you.

(Applause.)

MR. FESTA: Okay. Good afternoon. I'm David
Festa. I'm Senior Vice President at Environmental Defense
Fund. And I'd like to take this time to thank Chairman
Nichols and the Board for the opportunity to convey EDF's
strong support for the California Tropical Forest Standard. And I'd also like to thank Assembly Member Garcia for his leadership on this and many other issues that are important to those of us here in California.

Thank you.

CARB has been studying this approach for a decade. The rigorous standard draws on international best practices for conservation accounting, stringent monitoring, and careful oversight. EDF has worked with dozens of indigenous and traditional communities in the Amazon on the front lines of the war against illegal logging, mining, and land grabbing.

And you've heard from some of our partners today. You'll hear from some more. These communities are not only facing the global climate crisis, they're also confronting the immense threats from the recent Amazon forest fires and leaders including the Brazilian President Bolsonaro.

The need for California to act is urgent. Indigenous and traditional communities in the Amazon need, more than ever, a strong signal that the work that they are doing to defend tropical forests has value to the entire planet. California can send that signal by endorsing this Standard.

Endorsement of the Tropical Forest Standard
provides a clear message of what California values. The centrality of indigenous communities to protecting forests, the need to bolster these communities' resilience to climate change, and the irreplaceable climate and biodiversity benefits provided by tropical forests.

For the sake of our climate and in support of the indigenous and traditional communities leading the fight against tropical deforestation, Environmental Defense Fund urges you to take meaningful action today and endorse this Standard.

Thank you very much.

(Applause.)

MS. MENDES (through interpreter): Good day, members of the Board and other participants. I am Angela Mendes, daughter of environmental leader Chico Mendes. I know how to speak of who my father was.

Given the diverse audience, I'd like to explain who he was. Chico Mendes was born in the City of Xapuri in the State of Acre in the heart of the Amazon. Add 9 years of age, he went to work collecting native rubber latex. Then saw his family and neighbors being driven from their lands by deforestation for cattle raising.

Through the 1970s and '80s, he organized and let the empates, or standoffs, a form of peaceful resistance to deforestation. For his struggle in defense of the
Amazon, Chico Mendes, in 1987, was awarded the United Nations Global 500 Environmental prize just one year before he was brutally assassinated for his defense of the forest and its traditional communities.

In 2002, the Congress of Brazil recognized him as national hero and defender of Brazil's environment.

Inspired by my father's struggle, I am currently Executive Director of the Chico Mendes Committee, an NGO created to keep alive the legacy of his victories and dreams for a better world with protection of the environment, forests, and with social justice.

I am also Director of the Secretariat of Women of the National Council of Extractivist Populations, an organization created by Chico Mendes in order to strengthen the struggle of these communities for their rights. Among them is the creation of the extractivist reserves and other legally protected collective sustainable use areas.

Today, 30 years after his death, his legacy directly benefits one and a half million people protecting about 66 million hectares of Amazon forest, which is about 1.5 times the size of the State of California.

It is worth noting that these -- that there are positive experiences and policies at the national and local levels that valorize standing forests. Among them
is the Environmental Services Incentives System of my state Acre, which has become an international reference. In spite of these advances, part of the territories of these communities across the Amazon Basin continue to be threatened by predatory activities, resulting from a mistaken vision of development for the Amazon region.

We know that deforestation represents a significant part of CO2 emissions and accelerates global warming. If deforestation is part of the problem, forest conservation is a good part of the solution. I'm aware of my mission here to strengthen my father's and his people's struggle for the conservation of tropical forests and improvement of the quality of life of its communities, which today are also threatened by global climate change.

As a woman, a mother, and grandmother, I'm also aware that concrete measures, such as the TFS, are urgent, so that my granddaughter and all of the world's children and grandchildren can live on a healthy planet. One day my father said those words that are written there, "In the beginning, I was fighting to save rubber trees. Then I thought that I was fighting to save the Amazon rainforest. Now, I realize I am fighting for humanity".

Members of the Board, inspired by this phrase, we understand that TFS is a powerful incentive for us to move forward for the protection of Amazonia and all of
humanity. Please endorse the TFS.

Thank you for your attention.

(Applause.)

MS. DE LOS RIOS: Good afternoon, members of the Board. My name is Monica De Los Rios from ELL. As the Technical Director of the State of Acre's Climate Program from 2009 to 2014, as a delegate of Acre in the Governors' of Climate -- Governors' Climate and Forest Task Force, an observer of the REDD Offset Working Group, under the memorandum of understanding between California and Acre and Chiapas, and now as a member of the Independent Research Institute, I have witnessed the effort to develop lasting solutions for climate change.

Acre was the first state to adopt a jurisdictional approach and a participatory process signed State REDD+ Program under the State System of Incentive for Environmental Services. Our program was based upon broad consultation involving more than 200 people, indigenous people, traditional communities, producers, that provide us more than 350 recommendations to set up our program.

Participation of Acre indigenous peoples was formalized throughout an indigenous working group and continues in this new administration with an important indigenous woman leader formally advising the new
government. That's why I am so glad to be here in this historic moment for California endorse the Tropical Forest Standard.

In a scenario of periodical changes of government, this State face the challenge of maintaining their interest in keeping those policies going. Even though Acre's efforts were recognized through payment based oriented results from the Government of Germany, the support has not been substance to complete Acre's transitions to forest-friendly economy.

Just you know, in 2009, we had a budget for the rain program represent just 25 percent of our budget in 2009 to prevent deforestation.

VICE CHAIR BERG: Thank you very much your time is up.

MS. DE LOS RIOS: It's more than 1 minute right now.

VICE CHAIR BERG: No, you have 2 minutes. Oh, I'm sorry. They rang the bell. I apologize.

CHAIR NICHOLS: Oh, sorry. Then continue, please.

MS. DE LOS RIOS: Thank you.

The approval of the Tropical Forest Standard with rainforests the new State's commitment to forest-friendly development, because it will signal that their efforts are
recognized by California and the world. The time has arrived to put in practice what the world has been working for over the last 11 years.

Thank you.

CHAIR NICHOLS: Thank you. There was a problem.

VICE CHAIR BERG: Okay. Thank you.

CHAIR NICHOLS: Thank you for your comments.

(Applause.)

CHAIR NICHOLS: Can we get this right this time?

All right. Go ahead.

MS. LIMON: Good afternoon, Madam Chair and honorable members of the Board. My name is Gladys Limon. I'm the Executive Director of the California Environmental Justice Alliance. And we stand proudly here with a broad coalition of environmental justice and human rights organizations and individuals who urge this Board to reject the proposed Tropical Forest Standard.

The Board has exercised great leadership on numerous critical issues over the years, but this proposed Standard is a dangerous misguided effort that prudence and justice require you reject. We all agree on the extreme problem of deforestation and that urgent efforts must be made. But those underlying facts are not at issue here. What is at issue is the merits of the proposed standard as a solution and the wisdom of the Air Resources Board in
adopting it.

The Standard, as you have heard, is a fundamentally flawed approach that will not ensure a reduction in greenhouse gas emissions and is likely to perpetuate environmental injustices abroad and in California.

This Standard seeks to serve as a quasi-foreign policy that the State would like to lift as a purported Golden Standard. Yet, its packaging cannot mask the fact that it is significantly flawed and weak with vague and unclear verification protocols and standards. The TFS stands to unleash more problems than it intends to solve and that the State will then wash its hands of.

Numerous expert reports and studies point to the grave consequences of such a standard. They show the unintended consequences of displacement of indigenous and forest-only communities, violations of sovereignty rights and human rights abuses. It is especially dangerous against treacherous State leaders like Balsonaro.

The Standard may very well lead to further financial power from offset monies into his hands while further imperiling the Amazon. Alarmingly, the Standard ignores the best practices and policies that a body of research show and that the United Nation recognizes as the most effective solutions to protect against deforestation,
leaving these lands to be held and managed by indigenous peoples and local communities.

I will note that the consultation with the Yurok Tribe here was perfunctory by making an 11th-hour trip after the Standard was baked. If that's what consultation looks like in the State of California, what does it look like elsewhere. It also bears noting that holding this meeting during The UN Climate Summit in itself disregards the rights of those who stand to be most impacted, since many could not appear to be heard due to the scheduling conflict. We question the good faith in scheduling this meeting to happen during the Summit. Which as you see has resulted in a lower showing than the meeting last November.

There's also the well-documented history and reports showing that this type of Standard will create obscure emissions trading schemes that fail to result in real emissions reductions and may actually increase them, particularly in environmental justice communities and in California who are at the front lines of the largest emitters.

The State has for too long failed to address that the fact that air pollutants are emitted simultaneous with greenhouse gas emissions. We cannot proceed with the legal fiction that seeks to address emissions and air...
pollution separately.

The risk of the increased GHG emissions as a result of this Standard further threatens the health and life expectancy of communities of color and low-income communities at the front lines of emitters. If we cannot -- there is a recent report that places into question the effectiveness of our domestic forest offset program. Showing it's flawed design is leading to reductions on paper that are make-believe.

If we cannot successfully implement forest offset programs here, how does this body purport to make itself responsible for the integrity of foreign programs under the Standard. The vigorous monitoring of any jurisdiction that uses a standard is -- requires dedicated significant financial resources. Simply reporting on data provided by polluters, auditors hired by them, and questionable governments does nothing to address adverse impacts or enforce the Standard.

Nothing will be done by this body or the State as to compliance or implementation. Incorporating these words without the required committed resources renders such a gesture hollow. There is no reason to proceed. The Standard is largely symbolic or a signal which fails us all. It is not true leadership. It is not a true solution.
Given that the --

CHAIR NICHOLS: Thank you.

MS. LIMON: -- international body of the United Nations has rejected these programs --

CHAIR NICHOLS: Your time is up.

MS. LIMON: -- a State should not adopt it now.

Thank you.

CHAIR NICHOLS: I really don't want to have to use the gavel. So try and be nice.

(Applause.)

MS. MARCUS: Good afternoon. Rebecca Marcus with Food and Water Watch. Enacting the Tropical Forest Standard will undermine our State's clean energy goals and help keep us hooked on fossil fuels. Allowing polluters to avoid greenhouse gases emissions reductions if they make voluntary payments to tropical forest reforestation efforts is a misguided policy that will leave California, tropical forests, and our planet worse off, while adversely impacting public health and perpetuating climate change.

The only winners will be big oil companies who can continue fracking, drilling, and refining our State into oblivion. The biggest losers in California will be communities that already are overburdened with pollution.

Research from Food and Water Watch shows
pollution offsets utilized by California's polluters increases harmful emissions like PM2.5 and ozone precursors in low-income communities. This creates health problems ranging from asthma to premature death.

Offsets are difficult, if not impossible, to enforce, leaving questions about any actual gains in forest preservation or greenhouse gas reductions. And to make matters worse, other forest offset programs have been used to force indigenous people off their land, which we've heard a lot about today, so I will not repeat those statements, only that you take them very seriously.

Carbon offsets schemes pretend that CO2 emissions from fossil fuels are permanently sequestered in trees. But these emissions are connected to the lifecycle of these trees. The idea that we will permanently offset these emissions is even more absurd when we consider Brazilian President Bolsonaro's antagonistic policies for tropical forest preservation and the wildfires raging across Brazil.

You can't take back greenhouse gas emissions that we previously offset by the forest once it is destroyed. California should require polluting companies to reduce greenhouse gas emissions at the source. The State should declare a moratorium on oil and gas expansion and ban fracking in California.
The climate crisis calls for ambitious solutions, not bait-and-switch market schemes that allow polluters to get away with continuing toxic emissions, while destroying communities near fossil fuel facilities and the world’s forests and indigenous peoples.

(Applause.)

AUDIENCE MEMBER: Members of the Board, William Boyd, the project lead of the GCF, had to leave, had to catch a plane, but he thanks you for your work on the Tropical Forest Standard.

Thank you.

MR. BARBARAN SANCHEZ (through interpreter): Good afternoon ladies and gentlemen. My name is Oseas Barbaran Sanchez. And I am the President of the Confederation of Amazonic Peoples of Peru. And I'm very happy to be here on this -- such an important stage to be able to deliver this small message to you.

I represent several indigenous peoples in the Amazon. And we have more than 70 million hectares of forests that belong in the Peruvian Amazon and 12 million of these are -- have already been given titles to. And I have come here to the State of California to be able -- because we know that you have an important project with these Standards, with the climate change, and tropical forests, and as indigenous peoples and as Peruvians, it is
important to be able to come here and establish strategic alliances with states like yours to be able to mitigate and contribute to minimalizing deforestation.

And we also have Grupo[phonetic] Peru of the indigenous people in the Amazon. These are some of the most important organizations in Peru. And we have come to support this initiative of these forests standards within the State of California.

So every agreement, every treaty, or any standard is good as long as it respects the rights of the indigenous peoples. That is why it is necessary to start working together with you within clear rules respecting the rights of indigenous peoples and the forests.

And I appreciate you listening to me this afternoon.

MR. HAYDEN: Good afternoon, members of the Board. My name is Tim Hayden. I'm the Natural Resources Director for the Yurok Tribe. Our Tribal Council could not be here today. They are in Washington D.C. giving testimony to the Native American Affairs Committee. But on behalf of the Yurok Council, I'm here to speak on their behalf. And I'm here with a message. The message is we support the Tropical Forest Standard and we recommend that the Board endorses and approves it.

We -- you know, the Yurok Tribe, we're the
largest tribe in California with over 6,300 enrolled members. We own and manage about 100 acres -- or 100,000 acres, excuse me, of forested lands in Northern California. We've been involved with California's Carbon Program since the inception of the program. We had one of the very first early action projects in California. Those projects have greatly benefited our tribe. It's allowed us to reacquire over 50,000 acres of formal -- formerly commercial timberlands and is helping us to restore those land for our people, and to fight climate change, and protect our fishery, and protect future generations.

We're very encouraged that the Forest Standard has incorporated the GCF's -- excuse me, principle -- guiding principles to protect indigenous peoples. We believe that those principles are very important and we think that those assurances are very -- very critical to the success of the Standard.

We really believe that the monitoring elements of the Standard need to be implemented and that the State and the Air Resources Board need to continue to work with international and subnational governance -- governments, excuse me, to ensure that indigenous tribes' rights -- or land rights are recognized and protected, and they can promote their self-determination.

Thank you.
CHAIR NICHOLS: Thank you.
(Appause.)

MR. CORDALIS: Good afternoon, Board. My name is Daniel Cordalis and Tim and switched in the order, as you may have noticed.

First at the outset, I really want to thank the Board, and the Chair, and the staff really for providing us information about what TFS does and what it doesn't do. I think we were talking a lot in circles about different things today. And it's a good reminder that -- that we have that common understanding of what's actually going on.

And again, we speak on behalf of the Yurok Council who isn't here. They're in Washington D.C. actually trying to enact certain lands legislation. Lands legislation that actually works off of some of the progress we've made through our carbon market engagement.

And I know the council would be encouraged by having Yurok tribal members here too. And we'd welcome you at any council meeting. We'd love to have your participation and your input into tribal council decisions.

The Yurok Reservation in Northwest California sits along the Klamath River. And we have a very imperiled natural resources situation up there. We were
supposed to have a thriving fishery this year and we
don't. Fish just are not coming back. We have wildlife
that are hurting. We have water that's coming out
imperiled down from the upper basin and we are in a very
difficult situation. A lot of it was because of a century
or more of ownership and management in non-Indian hands.

And our experience that we want to share really
here is that through our engagement with carbon - and I
know we're not talking about carbon, but we are - the
Yurok Tribe has been able to reacquire 50,000 acres of
land, and now we are managing it.

And we want to talk about exercises of
sovereignty, this is an exercise of sovereignty. Our --
we're not giving up sovereignty to do this. We're
actually exercising it through our -- through the carbon
market. I want to make sure that is clear. And we
understand the Tropical Forest Standards might actually
give such other communities these opportunities.

But, of course, we know that the TFS and the
carbon market are not answers to the climate solution. We
need to keep -- we need to do more and we encourage the
Air Resources Board to continue aggressive policies to
reduce emissions in the state.

Thank you.

VICE CHAIR BERG: Thank you.
MR. MANN: A good day to all and thank you for your progressive efforts to manage the human environment. I know it's a tough road. I've been doing this a long time myself.

My name is Edward Mann and I am the forestry director for the Yurok Tribe in Northern California. And I'm -- I think my role here today is just to remind everyone that forests have an inherent value. And I think the keyword here is inherent value beyond cutting them down and converting them to lumber and paper. Forests around the planet provide ecological values too. They filter water, sequester carbon, and provide clean oxygen. They are truly the lungs of the planet.

I think what we are debating here today is how we value these attributes. And with that in mind, I would like to encourage the passage of the TFS and recognize that it's not perfect, but it's a step in the right direction.

Thank you.

(Dr. Busch: Good afternoon. I'm Dr. Jonah Busch, Chief Economist of the Earth Innovation Institute and California resident. It is again my honor to read from a new letter signed by 118 scientists strongly urging you to...
endorse the California Tropical Forest Standard. These scientists include 10 lead authors of the Intergovernmental Panel on Climate Change. Seven members of the National Academy of Sciences, seven fellows of the California Academy of Sciences, one member each from the European and Australian Academy of Science, four current or former Directors General of the Center for International Forestry Research, two MacArthur Geniuses, and President Obama's National Science Advisor.

I read from the letter in part, we are scientists, ecologists, economists, anthropologists, geographers, and climatologists. We strongly urge the California resource -- Air Resources Board to endorse the California Tropical Forest Standard for four reasons.

One, slowing deforestation and degradation of tropical forests is one of the most cost effective near-term steps towards a zero net carbon budget globally.

Two, the Standard would establish a very high bar of methodological rigor, transparency, and accountability.

Three, jurisdictional strategies such as this Standard seek systemic solutions across entire states and provinces, and avoid the leakage and dubious carbon accounting of some of the project-based examples cited by others.

Four, with the inclusion of the guiding
principles for collaboration, the Standard already reflects important progress fostering stronger partnerships between tropical forest governments and indigenous peoples.

In conclusion, please listen to scientists. Endorse the Standard today. Thank you.

(Applause.)

DR. DURBIN: Thank you. I am Dr. Joanna Durbin of Conservation International and Director of the Climate, Community & Biodiversity Alliance, a partnership of non-governmental organizations, including the Rainforest Alliance, The Nature Conservancy, Wildlife Conservation Society and CARE.

We urge California to lead again on climate action by endorsing the Tropical Forest Standard, which sets a high bar for recognizing states that are really reducing deforestation and respecting the rights of indigenous people in local communities. Contrary to what you've heard, many of us have explained many times how this Standard clearly responds to all the technical issues raised against it.

I'm going to focus on some of these and others are included in the documents you have -- the fact sheets you have in front of you. So the Standard itself enables
effective monitoring by requiring detailed and comprehensive reports on social and environmental safeguards that have been independently verified using principles, criteria, and indicators that conform to a standard that’s required in the Tropical Forest Standard, the REDD+ Social and Environmental Standard, REDD+ SES, which is a best-in-class globally recognized framework requiring effective and inclusive participation, free, prior, and informed consent, transparency, grievance mechanisms, equitable benefit sharing, biodiversity conservation, and more.

So our experience from the use of this REDD SES on the ground in Acre and 16 other tropical jurisdictions shows that it does support a transparent, participatory, and comprehensive assessment of safeguards for forest sector programs.

The requirements for participation:

An accessible and transparent grievance mechanisms ensure that local stakeholders speak out when they have concerns, and a program that does not continue to meet the stringent requirements in the Standard will be easily identified, so that detailed annual reporting and reports from -- will leave --

VICE CHAIR BERG: Thank you so much. Thank you very much. Your time is up.
DR. DURBIN: -- Californians to know what's going on on the ground.

Thank you.

VICE CHAIR BERG: Thank you.

(Applause.)

MR. TAVEIRA: Okay. Good afternoon. My name is Eduardo Taveira, Secretary of the Environment of the State of Amazon in Brazil.

In presenting this Act, the Governor of the State Mr. Wilson Miranda Lima who is the current GCF Task Force Global Chair.

The State of Amazonas in the Brazilian Amazon has -- in the Brazilian Amazon has a very rich socio and environmental heritage expressing several potential and natural assets. This bioma, which houses a vast stock of carbon has a wide variety of products that enable livelihoods for local communities. Amazonas territory, my state, is at 1.6 million of square kilometers with 97 percent of natural forest cover in a population of 4 million inhabitants including 66 -- 66 indigenous populations.

Amazonas visitation is part of the largest and most extensive rainforest in the worlds, as 58 percent of the State of Amazonas territory is protected including 151 indigenous territories. On the other hand, our economy on
the socioindex are the lowest in the country.

More than 15 percent of our population is below the poverty line. Most of them are riverside communities, indigenous populations. To achieve long term success is reducing deforestation and increase people's income. It should be necessary to building a new development model based on the forest environmental service or results-based payments.

Link it to carbon emissions reductions, water conversation, sustainable use of the forests, ecotourism, and others. And a scientific and technological revolution is also needed for a new developed model that should replace the current business-as-usual. Recognizing the need to add value in the region, it is time to see the forest as a great economic and concrete opportunity for the Amazon, in considering its vocation and the need to improve the enable conditions for sustainable production.

The forest must be based on sustainable development for the region. For this real challenge, we need the support of the international corporation. It is worth remembering that a few countries in the world have been able to accomplish what is required for the Amazon, in one hand, the growth economically in the other hand keep the forest sustained.

And it is time to prove that it's possible you
can -- recognizing our responsibilities and thus on the
process and ensuring effective sustainability.
California's Tropical Forest Standard endorsement is a
concrete solution on this way.

Thank you.

(Applause.)

MR. LOPEZ (through interpreter): Distinguished
members of the Air Resources Board. My name is Robinson
Lopez. I am from the Inca Peoples and coordinator of the
biodiversity and climate change. I have a Master's Degree
from Sustainable Life Systems from the University
Externado of Colombia.

COICA is the Coordinator of Indigenous
Organizations of the Amazon River Basin. And it is the
maximum international authority for coordination of the
different nationalities, peoples, and indigenous
organizations of the Amazon River Basin. And it comprises
nine countries and these are grassroots representatives.

They are ORPIA from Venezuela; OPIAC from
Colombia; CONFENIAE from Ecuador; AIDESEP, from Peru;
CIDOB from Bolivia; COIAB from Brazil; and FOAG, from
France and French Guiana; APA from Guiana; and OIS from
Suriname.

This representative authority is at the forefront
of the defense of our ancestral territories and rights.
We're more than 506 people -- indigenous peoples converged. There are 3.5 million native indigenous peoples in more than 7.5 million hectares. And there are more than 66 peoples that have -- that are volun -- that are in voluntary isolation and have been uncontacted as of yet.

These peoples live in thousands of ancestral communities dating thousands of years ago in the most important bioma of the world, because of the virtue -- because of virtue of their spiritual connection with the ecosystem and due to their unique cultural diversity, which is based on a holistic relationship with their territory.

Today, I bring you much pain and sadness from the Amazon River Basin, which is the lungs of the world. They are on fire. More than 2.4 million hectares have been affected by these forest fires and it is also effective -- affected more than 100,000 native indigenous peoples. And it has caused great social cultural impacts, as well as irreparable harm.

From COICA, we have declared a humanitarian and environmental emergency, and we have made the governments responsible for genocide an ecocide against indigenous peoples and their ancestral territories that date from thousands of years ago.
And we make a calling to the international community for international cooperation to right this wrong. We also would like to call upon the international community to protect the Amazon by adopting affirmative actions that will respect our autonomy and self-determination as indigenous peoples within our ancestral lands.

We affirm that we have reviewed the California carbon standard and we consider that it has or contains safeguards and guarantees as far as fundamental rights for protection and the conservation of ancestral territories of indigenous peoples.

VICE CHAIR BERG: Than you so --

MR. LOPEZ (through interpreter): That is why we urge the BOARD to endorse the California Tropical Forest Standards as irrefutable proof and concrete proof for the protection of the forests and the mitigation of climate change will -- which will contribute to the entire humanity.

From COICA, we respect the vision and political position of other peoples and other indigenous nations and their visions in favor or pro and against this carbon standard. We know that there are different organizations and people in California who seem to speak on our behalf for our interests for these forest communities and for the
rights of indigenous peoples.

However, these groups do not represent the voices of indigenous peoples of the Amazon Basin. On the contrary, they are using our name and our cause to promote their own agendas and their own interests.

Finally, from COICA, we support all of the initiatives that are done in a way to protect life and the fundamental rights of indigenous peoples, as long as they respect the free, previous[SIC], and informed consent.

The approval of this standard of the California Tropical Forest Standards is an affirmative, positive action to combat -- to combat climate change.

Until we meet again.

Thank you so much.

(Applause.)

MR. VALAZQUEZ CHI(through interpreter): Good morning. It is very important for us that this initiative be approved. This is the message that I offer to all of you today.

I am Basilio Velazquez Chi, of Mayan origin, and I represent the organization Community Production in the Mayan area in Quintana Roo, Mexico. I am the promoter of a development of processes to develop the community. And I help out the Mayan communities on the peninsula of Yucatan.
We live in these historic indigenous communities on our land, in our forests, in our jungles. And we have conserved these natural -- these natural resources for many, many years. Our lives, and our survival, and our culture have always depended on natural resources. And this is why we respect it so much. As you all know, the last consequences of climate change have been very cruel. It is not only affecting this country, but many countries in the world.

We feel it. We live it daily within our communities, within our Mayan communities, and the peninsula of Yucatan. The droughts are now longer. Fires and hurricanes are now stronger. Now, they require -- now we require more resources to survive. And throughout our history in these areas, our long history in these areas, we have been able to conserve it.

However, we need different alliances with everyone, so that we can conserve and maintain this for many years to come. That is why we require or we would like our rights to be respected. Our historic tradition of taking care of the tropical forests and jungles should be strengthened. And the only way to do this is by approving this important initiative that you now have in your hands and can endorse.

This, for us and for you, would be a great
opportunity, perhaps the only opportunity. And we don't have much time because consequences could be disastrous for all of those who are on the planet. And just as we have come here to support the Standard of tropical forests, we would also like to remain vigilant in its enforcement within our own indigenous peoples.

For that, we have established a set of guiding principles of collaboration with the indigenous peoples and local communities within the framework of the alliance with GCF, and they form part of this Standard.

And thank you very much. In your hands, lies the truth. Thank you.

(Applause.)

MS. REECE: Good afternoon, everyone. My name is Susan Reece. I hail from a place called Kahnawake, 20 miles north of Montreal. And my mother's people is -- they're from a little place called Harbor Springs, Odawa. So I need to everyone here and I would like to extend honor and respect to our relatives, what we call our relatives, from the south.

I'm here to just remind everyone that we're on stolen land. This very building is on an Indian burial ground. That issue was never, never fully resolved. And so now we're talking about the burning of the Brazilian and the Amazon rainforest. And this is -- what you see
here today is an outshowing of a prophecy of the Eagle and
the Condor. When they come together and they come
together to reunite all of us north, south, east, and
west. When we finally reach that point, it's probably
going to take another generation before we all come
together.

But for 527 years, we've been here in spite of
everyone. And I urge this Board to vote down this
amendment. I was not told the truth. I had a very
dramatic change of heart here as a native person. And
I've got to tell you that what these people talked about
is the truth. We're not going anywhere. We're not.
We've survived this society for 527 years and we will
continue to survive it.

MS. ORIELLE LAKE: Good afternoon. Glad that
you're still awake up there, I hope. My name is Osprey
Orielle Lake. And I'm with Women's Earth and Climate
Action Network. Eighty percent of all the biodiversity,
including forests, that is left on earth is found on
indigenous territories and lands.

And as you've heard today from different
researchers, when offset programs are forced into forest
ecosystems, and indigenous peoples' lands, this critical
stewardship and protection of forests is dangerously
disrupted. And we can already see that in this room from
the conflict from different groups of indigenous peoples. That and also the ecological cycles that they're protecting. Programs such as REDD have resulted in land grabbing and put indigenous peoples at risk of displacement and/or loss of control of their forests. And I don't see how anyway that can be managed here in California after this program gets started.

Yet, United Nations' studies show that the best protection for forests is indigenous peoples. And there's significant research to support what indigenous communities have said for a very long time that they are the best custodians of their forests.

So we really need to respect indigenous people's lands, and territories, and free, prior, informed consent before any decisions are brought into their territory.

So I can see just from today, as we all can, that we've heard from indigenous people today that have not given their consent. They have not before, and they have said in the future, they do not want offsets in their communities.

So even this possess today shows us a flaw which is how can we go forward when we're already hearing opposition. We haven't even gotten the program started and people are saying no.

Furthermore, the IPCC report on global warming of
1.5 degrees says that we have to keep fossil fuels in the ground. So we really can't have a program that doesn't address stopping pollution at the source. We should not even be considering allowing programs that are continuing to have business as usual and letting refineries and other polluters continued to do the programs that they're doing business as usual. We should be stopping pollution at source and we should not be managing our own pollution -- we should be managing our own pollution here, instead of passing it off to indigenous peoples and passing it off to forests.

Thank you.

MR. ALBERTO VARELA (through interrater): Good afternoon to the members of the Board, and the people of California. My name is Juan Albert Varela. And I am a representative of the government of the State of Jalisco in Mexico. Jalisco is an active member of the Governors' Climate and Forest Taskforce, GCF. And that is why today we are here to state that we are in favor of the Tropical Forest Standard.

For starters, it is important to establish that Jalisco has -- is covered by 4.8 million hectares of forests. Within these forests, there are around 1,100 communities and agrarian centers. And of these -- in these, 70 percent of the population is either categorized
as being highly or very highly marginalized.

In these areas, there has been an increase in the pressure to substitute traditional production systems for intensive models. The former have been influenced by the world economic models and public policies that have incentivized -- that have been incentivized during the latest -- the last years of economic openness.

Geared towards monocultures and the expansion of cattle ranching because of the high demand of beef. And this has degraded the forests, and it has also changed the use of grounds. And it has maintained degradation and deforestation in the last two decades.

For Jalisco, reversing this tendency and guaranteeing the quality of life for its -- for the inhabitants of the forest is a priority. And this is why in the last few years, Jalisco has incentivized community development as the base for the conservation of forests. We are convinced that guaranteeing the livelihood of these communities that live in the forests by adopting compatible productive practices, along with conservation is the key to guaranteeing the health of the forests and the continuity of environmental services that they offer us.

And we all depend on these. And so in conserving them, and making carbon reserves, and generating new
capture mechanisms will be of great importance to us.

This is why subnational governments acquire such a strategic relevance, because we are the state jurisdictions that can and will make the difference, because the actions -- because we must take actions in reducing these negative impacts.

In this sense, the Tropical Forest Standards is a tool at a very high jurisdictional level, because it allows us, at states, to capitalize on the results that have been obtained through policies and local actions. And we are able to go further and actually reach our goals.

Finally, the current results in Jalisco, as far as forestry would not have been able to been reached without the drive that California has offered through the GCF task force. California is a leader in innovation, and we can combat climate change. And this has been an inspiration for us all to the degree that Jalisco is now trying to California-ize their environmental policies.

The Tropical Forest Standards really make these efforts -- really land these efforts, so that Jalisco is not the only subnational government that is working within the GCF task force. And we applaud the construction and the building of the Standard, because it has considered not only -- it has included not only the principles of
collaboration, but it has also fostered the respect towards indigenous peoples and communities. And so we would like to state that we are in favor of the Tropical Forest Standard. Thank you so much.

MS. GONZALEZ: Madam Chair and members of the California Air Resources Board, my name is Isabella Gonzalez Potter. And I'm a policy associate with The Nature Conservancy here today in strong support of the Standard. It is truly an honor to be before you today as a 25-year old Mexican-American woman born and raised in the Sonoran Desert. I knew from an early age the value of conservation and restoration, because I wanted future generations to be able to enjoy the fragile Arizona ecosystem that I called home.

However, the natural splendor was confronted by the harsh reality of environmental injustice plaguing the borderlands. But even as a child, it was evident that the environment knew no boundaries. Mother Nature has no borders and we all share this one earth.

Similarly, we can't address climate change effectively if we don't address how we manage our forests and other landscapes, both in California and beyond. Endorsement of the Tropical Forest Standard is a
key step that California can take to help address tropical forest degradation and deforestation, a significant source of global emissions. It has broad utility that California and other jurisdictions could use to quantify the GHG emissions associated with forest conservation and a variety of climate policy incentives, such as supply chain policies, Cap-and-Trade Programs, or the Low Carbon Fuel Standard, among others.

As a result of the robust stakeholder process led by ARB staff Assembly Member Garcia, the Standard sets a high bar for environmental integrity, social and environmental safeguards, transparency, and participatory processes to engage local communities.

We truly commend ARB for its ongoing leadership to address climate change and recognition of the vital role natural and working lands must play in any climate change solution as Greta Thunberg articulated today.

We urge the Board to endorse this Standard and look forward to continued engagement ensuring the optical[SI]C outcome for people and nature, because when we protect nature, nature protects us.

Thank you.

(Applause.)

MS. LAUGHLIN: Good afternoon. My name is Jennifer Laughlin and I'm with the United Nations
Development Program. I'm a technical specialist on safeguards there.

So I'm here today representing UNDP to commend the global leadership that California is demonstrating through the proposed TFS. By recognizing and incentivizing enhanced climate action in tropical forests, California is providing an important contribution and positive signal to the global efforts to reduce deforestation.

Subnational jurisdictions have enormous potential to contribute to the global efforts to reduce deforestation and mitigate climate change. Jurisdictions serve as innovators providing models for program and policy level intervention that can be scaled up to the national level. We applaud California for providing a strong incentive for enhance action in tropical forests at the subnational level.

UNDP affirmed in its public comments supporting the 2018 version of the Standard that the main features and characteristics of the standards provide a solid foundation for robust programs to ensure real, additional emissions reductions with environmental integrity and social environmental safeguards fully addressed.

The overall views still apply to the updated version of the Standard. UNDP now welcomes the further
enhancements made to the standard, in particular the 
additional references to the GCF guiding principles and 
further clarification around the social and environmental 
standards.

They provide a detailed framework for reporting 
on safeguards implementation with clear indicators to 
measure progress related to many of the key issues that 
are foundational to a successful jurisdictional plan, 
including protection of indigenous peoples rights, gender 
sensitive approach and equitable benefit sharing.

In other areas of the updated Standard, the 
clarity has been also enhanced. And this is the case for 
the crediting baseline, as well the buffer pool 
establishment for addressing risk of reversals. And other 
aspects have been strengthened, such as the requirements 
around transparency as well as leakage.

In general, the updates that have been made 
strengthen provisions of the Standard and ensure 
responsiveness to comments made by stakeholders. We 
strongly support endorsement.

Thank you.

(Applause.)

MR. ROBLES DE BENITEZ: Good afternoon, Chair 
Nichols, members of the Board. My name is Rafael Robles. 
I am the climate change director for the internal state
government in Mexico.

Most of my professional life, 35 years, has been dedicated to protect and conserve tropical forests and coastal ecosystems in my country. And I come before you as the spokesperson for the agency responsible for climate change mitigation and adaptation in our subnational jurisdiction. I am here to tell you why we think California should endorse the Tropical Forest Standard.

America's tropical forests, as well as most of the world's tropical forests are inhabited by indigenous people and local communities. They are the most vulnerable people in our territories, but live within the biologically wealthiest ecosystems. This is a hurtful paradox.

These people have used the forests in a sustainable way for millennia. Their landscape appropriation has stopped being sustainable ever since they were forced to accept production modes, land tenure criteria, and demographic distribution patterns imposed by dominant powers.

Introduction of cattle, wholesale exploitation of wood resources, and the substitution of forests by extensive monocultures have been the main deforestation drivers. In spite of the loss of tropical forest cover
over the last centuries, today, during a climate crisis, tropical forests still are, together with the sea and coastal -- and coastal wetlands, the strongest bets to enhance the world's capacity for carbon sequestration in the existing biomass, the soil, and the coral reef structure.

Robust strategies to reduce greenhouse gaseous emissions related to deforestation and forest degradation must go far beyond the mere monetization of carbon. They must be solid bet -- bets towards achieving the economic feasibility of large masses of tropical forests and creating a mechanism able to compensate the people that protect their forests for the contribution to maintain the conditions that enable life on all our planet, while they sacrifice their opportunities to participate in conventional mainline development and look for more sustainable ways to use their natural resources.

Tropical countries are not the wealthiest nations in the world. If they are not able to obtain resources additional to the ones they generate and continue promoting conventional development processes, they will not be able to offer the world their forests as carbon sinks and they will end up substituting their forests for agricultural production and raw materials for industry. If this tendency continues, consequences will surely be
catastrophic to all humanity.

When the State of California, a formidable economic force, endorses a Standard that contributes to the conservation of tropical forests in other states and countries, it will show more than just a generous vision. It will show a clear conscience of the fact that additional resources will not only enable tropical states to generate local benefits, but they will also contribute to build a tool to ensure the continuity of a healthier carbon cycle and decrease the amounts of this element as a greenhouse gas.

A good emissions reductions strategy will not take away any legitimate landowner's rights or forbid their access to natural resources. These are some of the reasons why the State of California should endorse a Tropical Forest Standard.

Finally, I would like to add that Mexico's federal government has sent this Board a letter supporting the California Tropical Forest Standard, which has been delivered to you to be included in this meeting's proceedings. This letter I am sure has been carefully considered to ensure that it does not contradict Mexican law.

Thank you.

(Applause.)
MR. VASQUEZ RUIZ: Good afternoon to everyone. My respect to the people from California and the members of the Air Resources Board.

I come from Mexico from Oaxaca -- of Oaxaca. This is the state most biodiversity and culture richness. I am a representative of State's Ministry of Environment Renewable Energy, and Sustainable Development. I am a public servant and very proud for my indigenous origin.

Oaxaca is a member of the Governors' Climate Forest Task Force and I participate in the Indigenous Peoples Committee for Mexico. There's national governments members of the GCF collectively hold 33 percent of the tropical forests of the world, in our jurisdictions, public policies as well as participation of indigenous people.

That is why we have built principles that direct our work in the GCF. These principles have been considered for Tropical Forest Standard in discussion today. We have many reasons to say here. One of them is basically because recognize the enormous leaderships of California in the fight of -- against climate change.

The established leadership California has built has inspired other national governments. Two examples of these are the GCF, specifically on the forest, but also the other coalitions. The largest network subnational
governments working to meet the parties' agreements.

We have come here today to share with you that we are also working to climate actions, protecting our biodiversity and reducing the loss of the forests.

Endorsement of the TFS today is a key to the world. And those of us who came here following, should lead. We respectfully ask for you to endorse the Standard today.

Climate change does not care about borders. That is why we are here to acknowledge California's leadership is this fight. The claim crisis requires support of this standard. From Oaxaca we ask California to once again provide a model for the world to follow by endorsing this standard.

In this fight, we must recognize the importance of the tropical forest to mitigate climate change and also of indigenous peoples in forest communities. These peoples own their lands, make decisions about it, make sustainable use of their resources, be an example for Mexico and the world.

When I was a child, I was a witness of devastating hurricane that hits Mexican Pacific coast. I understood early and the role of forests and indigenous people in Mexico to mitigate climate change impacts. I want to tell the future generations, even if they built -- don't -- they don't live close to tropical forests, that
are there today, we joined our forces to achieve more, and
that California continue to inspire the world.

Respectfully, I ask you endorse the Standard.

Thank you.

(Applause.)

MS. PEREZ JAUMA: Hi, members of the Board. My
name is Diana Perez Jauma. I'm Mexican. And I'm mastered
in environmental management. And today I am the
Undersecretary of State Development of the State of
Yucatan in Mexico and a delegate member of the Governors
for Climate and Forests.

As a young women dedicated to protect the
environment, I am seriously concerned about the crisis of
climate change and shocked by the pressures and risks
threatening our forests. That is why I support the
endorsement of the Standard.

From the Government of Yucatan, we do believe in
the -- in the sustainable development, and you,
California, have demonstrated a path throughout a low
carbon. Not an easy job, considering you're the 5th
largest economy in the world.

There is still work to be done together in order
to enforce the sustainable management of our natural
resources, reducing social and environmental vulnerability
of the inhabitants of the forest, mainly indigenous
people, and reduce reforestation around the world.

California you have been a great ally for us.
Your achievements are inspiring that -- and the Standard

gives us hope that luckily can be set global pre-sets.

California exercise your leadership. We are following

you.

So I ask you gently from heart take action in
favor of the Standard -- (spoke in native language) --
because it would benefit not only California, but also

Yucatan, Mexico and the rest of the world.

Gracias.

(Appause.)

MR. FLIFLET: Good afternoon. Let me adjust

this. This is better. There we go.

Wonderful.

Thank you. Chair Nichols and the State members
of the Board, Good Afternoon. My name is Henrik Fliflet.

I work in the Norwegian International Climate an Forest

Initiative out of the Ministry of Environment in Oslo,

Norway, from away from here and far away from the

rainforests.

But I still welcome the opportunity to exchange a

few words. And I'll try to keep it brief and not repeat

any of the many things that have been said so far.

However, I wanted to stress that the message from us is
should you decide to endorse this Standard today,
California will once again be leading by example, both on
the topic of forest conservation and on climate finance.

We're also of the belief that if you're going to
do carbon trading, you should do it right, and has been --
as -- and as has been repeated many times today, the
California Standard they are debating holds the highest
standard of any public work of the type that has been
made.

For Norway's side, I should just state that we
remain committed to our core strategy of rewarding
countries and jurisdictions that reduce deforestation.
This is something we're going to continue to do and -- at
least until 2030. And for your information, in parallel,
we've been also working on our own voluntarily framework
for a standard to access global private capital in a
similar scheme.

The two standards, the Tropical Forest Standard
and the architecture for REDD+ transactions - it's an even
worse name - share the same core principles and the same
intent. And the public hearing process is open till the
26th, if anyone has opinions about that. It's possible to
have two thoughts in your head at the same time. It's a
Norwegian expression. So it's possible to both have the
topic of reducing emissions and providing finance. And
the world needs finance to combat deforestation. That's just how it runs.

So thank you for your leadership and we stand ready to collaborate.

(Applause.)

DR. NEPSTAD: Good afternoon. Chair Nichols and Board members. Thank you for your patience. What a long day. My name is Dr. Dan Nepstad. I'm the President and Founder of Earth Innovation Institute. I've been working in the Amazon for 35 years. I've lived in the Amazon for 12 of those years. I had the honor of serving on the California REDD Offset Working Group and on the Acre State Science Committee that advises the SISA program we've heard about today. And I was a lead author of IPCC Synthesis Report 5.

As I testified to the U.S. House of Representatives last week to the Foreign Affairs Committee in a hearing on the Amazon situation, we have to put things in context. From 2005 to 2012, the national and state governments of Brazil reduced deforestation 77 percent. And the answer from the wealthy states and nations of the world was very meek with the exception of my colleague from Norway.

That is as -- there's a sense of this giant bait-and-switch that California is uniquely positioned to
respond to. One -- the 7 billion tons of emissions
reductions that have been achieved by Brazil and the
states have had compensation currently at the level of 3
percent. And when that -- with that tiny amount of money,
have done huge things. But they're wondering does anyone
care?

And we all agree -- I've listened to the comments
today from those who oppose this. We all agree that
isolated projects should have no place in these schemes.
We all agree that fossil fuel has to stay in the ground.
I think there's way more convergence in this room than
there is opposition.

But I want to highlight something. The
California system is for jurisdictional programs. We just
did an exhaustive study of 39 of these around the world.
And for peanuts, they're doing vast things. Please
endorse this standard right away.

Thank you.

(Applause.)

MR. MEZUA(through interpreter): Brothers and
sisters and all those who are meeting here today, (native
language) our creator, has given us the capacity to make
decisions and seek solutions hand in hand with everyone
else, and walk the same path as human beings.

The California Tropical Forest Standard will
provide a substantially strong measure to be able to
combat the destruction of tropical rainforests with -- and
full recognizing at the same time the respect towards
indigenous rights and the local communities of those of us
who inhabit these forests. And this is why, with all due
respect, we would request that you endorse said Standard.

Esteemed members of the California Air Resources
Board of California, esteemed Chairwoman Mary Nichols, I
am Candido Mezua. I am (native language). I am a
guardian of the forests and I thank (native language) our
creator Mother Earth for allowing me to be here before
you -- before all of you today.

I come representing my nation, the nation Emberá,
in the Republic of Panama. We currently control or have
more than 1.1 million hectares of forests, tropical
forests, and more than -- and over 90 percent of this
forest is untouched and has been protected and safeguarded
by our own communities during hun -- for hundreds of
years.

Thirty thousand of us live in this forest and it
is my honor to represent them here today before you.

Forming part of the Emberá Nation, we are also members of
the Mesoamerican Alliance of Peoples and Forests. Our
alliance gathers organizations, and indigenous peoples,
and local communities of six countries, Mexico, Guatemala,
Honduras, Nicaragua, Costa Rica, and Panama. And we have
the power to influence over the protection of 50 million
hectares of tropical forests in Mesoamerica.

And this organization, the Mesoamerican Alliance,
I serve them also as -- I serve as their spokesperson and
also as Secretary of International Relations.

I have come from far away to reiterate the
backing of our territorial organizations and to unite our
voices to yours, so that the California Air Resources
Board will approve this Tropical Forest Standard, because
we know that you are firmly committed in adopting it as
climate policy of the State of California.

My ancestors, my grandparents, my family have
always used the resources of the forests in a sustainable
manner for hundreds of years. And this way has been
validated by scientific studies, including the
International Panel on Climate Change, or IPCC.

We have also developed actions that will allow us
to survive currently and to create alternatives that will
generate social well-being, as well as economic and
environmental well-being based on our principles as
indigenous peoples and our connection -- our spiritual
connection to Mother Earth.

We are developing initiatives for the reduction
of emissions due to deforestation and this includes
monitoring and patrolling our forests and the use of technology, such as drones, and community forest management, which is certified, also known as FC -- FSC.

And we have started elaborating a plan -- a life plan under -- the name in our language it would be (spoke native language). In other words, we are talking about restoring and protecting our ancestral forests as our own initiatives to contribute to climate stability and to reducing deforestation.

We have followed with great interests the initiative of the State -- of the government of the State of California in developing these Tropical Forest Standards, as long as they contribute as well -- as long as they enormously contribute to protecting our rights and our forests, despite the fact that we are thousands and thousands of miles away from California.

We consider said Standard to be aligned with international standards and international safeguards, which are applicable according to jurisdictions, both national and subnational. It is a Standard that will allow and guarantee direct participation and benefits of indigenous peoples and local communities.

Last Tuesday, September 17th in Washington D.C., the Global Alliance of Territorial Communities gave a letter -- a petition actually into the Senate of the
United States as well as the House of Representatives. In it, we expressed our worries and we called upon this body to protect tropical rainforests and to protect all the forests of the world.

The organization that I represent are actually six put together in one and we represent 16 million hectares of forests.

So my question to you is can we count on California? We live in these tropical forests. We need your support and your backing. We need the backing of California to guarantee the lives of future generations of this planet. We need you to endorse the Tropical Forest Standards.

We need you to be our allies and we need to work together as true brothers and sisters. Because if our tropical forests disappear, humanity will do so along with it.

Thank you.

(Applause.)

MS. DE LIMA COSTA (through interpreter): Ladies and gentlemen, good evening. My name is Francisca Arara, Acre, Brazil. I'm not an indigenous group. I am an indigenous person with a group. Today is great -- today can be a great day, a day that we can have a great victory.
I can say that I've spoken with you. I've come and come again. I've seen you. I've talked to people. I've heard about the concerns with the guiding principles. But I see that the Forest Standard does respect indigenous peoples. It does respect consultation. It does respect our territories.

I could be here to cry or to complain, because not only the Amazon but the world is on fire. But I've come here because I believe that policies can help. They can aid us in creating low-emission economies.

I can tell you about -- I've seen the experience in Acre, and I can tell you about it. It's not perfect, but it's an example to the world. And our great leader, Inawa, could also tell you about it. I say that only complaining indigenous peoples will lose. We need to be open to dialogue as governments need to be open to dialogue.

I would like to say that we are open to any type of legislation, any type of policy for our lands. There are many people in our state and amongst indigenous peoples who are very well informed, and very well able, and we need no intermediaries to tell us what to do.

So I would not leave a sick daughter in a wheelchair, if I didn't think this was something important. You have pen in hand. And I think that you
can tell from listening to these people who is telling the truth.

As a mother of five, a wife, as a warrior who has crossed oceans to be here, I ask you please that today we can leave with victory in hand. Please support the Forest Standard.

The world is screaming. The forest is sick. We need you. Thank you.

(Applause.)

CHAIR NICHOLS: I believe that was the last speaker. I would just like to say before we do anything more, I don't think I've ever been a part of a hearing where I heard so many eloquent speakers on both sides of a very contested issue.

BOARD MEMBER RIORDAN: Mary, for some reason, it's not picking up.

CHAIR NICHOLS: Maybe it's because of the phone that's here.

Hi. Can you hear me?

BOARD MEMBER DE LA TORRE: Better.

CHAIR NICHOLS: All right. Better anyway.

All right. I just said that I had never heard in one hearing so many very eloquent speakers. And so it's a -- been a really enlightening and, in some ways, a very emotional experience I think for all of us who listened as
well. Although, of course, we don't bring to it the same
degree of personal knowledge that the people who have come
here to speak to us have.

Before we proceed to take action, whatever it is,
I think the right thing to do would be to put the motion
on the table, and then ask the staff to respond to the
major points that they've heard. So I don't expect this
to be a unanimous vote. I expect we will have a -- we
will have to call the roll. But I want to make sure that
the staff has a chance to speak also in response to what
they heard today.

So may I have a motion and a second.

VICE CHAIR BERG: So moved.
CHAIR NICHOLS: Do I have a second?
BOARD MEMBER RIORDAN: Second.

Thank you.

CHAIR NICHOLS: Thank you.

All right. So now, I'm going to turn to the
staff. And I know you've been taking notes all day, or at
least all afternoon. And I'd like you to condense your
thoughts, as best you can. But if there are major points
that you feel either were not perhaps sufficiently
explained or where you need to provide some additional
information, I would appreciate it if you would do that
now.
INDUSTRIAL STRATEGIES ASSISTANT DIVISION CHIEF

SAHOTA: Of course, Chair Nichols.

So there's a couple of main themes that we heard throughout the day. And each of us is going to take a turn speaking to those. It's less than half a dozen that I think we need to respond to.

The first is that we did hear that there is no disagreement and that we need to act on deforestation. And to be clear, today, California does not issue or allow offsets from tropical forestry projects of any kind. Endorsing the Standard would not change that fact.

Action today would recognize that we need to value standing forests instead of clearing those forests. The Standard at its core is a tool to quantify and monitor efforts to reduce deforestation with strong engagement and benefits to indigenous peoples.

While offsets are an example of how to recognize reductions in deforestation, they are not the only way to value forests. And the Standard can be used for multiple purposes. The Standard has those multiple applications. And we may need to rely on several kinds of programs and incentives to ensure that we flip those existing economic realities that favor clearing these forests today.

I would also note that the -- that we heard about consumption of commodities and the need to think about how
we consume goods as well as addressing deforestation. To that point, I'd like to note that our 2017 scoping plan, if all of those programs are realized to their full potential, by 2030, we would see a 50 percent reduction in consumption of transportation fuels in the State of California.

So we, again, are in agreement with many of the speakers today that not only do we need to think about protecting our natural working lands, our tropical forests, but we need to continue to take action to look at the consumption of goods that may be drivers in some of these deforestation activities. And we continue to do that and we are committed to that, as we've shown this week in particular, in fighting for the right to say how we want to deal with fossil fuel consumption in the state of California.

So with that, I'd like to turn to David Hults from the Legal Office to speak to a couple of points, and then Jason Gray will speak to some technical points on the Standard.

ASSISTANT CHIEF COUNSEL HULTS: Thanks, Rajinder. So, yes, I want to address two legal issues that came up today. First, we heard some discussion of lawsuits. And to clarify, we are not aware of any lawsuits filed against the California Air Resources Board
on the Tropical Forest Standard. The Board has not yet
taken any action on the Standard. Court actions may have
been brought against other jurisdictions for their forest
sector activities, but we are not aware of any actions on
this matter against CARB.

Second, we heard a number of environmental
related comments in today's public testimony, including
comments regarding potential alternatives, and the scope
of the project under the California environmental
policy[SIC] act. Those comments have been previously
raised.

CARB staff have addressed the comments in the
final -- excuse me, in the final Environmental Analysis
and the responses to comments, which are before you for
adoption as part of your vote on the resolution here
today.

That's all I have. And with that, I'll turn it
over to Jason Gray.

CHAIR NICHOLS: Thank you.

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: Thanks. Thanks, Board.

So I have one kind of compilation of comments
based on questions of design. And I think some of the
later commenters actually spoke to this, so I'll try to be
very brief.
Folks were raising concerns based on research and based on their experiences with some of the existing projects and mechanisms in place. We take those -- we've always taken those concerns very, very seriously, which is why this standard has been approached from the very beginning at the jurisdiction scale.

This is wholly different from how projects have been approached. We're looking at scale across subnational jurisdictions. We're looking at legal structure changes to ensure that the safeguards, the monitoring, reporting, and verification requirements are built into that jurisdiction's requirements, if they choose to use this standard. That is wholly different from a private project scale approach.

We're also looking at something that addresses leakage. The largest drivers of leakage of deforestation, these different economic activities, that is built into the Standard as well.

And I think there was lots of discussion in in terms of indigenous territories, indigenous protection. We agree with every commenter that says indigenous peoples are the best defenders of the forest. This Standard takes that into account. It takes the social environmental safeguards developed by indigenous peoples who brought those to GCF task force. We're building those into the
Standard, recognizing that those respected and recognized
territories are the best defended. If there's threats
coming from outside, this Standard looks at a jurisdiction
scale approach to address that.

It also looks at transparency and monitoring
reporting and verification based on some of our own
experiences and applies that at scale.

Simply put, this Standard is actually beyond
anything that's been done before. This has never been
done before. We believe that this is going to be very
strong and we can monitor it as we go forward.

The second piece I'll address is on that
monitoring discussion. And I think we covered this in our
staff presentation, but just to recap some. The different
reports, the different satellite imagery, the different
on-the-ground monitoring that's required to be used and
publicly reported by any jurisdiction who uses this
Standard, that's all public. It would have to be made
public. If it's not public, those jurisdictions would not
be using this Standard.

The third-party verification by independent
verification bodies, their findings would also be made
public. We'd have access to that as would anyone else.
We heard from a lot of the indigenous organizations that
helped develop our safeguards guiding principles, that
they are in those territories. They are working with their governments. The will hold those governments' feet to the fire. That information, that reporting back, that continued engagement with these groups, with these -- also, the GCF governments, that information will be available.

And we heard a lot of interest from all sides on this discussion today. A lot of folks who've been studying this, who will be studying this, we believe that that will be available as well. So we believe we will know who is using the Standard, how they're doing. We can collect all that. That will be based in on-the-ground information. These relationships we've built with governments, and with indigenous organizations, and we can report all that back to the Board.

Thanks.

CHAIR NICHOLS: Okay. I think that individual members of the Board are going to want to speak before they vote. And so I think we can probably just go down the list of Board members and maybe just call the roll.

BOARD CLERK SAKAZAKI: Dr. Balmes.

BOARD MEMBER BALMES: Thanks, Mary.

This is a particularly hard vote for me. I think as Chair -- Chairman Nichols said, there was eloquent discussion, presentations, testimony on both sides of this
issue.

With regard to public health, environmental justice, I hear the concerns of especially the folks in California who say we should be doing more here in California to protect our disadvantaged communities rather than trying to insert ourselves in really an international problem.

I do agree that we need to stop rainforest deforestation. It's just -- it sickens me what's going on currently in Brazil. And despite the safeguards that have been described, and I believe they're better than anything that's been put out before, and I appreciate that it's at a jurisdictional scale rather than project-specific scale, I'm not sure that's going to stop what's going on in Brazil right now in terms of the federal government's actions.

That said, I appreciate the comment from Dr. Nepstad from IPCC. That actually strongly influences my thinking. And all the very eloquent indigenous people, representatives that have spoken today about this isn't perfect. But perhaps we shouldn't make the good -- or the perfect the enemy of the good. That was Machiavelli who said that actually.

(Laughter.)

BOARD MEMBER BALMES: You know, I guess that --
and I'll try to be quick, because I know everybody wants
to speak. I think that as a physician, somebody said - I
can't even remember who it was - do not harm. I'm a
little concerned that what we're planning to do could
cause harm. I think it's got the potential for, you know,
major benefit to the indigenous peoples in the rainforest
who live there, and have been living in harmony with the
rainforests for, you know, many generations, but I also am
concerned about manipulation and the fact that it may give
folks cover to do harm.

I mean, this is an international problem. I
appreciate that California takes leadership in
environmental issues. I'm very much proud of this agency
doing that. But I'm not sure inserting ourselves into
this complex international issue is the best way for us to
move forward.

So bottom line is right now I don't know how to
vote and I'm leaning towards abstention.

CHAIR NICHOLS: And we are going to call on the
non-voting Board members as well.

Okay. Good.

BOARD CLERK SAKAZAKI: Mr. De La Torre.
BOARD MEMBER DE LA TORRE: Pass.
BOARD CLERK SAKAZAKI: Mr. Eisenhut
BOARD MEMBER EISENHUT: Thank you.

I am a tepid yes. And the reason for my lack of enthusiasm is my concern about what this will do to California. And I haven't heard a robust discussion about what our commitment is. This protocol will require some adjustment as we move forward. It will require verification. Are we committing resources to that task and do we have sufficient resources without additional resources? Do we have resources in such a way that will not diminish our -- our work that were already ongoing?

So I guess that's a question for Richard.

CHAIR NICHOLS: Go ahead.

EXECUTIVE OFFICER COREY: Yes, Mr. Eisenhut. We thought carefully about the resource implications. And the bottom line is we have relationships with jurisdictions around the world. That's not new. This will build on those relationships. We'll draw from our expertise on satellite imagery, inventory, and reporting. And we have a -- folks. We have a team. We're ready to implement this if the Board endorses the Standard, and the ability to track as we described, and ability to periodically report back to the Board on progress where the Standard is being used and the associated experiences.

BOARD CLERK SAKAZAKI: Supervisor Fletcher.

BOARD MEMBER FLETCHER: Thank you. I wasn't here
on this Board in November when this issue first came up. I did, with some great effort, try and read through the transcript along with a lot of the supporting materials, and have certainly spent a lot of time meeting with folks who are on both sides of this issue. And I think, you know, I would say that I've gravely concerned about the degradation of our tropical forests.

You know, we've heard all of the statistics. It's one of the single largest drivers of global greenhouse emissions. I also think that the -- the work that's been done obviously I believe is substantially better than Kyoto and REDD. And I have a lot of confidence in the CARB staff and their diligence in working for a long time to get here.

The issue that I struggle with is a couple. One of which, you know, we've talked about one of the biggest drivers is fires. Now, part of that is economic driven to clear the land. The part that's not is not something that we have any ability to control. We have difficulty addressing fires in our State. And when it comes to the underlying economic argument behind this, you know, essentially what we're saying is that we take land that has value, because it could be rached, or logged, or farmed. And that the offset thereby could take that land and essentially kind of replace that value so that we
could preserve it.

    Now, you may do that on a -- not an individual lot-by-lot basis, but across broad swaths. And I'm just not concerned that the dollar amount of the offset is equal to the financial value of the underlying land. And so if the goal is to stop these things that are really degrading the forest from an economic standpoint, I just don't know that the offsets equal that amount.

    And if they don't equal that amount, then essentially what we could be doing is providing offsets for land that had no economic value, because there was never any intention of plan to develop it. And in a way, that would be throwing really good money after something that would potentially have very little impact. And so I have some concerns about some of the financial incentives. We talked earlier today on the San Joaquin brief about the challenges of pure financial incentives getting us where we need to go. And so I have some economic concerns with that.

    Now, there are things that I think could go hand-in-hand at some point with it. I think if we can attack, in some ways, the supply side. I was a big supporter of AB 262 the Buy Clean California Act, where we're actually assessing the products that come into our state and what is the carbon composition of those based on
where the materials that made that product were made. And if you start doing that, then you start moving market forces to where the suppliers of these products have to be in places that are more environmentally sensitive and have lower greenhouse gas emissions. I'm encouraged to see the Navy, San Francisco Airport, the State of California moving towards those.

I also was disappointed in the Legislature that AB 572 did not make it through. I think that is legislation that would ensure that the products in our state do not come from our tropical forests to ensure that we don't buy those, that we don't except those. Something like that would change the market dynamics of the value of the land in terms of producing a lot of the products that we consume.

And so those are -- those are -- I just have concerns around the underlying economic assumptions of the offset concept.

I share - we've discussed at great length - the additionally concerns and leakage concerns. And I think that there's, you know, things you can do to address those as best as possible. We have concerns with that in our own forest program right here. You know, those concerns have been raised and we try to address them. And if we have difficulty assuring those here, I think it could be
challenging to do it somewhere else.

On the permanence issue and the political instability, you know, it's true, we have political instability in our own country. We have a very unstable President --

(Laughter.)

BOARD MEMBER FLETCHER: -- who does very unstable things, that don't make sense. And so we can't -- you know, the rise of populism and nationalism is certainly not unique to Brazil. It is something that is affecting a lot of countries. But I do think here when we focus on California things, we have institutions that have greater durability.

Our contract law system, our regulatory system, our administrative law, our court system, our branches of government that serve as a better check. And I lived in Africa for a year where I worked exclusively -- or not exclusively. I worked quite frequently with the government systems there. I've also done work in South America. And I don't know in each of these countries that they necessarily have the durability of institutions that can protect those same contractual, regulatory type proceeding. And so I just have concerns there.

When it comes to verification, I do believe that as CARB we would do the best we could possibly do to
verify, but it's still dependent upon a third-party person.

And, you know, a tremendous success has been highlighted was the VW issue. And that's because really dedicated CARB scientists brought a car into a laboratory, and examined it firsthand, and found it, and caught it. And I think that's a level of verification that within California we can provide.

I think setting up something where we're dependent upon third-party folks to enforce the CARB standard and CARB brand is not something that I necessarily think will meet the standard that I believe we should be held to.

As it relates to the concerns of making sure that the indigenous folks and people and their concerns are addressed, although it's different, in some way, we just recently moved to better engage our communities here with our AB 617 process. But we just started that. And we're still working through how we actually make that work. And if we just started that here and we're still working through how we make that work, the notion that somehow those rights of those folks who are most impacted by the decisions that can be made are going to be protected again via a third-party entity, is just not something -- if we had folks on the ground doing this, and I understand why
we can't, then I'd probably have a higher degree of confidence that those issues can be met.

And on the legal issues, I don't -- I understand we're not subject to lawsuits. I -- it is a vexing legal question. If we say this is the CARB standard and we've said we believe that verification is real, and then there's a dispute surrounding that, it does seem like CARB could get subject to a wide variety of litigation between other parties because they used our standard that we said that we would verify and we would make sure it was good. And so I think there's some legal concern.

And so, you know, I don't think anyone has anyone doubt that we have to do something to address this issue. I'm not someone who's against market-based solutions. I'm not someone who's against offsets. Just, as a new Board member, who is very proud to be a member of the California Air Resources Board, I take great pride in serving on this Board. I take great pride in what this body has done over the years and what it will do. I'm not sure that I'm confident to vote to put our stamp of approval on something whose underlying assumptions I have some concerns about, whose verification we won't be actually doing ourself, the commitment to indigenous folks I don't believe that we can fulfill, in regions of the world where these are things we struggle to do here.
And so I think -- you know, I would like to see us continue to focus on the mission that we have here. And if this Board chooses to go forward with it, then I would encourage us to really closely monitor, and track, and verify all of these various aspects before it is. But it's not something, at this point, that I'm prepared to support.

(Applause.)

BOARD CLERK SAKAZAKI: Senator Florez.

BOARD MEMBER FLOREZ: Thank you. So as Mr. Fletcher is entering the Air Board as a new member, I am the one that sits on the Board yet to be appointed. So I do want to point that out. I'm not sure this is my last meeting, so I'm going to -- I think it's ironic. I just wanted to take a little history, just a moment, to tell you this meeting today is really interesting, because when -- I was in the Senate in 2006, and we were voting on AB 32, I remember asking a question to folks who were voting for AB 32 -- and it's obviously landmark. But my question was, was this going to take the Air Board's time from pollution? Was it going to take the Air Board's priorities from the things that we were just discussing about earlier today, PM2.5, black carbon, dairies, the California issues that I think the Board, at that time, was struggling with.
And I remember everyone telling me that we had a
dual mission, and that this was going to work together,
that we could look at both things.

Today doesn't look like both things to me. Today
seems like our priorities are really looking at something
well beyond our borders. And I was worried about it then.
And it's interesting today that we've come full circle, in
my mind, that the priorities of this Board -- just for the
Board members who are contemplating where to be, let me
make a plea for public health in California. And let me
make a plea for focus, absolute focus, on polluters need
to pollute less here. And in some sense offsets are part
of the mechanisms, but they should not be the excuse
internationally for us to lose our focus here.

So I have tremendous problems generally,
philosophically with the direction of this whole
discussion, period. I very much valued both sides of the
debate. But I can tell you I would have rather spent our
time here with a room full of folks arguing about natural
gas and electrification. I would rather have had
Volkswagen arguing why they're moving quicker and not
faster on their plan. I would have loved to have
advocates from the Central Valley here, because they were
at their meeting talking about what we're going to do with
617.
But we've spent an enormous amount of time and priorities here trying to figure out the economic stability of international countries. And we're trying to figure out what is going to go on with Brazil, when we have a President, as Mr. Fletcher mentioned, that continues to put tariffs up, which pushes products to somewhere else, where they can do it cheaply, and then deforestation becomes part of the landscape for that reason.

We don't control the international ambience of what this President does. And I'm very worried that, in some sense, we have enormous amounts of control here in California. I feel very strongly that we are in a great trajectory with what we're doing on our everyday mission.

I feel like we are actually holding up plans for the first time from a district level to ask the extra question. You heard Mr. Corey say let's hold it a little longer, and ask the harder questions, and hold a few more workshops, because I think want a deep -- dig deeper in how to make polluters here in California not run to the offset programs, but instead do the little more that matters to the people's and kid's lungs in California.

So, you know, I would just simply say that for those members who are equivocating, you're equivocating, I believe, because you're trying to judge what some other
country has to do with our own pollution problems, our kids' problems with pollution here. And for every minute we spend here today was a minute we could have spent doing a lot more deeper dives into some of the topics that I think are super important to Californians.

So I certainly would be a no vote. And I hate to sound very isolationist. But in some sense, I kind of feel like when we were voting on AB 32 at the very beginning, that I was always worried that we were going to lose that focus, that we would somehow enter into exotic conversations about exotic types of situations in other countries that somehow offered an off-ramp to do something that is really hard, and that is to focus on our own pollution problems with hard solutions that are very expensive, and, in many cases, take a lot of courage just in our own state.

So I just hope that as the members are considering this, that they also consider that we are the California Air Resources Board. And I hope that you will weigh public health, public health in California. And I understand we're trying to solve a lot of the world's problems, and I understand the overall climate issue, but we've got to focus on California kids, and lungs, and all the things that we have on our agenda. And I would just hope that we could put this away, so we can hopefully go
back to more balanced approach about focusing in on some of the problems that this Board needs to focus in on.

So that's my perspective and I will be voting no.

(Applause.)

BOARD CLERK SAKAZAKI: Assembly Member Garcia.

CHAIR NICHOLS: Pass.

BOARD CLERK SAKAZAKI: Supervisor Gioia?

BOARD MEMBER GIOIA: I want to start -- I will first -- let me say, I'm going to be brief and succinct, because the hour is late. We've heard from over 100 speakers, and I know all of my colleagues have something valuable to say. I want to start by saying, I appreciate everybody who has come here today on whatever your position is. We know you all come here with the best of intention and all share the same values that we all do, which is to make our world of better place, to reduce greenhouse gas emissions, to fight climate change. We sometimes have different priorities on how we get there.

So I expressed a number of points on how I felt the last time this was before us. And I was, at that time, not supportive of this and I continue not to be supportive. So let me explain why.

I expressed an interest that this go back to the Legislature to get greater input from the Legislature before our agency really entered a larger controversial
international sphere. And while I -- we have a letter from several members of the Assembly, we really still don't have a larger sort of input from the Legislature in general. I know -- and there are legislators on both sides of this issue.

And even the letter we have -- and I appreciate the good work of Assembly Member Garcia -- expresses -- from these four Assembly Members expresses some -- a cautiousness in their recommendation. And the points that they raise in that cautiousness are really the kinds of things that I think argue against us supporting this today.

I mean, I -- as some of my colleagues here have said, I think job one for us should be about reducing emissions here in California and leading in a way that encourages global action that unifies countries, individuals, and companies. And I think we are doing that when we drive technology change, right? We're working in changing and driving zero-emission technology, which is what's going through our regulations, through our policies. And that's what will make us successful in fighting and combating climate change.

I think entering this sphere -- and even as the Assembly letter points out, and I'll use the -- sort of -- put on reading glasses -- the language is here, "By
endorsing the TFS, the Board is taking a position on an internationally-contested strategy and as such must consciously and enthusiastically take on the responsibility of ensuring that our actions do not do further harm to our important shared goals”.

Going on to say that we need to be committed to monitoring work and to have vigorous and proactive monitoring of any jurisdiction that decides to utilize this Standard.

So, for me, the question becomes what is our priority? I think for us to take on this priority of ensuring that other nations, other communities around the world are following a standard takes away from our focus on our leadership in ways that unite countries and unite communities around the world, and driving technology change, and forcing emissions, and addressing climate change here in California.

I think there will be those across the political spectrum who would be critical of our support of this Standard. One, those who support -- who -- environmental justice advocates who want us to focus our efforts here in California, and others on different -- on the other side of the political spectrum say why is California entering this -- the internationally controversial sphere and trying to regulate what others are doing?
I think that hurts our reputation -- our reputation as global leaders in climate change. I think it puts our climate reputation at risk. So I'd rather have us focus where we know we can be successful, and that is what we do here in California and what we do that unites the globe. As we saw today, there are indigenous communities around the world on both sides of this issue.

And I know you're all sincere and I know both sides want the best for your communities. To put us in the middle of all of that, takes away from our effectiveness and reputation in doing what we can to fight climate change, and reduce emissions, and improve public health here in California.

So for that reason, I will be not supporting and voting no.

(Appause.)

BOARD CLERK SAKAZAKI: Ms. Mitchell.

BOARD MEMBER MITCHELL: Thank you. I will be supporting it.

What we -- we've heard from a lot of different people, and different spheres, and different areas of our country as well as the nation. I'm so impressed that people came here from Brazil, from Peru, from Colombia, from many different countries, from Norway. And I feel that, you know, their issue is an issue that we need to
pay attention to. I go back to the scoping plan of 2008.
And we recognize that climate change is global. It isn't just happening in one place.

And while we may want to be isolated from that, I don't think we can be. California has been a leader in all aspects of climate change and this is another opportunity to show that leadership. This Standard is a model. It's somewhat experimental, isn't it, because we haven't put it into place. And it will mean that we probably should be monitoring it and reviewing it. We're not adopting it. Other national governments and subnational governments will be adopting it. And it will be our, I think, function to review how they're doing it and to see how it works out there in the real world.

But deforestation is a real problem. And what's happening in the Amazon is quite frightening. I think we need to step in and help these countries address -- address the problem that they're facing. And we have the capability and we have the resources to do that. And so I do think that this is a measure that we should take and we should be looking at climate change as a global problem that we need to be addressing.

Thank you

(Appause.)

BOARD CLERK SAKAZAKI: Senator Monning.
BOARD MEMBER MONNING: Thank you. I do have a few questions.

(Spoke in Spanish.)

BOARD MEMBER MONNING: I thanked people for their presence and their presentations. I also recognize the differences in perspectives, but also believe that we all want to protect our forests, to protect life and our planet. The crisis is great and I believe action is required now.

A couple of questions raised about that I have for staff. If the TFS -- if the Standard were to be passed, does it impose the Standard on any jurisdiction or does it allow a jurisdiction to adopt?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: Thank you for the questions. The Standard does not impose anything on another jurisdiction unless it wants to follow the requirements of the Standard and show that it's meeting them.

BOARD MEMBER MONNING: So the jurisdiction would have to adopt. And in that process, there would have to be consultations with various stakeholders?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: That's exactly right.

BOARD MEMBER MONNING: Including indigenous people?
ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: That's the fundamental piece of this Standard. That's correct.

BOARD MEMBER MONNING: And under the status quo, do indigenous people have an automatic right to be at a table to discuss the future of tropical forests?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: I think we heard from many different groups today saying that they believe this will help make sure they have a seat at that table.

BOARD MEMBER MONNING: So in asking, is there current law that protects indigenous people to have a voice in discussions in their countries around protection of tropical forests?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: There may be in some countries. I think we heard strongly today that that needs to be improved and this would help.

BOARD MEMBER MONNING: So if a jurisdiction were to adopt this Standard, built into it the adoption of the Standard requires the inclusion of stakeholders, including indigenous people?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: Yes.

BOARD MEMBER MONNING: And for some jurisdictions
that would establish a new right of participation?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: Yes.

BOARD MEMBER MONNING: With respect to monitoring, if a jurisdiction were to adopt this Standard, would CARB participate in the monitoring of that process?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: In looking at our relationship with the jurisdiction using it, we would be ensuring we understand that process, following it, and being able to report back to the Board, yes.

BOARD MEMBER MONNING: And what are the resources that you would have to monitor adoption of this Standard?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: So Richard went into a little bit of that earlier. I think it's really looking at existing expertise within ARB, our existing relationships with these subnational jurisdictions, our existing relationships with many of the indigenous communities that would be involved, getting all that information back from them, and being able to see what's going on and report to you all.

BOARD MEMBER MONNING: Thank you.

And if a jurisdiction were to adopt this Standard, if it were passed, there's third-party
verification related to implementation, is that correct?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: Yes. So there's third-party verification related to the design of their program, the process for the program, as well as implementation.

BOARD MEMBER MONNING: And who pays for the third-party verification?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH

CHIEF GRAY: So depending on the jurisdiction, it might be the jurisdiction itself, it might be another arrangement, but it would be required to show no conflict of interest.

(Laughter.)

BOARD MEMBER MONNING: Well, I think it's important, because as raised by opponents, there's concern about the integrity of the process. And one of my concerns should CARB pass a standard that is available for adoption, but not mandated. The monitoring and the third-party verification become critical to the integrity of the Standard.

But I'll just close with a couple of comments. The planet is in crisis. We have leadership in The White House, in Brazil, who are going in the wrong direction, in terms of not only preserving tropical forests, but protecting this planet.

My view is that passage of this Standard puts the
crisis of tropical forests front and center for the global community. There's differences -- to me, the fundamental difference is those who don't believe in a Cap-and-Trade program, don't believe that that gets us where we need to go, and those who think it's a stepping stone to bringing attention to the crisis.

I'm actually not a huge fan of Cap-and-Trade. I would favor evolution to a process of carbon tax. But for today, I would urge the Board to support adoption of this standard to keep the focus and the conversation moving and to move it to communities who have not had a voice, who by the verbiage of this Standard and by the implementation of it, gain a place at the table and a voice, not just within their community, but in the global community. We need to raise that voice for all.

I would encourage members to vote for adoption of this Standard as a step towards underscoring the crisis the planet is facing right now. We can't wait for further deliberations. We can't postpone for better ideas. We have an opportunity today to put the crisis of our planet, and particularly of the tropical forests, front and center on the agenda, and fight over good implementation, good monitoring, and good evolution to better standards.

I would urge an aye vote.

(Applause.)
BOARD CLERK SAKAZAKI: Mrs. Riordan.

BOARD MEMBER RIORDAN: Thank you.

Climate change is certainly a global issue and we are a part of that, and really supported by the Legislature and Governor at the time in AB 32. And I think if we are to believe, and I think all of us do, in the health of our forests, whether they be in the Amazon, or whether they be in the United States, wherever they are, it's very important that we retain as much forestland as we can, and that they should be very healthy forests.

And for that reason, I am going to support this, because I believe it is, as the speaker who preceded me said, it's front and center, and should be front and center for the world to look at as something that we should be supporting and monitoring.

(Applause.)

BOARD CLERK SAKAZAKI: Dr. Sperling.

BOARD MEMBER SPERLING: California has been a leader in the world on local air pollution and climate change, and, yes, for -- even for local pollution. What we've done with zero-emission vehicles, emission standards for vehicles has been a model for the rest of the country and the world. It's followed us. And what we do is so hugely important.

And so I'm a proud Californian, that we have
taken leadership, proud of our staff for doing such a
great job of working through the details of how to make
this work, and so I look forward to us adopting this rule.

(Applause.)

BOARD CLERK SAKAZAKI: Ms. Takvorian.

BOARD MEMBER TAKVORIAN: Thank you. I just want
to say thank you to everyone who's here today.

I am particularly grateful to those who traveled
so far from communities that are so impacted by climate
change in ways that we in California will never --
hopefully never know, but that we don't know now. These
are very, very different experiences that people are
having across the world.

And by the -- and it's caused, in some part, by
the overconsumption of resources by first-world countries
and first-world states like California. I have no doubt
that we are all sharing the same goal of preserving the
tropical forests.

But I have to say that this version of the
Tropical Forest Standard, in my view, has virtually no
significant revisions, and I'm deeply disappointed about
that, to the Standard from the fundamental framework that
you presented in November.

It was the clear sentiment of members of this
Board that a different more expansive approach be taken,
and in my view that didn't happen. We didn't address what
the authority is here for this State, this Board to be
taking this up and how we can possibly retain our
credibility as leaders in California to address climate
change and air pollution by going out with a flawed
foundational -- non-foundational position like this one.
The current evidence -- because the current evidence
really demonstrates that the underlying fundamental
framework for this Tropical Forest Standard has not worked
on an international level. And I have not heard any
evidence that says that California knows better than the
UN or other international bodies.

Very importantly, multiple pathways and
alternatives were never even discussed. You have said
that those are asked to be discussed by the implementing
jurisdictions, but there's no requirement that
implementing jurisdictions reduce their consumption or
have rules on the books in -- along with an offsets
program.

So there's no requirement for that at all, so I
think it's disingenuous to say that it's included.
Indigenous communities are not included as decision
makers. And I think that the Senator asked really good
questions, and I frankly don't feel like he got an answer.
Are indigenous communities at the table as
decision-makers?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH
CHIEF GRAY: Yes.

BOARD MEMBER TAKVORIAN: Really? Where and where is that verified?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH
CHIEF GRAY: If someone is using the Standard, they will be at the table as decision-makers.

BOARD MEMBER TAKVORIAN: As decision-makers who can reject the offsets?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH
CHIEF GRAY: As decision-makers in the design of the program for the jurisdiction, yes. That program may not have anything to do with offsets.

BOARD MEMBER TAKVORIAN: Okay. In my view, I think that the implementing jurisdictions hold all the cards. They control everything. They control the development of the sector plan. They establish the criteria for the third-party verifiers. They select the verifiers and then the verifiers decide if they have a conflict of interest. They oversee the verifiers. They enforce the requirements. Then they post the reports. And they're required to do public outreach, but they don't have to actually get consent. That's clear I think in the requirements.
And the requirements for third-party verifiers are that -- that you can have 2 years of professional experience or an advanced degree, which means that somebody just graduated can set up shop as a for-profit third-party verifier and make a bunch of money. And I don't really think that's what we have in mind.

If CARB was on the ground, ready to be there as a verifier. That could be different. But I don't know where those resources are coming from or where CARB has the cultural competence to be in how many countries around the world and the global south. So I really think that that's -- that's not going to happen.

These third-party verifiers that I've looked into have statements on their websites like they're for-profit businesses that state things like they're maximizing commercial opportunities and developing sustainability credentials for their clients. I don't think that that's what this program should be about. And I'm concerned about these folks being in charge of the program.

Last thing I want to talk about -- well, second to the last thing is that I'm really concerned that we haven't developed any -- we haven't taken a fair look at the international market based mechanisms that have a very poor track record. I think that there were speaker after speaker who spoke to this.
The Clean Development Program resulted in 85 percent of offsets being ineffective. The Joint Implementation Program resulted in 75 percent of credits being ineffective. And we all know that the United Nations program, REDD, is not only paid to preserve forests that were later destroyed, it also has intensified poverty. So I think that this is a quintessential leap of faith and not a basis for policy making, and in my view.

Lastly, I think the impacts on California environmental justice communities is -- could be devastating. We think that the new approach that CARB has taken with 617 is promising, but as, I think, Supervisor Fletcher said, it's just still evolving and we really, really need to put our attention on that. And we can't afford to have our air basins who are still struggling to reach federal attainment standards to be -- to take their focus off of that.

So from my perspective, this is the wrong direction for CARB to take, from a scientific perspective, I think it's wrong from -- an inappropriate intervention from California that empowers governments and corporations to exploit indigenous communities, both their land and their resources and really their very survival. This is not just a policy decision. We're -- peoples lives are at stake and these are people who do not live in California
and who we do not have direct contact with, and certainly
do not have direct control over the implementing
jurisdictions.

I guess my question -- my last question. I don't
have a question. I'm voting no on this, so there's no
question about that in my mind.

But I would ask the question about when you
assert that there's accountability and monitoring that
CARB would do, what are the consequences if an
implementing jurisdiction does not comply with the
guidelines? Does CARB have the authority to cancel the
program?

ISD CLIMATE CHANGE PROGRAM EVALUATION BRANCH
CHIEF GRAY: So the accountability that we talked about in
terms of the level of eyes that will be on this, the level
of indigenous engagement to ensure that if a jurisdiction
says it's following the Standard, that it actually is. I
think that's the public accountability.

California is going to be watching what's going
on. If we're not partnering directly with that
jurisdiction, then we look at the Standard and then
there's not a direct engagement with that jurisdiction
directly.

BOARD MEMBER TAKVORIAN: So what are the
consequences, if they don't uphold the Standard?
CHIEF GRAY: Well, I think there's some good examples of how -- how that's occurring right now. For jurisdictions who are following some types of standards -- we don't think it's as robust as ours. Norway has been partnering with Brazil for a long time. That example came up. Norway is not putting anymore funding into them right now, because of the policies and the reversals on the deforestation. The -- so they canceled the program.

On the jurisdictional level -- on the subnational jurisdictional level, there is an engagement from the German Development Bank we heard about with the State of Acre. Acre's deforestation rates, as has been mentioned, have gone up for this last year. They are not getting incentive funding from that German Development Bank partnership. But the incentive is very strongly in place with the design of Acre's program, with the engagement of the indigenous leaders from Acre we heard today, to ensure that they go back to having really good rates of deforestation reducing that, and to get that incentive funding again.

So those are some examples that occur.

BOARD MEMBER TAKVORIAN: Okay. Well, thank you for your response. I guess I'm -- my view is I don't want to see us go down a road where we have to experience that
kind of devastation and have California communities
continue to be impacted by industrial pollution that we
have the opportunity to really stop and address with the
resources that we're proposing to go into this program.

So I would suggest that we aren't in a position
to do this either economically or morally.

Thank you.

(Applause.)

BOARD CLERK SAKAZAKI: Vice Chair Berg.

VICE CHAIR BERG: Yes, I'm going to cede to Mr.

De La Torre.

BOARD MEMBER DE LA TORRE: Thank you. I wanted
to also thank everybody for coming and speaking. This has
been obviously a very spirited discussion. I wanted to
clarify when I pointed out on the translation what the
issue was, because we had had an issue previously, which
is anything that is said in another language that
attributes actions to this Board or to this California
State government must be on the record. And if it wasn't
reflected in the translation into English, that's what I
pointed out last year when it came up, and then again
today, that there was something missing there that was
said about the State of California taking actions. So
that's -- I wanted to clarify why I did that.

And I was listening intently across the board.
If -- you know, people can obviously say what they want to say. But if there's something specifically said about the State of California and actions we've taken, whether right or wrong, those need to be on the record. So that's why I clarified that one point.

I also wanted to thank Assembly Member Garcia and Senator Monning for their comments. They were very instructive. The Legislature created AB 32. I was there. I voted for it and the Legislature extended AB 32 and the Cap-and-Trade Program.

So I understand there are -- there is a lot of animosity and opposition to Cap-and-Trade, but it is the law of the State of California. So, it is -- excuse me. It is -- it is the law in the State of California. So to attribute or lessen the ability of other places to do something that we do here in the State of California -- and to be clear, this measure -- this TFS is not an offset program for California. If California wants to do something like this, it's a full regulatory process. It will take months. There will be public input. It will be a whole nother regulatory process for the State of California.

In the time I've been on this Board, we've only done one offset program. It was about 5, 6 years ago. It was the rice offset protocol. That's it. These things
don't just pop up and get approved. They just -- they're pretty rare. So if that was going to be the case, and it's not today, there would be this full process.

So I want to focus on one thing that keeps coming up, which is perceived intent is not a fact. That is not what's in front of us today. I understand that people think that's what this is or where it's going, but that is not the document that's in front of us today. And so with that, with the commentary from our legislative members who are ex officio and therefore do not vote, I am going to vote yes.

Thank you.

(Applause.)

BOARD CLERK SAKAZAKI: Madam Chair, back to you.

VICE CHAIR BERG: Thank you. I also have been really on the fence about this program. One of the things that I do want to say is that throughout the testimony, people would talk about truth. I believe everybody spoke the truth today. It's the truth of what they're experiencing. And there isn't a silver bullet here. There is a crisis, and we're called on to hear all the varying points of view, and then determine how to proceed.

So I really do want to thank everybody for coming. And I really want to thank you for speaking your truth. And I don't think that this forest protocol or
this Standard is a silver bullet. But that said, when we opted in to the leadership of climate, we opted in to a responsibility to look at all these very important issues.

I also would like to agree with the fact that I do think other actions are critical. And to how we're going to do this as ARB, I don't think we can just look at one thing. And I'm sorry to hear, I didn't realize Supervisor Fletcher, that we didn't pass the supply-side legislation, because I do think that consumers in California particularly would vote or would buy products and things that were not affecting the rainforests. And I hope that we would be able to take another run at that legislation at a future time.

But I do think in casting my yes vote that I am saying to our organization that we will follow up on this. And that if, in fact, we find that we have done more harm than good, that we would own up to that and bring that back to this Board.

(Applause.)

CHAIR NICHOLS: Okay. It's down to me. You know it's -- having listened to a lot of very high-minded discussions, I'd like to perhaps reframe this issue in a slightly different way. Because I have a history, in addition to all the years I spent on the Air Resources Board as an air regulator, thinking about
permits, thinking about trade-offs, and offset programs, et cetera, I was also a Resources Secretary for the State of California for 5 years. I have been a land manager and I've thought a lot about what it takes to do good conservation practices, which, by the way, we have some issues in California in terms of how we're managing our own lands, as has been alluded to by other people.

It's just common sense that if you can get money to people to preserve their land, you have a better chance of preserving it, and getting it managed, than if you don't.

In California, we pass bond acts to create money for conservation easements. And we've also raised a lot of private money. Not we ourselves, but many organizations are out there in conservancies around the state looking to raise private money, to pay landowners to actually protect the land and not convert it into other things.

To me, that's the analogy that we're looking at here is how to make it more acceptable, more possible, more financially possible for people to save the tropical rainforests than not, than what's going on today.

You know, the analogy to me might be for Senator Florez in Bakersfield, which used to be all oil all the time, and now is the epicenter for solar in California.
And look how that's changed their attitudes about programs relating to climate and to -- and to Cap-and-Trade, and so forth, as well as to the whole AB 32 and renewables program.

So it's a shift in the economic incentives to put the incentives into what we want done versus what we don't want. It's true we're California. We are not going to be out there in person monitoring every piece of it. We're going to have to pay attention. As Vice Chair Berg said, if we actually find that our Standard is being misused or abused, we do have an obligation to do something to repair that, if we think that's actually in the works.

But we're not actually trading with anybody, or accepting anybody's allowances, or approving their programs. We're putting out a program that we think, if done right, would work and would make the right difference, make the -- send the light signals.

I think we should do it. So that's -- my vote is going to be yes.

(Applause.)

CHAIR NICHOLS: So can we now call the roll? Oh, I have to close the record. You know, if I keep this job any longer, I might actually learn how to do it.

Thank you. I needed to be reminded that the record is closed before we actually vote. Thank you.
And now let's just call the roll for the vote.

BOARD CLERK SAKAZAKI: Dr. Balmes?

BOARD MEMBER BALMES: Abstain.

BOARD CLERK SAKAZAKI: Mr. De La Torre?

BOARD MEMBER DE LA TORRE: Aye.

BOARD CLERK SAKAZAKI: Mr. Eisenhut?

BOARD MEMBER EISENHUT: Aye.

BOARD CLERK SAKAZAKI: Supervisor Fletcher?

BOARD MEMBER FLETCHER: No.

BOARD CLERK SAKAZAKI: Senator Florez?

BOARD MEMBER FLOREZ: No.

BOARD CLERK SAKAZAKI: Supervisor Gioia?

BOARD MEMBER GIOIA: No.

BOARD CLERK SAKAZAKI: Ms. Mitchell?

BOARD MEMBER MITCHELL: Yes.

BOARD CLERK SAKAZAKI: Mrs. Riordan?

BOARD MEMBER RIORDAN: Aye.

BOARD CLERK SAKAZAKI: Professor Sperling?

BOARD MEMBER SPERLING: Yes.

BOARD CLERK SAKAZAKI: Ms. Takvorian?

BOARD MEMBER TAKVORIAN: No.

BOARD CLERK SAKAZAKI: Vice Chair Berg?

VICE CHAIR BERG: Aye.

BOARD CLERK SAKAZAKI: Chair Nichols?

CHAIR NICHOLS: Yes.
BOARD CLERK SAKAZAKI: Madam Chair, the motion passes 7 to 4.

(Applause.)

CHAIR NICHOLS: Thank you.

(Chanting from the audience.)

CHAIR NICHOLS: I don't think so.

BOARD CLERK SAKAZAKI: Madam Chair?

CHAIR NICHOLS: Do we have any public commenters, general public comment?

No. No, we have no public comment.

(Thereupon the Air Resources Board meeting adjourned at 6:51 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 1st day of October, 2019.

JAMES F. PETERS, CSR
Certified Shorthand Reporter
License No. 10063