Environmental Justice Advisory Committee Member Attendees:
Tom Frantz (TF), Katie Valenzuela Garcia (KVG), Kevin Hamilton (KH), Luis Olmedo (LO), Mari Rose Taruc (MRT), Eleanor Torres (ET), Martha Dina Argüello (MDA), Kemba Shakur (KS), Gisele Fong (GF), Monica Wilson (MW)

Air Resources Control Board (ARB) Staff
Trish Johnson (TJ), Floyd Vergara (FV), Dave Mallory (DM), Johnnie Raymond (JR), Veronica Eady (VE), Wes Ingram (WI), Ambreen Afshan (AA)

ARB Board Member
Diane Takvorian and Dean Florez (attended March 29 only)

ARB and Other State Agency Attendees
Trish Johnson, Dave Mallory, Floyd Vergara, Wes Ingram, Johnnie Raymond, Veronica Eady, Ambreen Afshan

Facilitation Support
Stephanie Lucero SL, Facilitator, Center for Collaborative Policy (CCP)
Justin Almase-Ruschell, Note-taking support, CCP
Mark Wilson, Technical Writer

Action Items
1. Sector workgroups and the EJAC Leadership Team will schedule time to work on incorporating overarching issues throughout all sector discussions.
2. TJ will provide an overview of the Public Health Analysis on Monday, April 3, 2017.
3. FV will follow up on the EJAC’s request to meet with ARB’s Board in April 2017.
4. FV will provide TF with information on how ARB gathers emissions data.
5. FV will include LO in ARB’s conversations with staff agriculture expert Michelle Buffington related to ARB exemptions in agriculture.
6. TJ will email EJAC members the schedule of the sector workgroup deep dives.
7. CCP and ARB will share organized flip chart notes to use in the sector deep dives.
8. The sector workgroups and Leadership Team will work on incorporating a summary of overarching issues and incorporated EJAC recommendations at the beginning of each sector of the Proposed Scoping Plan.
9. FV will include LO in ARB’s conversations with staff agriculture expert Michelle Buffington related to ARB exemptions in agriculture.
Materials

Draft EJAC Guiding Principles
Draft Cross Link of EJAC Recommendations in the Scoping Plan
Proposed Scoping Plan
Sierra Business Council and Sierra Institute Letter
Appendix A: Meeting Flip charts

Day 1, March 29, 2017

Welcome and Introductions
TJ, ARB opened the meeting by welcoming attendees and introducing Veronica Eady, ARB’s new Assistant Executive Officer for Environmental Justice (EJ).

Stephanie Lucero (SL), CCP, reviewed the materials and agenda, and introduced meeting participants.

MDA, welcomed the other Environmental Justice Advisory Committee (EJAC) in attendance and reviewed multiple local EJ concerns. She explained that oil and gas infrastructure still exists beneath the ground. Many of the active oil wells in the region are within 50 feet of a “sensitive site.” She said the garment and toy industry, furniture district, and military and auto production in the area have left a legacy of poor air quality and soil contamination. Air quality remains a primary EJ issue in the region. Consistent traffic increases air pollution. Additionally, she said the large community investments in transportation over the last five years has made low-income and senior housing no longer affordable. Increases in the cost of living often coincide with transportation infrastructure investment. Ms. Argüello reminded attendees they would visit two of these sites on a tour the following day. Finally, Ms. Argüello reiterated that community-organizing groups have begun changing the investment process. Local communities now want to address the transportation of goods, zero emissions vehicles, and issues related to freight.

Gisele Fong (GF), EJAC member, spoke about the Los Angeles basin oil and gas production from Los Angeles to Long Beach, with emphasis on the ports. Ms. Fong stated the basin serves the entire country. However, local residents bear the burden of burning, refining, and transporting fossil fuels. Substantial local EJ issues relate to the trading of oil and gas.

Diane Takvorian (DT), ARB Board member, reiterated that furniture manufacturing is the second largest industry in Tijuana, Mexico. Television manufacturing has moved to Asia. These
are global EJ issues. California (the State) can set the tone and provide modeling for the country and the world.

Guiding Principles

Ms. Lucero reviewed the Guiding Principles and Principles of Working Together documents. Ms. Lucero asked EJAC members to consider the following in identifying next steps for incorporating the Guiding Principles as they finalize recommendations for the Scoping Plan:

- How can EJAC members discuss implementation of EJAC recommendations to the Proposed Scoping Plan?
- How to discuss different perspectives related to EJAC recommendations?
- How to respond to ARB and communicate with the public effectively?
- How to bring all EJ community issues to the EJAC?

Questions and General Comments Related to Guiding Principles

- MRT provided background on the Principles of Working Together document. She recognized the challenges associated with addressing a diversity of opinions. She explained the document articulates how EJAC members aspire to interact with each other. The document establishes process ground rules to support mutual understanding and to provide a “safe zone” for a diversity of opinions within the EJAC.
- MDA: EJAC needs work in this area. We have had moments where members do not agree. We need intervention in those moments. This is not always easy.
- KH: For example, TF and KH opposed dairy digesters earlier in the process than other EJAC members. Over time, TF and KH educated members on their dairy digester positions, keeping the idea of consensus in mind. The EJAC must create an “Inside, Outside” approach, working transparently with opposing viewpoints. The EJAC must create room for diverse opinions and allow for disagreements—make those statements to the ARB Board and elsewhere. Celebrate diversity and associated conflict. Creative conflict is productive.
- KVG: Assume good intentions. This builds trust. Opposing viewpoints are not always negative, coercive or manipulative. The EJAC represents communities who do not have a voice. We must be able to have discussions and vote on issues as needed. Create a safe space for each other. Be honest with each other and speak directly.
- GF: It is important to recognize and discuss conflict. There are many EJ communities throughout the State. What are the key pieces of information we can share with each other to better understand the issues? Lean on each other for expertise.
- EJAC members can approach and use the facilitator as needed. Trust EJAC members as designated representatives of local communities. Enable them to speak for local communities.
ET: Each EJAC member is an important piece to the greater whole. We must all respect the leadership each of us represents in our community.

KVG: We have to be careful labeling ourselves as experts, or having all the answers. Our role is to be the voice and reflection for the community and amplify their concerns.

MDA: We are leaders within our organizations. As EJAC members, we are accountable to many people. We must keep faith with frontline EJ communities.

TF: I have served for ten years on this committee. I trust each member represents his or her EJ communities. We run into conflict occasionally. We must separate and acknowledge conflict between short-term and long-term goals for various EJ communities. We represent the wider world of oppressed EJ communities. This creates conflict too: What is best for a local community vs. local action.

MRT: Remain practical. In practice, what does this look like as we approach our final recommendations to the Scoping Plan? The EJAC strives for consensus, but will vote for the majority otherwise. We document minority opinions.

The EJAC and ARB clarified how the majority and minority opinions are captured in the EJAC recommendations through the prioritization process.

Honor the process. Acknowledge the limited period and how best to have challenging conversations.

GF: If members require additional time within a conversation, define whether the issue is short-term or long-term. The facilitator can think through the central questions at hand, identify issues and rethink the process.

MDA: Be clear about when enough data exists to move forward. Balancing the two is important and requires self-discipline and consultation with others in the EJ movement.

ET: Support each other and do not manipulate within other areas and regions.

KVG: It is also important to respect membership, partners, and clients throughout the State.

KVG: Connect stakeholders with regional EJAC members and attempt to set up meetings for them.

ET: Attempt to coordinate a meeting with stakeholders and the EJAC member. If that does not work, then step in and help build the relationship. I passed along a group reference to MRT, who set up a meeting with the stakeholder and communicated with the group and me as the dialogue moved forward.

MDA: Consultation with other EJAC members should be geographic and subject area based.

ET: Provide local communities information necessary to make informed decisions.

LO: The EJAC should evolve from addressing the Scoping Plan to the inner workings of ARB, and the ARB Board to establish longevity and institutionalize the EJAC. Should we create parallel process for this?

DT: Establishing the ARB liaison position (Veronica Eady) was important for this process. The EJAC could make this a recommendation and include it in the Scoping Plan as a “Next Step.”
• **MRT**: That was an EJAC recommendation—it is not in the Proposed Scoping Plan.
• There is a need to operationalize input from EJ communities.
• **WI**: There may be a natural transition to incorporate EJ and the EJAC within ARB. ARB is moving from high-level discussions to specific programs and openly embracing EJAC and EJ communities to assist with the process. For example, dairy digesters.

**General Administrative and Coordination Discussions**

• The EJAC unanimously voted and formally requested a meeting in April with the ARB Board, and if possible an additional meeting in June.
• **MDA**: The Scoping Plan is difficult to understand. How can the next iteration of the Scoping Plan include EJ? What can the EJAC do to phrase its recommendations differently for easier incorporation in the Scoping Plan? The recommendations are inconsistent and contradictory, making them difficult to recognize.
• **Action Item**: Sector workgroups and the EJAC Leadership Team will schedule time to work on incorporating overarching issues throughout all sector discussions.
• **Action Item**: TJ will provide an overview of the Public Health Analysis on Monday, April 3, 2017.

**March 2017 Community Workshop Overview**
SL asked EJAC members share community feedback received during community workshops and community engagement to identify key issues. The EJAC utilized these comments and community priorities to identify outstanding issues Sector discussions. See Appendix A for further details. The comments received are organized by community workshop/community and further separated by sector tables at each of the community workshops.

**Sacramento and Sierra Nevada Listening Session**
• **KVG**: Non-EJ Sierra participants are upset about CalEnviroScreen. We spent most of workshop addressing their concerns.
• **KVG** some Lessons learned from this session were:
  o Need to build different bridges to communicate with tribal communities.
  o Community workshops outside EJ communities are not worthwhile because they are not the emphasis and focus of EJ outreach.
• **KVG**: shared a major comment heard related to allowing small-scale / localized biomass facilities.
  o **TF**: They will be out of compliance with federal clean air standards.
  o **KVG**: Reinforced cultural and prescribed burning mechanisms.
• In Sacramento, waste transportation is a concern. Seventy five percent of waste generated in Sacramento County is disposed of outside the County. Establish a penalty to address this concern. This is contrary to the State’s goal to eliminate waste disposal.
  o Establish a cost / fee to take waste out of the County.
  o Divert 100% of waste picked up that is divertible.
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- Quantify benefits for Natural and Working Lands and include them in the Scoping Plan.

Oakland

- **MRT: Industry:**
  - No trading, offsets or free allowances in EJ communities. More climate investment in EJ communities.
  - Increase the price of carbon.
  - Participants support a carbon tax.
  - Use funds in EJ communities.
  - Consider Social Cost of Carbon (SCCO2), including health care costs. Increase carbon price over time.
  - Emphasize Just Transition fund.
  - Ramp down oil production. Stop building fossil fuel infrastructure. Eliminate the loophole around oil exports.

- **KS: Green Buildings:**
  - More green transportation hubs in EJ communities.
  - Increase budget for urban forestry beyond 1% because of Green House Gas (GHG) reducing values.
  - Increase urban canopy targets from 30-40%.
  - Do not allow out of state offsets, apply to in-state urban forestry.
  - Increase green jobs education and training.
  - Include maintenance of trees in funding.
  - Include recycled water for development projects.
  - Identify inter-sector connections.
  - Introduce legislation to require urban forestry to provide barriers from new development / polluters.
  - Address displacement: Include EJ community members in funding selection committees.

- **MW: Green Energy:**
  - Make it easier and more effective for buildings to participate in solar, including warehouses.
  - Increase education in EJ communities.
  - Offer workforce training, leading to jobs.
  - Make connection between jobs creation and training in EJ communities.

- **MRT: Transportation:**
  - Community friendly land use.
  - Aggressively reduce freight emissions.
  - Increase zero emissions vehicles, not “near” zero emissions.
  - Increase ridership and access for public transit.
  - Prioritize reductions at ports and electrify docks.
  - Increase mobility options for public transit, including at schools.
  - Create equity in electric cars.
Los Angeles

GF and MDA shared responses from this workshop.

- **Industry:**
  - Focus on direct pollution reduction and facility-based direct reductions.
  - Explore Cap-and-Trade alternatives further.
  - Cap-and-Tax methodology is off base. Much of the community supports Cap-and-Tax.
  - Cap-and-Trade increases the burden on communities adjacent to refineries.

- **Overarching:**
  - There was frustration concerning failure to shift to carbon tax policy.
  - Citizens Climate Lobby participants had worked with REMI model and favored this approach.
  - If Cap-and-Trade is used, offsets must benefit local EJ communities.

- **Climate investments:**
  - Report shared by Liberty Hill regarding Green Zones and Grass Roots will help identify how investments can truly result in benefits to EJ communities.

- **Industry:**
  - Residents want to know real time air quality data and make it more accessible. Through school districts for example.

- **Transportation:**
  - Increase zero emissions fuel and technologies, not near zero emissions fuel and technologies.
  - Expand clean transportation options.
  - Increase frequency and accessibility of mass transit. Target working class people, not tourists.

San Joaquin Valley

TF and KH shared comments and feedback received during these workshops.

- **Overarching:**
  - Severance tax on oil and gas to provide funds for Just Transition.
  - Communities favor Cap-and-Tax, vs. Cap-and-Trade.

- **Transportation:**
  - Small rural communities do not have access to public transportation.
  - Residents must drive children to school because there are no sidewalks or curbs.
  - High school and college students should have free bus passes.
  - Make van ride sharing available for farm workers and students. Vans should be electric.
  - Model Imperial County regarding transporting students to college.
  - Integrate EJ issues with transportation planning.
  - The trash incinerator in Stanislaus County receives 100% allowances for emissions. Remove this allowance.
Chart: Modesto does not have household recycling program. The recommendation is to mandate recycling programs for all households.
- ARB should recommend and strongly incentivize all communities have a curbside recycling program.
- Incentivize active transportation structure: encourage baseline setting of 20%. This is within Senate Bill 375 (SB 375).
- Many counties got rid of school buses—this creates a safety issue.
- Remodel the “Scrap and Replace” program.
- The floor for the “Plus Up” program is too high for most people.
- Emphasize equity in drinking water and drinking water in land use planning.
  - How much carbon is generated transporting bottled water on trucks within communities?
  - Quantify the cost of emissions from transportation of clean drinking water to communities.

- **Industry:**
  - Mandate comprehensive permitting for oil fields.
  - Implement a severance tax.
  - There is a perceived failure of Cap-and-Trade. Replace it with Cap-and-Tax.
  - Address distribution centers. Cities consider them great jobs.
  - Increase permission factors for putting in new oil and gas wells.
  - Make tighter emissions and GHG requirements.
  - Use accurate data on emissions if Cap-and-Trade continues. How does ARB gather emissions data?

- **Natural and Working Lands:**
  - Return to and focus on repairing the fractured ecology resulting in a fractured carbon cycle.
  - Farming and agricultural operations have changed drastically in the last 30 years. Agriculture used to be a carbon sink and friendly to surrounding communities. Now it is polluting and making local communities sick.

**Clarifying questions related to SJ Valley community feedback**

- **FV:** ARB has been developing emissions data gathering processes since 2007. It is based on studies, equipment type, and fitting type.
  - **LO:** In Imperial, stakeholders are concerned about exemptions. Do not sell agricultural water for residential use. There must be an additional source. Hold utilities accountable and make benefits available to the community. To what extent does ARB have exemptions in agriculture?
  - **FV:** ARB is having intensive internal discussions on this and will include LO in these conversations. **Action Item:** FV will include LO in ARB’s conversations with staff agriculture expert Michelle Buffington related to ARB exemptions in agriculture.
Address the accessibility of fresh foods in the Valley. The incinerator facility needs 800 tons of waste daily to operate.

KH: Be responsible globally and think about the recommendations. For example, does the process (local business activities) continue? Are we going to clean it up in place, or force them to move? Forcing polluting companies to move relocates the business without necessarily cleaning up the operation. The EJAC must address this issue prior to making companies relocate and must consider this long-term.

San Bernardino

ET provided an overview of the San Bernardino workshop cancellation. She had hoped for a productive conversation. Discussions took place with other people, and she regrets having to cancel the meeting. This may present an opportunity for the community to identify priorities. Bring members from the Riverside organization into the conversation. ET needs their priorities, and anticipates four meetings with ARB staff in San Bernardino County. She is surprised with the input she has received, despite the cancellation. ET will take all discussion to this group from today’s EJAC meeting. ET will share any of their priorities with EJAC sector groups accordingly.

KVG: Worried about process. How can we hear from this stakeholder group appropriately and in a timely manner for ARB to include their recommendations?

ET: The Riverside group’s voice will go through the proper channels.

KVG: The EJAC Leadership Team will have another meeting at the end of May to write its final letter to the ARB Board—perhaps that is the best venue for the Riverside concerns.

MRT will provide ET with contact information for the stakeholder groups from Colton.

Sector Discussions

EJAC members reviewed each sector in relation to EJAC recommendations to identify items that are moving in the correct direction in the Proposed Scoping Plan and outstanding issues requiring further discussion and incorporation for the final Scoping Plan. EJAC members utilized comments and priorities identified in the Community Workshop Overview to start prioritizing outstanding issues. See Appendix A for additional details. The EJAC agreed to incorporate new recommendations presented during discussions and outlined below and captured in the Appendix A flip charts.

Overarching Issues

EJAC members discussed overarching issues throughout both days of discussion. These were captured in the overarching issues flip charts on Appendix A and below.
• Avoid unintended consequences. For example, people have to work and keep their jobs.
• Continue to develop CalEnviroscreen to account for groups in high rent or affluent neighborhoods—consider gentrification.
• How to talk about and discuss the benefits of Cap-and-Trade. Need better tracking of reductions and benefits data.
• Requests for Proposals (RFPs) should include layers of standards that address systemic unemployment and underemployment issues.
• MDA: The Scoping Plan needs a unified source match to CalEnviroscreen. Provide clear direction of what the data fix is to track appropriately. Develop a registry for unified source of pollutants for the State.
  o TJ is sending this list to EJAC members.
• How does the EJAC incorporate overarching issues into the Proposed Scoping Plan effectively?
  o Include a summary of overarching issues at the beginning of each sector. Identify EJAC recommendations incorporated at the beginning of each sector as a reminder.
  o MRT: The Data and Modeling workgroup and Leadership Team could work on this. Each sector workgroup could consider overarching issues with the next phase of drafting the Scoping Plan.
• Draft Cross Link of EJAC Recommendations in the Scoping Plan (“Cross Link”), P.57 leverage GHG monies to do projects
• Identify inter sector connections
  o Gentrification accounts for high rent
• Displacement can be resolved by protecting local non-profits EJ part of process
• The Proposed Scoping Plan did not inadequately explore cap + tax
  o Support for cap + trade
• Increase more discussions on methods and scenarios
• Benefit needs to be better defined and tracking cost, benefits, and investments
• Analyze how exemptions are affecting impacts and benefits to EJ communities.
• Operationalize from EJAC work within ARB activities.
  o EJ issues look beyond scoping plan
• Local EJ identify where GHG money goes
• Mandate benefits to EJ communities
• Loading and prioritizing EJ issues
• Bring in employment opportunities to local communities. Think holistically
• Focus on Just Transition
• Overarching issues need incorporated into every sector
• Public engagement needs expanded
  o EJ communities must be part of decisions
  o Community Engagement needs to support local capacity to conduct community engagement (i.e. EJ organizations)
Identify local leaders, develop resources, engage, and ensure they receive financial support for engagement services.

- Improve EJ Access to resources
- Increase just transition opportunity
  - Advocating for students and local youth
- Incorporate requirements that ARB staff/branch listening/attend EJAC meetings
  - Require training and understanding of EJ issues through state agency
  - *EJ training to all staff
  - Staff implementing actions impact EJ should have effective responsiveness to EJ issues as part of their job responsibilities.

- Cross Link, Page 1, #1. The culture shift and communications need to be a stated strategy in the beginning of the Scoping Plan (SP). Referring to an appendix-like section in the SP (like public health, and EJAC) without explicitly incorporating the idea into the SP strategy or sector strategy is inadequate. I’ll call this the “appendix issue”
- Cross Link, Page 3, #2. Demonstrating neighborhood level solutions should be a stated strategy in the beginning of the Scoping Plan (SP) and in sector strategies.
- Cross Link, Page 3, #3. State in the SP that EJAC will continue in the implementation phase.
- Cross Link, Page 3, #5. Improving air quality in EJ communities needs to be listed as one of the priority criteria for choosing one of the 5 scenarios. Staff doesn’t quite understand costs to community/public. For example, increased costs to industry don’t necessarily mean increased costs to public. There are scenarios where increased cost to industry to put filters on smokestacks can save consumers money from asthma medication.
- Cross Link, Page 4, #6. Good to hear commitment to EJ analysis in SP and CARB programs. State this explicitly in the SP overall and by sector.
- Cross Link, Page 7, #16. Be explicit about lifting up EJ communities to benefit from SP and investments, in overall strategy and by sector. “Appendix issue” in quoting public health section.
- Cross Link, Page 10, #22. Staff should show the Social Cost of Carbon (SCCO2) price for Cap and Trade in 2020 and beyond.
- Cross Link, Page 10, #23. Include just transition fund in main strategy, and in economic analysis where revenue can be invested here. “Appendix issue” in quoting EJAC section.
- Cross Link, Page 11, #26. Staff didn’t respond to a) “leave fossil fuels in the ground”, b) infrastructure, and c) local economies.

**Transportation Sector**

- DT: Can ARB provide a status update on the electric shuttles for valley agriculture workers?
  - AA: ARB has allocated $3M for this project.
  - DT: Could we expand this program, for school buses, for example? Could this be a pilot for other programs?
• KVG: The lack of aggressive targets in SB 375 creates a hole in the overall transportation strategy. SB 375 needs additional reform on how to meet targets. This is an ongoing issue regarding neighborhood transportation. We need to ensure what is being planned is actually implemented.

• KH: Overarching issue on Page 57 of the Proposed Scoping Plan needs strong language where ARB directly uses GHG funds to leverage cooperation of local agencies, integrating existing funding streams for these projects with GHG funds. Ensure investments go to communities identified by CalEnviroscreen. This provides direct improvement to communities that generate funds.

• KVG: Communities do not support the California Air Pollution Control Officers Association’s (CAPCOA) offsets project. Its language creates new offsets programs that increase emissions.

• KVG: Leverage funding in Hispanic communities.
  o FV: ARB will take this back to the investments team.

• MRT: ARB has a three-year investment plan approved for the funds.

• KH: Address the reconciliation of tons of carbon produced and criteria pollutants.
  o Recommends capturing off road emissions from construction, agriculture and other equipment.

• GF: We received significant affirmation regarding local benefits. Outstanding issues for the Scoping Plan are often hard to understand and implement. For example, on Cross Link, Page 157, the Overarching Transportation and Clean Transportation options. What does ARB’s response to this mean? How will these sister relationships work? What will ARB’s role be? This is an outstanding issue. How can we work through this to get the EJAC the information it needs to respond?
  o TJ: ARB could be more clear and direct. Appendix C to the Proposed Scoping Plan (vibrant communities and landscape document) shows collaboration. This effort must continue through the Scoping Plan and beyond. These agencies are helping with the development of the Scoping Plan.

• GF: How can the EJAC ensure EJ mandates and guiding principles are incorporated into the Scoping Plan. This is an outstanding issue. We must identify baseline benefits to EJ communities.

• GF: With regard to the regional mobility recommendation, the intent is to examine this issue regionally. ARB’s response suggests SB 375 addresses these issues. The State needs to do more. This is another outstanding issue.

• LO: Cross Link, Page 59 #2: Specific to the border region, as a last resort, include a secondary option or alternative to expand. Building another lane of freeway means increasing traffic.

• LO: Cross Link, Page 64 #10: Include additional air monitoring and surveillance.

• LO: Cross Link, Page 76 (Education and environment Initiative): Resources need to go to communities that have been able to develop statewide models, through their experience. Include clarifying language to bring investments directly to communities most impacted at or by the source.
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- TF: Cross Link, Page 65 #12: The EJAC recommended raising the Low Carbon Fuel Standard (LCFS) to 25-30%. ARB is raising it to 18%. LCFS gives the fossil fuel industry a way to continue to use internal combustion engines indefinitely. The EJAC recommendation is to prioritize the use of zero emissions vehicles—electric and hydrogen vehicles. Comparing the two is not fair. Consider the co-benefits as well. The recommendation should state the LCFS protocol prioritizes transportation fuel for zero emissions vehicles because co-benefits exist and meets long-term (2050) goals.

- MRT: The loading order concept could exist under the LCFS. Prioritize investments until all options are exhausted.

- LO: Expand the Metropolitan Planning Organization (MPO) model for transportation. Consider car shares and vanpools. Residents in Disadvantaged Communities (DACs) need real choices. The Scoping Plan must play a stronger role in transportation planning.

- DT: The ARB Board hearing last week was the first hearing for SB 375. This is useful to see how staff and MPO proceed.
  - What methodology does ARB use to evaluate where MPOs are and reductions they can achieve? We need greater consistency for 2030 and 2050 targets.
  - MPOs do not have enough funding to implement GHG reduction strategies. The EJAC needs detailed information on the allocation of funds. Does it reduce Vehicle Miles Traveled (VMT) and GHGs? Is it for freeway infrastructure or bike improvement infrastructure? The Proposed Scoping Plan needs to expand funding opportunities.

- LO: Palm Springs has a plan to connect regional areas, including golf carts. Use Palm Springs as a model to look regionally for transportation solutions.

- KVG: What is the most effective way to implement policy, in order to meet targets?
  - DT: The SB 375 targets will not be set until September 2017.

- GF: How can the EJAC engage properly to make best recommendations to ARB staff? Often times we lack sufficient knowledge of our options.

- KH: The EJAC can provide MPOs tools and knowledge to help them with implementation.

- DT: MPOs need skills and scenarios for implementation. We can help with experiences on the ground. How do we get them targets in the next few months?

**Energy and Green Buildings Sector**

- KVG: Reiterated SB 350 specifics. Include specific findings from that analysis in the Scoping Plan. The biomass recommendations still stand.

- KH: Page 33 of the Proposed Scoping Plan, Section 6 “Clean Power Plan” (CPP) needs revising. Recommends redefining and restating this as needed and striking language related to the CPP, to account for the possibility that the state may be without the CPP at the Federal level, driven by the Environmental Protection Agency (EPA).
  - DT: CPP is on the agenda for the April 2017 ARB Board meeting.
  - Currently the CCP is still law.

- KVG: The EJAC maintains Cap-and-Trade does not meet targets.
• KVG: The National Resources Defense Council (NRDC) is interested in increasing the electrification goal for power. Less than one percent of power used to heat buildings comes from electric.
• KVG: The loading order needs rapid progression to new sources. Target electrification first. Then do whatever necessary to reduce emissions.
• GF: Cross Link, Page 34, #9: “Climate Investments and energy solutions must serve…” ARB Response Per SB 350
• GF: How does the Proposed Scoping Plan achieve SB 350?
• GF: Cross Link, Page 35 #10 (Energy and Green Buildings): Where will the research come from? GF wants to work further on this to enhance it as a recommendation to ARB.
  o Identify how to support resources to these hubs.
• GF: The concept of community solar ownership came up in the community workshops. Expand rooftop solar.
  o GF: Cross Link, Page 51, #37: There is a distinction between rooftop solar and other community solar projects. This must result in true benefits for communities.
  o LO: Consider making households more efficient.
  o KS: Replace roofs first, since many EJ Communities do not have roofs that are new enough to support solar.
• MRT: Regarding SB 350, there is significant interest for increased renewables “on the grid” and for community use. Do not expand the market just so utility companies can monopolize it. EJ communities need ownership opportunities, specifically within the green energy movement. This is missing from Proposed Scoping Plan: “Democratizing our energy.”
• MDA: Use cleanup investments for job training and job placement. RFPs should include layers of standards that address systemic unemployment and underemployment issues. How can the EJAC ensure new jobs and benefits go directly to EJ communities? This requires expanding the definition of Just Transition.
• TF: Page 33 of the Proposed Scoping Plan, #5: Imported electricity in the Renewable Portfolio Standard (RPS). ARB said electricity markets are under federal jurisdiction. Include imported electricity in the RPS. In-State electricity has been climbing, while out of State electricity has been decreasing. This is a net benefit in California, but the State is not experiencing reductions. Since 2009, in State inventory has increased slightly. Revise the goal for 2030 to 40% below 1990 level target for in-State emissions of GHGs. Imported electricity can still be part of the RPS, but not included to meet targets.
• TF: Page 34, #8: Recommends captured carbon from fossil fuel plants (and receive credits for sequestering that carbon) must offset GHGs from electricity manufactured by the carbon content of recovered oil. Do not use sequestration to extract fossil fuels. This sends a policy signal to the oil and gas industry.
• KH: Pages 38 through 55: Intersection of Transportation, Energy, Land Use, and Development & Planning departments. ARB must encourage collaboration. For example, increase opportunities for participation in solar installations. Ensure pilot programs that
respond to EJ concerns. Must be included in the Scoping Plan. ARB is the coordinating agency for this. Money and programs exist—need improved inter-agency coordination and communication.
  
  o AA: ARB is part of a workgroup with twelve other agencies. A plan is in the works for agencies to provide a one-stop shop for all programs collaboratively.
  
  o KS: People need access to more than one program. For example, include green infrastructure and urban forestry in the weatherization program.

- MDA: Page 37, #13: The recommendation is to set a moratorium on new oil and gas projects. This is outside the purview of the Scoping Plan. Upgrade land use guidance to address this. Communities need buffer zones around oil wells. This addresses the issue of proximity. Ensure strong health based standards at these sites from drilling, capturing and measuring leaking methane.

- LO: In Imperial, the public utility company provides water and power. Increasing solar and decreasing electricity would lead to significant job loss. This could be an unintended consequence, and a large political obstacle to overcome. We may need to accelerate something else such as home based-energy efficiency.
  
  o KS: Solar creates jobs and job training. Solar is cleaner and cheaper.
  
  o MDA: This relates to Just Transition. Jobs may not be in the energy sector that the community needs. This is challenging for institutions used to working in silos.
  
  o LO: Solar jobs benefit mobile unions, not the local workforce.

- LO: Consider neighborhood scale and retrofitting homes when possible.
- LO: Utilize efficiency technologies in DACs to reduce energy needs.

### Public Comment, Day 1

- Mary Petit (Founder, Incredible Edible Community Garden (IECG)): I am aware of a local letter circulated by a Riverside organization to remove ET from the EJAC. ET is uniquely qualified to serve on the EJAC. Cancelling the Colton EJAC community meeting was very difficult and not taken lightly. The attempt to remove ET is concerning because it attempts to shut down the viewpoint of ET, a person of color, simply because she has a different point of view. Various EJ approaches and tactics have a place and time. The IECG is not ready to take a public view on Cap-and-Trade vs. the alternatives. We are preparing a white paper analyzing California’s Cap-and-Trade program and other Cap-and-Trade programs, as well as the Cap-and-Tax program.

- Craig Ebert (President, Climate Action Reserve): Thank you EJAC for your focus on DACs. Governments tell us climate change effects the same communities worldwide. We must ensure the quickest actions possible to address climate change. The wealthy, industrial world created climate change. We must work collectively, morally, and ethically with others internationally to solve it.

- Tony Palmozano (Architect): I am here today in support of ET. I have worked with her for over 20 years. She seeks to build back and forth dialogue. She has a strong sense of community representation, including the Inland Empire. I encourage the author of the letter to issue an apology.
Amina Maxine: Supports direct emissions reductions.

Todd Shuman (Camarillo Substitute School Teacher): Supports the EJAC recommendations related to Cap-and-Tax. The existing proposal and analysis is inadequate. Appendix C does not provide a comprehensive look at Cap-and-Tax. ARB’s analysis of Cap-and-Tax is inconsistent—in particular the quantity certainty issue. As a result, ARB’s analysis slants unfavorably against the Cap-and-Tax alternative, which is what the EJAC is calling for. The SCCO2 modeling uses low EPA estimates of the SCCO2. Dr. Schindle places the cost at roughly $110 per ton vs. ARB’s projected cost of $45 per ton.

FV: ARB had a workshop yesterday walking through the alternatives related to these issues. Information is available on the Scoping Plan website.

Ventura County Climate Hub: Forty percent of emissions in California come from methane. Supports the Healthy Soils Initiative. Use Ventura County as a model. Ventura County does not recognize transportation emissions reductions. Supports Californians for a Carbon Tax. Wants better understanding of the EJAC’s Declaration for Carbon Pricing. Concerned with ARB’s position defending Cap-and-Trade.

Day 2, March 30, 2017

EJAC Discussion of Senate Bill 1

SL opened the meeting addressing a request by the EJAC Leadership team to discuss EJAC support of opposition letters to Senate Bill 1 (SB1).

KVG requested the EJAC to consider voting in support of the following three items related to SB 1 (See Appendix F Final Floor Alert SB 1):

- Elimination of the provisions that prevent the State from protecting the most overburdened communities from the impacts of the freight industry.
- A commitment to align SB 1 expenditures with equitable investment goals through targeted investments in DACs.
- A commitment to aligning SB 1 expenditures with State climate goals.

GF: Supports voting for this.

EJAC and ARB discussed approval of this letter from a process perspective.

- FV affirmed that EJAC’s mission is to advise ARB on the Scoping Plan. This relates to a particular bill. What is the connection?
- KVG: This will tie ARB’s hands towards some EJAC recommendations and its ability to address concerns around transportation in EJ communities. As an EJAC, we can stand in solidarity with our other EJ groups opposing this bill. There is no recommendation here for ARB.
- SL confirmed that EJAC members may review as individuals and/or organizations, but and clarify support by the EJAC in that capacity.
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- GF: Members are at different starting points and may need deeper conversations to understand the issues at hand. We should discuss the topics in more detail before voting.
- KVG: This would hamper ARB’s ability to regulate freight.
  - TF: Moves to support the three numbered items in opposition of SB 1.
- KS: Would the proposed bill benefit users similar to me, who have multiple older trucks with 800,000 miles on them?
- KH: Provided background information on available incentives for replacing trucks or truck engines. The Speaker wants this bill passed by April 6, 2017.
- The EJAC voted whether they supported adding the provisions outlined above to SB 1 as individuals, or representing their organizations. Voting is summarized as follows:
  - TF supported as an individual and representing his organization.
  - KVG supported as an individual and representing her organization.
  - GF supported as an individual and representing her organization.
  - KH supported as an individual and representing his organization.
  - ET supported as an individual.
  - MDA supported as an individual and representing her organization.
  - KS supported as an individual and representing her organization.

**Sector Discussions**

**Natural and Working Lands**

- MW: The Proposed Scoping Plan shows progress with respect to the EJAC recommendations for composting and carbon sequestration. Biomass still needs work. The EJAC recommendation is to remove the use of biomass as a renewable energy source. Requests ARB remove biomass on Page 103, and 109 of the Proposed Scoping Plan. ARB and the EJAC disagree on this issue. Perhaps a phone call would help ARB explain its position. There is a gap at the national level looking at the effects of biogenic carbons on the climate.
  - Natural and Working Lands work group to speak with ARB staff on this issue during deep dives.
- KVG, KS, and TF want to remove the possibility of small-scale biomass facilities.
  - KH: Wants to leave it in as a recommendation because of his experience with a North Fork community group and their understanding of the process. It is their right to make the decision and it will create jobs for them. Where and how biomass is created and processed is concerning. We do not want to transport trees from the mountains to the valley floor. However, we have to recognize dead trees are all over the forest floor. This request does not support deep forest treatment, which translates to logging. This is a community safety issue and effects roadways, people’s houses, etc. They are entitled to come up with solutions that create safety for residents (most residents are tribal). Supports them in this pursuit.
TF: These communities are free to do what they want. However, he does not want to subsidize a program that burns biomass.

KH: They are only hoping to power their community.

TF: If we support this, we open the door to hundreds of 3-megawatt facilities throughout the Sierras. The EJAC should not support this. It is not an answer to California’s energy problems. Biomass is not a renewable energy source. ARB could adopt the EJAC recommendations by prioritizing non-incineration solutions for biomass. Not incinerating material and returning it to the ground has enormous benefits. Prioritize this in the Scoping Plan. This gets back to the loading method from yesterday—if we cannot eliminate incinerating, at least load to prioritize other options.

• FV clarified that ARB does prioritize methods that minimize GHGs and other pollutants in the Proposed Scoping Plan. For example, on Pages 108, 115, and 117. Existing biomass facilities do not provide a sustainable long-term path. They provide an alternative to open pile burning in the San Joaquin Valley. The challenge is reaching the target in the best possible way. This will take intensive discussions with ARB, sister agencies, and the legislature. We have to develop a plan that looks at biomass plants to map out a pathway with a future towards encouraging non-combustion technologies that would still address these complex issues. What do we do with the waste in the cleanest possible way to produce economic and environmentally friendly products?

  o TF: Appreciates the language FV referenced. Recommends using the word “Prioritize” when addressing biomass. Suggests ARB’s Board include “Prioritizing” language.

  o FV: Agrees with TF. ARB will seek the cleanest possible approach when implementing these measures.

• The EJAC agreed that in terms of biomass burning, they will allow for the exception of cultural and prescribed burns.

Agriculture and Waste Management

• MW: Regarding Waste Diversion, Appendix B in the Proposed Scoping Plan addresses many recommendations raised in Day 1.

  o MW: Would an increased cost or fee for out of county diversion apply for food scraps? Distinguish between mixed garbage and recyclables.

  o KH: Pages 119-122 of the Proposed Scoping Plan: Bottom of page 122, first bullet under goals (visioning) keeps recurring. Who takes full ownership of this? Counties? Cities? The Scoping Plan needs to be more specific. For example, add “Local government takes ownership of the issue.” Deal with waste at its source. This should be the vision.

• MDA: Some trash to energy facilities are not monitoring for dioxins, for example. How can we remedy that? How does ARB monitor permitted facilities?

  o FV: The local Air District is responsible for this.
• MW: Promote conversion in the Proposed Scoping Plan.
  o FV: This sounds like an immediate concern. ARB is not the appropriate agency—
take it to Air District. ARB is looking at next generation visioning for community
level air monitoring. We could incorporate this into a recommendation in the
Proposed Scoping Plan.
• MW: Page 27 of the Proposed Scoping Plan addresses waste to energy. Suggests ARB
remove this language.
  o FV: A blanket removal of this statement would be problematic. An overarching
theme implicit in these local actions is they are implemented for the public
good—that is the goal. Should ARB place the recommendations at the beginning
of each sector as an overarching goal?
  o KH: Make community empowerment the qualifier.
• MDA: CalRecycle does not provide a health impact analysis on these sites. Provide one
on the front end.
  o The EJAC agrees to add CalRecycle as a sister agency to be included with
coordination of a public health impact analysis.
• KH: How do we get rid of the waste and garbage? We must assess how emissions effect
groundwater and air.
• LO: Regarding community engagement, would like to see, “By first identifying local
capacity to assist in local community engagement.” This addresses a gap of
understanding what community engagement actually means. Support local EJ
community engagement through non-profits, local community colleges and universities.
  o ET: Identifying potential leadership and engaging leadership in communities is an
overarching issue.
• LO: Increase funding and pilots to jump-start other institutional opportunities. For
example, students looking to enter the agricultural field. They want to be farmers but
need access to innovation promotion and resources.
  o Action Item: FV will work with ET, VE and LO to look into identifying youth sector
level of interest in innovative agricultural and economies. This may relate to Just
Transition and creating opportunities for the next generation.
    ▪ KS: Supports internships. Include local youth as well as students.
• KVG: Out of State forestry offsets contradict EJAC recommendations to eliminate
offsets. Prioritize loading as follows: 1. No offsets. 2. Use offsets in EJ communities. 3.
Use offsets in State.
  o FV: Air Districts have criteria pollutant offsets programs. Offsets in Cap-and
Trade are unrelated to these programs.
  o KVG: We can implement more policy to benefit local communities.
  o KS: Cities are unable to plant and maintain trees locally. Suggests the EJAC
consider the loading concept further, perhaps just stick with no out of State
offsets.
• KS: Increase the urban canopy baseline to 40%. Revise existing EJAC recommendations
to a 40% minimum target.
DM: The Draft Forest Carbon Plan (DFCP) increase local canopies statewide to 20% by 2030. The Proposed Scoping Plan increases the use of green infrastructure. The DFCP uses metrics; the Scoping Plan sets the target.

ET: Align the definitions of urban forestry and green infrastructure.

TF: Can ARB’s Board adjust the canopy target and overrule the DFCP?
   
   FV: Can take it to the Board, but likely not. ARB has to work with sister agencies, and they have authority. GHG control is one of many components within this issue. ARB is one of several agencies working on the DFCP.

KVG: Identify where reductions will come from within each sector to meet the State’s larger climate goals. Include Natural and Working Lands reductions in the 2030 targets. Prioritize targets in the Proposed Scoping Plan to include Natural and Working Lands issues.

New EJAC Recommendation: Reduce CO2 by 5M metric tons annually in the Natural and Working Lands sector. This is in addition to the 40% target.

ET: Quantification is a challenging issue. How do we count trees? We have to look at the saturation levels of soil and the saturation level of the sequestration of carbon in soil. This makes it difficult to identify a number or target as a goal.

FV: AB 32 requires we revisit the Scoping Plan every 5 years at a minimum. AB 32 establishes a framework and is part of the story, but not the end.

California Climate Investments

ET: EJ communities need support accessing grants.

The EJAC recommends improved access to EJ communities through technical assistance.

- Prevent displacement of local EJ groups. Provide RFP guidance and technical assistance to EJ groups to do projects and engagement with communities.
- Include local communities in the decision-making process.
- Focus on local jobs and local entities in DACs to do the work.

GF: How can we operationalize access to resources? Local governments must collaborate with local Community Based Organizations (CBO).

LO: We need more safeguards and control mechanisms for access to funding. EJ organizations need improved access and to be involved in the initial discussions.

- KVG: Include language in California Climate Investments (CCI) and Overarching Issues that funding priorities go to local EJ groups.
- LO: Need improved transparency and greater accountability. EJ organization leaders must become part of the decision-making process.
- ET: Started a grants program called Neighborhood Grows for non-profits to learn about the administration and implementation process and to train them on grant writing and provide technical assistance. The program is not receiving as many applications as expected. Feedback shows the application process is very onerous. We have had this process for two years, and moved to a year-round program recently because there is not enough interest. What more can we do?
LO: Who decides what happens to EJAC recommendations?
  - AA: ARB takes EJAC recommendations to program staff and directors.
  - FV: CCI recommendations go through Cynthia Marvin.
  - LO: Can Ms. Marvin be involved in this process (i.e. EJAC discussions) somehow?
  - TJ: ARB has a call scheduled to discuss the annual CCI report. I can invite Cynthia to join the call.
  - FV: We expect the management team directly below Cynthia to participate on that call.
  - LO: We need high-level managers to understand the EJAC recommendations and needs of EJ communities. This needs to be an overarching recommendation. We must continue to create a new model for success in EJ communities.
    - VE: Are you requesting access to higher management consistently, or on an as needed basis?
    - LO: It is important that everyone in the decision-making process receive in depth training (certification) to understand the concerns of EJ communities. If upper management cannot be here, they should receive formal training on EJ concerns and issues.
    - MDA: Wants to add an overarching recommendation that EJ training applies to all staff working on AB 32. This helps recognize the validity of EJ organizations. Include equity and access in criteria and evaluation tools. The EJAC could establish a scoring or rating mechanism.
    - LO: For example, solar companies approach him to identify recipients for solar installations; increase capacity of management levels to broaden the target. However, this is not the solution. EJ groups should decide on solar installations, own those installations, or do the installation work.

ET: What is the protocol for funding?
  - KS: To say you live in, or are working in a DAC. Needs to require proof.
  - FV: Legislation and appropriations determine funding.

ET: It is important to identify successes and best management practices for EJ receiving funding and share those throughout the State.

GF: Place value on community networking and outreach ability. Provide funding for this within recommendations and recognize this as a determining success factor, rather than requiring EJ groups to give it away freely.
  - AA: We can do more. ARB plans to hold workshops for capacity building in EJ communities. We recently sent a survey to interested parties. $2M is available for technical assistance at the local level. ARB has a contract with the California Department of Community Services to provide outreach and education of all funding programs and opportunities. ARB has invested $345M thus far for EJ communities. We need feedback from the EJAC to incorporate funding in specific programs.
Industry

MRT reviewed a summary of proposed outstanding issues and revisions with the EJAC. These are captured in Appendix E and summarized below as agreed to by the EJAC:

- The following progress has been made in the Proposed Scoping Plan:
  - Language to reduce co pollutants with GHGs.
  - Carbon Tax and Cap-and-Tax scenarios included in options.
  - Use of the SCCO2 calculator, showing higher carbon prices.
  - Thirty percent refinery emissions reduction option.

- Outstanding issues: These are part of the EJAC recommendations, but are still not integrated in the Proposed Scoping Plan:
  - Language on the commitment and priority to reduce emissions in EJ communities including no trading, no offsets, no free allowances, and yes to increase investments/programming.
  - Full study of Carbon Tax and Cap-and-Tax scenarios, to the same level of Cap-and-Trade to make a fair comparison. Include health costs in the SCCO2. Use the SCCO2 price in all scenarios to increase the price of carbon. Outline additional uses of climate funds to include a Just Transition fund for workers and impacted communities, and a dividend to protect low-income consumers from price spikes.
  - Commit to reducing oil. This includes a moratorium on new or expanded fossil fuel infrastructure, limit oil and gas exports to close that loophole now, place quality control on feedstocks—no importing of extreme oil (tar sands, Bakken crude).
  - Page 13, #1: Prioritize strategies (Scoping Plan Page 47) for EJ communities. Include analysis on where/how GHG is increasing and specify strategies to prevent and reduce those emissions, especially in EJ communities; these strategies include no trading, no offsets, no free allowances in those EJ communities. Continue the Office of Environmental Health Hazard Assessment (OEHHA) emissions study on EJ communities, including facilities with emissions increases that used offsets and got free allowances.
  - Page 14, #2: Staff does not seem to understand the loading order idea for industry. For EJ it means: first 1) reduce fossil fuel use (extraction, operations, supply, feedstock source), 2) reduce emissions through efficiency (technology, innovations), 3) controls to prevent emissions increase.
  - Page 17, #4c: Include detail of how AB 197 implementation will work to reduce emissions especially for EJ communities.
  - Page 17, #4d, #4dg: Include language in the Scoping Plan on facility caps especially if there is a history of increased emissions in EJ communities. “Appendix issue”.
  - Page 17, #4e: Prevent large and long-term emissions sources, like building new polluting facilities (refineries, power plants, etc.). This is consistent with meeting our climate targets. The Scoping Plan can include this.
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- Page 17, #4f: Where did staff get these points (it is not on Scoping Plan Page 19 or Pages 93-98)? Is it an “appendix issue” as in it is a circular reference?
- Page 21, #6: Include health care costs in SCCO2.
- Page 21, #7: Staff’s insistence that localized air impacts are “unlikely” (Scoping Plan Page 96) is counterproductive, goes against EJAC, and is inconsistent with the two recent EJ studies on Cap-and-Trade (OEHHA, Cushing report). Remove this language. Staff’s response statement and commitment to prevent these increases, especially in EJ communities, should be language included in the Scoping Plan.
- Page 23, #8: Include a Just Transition fund in use of any climate funds. Staff’s response is an “appendix issue” circular reference.
- Page 25, #10: Staff should commit to evaluate the emissions impacts of offsets and free allowances in EJ communities, including if Cap-and-Trade is extended/chosen; publish this study; consult with EJAC.
- Page 25, #11: Include detail of how AB 197 implementation will work to reduce emissions especially for EJ communities.
- Page 26, #13: Staff did not and need to respond to #c, d, e, f.
- Page 27, #14: Staff did not understand this recommendation on deleting CAPCOA carbon trading scheme as referenced.
- Page 28, #15: Include language committing to improved monitoring (as ARB staff already has plans to do). Air monitoring is not on Scoping Plan Page 96, so where is it? Strike the inflammatory and unfounded language on “unlikely” emissions increases in EJ communities (Scoping Plan Page 96).
- Page 30, #16: Include Staff’s statement in the Scoping Plan.
- Page 31, #17: Include Just Transition fund for workers.

- No Offsets:
  - MDA: offsets allows for continuation of pollution. What are local benefits to communities? If benefits cannot be experienced by the community being negatively impacted offsets should be removed. They are hard to find in State and very expensive at the local level.
  - MRT: ARB and industry are trying to push offsets through. Eliminate offsets.
  - ET: Wants to keep all tools available to address problems now or in the future. Would rather keep the current EJAC recommendation.
- Page 30, #16: Broaden this statement in the Scoping Plan.

- MDA: Recommended that EJAC members and ARB look at the Priceless by Frank Ackerman, including a section about trading emissions and relationship its relationship to EJ (“Dreadful events”). This exhibits why and how EJ communities experience so much inequality.

Action Items and Next Steps
1. TJ will email EJAC members the schedule of the sector workgroup deep dives. This schedule was also shared with members.
2. CCP will email ARB organized flip chart notes to share with EJAC Workgroups to use in the sector deep dives.
3. FV Follow up with ARB regarding the request for another EJAC meeting with ARB.
4. GF clarified that Sector workgroups should meet in advance of deep dives to clarify the intent of current EJAC recommendations and topics identified as outstanding issues over last two days.
5. MRT recommended that sector workgroups identify big pieces included in the Scoping Plan that work and identify why recommendations are not incorporated.
   o FV: The goal of the deep dives is to have a conversation, provide updates on recommendations and ensure the EJAC and staff authors are clear on the intent of the recommendation.

Public Comment

- Amy Kyle (affiliated with University of California, Berkeley School of Public Health):
  Expects Cap-and-Trade to lead to the accumulation of pollutants in DACs. Science suggests it would, and studies back this up. California should be the leader in this field. We need improved access to data. We need new recommendations on data analysis. There is a great deal of discussion on these big picture issues. These are transformative discussions. Every model will be out of date because things change so quickly. The Proposed Scoping Plan is insufficient to achieve its purpose, which is to help everyone understand the challenges associates with the issues at hand. It needs to evolve. Governance is not sufficient for the process. Discuss the circumstances in such a way that most people can understand what is at hand.
Appendix A

March 29-30 Environmental Justice Advisory Committee Meeting Flip Charts.

Guiding Principles Goals:

- Addressing perspectives (including differing ones), speaking out, and hearing internal diversity of opinion
- Determine how to agree to disagree but ensure we are heard.
- Transparency
- Inside and outside the room advocacy
- Assume good intentions (trust)
- Sharing information
- Support local leaders/ respect their role

Role of EJAC Members

- Reflect local EJ opinions needs, and concerns
- Accountability to EJ communities
- Look to EJ communities worldwide → look long-term
- Respect member relationships
- Ensure feasibility of recommendations

How We Do It

- Identify critical issues early and often
- Look to Facilitator to:
  - ID issues
  - Rethink process to ensure discussion of difficult topics or differences in opinion
- Balance personal positions with need for more information
- Consult with each other geographically and on areas of subject matter expertise.

Community Workshop Feedback (Major themes and recommendations)

Generally

- Small scale/ localized Biomass (1-3 mega watts) in Forested areas
- Cultural and prescribed burning
- Access to safe and clean transportation and green buildings
- "Just transition
- Waste management and diversion
- Cost/fee for diversion outside County limits (eliminate food waste disposal)
- 100% of divertible waste is diverted
- Focus on incorporation of SB 375
Natural Working Lands, Agriculture, Waste Management feedback from Community Workshops:

- Repair fractured ecology (agriculture operations)
- More green transportation options are needed
- Increase Urban Forestry budget
- Do not allow out of state forest offsets – instate urban forests should be promoted
- Need job training for local EJ community members
- Maintain urban forests
- Emphasize recycled water in development
- Greenery/urban should be used as barrier around EJ communities
- Quantify natural working lands in Scoping Plan
- Increased access and incentives for community recycling (i.e. mandate locals to offer these)
- Remove the waste incinerator allowance
- Increase accessibility of fresh food
  - agriculture exemptions and sourcing

Transportation (Community Workshop)

- Look at community friendly land use
- Aggressively reduce freight emissions
  - Focus on zero, not near zero → fuels and technology
- Increase access to public transportation and increase access for riders
- Increase mobility options → passes to students
- Prioritize emission reductions at ports
- Emphasize (shuttle) carpool → zero emissions (model good examples)
- Incentivize active transportation
- Push 20% baseline for active transportation structure incentive → MPOS
- Agriculture transportation = air costs to transportation are exemptions here
- Increase transportation options to schools
  - *Equity in EV → modify scrape and replace
- Expand clean transportation options to working class and small rural communities
- Safe walking and biking options
  - *Set aggressive targets → focus on reduced VMT
- Better evaluation of clean technology
- P.65 #12 Address Use of Low Carbon Fuels that Burn in zero emission vehicles
  - → Fairly compare co-benefits like reduced NOx emissions and long term goal → consider a loading order
    - Consider allocation of MPO funds to emphasize EJ (tools needed)

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1Re-occurring themes heard from multiple community workshops or during EJAC discussions.
Energy, Green Buildings, Water (Community Workshop)

- More green buildings – retrofit easier increase solar etc.
- More EJ education – community solar ownership
- Workforce training leading to jobs including outside fossil industry
- Tax on oil and gas to fund just transition
- Equity in drinking water and planning
- Air quality costs of transporting H2O water sold increases emissions, this should be quantified
- SB 350 more specific findings incorporated. Example: P.35, #9; P.37 – How to operationalize SB 350?
- P.36 Section 6 “Clean Power Plan”
  - How do we address gap, Cap and Trade should not be sole method.
- Loading preferences: 1. market push to electric heating = electrification then other options P.51, #37
  - Efficient technology – rooftops solar and community
  - Solar support, qualify – loading in increasing neighborhood

Industry (Community Workshop)

- Direct pollution reduction
  - No trading
  - No allowances
  - No offsets
  - Yes investment
- Increase pricing on carbon
  - *Carbon tax
  - EJ investment
  - *Social cost of carbon increase overtime
  - Just transition
- Ramp down oil
  - No new fossil infrastructure
  - Decrease refinery → quality feed stock
  - Close oil exports loophole
- Cap and trade greater burden on EJ
- If cap + trade ensure benefits go to EJ
- Real time air data needs increases and improved accessibility
- Tax for oil fields
- Deemphasize distribution jobs
- Clarify how emission data is gathered?
  - Off road emissions (example: agriculture equipment) criteria pollutant and inventory
Outstanding Issues organized by Sector

EJAC members reviewed comments and themes from above exercise in evaluating Outstanding Issues in existing EJAC Recommendations. The following is a summary of outstanding issues and additional recommendations to consider. These incorporate flip chart notes and MRT notes.

Overarching Issues

- P.57 leverage GHG monies to do projects
- Avoid unintended consequences
- Identify inter sector connections
- Continue develop environment screen
  - Gentrification account high rent/ affiliation
- Displacement protect local non-profits EJ part of process
- Inadequate explore cap + tax
  - *support for cap + tax
- Increase more method discussions
- Better definitions of benefit and tracking cost, benefits, and investments
- How exemptions are affecting impacts and benefits
- Operationalize from EJ
- EJ issues look beyond scoping plan
- Local EJ identify where GHG $ goes
- *Mandate benefits to EJ communities
  - Sister agencies
  - ARB
  - Deliverables
- Loading and prioritizing EJ
  - EJ element
  - How to operationalize
- Bring in employment opportunities to local communities. Think holistically
- Focus on Just Transition
- Overarching issues need incorporated into every sector
- Public engagement needs expanded
  - EJ communities part of decisions
  - Community Engagement needs to support local capacity (EJ) district capacity to conduct community engagement
  - Id local leaders, develop resources, engage, and ensure they receive financial support for engagement services.
- Improve EJ Access to resources
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- Increase just transition opportunity  
  - Advocating for students and local youth
- ARB staff/branch listening/attending EJAC meetings – Training and understanding of EJ issues through state agency  
  - EJ training to all staff
  - Staff implementing duty for EJ
- P1, #1. The culture shift and communications needs to be a stated strategy in the beginning of the Scoping Plan (SP). Referring to an appendix-like section in the SP (like public health, and EJAC) without explicitly incorporating the idea into the SP strategy or sector strategy is inadequate. I’ll call this the “appendix issue”
- P3, #2. Demonstrating neighborhood level solutions should be a stated strategy in the beginning of the Scoping Plan (SP) and in sector strategies.
- P3, #3. State in the SP that EJAC will continue in the implementation phase.
- P3, #5. Improving air quality in EJ communities needs to be listed as one of the priority criteria for choosing one of the 5 scenarios. Staff doesn’t quite understand costs to community/public. For example, increased costs to industry don’t necessarily mean increased costs to public. There are scenarios where increased cost to industry to put filters on smokestacks can save consumers money from asthma medication.
- P4, #6. Good to hear commitment to EJ analysis in SP and CARB programs. State this explicitly in the SP overall and by sector.
- P7, #16. Be explicit about lifting up EJ communities to benefit from SP and investments, in overall strategy and by sector. “Appendix issue” in quoting public health section.
- P10, #22. Staff should show the Social Cost of Carbon (SCCO2) price for Cap and Trade in 2020 and beyond.
- P10, #23. Include just transition fund in main strategy, and in economic analysis where revenue can be invested here. “Appendix issue” in quoting EJAC section.
- P11, #26. Staff didn’t respond to a) “leave fossil fuels in the ground”, b) infrastructure, and c) local economies.

**Green Building, Energy, Water**

- Focus on economic opportunities to utilize clean energy market to benefit EJ communities → EJ access to Green Energy and increase opportunities  
- Local hire, EJ jobs opportunities if project in those communities
- P.33, #5 change imported elections counted in renewable inventory
- 2030 should be in-state only 40% 1990 levels
- P.34, #8 carbon sequence credits and oil production must result GHG
- Community based technologies
- Start P.38, coordination among agencies mandated → ensure pilot project that respond to EJ
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- ARB as coordinator → workgroup of community liaisons
- P.37, #13, restate to scoping plan. Land use guidance
  - Buffer zones to oil
  - Health based standards and plants
  - Capture and measure leaking methane
- Balance new refineries with need to meet GHG levels

**Natural Working Lands**
P.35, #10 green energy move to → cross-sector
- ID how to support residents to these hubs
- GHG offset
  - Loading: 1) No 2) in EJ community 3) in state

**Urban forestry offsets**
- FS baseline for healthy urban forest increase → 40%
- Forest Carbon Plan increase 20% by 2030
- Set targets use NWL reduction in scenarios
- Green infrastructure versus urban forestry
- 5 million metric tons reduction in NWL
  - Plus 40% baseline urban forestry

**CA Climate Investments**
- Improve access to EJ communities for technical assistance
- Prevent displacement at local EJ groups include
  - Action able
  - RFP guidance
  - Tech assistance
- Local EJ part of decision making
- Focus on local jobs and local entities to do work
- Operationalize access
  - Local CVO partnerships
  - Less focus on statewide
- More on EJ and DAC organization support
  - Access/ resources $ to increase funding on other consultations to EJ organizations to operationalize.
  - EJ decision on granting
  - Transparency in decision making
- Criteria in applications/ evaluation equity included
- Must result in benefits to community
- EJ local direction to invest
- Leverage $ to improve local community conditions and address needs
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**Industry**

- Incorporate cities

**Progress in the SP (what we liked)**

- Language to reduce co-pollutants with GHGs
- Carbon Tax and Cap & Tax scenarios included in options
- Use of the Social Cost of Carbon calculator, showing higher carbon prices
- 30% refinery emissions reduction option

**Outstanding Issues**

- SP language on the commitment and priority to reduce emissions in environmental justice communities (EJCs). Paths to achieving this in EJCs includes: no trading, no offsets, no free allowances, and yes to increased investments/programming.
- Full study of Carbon Tax and Cap & Tax scenarios, at least at the level that Cap and Trade was modeled, so that we are comparing scenarios fairly. Health costs need to be included in the SCCO2. Use the SCCO2 price in all scenarios to increase the price of carbon. Outline additional uses of climate funds to include a just transition fund for workers and impacted communities, and a dividend to protect low income consumers from price spikes.
- Commit to reducing oil. This includes a moratorium on new or expanded fossil fuel infrastructure, limit oil and gas exports to close that loophole now, place quality control on feedstocks so as to not import extreme oil (tar sands, Bakken crude).
- P13, #1. Need to specify what strategies (SP p47) are prioritized for EJC. Include analysis on where/how GHG is increasing and specify strategies to prevent and reduce those emissions, especially in EJC; these strategies include no trading, no offsets, no free allowances in those EJCs. Continue OEHHA emissions study on EJC, including facilities with emissions increases that used offsets and got free allowances.
- P14, #2. Staff doesn’t seem to understand the loading order idea for industry. For EJ it means: first 1) reduce fossil fuel use (extraction, operations, supply, feedstock source), 2) reduce emissions through efficiency (technology, innovations), 3) controls to prevent emissions increase
- P17, #4c. Include detail of how AB 197 implementation will work to reduce emissions especially for EJC.
- P17, #4d, #4dg. Include language in SP on facility caps especially if there’s a history of increased emissions in EJC. “Appendix issue”.
- P17, #4e. Its not outside of SP to state that preventing large and long-term emissions sources, like building new polluting facilities (refineries, power plants, etc), is consistent with meeting our climate targets.
- P17, #4f. Where did staff get these points (it’s not on SP p19 or p93-98)? Is it an “appendix issue” as in it’s a circular reference?
Amend to 20% by 2030 to be consistent with AB 197 [EJAC deleted this during discussions]

- P21, #5. Need full analysis of carbon tax, and cap and tax.
- P21, #6. Include health care costs in SCCO2.
- P21, #7. Staff’s insistence that localized air impacts are “unlikely” (SP p96) is counterproductive, goes against EJAC, and is inconsistent with the 2 recent EJ studies on Cap and Trade (OEHHA, Cushing report). Remove this language. Staff’s response statement and commitment to prevent these increases, especially in EJC, should be language included in the SP.
- P23, #8. Include a just transition fund in use of any climate funds. Staff’s response is an “appendix issue” is too circular a reference.
- P25, #10. Staff should commit to evaluate the emissions impacts of offsets and free allowances in EJC, including if Cap and Trade is extended/chosen; publish this study; consult with EJAC.
- P25, #11. Include detail of how AB 197 implementation will work to reduce emissions especially for EJC. Staff’s response is fuzzy and isn’t language in the SP.
- P26, #13. Staff didn’t and need to respond to #c, d, e, f.
- P27, #14. Staff didn’t understand this recommendation on deleting CAPCOA carbon trading scheme as referenced.
- P28, #15. Include language committing to improved monitoring (as CARB staff already has plans to do). Air monitoring not on SP p96, so where is it? Strike the inflammatory and unfounded language on “unlikely” emissions increases in EJC (SP p96).
- P30, #16. Staff statement isn’t cited in SP, so include language in SP.
- P31, #17. Include just transition fund for workers.