



AB 32 Environmental Justice Advisory Committee Meeting

January 25, 2022

Overview

- CARB Office of Environmental Justice (OEJ)
- Update on Tribal Representation
- Community Engagement
- 2017 EJAC Recommendations and CARB Responses
- Expectations for the 2022 EJAC Process

CARB Office of Environmental Justice (OEJ)

- Chanell Fletcher: Lead for CARB's environmental justice efforts
- Stephanie Flores: Scheduling EJAC meetings
- Ambreen Afshan: Community engagement
- Trish Johnson: EJAC Workgroups and Tribal candidate interviews

Update on Tribal Representative

We have been working diligently to ensure indigenous representation. This includes working internally with CARB's tribal liaison, and working externally with EJAC members and other agencies and organizations.

➤ **Current status:**

- EJAC co chairs have interviewed at least (2) candidates since October 2021.
- EJAC co chairs will continue to interview candidates as applications are submitted.
- Goal: secure tribal representative by February 2022.

We continue to work with EJAC leadership to identify and interview applicants to ensure indigenous representation is included on the EJAC, while also continuing to reach out to indigenous communities through various channels.

EJAC Community Engagement

- Here is an example of a budget for EJAC community engagement proposals:
<https://ww2.arb.ca.gov/sites/default/files/2022-01/Updated%20SJV%20Scoping%20Plan%20Community%20Engagement%20Budget%201.21.22.pdf>
- CARB will provide guidance by the end of this week.
- CARB will continue to provide logistical support to the Community Engagement workgroup.
- Following the model of San Joaquin Valley, please submit your proposals directly to Ambreen Afshan and CARB will work with EJAC members on implementation.

Context for the following 2017 Priority EJAC Recommendations and CARB Responses slides

- The full responses to the EJAC recommendations on the 2017 Scoping Plan Update are found here:
https://ww2.arb.ca.gov/sites/default/files/2022-01/priority-ejac-recommendations-carb-responses052017_0.pdf
- The slides are summary or partial text from longer responses provided by CARB on the recommendations. For the complete response and context, please refer to the document at the link above.

2017 Priority EJAC Recommendations and CARB Responses

General Themes

Equity

CARB Response: In October 2020, CARB made a Commitment to Racial Equity and Social Justice

<https://ww3.arb.ca.gov/board/res/2020/res20-33.pdf>

Partnership with Environmental Justice Communities

CARB Response: The appointment of a Deputy Executive Officer of Environmental Justice is in response to recommendations made by environmental justice organizations and will play a pivotal role—along with the Office of Community Air Protection, Office of Environmental Justice and Office of Racial Equity—in strengthening CARB’s partnerships with environmental justice communities.

2017 Priority EJAC Recommendations and CARB Responses

General Themes cont.

Coordination

CARB Response: AB 617 implementation, led by the Office of Community Air Protection Program, has increased the coordination between communities, air districts, and CARB. The 2017 Plan also calls out specific opportunities for coordination on local action.

Economic Opportunity

CARB Response: 2017 Scoping Plan stated "...we must consider and implement policies that not only deliver critical reductions in 2030 and continue to help support the State's long-term climate objectives, but that also deliver other health, environmental and economic benefits."

2017 Priority EJAC Recommendations and CARB Responses

Industry

Emissions reductions in EJ communities

CARB Response: In the 2017 Scoping Plan, staff targeted refineries for focused development of measures to reduce toxic and criteria pollutants and GHGs. AB 617 has expanded community air monitoring as well as reduced exposure in communities most impacted by air pollution through the development of CERPs.

CARB should abandon Cap-and-Trade for a non-trading system option.

CARB Response: AB 398 provides the Legislative direction on the role and design of the State's Cap-and-Trade Program from January 1, 2021, through December 31, 2030.

2017 Priority EJAC Recommendations and CARB Responses

Industry cont.

Commit to reducing oil

CARB Response: Governor Newsom directed CARB to evaluate a phase out of crude oil extraction in California by 2045, and to evaluate carbon neutrality by 2035. https://www.gov.ca.gov/wp-content/uploads/2021/07/CARB-Letter_07.09.2021.pdf

Do not authorize CAPCOA to create a new carbon market

CARB Response: [The comment is in the context of CEQA mitigation] New projects generally begin with building highly energy efficient structures with installed renewable energy to minimize the on-site carbon footprint. However, even highly efficient projects can lead to increased carbon emissions (e.g., GHG emissions associated with traffic). In these cases, mitigation can enable a proposed project to reduce its carbon emissions to as low as zero which historically has not been the case.

2017 Priority EJAC Recommendations and CARB Responses

Natural and Working Lands

CARB must reconsider the assumption that burning biogenic carbon is “sustainable” or “renewable” because biomass can be regrown.

CARB Response: The State needs to transition away from the combustion of fuel to meet its energy needs. From a carbon cycle standpoint the burning of biogenic fuel does not increase GHG emissions providing supplemental fuels (such as petroleum) are not introduced. CARB tracks biogenic carbon emissions consistent with IPCC guidelines, the US EPA’s national GHG inventory, and other nations’ inventories submitted to UNFCCC, and we will continue to work on strategies that promote alternatives to combustion.

2017 Priority EJAC Recommendations and CARB Responses

Natural and Working Lands cont.

CARB must include a goal to increase urban tree canopy to 40% by 2030.

CARB Response: The Forest Carbon Plan contains a goal to increase total urban tree canopy statewide by one-third above current levels, to 20 percent coverage of urban areas by 2030. 2017 Scoping Plan states "Storing carbon in trees, other vegetation, soils, and aquatic sediment is an effective way to remove carbon dioxide from the atmosphere."

2017 Priority EJAC Recommendations and CARB Responses

Natural and Working Lands cont.

CARB must include an annual 5 million metric tons CO₂e reduction target for this sector.

CARB Response: 2017 Scoping Plan included a goal to reduce GHG emissions from natural and working lands by 15-20 million metric tons by 2030.

CARB should explore ways to allow and streamline the process for cultural and prescribed burning for land management and to prevent large-scale wildfires.

CARB Response: CARB has increased its support for safe, beneficial burning through the deployment of additional support tools for air districts and others.

<https://ww2.arb.ca.gov/our-work/programs/prescribed-burning>

2017 Priority EJAC Recommendations and CARB Responses

Waste management

CARB should mandate that local jurisdictions manage the waste they create, and do not export it outside of the community.

CARB Response: In response to legislation, the State is developing regulations that require significant reductions in the organic materials deposited in landfills. CARB is working closely with CalRecycle to develop and implement these requirements which will entail substantially expanding the infrastructure to support composting. Thus, we agree with the principles reflected in the EJAC's recommendations—the need to reduce the amount of waste diverted to landfills as well as the expansion of composting operations to better utilize such wastes. However, we believe the approach described here is more likely to be effective and withstand challenge than that recommended by the EJAC (i.e., regulations that ban the export of waste beyond the community boundaries where the waste was generated).

2017 Priority EJAC Recommendations and CARB Responses

Waste management cont.

CARB must not consider biomass burning or biodigestors as "renewable."

CARB Response: From a carbon cycle standpoint the burning of biogenic fuel does not increase GHG emissions. However, there is a more important principle here where there is full agreement with the EJAC. Specifically, the State needs to transition away from the combustion of fuel to meet its energy needs. The fact is that we need to reduce our waste streams and use the waste we do produce more efficiently. Today, that means using the wastes for strategies that include composting and combustion (e.g., use of renewable natural gas to replace diesel fuel in trucks) to name a few. We will continue to work on strategies that promote alternatives to combustion and, in fact, have established a biomass working group tasked with evaluating barriers and developing recommendations to more sustainably use the State's biomass streams.

2017 Priority EJAC Recommendations and CARB Responses

Energy, Green Buildings, Water

Prioritize distributed generation of renewable energy and the siting of rooftop solar, community-owned solar, grid storage, microgrids, and community choice aggregation projects within EJ communities to reap the environmental and economic benefits of these energy projects.

CARB Response: 2017 Scoping Plan stated “Per SB 350, implement the recommendations of the Barriers Study for increasing access to renewable energy generation for low-income customers, energy efficiency and weatherization investments for low-income customers, and contracting opportunities for local small business in disadvantaged communities. And, track progress towards these actions over time to ensure disadvantaged communities are getting equal access and benefits relative to other parts of the State.”

CARB needs to implement the recommendations of the SB 350 studies to overcome barriers in low-income community adoption of clean energy.

CARB Response: See above.

2017 Priority EJAC Recommendations and CARB Responses

Energy, Green Buildings, Water cont.

Promote the development of community-driven clean energy projects that hire from disadvantaged communities, prioritize community ownership of (and equitable access to) clean energy technologies, maximize energy bill reductions for low- and moderate-income communities within disadvantaged communities, and prioritize anti-displacement strategies.

CARB Response: See response on Slide 16

2017 Priority EJAC Recommendations and CARB Responses

Energy, Green Buildings, Water cont.

Set a moratorium on new oil and gas operations (refineries, power plants, fracking wells, etc.). Include guidance for strong health-based standards, buffer zones around locations affected by emitting facilities, and capture and measurement of leaking methane.

CARB Response: We need to reduce our consumption of petroleum-based fuels and have several policies in the 2017 Scoping Plan focused on this objective. However, a moratorium is out of the purview of the Scoping Plan and should be provided to the California Energy Commission for review by its Petroleum Market Advisory Committee.

2017 Priority EJAC Recommendations and CARB Responses

Energy, Green Buildings, Water cont.

Stop investing in dirty energy.

CARB Response: As described on previous slide, the policies outlined in the Scoping Plan will lead to a decline and ultimate phase out of petroleum-based fuels. However, this transition will take time. Thus, in addition to promoting zero emission sources (e.g., zero emission vehicles, renewable energy) we need to concurrently lower the carbon footprint and co-pollutants from liquid fuels which continue to be used. Policies that support the increased use of renewables such as renewable and biodiesel, renewable natural gas, and lower carbon intensity ethanol serve as an important complement to our longer term goals of fully phasing out petroleum-based fuels. We fully support expanded funding of clean energy projects in environmental justice communities.

2017 Priority EJAC Recommendations and CARB Responses

Transportation

CARB needs to identify the SB 375 targets.

CARB Response: The 2017 Scoping Plan was updated to reflect the contribution that the updated SB 375 targets have in achieving our GHG reduction targets. 2017 Scoping Plan stated "CARB's preliminary review indicates that new State-level policies and measures will help support updated SB 375 targets that achieve up to 20 percent of the needed statewide reduction, as well as help bridge the remaining VMT growth reduction gap."

CARB needs to implement the recommendations of the SB 350 studies.

CARB Response: See response on Slide 16

2017 Priority EJAC Recommendations and CARB Responses

Transportation cont.

CARB needs to examine transportation regionally, as each region in our state faces unique barriers to reducing emissions from transportation.

CARB Response: SB 150 tasks CARB with preparing a report that assesses progress made toward meeting the regional SB 375 greenhouse gas emissions reduction targets, and to include data-supported metrics for strategies utilized to meet the targets.

<https://ww2.arb.ca.gov/resources/documents/tracking-progress>

CARB needs to include off-road sources, such as construction and agricultural equipment, in the emissions inventory for transportation.

CARB Response: This information is included in our emissions inventory, which is published each year, and these are key categories CARB is addressing in its mission to achieve healthy air quality as well as reduce greenhouse gases. <https://ww2.arb.ca.gov/emission-inventory-activities>

2017 Priority EJAC Recommendations and CARB Responses

Transportation cont.

CARB should consider the development of green transportation hubs that integrate urban greening with transportation options, and provide refuge as our state's temperatures continue to rise.

CARB Response: The 2017 Scoping Plan recognized that some Sustainable Communities Strategies include policies, objectives or implementation measures relating to conservation and land protections, and to urban greening.

2017 Priority EJAC Recommendations and CARB Responses

Transportation cont.

Under “Local Action,” CARB needs to delete the following sentence that describes a new local carbon market proposed by CAPCOA: “Where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits issues by a recognized and reputable accredited carbon registry.”

CARB Response: [In the context of CEQA mitigation] New projects generally begin with building highly energy efficient structures with installed renewable energy to minimize the on-site carbon footprint. However, even highly efficient projects can lead to increased carbon emissions (e.g., GHG emissions associated with traffic). In these cases, mitigation can enable a proposed project to reduce its carbon emissions to as low as zero which historically has not been the case.

2017 Priority EJAC Recommendations and CARB Responses

California Climate Investments

The EJAC wants to be clear that several alternatives to Cap and Trade detailed in our Industry recommendations will generate revenue for the Greenhouse Gas Reduction Fund.

CARB Response: In response to EJAC comments, the modeling for the carbon tax and cap-and-tax alternatives generate monies that are returned directly to residents in the form of a climate dividend.

CARB must prioritize funding to those more directly impacted by regulated industry.

CARB Response: CARB supports directing a significant share of State's proceeds to disadvantaged communities. The Legislature appropriates money from the GGRF to administering agencies for programs that facilitate the reduction of GHG emissions and further the purpose of AB 32.

2017 Priority EJAC Recommendations and CARB Responses

California Climate Investments cont.

CARB must prioritize projects identified by communities.

CARB Response: Since 2013, the Legislature has appropriated \$15.4 billion in California Climate Investments funds for projects statewide, \$9 billion of which are either underway or completed. Approximately \$4.5 billion of all implemented funds directly benefit California's priority populations, which include disadvantaged and low-income communities and low-income households statewide.

CARB should explore other sources of revenue to support the goals of AB 32 and SB 32.

CARB Response: The 2017 Scoping Plan included a discussion of incentive programs as critical components of the State's climate framework.

2017 Priority EJAC Recommendations and CARB Responses

California Climate Investments cont.

CARB should explore ways to increase funding for urban forestry, sustainable transportation infrastructure, and clean drinking water.

CARB Response: See response on Slide 24

CARB should explore ways to promote the use of recycled water for funding projects.

CARB Response: CARB supports water conservation and management strategies as important for California. 2017 Scoping Plan states "...use of recycled water has the potential to reduce GHGs if it replaces, and not merely serves as an alternative to, an existing, higher-carbon water supply."

2017 Priority EJAC Recommendations and CARB Responses

California Climate Investments cont.

CARB should ensure all applicants have policies to protect against displacement or gentrification.

CARB Response: CARB shares EJAC members' concerns about land use planning and the impact it can have on displacement and gentrification and it is an important concern that needs to be addressed. CARB is committed to participate in the discussion, work with our State and local partners and do our part however CARB does not have the authority ensure against or protect communities from displacement or gentrification. CARB funded a project to analyze existing anti-displacement policies to determine a level of effectiveness as well as conduct interviews of local government and academics with experience in displacement and gentrification. The study also identified research gaps and made recommendations for further analysis.

<https://ww2.arb.ca.gov/sites/default/files/2021-04/19RD018%20-%20Anti-Displacement%20Strategy%20Effectiveness.pdf>

Expectations for the 2022 EJAC Process

- Two rounds community engagement
- Initial recommendations in advance of draft Scoping Plan and final recommendations in advance of final Scoping Plan.
- Joint EJAC CARB meetings
 - Scoping Plan informational Board updates
- Scoping Plan workshops
- EJAC meetings and workgroups