EJAC Meeting Notes

Committee Member Attendees

In-person: Colin Bailey (CB), Gisele Fong (GF), Tom Frantz (TF), Sekita Grant (SG), Rey León (RL), Luis Olmedo (LO), Mari Rose Taruc (MRT), Eleanor Torres (ET), Katie Valenzuela Garcia (KVG), Monica Wilson (MW).

By-phone: Martha Dina Argüello (MDA)

ARB Staff Attendees

In-person: Floyd Vergara (FV), Trish Johnson (TJ), Johnnie Raymond (JR), Wes Ingram (WI), Dave Mallory (DM), Pamela Diaz (PD)

By-phone: Rajinder Sahota (RS)

Facilitator

Sarah Rubin, Institute for Local Government

Opening Remarks

ET: Welcome to the Inland Empire (IE), San Bernardino (SB). ET described her disadvantaged community as having smog issues, high environmental risk that leads to chronic disease including high cancer rates, and 54.3% of residents have no health care.

- IECG works on a movement to create jobs and protect the health of residents. Frustrated with the EJ issues affecting SB/IE, particularly the lack of urban forests here.
- Joins EJAC after 17 year absence from EJ, glad to be on EJAC now.

LO: Represents Eastern Coachella Valley and California/Mexico rural border region. Kudos to ARB for holding a meeting in an EJ community.

MRT: Provided introduction on behalf of herself and Martha as leadership team approved during Jan. 6th EJAC Webinar. Reviewed meeting goals.

FV: Provided ARB introduction and emphasized importance of concerns raised by EJAC recently. Provided EJAC with additional staff support, Johnnie Raymond, and potential for additional support.

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Meeting Goals

1. Become familiar with Scoping Plan (SP) approach and sections
2. Set EJAC priorities – organizing EJAC to priority tasks
3. Share updates with EJAC – ensure members are assigned and report back to Committee
4. Provide input on Timeline for SP
5. Adopt EJAC Guiding Principles
6. Determine EJAC engagement opportunities (e.g., adaptive management) with other considerations

2030 Target SP

ARB staff provided an overview of the 2030 Target Scoping Plan approach.

TF: I see another option: historical path above line shown should account for lost reductions. How do you make-up for lost reductions? 2012 showed zero reductions. The chart is not accurate because were putting more carbon dioxide in the atmosphere. The state needs to provide contingencies for those lost reductions, to get us back on track.

RS: Progress toward 2020 Goal is important.

KVG: Can't assume it's a straight line reduction path. How do we put ourselves back on course? What safeguards are in place to ensure GHG reductions are achieved?

RS: Lawrence Berkeley National Laboratory independent third-party modelling study shows State will reduce GHG emissions in 2020 below the AB32 target. Five year Scoping Plan Updates provide interim check-ins. Last Scoping Plan Update showed we're on track. http://newscenter.lbl.gov/2015/01/22/californias-policies-can-significantly-cut-greenhouse-gas-emissions-2030/

TF: Area in-between two paths shows GHG tons that need to be accounted for if we get behind. If we don't stay on track, we need a fast acceleration at end to meet target.

MRT: What are the strategies as part of the approach? C&T, what else?

RS: We're still working with sister State agencies to pull them together. We will include a preferred path and an alternate path to meeting 2030 Target.

CB: When is this available for EJAC review? We'd like to see ARB model the "off-track" scenario, or "steep make-up" scenario and the resulting cumulative emissions impact (reductions today worth more now than later).

RS: You're asking about a stress case. We're currently working with our attorney on reasonable alternatives and we're about one month out from releasing this information.

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ACTION ITEM: TF/CB to help FV account for behaviors that may need to be factored into scenario planning.

SG: Happy to see options/scenarios. Are there ways to see what pathways show greater benefits to disadvantaged communities (DAC) or hotspot communities?

RS: We're working with CDPH and utilizing DOF recommended REMI economic analysis tool to analyze impacts of State programs and regulations on economy.

SG: Need to follow up with ARB to understand the costs and benefits, how costs are impacting industry vs. benefits impacting communities, specifically San Bernardino County.

ACTION ITEM: ARB will arrange presentation on GGRF investments by next meeting.

LO: Sacramento is too far away to hold meetings. How to engage other CA communities?

Comment from Assemblymember Cheryl Brown 47th District

Assemblymember Cheryl Brown nominated Eleanor to EJAC. Highlighted that Inland Empire is left out of DAC $$ from GGRF. SF gets millions and SB gets none. Assemblymember Brown stated that the Metrolink rail project took jobs away from the SB region by installing automated ticket dispensers. Take message back that SB is a DAC. She endorses John Husing, a SB economist to sit on the SP economic reviewers panel.

ARB staff provided highlights from the January 15, 2016 Scoping Plan Economic Analysis Workshop.

ET: How are the economic advisors chosen? Mostly members are from Northern California. You need Southern California representation.

EJAC VOTE: Need Southern California economic adviser member? **YES**

(2030 Target SP discussion resumed)

LO: What is the contingency plan for comments left out? (PARKING LOT item)

TF: When will we see a list of the price on carbon? Carbon fee vs. fee bate? We need to see a list of 2020-2030 scenarios.

RL: You don't know what you don't know. The data funds GGRF. SJV has poorest farm communities, Huron, Mendota, Parlier. ATP sources of $$. My experience at county-level, 0.2% funds doesn't match population. Infrastructure/resources not up to par.

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KVG: Why isn't REMI used for all policies? What is ARB doing with California Department of Public Health (CDPH)?

RS: We're working with CDPH and ARB's Research Division on SP Public Health Analysis.

KVG: Public health analysis needs to be disaggregated by policy, race, and region. KVG offers help with this since she sits on OHEAC.

RS: It would be a challenge to disaggregate as there are multiple policies at work driving reductions and it would be tough to parse out which one is directly resulting in reductions. We're interested but it would be a challenge. We will follow-up on this.

MRT: What is the latest data?

TJ: Latest data is MRR 2014 data, released publically November 2015.

MRT: Does it include Porter Ranch fugitive emissions? I want to make sure this contingency is handled (re: methane leaks).

RS: Porter Ranch will be captured in statewide GHG inventory, however 2015 emissions not represented in statewide GHG inventory until May 2017.

MRT: It will be in the 2015 data set?

RS: Yes

ACTION ITEM: Review statewide greenhouse gas reduction inventory in Spring.

MRT: I want to second Tom's comment on a contingency plan

TF: 2020 is too late to address the leak issue. The SP should include this leak issue. Also, there is an issue with taking out electric pumps and putting in diesel or natural gas engines. Hopes the scenario analysis takes into account both of these issues.

FV: This may be illegal to do this, let's discuss more off-line.

CB: Water is the greatest user of energy in CA – linked to the drought and rate of energy use, especially in the SJV.

Organization of Old EJAC Recommendations

MRT walked the committee through the recommendations completed during the previous EJAC (went through the table/handout).

- How will the EJAC develop recommendations for the 2030 Target Scoping Plan?

- Is the 2030 Target SP different based on the chart (Framing the Path to 2050)?

Two Steps:

1. Group; and
2. Rank (Expertise and Interest?)

LO: Made a comment about resources

MDA: Are more than 2 members allowed in groups?

CB: Need to check Bagley-Keene

KVG: Attorney General website – more than 3 for advisory committee

FV/TJ: Will consult with ARB Attorney Margret Kim and provide follow-up response

KVG: How do we group sectors? What are the intersections and overarching themes? Can't be siloed – need to work more efficiently.

MRT: Request that Trish follow-up with EJAC members not in attendance regarding working groups.

EJAC signed-up for sector-specific working groups:

Data & Modeling (Citizen Science, Local Forums of grassroots DACs)

- Luis
- Eleanor
- Mari Rose

Transportation (Energy, SLCP, Fuel/Efficiencies)

- Sekita-lead
- Gisele
- Tom
- Rey

Waste Mgmt. (Energy, Industry [health, economic opportunities, measures/data, race disparity impacts, energy conservation, cement kilns])

- Luis
- Tom
- Monica

Energy (Built environment, energy efficiency, water)

- Rey-lead
- Sekita
- Mari Rose
- Gisele

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Cap-and-Trade (Industry, Energy)

- Mari Rose
- Eleanor
- Katie

Natural & Working Lands (Water, Tree planting, biomass, organic waste, carbon sequestration)

- Eleanor-lead
- Tom
- Monica

Investments

- Katie
- Eleanor

Water (Ag, Waste)

- Colin-lead
- Luis-lead
- Tom
- Monica

ACTION ITEM: EJAC members will come to the next meeting with some initial bullets by topic area.

Public Comment

Anthony: Echoed ASM Cheryl Brown comments. This region is underrepresented. Grant program, sustainable communities, VMT, urban counties: Riverside/San Bernardino. This is suburban. San Francisco and Los Angeles are urban. The speaker mentioned land cost, low-density, Coachella, Indio, Apple Valley, and active transport.

Otis Greer: From County of San Bernardino. Reduce GHGs by changing habits. Incentives closer to where folks live. SGC wants higher densities.

Dena Fuentes: From County of San Bernardino. GGRF goes to big 10 cities. March AFB Veterans Housing, 130 units funded as they met density limits, 276 people housed (being generous with that number). 350 could have been housed at lower densities. Redefine suburban.

SG: EJAC needs to focus on the investments side of C&T. How do we provide a pipeline for this (re: SP and investment plan)?

MRT: We need to strategize. We need a work group to participate in C&T investment discussions.

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Ericka Flores: Center for Community Action and Environmental Justice. Comparison of San Bernardino railyard to other railyard. Higher cancer risk, provoked anger. We are in a cancer cluster. Elementary school down the street has 47% asthma rate in students. Natural gas storage leak, workers don't live here. Facilities evacuated but residents not informed. West side, communities of color, health study. Average household earns less than $10,000 per year. We are just as important as Los Angeles communities.

Joel Greene: Curiosity Quest #1 PBS show in Inland Empire. Joel discussed disparities of neighborhoods in the Inland Empire.

EJAC Guiding Principles

Facilitator: This is the 3rd iteration of the principles document. Anyone have changes to suggest?

KVG: Need to mention race equity/racism. Add in mission statement.

KVG: Strike "helpful" from the first bullet on the first page.

SG: Prop 209, need speaker on this to present to EJAC.

CB: This came up in the CalEnviroScreen discussions. It was determined that race can't be the basis for State funding decisions.

LO: Page 1, modify to "provide guidance…." Concern applies to racial inequity?

CB: Add "living document" footnote?

SG: EJ community engagement is missing. Educators? Workforce? What type of organizations does this apply to? Page 3, Leadership Team should be 3 instead of 2. Also, add "at least". Strike out "starts with" and add "based on"?

CB: 3(d) add "organizers, advocates and lawyers". Also, page 3, under the Leadership Team bullet add "for communications approved through the EJAC decision making process (see page 4)". Page 3, leave in "at least" within the ARB staff support bullet.

CB: We need an overview of Bagley-Keene

FV/TJ: Will consult with ARB Attorney Margret Kim and provide follow-up response

LO: The leadership team needs to be clearly defined. 2? 3? Who is urban? Rural? Suburban?

<u>ACTION ITEM</u>: Change Leadership Team to include "Urban/Suburban."

MW: We expect ARB staff to be available for help. More funding needed for resources.

KVG: EJAC needs resources to help us do our work, AB 32 calls for it. SB 535 work. Need technical data assistance.

KVG: ARB staff was unable to get us data on an adaptive management related project that involved matching GHG facility emissions (using the AM tool) with allowance and offsets data.

TJ: Acknowledged outstanding data request, following initial response and teleconference meeting to discuss AM questions with ARB staff.

CB: We need a communications protocol for interactions/question with ARB staff.

MRT: Tried to contact ARB staff about C&T international offsets, but was never responded to. [ARB Note: Staff did note during timeline discussion that C&T and offsets, including international offsets, would be a key “deep dive” topic for subsequent detailed discussion with EJAC members in Feb/March.]

TJ: Letter received Jan. 29th and requested response in 2 weeks which is Feb. 12th. [ARB Note: Response to letter’s request for additional staff resources and timeline extension was provided verbally at this EJAC meeting.]

ACTION ITEM: Floyd noted offsets discussion will be included in the Cap-and-Trade deep dive.

EJAC: keep proposed "at least" for ARB Staff Support and do not add "feasible" for ARB deliverables.

ACTION ITEM: EJAC will discuss ARB staff support at the next meeting.

VOTE: EJAC votes to adopt Guiding Principles.

Leadership Team

MW: We should do 3 until heard otherwise.

MRT: Need at least 3 members “because life happens” and one person might not be available.

CB: Drafting of recommendations should be done in Committee. Need to discuss leadership team structure issue at the next meeting.

The Committee voted on leadership team members, 1 from rural communities (Tom), 1 from urban communities (Mari Rose) and 1 from suburban communities (Katie).

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Analysis of AB32 Programs in Disadvantaged Communities

FV: Provided status of EJAC's first recommendation from First SPU, assessment of AB32 programs in disadvantaged communities.

MRT: ARB needs to give us a framework for types of data used during the analysis (health, emissions, economic) for the next EJAC meeting.

ACTION ITEM: Floyd will provide statistics on Cap and Trade program.

GF: What about the "unintended consequences"?

FV: Discussed Adaptive Management Program and use of auction proceeds

MRT: At next EJAC meeting, can ARB staff provide rationale/answers for actions taken and status of all of EJAC's recommendations from 2014, First SPU?

FV: Yes

1st EJAC Letter to Floyd Vergara Regarding Scoping Plan Timeline

KVG: Sent to staff almost one week before the last EJAC meeting to extend the SP timeline. I was directed by other EJAC members to present the letter at the ARB Board meeting. ARB provided multiple reasons for why they couldn't do an extension in the timeline. The reason changed from CPP to C&T. KVG held a meeting with Richard Corey and he said SP needs to be done by the end of the year. KVG had multiple conversations with ARB staff and they recommended to not present the letter.

2nd EJAC Letter to Board Member Serna and Floyd Vergara Regarding Resources

MRT: The letter mentioned that the previous EJAC meeting was disorganized; need more EJAC support/staffing; SP timeline extension; key climate issues with C&T and need for briefings in selected areas; and requested a response in 2 weeks.

MRT: Asked if other EJAC members want to sign on to letter. The following members accepted: RL, SG, MRT, CB, TF, ET, GF, KGV

Working Timeline and Tasks

FV: Provided an overview of new timeline drafted and proposed by ARB in response to EJAC's request to extend SP timeline.

TF: Isn't SP a sum of all the parts? C&T is separate? Mobile SIP? Can more than two people get C&T deep dive?

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KVG: Why just a two month extension? There is no interactive feedback loop to communities. Do you have enough data to evaluate if C&T is impacting EJ communities? We need to know. C&T rulemaking can start in 2017, don't understand.

TF: Why can't you postpone SP because of C&T? Not sure why SP by Nov. 2016, when you are not starting C&T to 2030 until 2021?

CB: Continuing C&T should not be a forgone conclusion because it is not set in stone yet.

MRT: AB32 impacts on EJ study by CalEPA/OEHHA, that if the release is Dec 2016 then the final Scoping Plan draft & recommendations must come after that report.

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EJAC Proposed Timeline and Tasks

The EJAC used wall posters to place their proposed schedule on specific months in 2016.

February 2016		March 2016			April 2016	
Deep Dive Econ Analysis	Deep Dive Cap-&-Trade	Deep Dive CPP	Deep Dive Mobile Source SIP	EJAC Mtg. #4	For sector workshops: Requirements of agencies ➢ EJ impacts +/- ➢ Key Strategies/ Recommendations ➢ Detailed outline of their section of SP *Ideally provided beforehand	EJAC Mtg. #5
Deep Dive Public Health	Deep Dive Adaptive Mgmt.	Deep Dive SLCP	Deep Dive SB350 (CAISO)	(6) Sector Workshops Energy/ Efficiency	Sector Workshops Ag & Natural Working Lands	6 Sector Workshops Waste
		Deep Dive Sustainable Freight	Sector Workshops Water		Sector Workshop Industry	Sector Workshop Transportation

May 2016		June 2016	July 2016	
Release and discuss Discussion Draft SP	EJAC Mtg #6 with Discussion Draft	Sector workshops	1st Board Hearing (June 2016)	EJAC mtg. #7
Sector workshops		ARB/EJAC Facilitated Public Mtgs across CA –Sac –LA –SF –Fresno –Inland –Imperial	Submit draft Recommendations (after Discussion Draft #1)	
		@SJVAPCD Kern, Fresno, Stanislaus AB32 Scoping Plan Update Forum Report on Draft 1st public mtg of Discussion Draft #1 (Sac?)		

August 2016	September 2016	October 2016
Release full draft w/CEQA & Econ. Modeling draft EIR	EJAC mtg #9	ARB/EJAC Facilitated Workshops on Final Draft/EIR –Sac –Fresno –LA –SF –Inland –Imperial
EJAC mtg #8	Workshops -topic-specific EJAC mtgs	
	additional topic specific meetings with EJAC	

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November 2016	December 2016
EJAC mtg #10	Final Draft Plan to Board w/responses to EA comments
Additional topic specific meetings with EJAC	Present Final Recommendations to Board
Submit final Recommendations (after Final Draft)	

CB: This is EJAC's draft revised timeline to meet by the end of the year Board hearing.

Facilitator: Do we have consensus? YES

LO: We need another meeting to develop an outline of the chapters to assemble the report. This will identify what to work on. Otherwise, we will be lost.

KVG: Add more ideas after discussion draft is released. Yes, we can make an outline.

SG: Can we figure out: bullets, groundwork, priorities, homework, and assignments?

KVG: Is the SP timeline extension available?

CB: This is our good faith effort to revise the SP timeline. This timeline is not possible. It is very ambitious. We revised the timeline with most of the push in the mid-year getting to the EIR release. The EJAC requests a six-month extension of the timeline, moving the final draft plan Board Hearing to June 2017.

EJAC did not vote and approve the timeline.

Facilitator: What are the positives and delta's of today's meeting?

+	Δ
Location – windows	IT person
Locals	Presentations – EJ comments – Hard to engage
Length	Exploratory – Data available by when
Initiative from EJAC	Notes – 2 wks
Staff said good stuff	Another non-Sac meeting
Positive	
Unified voice	

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The Parking Lot and Action Items

For Today	Action Items
✓ # of ppl that can talk substantively	Advice: anti-affirmative action prop 209 expert
ARB time need on doc review	"Dig-In" mtgs w/staff on models
Contingency for those left out	
Communication protocols	Quorum/ working groups
Framework for data sets for emissions, health, economic	➢ Specific So Cal
Staffing support	Strategize for inclusion of members Explain what happens w/violations Clarity on investment side Comm/advocacy (is it scoping plan or other pipeline)
	Public health modeling disaggregated by race, geography/region, policy (ARB really hard)
	Contingencies so key/ for example Porter Ranch or an explosion +relation to incentives/ wrong incentives diesel pumps

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