

## **Comment 1 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: David

Last Name: Schonbrunn

Email Address: David@Schonbrunn.org

Affiliation: TRANSDEF

Subject: Life-Cycle Analysis

Comment:

TRANSDEF's only concern with these Guidelines is its silence on the scope of required quantification. The Guidelines need to contain a strong statement that the quantification procedure must include the emissions for the full life-cycle of the proposed project or program.

It is only by measuring the full life-cycle emissions that it will be possible to determine the proposed project's or program's net contribution to global climate change.

We believe this request to be consistent with existing ARB practice. The requirement needs to be explicitly stated.

Thank you,

--David Schonbrunn.  
President, TRANSDEF

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-06-21 18:23:04

No Duplicates.

## **Comment 2 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Ben

Last Name: Russak

Email Address: brussak@libertyhill.org

Affiliation: Liberty Hill (for SB 535 Coalition)

Subject: ARB Public Participation Process

Comment:

Chairman Mary D. Nichols and Executive Officer Richard Corey  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

June 18, 2015

Dear Chairman Nichols and Executive Officer Corey:

The SB 535 Coalition, and other supportive organizations, appreciate the intensive and extensive work performed by ARB staff preparing the new full Funding Guidelines discussion draft released earlier this week, and are glad to see the two 2014 Interim Guidance documents on Expenditure Records and Fiscal Procedures and Investments to Benefit Disadvantaged Communities together in one document. We are in the process of formulating comments in response to this release, but under the severely compressed time frame established by ARB felt it was in our best interests to file this preliminary comment letter while we finalize our analysis and solicit signatories of supporting organizations.

We want to express our dissatisfaction with process adopted by ARB for public participation and its severely compressed timeframe. Several aspects of the current process significantly restrict the ability for community-based organizations and other representatives of disadvantaged communities to participate in the deliberation process and provide input for consideration, including:

- The release of the Funding Guidelines "discussion draft" three business days prior to the public workshop, and eight business days prior to the deadline for public comment
- The offering of only one workshop in Sacramento, with a non-interactive webcast
- The fact that both the only scheduled workshop and period for public comment occur before the release of the revised Funding Guidelines draft
- The lack of clarity about how much time will be provided between the release of the revised Funding Guidelines draft and the ARB Board Meeting on July 23rd, where the finalization of the guidelines will be considered

Considering that there have been very few revisions made to the Funding Guidelines discussion draft when compared to the Interim Guidance document finalized in November, 2014, it would seem the appropriate time for workshops and public comment would be after

the release of the revised draft, which is currently scheduled to be released between the close of public comment on June 29, 2015 and the ARB Board Meeting on July 23, 2015. We would suggest that ARB reconsider their proposed timeline and instead adopt a process similar to last year's finalization of the Interim Guidance documents in order to provide for more interactive opportunities and time for public comment.

2014 Public Participation Timeline  
Interim Guidance for Investments in Disadvantaged Communities

08/22/14 Interim Guidance Draft  
08/25/14 WORKSHOP: Fresno  
08/26/14 WORKSHOP: Los Angeles  
09/03/14 WORKSHOP: Oakland  
09/15/14 Public Comment Deadline  
09/18/14 Board Consideration

We would like to propose an alternative. By moving the finalization of guidelines to the August 20th ARB Board Meeting and scheduling workshops in Northern, Central and Southern California in late July or early August, ARB would not only provide a more reasonable timeframe to consider and respond to public comments, but would also allow for community representatives across the state to attend public workshops and contribute their knowledge and experience to better inform ARB's final decision-making process.

If the current public process is not reconsidered, only a small percentage of the communities most affected by this guidance will be able to contribute to this important discussion. Additionally for coalitions who wish to build broad support for their analysis, more time is needed to circulate letters and provide time for other organizations to obtain official approval of support. Our experience indicates that the entire eight business days allotted for the public comment period is very insufficient for most organizations to study and make determinations about recommendations expressed in comment letters.

We hope that you will seriously consider this request to revise and expand your timeframe, so that a robust and rewarding public participation process may occur.

Sincerely,

Mari Rose Taruc  
State Organizing Director  
Asian Pacific Environmental Network

Mark Masaoka  
Policy Director  
Asian Pacific Policy & Planning Council (AP3CON)

Matthew Read  
Statewide Government Relations Director  
Breathe California

Jeanie Ward-Waller  
Policy Director  
California Bicycle Coalition

Ann Sewill  
Vice President, Housing and Economic Development

California Community Foundation

Amy Vanderwarker  
Co-Director  
California Environmental Justice Alliance

Megan Kirkeby  
Policy Director  
The California Housing Partnership

Katelyn Roedner Sutter  
Environmental Justice Program Director  
Catholic Charities, Diocese of Stockton

Robert García  
Founding Director and Counsel  
The City Project

Bill Magavern  
Policy Director  
Coalition for Clean Air

Jonathan Parfrey  
Executive Director  
Climate Resolve

D. Malcolm Carson  
General Counsel and Policy Director for Environmental Health  
Community Health Councils

Damien Goodmon  
Executive Director  
Crenshaw Subway Coalition

R. Bong Vergara  
Director  
CYPHER

mark! Lopez  
Director  
East Yard Communities for Environmental Justice

Gisele Fong, PhD  
Executive Director  
EndOil / Communities for Clean Ports

Stella Ursua  
President  
Green Education Inc.

Alvaro S. Sanchez  
Program Manager, Environmental Equity  
The Greenlining Institute

Lisa Hershey  
Sustainable Communities Coordinator  
Housing California

Shayla Myers  
Staff Attorney  
Legal Aid Foundation of Los Angeles

Ben Russak  
Policy Analyst  
Liberty Hill Foundation

Roxana Tynan  
Executive Director  
Los Angeles Alliance for a New Economy (LAANE)

Eric Bruins  
Planning & Policy Director  
Los Angeles County Bicycle Coalition

Denny Zane  
Executive Director  
Move LA

Manal J. Aboelata  
Managing Director  
Prevention Institute

Marybelle Nzegwu  
Staff Attorney  
Public Advocates Inc.

Joel Ervice  
Associate Director  
Regional Asthma Management & Prevention (RAMP)

Gordon Snead  
Director  
SBCC Thrive LA

Sissy Trinh  
Executive Director  
Southeast Asian Community Alliance (SEACA)

Joshua Stark  
State Policy Director  
TransForm

Sandra McNeill  
Executive Director  
T.R.U.S.T. South LA

Attachment: [www.arb.ca.gov/lists/com-attach/3-ggrf-guidelines-ws-UTABdVY1VlpXNwVw.pdf](http://www.arb.ca.gov/lists/com-attach/3-ggrf-guidelines-ws-UTABdVY1VlpXNwVw.pdf)

Original File Name: ARB Funding Guidelines Comment on Process\_FINAL.pdf

Date and Time Comment Was Submitted: 2015-06-22 12:16:03

No Duplicates.

## **Comment 3 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Jesse

Last Name: Andrews

Email Address: jdandrewsconsultants@outlook.com

Affiliation: JD Andrews Consultants

Subject: Funding Guidelines Comments

Comment:

Chairman Mary D. Nichols and Executive Officer Richard Corey  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Dear Chairman Mary D. Nichols and Executive Officer Richard Corey,

Thank you for the hard work that ARB and staff have put into making this document possible. The outstanding work you continue to do is appreciated throughout the state despite what others suggest.

The Funding Guidelines as outlined in the drafted document are clear and concise and I am proud to have read it fully myself. I believe there are a few things to consider to help make the document fulfil its original statutory regulations and provide greater benefit for the disadvantaged communities.

First, I agree with some of my colleagues when they stated that the measurements or quantification metrics reported during and after the project should be stated upfront. I can only hope that was the case when the document mentioned that the ARB would work closely with the agencies to craft their project profiles and expenditure records.

Secondly, to help bolster the disadvantaged communities, I feel that there should be a clear mandate to help local agencies support the local economy through diversified firms: Women Owned Business, LGBTQ Owned Business, Minority Owned Business, etc. The work that will be done in these disadvantage communities is only as successful as the businesses these communities see day in and day out. (Volume 1, Chapter 4)

Thirdly, on page 22, the job creation guidelines should be clearly outlined for economic impact. For example, "x amount of dollars provides x amount of jobs." This ensures a clear and accountable measurement of economic growth in the disadvantaged communities and the impact of the direct funding provided.

Lastly, just as you have created a logo for the agencies that will administer funding in their local communities through their local solicitation, I would suggest a logo for the cities who are receiving and administering more than two funds or have more than two participating agencies of GGRF in their local communities. I

believe this will help build a sense of urgency that speaks to the implementation of these funds and create a sense of competitive advantage of administering these funds while serving as the vehicle of interaction with the disadvantage communities.

I think that the timeframe was indeed adequate for those who follow closely the works of many workgroups and the interaction of solely community leaders was needed as they followed and read such information as provided by ARB.

Please consider this comment for public comment review of the Funding Guidelines for Agencies that Administer California Climate Investments.

Thank you for your time and consideration,

Jesse DeMonte Andrews; Global Community Education Consultant

JD Andrews Consultants, LLC  
Learn More About Me:  
[www.about.me/Bjdandrews](http://www.about.me/Bjdandrews)  
Need To Speak To Me:  
p. 404.953.0243  
+: Google Plus  
w: Visit Our Website

Attachment: [www.arb.ca.gov/lists/com-attach/4-ggrf-guidelines-ws-AXFTIFU2AzwGaVMw.pdf](http://www.arb.ca.gov/lists/com-attach/4-ggrf-guidelines-ws-AXFTIFU2AzwGaVMw.pdf)

Original File Name: Public Comment\_220615.pdf

Date and Time Comment Was Submitted: 2015-06-23 09:39:08

No Duplicates.

## **Comment 4 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: cindy

Last Name: bloom

Email Address: cbloom57@ca.rr.com

Affiliation:

Subject: CAP & TRADE FUNDING GUIDELINES-HIGH SPEED RAIL

Comment:

I am flummoxed as to why the High Speed Rail project "qualifies" for cap & trade revenue. The greenhouse gasses emitted during the decades-long construction period will take AT LEAST 30 YEARS FROM WHICH TO RECOVER. We are teetering at the edge of unrecoverable climate change. To spew additional GHG emissions during this critical juncture to build this unnecessary train is dangerous, ill-conceived, reckless, and risky. Also, the train will use electricity for power. The production of electricity is not 100% free of waste products unless it's wind or solar-powered. It will most likely NOT BE CLEAN TRANSPORTATION!

Furthermore, I firmly believe the following needs to occur:

1. Host additional workshops in the Central Valley as some of the worst air quality in the state is in the Central Valley. There's a disproportionately large number of disadvantaged communities in the Central Valley.

2. Extend the June 29 public comment deadline to allow time for affected communities to fairly participate.

3. Start identifying and reaching out to agencies and organizations which represent disadvantaged communities in the Central Valley, and in particular those that are concerned and affected by poor air quality: health care, emergency response, school districts, etc. Encourage them to participate in the public comment process and make their voices heard.

The voices that need to be heard are residents and businesses--NOT GOVERNMENTAL AGENCIES, AND IN PARTICULAR, CALIFORNIA HIGH SPEED RAIL.

Thank you for your consideration.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-06-24 09:28:23



No Duplicates.

## **Comment 5 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Karen

Last Name: Stout

Email Address: karenskings@yahoo.com

Affiliation:

Subject: Questionably use of Cap & Trade dollars

Comment:

It is a travesty to use Cap & Trade dollars for HSR. HSR is a 30 year or more project. These funds are to be used for immediately reduction of GHG. THIS IS NOT IMMEDIATE!

There will NOT be enough Cap & Trade dollars to fund HRS. The State is to be matching private funding dollar for dollar. There is NO private funding, so The State can NOT release its funds for HSR.

I am against The State creating another whole bureaucracy, like the California HSR Authority to "Manage" Cap & Trade dollars. The bills in the state senate can distribute these dollars just find without multiple employees being hired to shuffle paper around and spend the tax payers dollars. Let our elected officers "Take Care" of dollar distribution. The public has voted for them to speak for them. This is their job!

Layer upon layer of departments and employees will make these dollars disappear without any of those dollars going to reduce GHG. These dollars will NOT cover all the bureaucracies expenses, and leave any to clean our air.

Please let our government work as it was designed.

Respectfully, Karen J. Stout

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-06-24 12:50:26

No Duplicates.

## **Comment 6 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Doug

Last Name: Verboon

Email Address: Doug.verboon@gmail.com

Affiliation: Kings County Board of Supervisors

Subject: CARBs proposed use of Cap & Trade

Comment:

AB 32 (2006) set greenhouse gas reduction goals and mandates that CARB create a plan and implement rules to achieve "real, quantifiable, cost-effective reductions of GHGs." Executive Order S-20-06 emphasizes this. AB 32, specifically required CARB to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020 (Health and Safety Code [HSC] Section 38561). A major goal was to protect disadvantaged communities from project that further burden them. A sample project within the plan is implementation of high-speed rail ("HSR") as a GHG reduction measure, estimating a 2020 reduction of 1 million metric tons of CO2 equivalent (MMT CO2e).

HSR is a perfect example of why your proposed regulations will not work. CARB is distributing money to High Speed Rail Authority toward its joint federal/state HSR project now and in prior years. AB 2020 is looking to meet reduction goals by certain deadlines. CARB's adopted plan says 1 million metric tons by 2020 hoping HSR will help achieve that. Federal EPA is concerned with major federal projects that pollute the air, particularly in areas of non-attainment and those that affect disadvantaged communities.

During all the CARB plan deadlines, HSR is and will be a net polluter in the San Joaquin Valley air basin. HSR's first 24 mile construction section in the Madera to Fresno project area will generate 140.84 TONS of harmful air pollutants: 8.04 tons of ROG/VOC, 118.19 tons of NOx and 14.61 tons of PM10 (pm2.5). The majority of HSR construction will occur in the San Joaquin Valley air basin, which is in a status of NON-ATTAINMENT for federal Clean Air Act standards for ozone and its precursors NOx and VOCs (extreme nonattainment) and PM2.5. The Valley's residents incur DMV fees to pay the non-attainment penalties. The HSR Fresno-Bakersfield section project alone is supposed to move 22 million tons of dirt. This will exacerbate this PM2.5 Hot Spot and the asthma from which our population suffers. It will also generate additional Valley Fever problems in an area suffering greatly from this disease lodged in dirt spores that will become the harmful particulates the residents will ingest.

Our local Air Board has made great progress in reductions, but has accomplished nearly everything it can and is now focusing on things like commercial interests that charbroil meat. These are the small things left to be accomplished while HSR's project that is getting credit for reducing greenhouse gas emissions 20-30 years from now

is presenting and for the next 20-30 years going to be dumping tons of emissions into our air. This seems so backwards. If this is the extent of your enforcement and monitoring, it surely will not accomplish your goals.

Your regulations need to set strict standards and have a comprehensive review committee and enforcement division. The process must be competitive so that the proposed projects that have the most impact on the project and the lowest cost should be granted. Serious monitoring of the projects should occur to be sure the goals are being achieved. Serious penalties should be imposed for failure to achieve. Finally, projects that help disadvantaged communities should be given priority. You should revisit your rules with these goals in mind and remember the AB 32 goal is to achieve "real, quantifiable, cost-effective reductions of GHGs." Please extend your comment period and visit some of the disadvantaged, non-attainment areas in the Central Valley.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-06-24 21:20:11

No Duplicates.

**Comment 7 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Staci

Last Name: Heaton

Email Address: sheaton@rcrcnet.org

Affiliation: RCRC

Subject: RCRC Comments on GGRF Funding Guidelines

Comment:

Attached please find RCRC's comments on the draft GGRF Funding Guidelines. Please contact me if you have any questions.

Attachment: [www.arb.ca.gov/lists/com-attach/8-ggrf-guidelines-ws-Wz0Fdlc4UWZXOAZo.pdf](http://www.arb.ca.gov/lists/com-attach/8-ggrf-guidelines-ws-Wz0Fdlc4UWZXOAZo.pdf)

Original File Name:

Funding\_Guidelines\_CA\_Climate\_Investments\_Ltr\_to\_ARB\_06252015.pdf

Date and Time Comment Was Submitted: 2015-06-25 13:55:08

No Duplicates.

**Comment 8 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Kate

Last Name: Meis

Email Address: kmeis@lgc.org

Affiliation: Local Government Commission

Subject: Comments on GGRF Guidelines.

Comment:

Please see attached comment letter.

Attachment: [www.arb.ca.gov/lists/com-attach/9-ggrf-guidelines-ws-VTYFbAZqBzkBYgZo.pdf](http://www.arb.ca.gov/lists/com-attach/9-ggrf-guidelines-ws-VTYFbAZqBzkBYgZo.pdf)

Original File Name: Comments on GGRF Guidelines\_LGC.pdf

Date and Time Comment Was Submitted: 2015-06-26 12:51:56

No Duplicates.

## **Comment 9 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: cherylyn

Last Name: smith

Email Address: cherylyn.smith@fresnocitycollege.edu

Affiliation:

Subject: Cap and Trade's Misguided Funding of HSR

Comment:

To the ARB:

I have attached an "Open Letter" to the board. I ask that you reconsider the funding of High Speed Rail with Cap and Trade revenues for three reasons:

1. The funding of HSR reduces incentive for companies to cut back on GHG emissions.
2. The HSR project will not effectively reduce GHG's.
3. The funding enables HSR to continue its efforts to become exempt from CEQA, which AB-32 is based on.

These indicate that the board and the C&T program are putting us at odds with fulfilling the goals of AB 32.

Thank You, Cherylyn Smith

Attachment: [www.arb.ca.gov/lists/com-attach/10-ggrf-guidelines-ws-VDdUJIIMUWNRJVBj.docx](http://www.arb.ca.gov/lists/com-attach/10-ggrf-guidelines-ws-VDdUJIIMUWNRJVBj.docx)

Original File Name: CT AR3.docx

Date and Time Comment Was Submitted: 2015-06-28 10:55:52

No Duplicates.

## **Comment 10 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Mark

Last Name: Powell

Email Address: markrpowell@pacbell.net

Affiliation:

Subject: Comments on Auction Proceeds Funding Guidelines

Comment:

The Word document pasted below is also attached as a Word file. The Word file retains footnotes and footnotes links not possible to include in this dialog box.

June 28, 2015

Mark R. Powell

27840 Mount Triumph Way

Yorba Linda, CA 92887

California Air Resources Board

Sacramento, California

Regarding: Comments on Draft of Cap-and-Trade Auction Proceeds - Funding Guidelines for Agencies that Administer California Climate Investments

To Whom it May Concern:

Comment:

In finalizing its Cap-and-Trade Auction Proceeds - Funding Guidelines for Agencies that Administer California Climate Investments the ARB should incorporate a requirement that the California High-Speed Rail Authority issue a Supplemental Program EIR for the Statewide High-Speed Train System that in an open and transparent way addresses the issues raised in this letter and assures the ARB and all Californians that Cap-and-Trade Auction Proceeds actually go towards reducing GHG emissions in meaningful and substantial way before receiving Cap-and-Trade Auction Proceeds.

Discussion:

Following the passage of AB32, California's Global Warming Initiative, the Air Resources Board was directed to "determine the statewide greenhouse gas emissions level in 1990. The act also requires that the Board approve a statewide greenhouse gas emissions limit, equal to the 1990 level, as a limit to be achieved by 2020." The initial equivalent greenhouse gas emissions (CO<sub>2</sub>e) limit for 2020 (set at actual 1990 emissions) was established to be 427 million metric tonnes (MMT) annually. Subsequent revisions to the calculation resulted in raising this limit to 431 MMT CO<sub>2</sub>e.

The most recent year for which data is available on the ARB website is 2012 and shows California's annual greenhouse gas emissions standing at 459 MMT CO<sub>2</sub>e. A reduction of 28 MMT CO<sub>2</sub>e is required to meet the state's goal for 2020. In seeking to gain access to California's Greenhouse Gas Reduction Fund (GGRF) the California High-Speed Rail Authority (the Authority) claims in its June 2013



report, Contribution of the High-Speed Rail Program to Reducing California's Greenhouse Gas Emission Levels, that by the year 2022 when it is scheduled to begin service on its Initial Operating Section the operation of its train will reduce the state's GHG emissions annually by between .16 and .33 MMT CO<sub>2</sub>e . The midpoint of these projections, .245 MMT CO<sub>2</sub>e, represents less than 1% of the reduction needed to achieve the state's 2020 goal. Yet, the Authority with the backing of the governor seeks to access 25% of all available GGRFs. As late as 2050, as Phase 1 linking San Francisco and Los Angeles is completed and ridership projections increase the midpoint of the Authority's projected reduction in annual GHG emissions increases to only 1.6 MMT CO<sub>2</sub>e. This still represents less than 6% of a reduction mandated to occur 30 years earlier. And these claims of the Authority, distressing even taken at face value, are skewed in the Authority's favor.

The Authority bases its claims on the assumption that "the Authority has purchased a renewable power mix of 20 percent solar, 40 percent wind, 35 percent geothermal, and 5 percent biogas converted to electricity" . In other words, power for their train will be free of GHG emissions. However, this is a physical impossibility in the real world. In the real world all the power sources cited run independently of the train. Solar and wind power flow into California's power grid whenever the sun is shining and the wind is blowing. Geothermal and biogas power is generated on a nearly continuous basis and again flows into the power grid for all to use. This is the physical reality whether the train is running or not. All electrical power, except that stored in batteries, is used at the moment it is produced. That being the real situation, when a train starts its engine additional power must flow into the electrical grid. That additional power cannot come from renewable sources as those sources are already sending power to a balanced electrical grid. Therefore, when a train starts consuming electrical energy a new source of electrical power must flow into the grid. And that power will have to come from a variable source of power generation. Aside from nuclear power, which generally runs at maximum rates due to low variable operating costs, this leaves only fossil fuel power plants. When this reality is taken into account one wonders whether the train will even emit less GHGs than passenger automobiles and airplanes on a per passenger mile basis.

Moreover, in calculating emissions from passenger automobiles the Authority's report cites the "ARB's latest model, EMFAC 2011" . "EMFAC 2011 includes the latest data on California's car and truck fleets and travel activity." However, EMFAC 2011 still reflects vehicles on the highways mandated to achieve CAFE fuel economy standards established in the late 1990's . New CAFE standards established in 2012, and that are to be in place by 2025, essentially double the previous standards to 54.5 mpg . These are the cars and light trucks that the train, operating on fossil fuel powered electricity, should be compared against to determine the train's GHG emission reductions, if any.

Other issues that should be of grave concern to the ARB include the following:

- The Authority in its report to the ARB has potentially disclosed only a small fraction of the GHGs to be emitted during construction because it knowingly has failed to disclose "GHG emissions that occur outside the project associated with materials used during construction." Given just the massive amounts of concrete planned

for use in constructing the rail's soaring viaducts, the fact that concrete production accounts for nearly 2% of all US GHGs emitted annually , and the fact that GHG emissions are a global (not a local) problem, failure to account for these types of construction emissions is a glaring omission.

- The Authority, after nearly two decades of searching, has yet to secure a funding source that might assure that it can even complete its Initial Operating Segment. Its 2014 Business Plan skirts the issue of paying for even this small segment by merely avoiding any discussion of where the required \$28 billion will come from other than a previous references to ARRA funds (\$3.3 billion) and Proposition 1A Bonds (\$8 billion still held up in court battles) and a current reference to Cap and Trade Funds . Paying for the IOS over the next 7 years may require a minimum of \$17 billion in GGRF proceeds (nearly \$2.5 billion annually) which is probably more than the sum total available.

- Lastly, the Authority's calculated savings in CO2e emissions projected out to the year 2050 make no mention of Phase 2 which would connect Sacramento and San Diego to the system, make common use of the Phase 1 track between Los Angeles and Merced, and promote greater ridership and further reduce GHG emissions. This omission implies that the Authority is no longer seriously planning to build Phase 2 even though the California High-Speed Train Final Program EIR/EIS, approved by the Authority in November 2005, certifies the environmental benefits of only the Statewide System. This Program Level EIR never even contemplates a Phase 1 and a Phase 2. Furthermore, the passage of Proposition 1A requires the Authority to construct the system consistent with the authority's certified environmental impact report of November 2005.

By diverting GGRF proceeds to the high-speed train project at this time the ARB risks using valuable dollars that could be used to actually reduce GHG emissions and instead (1) fund a project that in operation might not reduce GHG emissions at all and will perhaps result in an increase of GHG emissions, or (2) fund a partially completed and unusable construction project, the partial construction of which would result in the massive release of an undetermined amount of GHGs. Funding a project that might not meaningfully reduce and could possibly lead to an increase in GHGs emissions puts at risk all Cap and Trade Revenues flowing into the GGRF because if Cap and Trade Revenues are not directly tied to expenditures that reduce GHGs, then revenues flowing from AB32 are more likely to be viewed as a tax and not a fee. This should be viewed as a serious issue by the ARB since AB32 did not pass with the necessary two-thirds vote required for all tax increases in California.

Thank you for your consideration.

Sincerely,

Mark R. Powell

cc:

Mike Brady, Attorney for Plaintiffs in Central Valley suit versus High-Speed Rail Authority  
Harold Johnson, Pacific Legal Foundation  
Ted Hart, Tea Party Coordinator Against High-Speed Rail  
Rita Wespi, Co-Founder of CARRD (Californians Advocating

Responsible Rail Design)  
David DePinto, President of SAFE (Save Angelus Forest for  
Everyone)

Footnotes:  
See attached Word document.

Attachment: [www.arb.ca.gov/lists/com-attach/12-ggrf-guidelines-ws-VjVSO1E9WWdXNAZo.docx](http://www.arb.ca.gov/lists/com-attach/12-ggrf-guidelines-ws-VjVSO1E9WWdXNAZo.docx)

Original File Name: Comments to ARB Regarding Release of GGRF.docx

Date and Time Comment Was Submitted: 2015-06-28 22:15:19

No Duplicates.

## **Comment 11 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Kenny

Last Name: Key

Email Address: kenny@interraenergy.us

Affiliation:

Subject: Concerns over Composting GHG Reduction Calculations

Comment:

To whom it may concern,

Interra's concern is that CalRecycle has given all indications that it intends to use GHG Reduction Grant and Loan funding to support projects that actually increase GHG emissions.

Specifically, the GHG Grant program appears poised to fund composting projects that process green waste. When presented with evidence that demonstrates the counterproductive effects of allowing green waste composting, Interra hopes CalRecycle and ARB will ensure that only projects that can demonstrate verifiable emission reductions will be eligible for funding.

Interra fully supports the diversion of organic waste from landfills. However, where it can be shown that alternative processes have higher GHG emissions than landfilling, those alternatives should not be considered, let alone implemented, just for the sake of diverting the materials from landfills.

The crux of our position comes from an analysis done by the US EPA, which was used to create the 2006 WARM model and continues in the 2012 WARM model. Essentially, the US EPA recognized in 2006 that Food Waste and Green Waste have very different baseline emissions. Thus, when CA EPA / ARB released their 2011 report relying on the 2006 Model, it was an error to apply the same CERF to both Food and Green Waste. A CERF assumes a baseline scenario, and those two feedstock sources have far different baseline emissions. Allowing all composting projects to rely on the -0.42 CERF figure grossly overstates the GHG benefits of Green Waste Composting and provides a tool for policy makers to support those projects over other uses of green waste (including landfilling in CA) that have lower life-cycle GHG emissions.

From the EPA Report - "[t]he net GHG emissions from composting are lower than landfilling for food discards (composting avoids CH<sub>4</sub> emissions), and higher than landfilling for yard trimmings (landfilling is credited with the carbon storage that results from incomplete decomposition of yard trimmings)." (USEPA, Executive Summary: Background and Findings, Solid Waste Management and Greenhouse Gases: A Life-Cycle Assessment of Emissions and Sinks, 3rd Edition, ES-13 (2006), available at <http://www.epa.gov/climatechange/wycd/waste/downloads/execsum.pdf>.)

Thus, green waste composting should not be eligible for funding as it fails the first criteria - reducing GHG emissions. We hope that

such activities are excluded from funding and that ARB continues to work with CalRecycle and interested parties to develop a more accurate CERF for green waste composting projects.

Sincerely,  
Kenny Key  
VP, General Counsel  
Interra Energy, Inc.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-06-29 11:31:39

No Duplicates.

**Comment 12 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Megan

Last Name: Scott

Email Address: [megan.scott@berkeley.edu](mailto:megan.scott@berkeley.edu)

Affiliation: UC Berkeley Donald Vial Center

Subject: Comments on Draft Funding Guidelines

Comment:

Please see our attached comments.

Attachment: [www.arb.ca.gov/lists/com-attach/14-ggrf-guidelines-ws-UTVWJlQ2VlpSN1U6.pdf](http://www.arb.ca.gov/lists/com-attach/14-ggrf-guidelines-ws-UTVWJlQ2VlpSN1U6.pdf)

Original File Name: DVC comments on ARB draft funding guidelines 6-29-15 FINAL.pdf

Date and Time Comment Was Submitted: 2015-06-29 13:36:28

No Duplicates.

## **Comment 13 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Shelli

Last Name: Andranigian

Email Address: AndranigianMedia@aol.com

Affiliation:

Subject: Three Generations of Sinus Sufferers

Comment:

Please note the letter below is also attached in a Word Document.  
Thank you in advance for your consideration.

June 29, 2015

Dear California Air Resources Board,

Good afternoon. This letter is being sent today per the recommendation of Ms. Monique Davis in your offices. She also said I may submit letters electronically though July 13th, 2015 re: the Cap-and-Trade Auction Proceeds workshop, which was held on June 22nd, 2015 in Sacramento.

I'm respectfully requesting that the deadline to comment publicly is extended during this busy summer season and that workshops additionally be held in each county in the Central Valley where construction of the largest infrastructure project of its type in the nation aka California High-Speed Rail (CAHSR) is proposed to first begin.

California, along with Oregon and Washington are supposed to be the "greenest" states in the nation. Meantime, the CAHSR which has not yet proven themselves to be a "green" project stands to profit significantly from the Cap & Trade proceeds. This in and of itself sets a bad precedent for all future projects in this still Golden State.

Those impacted directly from such a project need to have their voices heard. Workshops in the Central Valley along with those in Southern and Northern California need to happen with comment deadlines set for a month after such meetings.

The draft "Funding Guidelines" re: Cap & Trade was not released until June 16th, 2015 and many were not able to view the workshop to explain the guidelines that was online live last Monday, June 22nd, 2015. A link to listen should also be provided which I forgot to mention while speaking with those in your offices earlier today. I did leave a verbal request for a listening link last week via phone, but have yet to hear back.

Thank you very much for your time and consideration of these requests.

For the record, I come from a family with three generations of

sinus sufferers.

Sincerely,

Shelli Andranigian  
Fresno County

cc: Fresno City Council, Fresno County Board of Supervisors,  
Hanford City Council, Kings County Board of Supervisors

Attachment: [www.arb.ca.gov/lists/com-attach/15-ggrf-guidelines-ws-UTtSIVY5UGYAWQk7.pdf](http://www.arb.ca.gov/lists/com-attach/15-ggrf-guidelines-ws-UTtSIVY5UGYAWQk7.pdf)

Original File Name: June 29, 2015 letter to ARB re Funding Guidelines for Cap and Trade.pdf

Date and Time Comment Was Submitted: 2015-06-29 14:14:25

No Duplicates.



## **Comment 14 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Niccolo

Last Name: De Luca

Email Address: ndeluca@townsendpa.com

Affiliation: Transbay Joint Powers Authority

Subject: Cap-and-Trade Auction Proceeds; Draft General Guidance for Agencies that Administer Califo

Comment:

Dear Chairman Nichols and Members of the Board:

The Transbay Joint Powers Authority (TJPA) appreciates the opportunity to comment on the Draft General Guidance for Agencies that Administer California Climate Investments (Draft General Guidance). The TJPA remains excited by the transformative effect that cap-and-trade auction proceeds can have throughout the State, especially in California's Disadvantage Communities. As the TJPA has previously stated, the Transbay Program is a model for transit oriented development in California that will significantly reduce greenhouse gas emissions and improve public health and quality of life throughout the Bay Area.

Last fall, the TJPA submitted comments on CARB's Draft Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies. The TJPA appreciates CARB's consideration of those comments, and notes that the Draft General Guidance incorporates the TJPA's suggestion that the eligibility criteria in CARB's guidance documents include projects that are within ½ mile of a Disadvantaged Community and that also provide transit benefits and other amenities.

After reviewing the Draft General Guidance, the TJPA also recognizes that many of its previously suggested amendments remain applicable to this current guidance proposal. At the time that it suggested those amendments, the TJPA was concerned that the CARB's proposed project evaluation criteria would not credit large projects that will contribute substantial benefits to Disadvantaged Communities. In effect, the guidance would unfairly penalize such large projects. The TJPA continues to have similar concerns regarding the project evaluation criteria included in the Draft General Guidance. Thus, the TJPA is enclosing its previous comments for CARB to consider including in the final General Guidance document. The TJPA further notes that the amendments that it previously proposed to the evaluation criteria for investments in transit projects are equally applicable to the criteria for investments in affordable housing projects.

The TJPA therefore respectfully requests that CARB amend the Draft General Guidance to better reflect the substantial benefits that large projects, such as projects within the Transbay Program, provide to Disadvantaged Communities. Please do not hesitate to contact the TJPA if we can be of any assistance as you continue to develop CARB's Draft General Guidance documents.

Attachment: [www.arb.ca.gov/lists/com-attach/16-ggrf-guidelines-ws-USIBb1A2U24LaABk.pdf](http://www.arb.ca.gov/lists/com-attach/16-ggrf-guidelines-ws-USIBb1A2U24LaABk.pdf)

Original File Name: Signed CARB Cap and Trade comment letter Sept 12 2014.PDF

Date and Time Comment Was Submitted: 2015-06-29 14:32:48

No Duplicates.

**Comment 15 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Louise

Last Name: Collis

Email Address: louisec@cityofwestsacramento.org

Affiliation: City of West Sacramento

Subject: GHG Reduction Fund Guidelines comments

Comment:

Please see the attached letter for GHG Reduction Fund guidelines comments from the City of West Sacramento.

Attachment: [www.arb.ca.gov/lists/com-attach/18-ggrf-guidelines-ws-UzRcMIUzVVkDdwls.pdf](http://www.arb.ca.gov/lists/com-attach/18-ggrf-guidelines-ws-UzRcMIUzVVkDdwls.pdf)

Original File Name: GHG Reduction guidelines comment letter 6 29 15.pdf

Date and Time Comment Was Submitted: 2015-06-29 14:16:22

No Duplicates.

**Comment 16 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Chuck

Last Name: Mills

Email Address: cmills@californiareleaf.org

Affiliation: California ReLeaf

Subject: CA ReLeaf and CA Urban Forests Council Written Comments on GGRF Guidelines  
Comment:

Please see attached written comments from California ReLeaf and the California Urban Forests Council regarding volumes I-III of the discussion DRAFT of the Greenhouse Gas Reduction Fund Guidelines.

Thank you for the opportunity to comment.

Attachment: [www.arb.ca.gov/lists/com-attach/19-ggrf-guidelines-ws-B2QGYVMgADEBWAN0.pdf](http://www.arb.ca.gov/lists/com-attach/19-ggrf-guidelines-ws-B2QGYVMgADEBWAN0.pdf)

Original File Name: CARB written comments 6-29-15.pdf

Date and Time Comment Was Submitted: 2015-06-29 14:51:50

No Duplicates.

**Comment 17 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Michelle

Last Name: Passero

Email Address: mpassero@tnc.org

Affiliation:

Subject: The Nature Conservancy comments on draft GGRF Funding Guidelines

Comment:

Please accept the attached comments from The Nature Conservancy on the draft Cap and Trade Auction Proceeds Funding Guidelines for Agencies that Administer California Climate Investments.

Attachment: [www.arb.ca.gov/lists/com-attach/20-ggrf-guidelines-ws-UCQBaVY0UmJVPAVo.pdf](http://www.arb.ca.gov/lists/com-attach/20-ggrf-guidelines-ws-UCQBaVY0UmJVPAVo.pdf)

Original File Name: TNCCCommentsGGRFFundingGuidelines.pdf

Date and Time Comment Was Submitted: 2015-06-29 15:13:59

No Duplicates.

**Comment 18 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Alan

Last Name: Scott

Email Address: a\_scott1318@comcast.net

Affiliation:

Subject: Greenhouse Gas Reduction Fund Guidelines Comments

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/21-ggrf-guidelines-ws-BWYBaFU5VWsAYwZo.docx](http://www.arb.ca.gov/lists/com-attach/21-ggrf-guidelines-ws-BWYBaFU5VWsAYwZo.docx)

Original File Name: comments ARB 062815.docx

Date and Time Comment Was Submitted: 2015-06-29 15:25:32

No Duplicates.

**Comment 19 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Kerri

Last Name: Timmer

Email Address: ktimmer@sierrabusiness.org

Affiliation: Sierra Business Council

Subject: SBC comments on Funding Guidelines for CA Climate Investment Administering Agencies

Comment:

Please see attached letter for Sierra Business Council's comments on the draft Funding Guidelines document released June 16, 2015.  
Thank you.

Attachment: [www.arb.ca.gov/lists/com-attach/23-ggrf-guidelines-ws-B3QAZAZkBQkDYII1.pdf](http://www.arb.ca.gov/lists/com-attach/23-ggrf-guidelines-ws-B3QAZAZkBQkDYII1.pdf)

Original File Name: SBC\_GGRF\_Fund\_Glines\_comments\_FINAL\_2015\_06\_29.pdf

Date and Time Comment Was Submitted: 2015-06-29 15:31:47

No Duplicates.

**Comment 20 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Linda

Last Name: Roberson

Email Address: lroberson@crpd.com

Affiliation: Cordova Recreation and Park District

Subject: Comments on Funding Guidelines for CA Climate Investments Program

Comment:

Attachment: [www.arb.ca.gov/lists/com-attach/24-ggrf-guidelines-ws-WzhUM1EgVloHYAVr.docx](http://www.arb.ca.gov/lists/com-attach/24-ggrf-guidelines-ws-WzhUM1EgVloHYAVr.docx)

Original File Name: Cap and Trade\_Comments to ARB.docx

Date and Time Comment Was Submitted: 2015-06-29 15:44:41

No Duplicates.



**Comment 21 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Paul

Last Name: Mason

Email Address: pmason@pacificforest.org

Affiliation:

Subject: Comments on GGRF Funding Guidelines

Comment:

Please see attached

Attachment: [www.arb.ca.gov/lists/com-attach/25-ggrf-guidelines-ws-WysBYVInVVkAZQFu.pdf](http://www.arb.ca.gov/lists/com-attach/25-ggrf-guidelines-ws-WysBYVInVVkAZQFu.pdf)

Original File Name: PFT comments on draft guidelines 6\_29\_15.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:02:11

No Duplicates.

**Comment 22 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Ted

Last Name: Hart

Email Address: hartzig@sbcglobal.net

Affiliation:

Subject: Comments Draft of Cap-and-Trade Auction Proceeds

Comment:

See Attached

Attachment: [www.arb.ca.gov/lists/com-attach/27-ggrf-guidelines-ws-VyNdPgZjUl4LZQBh.docx](http://www.arb.ca.gov/lists/com-attach/27-ggrf-guidelines-ws-VyNdPgZjUl4LZQBh.docx)

Original File Name: Ted Hart GGRF Comments.docx

Date and Time Comment Was Submitted: 2015-06-29 16:09:08

No Duplicates.

**Comment 23 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Janaki

Last Name: Jagannath

Email Address: janaki.anagha@gmail.com

Affiliation: National Hmong American Farmers Inc

Subject: GGRF Guidelines Comments

Comment:

Thank you for considering our attached comment letter on behalf of National Hmong American Farmers Inc.

Please direct all questions and comments to Janaki Jagannath at janaki.anagha@gmail.com

Attachment: [www.arb.ca.gov/lists/com-attach/28-ggrf-guidelines-ws-Wj1XNgd0AzYHXghu.pdf](http://www.arb.ca.gov/lists/com-attach/28-ggrf-guidelines-ws-Wj1XNgd0AzYHXghu.pdf)

Original File Name: GGRF Funding Guidelines Comments\_NHAF.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:13:34

No Duplicates.

**Comment 24 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Bill

Last Name: Mueller

Email Address: bill.mueller@valleyvision.org

Affiliation:

Subject: California Stewardship Network Comments re: GGR Fund Guidelines

Comment:

Please see attachment.

Attachment: [www.arb.ca.gov/lists/com-attach/29-ggrf-guidelines-ws-UTJdKFY5U15SJgdi.docx](http://www.arb.ca.gov/lists/com-attach/29-ggrf-guidelines-ws-UTJdKFY5U15SJgdi.docx)

Original File Name: CSN re Auction Proceeds Funding Guidelines 6.29.15\_v3.docx

Date and Time Comment Was Submitted: 2015-06-29 16:10:15

No Duplicates.

**Comment 25 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Melissa

Last Name: Guerrero

Email Address: melissa.guerrero@lacity.org

Affiliation:

Subject: GGRF Guidelines

Comment:

Please find the attached comments from the LARiverWorks team within the Office of Los Angeles Mayor Eric Garcetti.

Attachment: [www.arb.ca.gov/lists/com-attach/30-ggrf-guidelines-ws-UGJXYQMzBWMLIAMz.docx](http://www.arb.ca.gov/lists/com-attach/30-ggrf-guidelines-ws-UGJXYQMzBWMLIAMz.docx)

Original File Name: 2015-06-29 Final - GGRF Guideline Comments.docx

Date and Time Comment Was Submitted: 2015-06-29 16:01:22

No Duplicates.

**Comment 26 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Niccolo

Last Name: De Luca

Email Address: ndeluca@townsendpa.com

Affiliation: Transbay Joint Powers Authority

Subject: Cap-and-Trade Auction Proceeds; Draft General Guidance for Agencies  
Comment:

I am resubmitting these two letters to ensure they get into the record, thank you for your help.

Attachment: [www.arb.ca.gov/lists/com-attach/32-ggrf-guidelines-ws-VTZVMIUmVWRSC1M3.pdf](http://www.arb.ca.gov/lists/com-attach/32-ggrf-guidelines-ws-VTZVMIUmVWRSC1M3.pdf)

Original File Name: CARB Disadv Comm Guidelines June 2015.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:28:14

No Duplicates.

## **Comment 27 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Ben  
Last Name: Russak  
Email Address: brussak@libertyhill.org  
Affiliation: SB 535 Coalition

Subject: Comments on Discussion Draft of Funding Guidelines  
Comment:

SUBMITTED BY THE SB 535 COALITION and PARTNER ORGANIZATIONS

Due to the severely compressed timeline for public comment following the release of the Funding Guidelines discussion draft, this letter--completed today--includes signatories from only those organizations able to review and approve the detailed critique within 4 hours. Therefore, the 15 organizations signing on represent only a small fraction of the organizational support behind these comments.

The following text is also attached as a PDF file. Please refer to attachment for footnotes.

June 29, 2015  
Mary Nichols, Chair  
California Air Resources Board

Re: Comments on Discussion Draft of Funding Guidelines for  
Agencies that Administer California Climate Investments

Dear Chair Nichols and Air Resources Board Members:

The SB 535 Coalition and partner organizations across the state welcome the opportunity to provide comments on the Discussion Draft of the Funding Guidelines for Agencies that Administer California Climate Investments. We recommend several ways to strengthen the Guidelines to ensure that California Climate Investments maximize environmental, economic and public health co-benefits for California's most disadvantaged communities and households. (We previously submitted, on June 22, 2015, a separate letter detailing our concerns with the proposed public participation process for adoption of these guidelines and do not raise those procedural concerns here.)

We offer several recommendations for strengthening the substantive considerations at each step of the process detailed in Volume I, which requires development of an expenditure record prior to expending project funds, public outreach and robust annual reporting requirements. We recommend several key ways to strengthen Volume II's approach for maximizing direct meaningful and assured benefits to disadvantaged communities. Finally, we recommend several ways to improve the data collection in Volume III's reporting requirements.

## I. Require SB 535 Investments to Demonstrate how they Address Priority DAC Needs.

We agree with the Guidelines that project proponents and administering agencies should be required to show how SB 535 Climate Investments provide benefits that address priority DAC needs. However, to fully implement this principle, Volume 2 should set forth a clear process requiring a demonstration of how the eligibility criteria chosen are responsive to a priority community need. Projects 'located within' DACs should be required to reference either CalEnviroScreen indicators or high priority needs identified through community outreach conducted at either the program or project level. Projects that 'provide benefits' to DACs should reference common needs in DACs. Appendix 2.A should be amended to require a demonstration of how the criteria selected and the benefits provided will meet important community needs.

## II. Ensure Benefits for Low-income Households.

Volume 1 requires all agencies receiving GGRF funds to "maximize benefits to disadvantaged communities, wherever possible." (p.21) However, AB 1532 directs GGRF investments to both "disadvantaged communities and households." This distinction is important because the disadvantaged households in any community are the most in need and should gain the most from investments seeking to maximize benefits to DACs. ARB could facilitate this approach by defining "disadvantaged household" based on the socio-economic indicators in the CalEnviroScreen and encourage agencies to target the benefits of Climate Investments toward disadvantaged households both within DACs and across the state. As AB 1532 applies to both investments that qualify for SB 535 and those that do not, ARB should encourage agencies to provide additional incentives for projects that don't qualify for SB 535 but provide benefits to disadvantaged households.

Most importantly, projects that receive SB 535 funding should provide benefits predominantly to low-income residents and households. Not all residents of relatively disadvantaged areas are socio-economically disadvantaged. Projects that are located within DACs should be required to carefully target benefits to the neediest households, ensuring these residents are the primary beneficiaries. While, some SB 535 programs are expressly targeted to low-income residents or households, in all other cases, the final Guidelines should direct agencies to require project sponsors to demonstrate that the overwhelming majority of beneficiaries will be low-income. For example, a transit project located in a zip code containing a disadvantaged census tract should be required to demonstrate that it predominantly benefits disadvantaged households through careful analysis of transit ridership.

### a. Reconsider Proximity Requirements.

ARB should reconsider its proximity requirements for projects that provide benefits to DACs. When carefully designed, some projects that occur outside of DACs can provide substantial benefits to members of DACs. Urban forestry projects occurring at Title I Schools should be eligible to provide benefit to DACs. While these schools may not always be located within a half-mile of a DAC, they serve the children of those DACs. A tree-planting project or community garden that provides fresh fruit and vegetables to these underserved students unquestionably provides a benefit to DAC residents.



Likewise, affordable housing for low-income, very low income & extremely low income households should be built in high opportunity areas such as jobs centers, not merely in or within a half-mile near disadvantaged communities. Affordable housing near jobs centers helps reduce VMT by giving low-wage workers the opportunity to live near where they work. In fact, affordable housing is especially beneficial in high-opportunity neighborhoods near transit stations as it increases choices, mobility, and access to opportunities for disadvantaged households. Table 2-2's list of common DAC needs includes the need for "jobs and housing closer together (e.g., affordable housing in transit-oriented development and in healthy, high-opportunity neighborhoods." (p.13) Furthermore, research indicates that there are "significant barriers in developing affordable housing in high opportunity, transit-rich neighborhoods." Despite this need, Appendix 2.A. limits affordable housing projects to those within ½ mile of a DAC, meaning that affordable housing in opportunity neighborhoods is simply not contemplated by the framework. To maintain a clear connection to DACs, SB 535 affordable housing projects could grant occupancy preferences to residents of disadvantaged communities.

### III. Require Multiple & Significant Co-Benefits.

As an approach for maximizing benefits, the Guidelines should require all SB 535 projects to provide a minimum of two co-benefits to be eligible. Appendix 2.A's current approach explicitly relieves agencies of the need to seek more than one co-benefit per project. Although the Guidelines need built-in flexibility, their primary purpose is to incentivize projects that maximize co-benefits to DACs. One small step in this direction would be requiring more than one Appendix 2.A eligibility criterion for SB 535 investments. The Guidelines suggest that "to the maximum extent feasible, administering agencies should work together to provide multiple benefits" (p.21) and gives agencies the direction to "favor projects which provide multiple benefits or the most significant benefits." If SB 535 projects were explicitly required to provide multiple co-benefits, this would provide agencies with a stronger incentive to seek opportunities to leverage resources to provide multiple co-benefits.

If ARB continues to require only one co-benefit per project, this might have the effect of a race to the bottom. For example, the Affordable Housing and Sustainable Communities Guidelines do not award additional points for integrating co-benefits such as urban forestry and active transportation. They also have the unintended effect of dis-incentivizing deeper affordability because they over-emphasize GHG reductions per dollar at the same time. Very-low income and extremely-low income units require more funding than market rate units, so the more competitive projects were those with a minimum inclusion of affordability. Agencies have to do more to include co-benefits in the "bang for your buck" equation, or else they will end up being minimized. To maximize the benefits provided by SB 535 projects, the Luskin Report recommended a "performance management approach" using ranking/scoring systems to prioritize smart and equitable investments that provide multiple, significant benefits. This type of prioritization is also reflected in the "best-value contract" model. The purpose of these approaches is to create the conditions for a race to the top, where project applicants find innovative ways to maximize the benefits that each

investment provides. This is an explicit strategy to get the most out of the dollars that are directed at California's severely under-resourced communities.

Additionally, ARB should update Appendix 2.A's criteria to ensure that each one represents a minimum threshold of significance. Appendix 2.A. should also include criteria responsive to each of the needs commonly identified by DACs. Investments would qualify for SB 535 by meeting two criteria and agencies would award to projects that exceed the minimums.

#### IV. Provide More Direction and Approaches for Maximizing Benefits.

Volume 1 also requires all administering agencies to include "approaches for maximizing benefits" in their guidelines and solicitation materials. We appreciate that all agencies are encouraged to use "anti-displacement policies, targeted funding, outreach to engage community residents and representatives and eligibility requirements or scoring criteria that encourage projects to benefit disadvantaged communities" (p.31) in order to maximize benefits to DACs. Unfortunately, while each of these practices are essential for maximizing benefits, Volume 2 does not provide sufficient details on how these approaches can be consistently utilized by administering agencies. We urge ARB to provide more guidance on each of these maximization strategies in Volume 2.

One maximization approach that the Guidelines do not address is the need to consider the net benefits provided by a project after considering possible adverse impacts to the community. SB 535 projects should avoid increasing public health or other burdens in already overburdened DACs. Similarly, displacement of socio-economically disadvantaged populations from investment areas is an adverse impact that reduces the benefits to these households. By providing clear direction on anti-displacement strategies that can be utilized by all California Climate Investments, the Guidelines will improve agency response to this critical concern. For example, the Guidelines should require as a baseline that GGRF investments do not cause a net loss of homes currently occupied by lower-income households. Agencies should also award additional points to projects that incorporate robust community benefits agreements or project labor agreements.

#### V. Strengthen Jobs, Job Training and Reporting.

We fully support the comments submitted by the Donald Vial Center on Employment in the Green Economy at the University of California Berkeley.

The GGRF statutes not only call for the funds to "maximize economic . . . benefits to the State," they further direct the implementing agencies to "foster job creation by promotion in-State GHG emission reduction projects carried out by California workers and businesses." (Vol.1, p.15) It is critical that GGRF investments "result in jobs and job training as a component of funded GHG-reducing projects," (p.22) not only "wherever possible," but to the maximum extent feasible. We also urge ARB to include a guiding principle that directs agencies to implement wage and skill standards that will enable the creation of good jobs and a skilled workforce.

To maximize benefits to disadvantaged communities, all Climate Investments should be encouraged to employ targeted and local hiring and training of workers from disadvantaged households to the maximum extent feasible. (This should not, however, be the sole eligibility criterion for SB 535 funds. To qualify for SB 535 funds, a project should provide additional co-benefits outlined in Appendix 2.A.) ARB should direct administering agencies to prioritize projects that meet baseline targets to increase access to good jobs and training for disadvantaged workers. ARB should also direct administering agencies to prioritize projects that meet baseline wage and skill standards, which will help to ensure good quality jobs and good quality work that maximizes greenhouse gas emission reductions and other co-benefits. ARB should direct administering agencies to work with relevant stakeholders to identify appropriate wage and skill standards and targets for hiring and training workers from disadvantaged communities and households.

In addition to data on the number of jobs provided, all GGRF programs that result in jobs or jobs training should provide data about the quality of jobs that were funded by California Climate Investments. In order to measure job quality, ARB should collect data on entry-level and median hourly wages or entry-level and median total compensation (hourly wage plus benefits) for each job classification/trade. Reporting requirements should also track the contracting dollars that went toward disadvantaged business enterprises such as small business, and businesses owned by women and minorities.

#### VI. Increase Transparency

While we appreciate that the Guidelines request that "both program and project-level status and outcomes . . . be easily accessible to the public" (see Vol. 1, p.23) this component should be made more robust. Administering agencies should be required to make project applications and proposals public via the internet, to enable community members to see what is proposed and weigh in if desired. Because there currently are no standardized quantification methods, members of the public desire as much information as possible about how different entities are quantifying co-benefits.

#### VII. Quantification of Co-Benefits.

We acknowledge that ARB has not yet developed quantification methodologies. Quantification of co-benefits is necessary for standardized reporting and to the creation of consistent standards for measuring the significance of the benefits provided. We are glad to see ARB's ongoing commitment to quantifying the co-benefits provided by Climate Investments and we will continue participating in the development of robust methods quantification methods.

#### VIII. ARB should Increase Minimum Percentage of GGRF Dedicated to Disadvantaged Communities.

The intent of SB 535 is to direct investments to disadvantaged communities in excess of their share of the population, in order to address the historic and ongoing burdens of pollution and under-investment those communities have long suffered. ARB should not count the 10% of investments that must be located within DACs as a subset of the 25% required to benefit DACs. (see Vol. 1, p.6) Rather, ARB should require at least 10% of SB 535 investments to be located within DACs and an additional 25% to provide benefits to

disadvantaged communities and households resulting in a minimum of 35% set aside for DAC benefits.

\*\*\*

Incorporating these recommendations will help increase our potential to achieve the significant environmental, public health, and economic outcomes outlined in AB 32 and SB 535 and ensure that SB 535 investments credited as benefitting disadvantaged communities maximize benefits for our communities with the greatest need.

Sincerely,

Mari Rose Taruc, State Organizing Director  
Asian Pacific Environmental Network

Dean S. Toji, Co-Chair  
Asian Pacific Planning and Policy Council (A3PCON) Environmental  
Justice Committee

Chuck Mills, Director of Public Policy and Grants  
California ReLeaf

Bill Magavern, Policy Director  
Coalition for Clean Air

Damien Goodmon, Executive Director  
Crenshaw Subway Coalition

R Bong Vergara, Director  
CYPHER

Alvaro Sanchez, Program Manager, Environmental Equity  
The Greenlining Institute

Alexandra Suh, Executive Director  
KIWA (Koreatown Immigrant Workers Alliance)

Ben Russak, Policy Analyst  
Liberty Hill Foundation

Veronica Padilla-Campos, Executive Director  
Pacoima Beautiful

Marybelle Nzegwu, Staff Attorney  
Public Advocates Inc.

Gordon Snead, Director of Development  
SBCC Thrive LA

Laura Muraida, Research Coordinator  
SCOPE

Bob Allen, Policy and Advocacy Campaign Director  
Urban Habitat

channa grace, President  
Women Organizing Resources, Knowledge and Services (WORKS)

Attachment: [www.arb.ca.gov/lists/com-attach/33-ggrf-guidelines-ws-UzJWIgZlUV0BYwZv.pdf](http://www.arb.ca.gov/lists/com-attach/33-ggrf-guidelines-ws-UzJWIgZlUV0BYwZv.pdf)

Original File Name: ARB Discussion Draft FINAL Sign on 6 29 15.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:23:23

No Duplicates.

**Comment 28 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Erika

Last Name: Rincón Whitcomb

Email Address: ewhitcomb@policylink.org

Affiliation:

Subject: GGRF Comment Letter on Behalf of Several Organizations

Comment:

Hello,

Please find attached a comment letter on the GGRF on behalf of several organizations from across California.

Thank you!

Warmest Regards,

Erika Rincón Whitcomb

Senior Associate

PolicyLink

510-663-4383 office

Attachment: [www.arb.ca.gov/lists/com-attach/34-ggrf-guidelines-ws-AWcAb1E+UmAHbQBf.pdf](http://www.arb.ca.gov/lists/com-attach/34-ggrf-guidelines-ws-AWcAb1E+UmAHbQBf.pdf)

Original File Name: Final 6.29.15 GGRF Comment Letter to CARB.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:31:47

No Duplicates.

**Comment 29 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Nick

Last Name: Goulette

Email Address: [nickg@hayfork.net](mailto:nickg@hayfork.net)

Affiliation: The Watershed Research and Training Cent

Subject: Disadvantaged Communities designation fails to recognize forested communities

Comment:

Please see the attached letter regarding use of the Disadvantaged Communities designation as a guide for spending Greenhouse Gas Reduction Funds.

Attachment: [www.arb.ca.gov/lists/com-attach/35-ggrf-guidelines-ws-WywFcV0oBTVSCwNg.pdf](http://www.arb.ca.gov/lists/com-attach/35-ggrf-guidelines-ws-WywFcV0oBTVSCwNg.pdf)

Original File Name: WRTC Comment to ARB on GGRF comments with regard to DAC.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:04:26

No Duplicates.

## **Comment 30 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Evan

Last Name: Schmidt

Email Address: [evan.schmidt@valleyvision.org](mailto:evan.schmidt@valleyvision.org)

Affiliation: Valley Vision (for regional coalition)

Subject: Auction Proceeds Funding Guidelines comments

Comment:

Re: Auction Proceeds Funding Guidelines

Chairman Mary D. Nichols and Executive Officer Richard Corey  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Dear Chairman Mary D. Nichols and Executive Officer Richard Corey,

Thank you for the hard work that ARB staff has done to make the Auction Proceeds Funding Guidelines possible. We are writing as a coalition of groups serving the Sacramento Region to recommend changes to this draft of the Guidelines. As a region, we have formed a coalition of public agencies and organizations working together to support and advance applications for key Greenhouse Gas Reduction Fund grants, and have complimented that effort with a robust engagement process in disadvantaged communities. The lack of common application processes and metrics between state agencies with funding programs and the lack of a common tracking website has made this task very difficult. Our comments are directly informed by those efforts.

### **Inclusive Development of Funding Guidelines**

The Auction Proceeds Funding Guidelines are critical to the administration of the Greenhouse Gas Reduction Fund (GGRF). Release of the Draft Guidelines occurred on June 16th with only one workshop scheduled less than a week later. We understand ARB's desire to give guidance to the agencies funded by the GGRF. However, the potential for the Funding Guidelines to shape how agencies engage communities and implement effective programs cannot be overstated.

The timeline for developing and refining these guidelines must be extended to allow for meaningful participation from all interested stakeholders in all areas of the state.

### **Clarity and Transparency in Application Process**

Funding agencies each have their own process for allocating GGRF grants. Project evaluation criteria and application processes are obscured from applicants and community members by the separate criteria and decentralized coordination. Further, the inability to access active applications to all agencies hampers the community's



ability to influence their project parameters and impedes collaboration between agencies.

All twelve agencies administering grants should post the criteria used to rank applications and post applications received to a centralized and public website to increase transparency and enable community engagement and agency collaboration.

#### Meaningful Accountability for Co-Benefits

While the primary goal of the GGRF is to reduce greenhouse gas emissions, co-benefits are a natural outgrowth of those efforts. With some intentionality behind defining and evaluating co-benefits, California can leverage auction proceeds to significantly improve the health of our state's disadvantaged communities while also improving air quality.

Agencies should require applicants to develop metrics for co-benefits and to reference those metrics in their applications and reports to enhance the effects of these investments.

Reports on the metrics should be used to inform each agency's future rounds of funding.

Organizations receiving funding will have a substantial monitoring and auditing requirement for both co-benefits and GHG reductions. The guidelines should recognize this requirement and provide for the use of some funding for administering this process.

Agencies must give priority to applications that identify more than one co-benefit.

#### Robust Community Engagement Processes

Assembly Bill 32 requires that public and private investment be directed toward the most disadvantaged communities in California to provide an opportunity for community institutions to "participate in and benefit from statewide efforts to reduce greenhouse gas emissions." SB 535 requires that "funding guidelines developed for administering agencies... shall include guidelines for how administering agencies should maximize benefits for disadvantaged communities." To abide by these legislative mandates, agencies and applicants should do everything possible to ensure that GGRF investments are funding those efforts that provide substantial GHG reductions while responding to real community needs and are bolstered by robust community input. It is these projects that are likely to also provide substantial co-benefits (public health, transit equity).

All agencies administering GGRF should provide technical assistance to community based organizations to promote the engagement of disadvantaged communities. When necessary, ARB should exercise its authority to distribute cap and trade revenues to fund grants that will help agencies adhere to AB 32's "participation" requirement via agency- or board-level technical assistance.

Applicants should receive priority if they can provide the contact information (in accordance with privacy considerations) for residents within the census tract their project targets to illustrate community support for the application, in addition to outlining their community engagement process in the development of the application.

Finally, agencies should consider pre-allocating funds to metropolitan planning organizations or local governments based on population and CalEnviroScreen scores to remove competition between different regions that may exacerbate or perpetuate inequity in our state. Pre-allocation would also better allow for holistic planning at the community level.

#### Refinement of CalEnviroScreen 2.0

Observation of socially and environmentally disadvantaged communities on census tract level does not always correspond with the disadvantaged communities identified by CalEnviroScreen 2.0. Observed outcomes from CalEPA's CalEnviroScreen 2.0 model do not accurately identify disadvantaged communities.

CalEPA should continue to refine CalEnviroScreen to be more accurate and useful for the purposes of targeting GGRF to communities with the highest level of need.

Thank you for your consideration of these comments. We look forward to working with you to ensure the success of this important program.

Sincerely,

Marti Brown, Executive Director  
North Franklin Business District Association

Mat Ehrhardt, Executive Director/ APCO  
Yolo Solano Air Quality Management District

Larry Greene, Executive Director/ APCO  
Sacramento Metropolitan Air Quality Management District

Richard Guerrero, President  
Environmental Council of Sacramento

Randy Knott, Director of Government Affairs  
City of Sacramento

Bill Mueller, Chief Executive  
Valley Vision

Matt Read, Director of Government Relations  
Breathe California

Linda Roberson, Park Planner and Urban Designer  
Cordova Recreation and Park District

Mike Wiley, General Manager/CEO  
Sacramento Regional Transit

Submitted electronically at  
[http://www.arb.ca.gov/lispub/comm2/bcsubform.php?listname=ggrf-guidelines-ws&comm\\_period=1](http://www.arb.ca.gov/lispub/comm2/bcsubform.php?listname=ggrf-guidelines-ws&comm_period=1)

Attachment: [www.arb.ca.gov/lists/com-attach/36-ggrf-guidelines-ws-UTBTIFMxBSICbQlm.pdf](http://www.arb.ca.gov/lists/com-attach/36-ggrf-guidelines-ws-UTBTIFMxBSICbQlm.pdf)

Original File Name: Auction Proceeds Funding Guidelines\_Sacramento Region\_6.29.15.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:36:22

No Duplicates.

**Comment 31 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Claudia

Last Name: Monterrosa

Email Address: claudia.monterrosa@lacity.org

Affiliation: City of Los Angeles - HCID

Subject: HCIDLA Comment on Cap and Trade Auction Proceeds Funding Guidelines  
Comment:

See Attachment

Attachment: [www.arb.ca.gov/lists/com-attach/37-ggrf-guidelines-ws-Bm5VMFY+VmEHbQlo.pdf](http://www.arb.ca.gov/lists/com-attach/37-ggrf-guidelines-ws-Bm5VMFY+VmEHbQlo.pdf)

Original File Name: HCIDLA ARB Comments 06.29.15 FinalSigned.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:44:15

No Duplicates.

**Comment 32 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Orissa

Last Name: Stewart-Rose

Email Address: ostewart-rose@enterprisecommunity.org

Affiliation: Enterprise Community Partners

Subject: Comments on GGRF Guidelines

Comment:

Please see the attached letter for Enterprise Community Partner's comments on the draft GGRF Guidelines. Thank you for your efforts and the opportunity to provide feedback.

Attachment: [www.arb.ca.gov/lists/com-attach/38-ggrf-guidelines-ws-VzJUPFQhWG4GcgR0.pdf](http://www.arb.ca.gov/lists/com-attach/38-ggrf-guidelines-ws-VzJUPFQhWG4GcgR0.pdf)

Original File Name: Enterprise Comments - GGRF Funding Guidelines.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:42:04

No Duplicates.

**Comment 33 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Robyn

Last Name: Wapner

Email Address: robyn.wapner@sandag.org

Affiliation:

Subject: Comments: Draft Funding Guidelines for Agencies that Administer CA Climate Investments

Comment:

Please see attached. Thank you.

Attachment: [www.arb.ca.gov/lists/com-attach/40-ggrf-guidelines-ws-USIFYIY5WW5SNQVi.pdf](http://www.arb.ca.gov/lists/com-attach/40-ggrf-guidelines-ws-USIFYIY5WW5SNQVi.pdf)

Original File Name: SANDAG Comments - Draft Funding Guidelines.pdf

Date and Time Comment Was Submitted: 2015-06-29 16:35:18

No Duplicates.

## **Comment 34 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: William

Last Name: Descary

Email Address: wdescary@aol.com

Affiliation: California Resident Taxpayer

Subject: Guidelines for California Climate Investments

Comment:

RE: Funding Guidelines for California Climate Investments - Cap & Trade (C & T)

I understand your June 22, 2015 workshop concerning C & T funding guidelines was informative. I was unable to adjust my schedule on short notice (6 days) in order to attend. It is a five hour one way trip from Bakersfield to Sacramento. I was told the meeting was sparsely attended.

My first comment is that the remaining schedule needs to be extended. Written comments from the public are due today with consideration by the Board on July 23, 2015 in Sacramento. The public comment period needs to be extended to allow time for hosting at least one workshop in the Central Valley. Especially in the Bakersfield area where some of the worst air quality in the state has been recorded. Sometimes air quality is so bad children are not allowed outdoors for recess. Yet, you have failed to provide a single southern Central Valley workshop.

There are a disproportionately large number of disadvantaged communities in the greater Bakersfield area. Affected communities must be allowed to fairly participate to meet the requirements of environmental justice. Funded programs should be based on community identified needs, not a need identified for them by an agency.

Community participation is essential because according to studies by consultants (The Boston Consulting Group), residents will be impacted by higher gasoline prices (an extra \$0.49 to \$1.83 per gallon by 2020). Others cite higher electricity costs resulting from C & T.

Projects need to be selected based on an objective evaluation criteria to remove politically-driven approvals. In this regard, funding high-speed rail with C & T revenue needs to be re-evaluated. During the long construction schedule air quality will be significantly worsened. Borrowing C & T revenue for the state's general fund should be prohibited.

Require qualifying projects to obtain a minimum level of GHG reductions before 2020.

Require project descriptions show benefits to disadvantaged communities.

Require all C& T allocated/appropriated revenue be used directly for material or direct labor and not for administration or salaries such as could be the case with money donated to a non-profit.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-06-29 17:06:25

No Duplicates.



## **Comment 35 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Kathleen

Last Name: Trinity

Email Address: ktrinity46@gmail.com

Affiliation:

Subject: cap and trade revenues

Comment:

Cap and trade revenues should not be used for projects, such as California High Speed Rail, that will blight and/or negatively impact air quality in those areas where it will be developed or used. High Speed Rail will produce extremely high Green House Gas (GHG) emissions during its long construction period, most likely about four years.

Allowing cap and trade revenues to be allotted to such projects is diametrically opposed to the very purpose of these revenues. Cap and trade revenues must be used only for mitigation of emissions, not to fund projects. This was never the intent of cap and trade, and use of revenues by such projects is a thoroughly improper.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-06-29 18:25:28

No Duplicates.

**Comment 36 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Cesar

Last Name: Campos

Email Address: cesar.campos.12@outlook.com

Affiliation: CCEJN

Subject: RE: GGRF Guidelines

Comment:

Please accept these comments to this document. See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/43-ggrf-guidelines-ws-UjFcOQdjWGECalMw.pdf](http://www.arb.ca.gov/lists/com-attach/43-ggrf-guidelines-ws-UjFcOQdjWGECalMw.pdf)

Original File Name: CCEJNComments.pdf

Date and Time Comment Was Submitted: 2015-06-29 20:27:37

No Duplicates.

## **Comment 37 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Luis

Last Name: Olmedo

Email Address: Luis@ccvhealth.org

Affiliation: Action for Climate Equity(ACE) Workgroup

Subject: RE: Recommendations to Cap-and-Trade Auction Proceeds Funding Guidelines  
Comment:

June 29, 2015

California Air Resources Board  
1001 I St.  
Sacramento, CA 95814

RE: Recommendations to Cap-and-Trade Auction Proceeds Funding Guidelines

Dear Chairwoman Nichols, Board Members, and Staff,

On behalf of the Action for Climate Equity (ACE) workgroup, we thank the California Air Resource Board (CARB) for your leadership in developing the draft Funding Guidelines for investments from the Greenhouse Gas Reduction Fund. Additionally, we thank you for the opportunity to review the discussion draft and to voice our concerns and suggestions regarding development and implementation of the draft Guidelines at this stage.

The ACE workgroup is committed to improving health and increasing access to opportunity among California's most vulnerable communities, we thank you for considering our input on several key areas of the Funding Guidelines draft. Although the Funding Guidelines present an important step forward in elevating the importance of strategic and equitable investment, more must be done to maximize environmental, public health, and economic benefits to disadvantaged communities across the State as outlined in Senate Bill 535 and Assembly Bills 1532 and Assembly Bill 32. As such, we strongly urge the CARB to incorporate and address the following recommendations in its Guidelines to ensure that Greenhouse Gas Reduction Fund (GGRF) investments advance projects and efforts that truly support the intended outcomes of relevant state mandates.

Ensure a Meaningful and Robust Public Process

Short Timeline for Review Undermines CARB's Articulated Commitment to Public Engagement

Meaningful public participation in prioritization and allocation of GGRF investments is a fundamental component of maximizing benefits to disadvantaged communities. As organizations that work closely with residents and community partners to ensure equal access to decision making processes, we are disappointed by CARB's unnecessarily rushed effort to adopt final guidelines. Earlier this year we were assured by CARB staff that this process would allow

plenty of time for meaningful public input via ample review periods and community workshops similar to last year's process. However, the short time frame for public review of these Draft

Guidelines undermines the very nature of public participation and contradicts the intent of SB 535. In fact, it undermines the very guidance that CARB is providing to administering agencies of ensuring early and ongoing engagement of disadvantaged communities in each agency's own guideline development and implementing activities. Accordingly, we respectfully request that CARB extend the timeline for adoption of guidelines until its August board meeting to allow for meaningful public input and to allow staff to both respond to concerns and to host workshops in key regions of our state.

#### Require Community Resident Participation in the Planning and Design of GGRF Projects and Ensure Investments Awarded Reflect Community Identified Priorities and Needs

The overall success of GGRF projects that benefit disadvantaged communities is largely dependent on the extent that projects meet the needs of community residents as identified by the actual residents that the project is intended to serve. Meaningful participation of community residents in the planning and design of projects is essential for the success of these projects. Project applicants should be explicit on the deliberate steps they take to achieve a meaningful level of participation. While we appreciate that the Guidelines touch upon engagement to DACs on page 11 in Chapter V -- especially with regard to providing outreach and notification of funding opportunities to DACs -- this language needs to be strengthened to focus on the requirement of significant public participation in the development of GGRF project proposals. Additionally, while model benefits to disadvantaged communities identified in the draft guidelines is useful to illustrate what type of benefits project applicants should seek, these exemplars must not serve as a substitute for community identified priorities and demonstrated community needs and opportunities

In its guidance to administering agencies, CARB should require all agencies to prioritize projects that have strong public participation and planning processes by assigning greater weight to public participation in their scoring criteria. All GGRF project proposals must demonstrate how the local agency, non-profit or private entity engaged and responded to community priorities. For example, all agencies should require their applicants to identify the community-based public participation process and outreach that culminated in the project proposal, and how this process allowed for community identified needs to emerge and be meaningfully reflected in the project, including a clear articulation of the deliberate steps that were taken to ensure the process was culturally and linguistically appropriate and accessible to the residents of the project area. They must also identify how the local agency plans to engage community stakeholders in its implementation activities. Only through these means can projects realize meaningful, direct and assured benefits as reiterated throughout the draft guidelines. We would like to take this opportunity, however, to note that local opposition to affordable housing development in communities where there is demonstrated need for such housing opportunities has often impeded much needed affordable housing development. Administering agencies and project proponents need not consider such opposition to affordable housing development.

The Guidelines must articulate CARB's commitment to robust public participation from project design through implementation and provide the tools and authorities necessary to accomplish these goals. We endorse CARB's recommendation of technical assistance to reach vulnerable communities and recommend that CARB further articulate the need to create technical assistance resources for outreach and to assist in project development and implementation.

#### Expand Eligible Uses of GGRF Dollars

In the General Guidance section, guiding principles state that "investments may only support planning activities for achieving GHG reductions if the planning component is directly tied to a project that results in quantifiable GHG reductions, furthers the purposes of AB 32, and results in a product that will achieve GHG reductions when implemented." We believe this principle directly undermines the ability of disadvantaged communities to ultimately develop projects that reduce GHG. Disadvantaged communities do not count on necessary resources to develop projects with demonstrated quantifiable GHG reductions until they engage in a planning process to identify those projects. Further, Health and Safety Code section 39712(c)(4) (AB 1532) states that funding may be allocated to projects that "reduce greenhouse gas emissions through strategic planning and development of sustainable infrastructure projects, including, but not limited to, transportation and housing." Accordingly, CARB should require administering agencies to allow expenditure of GGRF funds for planning activities and infrastructure projects when such activities will lead to further investments and projects that reduce GHG through, for example, increased infill development and improved transportation opportunities.

Our work in low income small cities and rural communities illustrates the need for additional research to better qualify and quantify GHG emission reductions for certain types of programs and projects, including, but not limited to affordable housing projects and transit programs. We believe that an effective means of developing and distributing this much-needed research and data can come from investing in pilot projects that can demonstrate GHG reduction through their implementation and thus elevate best practices. Health and Safety Code section 39712(c)(7) states that GGRF funds may be allocated to "research, development, and deployment of innovation technologies, measures, and practices related to programs and projects funded [from the GGRF]." We suggest that CARB require appropriate administering agencies to invest in projects that can demonstrate GHG reductions through implementation and study of projects, programs and strategies that currently lack adequate data with respect to their GHG emission reduction potentials.

#### All Projects Should Be Evaluated on their Potential Benefits to Disadvantaged Communities

In order to maximize GGRF project benefits to disadvantaged communities as outlined in SB 535, AB 32 and SB 862, administering agencies should evaluate all GGRF project proposals on the extent to which a project furthers co-benefits generally and specifically for our state's most vulnerable people. Evaluation criteria for project co-benefits for DACs must apply not only to those projects credited towards achieving the SB 535 targets for investments in disadvantaged communities, but all project proposals.

Further, evaluation criteria for co-benefits for DACs should be based on how clearly the project provides a direct co-benefit to DAC(s), and how co-benefits are expected to be achieved. CARB should also direct agencies to place a greater prioritization on this area of their scoring criteria and to provide a separate scoring component for each co-benefit category such as environmental, health, and economic co-benefits. For example, we recommend a scoring section on providing health co-benefits to DACs, a scoring section on providing economic co-benefits to DACs, etc., rather than combining all co-benefits under one scoring section in an "and/or" approach. This will ensure adequate weight is assigned to each co-benefit in the scoring of projects and maximize co-benefits to DACs in the GGRF.

#### Maximize GGRF Co-Benefits to Disadvantaged Residents and Communities

At \$2 billion dollars and growing, the GGRF presents an enormous opportunity to ensure significant benefits and opportunities to both disadvantaged communities and residents throughout the state.

#### Ensure employment and career development opportunities through GGRF investments

All GGRF investments that involve training and/or hiring create valuable training and job opportunities and benefits for those that need them the most and build stronger local, regional and state economies. This includes disadvantaged urban and rural areas where access to education, career pathways and quality and diverse jobs are limited for low-income residents. Consistent with the economic goals of our statewide climate laws and US DOT's recent local hire provision CARB should strengthen its guidance directed to agencies on maximizing economic co-benefits for DACs. All GGRF projects that involve training and/or hiring should be scored based in part on if they recruit, hire, and train local, low-income, re-entry, and/or disconnected youth and adults, and other disadvantaged workers regardless of whether the project is seeking SB 535 credit.

We recommend including the following language in the GGRF Funding Guidelines:

Priority should be placed on all GGRF projects that contain any of the following:

- (a) Project labor agreements with targeted hire commitments;
- (b) Community workforce agreements that connect low-income local residents to jobs or training opportunities;
- (c) Partnerships with training entities that have a proven track record of placing disadvantaged workers in career-track jobs.

Targeted hire means an adopted policy aimed at increasing employment of disadvantaged individuals, who are underserved or have faced historical or other barriers to employment. This includes:

&#9679; Long-term unemployed or underemployed workers, low-income individuals, formerly incarcerated individuals, farmworkers, workers on public assistance, workers with a history of homelessness, and at-risk youth.

&#9679; Individuals residing in areas that have high poverty rates,

high unemployment rates, or other markers of economic distress.  
Underrepresented groups of people such as women and veterans.  
Low-income individuals residing within close proximity to the project site.

#### Increase Housing and Transit Opportunities for Lower Income Resident and DACs

GGRF funds also provide much needed resources to address housing and transit needs within and beyond Disadvantaged Communities as defined by SB 535. Guidelines should require administering agencies to target GGRF moneys to support housing and transit opportunities for lower income residents throughout the state. For example, AHSC money not invested in or for the benefit of DACs must be restricted to providing affordable housing opportunities in non-DAC communities. Through this dual strategy of investing in quality housing in disadvantaged communities and investing in affordable housing opportunities where such opportunities may be limited, CARB will support a comprehensive strategy to address California's multi-dimensional affordable housing needs and opportunities.

#### GGRF Investments Must Not Directly or Indirectly Harm Disadvantaged Communities

Deliberate steps must be taken to ensure that GGRF investments do not inadvertently harm vulnerable, low-income residents of existing communities that are targeted for increased investment.

#### Ensure Anti-Displacement Protections When Appropriate and Necessary to Prevent Displacement

Displacement continues to present a threat to lower income residents living in many neighborhoods targeted for GGRF investments. CARB must go beyond merely suggesting that administering agencies consider incorporating anti displacement policies in their respective guidelines but rather require agencies to include them. We understand that displacement is a concern in several communities but not in others. Accordingly, such guidelines must reflect the need to ensure anti-displacement protections where necessary, but not create an obstacle for jurisdictions and communities that do not confront displacement pressures and therefore have not yet developed anti-displacement policies and strategies.

Low-income residents who are displaced from their homes and communities will not have the opportunity to enjoy improved access to transportation, affordable housing, energy efficient buildings, etc., and will continue to be pushed away from jobs and other critical services. Ultimately, these outcomes will have detrimental impacts on low-income families who are then forced to spend larger percentages of their income on transportation costs and will inevitably exacerbate the effects of climate change on our most impacted communities, rather than alleviate them. These outcomes and others stand counter to the intended goals of SB 353 and AB 32, and we strongly recommend that criteria be included in the guidelines and application materials that protect communities from harm.

#### Unhealthy Land Uses in Residential Communities

Placement of certain project types - e.g. waste diversion projects - can potentially negatively impact communities - be they disadvantaged communities or not. For example, they can create odor and diminish air quality, increase traffic and negatively impact the quality and character of neighborhoods. CARB must direct agencies implementing these and other potentially harmful projects to create and implement methodologies to ensure that such projects do no harm.

Major transit projects can negatively impact local communities through increased traffic and emissions as well as through displacement. Displacement, in these circumstances can both displace families and industrial and other unhealthy land uses that relocate to residential neighborhoods. For example, in Fresno County the High Speed Rail Authority has begun to displace homes, business and industrial facilities in preparation for initial stages of construction. It is currently proposed to relocate displaced industrial businesses to neighborhoods already disproportionately burdened by multiple sources of pollution that rank among the top 5% of impacted census tracts according to CalEnviroScreen. This is unacceptable and in fact further threatens the quality of life of the very communities we are trying to protect and that this program prioritizes.

CARB must Improve Criteria for Assessing Benefit to DAC

Several of the criteria included in Appendix A to volume two are simply inadequate or inappropriate to demonstrate a direct, assured and meaningful benefit to DACs. There are several examples of this deficiency and accordingly we request that CARB work with stakeholders to review and rewrite this critical component of the guidelines. We offer some examples below as an illustration of our concerns with respect to some key criteria, not as an exhaustive list.

Locating zero emissions vehicles in disadvantaged communities does not necessarily provide a benefit to those disadvantaged communities

CARB identifies the domiciling of zero emissions vehicles, as well as use of zero emissions vehicles, in disadvantaged communities as a benefit to such communities. We question whether or not this in fact represents a benefit to these communities. We are concerned that in many circumstances, such a project could negatively impact a neighborhood by increasing traffic and diminishing the neighborhood aesthetic and character without providing any real benefit.

Increased Job opportunities alone are not sufficient to demonstrate a benefit to disadvantaged communities

As noted above, all projects should further employment and career opportunities for disadvantaged communities and residents and scoring criteria should reflect that mandate. Job creation, on its own, should not qualify projects as benefiting disadvantaged communities in most program areas. For example, the AHSC program must not consider that a housing program satisfies a benefit to a DAC if it does not provide housing to the benefit of the DAC or DAC residents. Job creation in a DAC must be an additional co-benefit to other identified benefits of a project - e.g. improved housing, transit, air quality and park space.



## Half Mile Proximity and Zip Codes as a Proxies for Benefit to Disadvantaged Communities Is Inadequate

We remain deeply concerned with that the Draft Guidelines consider that several project types constitute a benefit to disadvantaged communities, by definition, if they are located within a ½ mile of a disadvantaged community. As we noted in previous correspondence to CARB on interim funding guidelines, proximity as a proxy for a benefit are inadequate and misplaced. Improvements made to transit stops, transit stations or AHSC projects located ½ mile away from disadvantaged communities do not translate to and result in direct benefits to residents of vulnerable neighborhoods. Walking a ½ mile to a transit stop or station, for instance, is not feasible if residents face multiple barriers to reach that destination. These include walking long distances with heavy items such as groceries, being accompanied by children or elders, passing through unsafe areas, lack of pedestrian safety (sidewalks, lighting, paved roads, crosswalks), walking alongside high speed traffic, and the presence of physical barriers such as freeways, railways, fences, etc. We recommend that CARB eliminate ½ mile proximity requirements and instead require project applicants to demonstrate how proposed projects directly benefit residents of disadvantaged areas without having to overcome proximity burdens.

Additionally, projects located within zip codes that include disadvantaged communities do not necessarily benefit the DAC at all. All criteria that assume a benefit to a DAC for projects located within a zip code that includes a DAC must be eliminated.

## Waste Diversion and Utilization Program Area Must Redraft Criteria Demonstrating Benefits to Disadvantaged Communities

In last year's funding cycle, an anaerobic co-digester in Tulare County received \$2.9 million from the Waste Diversion and Utilization fund. The project is located within a disadvantaged community. The project contains a food rescue component but there is no discussion of the scope or reach of that component. and, no discussion of the impact of the project in general on the community in which it resides. The project threatens to compound air quality and odor concerns in the community. In fact, residents opposed the project, citing in their opposition that project proponents failed to meaningfully analyze air and water quality impacts. Community residents were not aware that project proponents were seeking funds for the project while residents were voicing their opposition to it based on potential environmental concerns. The community at issue - Matheny Tract - currently ranks among the top 10% of impacted census tracts according to CalEnviroScreen.

## Facilitate Technical Assistance to Disadvantaged Communities

Disadvantaged communities are most in need of additional resources to both develop and implement GGRF projects. Agencies and organizations representing disadvantaged communities lack the technical and financial capacity to put forward project proposals that reduce GHG emissions and maximize co-benefits. The first cycle of AHSC funding demonstrates a dire need for technical assistance to disadvantaged communities to apply for housing and transportation related investments. Technical assistance, along with revised application procedures and guidelines that we will work with along with administering agencies, is also needed to strike geographic balance to ensure that all of our regions enjoy

equal access to much needed funding. Our experience in working directly with small cities and counties in the San Joaquin Valley, Imperial County and the East Coachella Valley demonstrates a need for ongoing outreach and assistance in developing projects, preparing applications and implementing activities once funding has been awarded. We have heard from local decision makers and staff that they do not have the capacity to develop and implement project ideas without additional support and guidance. Additionally, we believe that technical assistance will ensure that funds reach and improve the quality of life for the intended recipients of the investments.

Accordingly, the Guidelines must promote and ensure support within agencies and from third party providers to conduct outreach and help develop and implement project proposals.

#### Ensure Transparency in GGRF Investments

In Volume 1, Section II.B, the Guidelines read, "The goal [of the guidelines] is to align investments with the environmental, economic, public health and other public policy goals of the GGRF, while providing consistent and transparent implementation of all GGRF programs" (Page 6). Several agencies have failed to make applications for GGRF investments available for public review or otherwise provide information regarding applications, in particular those applications that were not successful. CARB should require administering agencies to post all applications received and the related scoring evaluations for each application received. This will ensure transparency in all GGRF programs and will allow the public and administering agencies to regularly evaluate the effectiveness of the programs and make adjustments to ensure equitable distribution of funds. By requiring agencies to publicly post all program related materials a transparent and accountable process will be created from beginning to end; one in which public input is valued and respected.

-Linguistic inclusion in outreach efforts: It is critical that ARB oversee the translation of grant guidelines and solicitation materials, particularly for competitive grants for businesses, farms, and individuals. In order to ensure participation by disadvantaged community residents and small farm and business-owners, administering agencies must conduct outreach efforts in-language and in-culture, and must use administrative funds towards these ends. CRLA has already provided a list of languages to ARB staff for inclusion in the guidelines: Spanish, Hmong, Vietnamese, Chinese (Cantonese and Mandarin), Punjabi.

-GHG Quantification Methodology/ Cal EE Mod: Disadvantaged communities have higher emissions figures due to climate, topography, and concentration of toxic industries. Cal EE Mod's testing is dependent on land-use and site specifications determined per-area, with a sustainability criteria dependent on existing lifestyle and infrastructure within the community. For example, proposed Affordable Housing and Sustainable Communities projects in communities such as San Francisco test positively due to their existing sustainability indices, i.e. existing low-emissions transportation, existing use of bike and pedestrian transit, and the ability of a proposed project to "link in" and avail of these existing green elements. This causes a weight against disadvantaged communities for a lack of existing infrastructure in conjunction with existing greenhouse gas emissions and criteria air pollutants, and appear negatively on Cal EE Mod reports. For the purposes of

grant administrations that utilize Cal EE Mod as a methodology for GHG reductions quantification, ARB must look into updating the quantification software or using a set of criteria for GHG emissions reductions that levels the scale for disadvantaged communities.

-GHG Quantification Methodology/ COMET-Farm: For quantifications of GHG reductions under CalFIRE and CDFA, resources must be made available to understand the GHG reductions capacity of diversified agriculture. COMET-Farm is an advanced modeling tool that is suited to large-scale agriculture and is excellent for carbon foot-print mapping for rangeland, pasture, and large scale irrigated crop land. Residents of DACs, small farmers and community gardeners who are pioneering greenhouse gas reductions projects in their communities require a modeling tool that can allow non-profits, small farms and business owners to receive the same spatially-explicit data on climate and soil carbon sequestration available to large-scale growers to determine their eligibility for CalFIRE and CDFA funds.

Appendix 2.B- Show all regional maps. Alternative, show regional maps of Urban Area, Rural Agricultural Area and Rural Border Region.

Table 2.B-1 & Table 2.B-2, add 1 example each of project type specific to rural, rural agriculture and rural border region.

TABLE 2.A-8 Waste Diversion and Utilization (step 2-D) Project includes recruitment, agreements, policies or other approaches that are consistent with federal and state law and result in at least 25-50% of project work hours performed by residents of a disadvantaged community participating in job training programs which lead to industry-recognized credentials or certifications. Table 2.A-2 Transit Projects. (Add to Step 2- Provides Benefits To) Project provides greater mobility at the California International Border Crossings and increased access to clean transportation for disadvantaged community residents by placing services that are accessible by walking of a disadvantaged community and provide GHG Reduction Benefits to Disadvantaged Communities in close proximity to the California International Border Crossing, including ride-sharing, car-sharing, or other advanced technology mobility options associated with transit (e.g., neighborhood electric vehicles, vanpooling, shuttles, bike sharing services); or

#### Public Process

Your agency released the documents for public comment on June 16, 2015 with the understanding that the public comment period would be closed on June 29, 2015. This effectively provided 13 days for public participation. The length of this comment period is offensive as it relates to a document that contains about \$2.3 billion in funding. Furthermore, the ARB documents were not presented in any language other than English. We know that English-only effectively and quite obviously limits the participation of Spanish & Hmong speaking populations. Even more, ARB decided to host one single workshop and public hearing in Sacramento to discuss these guidelines. In recent months, our ACE workgroup members independently and combined with many others across the state requested to have as many as 10 hearings across the state. Those requests were obviously disregarded.

#### Interpretation of Statute

In the current funding guidance, it is specified that 25% of the proceeds are to be used providing benefits to disadvantaged communities, 10% of which has to be located directly within a

disadvantaged community. This is consistent with the interim guidelines proposed last year; however, it sets for a problematic interpretation of the law. Under statute, SB 535 directs the state "to allocate 25% of the available moneys in the Greenhouse Gas Reduction Fund to projects that provide benefits to disadvantaged communities, as specified, and to allocate a minimum of 10% of the available moneys in the Greenhouse Gas Reduction Fund to projects located within disadvantaged communities, as specified." We interpret this language to mean that 10% within disadvantaged communities must be used in addition to 25% to provide benefits to disadvantaged communities. Even if ARB is uncertain about the language of this passage in the legislation, it is correct to assume that the intent of the bill was to provide important and needed benefits to disadvantaged communities across the state. Under the current interpretation that the agency is exercising, it is taking a conservative view and disregarding the intent of the law in the process. By not adding 10% to the 25% established, the agency is taking a conservative stand that moves to provide less benefits to disadvantaged communities, clearly making a backwards step against the intent of the law.

#### Scope of Funding Agencies

Although the following is not totally within the authority of the California Air Resources Board, we must make this suggestion in this context because it speaks to a firm belief within our workgroup. One important way to reduce GHG emissions from several sources, and to provide benefits to disadvantaged communities is to include a program for "targeted compliance and enforcement actions" administered by Cal-EPA and/or the Air Districts. The scope of this program, can serve the rest of the agencies as they conceptualize their own projects, and can help to bring immediate benefits to disadvantaged communities.

#### Context

One of our ACE workgroup members-Central California Environmental Justice Network currently hosts two resident reporting networks of environmental hazards that allow community members to inform compliance and enforcement actions in severely impacted communities in Kern and Fresno counties. Over the last several years of operations, the projects have been successful at preventing pollution from unregulated and regulated sources by informing regulatory agencies about potential violations to environmental law. These projects have prevented and/or corrected emissions from dairies, oil extraction operations, biomass power plants, agricultural burning, pesticides, contaminated soils, composting facilities, hazardous waste facilities, mobile sources, etc. These preventable emissions have undoubtedly helped disadvantaged communities, and helped to reduce GHG emissions. It is important to note that often-regulatory agencies at Cal-EPA or the Air Districts cite lack of resources as a problem that limits their ability to provide pro-active and coherent enforcement

#### Applicability

Within the context of the GGRF funds, there are several programs that can benefit from stronger enforcement and compliance efforts, including the Low Carbon Transportation, Water & Energy Technology, Agricultural Energy and Operational Efficiency, Healthy Soils, and Waste Diversion programs. Furthermore, this program can stand on its own and significantly reduce GHG emissions via targeted enforcement and compliance actions in disadvantaged communities. For these reasons we firmly believe that this program should be included.

#### Job Opportunities

In almost all of the programs, ARB sets forth guidelines for

providing benefits to community in relation to work hours. Currently, ARB is setting forth that the project may 1) result in at least 25% of project work hours performed by residents of a disadvantaged community, or 2) result in at least 10% of project work hours performed by residents of a disadvantaged community participating in job training programs which lead to industry recognized credentials or certifications. We contend that these numbers should be raised to at least 50% and 25% respectively, adding emphasis and points to projects that demonstrate their ability to provide wages and/or salaries that mirror those of the state's median household income. Furthermore, we request that you add the following benefits to all programs that relate benefits via work hours with the distinction that these are "and" statements rather than "or" and thus will not count if the project only meets one of these:

1. Project prioritizes job security for residents of a disadvantaged community that are hired to complete the project, and maintain those residents through operations and maintenance of the project in future years.
  2. Project provides full-time positions with benefits for residents of disadvantaged communities.
  3. Project complies with all relevant laws prohibiting discrimination based on a protected status for all new hires.
  4. Project submits plans for providing incentives for new employees to use alternative transportation to and from worksites.
- In providing benefits to a disadvantaged community, providing only 25% or 10% of work hours to residents of that community is not enough to enhance the quality of life for the community. Furthermore, any lack of attention paid to wages and labor practices can have the opposite effect than intended and serve to further perpetuate income inequalities within already struggling communities.

On Affordable Housing And Sustainable Communities Projects  
Under the draft guidelines, the section for located within that mentions that the project must be "designed to avoid displacement of disadvantaged community residents and businesses" is weak and must be strengthened. From an environmental justice perspective, this statement sounds very much like problematic legal requirements that have played out in many court cases regarding the placement of toxic waste facilities and other undesirable land-uses. The problematic elements that often, projects that are not explicitly designed to displace disadvantaged residents, do end up causing those displacements anyway. This statement should be edited to detail a few key ways to ensure that the projects in fact avoid displacement. We propose that the statement read:

A majority (50%+) of the project is within one or more disadvantaged communities and reduces vehicle miles travelled, and the project is designed to avoid displacement of current disadvantaged community residents and businesses by 1) providing a record of public participation and public interest in the project, 2) require an economic displacement mitigation plan, 3) provide a plan for community benefits outside of the proposed project. Furthermore, when directly talking about affordable housing projects, ARB must establish a guideline for more points to projects that allow low-income residents to reach homeownership. This can further prevent displacement in the future and allows for residents of disadvantaged communities to improve their quality of life. These projects are to provide housing that is decent, safe, and sanitary, modest in size design and cost that allows for residents to afford owning them.

Lastly, line A under the Provides Benefits to section should be updated to reflect ¼ mile as opposed to ½ mile from a disadvantaged

community. This will ensure that the project is much more accessible to community members.

#### On Energy Efficiency and Renewable Energy

Under the criteria to qualify as located within, we suggest that you add "mobile homes" as buildings that can receive improvements. From working with low-income, minority populations in the San Joaquin Valley, we often see that mobile homes are not terribly mobile, but do tend to need costly repairs that can aid with energy conservation, but also to improve the quality of life of these residents.

#### On Water Use and Energy Efficiency

Under the criteria to qualify for projects located within, ARB should consider adding a section C that helps to improve, repair, or replace private water well infrastructure in disadvantaged communities. Working with these communities in the San Joaquin Valley, we often run into problems where low-income residents are dependent on private well that have not been serviced in many years. Some of these wells have begun to go dry, and/or use antiquated diesel pumps, and/or have leaks that serve to waste water and energy. In the past, it has been difficult to provide assistance to these residents given that they are on private water wells and are solely responsible for their maintenance. Nonetheless, there is room here to include them and be able to provide assistance that will ultimately serve to improve the residents' quality of life, energy, and water efficiency.

#### On Waste Diversion and Utilization

The current thinking for approaching this program is a bit problematic given that these types of land uses are not always considered benefits, and more often considered undesirable land uses. Therefore, presenting them as benefits when located within communities is somewhat problematic and could be contested by many community members who live near these types of land uses. This applies to things like biomass, anaerobic digesters, recycling centers, dairy digesters, etc. For these reasons, we propose that ARB make the distinction that in order for newly proposed projects to be considered benefits while proposed to be located within a disadvantaged community must comply with all of the following:

1. Provide a record for a robust public process that shows meaningful community input and community interest in the project.
2. Requires Best Available Control Technologies (BACT) to sequester GHG emissions, and criteria pollutants to a nearby community.
3. Provide a comprehensive Conditional Use Permit and Community Benefits Agreement that incorporate community mitigation methods and community requirements.

4. Provide a local hire prioritization mechanism that seeks to get a total of 60% facility employment hired from the local community.

For projects that are already located and operating within a community, the current guidelines detailed in the draft proposal for "located within" can still apply. Furthermore, ARB can provide scoring guidelines that require incentivize or provide more points for measures like traffic divergence outside of disadvantaged communities, the use of low-emission trucks, etc. The incorporation of the above recommendations into the Funding Guidelines will help to support the success of GGRF investment projects, and will ensure that benefits credited toward disadvantaged communities are not only targeted, but maximized in our communities with the greatest need. Significant environmental, public health, and economic outcomes as outlined in SB 353 and AB 32 can be achieved if the GGRF process is accountable, transparent, and, most importantly, inclusive. Once again we thank you for your leadership and commitment to this work, and respectfully ask for your support of these important recommendations as you finalize the

Funding Guidelines.

Sincerely,

Cesar Campos  
Coordinator  
Central California Environmental Justice Network

Luis Olmedo  
Executive Director  
Comite Civico Del Valle, Inc.

Humberto Lugo  
Coordinator  
IVAN Network

Janaki Jagannath|  
Community Legal Worker, Community Equity Initiative  
California Rural Legal Assistance, Inc.

Veronica Garibay-Gonzalez, MPA  
Co-Director  
Leadership Counsel for Justice and Accountability

Rey Leon  
Executive Director  
SJV LEAP

Attachment: [www.arb.ca.gov/lists/com-attach/44-ggrf-guidelines-ws-VTQAZVYyUI5WMwVq.pdf](http://www.arb.ca.gov/lists/com-attach/44-ggrf-guidelines-ws-VTQAZVYyUI5WMwVq.pdf)

Original File Name: ACE Comment Letter 6 29.pdf

Date and Time Comment Was Submitted: 2015-06-29 23:47:19

No Duplicates.

**Comment 38 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Jonathan

Last Name: Cherry

Email Address: jcherry@sfwater.org

Affiliation: SF Public Utilities Commission

Subject: SFPUC Comments

Comment:

See attached (re-uploaded, submitted yesterday but did not go through)

Attachment: [www.arb.ca.gov/lists/com-attach/45-ggrf-guidelines-ws-AXIAYFYnUnRVMAFe.pdf](http://www.arb.ca.gov/lists/com-attach/45-ggrf-guidelines-ws-AXIAYFYnUnRVMAFe.pdf)

Original File Name: SFPUC\_FundingGuidelinesComments.pdf

Date and Time Comment Was Submitted: 2015-06-30 09:00:52

No Duplicates.



**Comment 39 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Aaron

Last Name: Fukuda

Email Address: cchsraorg@gmail.com

Affiliation:

Subject: Re: Public Comments: Funding Guidelines for Agencies that Administer California Climate In

Comment:

Please see attached letter

Attachment: [www.arb.ca.gov/lists/com-attach/46-ggrf-guidelines-ws-UjFWMwFoUnIDdwVk.pdf](http://www.arb.ca.gov/lists/com-attach/46-ggrf-guidelines-ws-UjFWMwFoUnIDdwVk.pdf)

Original File Name: CCHSRA Comment Letter.pdf

Date and Time Comment Was Submitted: 2015-07-07 21:24:04

No Duplicates.

**Comment 40 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Evan

Last Name: Schmidt

Email Address: [evan.schmidt@valleyvision.org](mailto:evan.schmidt@valleyvision.org)

Affiliation: Valley Vision

Subject: GGRF Funding Guidelines - Revised Letter from the Sacramento Region

Comment:

Attached is a revised letter from the Sacramento Region regarding the Greenhouse Gas Reduction Fund Guidelines, edited to include additional signatories. Thank you for the additional time to submit comments.

Attachment: [www.arb.ca.gov/lists/com-attach/47-ggrf-guidelines-ws-VTQCcQNhU3RRPgdo.pdf](http://www.arb.ca.gov/lists/com-attach/47-ggrf-guidelines-ws-VTQCcQNhU3RRPgdo.pdf)

Original File Name: Auction Proceeds Funding Guidelines\_Sacramento Region\_FINAL.pdf

Date and Time Comment Was Submitted: 2015-07-13 09:32:25

No Duplicates.

**Comment 41 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Eileen

Last Name: Selleck

Email Address: eselleck@semprautilities.com

Affiliation:

Subject: Funding Guideline comments for Agencies that administer California Climate Investment

Comment:

Attached are SoCalGas' comments.

Attachment: [www.arb.ca.gov/lists/com-attach/48-ggrf-guidelines-ws-USJXMIM1VFgBZANs.docx](http://www.arb.ca.gov/lists/com-attach/48-ggrf-guidelines-ws-USJXMIM1VFgBZANs.docx)

Original File Name: SCG comments to GGRF funding guidelines 7-13-15.docx

Date and Time Comment Was Submitted: 2015-07-13 15:38:35

No Duplicates.

**Comment 42 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Peter

Last Name: Yolles

Email Address: peter@watersmartsoftware.com

Affiliation:

Subject: WaterSmart Software Comments on GGRF Guidelines Comment  
Comment:

Dear Chairwoman Nichols, members of the Board, and California Climate Investments staff,

We appreciate the opportunity to comment on the Cap and Trade Auction Proceeds Funding Guidelines for Agencies that Administer California Climate Investments. We strongly support the Air Resources Board's objectives to significantly reduce greenhouse gas emissions, achieve the state's aggressive climate goals, and provide benefits to disadvantaged communities through the implementation of Greenhouse Gas Reduction Funds.

Attached are our comments on the GGRF Guidelines.

Thank you,  
Peter Yolles

Attachment: [www.arb.ca.gov/lists/com-attach/50-ggrf-guidelines-ws-AGcGZ1wvVGEAWVcg.pdf](http://www.arb.ca.gov/lists/com-attach/50-ggrf-guidelines-ws-AGcGZ1wvVGEAWVcg.pdf)

Original File Name: GGRF\_WaterSmart\_Final.pdf

Date and Time Comment Was Submitted: 2015-07-20 10:08:58

No Duplicates.

**Comment 43 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 44 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 45 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 46 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.



**Comment 47 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 48 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Jessica

Last Name: Goodheart

Email Address: jessicagoodheart@yahoo.com

Affiliation: LAANE

Subject: Comments on GGRF Guidelines

Comment:

Comments are in the attachment.

Attachment: [www.arb.ca.gov/lists/com-attach/57-ggrf-guidelines-ws-ATBRYlxtAmkBNwA1.pdf](http://www.arb.ca.gov/lists/com-attach/57-ggrf-guidelines-ws-ATBRYlxtAmkBNwA1.pdf)

Original File Name: 150805 LAANE Comments to Carb Regarding Guidelines.pdf

Date and Time Comment Was Submitted: 2015-08-05 17:35:43

No Duplicates.

**Comment 49 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Sonja

Last Name: Trauss

Email Address: Sonja.trauss@gmail.com

Affiliation:

Subject: Allocate funds to acquire existing buildings & repair current assets

Comment:

Acquiring existing buildings and maintaining existing assets are the cheapest ways of adding units to the city's stock of price controlled housing and combating displacement. Please focus funds on these efficient uses.

Thank you!

Sonja

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-08-07 14:12:38

No Duplicates.

**Comment 50 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

## **Comment 51 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Manisha

Last Name: Vaze

Email Address: mvaze@scopela.org

Affiliation: SCOPE - www.scopela.org

Subject: Comments relating to GGRF guidance

Comment:

August 11, 2015

Dear Chair Mary D. Nichols,

On behalf of Strategic Concepts in Organizing and Policy Education (SCOPE), I would like to thank the California Air Resources Board for providing comprehensive guidance to the agencies administering proceeds from the Greenhouse Gas Reduction Fund (GGRF).

SCOPE is a 22-year-old community organization based in South Los Angeles. For over a decade, SCOPE has worked in partnership with community organizations, environmental groups and labor to create replicable models for targeted training and career-path job opportunities in the climate and green jobs sector. We are currently working with other South Los Angeles-based organizations through the Los Angeles Equity Alliance to ensure equitable investment and full integration of low-income communities of color in climate resilience efforts and high-road green job creation in our communities.

I respectfully submit our comments (attached) and look forward to hearing from you.

Sincerely,

Manisha Vaze

Director of Organizing

Attachment: [www.arb.ca.gov/lists/com-attach/62-ggrf-guidelines-ws-B3QAZQRqUXIHZFcI.pdf](http://www.arb.ca.gov/lists/com-attach/62-ggrf-guidelines-ws-B3QAZQRqUXIHZFcI.pdf)

Original File Name: SCOPE ARB Comments 8-11-15-FINAL.pdf

Date and Time Comment Was Submitted: 2015-08-11 14:38:53

No Duplicates.

**Comment 52 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Kif

Last Name: Scheuer

Email Address: kscheuer@lgc.org

Affiliation: Local Government Commission

Subject: Comments on GGRF Guidelines.

Comment:

Please find attached our comments on the latest draft version of the GGRF guidelines.

Attachment: [www.arb.ca.gov/lists/com-attach/64-ggrf-guidelines-ws-WzhWPwNvU20KaQNt.pdf](http://www.arb.ca.gov/lists/com-attach/64-ggrf-guidelines-ws-WzhWPwNvU20KaQNt.pdf)

Original File Name: Comments on GGRF Guidelines 2\_LGC.pdf

Date and Time Comment Was Submitted: 2015-08-12 23:10:43

No Duplicates.

**Comment 53 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 54 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: David

Last Name: Schonbrunn

Email Address: David@Schonbrunn.org

Affiliation: TRANSDEF

Subject: Guidelines Need to Discourage Fraud

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/com-attach/66-ggrf-guidelines-ws-UDdUNQNwBTBWD1I1.pdf](http://www.arb.ca.gov/lists/com-attach/66-ggrf-guidelines-ws-UDdUNQNwBTBWD1I1.pdf)

Original File Name: GGRF Guidelines comment letter (complete).pdf

Date and Time Comment Was Submitted: 2015-08-13 12:01:28

No Duplicates.



**Comment 55 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

## **Comment 56 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Eva

Last Name: Kuczynski

Email Address: eva.kuczynski@tpl.org

Affiliation: The Trust for Public Land

Subject: The Trust for Public Land's comments on the GGRF Guidelines

Comment:

Thank you for creating the opportunity for public comment on the funding guidelines for agencies that administer California climate investments. The Trust for Public Land would like to provide brief comments on this guiding document. Our mission is to create a healthy and climate-smart California with access to nature for all.

Overall we commend the ARB on compiling such comprehensive and detailed guidance for agencies that administer GGRF programs. We support the ARB in creating transparent program development and reporting requirements, and in holding public agency partners accountable to the ARB and to the public.

### **Greenhouse Gas Quantification**

We look forward to reviewing the draft GHG quantification work plan that is under development (Vol. 1, p. 17) where ARB will lay out their process for development for new and updated GHG quantification methods. We applaud ARB's dedication to developing GHG quantification methods that are both scientifically defensible and accessible; this will surely help the state meet its climate goals while making these funds available to disadvantaged communities, or applicants with less capacity for GHG modeling. We encourage ARB to continue working on developing user-friendly quantification methods and exploring the use of automated, web-based tools (p. 19). Such accessible tools are essential – both for enabling fair access to GGRF funds by diverse groups, and to ensure consistent, defensible data collection by the state.

To further this goal, we recommend that agencies be required by ARB to provide technical assistance to applicants on GHG quantification; a higher bar should be set for required technical assistance beyond emailing with ARB (Vol. 1 p. 18). This will also support the ARB's guiding principle of transparency in GHG quantification (p. 23).

We also support ARB's proposed creation of co-benefit GHG quantification methods to promote the inclusion of multi-benefit projects that meet statewide climate, sustainable development, and resource protection priorities. Moreover, quantification of co-benefits should be included in project scoring for all programs. For example, in the Strategic Growth Council's Affordable Housing and Sustainable Communities program, scoring should include GHGs reduced by trees planted in the project area, or through stormwater captured through infiltration by green infrastructure. These

co-benefits include, among others, urban forestry, green infrastructure, decreased energy usage, and transportation mode-shift (increased walking or bicycling instead of driving).

#### Support for Disadvantaged Communities

We recommend that ARB encourage granting agencies to incentivize applicants to directly engage members of the community within a potential project area in project selection, design, and prioritization, to ensure projects in disadvantaged communities are designed in collaboration with the communities they will serve, and that they will not displace current residents (p. 32). To that end, we recommend the addition of a bullet to Volume 2, p. 14 (Recommendations for Administering Agencies to Maximize Funding to Benefit Disadvantaged Communities), requiring grant applicants with projects located within or benefiting a DAC to engage that DAC in project design and implementation.

To remove additional barriers for DAC in applying to GGRF programs, we request that ARB require from agencies a minimum of 60 days between the notice of funding and proposal deadline. We also suggest that ARB include in the guidelines a recommendation that matching funds should be waived for projects located within DAC.

We would like ARB to ensure access to and equitable distribution of GGRF funds so a diverse group of nonprofits, agencies, municipalities and small business can be eligible applicants.

We recommend that ARB require agencies to create set-asides within GGRF programs for planning and the creation of decision-making tools that will ultimately lead to projects that reduce GHGs. This will greatly assist communities to assess and prioritize needs, as well as develop innovative strategies for future GHG reduction and participation in GGRF programs.

Likewise, we would like ARB to require agencies to create set-asides for projects in rural communities - although there is a great need for GGRF investments in our urban communities, there are many high-need rural areas of the state encompassed within CalEnviroScreen prioritized areas, that would not be triggered by grant program density requirements that are also worthy of investments.

Please contact me if you would like to discuss any of the above in greater detail. I can be reached at 415-495-4014.  
Sincerely,

Mary Creasman

Director of Government Affairs  
The Trust for Public Land

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-08-13 17:08:21

No Duplicates.

## **Comment 57 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: William

Last Name: Descary

Email Address: wcdescary@aol.com

Affiliation:

Subject: Cap & Trade Revenue Guidelines

Comment:

In the 2014-15 California state budget, the legislature authorized \$250 million of Cap & Trade revenue and 25% of future revenue for high-speed rail. In the 2015-16 budget the legislature authorized \$500 million for HSR. Such use of C & T revenue is illegal/unconstitutional as provided by AB 32. This bold move by the legislature and Governor Brown is done to keep the HSR project viable. Expenditure of AB 32 funds must produce measurable GHG reductions by 2020. Instead, HSR construction during the next decades will add to GHG levels. Currently, C & T revenue is being used to purchase property in the alignment. This is a total misappropriation of revenue and must be stopped immediately.

Guidelines for use of C & T revenue must specifically prohibit using revenue for HSR because of the long-term and uncertain GHG reductions from the project.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-08-13 20:33:21

No Duplicates.

**Comment 58 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: John

Last Name: Amodio

Email Address: jamodio@msn.com

Affiliation: Yosemite-Stanislaus Solutions (YSS)

Subject: Draft Funding Guidelines for Agencies that Administer California Climate Investments  
Comment:

Please find attached our seven page comment letter. We appreciate the diligence of ARB and cooperative staff in creating the draft. We look forward to participating in the continued AB 32 Program.

Attachment: [www.arb.ca.gov/lists/com-attach/70-ggrf-guidelines-ws-B35SJ1QmWVUCZVQm.docx](http://www.arb.ca.gov/lists/com-attach/70-ggrf-guidelines-ws-B35SJ1QmWVUCZVQm.docx)

Original File Name: YSS ARB Comments Final.docx

Date and Time Comment Was Submitted: 2015-08-14 10:41:15

No Duplicates.

**Comment 59 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 60 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Danielle

Last Name: Lynch

Email Address: danielle@caleec.com

Affiliation:

Subject: CALCC GGRF Funding Guidelines Comment Letter

Comment:

Hello,

I have attached a comment letter on behalf of the California Association of Local Conservation Corps for your consideration.

Thank you

Attachment: [www.arb.ca.gov/lists/com-attach/72-ggrf-guidelines-ws-UjRSPVc4VGZSOFMM.pdf](http://www.arb.ca.gov/lists/com-attach/72-ggrf-guidelines-ws-UjRSPVc4VGZSOFMM.pdf)

Original File Name: Final CALCC GGRF Comment Letter.pdf

Date and Time Comment Was Submitted: 2015-08-14 11:33:04

No Duplicates.



**Comment 61 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Adam

Last Name: Livingston

Email Address: adam@sequoiariverlands.org

Affiliation: Southern Sierra Partnership

Subject: Southern Sierra Partnership Comments re: GGRF Investments

Comment:

Our comment letter on the Draft Investment Plan Concept Paper and Draft Funding Guidelines is attached.

Attachment: [www.arb.ca.gov/lists/com-attach/73-ggrf-guidelines-ws-AnFcKQNYAw8KYAht.pdf](http://www.arb.ca.gov/lists/com-attach/73-ggrf-guidelines-ws-AnFcKQNYAw8KYAht.pdf)

Original File Name: SSP Letter re Draft Investment Plan Concept Paper and Draft Funding Guidelines (2015-08-14).pdf

Date and Time Comment Was Submitted: 2015-08-14 12:19:59

No Duplicates.

**Comment 62 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Cherylyn

Last Name: Smith

Email Address: cstalkitup@gmail.com

Affiliation:

Subject: New Concerns About Funding High Speed Rail with Cap & Trade Revenues

Comment:

To the ARB Board:

This attachment is a follow-up to my previous comments submitted on June 28, 2015, called "Open Letter to the ARB". I have presented these new concerns at the GHG Reduction Funding Guidelines Workshop held in Fresno on August 4, 2014.

Thank You for the opportunity to express my views and for extending the deadline for submissions.

Sincerely,

Cherylyn Smith

Attachment: [www.arb.ca.gov/lists/com-attach/74-ggrf-guidelines-ws-AnZRIARqUI4FbQdi.rtf](http://www.arb.ca.gov/lists/com-attach/74-ggrf-guidelines-ws-AnZRIARqUI4FbQdi.rtf)

Original File Name: Two New Concerns.rtf

Date and Time Comment Was Submitted: 2015-08-14 12:55:23

No Duplicates.

**Comment 63 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Janaki

Last Name: Jagannath

Email Address: [jjagannath@crla.org](mailto:jjagannath@crla.org)

Affiliation: California Rural Legal Assistance

Subject: Comments to Guidelines for Administering Agencies

Comment:

Thank you for considering the attached comments submitted by California Rural Legal Assistance, Inc.

Attachment: [www.arb.ca.gov/lists/com-attach/75-ggrf-guidelines-ws-VzQHcwZrUWMGX1Mw.pdf](http://www.arb.ca.gov/lists/com-attach/75-ggrf-guidelines-ws-VzQHcwZrUWMGX1Mw.pdf)

Original File Name: CRLA Comments on GGRF Funding Guidelines.pdf

Date and Time Comment Was Submitted: 2015-08-14 15:38:16

No Duplicates.

**Comment 64 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Phoebe

Last Name: Seaton

Email Address: pseaton@leadershipcounsel.org

Affiliation:

Subject: Comment Letter

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/com-attach/76-ggrf-guidelines-ws-UjVXNgFyU2ZRCAZ1.pdf](http://www.arb.ca.gov/lists/com-attach/76-ggrf-guidelines-ws-UjVXNgFyU2ZRCAZ1.pdf)

Original File Name: GGRF Supplemental Guidance August 2015.pdf

Date and Time Comment Was Submitted: 2015-08-14 15:58:07

No Duplicates.

**Comment 65 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 66 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Evan

Last Name: Reeves

Email Address: [evan.reeves@cclr.org](mailto:evan.reeves@cclr.org)

Affiliation: Center for Creative Land Recycling

Subject: Comments on Funding Guidelines for Agencies that Administer California Climate Investments

Comment:

Please find attached our comments on the Funding Guidelines for Agencies that Administer California Climate Investments. Feel free to contact me with any questions.

Thanks,

-Evan Reeves

Attachment: [www.arb.ca.gov/lists/com-attach/78-ggrf-guidelines-ws-UTJUMQZrWXgFXFAz.pdf](http://www.arb.ca.gov/lists/com-attach/78-ggrf-guidelines-ws-UTJUMQZrWXgFXFAz.pdf)

Original File Name: CCLR Comments on Funding Guidelines for Agencies that Administer CCIs.pdf

Date and Time Comment Was Submitted: 2015-08-14 16:54:52

No Duplicates.

## **Comment 67 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Linda

Last Name: Rudolph

Email Address: linda.rudolph@phi.org

Affiliation: Center for Climate Change and Health

Subject: GGRF DRAFT Funding Guidelines

Comment:

The Center for Climate Change and Health welcomes the opportunity to comment on the DRAFT Funding Guidelines for Agencies that Administer California Climate Investments. The Center dedicated to tackling the challenge of climate change while creating more vibrant, healthy and equitable communities. Our comments reflect general concerns about the use of GGRF dollars.

We appreciate the thoughtful approach taken in the DRAFT funding guidelines., most notably the attention to the concept of resiliency, and the support for coordination, integration, and leveraging of funds across agencies. However, we are concerned that the application process, and the administration of other funds across multiple agencies, must also be better coordinated and integrated. Without state-level integration, it may be particularly challenging for poorly resourced communities to navigate multiple complex state programs and application processes. Additional TA for these communities would also address this issue.

The guidelines appropriately recognize the importance of co-benefits. We understand that CARB will be developing further direction on the quantitative assessment of co-benefits, and request that you seek substantive input from public health experts on a range of strategies to assess the full range of health co-benefits and potential adverse health consequences (e.g. those associated active transportation, agriculture, and urban greening).

The definition of GHGE reduction should include language consistent with AB32 - that the reductions are real, permanent, quantifiable, and verifiable. Quantification of emissions reductions should be required to use methods that assess full life cycle emissions.

It is essential that climate projections be taken into account in the determination of suitability of proposed funding. Projects that propose building infrastructure or housing in areas likely to be adversely impacted by sea level rise and storm surge should not be prioritized for receipt of public funds.

GGRF investments have the potential to play an important role in community economic development, and in increasing the availability of living-wage jobs for community residents in disadvantaged communities. We suggest that proposals that address local hiring and job training, and decent wages and benefits be preferentially funded.

We request that the scope of "urban forestry" be expanded to include a broad range of projects such as community gardens, green infrastructure, and tree maintenance. We support other comments regarding the inclusion of tree maintenance and vegetation at Title 1 Schools as eligible for urban forestry funding. We also believe that green infrastructure projects that will reduce the risk of flooding in disadvantaged communities - even if the project itself is located outside of a DAC - should be eligible.

The definition and criteria by which "benefit" for DAC and low income residents requires more specificity, particularly for projects located outside of a DAC. For example, without appropriate safeguards, a transit-oriented development near a BART station in a DAC may hurt current residents. We support a scoring method that clearly delineates different types of co-benefits, such as health, economic, or climate resilience. One important strategy for assessing the "benefits" or potential harms of proposed projects is to require community engagement and public participation in the development of proposals for GGRF funding.

While we strongly support land use that promotes reduced VMT, it is very important that infill/density projects are healthy infill. Anti-displacement measures to assure that TOD/infill projects include adequate attention to prevention of displacement of current residents. Measures to reduce potential adverse health impacts of poor outdoor air quality should be incorporated into GGRF-funded projects; other health concerns (e.g. noise-reduction, traffic safety, access to essential services) should also be considered. Adequate access to parks and green space is a critical component of health, and we are concerned that it has been poorly addressed in many neighborhoods currently undergoing "densification".

Many DAC, subject to disinvestment over decades, lack access to resources for health and to economic opportunity. We suggest that GGRF funding also go toward building of affordable housing outside of currently designated DAC, to increase the availability of affordable housing in neighborhoods with high opportunity where housing prices make them out of reach for low income people. We believe that the health co-benefits of active transportation are potentially the most impactful on population health. Piecemeal active transportation projects (e.g. a one-city bicycle plan, disconnected bicycle lanes) will not get us to the VMT reductions that are possible with visionary planning and implementation of active transportation infrastructure. We would like planning and cross-jurisdictional coordination required for truly regional active transportation infrastructure, connected to transit, to be more clearly eligible.

Finally, there are a variety of types of programs that are not explicitly identified in the guidelines, but which could provide significant GGHE reductions and health co-benefits. For example, food waste contributes to landfill methane and to food insecurity, and food waste reduction programs (such as that of Orange County) can have a significant impact. We request that the guidelines offer opportunities for innovation in areas not explicitly addressed, if the GGHE and co-benefits can be appropriately quantified and demonstrated.

Thank you again for the opportunity to comment.



Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-08-14 17:18:58

No Duplicates.

**Comment 68 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 69 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Kathleen

Last Name: Trinity

Email Address: ktrinity46@gmail.com

Affiliation:

Subject: Draft for Funding Guidelines...California Climate Investments, released June 16, 2015

Comment:

ARB: Please see attached comment.

Attachment: [www.arb.ca.gov/lists/com-attach/81-ggrf-guidelines-ws-Vj1SNVYjBT5QOgdi.docx](http://www.arb.ca.gov/lists/com-attach/81-ggrf-guidelines-ws-Vj1SNVYjBT5QOgdi.docx)

Original File Name: Kathleen Trinit4, Air Resources Board, Investmentd, Aug 14, 2015.docx

Date and Time Comment Was Submitted: 2015-08-14 17:41:48

No Duplicates.

## **Comment 70 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Kathy

Last Name: Dervin

Email Address: dervin.kathy@gmail.com

Affiliation:

Subject: GGRF fund guidelines for state agencies

Comment:

GGRF DRAFT Funding Guidelines Comment: Thank you for the opportunity to comment on the DRAFT Funding Guidelines for Agencies that Administer California Climate Investments. Having previously led CDPH's climate and health policy and planning work from 2010-2014, I strongly support the state's climate change mitigation efforts and see critical opportunities to address healthy and equitable and healthy communities as part of these efforts. My comments reflect general concerns about the use of GGRF dollars.

Having worked at the staff level at the state health department working to support CAT and AB 32 goals, I strongly support your attention to the concept of resiliency, and the support for strong coordination, integration, and leveraging of funds across agencies.

This coordination is essential to fostering the broadest and most effective efforts across complex and interdisciplinary program and policy domains. In fact, the application process, and the administration of other funds across multiple agencies, must be better coordinated and integrated to achieve the best results. Without clear and well-communicated state-level integration, it may be particularly challenging for those in disadvantaged communities to navigate multiple complex state programs and application processes. In fact, those communities need and should have access to additional technical assistance services in order to be able to fully participate in state climate mitigation funding programs.

I'm very supportive of the guidelines highlighting the importance of identifying and pursuing co-benefits. I understand that CARB is developing additional quantitative methods for co-benefits. In order to develop appropriate public health co-benefit measures, it is very important that CARB seek substantive input from public health experts on a range of strategies to assess the full range of health co-benefits and potential adverse health consequences (e.g. those associated active transportation, agriculture, and urban greening). The definition of GHGE reduction should include language consistent with AB32 - that the reductions are real, permanent, quantifiable, and verifiable. Quantification of emissions reductions should be required to use methods that assess full life cycle emissions. It is essential that climate projections be taken into account in the determination of suitability of proposed funding. For example, projects that propose building infrastructure or housing in areas likely to be adversely impacted by sea level rise and storm surge should not be prioritized for receipt of public funds. GGRF investments have the potential to play an important role in community economic development, and in increasing the availability of living-wage jobs for community residents in

disadvantaged communities. I suggest that proposals that address local hiring and job training, livable wages and benefits be preferentially funded. In addition I would suggest that the scope of "urban forestry" be expanded to include a broad range of projects such as community gardens, green infrastructure, and tree maintenance.

I support a scoring method that clearly delineates different types of co-benefits, such as health, economic, or climate resilience. One important strategy for assessing the "benefits" or potential harms of proposed projects is to require community engagement and public participation in the development of proposals for GGRF funding. While at CDPH and working with the CAT Climate and Land Use cmt chaired by OPR, I frequently raised the need to support healthy infill development and encouraged standards that would ensure that projects not create new health risks such as urban heat islands, or perpetuating/creating inequitable green space deficits, while promoting infill/TOD and density projects. Adequate access to parks and green space is a critical component of health, and am concerned that it has been poorly addressed in many neighborhoods currently undergoing "densification". I encourage you to incorporate health goals as part of infill projects. Anti-displacement measures to assure that TOD/infill projects include adequate attention to prevention of displacement of current residents are urgently needed. I strongly believe that the health co-benefits of active transportation can potentially achieve a huge positive impact on population health. Piecemeal active transportation projects (e.g. a one-city bicycle plan, disconnected bicycle lanes) will not achieve the VMT reductions that are possible with truly transformational planning and implementation of active transportation infrastructure. I would encourage you to consider how planning and cross-jurisdictional coordination that truly promotes/ supports regional active transportation infrastructure, with good transit connections, can be included as eligible projects.

Thank you for the opportunity to comment on these important guidelines.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2015-08-14 23:33:14

No Duplicates.

**Comment 71 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Janet

Last Name: Whittick

Email Address: janetw@cceb.org

Affiliation: CCEEB

Subject: CCEEB comments on GGRF draft guidelines

Comment:

Please find attached comments from the California Council for Environmental and Economic Balance (CCEEB).

Attachment: [www.arb.ca.gov/lists/com-attach/83-ggrf-guidelines-ws-VjVQNVczADYBZQVa.pdf](http://www.arb.ca.gov/lists/com-attach/83-ggrf-guidelines-ws-VjVQNVczADYBZQVa.pdf)

Original File Name: CCEEB\_GGRFguidelines\_18AUG15.pdf

Date and Time Comment Was Submitted: 2015-08-18 12:53:59

No Duplicates.

**Comment 72 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Janet

Last Name: Whittick

Email Address: janetw@cceb.org

Affiliation: CCEEB

Subject: CCEEB comments on the GGRF guidelines for administering agencies

Comment:

See attachment for comments.

Attachment: [www.arb.ca.gov/lists/com-attach/84-ggrf-guidelines-ws-UjEGY1YyUGYEYAIW.pdf](http://www.arb.ca.gov/lists/com-attach/84-ggrf-guidelines-ws-UjEGY1YyUGYEYAIW.pdf)

Original File Name: CCEEB\_GGRFguidelines\_18AUG15.pdf

Date and Time Comment Was Submitted: 2015-08-19 10:00:31

No Duplicates.

**Comment 73 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Marybelle

Last Name: Nzegwu

Email Address: mnzegwu@publicadvocates.org

Affiliation: SB 535 Coalition

Subject: Comments on Draft Funding Guidelines, Supplement  
Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/com-attach/85-ggrf-guidelines-ws-USIHYwczBWUKOVIN.pdf](http://www.arb.ca.gov/lists/com-attach/85-ggrf-guidelines-ws-USIHYwczBWUKOVIN.pdf)

Original File Name: SB535 ARB Comment Supplement 081915.pdf

Date and Time Comment Was Submitted: 2015-08-19 17:40:08

No Duplicates.



**Comment 74 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Doug

Last Name: Houston

Email Address: [doug@houstonmagnani.com](mailto:doug@houstonmagnani.com)

Affiliation: Houston Magnani and Associates

Subject: GHG Benefits Through Regional & Local Park and Open Space Improvements

Comment:

Please accept the attached comments on behalf of our coalition of 12 organizations.

Attachment: [www.arb.ca.gov/lists/com-attach/86-ggrf-guidelines-ws-AjNSYVYIAzECdlc1.pdf](http://www.arb.ca.gov/lists/com-attach/86-ggrf-guidelines-ws-AjNSYVYIAzECdlc1.pdf)

Original File Name: 15 ARB Draft Comments.pdf

Date and Time Comment Was Submitted: 2015-08-21 10:41:44

No Duplicates.

## **Comment 75 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Gordon

Last Name: Piper

Email Address: Rgpiper33@gmail.com

Affiliation:

Subject: Comments, Discriminatory Proposed ARB GGRF Guidelines

Comment:

I am writing as a retired State of California civil rights agency administrator and employee who spent 31 years helping to investigate discrimination complaints involving public and private employers and to enforce State and Federal civil rights laws. I believe the proposed California Air Resources Board (ARB) Greenhouse Gas Reduction Fund (GGRF) Guidelines as well as the Supplement to the Draft Funding Guidelines would result in adding to the discriminatory utilization and investment of both State GGRF funding and the discriminatory administration of the use of this grant funding in violation of the requirements of both applicable State and Federal civil rights laws and regulations, the equal protection requirements in the California and U.S. Constitutions, and the prohibition against preferential treatment and affirmative action contained in section 31 of the California Constitution. My review of the Interim Guidelines adopted by the Air Resources Board in 2014 combined with the investment plan recommendations of the ARB in fiscal year 2014-2015 led me to conclude that your initial Interim Guidelines were the equivalent of a "How To Discriminate" Guide for State agencies administering GGRF funded programs/investments in fiscal year 2014-2015. The draft GGRF Guidelines and the more recently shared Supplement to the Draft Guidelines for Agencies that Administer California Climate Investments will further result in even substantially more violations in this fiscal year and future years of:

- The California Unruh Civil Rights Act prohibition against arbitrary discrimination in the provision of services, privileges and advantages by a public agency based on considerations of race, color, national origin, ancestry, geographic location and income and that mandates "each person be entitled to equal services, privileges, and accommodation in the State of California";
- The Equal Protection clause in the California Constitution prohibiting discrimination by government agencies and guaranteeing that no person is discriminated against by government agencies and guaranteeing that no person is discriminated against by State government agencies;
- Government Code Section 11135 (a) which states that no person is denied the right to participate in or the benefits of a program receiving State assistance;
- California Constitution prohibitions against preferential -treatment-based considerations of race, color, national origin or ancestry in public contracting and programs;
- California Resources Code Section 71110 in the California Resources Code which mandates The California Environmental Protection Agency, in designing its mission for programs, policies, and standards shall do all of the following: (a) Conduct

its programs, policies, and activities that substantially affect human health or the environment in a manner that ensure the fair treatment of all races, cultures, and income levels, including minority populations and low income populations of the state", but which has not been effectively complied with by either CAL EPA or the ARB in its current Interim Guidelines, proposed actions or GGRF final Guidelines and investment recommendations;

- The California Fair Employment and Housing Act and implementing regulations that are supposed to ensure equal treatment in employment practices related to hiring, terminating or training;
- Title VI of the Civil Rights Act of 1964 and implementing regulations of Federal agencies in relation to the Effectuation of Title VI compliance that apply to State agencies that accept Federal funds and combine those with State GGRF funds for programs that do not comply with the various equal treatment and non-discrimination requirements outlined in Title VI and the implanting Regulations for ensuring equal treatment and non-discrimination and that require that "no person is denied the right to participate in or the benefits of a program receiving Federal assistance"; and
- Title VII of the Civil Rights Act of 1964 with respect to the requirements for non-discrimination in employment practices related to hiring, terminating or training...

See attached for full comments

Attachment: [www.arb.ca.gov/lists/com-attach/87-ggrf-guidelines-ws-AmFSO1A8WWcGZVc5.docx](http://www.arb.ca.gov/lists/com-attach/87-ggrf-guidelines-ws-AmFSO1A8WWcGZVc5.docx)

Original File Name: Comments To California Air Resources Board re GGRF Guidelines Final.docx

Date and Time Comment Was Submitted: 2015-08-23 11:43:55

No Duplicates.

**Comment 76 for Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) - 1st Workshop.**

First Name: Joyce

Last Name: Dillard

Email Address: dillardjoyce@yahoo.com

Affiliation:

Subject: Comments ARB Greenhouse Gas Reduction Fund Guidelines due 8.23.2015

Comment:

Attached.

Attachment: [www.arb.ca.gov/lists/com-attach/89-ggrf-guidelines-ws-BWIAYYVIhADUBKVIo.zip](http://www.arb.ca.gov/lists/com-attach/89-ggrf-guidelines-ws-BWIAYYVIhADUBKVIo.zip)

Original File Name: ggrf.zip

Date and Time Comment Was Submitted: 2015-08-27 12:50:19

No Duplicates.

**There are no comments posted to Auction Proceeds Funding Guidelines (ggrf-guidelines-ws) that were presented during the Workshop at this time.**