



August 29, 2019

VIA ELECTRONIC MAIL

Air Resources Board
Office of Legal Affairs, Public Records Coordinator
P.O. Box 2815
Sacramento, California 95812

Dear Air Resources Board Public Records Coordinator,

Under the California Public Records Act (Government Code section 6250 *et seq.*) and the California Code of Regulations (Title 17, section 91000 *et seq.*), I hereby request disclosure and copies of the following documents on behalf of the California Environmental Justice Alliance, which are filed with, retained by, or prepared by the Air Resources Board (ARB):

All written documents including, but not limited to, memorandums, email communications, texts and calendar items from and to Chair Mary Nichols, Executive Officer Richard Corey, Cap-and-Trade Program Branch Chief Jason Gray, Assembly Appointed Board Member Hector de la Torre and representatives on their respective behalf from August 1, 2017 to August 29, 2019 concerning:

- Development of and drafts of California's proposed Tropical Forest Standard.
- Meetings and communications with Air Resources Board and staff on California's proposed Tropical Forest Standard.
- Meetings and communications with legislators and their staff on California's proposed Tropical Forest Standard.
- Opponents, opposition efforts and opposing views on California's proposed Tropical Forest Standard.
- Development of and drafts of "Guiding Principles of Collaboration."
- Air Resources Board Delegation to Acre, Brazil in coordination with Environmental Defense Fund and California legislators, originally planned for 2017 and occurring in 2018.

Please respond within ten (10) calendar days from the date of receipt as to the agency's determination whether this request specifies identifiable records that are not exempt from disclosure under the California Public Records Act, or are privileged or otherwise confidential, and therefore subject to public disclosure. If the agency seeks extension for unusual circumstances pursuant to California Government Code section 6253, subdivision (c), we must receive notice of such extension, and the corresponding justifications.



If you determine any exemptions apply, please note whether the exemption is discretionary and or necessary in this case. If you determine some, but not all of the requested information is exempt from disclosure, please redact it and make it available as requested. Please provide signed notification citing controlling legal authorities on which any potential exemptions rely.

Please provide copies of the requested documents. We acknowledge that if the requested records are too voluminous, ARB will contact me and provide us access to the records for our review. Also, we are willing to accept documents on a rolling basis if some become available sooner than others.

We respectfully request that any fee for replication or production of the requested document be waived pursuant to Public Records Act California Government Code sections 6253(1) and 6253(3)(e).¹ A waiver of copying fees is appropriate because the California Environmental Justice Alliance is a fiscal project of the non-profit, public interest organization - Environmental Health Coalition. We will not use this information for commercial purposes. The waiver of fees is appropriate because furnishing the requested documents primarily benefits the general public. The California Environmental Justice Alliance is a statewide, community-led alliance that works to achieve environmental justice through policy solutions. We represent approximately 20,000 Asian Pacific American, Latino and African American residents in the San Francisco Bay Area, San Joaquin Valley, Los Angeles, Inland Valley and San Diego/Tijuana area. Our members and partners suffer from the disproportionate adverse impacts of air pollution. A fee waiver is correspondingly in the public interest.

Please provide the records described above irrespective of the status and outcome of your determination on our fee waiver request. If I can provide any clarification that will help expedite your attention to and completion of our request, please do not hesitate to contact me at (mad@caleja.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Madeline Stano", is written over a horizontal line.

Madeline Stano, Esq.
Program Director
California Environmental Justice Alliance
510-808-5898
mad@caleja.org

¹ See *North County Parents Organization v. Dept. of Education*, 23 Cal.App.4th 144, 148 (1994) (public agencies may waive fees related to record requests by nonprofit organizations pursuant to Cal. Gov't Code section 6253.(1).