

July 9th, 2021



Richard Corey, Executive Officer
California Air Resources Board
VIA EMAIL

richard.corey@arb.ca.gov,

cc: Chanell Fletcher, Dep. Exec. Officer – Environmental Justice, chanell.fletcher@arb.ca.gov

Re: CBE Scoping Plan Priorities in Wilmington, Richmond, East Oakland, & Southeast LA – Phase out fossil fuel chain of Transportation / Oil Refining / Oil Extraction – more than half state’s GHGs

Dear Board Members,

Communities for a Better Environment (“CBE”) is a statewide Environmental Justice (“EJ”) organization with a strong focus on addressing the impacts of fossil fuel energy, which heavily pollutes the California communities of Wilmington, Southeast Los Angeles, East Oakland, and Richmond where we organize, live, and work.

Greenhouse gas sources in these communities include oil refineries, oil wells and drilling, power plants, transportation and more. These communities of color and low-income communities are already hard hit by climate change—from wildfire smoke, drought, heat waves, and increased smog formation— which is worsening by the year. In addition, the toxic and criteria co-pollutants emitted with greenhouse gases increase our communities’ high levels of asthma, cancer risk, and a range of other health impacts. Dirty-energy sacrifice zones continue to endure the worst of environmental racism; in addition, we approach the point of unsurvivable temperatures. Recently, a leaked version of an upcoming landmark Intergovernmental Panel on Climate Change report warned a series of tipping point thresholds beyond which recovery from climate breakdown may become irreversible for human life is approaching faster than previously predicted.¹

To comply with Assembly Bill (“AB”) 32 and Senate Bill (“SB”) 32, California must accelerate Greenhouse Gas (“GHG”) emission reductions to reach the 40% cut target by 2030. The rate of emission reductions must increase by 2045, and more by 2050. We also have the opportunity, as the fifth largest economy in the world, to be national and global leaders for climate justice. We are early in the Scoping Plan Process and support efforts to integrate AB 32 Environmental Justice Advisory Committee (“EJAC”) review and recommendations as early in the research planning, modeling, and drafting phases as much as possible.

We ask the California Air Resources Board (CARB) to acknowledge that so far, Cap & Trade did not produce emission reductions, as the Legislative Analyst’s Office acknowledged, and as shown in CARB’s 2017 and 2018 GHG emission inventories.² We look forward to the 2019 inventory though it is unlikely to show big improvements from 2018. The Scoping Plan needs to acknowledge that heavy reliance on pollution trading did not work. We need to focus on the obvious – phasing out fossil fuels. In summary, CBE urges mandates for direct emissions reductions of GHGs with equity, in particular:

¹ Fiona Harvey, IPCC Steps Up Warning on Climate Change Tipping Points in Draft Leaked Report, The Guardian (Jun. 23, 2021) <https://www.theguardian.com/environment/2021/jun/23/climate-change-dangerous-thresholds-un-report>.

² The Legislative Analyst’s Office (LAO) found “**The cap is likely not having much, if any, effect on overall emissions in the first several years of the program.**”- 2017-18 Budget It found the 2008 recession & other policies (eg RPS for electricity) were responsible for cuts in GHGs (not Cap & Trade). Only the Electricity sector had big emission cuts (due to coal).

> Phase out the Fossil Fuel Chain: Oil Extraction / Oil Refining / Transportation (>50% of GHGs):

- **Replace fossil fuel-based transportation with zero emission sources, primarily through electrification.** CARB should also promote more aggressive action to support the state’s initial efforts to improve transportation and environmental health equity access by providing robust subsidies for clean transportation in low-income communities.
- **Stop fossil fuel infrastructure expansions and phase out oil refineries** with 2030 and 2045 percentage milestones, and complete phaseout by 2050. This has *not* yet begun through any state policy (only through a few voluntary business decisions by refiners). Currently, state policy facilitates expansion through cheap cap and trade credits.
- **Phase out Oil Drilling Operations:** The Scoping Plan would only be complete if it outlines a vision and a blueprint to eliminate climate and health impacts of supply side fossil fuels in California, and creates a robust just transition strategy and workforce development program for phasing out oil drilling starting with frontline communities. The State of California should end all oil drilling operations by 2035. It should prohibit all acid well stimulation treatments, steam flooding, water flooding, cycling steaming, or other well stimulations treatments by the end of 2026. Furthermore, all new oil drilling permit requests should be denied for operations within 2,500 feet of sensitive and/or residential receptors. Existing operations within this health and safety buffer zone should abandon operations--with community-led remediation plans/frameworks in place. This should be effective immediately upon the approval of the scoping plan.
- **Support the creation of high-road jobs** with high quality benefits, wages, and collective bargaining protections, to ensure workers are not left behind and help build diversifying economy and the clean energy infrastructure that we need.

> Improve the EJAC Recommendation Process and Other Public Processes:

- **Provide the EJAC and the general public with better access to data on key inputs to the Scoping Plan,** including but not limited to:
 - Evaluation of progress or gaps toward meeting each measure in the 2017 Scoping Plan, especially priority EJAC recommendations highlighted in a previous CEJA June 2021 comment letter;
 - Lists of potential new measures CARB is beginning to assess and associated potential emission reductions, disaggregated by regional impact to assess impact in disadvantaged communities;
 - More accessible information about scenario modeling variables, methodology, and selection;

(Note that CBE intends to make additional recommendations.)

> Support Electricity Sector Emission Reductions. The electricity sector is also key, but since it is the *only* sector making progress cutting emissions, we hope to emphasize the need to finally make real progress decarbonizing the fossil fuel chain—from oil extraction, oil refining, to transportation, which so far has *not* cut greenhouse gases in California. We will also discuss the crucial sector of electricity below briefly, but will provide more comments later in the Scoping Plan process.

CBE is also a member of the California Environmental Justice Alliance (“CEJA”), and supports the comments also being submitted today by our coalition, made up of EJ communities grossly impacted by multiple pollution sources.

I. Transportation is the largest key to GHG cuts and co-pollutant impacts are severe

A. Greenhouse Gas Reductions, mainly through Transportation Electrification

California can only meet its climate goals by setting aggressive interim targets and creating robust plans toward electrification of vehicles by 2035. Additionally, and in the process of design and/or implementation of zero emission regulations for cars, trucks and buses, CARB needs to accelerate promotion of clean mobility options and transportation electrification in low-income communities of color, where residents have disproportionately suffered from adverse health impacts of fossil fuel operations. Households and families who live in vulnerable communities on the frontlines have earned the right to directly access and benefit from all forms of clean mobility options and clean transportation technologies first and foremost. California's clean transportation policies and investments must be designed with equity at the center. It is not only ethical to put equity at the center, but also, bottom-up clean transportation policies make economic sense and are the fastest way to electrify transportation in California towards ending our reliance on fossil fuels.

B. Co-pollutant reductions achievable through phaseout of fossil fueled transportation

Here, we briefly highlight two examples of our service communities extremely impacted by air emissions from major transportation corridors – East Oakland and Southeast Los Angeles (“SELA”). We also organize in Wilmington, which is heavily impacted by trucking from the Ports of LA and Long Beach; Richmond is impacted by freeway and industrial transportation sources. Many other communities in the state are also impacted by these transportation sources, disproportionately impacting Black, Indigenous, Latinx, and People of Color communities.

East Oakland residents are heavily impacted by the I-880 highway, Oakland airport, proximity to the Port of Oakland, and heightened passenger car pollution where greenhouse gas co-pollutants negatively impact community health. These co-pollutants such as diesel particulate matter (“DPM”), soot, and Volatile Organic Compounds (“VOCs”) emitted by freight trucks and NO_x and VOCs from passenger cars contribute to the health complications environmental justice communities experience such as infant mortality, cancer risk, asthma and other respiratory conditions, and a shortened lifespan.³ East Oaklanders also have fewer biking and walking pathways than West or Central Oaklanders, making it difficult for safe travel using clean active transportation alternatives that would reduce the prevalence of co-pollutants.

Residents of the Huntington Park, Southgate, Maywood, & Bell communities of SELA are also heavily affected by mobile pollution from sources such as the Alameda Rail Corridor, diesel trucks on the I-710, and passenger vehicles. SCAQMD studies found SELA with some of the highest air pollution cancer risk from (e.g [MATES 2018](#), p. 4-21).

Both these communities are also burdened by cumulative impacts of stationary sources including continuing lead contamination from the closed Exide Technologies, a battery recycler in SELA, and heavy odors for example from asphalt pipe coating and other operations at American Brass and Iron in East Oakland. All our communities of Wilmington, Richmond/Rodeo, East Oakland, and SELA are

³ East Oakland Diesel Truck Survey Report, 2010, for example pp. 2-3, available at: <https://www.cbecal.org/wp-content/uploads/2013/01/Diesel-truck-study-FINAL-092710.pdf>

cumulatively health impacted by multiple harming sources of stationary and mobile pollution, making it even more urgent to phase out fossil-fueled transportation.

II. Oil Refineries emit large volumes of toxics harmful to neighbors, made no progress cutting GHGs, and make fossil fuels for the biggest GHG sector – Transportation

The Scoping Workshops did not cover industrial GHG sources of which refineries are the largest, consequently community representatives brought up comments during the Environmental Justice Scoping Workshop to cover this gap (and CARB informed us there would be an industrial sector workshop later). It is important for CARB to evaluate the issues discussed below.

Progress addressing refinery emissions is a major gap in the state’s GHG reduction goals. The “fossil fuel chain” of refineries, transportation, and oil extraction make up over half of California’s GHG emissions. They should be considered together, but refineries also need specific attention. Refineries heavily impact EJ communities with toxic co-pollutants and smog precursors (proven grossly underestimated in emission inventories – see below). Furthermore, CARB’s Cap and Trade program has failed to achieve GHG emission cuts from refineries (or other sectors), and encourages their expansion by providing cheap pollution credits and offsets in lieu of mandated reductions.

First we urge CARB to simply acknowledge in the draft Scoping Plan that Cap and Trade has not yielded reductions in refinery greenhouse gases. We can never make progress without an honest evaluation of what has and has not worked so far. This reality needs to be stated in the draft Scoping Plan, rather than continuing the incorrect descriptions of the past, extolling Cap and Trade. Cap and Trade has been successful at just one thing – generating dollars (sometimes). Failure to recognize this constitutes an environmental injustice that cannot be patched up through other policies (like AB617).

Secondly, CARB must begin a written plan to phase out oil refineries in California by 2050, with 2030 and 2045 milestones. This is a no-brainer – to get rid of fossil fuel impacts, you have to actually plan their phase-down – no amount of trading or tinkering will solve the problem. The oil industry also drives many bad pollution control decisions within the state, holding back state and local environmental and equity goals. It is time to plan the removal of this harmful stranglehold.

CBE members in Wilmington and Richmond are heavily impacted by oil refineries – the large Chevron Refinery in Richmond, and five refineries in and surrounding Wilmington (Marathon Wilmington and Carson, Phillips 66 Wilmington and Carson, and Valero Wilmington), including high emissions of toxic air contaminants due to refining (in addition to heavy diesel impacts). Wilmington also includes one of the nation’s largest urban oil fields.

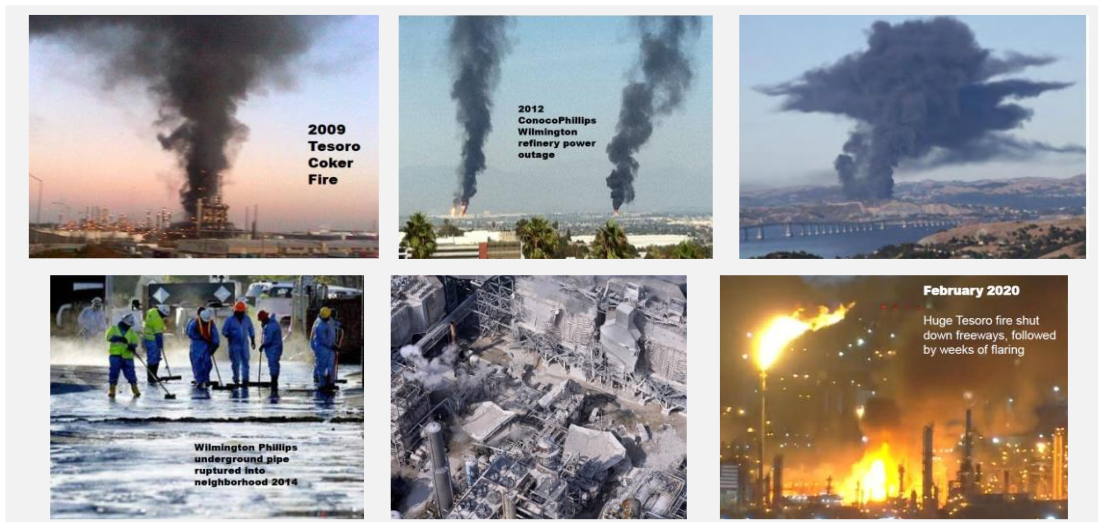
A few facts:

- *California is a major refining state*, refining about 2 million barrels per day (bpd) of crude oil even with the pandemic reductions:
 - LA Area: ~55% (Marathon / Tesoro Wilmington & Carson, Phillips 66 in Wilmington & Carson, Valero Wilmington, PBF Torrance, Chevron El Segundo)
 - Bay Area: ~40% (Chevron Richmond, Marathon Martinez (now closed, planning to switch to biofuels, Phillips 66 Rodeo (also planning to make biofuels), PBF Martinez, Valero Benicia)
 - Another ~5% in Santa Maria (Phillips 66 - closing 2023, Greka Energy Santa Maria) and Bakersfield: (Kern, San Joaquin)

- *GHG emissions from California Refineries and related Hydrogen⁴ Production made no reduction progress from 2000-2018, including after Cap & Trade adoption from 2011-2018 (MMTCO₂e)⁵:*

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
28.5	29.1	29.3	29.9	29.1	29.8	29.7	29.3	28.5	28.4	30.5	30.1	29.8	29.4	29.8	28.4	29.8	30.1	30.1

- *Crude oil refining from 2010-2019 in California, which remained at about 2.5 million bpd over this period⁶ - Scoping Plans and environmental policies did not result in cutting petroleum.*
- *Refineries emit major smog and toxic co-pollutants particularly harming EJ communities:*
 - CARB 2017 Oil Refinery Criteria Pollutants show large oil refinery “co-pollutants” emitted with Greenhouse Gases including: VOCs: ~6,000 tons/year, NOx: ~6,800 tons/year, SOX: about ~3,750 tons/year, PM_{2.5} ~2,540 tons/year
 - VOCs (including carcinogenic Benzene) at refineries are well known to be drastically underestimated. (e.g. the [Fluxsense study](#) in the SCAQMD published 2017 found every single refinery with major underestimation of VOCs (6 times higher on average), including Benzene (average over 40 times higher). (p. 94)
- *Not only are refinery operations major GHG & co-pollutant emitters, they are inherently dangerous, with regular explosions, fires, and spills in California, with just a small sampling here:*



⁴ This hydrogen is not to be confused with a clean fuels – it is made in refineries with methane for stripping contaminants or for hydrogen makeup in cracking, and has large GHGs associated with its production. Clean hydrogen is made for example through electrolysis, breaking down water molecules, using renewable energy. Most hydrogen made in California, by far, is fossil-fuel produced by refineries.

⁵ California Air Resources Board, GHG Emission Inventory Data, 2000-2018 GHG Inventory (2020 Edition), Million metric tons CO₂ equivalent, Excel spreadsheet available on this page at “Current Data”, tab “Figure 13” Industrial Sector Emissions: <https://ww2.arb.ca.gov/ghg-inventory-data>

⁶ US EIA (Energy Information Administration) found oil refineries in PADD 5 (a region dominated by California refineries) had gross inputs of crude oil of about 2.5 million bpd from 2010-2019: <https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=MGIRIP52&f=A> We did not include here the anomalous year of 2020, where refinery processing went down due to lack of demand during the pandemic, not because of state environmental policy. PADD 5 (Petroleum Administration for Defense District) is made up of California, Arizona, Nevada, Oregon, Washington, Alaska, and Hawaii – but heavily dominated by California refineries.

A few Refinery Phaseout Plan characteristics (not exhaustive – we will more fully comment later):

- **Stop increases in refinery throughput and permits for expansions immediately.**
- **Set a clear Phaseout Timeline – with at least 2030, 2045, and 2050 milestones,**
- **Consider prioritizing earlier phaseout of refineries which represent especially high dangers.** (Modified Hydrogen Fluoride use in LA could cause severe harm including death to millions of people during a major release, according to LA County Public Health.⁷ Currently only two refineries in California use MHF, and these are in earthquake hazard zones -- Valero Wilmington and PBF Torrance.)
- Prevent refinery conversions that add new harms:
 - **A wholesale biofuels conversion cannot solve the crude oil problem** – there is not enough demand for biofuels nor enough appropriate feedstocks to turn California crude oil refineries into biofuel operations.
 - **Oil refinery conversions to petrochemical producers is another danger** – Industry literature is rife with discussions about “optimizing petrochemicals” as a new strategy.
 - **Refineries should not be allowed to expand their production of “blue” hydrogen,** which is made from fossil fuels (methane). For limited cases where intensive energy such as hydrogen is necessary, CARB should require only use of green hydrogen from renewable energy driving electrolysis (hydrogen from water).
- **Mandate sufficient Zero Emission Vehicles, transit, and infrastructure** (such as charging) to replace refinery transportation fuels, as refineries phase out.
- **Plan a Just Transition for High-Road Jobs** to replace oil industry jobs, described further below.

A recent *Washington Post* article summarized frightening, extreme climate events around the globe, underlining the need for California to begin a serious phaseout of fossil fuels including oil refineries, oil drilling, and fossil transportation fuels. This article reported 118° F in Siberia, hundreds of deaths due to unprecedented June heatwave in the Pacific Northwest (115 ° F), and the following, with the admonition that we knew enough 20 years ago to take action. “*Climate change has gotten deadly. It will get worse*”:⁸

The intensity of recent weather extremes — and the certainty of still worse events to come — weighs on scientists. . . . [Michael] Wehner’s [Lawrence Berkeley National Laboratory] tone was somber as he discussed the wildfire smoke that choked California last summer, people whose homes burned down, a friend whose 90-year-old mother was killed when the town of Paradise was consumed by flames. . . . he recalled watching a news caster interview a Pakistani man whose two children had died in a 2015 heat wave. . . . he found that climate change had made the event 1,000 times more likely.

“It did not have to be this way,” he said. **“We have known enough to take action for 20 years. And if we had taken action 20 years ago, it would be a lot easier . . . I really wish we had been wrong. But we weren’t.”**

California itself has made repeated bad decisions undermining serious GHG cuts during the last ~20 years, including those that resulted in continuing support of the fossil fuel chain of Oil Refineries,

⁷ LA County found: “Field tests and experience from other major chemical incidents suggest that evacuation zones in response to an MHF release could extend up to ten miles from the refinery; **this equates to potentially millions of people at risk.**” The identified risks included “severe health damage and casualties”. April 2, 2019, Angelo Bellomo, Deputy Director for Public Health Protection, to Wayne Nasti, SCAQMD Executive Director, *Proposed Rule 1410, Hydrogen Fluoride Storage and Use at Petroleum Refineries in LA County*

⁸ July 3, 2021, <https://www.washingtonpost.com/climate-environment/2021/07/03/climate-change-heat-dome-death/>

Oil Drilling, and fossil Transportation fuels:

- a. California dropped the original 1990s Zero Emission mandates which would have put significant percentages of electric vehicles on the road in 2003;⁹
- b. The state opted for Cap & Trade - an ineffective pollution trading system in the first state Scoping Plan proceedings from 2008 to 2011, instead of direct emission reduction and fossil-fuel phaseout requirements;
- c. It dropped the 2015-2016 Senate Bill 350 requirement for 50% cuts in petroleum use by 2030;
- d. California re-committed in 2017 to Cap & Trade through 2030.

Now we are in a new phase – a new Scoping Plan, and a worsening extreme of climate change.

Although not enough, we do have plans for decarbonizing transportation, electricity, and even the beginning of plans on oil drilling. But none is planned for Oil Refineries – the state continues to plan Cap & Trade as the way to address refineries. This must change.

III. Oil Drilling should be phased out by 2035, with other immediate and interim milestones

The Scoping Plan would only be complete if it outlines a vision and a blueprint to eliminate climate and health impacts of supply side fossil fuels in California, and creates a robust just transition strategy and workforce development program for phasing out oil drilling starting with frontline communities.

The State of California should end all oil drilling operations by 2035. It should prohibit all acid well stimulation treatments, steam flooding, water flooding, cycling steaming, or other well stimulation treatments by end of 2026. Furthermore, all new oil drilling permit requests should be denied for operations within 2,500 feet of sensitive and/or residential receptors, and existing operations within this health and safety buffer zone, should be phased out effective immediately upon the approval of the scoping plan.

IV. Electricity

CBE as well as our coalition partner CEJA has been extensively involved in electricity planning proceedings of the California Public Utilities Commission (“CPUC”), the Los Angeles Department of Water and Power (“LADWP”), and the state legislature on related issues, for many years. Our work has included evaluating energy needs and resources to reduce gas-fired power generation while preserving reliability, maximizing clean renewable energy (including efficiency, generation, and storage), and increasing its access in low-income and communities of color.

California’s electricity grid has made considerable progress decarbonizing the grid, cutting GHGs, and cutting criteria co-pollutants, but still faces considerable work to complete the plans for deep decarbonization and equity. CBE will comment more fully on this key sector later in this process.

⁹ WHO KILLED THE ELECTRIC CAR? (2006).

V. **A Just Transition High Road Jobs plan is necessary in order to shift from a fossil fuel-based economy and cut emissions.**

Reducing emissions at a meaningful scale is a massive undertaking that requires our fossil fuel-reliant economic systems be simultaneously dismantled and remade. Within that shift, a climate plan must not ignore the lives of laborers and the communities that have come to rely on the fossil fuel industry. Furthermore, the success of a holistic climate plan for California has consequences far beyond state borders. California is one of the leading states in oil production and consumption,¹⁰ within the world's leading fossil fuel-consuming nation; the success of our climate goals has consequences for communities and ecosystems around the world.

A dedicated High Road Jobs plan is necessary to achieve the large-scale shift in industry that will make our emission reduction goals possible. To ensure California has an actionable plan for creating the clean energy jobs our energy economy requires, the Office of Planning and Research has begun to tackle the question of how to create a new system. As directed by Executive Order N-79-20, the OPR has partnered with the Labor and Workforce Development Agency to diversify the economy toward sustainable and equitable jobs.¹¹ Together, these offices have designed California's first Just Transitions Roadmap, to be delivered by July 15th, 2021. The goals of this Roadmap emphasize the supply-side changes that are required in order to achieve the state's 2030 emissions reduction goals.¹²

The other half of the equation is exactly how the existing system will be phased out. The Just Transition Roadmap centers economic concerns and seeks to envision how California will develop a new energy economy. It does not aim to plan the phaseout, but to ensure that there is something there in its place when it does get phased out. It is vital that the Scoping Plan remain a distinct facet of the state's plan so that a fossil fuel phaseout plan can inform the work of planned economic transitions.

CARB must provide a detailed *emissions* reduction plan to carve a strategic path towards the required fossil-fuel phaseout, alongside and in tandem with the important work of the OPR in building towards a truly just *economic* transition for workers and communities. The Just Transition High Road Jobs plan seeks to build new clean jobs and expand existing clean jobs, and support fossil fuel workers and communities. That plan does not aim to dismantle the existing system of the fossil fuel industry. Without planned fossil fuel phaseouts, workers cannot realistically prepare for the transitions necessary to protect everyone from the extreme consequences of the climate crisis.

The recent PERI Report recognized the urgency of the climate crisis, stating that “within the next 30 years, we must totally supplant our current fossil fuel-dominant energy system with one based

¹⁰ California is the sixth-biggest oil producer in the United States, which in turn is the world's biggest oil producer. See OIL PRODUCTION BY STATE 2021, WORLDPOPULATIONREVIEW.ORG (last visited July 9, 2021), available at <https://worldpopulationreview.com/state-rankings/oil-production-by-state>. California is also the second-biggest oil consumer in the United States, after only Texas. See U.S. STATE PROFILES AND ENERGY ESTIMATES, U.S. ENERGY INFO. ASSOC. available at https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_sum/html/rank_use.html&sid=US (last visited July 9, 2021).

¹¹ The Executive Order acknowledges that “the climate change crisis is happening now” and notes that “we must accelerate our actions to mitigate and adapt to climate change.” Executive Order N-79-20 (Sept. 23, 2020), available at <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf>.

¹² The OPR and LWDA Just Transitions Roadmap plans to center on five core elements: creating or sustaining high-quality clean jobs; expanding pathways into those new jobs; planning phased restructuring and redeployment; strengthening safety net programs for workers and communities; prioritizing a diversity of stakeholders in the process of implementing the plan. See GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, “Just Transition” (last visited July 7, 2021), <https://opr.ca.gov/economic-development/>.

on the combination of high efficiency and clean renewable energy sources.”¹³ The report was partially funded by United Steelworkers Local 675, and supported by an additional 18 California union, marking a growing acknowledgment of the need for united efforts to shift from an extractive fossil fuel economy towards a regenerative economy.¹⁴ CBE looks forward to listening to and collaborating with these union members to ensure they are not lost in the transition.

The report also recognized the need for a dedicated High Road Jobs transition plan. It provided some of the most detailed analysis of current workforce estimates, breaking down the employment numbers for each sector within the fossil fuel industry and locating those workers within their respective counties.¹⁵ The report started from the assumption that the state climate goals are achievable, and laid out a plan that responds to the projected effects of cutting half of all fossil fuel jobs—the industry contraction logically required to halve greenhouse gas emissions.¹⁶ It laid out the clean energy job creation that would provide new employment for fossil-fuel workers, and supported core Just Transition policies designed to support workers and ensure they are not left behind. These policies include guaranteeing the pensions of workers in affected industries; guaranteeing reemployment for displaced workers; and providing supplemental income, retraining, and relocation support for displaced workers.¹⁷

Based on the report’s analysis, the cost of funding a Just Transition is within California’s means. It will cost approximately \$138 billion annually to fund the creation of new clean jobs (including in manufacturing, land restoration, and agriculture), as well as the necessary updates to infrastructure, and the costs of supporting fossil fuel workers facing displacement.¹⁸ Contextualized within the overall budget, the funding needed to facilitate such a transition is 4% of California’s expected GDP.

CBE has and continues to organize on behalf of greater working conditions and union protections. In SoCal, when the Steelworkers had demonstrations outside of Phillips 66 Wilmington due to overworking causing potential safety hazards, CBE did not hesitate to come in support. When refinery workers are not allowed days off, both the workers and the community are at risk in this high-pressure and dangerous refining industry. CBE also has dialogued for mutual understanding between refinery workers and neighbors (including labor to neighbor trainings). In our Northern California office, CBE has historically had a close relationship with labor leaders, including by welcoming them onto our board. During the 2015 strike at the Martinez Tesoro refinery (now Marathon refinery), CBE was one of the only community organizations to join Steelworkers Local 5 on the picket line, striking for worker safety.¹⁹ CBE Richmond’s ongoing fight for stricter emissions regulations with the Rule 6-5 campaign is aimed at protecting not only the neighboring community, but the workers who are most exposed to toxic

¹³ ROBERT POLLIN ET AL., DEP’T. OF ECON. AND POLITICAL ECON. RESEARCH INST., A PROGRAM FOR ECONOMIC RECOVERY AND CLEAN ENERGY TRANSITION IN CALIFORNIA at 20 (2021), available at https://assets.documentcloud.org/documents/20805131/pollin-report.pdf?utm_id=30846&sfmc_id=3484482.

¹⁴ *See id.* at 1.

¹⁵ Nearly half of all fossil fuel workers in California are located in L.A., Contra Costa, and Kern Counties. *See id.* at 114.

¹⁶ “Employment in these industries will fall by about 58,000 jobs by 2030, as the oil, natural gas and bioenergy industries contract by half and coal is fully shut down.” *Id.* at 8.

¹⁷ *See id.* at 100.

¹⁸ “\$75.7 billion per year for clean renewable energy and energy efficiency; \$61.8 billion per year for public infrastructure/manufacturing and land reclamation/ agriculture; \$470 million per year in just transition support for displaced workers in fossil fuel-based industries.” *Id.* at 134.

¹⁹ *See, e.g., Striking Workers Approve Contract at Tesoro Martinez, Calif. Refinery*, REUTERS (March 25, 2015), <https://www.reuters.com/article/refinery-labor-strike-tesoro/striking-workers-approve-contract-at-tesoro-martinez-calif-refinery-idUSL2N0WR2U020150325>. CBE expressed support for Tesoro workers as well as workers at the Richmond Chevron Refinery, who were advocating for safer working conditions at the time. *See MEDIA ADVISORY, CBE Demand Safety from Chevron in Richmond During Workers Strike*, CBEcal.org (Feb. 17, 2015), <https://www.cbecal.org/media-advisory-cbe-demand-safety-from-chevron-in-richmond-during-refinery-workers-strike/2/>

particulate matter while on the job.²⁰ As the urgency of the climate crisis becomes inescapable, CBE is dedicating efforts to organize alongside labor allies and progressive city leaders for a Just Transition from refineries in our Richmond and Wilmington communities. In those efforts we seek to collaborate with labor unions and leaders to find ways to secure high quality employment for displaced workers, encouraging growth in the clean energy sector.

CBE supports the substantive benefits that fossil fuel-based workers will need for a Just Transition. Unions provide the benefits and power that we want all our community members to have. It will be necessary for the state to protect unions and benefits in clean energy jobs. To prioritize emissions reduction alone, at the expense of displaced workers and communities bearing the brunt of climate change already, would be an unjust transition. CARB must adopt an emissions reduction plan that prioritizes not only a just climate *outcome*, but a just and holistic *process* in getting there. It is not only possible, but necessary to do both.

We look forward to a robust process that recognizes what has failed in the past, the need for expeditious fossil fuel phase out planning, a serious recognition of the impacts to EJ communities and the need for equitable access to clean energy and healthy communities, as well as an improved EJAC process. CBE's comments here are preliminary and will be expanded as we receive more detail from CARB. Thank you for all your work on this essential process.

Sincerely,

Sharifa E. Taylor, CBE Staff Researcher (NorCal), member of the Environmental Justice Advisory Committee to CARB

Connie Cho, Justice Catalyst Legal Fellow at CBE, and member of the Environmental Justice Advisory Committee to CARB

Sara Jaramillo, CBE Law Clerk

Julia May, Senior Scientist, CBE

Bahram Fazeli, Research and Policy Director, CBE

²⁰ COMMUNITIES FOR A BETTER ENVIRONMENT, RULE 6-5 MYTHS AND FACTS (2021), <https://www.cbecal.org/wp-content/uploads/2021/06/Rule-6-5-Myth-vs.-Fact-Sheet.pdf>