

Comments Auction Proceeds-Workshops on ARB Guidance due 9.15.2014

The requirements of the legislation are:

1. Reduce GHG emissions.
2. Maximize economic, environmental, and public health benefits to the State.
3. Foster job creation by promoting in-State GHG emission reduction projects carried out by California workers and businesses.
4. Complement efforts to improve air quality.
5. Direct investment toward the most disadvantaged communities and households in the State.
6. Provide opportunities for businesses, public agencies, nonprofits, and other community institutions to participate in and benefit from statewide efforts to reduce GHG emissions.
7. Lessen the impacts and effects of climate change on the State's communities, economy, and environment.
8. Allocate at least 25 percent of the available proceeds to projects that provide benefits to disadvantaged communities.
9. Allocate at least 10 percent of the available proceeds to projects located within disadvantaged communities.

Investment categories/sub-categories are:

- Sustainable Communities and Clean Transportation
 - a) Low Carbon Transit Operations Program
 - b) Transit and Intercity Rail Capital Program
 - c) Affordable Housing and Sustainable Communities Program
 - d) High-Speed Rail Project
 - e) Low Carbon Transportation
- Energy Efficiency and Clean Energy
 - a) Energy Efficiency Upgrades/ Weatherization
 - b) Energy Efficiency for Public Buildings
 - c) Agricultural Energy and Operational Efficiency
 - d) Water Use Efficiency
 - e) Water-Energy Efficiency and Water Conservation
- Natural Resources and Waste Diversion
 - a) Wetlands and Watershed Restoration
 - b) Fire Prevention and Urban Forestry Projects
 - c) Waste Diversion

Investment Targets screening guidance are:

- 1) Is located within a census tract identified as a disadvantaged community and provides direct benefits to one or more disadvantaged communities; or*
- 2) Provides direct benefits to one or more disadvantaged communities.*

In relationship to the requirements and to the Investment Plan, there needs to be further identification of industry sectors or cluster category for market-based compliance, as Cap and Trade is not based on an individual emitters.

Disadvantaged communities may or may not be affected by these industry sectors and may not benefit while the state compliance issues would be reflected. In other words, there needs to be recognition of measurement of indirect benefit to disadvantaged communities. Urban forest offsets, in other census tracts or in Canada, would have no direct benefit to the Disadvantaged community. Agency appropriation is recognized in this text by using categorical appropriation progress measurement with only 10% (estimated) investment DIRECTLY within disadvantage communities.

There is also high expectations that transit and affordable housing will be beneficial to the requirements without a cross check to the industry emitters.

Data is missing as to offsets needed for compliance and reduction of greenhouse gas emissions.

You recognize the following as beneficial:

- urban forestry
- weatherization
- low carbon transportation

Data is needed to reflect accountability of investment in these categories. We see no basis of scoring at this point in time without a base established. Accounting should be based on comparisons and reduction targets. Individual emitters are not a criteria of Cap and Trade but the overall program is the criteria. This guidance establishes a need for a fixed criteria and location specific investment.

Weatherization would involve a knowledge of the built environment's age and condition baseline. Urban forestry would need a measurement of an air quality baseline as would low carbon transportation.

This dismisses other factors of air quality degradation such as oilfield gas emissions or industry sector emissions. Grandfathered emissions are not even addressed and limit the overall program to comply.

We question the use of "multiple benefits" as no legal definition exists. You use the sample:

For example, in the same neighborhood, agencies could work together to combine transit improvement projects with other projects (e.g., zero-emission buses, transit-oriented affordable housing, urban forestry, active transportation, etc.)

This means that a transit-oriented development with a park would benefit a disadvantaged community. That may have absolutely no effect on a disadvantaged community that has no nearby jobs or emitters in the vicinity. You have no baseline to ascertain benefit.

Missing entirely is a discussion on Health Risk Assessments in disadvantaged communities.

We question the use of the COMMUNITY ADVOCATES. We attempted to attend this workshop at UCLA and were denied entrance. You do not want to hear from those disadvantaged community members affected but from the investor front organizations that can make use of public money for personal gain. There is no due process.

SB 1018 expenditure records need audits on a timely basis. Entities applying for funding outside of a government agency should have no overhead expenses reimbursed.

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