



1918 University Ave, Suite 3C
Berkeley, CA 94704
Phone: (510) 868-0991
Web: www.thetwohundred.org
Email: info@ccbuiders.org

October 20, 2020

California Air Resources Board Members
California Air Resources Board Executive Staff
1001 I Street
Sacramento, CA 95814

California Air Resources Public Records Act Office
1001 I Street
Sacramento, CA 95814

RE: Agenda Item 20-11-6 Public Meeting to Consider an Update on Race, Equity, and the California Air Resources Board's Activities – Comments and Public Records Act Request

We write to again to object to the continued racist conduct of the California Air Resources Board.

- CARB willfully elected to increase housing costs and make it more difficult for people of color communities to close the wealth gap with homeownership. And then you had your lawyer argue – unsuccessfully - that it was constitutional for CARB to engage in racially discriminatory housing policies. Subsidizing rental housing for the poor does not excuse unlawful and immoral housing discrimination.
- CARB's biased mandate to reduce vehicle miles traveled even by electric cars deprives people of color of homeownership. Because of high housing costs, people of color have to drive until they qualify for housing they can afford. You want us to spend hours riding nonexistent buses with COVID-19 exposure while you glide around in a Tesla.
- Your leader equates the desperate plea of a choking victim of police brutality who can't breathe with your climate change agenda. Your plan kills well-paid jobs held by members of our community so you can import luxury items from foreign countries and create more GHG from transportation.
- You happily subject the children with asthma and other health conditions living near Ports and highways with more air pollution from aging diesel vehicles. You could have supported available cleaner truck technologies, but instead, you held out for an all-electric truck fleet that can navigate across the Mojave

desert and beyond. You deliberately trade away our communities' health for bragging rights about your "visionary" climate leadership in supporting nonexistent technology at the next Paris conference.

- CARB's top leadership reflects a white elitist environmental organization that former Sierra Club President and its first African American president in history decried when he confirmed that racism has been and remains pervasive in the environmental movement.

Not even we, however, could have predicted that in the wake of Black Lives Matter and an outpouring of long-overdue recognition of racism, this Board would have convened a "Public Meeting to Consider an Update on Race, Equity and the California Air Resources Board's Activities" to "provide staff guidance via resolution on work to remediate race-based harms" that included:

- ZERO DISCLOSURE. CARB's "comment deadline" is October 19, even though CARB's agenda makes evident that there will be ZERO information or documentation available on this item until two days later, at 9 am on the day of the CARB hearing.
- ZERO CONSULTATION. CARB tried and failed to dismiss our civil rights lawsuit against the 2017 Scoping Plan, which includes thoroughly documented evidence of CARB's racially discriminatory activities. Furthermore, CARB's counsel admitted the agency's racially discriminatory practices when arguing in writing, twice, that it was constitutional for CARB to engage in racially discriminatory housing measures. CARB isn't just racist; your lawyer has admitted it's racist. From the comfort of your Board members' homes, you have watched California's housing prices escalate, housing production plunge, homeless, and poverty rates increase.
- ZERO PARTICIPATION. CARB's meeting agenda website demands written comments to be filed two days in advance, but the website does not make it possible to submit comments on this Agenda item – it's just not important enough.

Notwithstanding our collective decades of civil rights advocacy and leadership against bureaucracies of all kinds, we continue to be shocked by CARB's egregiously racist conduct for this item and its overall regressive (which in California equates to racist) actions.

We now file this comment letter and demand that the report and any possible resolution on CARB and racism be postponed until other public members and we have reviewed the referenced report and planned resolution.

We also file this Public Records Act request for all documentation, including but not limited to emails and texts among and between Board members, staff, and third parties, relating to this Agenda item. We request that this information be provided in electronic format to minimize our cost.

CARB's failure over more than two years to complete our Public Records Act request on select search terms related to housing and racial discrimination is a shameful obstruction tactic to avoid being held to account in our civil rights lawsuit.

Finally, we condemn what has long been known in the civil rights community (which includes the environmental justice community) as a DAD – Decide, Announce, Defend – whitewash of the issue of clearly acknowledging and taking aggressive corrective measures against CARB's racism.

Policy statements, "those people should just ride the bus," waged in your so-called war against climate change are deplorable, given the ongoing COVID-19 calamity. Your latest furtive, secretive decision to try to sweep CARB's racist conduct under the radar screen with an unreleased, unreviewed report and resolution on race is a shockingly hurtful Trump-like tactic to achieve the Trumpian goal of keeping suburbs, homeownership, and efficient local mobility white.

CARB wants to put our communities back into the all-affordable rental housing "projects" that state and federal civil rights laws outlaw. CARB is long overdue for fundamental reform to align our leaders' global climate grandstanding with the urgent housing and mobility needs of our communities.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Gamboa', with a stylized flourish at the end.

John Gamboa
Vice-Chair
The Two Hundred