

**MEMORANDUM OF COOPERATION BETWEEN
THE GOVERNMENT OF CANADA
AND THE GOVERNMENT OF THE STATE OF CALIFORNIA
OF THE UNITED STATES OF AMERICA
CONCERNING CLIMATE ACTION AND NATURE PROTECTION**

THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE STATE OF CALIFORNIA, hereinafter referred to as “the Participants”,

CONSIDERING that the twin challenges of climate change and biodiversity loss are a global threat to the lives and livelihoods of individuals and communities, and that there is an urgent need for collaboration on solutions to mitigate and adapt to climate change, as well as to prevent and halt biodiversity loss;

CONSIDERING that vehicles and transportation fuels are a significant source of greenhouse gas and air pollutant emissions in both Canada and California and, that cutting transportation emissions is one of the most readily achievable and economically beneficial ways to mitigate climate change, while building cleaner and more resilient communities and economies;

CONSIDERING that the Department of the Environment of Canada (Environment and Climate Change Canada - ECCC) and the California Air Resources Board have an existing Memorandum of Understanding to promote and carry out cooperative activities on policy and regulatory measures that reduce emissions of greenhouse gases and air pollutants including from: vehicles, engines and fuels;

CONSIDERING that there are further opportunities to collaborate and share information on light-, medium-, and heavy-duty vehicles, off-road equipment, clean and renewable fuel standards and charging infrastructure;

CONSIDERING that the development, adoption and scale up of clean technologies such as hydrogen, carbon capture, utilization and storage, clean energy, among others, is critical to meet their emission reduction goals;

CONSIDERING that Canada and California are implementing a range of complementary voluntary and regulatory actions spanning the plastics lifecycle in order to address the threats of plastic waste and pollution, including microplastics, on the health of the environment and ecosystems, including wildlife, rivers, lakes and oceans, and to accelerate the adoption of innovative technologies and advance the transition towards a circular economy for plastics that will reduce pollution and have positive economic impacts;

CONSIDERING that both Canada and California are experiencing more frequent extreme weather events, such as wildfires, stronger storms and droughts, eroding coastlines and floods, as well as experiencing increasing social and economic losses from current and future impacts of climate change and that urgent action is needed to adapt and build resilience, including through the use of nature-based solutions;

CONSIDERING that Canada is developing a National Adaptation Strategy and California has recently updated its Climate Adaptation Strategy;

CONSIDERING that both Canada and California are working to accelerate action on biodiversity conservation in the face of the climate crisis, in particular through Canada's commitment to conserve 30 percent of its lands and waters by 2030 and California's similar commitment to conserve 30 percent of its lands and coastal waters by 2030;

CONSIDERING that Indigenous knowledge, including customary practices and cultural values, is essential in the fight against climate change, land degradation and biodiversity loss and that both Canada and California have committed to engaging Indigenous peoples;

CONSIDERING that further collaboration between the Government of Canada and the Government of California would help them to achieve their climate change mitigation, adaptation and biodiversity objectives;

HAVE REACHED the following understanding:

1. OBJECTIVE

- (a) The objective of this Memorandum of Cooperation (MOC) is to establish a flexible framework for the Participants to promote and carry out cooperative activities in order to advance their respective policies and regulatory measures aimed at reducing pollution, adapting to climate change and conserving nature according to the Participants' respective competencies and based on principles of equality, reciprocity, information exchange and mutual benefit. In doing so, the Participants share the following common objectives:
 - (i) Facilitate collaboration on their zero emission transport goals, including light-duty vehicle ZEV sales and emission reduction targets, related incentive programs, and efforts to reduce the carbon intensity of fuels and to reduce and eliminate emissions from medium- and heavy-duty vehicles and off-road engines;
 - (ii) Promote the use of clean technologies to meet their emission reduction and Canada's net zero goals, California's carbon neutrality and to build resilience;
 - (iii) Share information, lessons learned and best practices on climate adaptation, nature-based solutions, circular economy and plastics to support their respective policy and regulatory development.

2. AREAS OF COOPERATION

- (a) The Participants intend to advance their respective policies and regulatory measures aimed at preventing pollution, adapting to climate change and conserving nature through initiatives focused particularly on the following areas of cooperation:
 - (i) Clean Transportation;
 - (ii) Clean Technology and Innovation;
 - (iii) Biodiversity Conservation;
 - (iv) Climate Change Adaptation;
 - (v) Circular Economy, including Plastics Management;
 - (vi) Any other areas of cooperation they may jointly decide upon.

3. COOPERATIVE ACTIVITIES

- (a) The Participants may carry out the following cooperative activities:
 - (i) Collaboration and sharing of technical information and/or best practices on regulatory development and administration, research, and policy and program development related to their respective regulations for greenhouse gas and other emissions and ZEV targets for light-, medium-, and heavy-duty vehicles and off-road equipment, as well as incentive programs, and low-carbon fuels among others;
 - (ii) Collaboration and sharing of information and/or best practices related to advancing innovation, investment, adoption and scale up of clean technologies, including measures that drive emissions reductions by 2030 and net zero emissions by mid-century, as well as exploring collaboration opportunities with academia and private sector and to exchange information on strategies with respect to emerging clean technologies;

- (iii) Sharing of information and best practices on biodiversity conservation in the face of the climate crisis, such as: understanding the impact of climate change and other stressors on biodiversity; protecting areas that are important for biodiversity, including climate refugia; accelerating biodiversity conservation efforts; conserving 30% of lands and waters by 2030; developing robust monitoring and evaluation programs to track progress toward biodiversity conservation goals; and meaningfully engaging stakeholders and indigenous peoples in biodiversity conservation (including approaches for considering and co-applying Indigenous Knowledge where made available by and with consent of knowledge holders);
- (iv) Sharing of information and best practices to advance climate adaptation and build resilience to the impacts of climate change such as rising sea levels, flooding, extreme heat, wildfires and droughts, including, for example, knowledge exchange on nature-based solutions and their potential benefits such as public health and safety, economic prosperity, food and water security, and carbon sequestration;
- (v) Sharing of information and best practices on circular economy initiatives, approaches and methods beyond traditional recycling;
- (vi) Collaboration and seeking areas of harmonization in policies and regulations related to circular economy as well as reducing plastic waste and pollution, where appropriate, to prevent plastic pollution including from microplastics and commonly littered single-use plastics; address misinformation regarding the recyclability and compostability of plastics; advance plastic pollution science and performance measures or indicators; strengthen demand for recycled plastics; and share information and best practices on research and policy measures such as the implementation of strategies and action plans.

4. IMPLEMENTING AUTHORITIES

The Participants respectively designate ECCC and the California Environmental Protection Agency to establish a work plan to implement the objectives of this MOC and commit to report back on progress annually.

5. POINTS OF CONTACT

(a) The Participants designate the following as their point of contact for communication and information exchange, as well as any notice required to be submitted under this MOC:

(i) For ECCC:

Jeanne-Marie Huddleston,
Director General,
Bilateral Affairs and Trade Directorate,
International Affairs Branch

(ii) For the California Environmental Protection Agency:

Shereen D'Souza,
Deputy Secretary for Climate Policy and Intergovernmental
Relations

6. AVAILABILITY OF PERSONNEL AND RESOURCES

(a) The Participants understand that:

(i) this MOC does not involve the exchange of funds, nor does it represent any obligation of funds by either Participant;

(ii) all costs that may arise from activities covered by, mentioned in, or pursuant to this MOC are expected to be assumed by the Participant who incurs them, unless otherwise jointly decided upon in a separate instrument;

(iii) all activities carried out pursuant to this MOC are subject to the availability of funds, personnel and other resources of each Participant.

(b) The Participants understand that their personnel is expected to work under their respective orders and any other organization or institution to which the personnel already belongs, at all times maintaining any preexisting employment relationship only with them and the organization or institution, and not with any other Participant.

7. RESPECT OF APPLICABLE LAWS

The Participants understand that they will carry out the activities and understandings outlined in this MOC in accordance with their respective laws.

8. INTELLECTUAL PROPERTY

If, as a result of the activities developed in accordance with this MOC, intellectual property issues arise, the Participants intend to address them in a separate and appropriate instrument.

9. DIFFERENCES IN INTERPRETATION AND APPLICATION

The Participants intend to resolve any difference in the interpretation or application of this MOC through consultations.

10. STATUS

This MOC is a voluntary initiative and is not legally binding. In addition, the commitments in this MOC are not conditioned upon reciprocal actions by the other Participant; each Participant retains full discretion over implementation of its commitments in light of the Participant's individual circumstances, applicable law, and policies; and each Participant is free to withdraw from this MOC.

11. FINAL DISPOSITIONS

- (a) This MOC is intended to take effect on the date of its signature by the Participants and to remain valid for five years. The Participants may extend this MOC upon their mutual written consent.
- (b) The Participants may modify this MOC at any time upon their mutual written consent.
- (c) Either Participant may, at any time, terminate this MOC by providing a written notice to the other Participant. A Participant who intends to terminate this MOC is expected to endeavor to provide notice of such withdrawal to other Participants 30 days in advance.
- (d) The Participants understand that termination of this MOC is not expected to affect the conclusion of the cooperative activities that may have been initiated during the time MOC was in effect, unless the Participants jointly decide otherwise.

SIGNED in duplicate at Los Angeles on this 9th day of June 2022, in the English and French languages, both versions being equally valid.

FOR THE GOVERNMENT OF CANADA

**FOR THE GOVERNMENT
OF THE STATE OF CALIFORNIA
OF THE UNITED STATES OF AMERICA**

Steven Guilbeault
Minister of Environment and Climate
Change

Jared Blumenfeld
Secretary for Environmental Protection