



Little Manila RISING



October 22, 2020

TO: California Air Resources Board Members and Staff

CC: San Joaquin Valley Air Pollution Control District
U.S. Environmental Protection Agency, District 9
California Environmental Protection Agency

On behalf of the Central Valley Air Quality Coalition (CVAQ) and undersigned member organizations, we would like to thank the California Air Resources Board (CARB) for current efforts and we continue to advocate for additional actions to reduce particle pollution 2.5 microns or smaller (PM 2.5). The backdrop of the region we work within is key to understanding where the solutions to our vexing air pollution problems lie. The San Joaquin Valley is a sacrifice zone, proof of what happens when extraction and profit are prioritized above all else. Our region suffers from layered injustices such as food and economic insecurity, lack of access to health care, lack of access to safe and affordable housing, lack of basic human rights like clean air, and more. These problems intersect with and are only heightened by COVID19, wildfires worsened by the climate crisis, and institutionalized racism and oppression. We call other places “3rd world” countries but we have the same conditions in our region, with some of the highest rates of concentrated poverty and pollution anywhere in the United States. Our situation must not be normalized; it is a political and economic choice, and it is a travesty that in the 5th largest economy in the world we are still living in these conditions.

We know the major contributors to our air pollution: the oil industry, industrialized agribusiness, as well as sprawling and mismatched land uses with heavily trafficked transportation networks. The overlapping authority of the CARB and San Joaquin Valley Air Pollution Control District (Valley Air District) mean that both agencies have a critical role to play regarding enforcement as well as adoption of additional pollution reduction measures. While this letter does not endeavor to provide a comprehensive review of what is needed to attain health protective National Ambient Air Quality Standards (NAAQS) for PM 2.5, we want to highlight several relevant examples. (Please refer to CVAQ’s SIP revision letter to CARB from September 2019 for additional details.)

The oil and gas sector is a major contributor to our air pollution that enjoys many loopholes allowing them to buy their way out of pollution instead of directly mitigating it, from mitigation banks to inter-pollutant trading schemes to exemptions for “small producers.” These loopholes concentrate pollution in communities of color and low income communities. While California claims to be an environmental leader, we suffer some of the worst injustices in the United States. Sprawling commercial, industrial, and residential development and the proliferation of magnet sources such as warehouses continue to expand their footprint in the region. On both fronts, CARB’s efforts to electrify transportation can reduce demand for oil and reduce emissions, but current timelines will not bring those benefits to our region until after the 2024/2025 attainment deadline we are facing. Enforcement of existing measures must also be rigorously applied to mobile sources in the region, including Heavy Duty Vehicle Inspection and Maintenance efforts. We also support strategies to electrify homes, which provides an immediate benefit to indoor air quality while putting us on the long overdue path to phasing out fossil fuels. Electrification must be matched with improved building and community design and diverse mobility options, and powered by renewable energy and sustainable storage.

We welcome opportunities identified by CARB staff to further reduce emissions from sources such as locomotives, cargo handling equipment, as well as off road vehicles and construction and mining equipment. Off road equipment should include all equipment, including but not limited to construction and mining equipment. Cargo handling equipment should encompass the equipment used at proliferating “inland ports” of warehouses and distribution facilities, along with the already identified equipment at ports, intermodal facilities, and railyards. While we welcome these advancements, commitments and timelines must be accelerated to achieve the reductions we so desperately need in the Valley, and reliance on incentive funding for these programs must be reduced. Measures to address emissions from agricultural equipment need a regulatory approach rather than the current emphasis on incentivizing equipment turnover.

For all additional measures identified by CARB staff, emission reductions must be fully quantified as soon as possible to ensure they will successfully fill significant gaps in the state’s existing 2018 PM 2.5 State Implementation Plan (SIP). Regardless of the overall viability of these measures, the clock is running out to approve and implement any additional measures aimed at helping the San Joaquin Valley meet attainment with existing PM2.5 NAAQS standards by the 2024/2025 attainment deadline. The need for additional measures has only increased as a funding gap of +\$150 million that emerged in 2019 and has increased to around \$550 million annually, creating a total shortfall in incentive funding of up to \$2.7 billion leading up to the Valley’s attainment date.

Enforcement and ground truthing data are also vital, including the review of the top 27 stationary sources of PM 2.5 in the San Joaquin Valley that your board directed staff to conduct when the SIP was adopted in January 2019 but has not yet been acted on. We ask that you expedite this

review, particularly where these facilities are in disparately impacted environmental justice communities.

Ammonia, emitted primarily from agricultural sources such as Large Confined Animal Feeding Operations (LCAFOs), warrants continued examination and increased regulation. Ammonia combines with oxides of nitrogen and oxides of sulfate to form approximately 60% of the mass of PM 2.5 in the San Joaquin Valley, making it the most influential precursor to PM 2.5 in the Valley. We recommend that CARB staff thoroughly evaluate the feasibility and costs of strategies to achieve a 30% reduction in ammonia.

The San Joaquin Valley Air District can certainly do more to regulate and enforce regulations on stationary sources, particularly in disproportionately impacted communities. Open agricultural burning is just one example of a practice meant to be phased out over a decade ago that has benefited from continued extensions. Impacted communities have been waiting for follow through on this long standing commitment. Residential wood burning could be further curtailed and a phase out should be planned rather than incentivizing “cleaner” burning devices when realistically, no burning should occur. As you all well know, the Emission Reduction Credit banking system needs a complete overhaul, with unexamined banks and credits reviewed and additional measures taken such as disallowing interpollutant trading. We will continue to push for additional action in these areas, and need CARB to play a strong oversight role.

To address the environmental injustices experienced by communities of color and with lower incomes over the long term, agencies must work together on integrated planning processes that reduce concentrations in the most polluted areas, fundamentally breaking the pattern of mismatched land uses where toxic facilities are located near sensitive sites. These integrated community planning processes can reduce harm, but to be clear, we are not asking that these pollution sources be relocated somewhere further away from people or outside of the Valley. Improved planning must be complemented by exercising regulatory authority to make existing industries more sustainable overall as well as ultimately phasing out industries that are not sustainable. The Community Air Protection Program (AB 617) is a step in that direction that must move further faster, and those efforts must ultimately expand to actively engage all relevant agencies while centering the most impacted community residents.

We are encouraged that CARB is seeking to reduce its previous overreliance on unsecured incentive funding and have identified a suite of additional measures to reduce PM pollution in the San Joaquin Valley. We continue to ask that CARB increase oversight of stationary sources of pollution and to finally initiate the review of the top stationary sources of PM 2.5 in the region. The previously identified opportunities for emission reductions and increased oversight and enforcement are critical steps toward ensuring San Joaquin Valley residents breathe clean air every day.

Sincerely,

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