



CENTER ON RACE, POVERTY & THE ENVIRONMENT

1999 HARRISON STREET, SUITE 650, OAKLAND, CA 94612 TEL 415-346-4179 FAX 415-346-8723
1012 JEFFERSON STREET, DELANO, CA 93215 TEL 661- 720-9140 FAX 661- 720-9483
WWW.CRPE-EJ.ORG

March 22, 2018

California Air Resources Board
1001 "I" Street
Sacramento, CA 95812

VIA EMAIL
cotb@arb.ca.gov

Re: Public Comment on March Board Meeting, Discussion Item 18-2-7: Public Meeting to Hear an Update on Implementation of Assembly Bill 617 (The Community Air Protection Program)

Chair Nichols and Members of the Board,

The Center on Race, Poverty and the Environment thanks the Board and CARB staff for this opportunity to comment on the progress staff has made in implementing AB 617. We offer the following three points.

First, AB 617 requires CARB to develop, by October of this year, a statewide strategy to reduce criteria and toxic pollution in areas of the state affected by a high cumulative exposure burden. We emphasize the requirement to consult with environmental justice groups in developing this strategy. However thus far, we have received only concepts from staff, but no actual and concrete proposals. Although we support additional monitoring, the state already possesses enough information to be able to begin immediately reducing pollution in overburdened communities. The statewide strategy requirement of the Community Air Protection Program must include such actual measures geared towards the immediate protection of public health.

Second, we are pleased that staff acknowledge the need to include such measures for immediate action in the statewide strategy. At the Technical Summit held on February 22nd in Oakland to discuss the statewide strategy, staff confirmed that the strategy would include early action measures to achieve pollution reductions on an immediate timeline. Concurrently, staff also encouraged suggestions from environmental justice community residents, and, confirmed that early action strategies would go beyond incentive programs, such as the Carl Moyer program, to include direct emission reduction measures.

PROVIDING LEGAL & TECHNICAL ASSISTANCE TO THE GRASSROOTS MOVEMENT FOR ENVIRONMENTAL JUSTICE

RALPH SANTIAGO ABASCAL (1934-1997) DIRECTOR 1990-1997

LUKE W. COLE (1962-2009) EXECUTIVE DIRECTOR 1997-2009

Finally, San Joaquin Valley residents attended the Technical Summit on February 27th to discuss the State Strategy in Bakersfield, and provided specific examples of such early action measures. The residents noted the significant public health impacts and risks of living in such proximity to active or poorly abandoned oil and gas extraction wells, and emphasized the inadequate regulatory oversight. Pursuant to SB 4, the California Natural Resources Agency commissioned the California Council on Science and Technology to conduct an independent scientific assessment of oil and gas extraction operations, including fracking, in California. A report of the assessment was released *practically three years ago*, detailing recommendations to reduce toxic and criteria pollution in areas of the San Joaquin Valley that face a cumulative burden of the more than 85% of well-stimulation events that occur in California. To date, absent the initiation of the SNAPS program, little has been done to implement these recommendations. Those recommendations include the following, and we emphasize, to be initiated before the completion of monitoring studies:

1. *Surface setbacks* to protect public health by limiting exposures to harmful pollutants.
2. *Limiting Production* to achieve actual pollution reductions.
3. *Adequate control measures* for toxic air emissions, leaks and spills.

These recommendations fit squarely within the ambit of AB 617's statewide strategy, and the early action items to achieve immediate pollution reductions detailed in the Concept Paper.

We look forward to continuing to work with staff to ensure an adequate implementation of AB 617 that must include such real, and immediate, measures to protect public health.

Sincerely,

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

Paulina Torres
Staff Attorney