

## Attachment B

# Community Air Protection Program

## DRAFT Process and Criteria for 2018 Community Selections

Assembly Bill 617 (AB 617) requires the California Air Resources Board (CARB or Board), in consultation with the air districts and other stakeholders, to select priority locations around the State with the highest cumulative exposure burden for criteria pollutants and toxic air contaminants for the deployment of community air monitoring systems (campaigns) and/or preparation of community emissions reduction programs. The law establishes several criteria for community selection, including prioritization of disadvantaged communities and sensitive receptor locations. CARB must select an initial list of communities by October 1, 2018.

**Comment [A1]:** Designing term-limited monitoring “campaigns” will facilitate more efficient allocation of program resources and support long term program sustainability.

To ensure CARB is drawing on existing resources and knowledge in establishing a list of communities, CARB staff is requesting recommendations from air districts and community members. Staff will review these recommendations as part of a statewide assessment and process for proposing communities in fall of 2018 for Board consideration.

This important new program will evolve over time. As more data becomes available and we learn from our initial efforts, staff anticipate that the Process and Criteria for Community Selections will also evolve.

**Draft release date:** February 7, 2018



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## Overview

Assembly Bill 617 (AB 617)<sup>1</sup> provides a new community-focused action framework to improve air quality and reduce exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. The bill recognizes that while California has seen tremendous improvement in air quality, some communities still suffer greater impacts than others. It is these communities that require special attention and accelerated action. AB 617 builds on the foundation of existing air quality legislation and programs, providing additional tools to target actions in communities that bear the greatest air pollution burdens.

**Comment [A2]:** The document indicates that only communities which “suffer greater impacts than others” require special attention and accelerated action. ARB must develop objective, science-based criteria for identifying these communities.

This first-of-its-kind statewide effort, established by AB 617, includes community-based air monitoring and local emissions reduction programs. In addition, the Legislature has appropriated immediate incentive funding to clean up mobile sources such as trucks and buses in impacted communities, as well as grants to support community participation in the AB 617 process. AB 617 also includes new requirements for accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data that will help advance air pollution control efforts throughout the State. This new authority enhances and strengthens existing clean air programs, and improves our ability to achieve equity in the delivery of clean air benefits to all Californians.

**Comment [A3]:** AB 617 includes new requirements for accelerated *evaluation* of the need for retrofit pollution controls on industrial sources. It does not predetermine the need for additional controls.

AB 617 requires CARB, in consultation with the air districts, communities, and other stakeholders, to select initial communities by October 1, 2018, and annually thereafter, for the deployment of community air monitoring campaigns and/or preparation of community emissions reduction programs to reduce emissions and exposure. This will include communities around the State with the highest cumulative exposure burden for criteria pollutants and toxic air contaminants. The law establishes several criteria for community selection, including prioritization of disadvantaged communities and sensitive receptor locations.

**Comment [A4]:** “Monitoring” communities are not necessarily the same as “emission reduction” communities. It is possible that some communities selected for monitoring may not need an emissions reduction program based on monitoring results. However, a community selected for an emissions reduction program will need a companion AB 617 monitoring program to track progress toward achieving program objectives.

Many air districts have valuable expertise on existing monitoring systems, key emissions sources, and community impacts. Examples include the Bay Area Air Quality Management District’s Community Air Risk Evaluation (CARE) program and the South Coast Air Quality Management District’s Multiple Air Toxics Exposure Study (MATES), as well as other community level monitoring and risk assessment programs. As the air districts are tasked with establishing the air monitoring networks, as well as, developing and implementing the community emissions reduction programs, it is important that they be highly engaged in the process to select priority communities.

**Comment [A5]:** These programs will be important elements of the AB 617 implementation process.

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<sup>1</sup> AB 617, Garcia, C., Chapter 136, Statutes of 2017.

Communities themselves also have first-hand knowledge of local air quality impacts, emissions, communicating data to residents, and addressing local air quality concerns. This direct experience is critical for understanding community needs and developing recommendations of priority communities for implementation of AB 617 requirements.

**Comment [A6]:** In fact, knowledge of these issues among members of a given community may be very limited. Some community representatives will certainly have concerns or personal experiences which may necessitate further study. ARB should consider replacing this statement with the following language: "Community residents have first-hand knowledge of community health issues and perspectives on air quality that should be evaluated"

CARB has begun an extensive public process to implement AB 617's provisions, including community and informational meetings across the State, small group stakeholder discussions and presentations, and an update to the Board. Along with the public process for development of air district recommendations described below, CARB will continue to seek public input on the overall statewide list of recommended communities through additional workshops and public meetings throughout the spring and summer. Staff will consider the air districts' recommendations, community recommendations, public input, and CARB's statewide assessment in recommending communities for the Board's consideration this September. As part of the process of proposing priority communities, the air districts will also reach out to local communities to help inform and guide their recommendations. We anticipate providing recommendations for first-year communities along with a larger list of additional communities to be considered for prioritization in subsequent years.

## Community Self-Recommendations

**Comment [A7]:** Please confirm that ARB will post both the community nominations and air district recommendations for public review.

Identification of the most heavily burdened communities will be based on a number of factors that characterize cumulative exposure to criteria pollutants and toxic air contaminants within disadvantaged communities. Community member input is critical for this identification. As such, CARB is seeking community self-recommendations. Those recommendations can be submitted directly to the applicable local air district and/or to CARB in the form of a one-page write-up that includes:

- Community location.
- Whether the community is nominating itself for deployment of a community air monitoring campaign, development of a community emissions reduction program, or both.
- A brief description of the community.
- A brief description of the air pollution concern. If available, include information on sources of air pollution and data on air pollution impacts to the community.

The community self-recommendations will be included in technical evaluations completed by the air district and/or CARB, which will ultimately inform the list of communities identified for the Board's consideration in September of 2018.

## Community submittal

A community member should submit their recommendation to their respective air district. CARB also encourages the community member to provide a copy to CARB.

**Comment [A8]:** Allowing a single community member to nominate their community for monitoring and/or an emissions reduction program has the potential to greatly expand the scope of AB 617 implementation. ARB may want to consider a threshold for nominations or require that they come from a community organization or a government entity.

directly at [communityair@arb.ca.gov](mailto:communityair@arb.ca.gov) or at the postal address below and please indicate that it is a submittal for community recommendation:

Laura Zarembo-Schmidt  
California Air Resources Board  
9480 Telstar Avenue #4  
El Monte, California 91731  
Phone: (626) 459-4394

## Air District Recommendations

Air districts play a critical role in identifying local air pollution sources and have the historical knowledge of air quality information throughout their regions. Through the community identification process air districts can utilize their expertise to provide recommendations on communities that have the highest cumulative exposure burden for criteria pollutant and toxic air contaminants in their air basin. This will include assessment of community self-recommendations. Air districts must consider the following criteria in developing community recommendations:

- Information about concentrations of criteria air pollutants and toxic air contaminants from measurements, air quality modeling or other information quantifying exposure burden.
- Sensitive receptors (e.g., schools, day care centers, hospitals), exposed population, and proximity to mobile and stationary emissions sources of concern, including freeways.
- Density of contributing emissions sources and magnitude of emissions within the community including mobile, area-wide, and stationary sources.
- Public health indicators<sup>2</sup> that are representative of incidence or exacerbation of disease related to air quality.
- Cancer risk estimates based on air quality modeling.
- Socio-economic factors such as poverty levels, unemployment rates, and linguistic isolation.

Numerous data sources, tools, and approaches exist to guide air district assessment and prioritization of communities. CARB expects that the evaluation and identification of cumulative exposure will rely on a compilation of data sources and tools. The

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<sup>2</sup> In addition to air pollution, structural determinants of health such as neighborhood poverty, racial/ethnic segregation, violence, access to food, access to health care, lack of green space; exposure to other environmental hazards such as noise, poor water quality and pesticides; behavioral factors such as smoking and other substance abuse; unhealthy diet; as well as possible genetic factors all influence an individual's health.

**Comment [A9]:** Air districts should identify all emission sources prior to this step. Otherwise this process is likely to be limited only to consideration of large stationary sources. This outcome would be inconsistent with statutory requirements.

**Comment [A10]:** In the Technical Summits, ARB discussed the idea of creating a more granular "community emissions inventory" for communities selected for emissions reduction programs. We support this concept and recommend that ARB also extend it to community monitoring campaigns to ensure they address all relevant sources.

**Comment [A11]:** This criterion responds to AB 617's directive to focus on disadvantaged communities. However, socio-economic factors provide no insight into which communities "have the highest cumulative exposure burden for criteria pollutants and toxic air contaminants in their air basin" and cannot be the only basis for designating communities for monitoring campaigns and/or emissions reduction programs.

California Communities Environmental Health Screening Tool 3.0 (CalEnviroScreen 3.0) is an important initial screening tool to identify communities that are considered highly burdened. Air districts should also evaluate additional sources of data and local knowledge that may be available in refining and prioritizing their lists of recommended communities for the purposes of AB 617. This may include evaluating the air quality related layers in CalEnviroScreen to further refine analyses to identify communities that are disproportionately impacted by air pollution. Links to data sources to assist in evaluating communities for recommendation purposes can be found at: [HYPERLINK "https://ww2.arb.ca.gov/community-air-protection-program-data-sources-developing-assessments"](https://ww2.arb.ca.gov/community-air-protection-program-data-sources-developing-assessments)[assessments](https://ww2.arb.ca.gov/community-air-protection-program-data-sources-developing-assessments). [assessments](https://ww2.arb.ca.gov/community-air-protection-program-data-sources-developing-assessments).

**Comment [A12]:** We suggest substituting "is" with "may be" or "can be."

These data sources include, but are not limited to:

#### State information

- Additional data layers available within CARB's Environmental Justice Screening Method, including sensitive receptor and hazard proximity data that complement the CalEnviroScreen 3.0 results
- California Emission Inventory for mobile, area-wide, and stationary sources
- CARB Air Pollution Mapping Tool
- Hotspots Analysis and Reporting Program Version 2 model
- Statewide air quality monitoring network data

#### Local air district information

- Community-scale emission inventories
- Community air quality monitoring and special studies
- Regional or local air quality modeling
- Health risk assessments and other health-based studies, surveys, and data
- Notices of violation and other enforcement actions related to air quality impacts
- Number and type of air quality complaints related from the community

**Comment [A13]:** This section should include an additional bullet specifying a list of all sources of emissions in the community.

**Comment [A14]:** This is a critical step in the community screening and prioritization process. ARB should develop community-scale emissions inventories for both monitoring campaigns and community emissions reduction programs.

#### Federal resources

- National Emission Inventory
- Risk Screening Environmental Indicators model
- U.S. EPA Environmental Justice Screening and Mapping Tool
- National Air Toxics Assessment

**Comment [A15]:** NOV and complaints should not be included on this list. NOV may be unrelated to actual emissions or permit limit violations. Complaints may not be substantiated or attributed to a particular source. Large industrial sources typically have dedicated inspectors and hundreds of regulations resulting in hundreds of thousands of compliance obligations. These criteria are likely to bias the selection process toward communities with large stationary sources, regardless of whether those sources contribute materially to air quality problems in the community.

To identify an initial list of potential communities, air districts should conduct a technical assessment using the applicable data sources identified above and meet the following requirements for all communities under consideration, including any communities within the air district's boundaries that have self-recommended to the air district or CARB. Air districts that have recently completed technical assessments of communities within the air district may use that work as the foundation for establishing the preliminary list.

**Comment [A16]:** In the interest of transparency, ARB should include a list of communities for which local air districts "have recently completed technical assessments."

To refine the initial submittal of candidate communities into the list of recommended communities, participating air districts must conduct a public process.

#### Public process minimum requirements

As part of their outreach efforts, each participating air district must:

- Hold at least one public workshop for all stakeholders.
- Hold community-level meetings in areas within the air district such that members from each community under consideration can easily participate:
  - Coordinate with community leaders and community-based organizations to determine the appropriate place and time for the meetings.
  - Provide interpretation services and/or materials to communities in appropriate languages.

#### Additional considerations in developing recommendations

In addition to the initial technical assessment and public input, air districts should consider additional factors in recommending communities for community air monitoring campaigns and/or community emissions reduction program preparation, including but not limited to:

- Existing community monitoring and/or emissions reduction efforts.
- Community organization administrative and technical resources.
- Anticipated community, government, and business stakeholder resource needs for capacity building, mitigation, public process, etc.

Implementation in the first year should focus on the highest priority communities with the greatest readiness to implement air monitoring campaigns and/or community emissions reduction programs to ensure that programs will provide near-term success in reducing emissions, as well as inform future implementation in additional communities with similar challenges. Communities that have significant exposure burdens, but where community-level air quality information or understanding of contributing sources is limited, are likely to be priority candidates for deployment of community air monitoring campaigns.

Communities with well-characterized source contributions, either from existing community monitoring or other data sources, are likely to be priority candidates for initial community emissions reduction program development. Recommendations for subsequent years should expand programmatic coverage to additional communities with greater resource or data collection needs and which may be good candidates for applying lessons learned from initial implementation.

CARB staff anticipate that the number of recommended communities in 2018 will greatly exceed the number that can be addressed during the early years of the program. A system for categorizing communities that cannot be addressed in the first year, but are priorities for future action, will be proposed as necessary. Thus we plan to maintain a multi-year list of potential communities for overall Program inclusion. In subsequent years as new data becomes available, CARB staff will continue to update and enhance the assessment and list of communities through updated emissions data, community air

**Comment [A17]:** WSPA recommends ARB clarify in this section that the public process should also involve facilities that operate within the community and which could be subject to new requirements under an AB 617 monitoring or emissions reduction program.

**Comment [A18]:** The purpose of this consideration is unclear. Any community already subject to AB 617-like monitoring and/or emission reduction programs would satisfy the intent of the statute and should not be singled out for further review and controls through the AB 617 implementation process. That outcome would be an inefficient allocation of limited program resources to the detriment of other communities that might benefit from AB 617 programs. Furthermore, the fact that a community already has monitoring or organizational infrastructure does not mean that it is one of the few communities in the state with the "highest cumulative emissions burden."

**Comment [A19]:** Basing the program on a finding of "readiness" is very likely to result in selection of communities that are already conducting more comprehensive monitoring and community outreach, and are working toward additional emissions reductions. As noted above, the fact that this kind of work is already underway in some communities does not mean that those communities have the "highest cumulative emissions burdens" relative to other communities. This approach may result in misallocation of resources to the detriment of other communities that would benefit from AB 617 programs.

**Comment [A20]:** This concept supports more appropriate allocation of AB 617 resources.

**Comment [A21]:** First round selections for emissions reduction programs will have serious ramifications for affected sources. ARB should provide enough detail for stakeholders to understand the potential for a community to be selected for an emissions reduction program in the first year. ARB should consider developing specific selection criteria for this purpose. ... [1]

**Comment [A22]:** Having well-characterized source contributions is an indication of a comprehensively monitored community, but identification and prioritization of a community for emissions reductions should also require scientific linkage of source contributions to health risk drivers.

monitoring information, air quality modeling, as well as additional recommendations received from communities and air districts.

## Air District Submittals

Below are minimum submittal requirements for air districts who participate in recommending 2018 community selections. We encourage air districts to go beyond these baseline requirements through additional analysis, evaluation of data sources, and public engagement to inform their recommendations.

### **Air District initial submittal: Technical assessment to develop an initial list of candidate communities**

Due: April 30, 2018

Air districts submitting communities for consideration must provide information on the following elements in the initial submittal:

- 1) Provide specific information for each candidate community; including community description, identifying characteristics, and/or preliminary geographic boundaries.
- 2) Describe which data sources, tools, and approaches, including community-specific considerations, the air district used to assess high cumulative exposure burden (toxics and/or criteria pollutants) for this community recommendation process. An assessment using CalEnviroScreen 3.0 should be performed and the results provided. We expect many districts will use additional tools for analysis. If an air district considers additional data sources, tools, and/or approaches in making its recommendation(s), the submittal should include a description of those additional data sources (i.e., detail, refinement, representativeness) in the air district's discussion of its recommendation(s) or consideration of each community for an air monitoring campaign or community emissions reduction program.
- 3) Describe the type of criteria the air district will use to prioritize the recommended communities considered in their region. Submit any relevant information that may be used to make its 2018 recommendation.
- 4) Provide a list of all of the communities with high cumulative exposure burdens that were considered as candidates and provide a brief description of each community.
- 5) Describe the proposed public outreach approach and schedule to move from the preliminary list to the final recommendations for 2018.
- 6) Describe the air district's relationships with members of the recommended communities or community-based organizations located in the recommended communities.

**Comment [A23]:** Use of CalEnviroScreen should be optional, not mandatory.

**Comment [A24]:** ARB should anticipate the possibility that different districts may propose different selection criteria and discuss how it will determine the adequacy/sufficiency of different district proposals.

**Comment [A25]:** Districts should be required to provide an assessment describing to what extent the air quality burden may contribute to health effects not observed in communities with lower cumulative exposure burdens.

**Comment [A26]:** This document includes multiple references to community members/organizations, but no suggestion that these references include the regulated entities within the boundaries of the community.

**Comment [A27]:** Community engagement should include residents, local government leaders and businesses located in those communities.

- 7) Any additional information, including information submitted by community members, that helped inform the air district recommendations.

### **Air District final submittal: Public process for determination of recommended communities**

Due: July 31, 2018

Air districts recommending communities for AB 617 2018 Community Selections must provide documentation addressing the following elements in the final submittal:

- 1) Describe (including geographic boundaries) the communities from the preliminary list that the air district is recommending for inclusion in year one for:
  - a) A community air monitoring campaign
  - b) A community emissions reduction program
- 2) In accordance with statute, CARB staff are required to return to the Board annually for recommendations on additional communities. Describe the communities from the preliminary list the air district is recommending for inclusion in subsequent years, recognizing that additional data and public input may result in updates to the final recommendations for each year:
  - a) Community air monitoring and/or community emissions reduction programs in years 2 through 5
  - b) Community air monitoring and/or community emissions reduction programs in years 6 and beyond
- 3) Provide information on the following questions for each community recommended for year 1 and communities being considered for years 2-5:
  - a) Has work already started in the community?
  - b) What are the anticipated resource needs for each recommended community for both the air district and the community?
  - c) Are emissions data available to develop a community level emission inventory?
- 4) Describe the public process used to identify, then prioritize and select recommended communities? Provide a brief overall summary of comments received and specify how many attendees were at each workshop or meeting.
- 5) Any additional information the air district would like to provide, including any community recommendations for future year implementation.

**Comment [A28]:** This update should also include a list of communities which have been removed from AB 617 implementation due to completed emission reductions or monitoring results indicating that the community does not have a high cumulative exposure burden.

**Comment [A29]:** This list should include information on all emissions sources in the community.

**Comment [A30]:** These questions seem to be designed to exclude communities that are less well prepared, but the statute does not specify "readiness" as a selection criterion.

### **CARB Evaluation of Recommendations**

CARB will evaluate recommendations and develop an overall statewide list of recommended communities based on a number of elements including community

recommendations, air district recommendations, a statewide technical assessment, as well as public input. Staff will review the technical assessment and public process to determine whether the air district's recommendations meet the minimum requirements included in this document. CARB will also conduct a complementary statewide assessment to develop a consolidated list and ensure there is systematic review of communities throughout the State. Staff will also consider public input, direction from the Board and resource availability in developing the final 2018 community selections to bring to the Board for consideration in September 2018.

**Comment [A31]:** ARB should provide additional detail as to how it will perform this assessment (e.g., specify evaluation criteria, process, etc.).

## Timeline

February 2018	Draft Process and Criteria for 2018 Community Selections released
April 30, 2018	Initial community list from air districts submitted to CARB
July 31, 2018	Final air district 2018 Community Selections recommendations submitted to CARB
August 2018	CARB posts recommended communities with Community Air Protection Program Framework and planning documents for public comment
September 2018	Board Meeting to consider selection of 2018 communities

## Questions and Answers

### 1) Where can I submit my community recommendation?

A community member should submit their recommendation to their respective air district. CARB also encourages the community member to provide a copy to CARB directly at [communityair@arb.ca.gov](mailto:communityair@arb.ca.gov) or at the postal address below. Please indicate that it is a submittal for community recommendation. Air districts should email their recommendations to address above or send hard copy to:

Laura Zaremba-Schmidt  
California Air Resources Board  
9480 Telstar Avenue #4  
El Monte, California 91731  
Phone: (626) 459-4394

### 2) I do not have the contact information for my air district or wish to send recommendations to CARB. Where should I send my community self-recommendations?

Community self-recommendations can be sent directly at the address above or submitted to [communityair@arb.ca.gov](mailto:communityair@arb.ca.gov). CARB will forward the recommendations on to the appropriate air district. Please place the words "Community Recommendation" in the subject line.

**3) Is the final list of air district-recommended communities the list that will go to the Board in September?**

AB 617 requires CARB to select communities in consultation with the air districts and other stakeholders. CARB staff will consider the air district recommendations and community self-recommendations, along with additional analysis and stakeholder input to develop a final list of recommended communities for Board consideration in September 2018.

**4) I am a community member and I am not sure if my air district is submitting any recommendations to CARB. Can my community still be considered?**

Yes. CARB will review any community self-recommendations submitted. CARB is also conducting a statewide analysis to ensure we are considering priorities for selection of highly impacted communities across the State. CARB will consider communities identified through our statewide analysis, community self-recommendations, and other public input. The statewide analysis will follow the same approach outlined in the criteria presented in the Air District Submittal Recommendations sections.

**5) How can the public participate in the recommendation process?**

Local air districts and CARB will have several opportunities for public input through public meetings as well as direct contact with staff. For additional information regarding upcoming meetings and contacts visit <https://ww2.arb.ca.gov/news/community-air-protection-program-informational-meetings>.

**6) What is a Community Emissions Reduction Programs?**

A community emissions reduction program is a plan developed by the air district in partnership with the local community that is designed to achieve new emissions reductions within the community to reduce exposure to air pollution. Community emissions reduction programs will define emissions reduction targets; identify specific air pollution reduction measures and an implementation schedule; and include an enforcement plan. CARB staff are currently seeking input regarding the development and implementation of community emissions reduction program criteria and initial concepts are outlined in the Community Air Protection Program Framework Concept Paper (Concept Paper), available at the following link: <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program-ab617/resources>.

**7) What is a Community Air Monitoring Campaign?**

A community air monitoring campaign is a suite of measurements that will help identify sources of air pollution and/or monitor air pollution levels. These monitoring campaigns will be developed and deployed by air districts in partnership with the local community. CARB staff are currently seeking input on the main elements that should be included when designing and implementing a community air monitoring campaign. Staff's initial concepts for recommended elements are outlined in the Community Air Protection Program Framework Concept Paper (Concept Paper), available at the following link: <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program-ab617/resources>.

First round selections for emissions reduction programs will have serious ramifications for affected sources. ARB should provide enough detail for stakeholders to understand the potential for a community to be selected for an emissions reduction program in the first year. ARB should consider developing specific selection criteria for this purpose.