



Dedicated to Environmental Progress and Economic Growth

July 23, 2018

California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Subject: Comments on Community Air Protection Blueprint

The California Small Business Alliance (Alliance) is a non-partisan coalition of California trade associations committed to providing small businesses with a single constructive voice to advocate on their behalf before all branches of government, including air quality management districts and other environmental regulatory agencies. The individual businesses belonging to these trade associations are generally found in commercial and industrial neighborhoods, and many of them have resided there for generations. Moreover, the small businesses that are represented by the Alliance are most often the only source of good paying jobs with benefits that are convenient and available to the residents in these working-class communities. Over the decades thousands of these employees have been able to buy homes, send their children to college, and generally improve their quality of life.

For a year, the Alliance has been engaged in tracking the progress of the California Air Resources Board (CARB) in implementing Assembly Bill (AB) 617. At the local level, Alliance members have been active participants in the activities of some local air districts by providing constructive comments, based on our considerable industry expertise, to assist in the formulation of plans to reduce air pollution and risk from toxic air contaminants from commercial, industrial, and other sources.

Most, if not all, air districts seem to have approached their new responsibilities under AB 617, and CARB's guidance, with a spirit of inclusivity. But, after reading the Draft Community Air Protection Blueprint, we were disturbed and dismayed over the extent to which CARB has minimized the importance of involving *small business* in the planning and decision process.

CARB is unclear about defining the roll of small business in the design, planning, and implementation of the Community Air Protection Blueprint

In one reference where CARB expresses its vision for the creation of local community steering committees, it's recommendation to local air districts is to fill these committees primarily of individuals who live, work, or "*own businesses*" within communities designated for focused action through community emissions reduction programs and community air monitoring. But, in our reading of the Blueprint, this is only CARB's guidance without any requirement for air districts to ensure that all stakeholders in a community are equally represented. Our experience, by attending many town hall meetings and public workshops sponsored by CARB and other air districts, is that people from outside a particular community (non-stakeholders) often travel considerable distances to attend these events to add their opinions to the dialog and influence decisions.

The Alliance strongly recommends that CARB require all air districts to ensure that these community steering committees are comprised only of individuals with financial interests (residential and business) in the community being monitored and evaluated.

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In another reference, CARB writes: “Coordination with a wide variety of stakeholders is essential in helping to design and implement the Program at both the statewide and community level, and we have therefore conducted multiple outreach activities and different types of engagement, including community meetings and tours, workshops, town halls, Board meetings, individual and small group meetings, and convening a multi-stakeholder consultation group. CARB staff are also coordinating with air districts on additional outreach within their regions. This outreach and community participation is critical to the success of the Program.”

While we agree with the underlying premise, that coordination with a wide variety of stakeholders is essential for success, we strongly disagree with CARB’s plan to execute that premise. We take exception in the way in which the multi-stakeholder *Community Air Protection Program Consultation Group* was created. In reviewing the 24-member roster of this select group, we could not find a single representative of a small business or small business organization having a voice or vote in these important deliberations.

To us, it is obvious that CARB is interested only in input from California’s elite and politically connected.

Throughout the Blueprint, CARB makes repeated references to the importance of having transparency, improving the public process, engaging with community members and community-based organizations, and establishing collaborative partnerships. Yet, CARB must believe that small business owners and organizations, despite their experience and expertise, have nothing of substance to contribute in advising, developing, and/or improving these critical elements of the program, because *small business* is never mentioned.

The Alliance would like to remind CARB that small business owners are as much of any community – including environmental justice communities – as the rest of its residents. They’ve made significant investments of capital (either borrowed or from personal savings) to establish their businesses in these communities. Small business owners generally hire residents from within the communities in which they do business. Many of these jobs come with health and retirement benefits. Small business owners also pay wages and taxes, which bolster the economic vitality of the communities in which they reside.

We would also like to remind CARB that the owners, employees, and families of these small businesses attend the same churches and schools as other residents of these communities. Many of our small business members support community youth programs. Some have even run for and been elected to public office. In short, it is wrong for CARB to minimize or ignore the importance of including *small business* in any or all discussions and planning of the Community Air Protection Blueprint, at state and local levels.

Identifying connections between air pollution and health outcomes

Alliance members are very concerned about CARB’s lack of clarity about what specific emissions data will be sought in targeted communities, which sources will be monitored, and how the data will be collected, and the goals accomplished. CARB has provided a plethora of inuendo about the scale of air monitoring that will be ongoing in certain communities, but only a paucity of information about where state-of-the-art, scientific monitors will be deployed. Small business owners, whose practice it is to operate within the conditions of their permits, are justifiably concerned that they may be held responsible for paying for these monitoring systems, or worse, be the target of misguided individuals engaged in air monitoring activities and seeking enforcement outcomes.

For decades – even generations – there have been studies attempting to establish causality between air pollution and health outcomes. Alliance members hope that this program is not just another study. Of equal concern is that law-abiding businesses, especially small businesses, will be expected to subsidize these studies even though they are not the real source of the problem. Finally, we strongly urge CARB to establish reasonable “start” and “end” times for the conduct of these studies in every community.

Incentive Funding for Clean Air Technologies

Alliance members were glad to read that CARB has thought to consider the use of incentive funding programs for advanced technologies to help ensure the success of the program. However, CARB and local air district should be transparent about the cost and air quality tradeoffs between zero-emission strategies and those that prioritize ultra-low NOx or PM strategies. We are deeply concerned and confused about what technologies CARB envisions, their suitability for individual business operations within certain industry segments, and where and when they will be deployed. Adding to our confusion and concern is a reference in the Blueprint that these programs must reflect a community-driven process.

We again remind CARB of their failure – whether intentional or not – to include the voice of *small business* in any of the previous or ongoing deliberations about planning, development, and implementation of the Community Air Protection Blueprint. It is inconceivable for us to imagine that CARB, local air districts, or non-industry individuals in any community, would ever consider themselves qualified to mandate that a business or an entire industry purchase and use a certain technology. While we understand that, in the past, certain prohibitions were imposed on the use of some chemicals, and substitutions were made for others, it was not done without extensive consultation with experts and end-users in those affected businesses and industries.

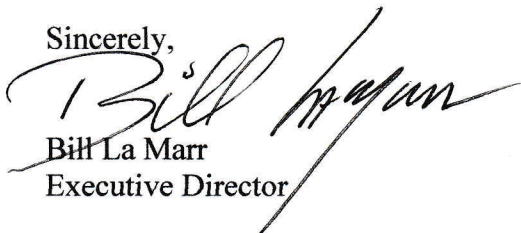
Enforcement strategies to ensure effective compliance with all regulations

As with our previous comments on other elements of the Community Air Protection Blueprint, Alliance members strongly believe that any discussions and decisions about designing and implementing enforcement strategies for this program must involve representatives of *small business*. Incalculable numbers of small businesses have been forced to either curtail production and forego any plans for growing their businesses or leave California for other states and other countries because of burdensome environmental regulations. While we are not aware of any current studies, we believe that the relentless promulgation of ever more stringent regulations, in the face of the monumental gains made in the quality of our air, have contributed measurably to the number of homeless in our state.

In conclusion, we acknowledge CARB's concern about the quality of health of some residents in some communities. We also applaud CARB, and local air districts, for taking affirmative steps to improve conditions for all residents in these communities. However, we would be remiss if we didn't close by again reminding CARB that the gains made in improving air quality are due, in large part, to decades of innovation and investment by small business owners to improve their operations. Indeed, small business owners, their employees and families have consistently demonstrated that they are equal partners in every community, and their voices must be heard and respected in all decisions affecting them.

We appreciate the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill La Marr", is written over the typed name and title.

Bill La Marr
Executive Director