



September 24, 2018

Mss. Karen Magliano and Veronica Eady
California Air Resources Board
1001 I Street
Sacramento, CA 95814

CC: Mr. Kurt Karperos
Mr. Richard Corey
California Air Resources Board Members

RE: San Joaquin Valley Environmental Justice Recommendations for Implementation of Assembly Bill 617 (C. Garcia, 2017)

Dear Ms. Magliano and Ms. Eady,

On behalf of the San Joaquin Valley AB 617 Environmental Justice (EJ) Steering Committee, we thank you and staff of the California Air Resources Board (CARB) for your receptivity to public comment and the positive changes made to the Draft Community Air Protection Blueprint (Blueprint). We are appreciative of the changes made to the Public Outreach section, the inclusion of environmental justice representatives as potential additional members on the Community Steering Committees, the inclusion of information concerning pesticides and fertilizers in CARB's online Resource Center, and the focus on South-Fresno and Shafter. However, while we are appreciative of the changes, we feel there are improvements that must be made in relation to the Community Steering Committee concept.

Over the past year our groups have focused considerable attention to the Community Steering Committee concept and the need for the Committee structure to be as community-friendly as possible. However, in the most recent draft of the Blueprint, this area remains underdeveloped. To

remedy the problems that will likely arise from this, we propose (1) additional language in the Blueprint that promotes diversity in the Committee membership, (2) giving Committees adequate decision-making authority, and (3) allowing the public to witness and be a part of the Committee meetings. We thank you in advance for the opportunity to provide feedback.

I. Diversity

The areas selected by CARB for implementation of community emission reduction and community air monitoring programs are large and include many diverse communities. For instance, the South-Fresno selection - although only a piece of the larger city - includes sections of 8 different neighborhoods, all ranging in socioeconomic, racial and geographic diversity, proximity to stationary sources, and cumulative exposure burden. With selected areas so diverse, there is a possibility the Community Steering Committees convened by the Districts will recreate the existing power structures of the cities or areas chosen - and the voices of environmental justice communities will continue to be marginalized. To correct against this, CARB should add language in the Blueprint that directs Districts to convene Community Steering Committees that accurately reflect the racial, geographic and economic diversity of the selected areas. CARB should further mandate an open and transparent nomination process for Steering Committee membership, and approve final Committees to ensure they measure-up to the goals of diversity and meaningful EJ participation. *Please see Appendix A for suggested Blueprint edits.*

II. Decision-Making

We are also concerned by the lack of decision-making authority given to Community Steering Committees. The Blueprint gives Air Districts the authority to approve Community Emission Reduction Programs (CERP) before going to CARB, but does not grant that same authority to the Community Steering Committees. The Steering Committees should have meaningful decision making authority for both air monitoring plan and CERP approval.

III. Public Accessibility

We appreciate CARB's dedication to ensuring adequate public engagement during AB 617 implementation. We are especially appreciative of the directive given to Districts to incorporate public feedback into each element of the CERPs. However, while the Steering Committees and the public are afforded opportunities to provide input, Steering Committee meetings are not mandated to be open to the public. In essence, there are two separate processes - one for the steering committee and the other for broader engagement. This could be problematic. Steering committee meetings should be open and public agendas, materials and meetings should be posted on the dedicated website. This would allow environmental justice organizations the opportunity to support Steering Committee members and the public the opportunity to listen and participate.

We appreciate the effort CARB staff has already made to include the community in the development of this important program and we thank you for considering our comments.

Sincerely,

Nayamin Martinez,
Central California Environmental Justice
Network (CCEJN)

Keith Nakatani,
Clean Water Action

Miguel Alatorre Jr.,
El Pueblo Para el Aire y Agua
Limpia

Veronica Garibay,
Leadership Counsel for Justice and
Accountability

Rey Leon,
Valley Latino Environmental Advancement
Project (Valley LEAP)

Leoncio Vásquez Santos,
Centro Binacional Para el Desarrollo Indígena
Oaxaqueño (CBDIO)

Kevin Hamilton, RRT
Central California Asthma Collaborative
(CCAC)

Sarah Aird,
Californians for Pesticide Reform

Bradley Angel,
Greenaction for Health and
Environmental Justice

Caroline Farrell,
Center on Race, Poverty and the
Environment (CRPE)

Tom Helme,
Valley Improvement Projects (VIP)

Yolanda Park,
Catholic Charities Diocese of Stockton

APPENDIX A

PROPOSED BLUEPRINT EDITS

Page 6 To create new, and foster existing, local partnerships, air districts will convene community steering committees composed primarily of individuals who live, work, or own businesses within communities designated for focused action through community emissions reduction programs and community air monitoring. Additional members should include participants from local community-based environmental justice organizations, schools, land use planning agencies, transportation agencies, local health departments (e.g., hospitals, clinics, physical rehabilitation centers, public health counseling services), academic researchers, and labor organizations, as appropriate. *The final steering committee memberships should accurately reflect the racial, economic, and geographic makeup of the selected community and must include meaningful representation of residents from environmental justice communities.* CARB staff will participate to support discussion on CARB strategies and programs, and will provide technical support and other input, along with staff from OEHHHA, as appropriate.

Page C-9 The community steering committee must be comprised primarily of community members, which includes participants who live, work, or own businesses within the community (e.g., community residents, small businesses, facility managers/facility workers, school personnel). To further encourage a comprehensive discussion of issues impacting the community and needed solutions, CARB recommends the air district bring in additional participants from city/county agencies, land use planning agencies, transportation agencies, local health departments (e.g., hospitals, clinics, physical rehabilitation centers, public health counseling services), academic researchers, and labor organizations, as appropriate. The air district *will conduct an open and transparent nomination process* ~~is responsible for~~ to convene~~ing~~ the committee and should partner with local community-based organizations to promote broad community engagement and participation. *The recruitment, nomination, and selection process should incorporate language access throughout such that language differences do not pose an obstacle to inclusion. After recruitment and nomination, the District must post a list of all parties that indicated interest on their public WebPage. The final community steering committee membership, which will be approved by CARB within 15 days of the District's draft selection, must accurately represent the racial, geographic, and economic profile of the selected community, and must include individuals from low income and minority communities. For CARB-selected communities that include several sub-communities or sub-regions, The Districts must ensure meaningful representation of community members from each sub-community.*