

August 30, 2021

Liane M. Randolph, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814



RE: Eastern Coachella Valley AB 617 CERP

Dear Chair Randolph, Board Members, and Staff,

The undersigned organizations and residents of the Eastern Coachella Valley respectfully submit these comments and request that the California Air Resources (CARB) Board resolves the long outstanding concerns with the Coachella Community Emissions Reduction Program (CERP) prior to its approval. The comments below highlight the most fundamental and pernicious issues experienced throughout CERP development to present. We have additionally attached our previous comment letter to the South Coast Air Quality Management District (SCAQMD) from May 2021, which details many of the same concerns and clear requests.

Inclusion of Quantifiable Emission Reduction Targets and Strategies

As written, the CERP will not result in any quantified emissions reduction in the ECV. It improperly and unjustly relies on incentives that may *or may not* result in emission reductions. The plan fails to incorporate clear timebound regulatory and enforcement actions that directly reduce emissions. The ***CERP must include actions that lead to clear and direct emission reductions, and must not*** simply consider all incentives or collaborations as measures that directly reduce emissions. The updated CERP's actions must also go above and beyond existing rules, regulations, and emission reduction goals and not simply reiterate emissions reductions measures that are already required of SCAQMD and underway.

Detailed Description of Timeline, Milestones, and Outcome of Actions

The CERP currently identifies the beginning and end dates for each action but lacks a ***detailed and actionable timeline identifying intermediate deadlines, community-developed metrics for tracking progress, and milestones*** necessary to complete the measure, as well as a ***clear description of the action's real, expected outcome in the community***. We ask that the CERP actions be updated to reflect a more accountable and outcome-oriented implementation plan to accurately track the CERP's efficacy and success over time, as well as hold the responsible party accountable for the emissions reductions that the CERP must yield.

Authentic and Meaningful Community Engagement

Given the challenges of SCAQMD's implementation of the AB 617 program, residents have become increasingly discouraged from participating due to the lack of action, concrete solutions, and real community partnership. The CERP should include a plan for how the district will conduct creative, enthusiastic, and *meaningful community engagement as a central requirement of future actions*. This should include providing frequent updates on the status of measures and following the consultation of the CSC regarding all implementation matters. For example, in the June CSC meeting, the district was asked to have more frequent meetings instead of the quarterly schedule proposed--a recommendation that has not yet been implemented. We propose these are done every two months.

In working towards a just and effective AB 617 program, we request that the California Air Resources (CARB) Board resolve these fundamental concerns with the Eastern Coachella Valley CERP prior to its approval. We appreciate the collaboration thus far and look forward to future work with CARB, SCAQMD staff, CSC members, and the community to ensure that this program significantly cleans the air in the way the region needs.

Sincerely,

Mariela Loera
Policy Advocate, Leadership Counsel for Justice and Accountability

Rebecca Zaragoza
Regional Policy Manager, Leadership Counsel for Justice and Accountability

María Griselda García
Líderes Campesinas / Unión de Polancos / Thermal Mobile Home Parks

Elvira Herrera
Community Activist

Ryan G. Sinclair PhD, MPH
Associate Professor, Loma Linda University School of Public Health

Yaneth Andrade-Magaña
Director of Community Capacity Building, Pueblo Unido CDC



May 11, 2021

Wayne Nastri
Executive Officer
South Coast Air Quality Management District
21865 Copley Dr.
Diamond Bar, CA 91765



School of Public Health

RE: Eastern Coachella Valley AB 617 CERP Amendment

Dear Mr. Nastri,

We greatly appreciate South Coast AQMD's effort to update the Eastern Coachella Valley (ECV) Community Emission Reduction Plan (CERP) over the past four months. On behalf of the undersigned organizations and members of the CSC, we respectfully submit the following recommendations for the draft CERP amendment.

General Recommendations

In this section, we include general recommendations that should be embedded across multiple sections in the CERP, including sections that have not been amended.

1. Present a thorough progress update of all CERP measures and funding to the CSC at least twice a year. A progress report shall be provided in Spanish and English that details AQMD's progress over the past six months of implementation, as well as their goals, timelines, and objectives for the next six months. As part of their outreach and engagement efforts, AQMD shall also present at community councils or other community spaces on CERP implementation at least twice a year.
2. Provide additional detail and direction for actions regarding funding:
 - a. Explicitly identify the Unincorporated Communities Initiative as a target and potential funder of community-identified projects in the unincorporated communities of the ECV AB 617 boundary. AQMD shall work with the CSC and other agencies as necessary to apply for this program during every cycle of

funding availability. AQMD shall also support the CSC in ensuring that this Initiative continues being funded by Riverside County.

- b. Provide more specific information and milestones to actions throughout the CERP that direct South Coast AQMD to identify funding sources. This includes identifying such funding on an annual basis and adding follow up steps on what will happen after funding is identified. These actions shall also include milestones that can be met within the implementation period that show progress and effectiveness. In this process, South Coast AQMD should consider the following questions:
 - i. Who will be the lead applicant(s)?
 - ii. How will AQMD conduct community engagement to inform the funding applications?
 - iii. How will residents/communities in need of this funding be identified?
 - iv. How many applications will be submitted each year?
 - c. Work with Riverside County and Supervisor Perez's office to ensure that funding from the American Rescue Plan and any additional federal funding is used in a conscious and healthy way to advance community projects that improve air quality and health in the ECV.
3. Work with the CSC to develop a community outreach, engagement, and communications plan that will help communicate the CSC's work to the general public. This plan shall also highlight opportunities for the public to engage as well as strategies for seeking public input on CSC-related projects and CERP/CAMP implementation. This action shall be completed by the end of 2021.
 4. Identify more concrete actions to reduce emissions and amend the CERP to include quantifiable emission reduction goals once additional monitoring data (e.g. monitoring for H2s and pesticides) become available. South Coast AQMD must go above and beyond to reduce emissions in the ECV. This includes doing more than only providing incentives. The AB 617 Blueprint specifically calls for a wide range of strategies, including regulatory action.
 5. Amend the enforcement plan to conduct a thorough review and analysis of all rules and regulations that address pollution sources in the ECV, identify gaps and opportunities, and initiate a new rule-making process to address such gaps, strengthen rules, and identify new actions to enforce better air quality practices throughout the region, including citations and other enforcement mechanisms. This should also include clear, specific, and enforceable strategies within the authority of South Coast AQMD. Many strategies call for other agencies to implement them, but South Coast AQMD must find additional and innovative actions to be included for each air quality priority.

In addition to addressing our recommendations for the CERP, South Coast AQMD must also rethink and revamp its practices for community outreach and engagement. Ensuring a true community-led process through this program at the local level has been an ongoing challenge.

South Coast AQMD must be able to work with the CSC to develop a vision, plan, and timeline for all aspects of the program, including allowing ample time and translation for the CSC and the public to review draft plans and other material. Without this, we lose one of the most important components for achieving transformative change in our systems and environment.

Chapter 5A: Introduction

We'd first like to thank South Coast AQMD staff for following the CSC's request to form the Budget and Air Monitoring Working Teams. We believe both of these Teams provided a critical space for further developing our priorities for incentive funding and air monitoring. All of these efforts were essential in the development of this program, in order to ensure these efforts are fully appreciated and implemented in a timely manner we propose a few updates below that we would like included in Chapter 5A:

1. Update Table 1D's timeline for tree planting site identification to be completed by Q1 of 2022. Updates to this sit list shall be done annually based on how the implementation of tree planting projects progresses.
2. Update Table 1G to include the implementation of multi-benefit and climate-resilient infrastructure into the dust suppression projects planned for the Salton Sea through SCAQMD's coordination and collaboration with CNRA
3. Update Table 1H to state that all recommendations for best practices should be completed by the end of 2023 with the opportunity for the public to review and provide input. This action should help increase collaboration with local planning departments, agencies, and others to better understand the land use practices in Riverside County and the ECV. AQMD shall work to ensure that the CERP includes recommendations for better, healthier, and more equitable land use practices that help protect the environment, public health, and the culture of the ECV. AQMD shall engage in planning processes in the ECV and support the prevention of harmful land uses.

Chapter 5B: Salton Sea

The Salton Sea poses numerous air quality concerns that require urgent attention as a consequence of the receding shoreline and polluting agricultural runoff. We provide additional suggestions to Chapter 5B that address the urgency of these actions as well as promote infrastructure that will address multiple community concerns and needs.

1. Update Table 1D's timeline to be completed by 2023.
2. Update Table 3F's timeline to change the start date to Q2 of 2021. This action shall also require an annual update to the site list for tree planting based on ongoing project implementation, as well as steps for applying to funding programs on an annual basis. In

addition, a milestone of implementing 1-2 tree planting projects by the end of 2022 shall be incorporated into action 3F.

3. Add an additional action to Table 1 to collaborate with Comité Cívico del Valle on their 15 air monitoring system and to ensure a participatory process with the CSC.
4. Add an additional action to Table 1 to regularly provide air quality data and expertise to agencies on the northern shore of the Salton Sea, including CNRA, DFW, IID, and Riverside County/Salton Sea Authority
5. South Coast AQMD must also closely monitor geothermal and lithium extraction in the Salton Sea region to identify current and potential future impacts to air quality and public health. The CERP must include actions on this issue and engage when necessary to prevent further damage to the environment and public health.
6. Develop a new rule to address the bad odors coming from different pollution sources, including the Salton Sea, illegal dumping, and others as identified by the community.

Chapter 5C: Pesticides

As a top air quality priority in the ECV, we urge and expect South Coast AQMD to truly commit to finding strategies and actions within the CERP that will help reduce emissions and pesticides. While we understand the complexities of jurisdictional boundaries, we cannot expect the community to continue suffering disproportionate health impacts because of such issues. In looking at other AB 617 communities, jurisdictional issues have already been addressed by CARB. CARB leadership, as well as CalEPA, dictated that the San Joaquin Valley Air Pollution Control District should reflect all desired measures from the CSC in their CERP. Such issues have come up and been resolved in other AB 617 communities and we should be actively learning and following the leadership of other communities in this process.

As a collective, we have the responsibility to better respond to the concerns of the community on pesticides and all other air quality issues in the ECV. Below are a few additional recommendations we have for Chapter 5C.

1. Table 1A: This action, while important, should have already been completed in the 1.5 years that South Coast AQMD has worked with the ECV under AB 617. It is also important for South Coast AQMD to be identified as a lead agency for this action. Community members are asking to see informed strategies on how to reduce exposure from pesticides and the CERP amendment needs to identify stronger actions that address those concerns. South Coast AQMD must thus add an additional action item for the District to compile a pesticide report in partnership with Riverside's County Agricultural Commission and DPR. This report shall be updated annually by South Coast AQMD. This report will help identify what pesticides are mostly used in the area with the aim to reduce usage and adequately monitor. This action should at least be completed by the end

of 2021. The CERP should also include actions for all toxic air contaminants of concern identified in the source attribution inventory, including benzene, arsenic and cadmium.

2. Table 1A: there are no commitments made to develop an ECV pesticide application notification system or reduce emissions directly. An ECV pesticide application notification system should begin to be developed immediately. The Shafter pilot and the ECV notification system can both be developed simultaneously in collaboration with DPR, test and share learnings across projects, and both support the development of the statewide pesticide notification system. In fact, DPR, CARB, and the San Joaquin Air Pollution Control District all supported and urged the Kern County CAC to implement the Shafter Pilot Notification System and required them to submit regular reports of approved Notices of Intent (NOIs) for the use of pesticide products. This same action should be applied in the ECV, and if such a collaboration, including Supervisor Perez's office, was established in the South Coast region, more agricultural communities could benefit. We will continue asking for South Coast AQMD to work with the appropriate agencies, including agricultural growers and companies, to implement a pesticide notification system. The ECV community is an agricultural town, thus we have the right agencies and tools to implement a notification system, and help guide the state as they develop their process.
3. Update Table 2C to also include more detail and follow up steps once funding programs and opportunities are identified. All actions in the CERP amendments that direct South Coast AQMD to "identify funding" shall also include specific follow up steps on what will happen next. They should also include specific mid to long-term milestones to ensure that these actions are moving forward and that we are making progress on implementation.
4. Table 2D: What are the specific goals for pursuing a partnership with Growing Coachella Valley? What does this action look like and how will this partnership help reduce emissions from and exposure to pesticides?
5. Add an additional action to work with the appropriate agencies to limit the use of certain pesticides, ban aerial application, mandate tarping for certain pesticides, and create buffer zones and vegetative barriers outside and around agricultural fields.

Chapter 5D: Fugitive Road Dust and Off-Road

The actions in these chapters are a great step forward in addressing the issues and pollution that come from off-roading and unpaved roads in the region. However, they are quite limiting and do not encompass the massive issue of fugitive dust in the region. Our suggestions acknowledge the need for actions to serve more than one purpose and therefore address multiple concerns, but we continue to ask South Coast AQMD to further develop and identify new strategies to reduce fugitive dust and exposure.

1. Update Table 2A to incorporate cool pavement technology into all proposed paving projects as a tool for emission reduction and climate benefits.
 - a. Include the need to pursue partnerships with local non-profit organizations for assistance identifying locations in need of paving to ensure adequate technical assistance is provided to the community.
 - b. Work with the CSC to identify leads for project implementation.
2. Update Table 2E to include a more extensive and comprehensive outreach plan. Provide potential mobile home park owners with information about the application and implementation process. Post informational sessions should also be included to provide information on best practices for maintenance.
3. Update Table 3C to say that funding should be identified every year and add follow up steps on what will happen after funding is identified. AQMD should consider the following questions:
 - a. Who will be the lead applicants?
 - b. What community engagement will be done to inform the application?
 - c. How will residents in need of this funding be identified?
4. Add an action to Table 3 to identify urban greening projects and locations for ongoing pilot projects. These can be implemented through incentive funding or by AQMD applying to the Urban Greening program or others that can provide additional funding support. The CERP shall aim to implement a small greening project at least once a year

Chapter 5E: Open Burning and Illegal Dumping

Our recommendations below reflect the need for research, stronger stringency, and collaboration between relevant organizations regarding open burning and illegal dumping.

1. Affirmatively state in section titled “Potential Alternatives to Burning” that biomass and other combustion alternatives do not qualify as sustainable alternatives to open agricultural burning
2. Add a sub-action to Table 1A to monitor all open burning that takes place in the ECV, identify the cause and work with the CSC to identify and implement preventative measures for illegal dumping and open burning
3. Add sub-action to Table 1A to establish a community notification system for all permitted agricultural burns happening within the ECV.
 - a. This system should also direct residents how to report burnings in the case that they may not be permitted.
4. Add sub-action to Table 2A to educate growers and agricultural businesses on identifying sustainable alternatives to agricultural burning.

5. Add action to Table 2A to set more stringent requirements for open agricultural burning in the Eastern Coachella Valley, and consider requirements based on crop type, frequency of burns, amount burned by farm, and location of burns.
6. Add action to Table 2A to enhance AQMD's enforcement measures to regulate and control agricultural burning, including prescribed burning
7. Add action to Table 2 to collaborate with the CSC to pursue a statewide bill or ordinance to ban agricultural burning (or ease phasing out) and work with local legislators to introduce it in the 2021-2022 session
8. Add action to conduct a thorough review and update of South Coast AQMD's agricultural burning rules and regulations.
9. Add sub-action in Table 2A to enhanced regulations and restrictions on permitted agricultural burning during extreme weather events (e.g., heat, wind, other), citations for identified illegal open and agricultural burning, monitoring and reporting system for unpermitted burning, and develop a phase-out approach where alternatives are prioritized over burning.
10. The sub-action in Table 2A on "accessing the feasibility of new requirements for open burning (e.g., identifying alternatives to open burning of agricultural waste by identifying opportunities used in other air districts) based on the developed list" should be completed by the 2nd quarter of 2022 (within one year of CERP approval in June). Following the feasibility assessment, AQMD must update the stringency of their agricultural burning rule

Chapter 5F: Diesel and Mobile Sources

We are excited to see South Coast AQMD implement the newly adopted Indirect Source Rule. Chapter 5F should be updated to include how the ISR will be implemented and benefit the ECV communities. We would also like to acknowledge the importance of the "no idling" actions added to this section. In addition, we think it is extremely important to continue identifying creative ways to mitigate and reduce emissions from facilities like the Thermal Racetrack, the Thermal Airport, and the Union Pacific Freight Train.

Our recommendations below encourage collaboration with transit agencies and relevant organizations in the region to work towards the use of more environmentally friendly technology.

1. Add action to Table 1A to work with Sunline Transit Agency to electrify public transit and establish a zero-emission micro-transit and rideshare program in the ECV.
2. Add action to Table 1A to identify pathways for AQMD to implement greening along the train corridor
3. Add action to Table 1A to install zero-emission charging infrastructure in the ECV.

4. Add sub-action to Table 1C to notify the community on the progress done in replacing school buses with zero or near-zero emission school buses in the ECV, and inform the community of the number of buses that will be replaced every year.

Chapter 5G: Greenleaf Desert View Power Plant

As one of the CSC's top air quality priorities, Chapter 5G needs to include more actions that will demonstrate how emissions from the Greenleaf Desert View Power Plant will be reduced. The actions identified so far will only reduce exposure, but it is crucial for South Coast AQMD to include actions that will help achieve both exposure and emission reductions.

1. Add an action to Table 1 that calls for South Coast AQMD to work with the appropriate agencies or organizations to apply to the Colmac Air Quality Enhancement Fund on an annual basis or each time funding becomes available for community-identified projects.
2. As this relates to the CAMP, include community hosted AQY1 monitors and South Coast AQMD sponsored monitoring at locations around this facility. The wind, NO2, PM2.5 and Ozone metrics are important parameters to continuously monitor around this facility. Integrate the Aeroqual AQY1 monitor readings with a dashboard of air quality information that can be accessed by anyone without a password. Ensure that historical data can be downloaded by anyone from these low-cost or community hosted monitors.

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The AB 617 implementation process in the ECV has been challenging, but we are grateful to continue learning and working together through this program. We strongly urge South Coast AQMD to address all of our recommendations and develop a plan that is truly reflective and representative of community input and priorities. We must continue working together to ensure that residents see their advocacy result in tangible change in their communities. If you have questions or wish to discuss this letter further, please contact Mariela Loera at mloera@leadershipcounsel.org.

Sincerely,

Mariela Loera
Policy Advocate, Leadership Counsel for Justice and Accountability

Rebecca Zaragoza
Regional Policy Manager, Leadership Counsel for Justice and Accountability

Mariana Román

Community Member of Thermal

Maria Pozar

Community Member of North Shore

Yaneth Andrade-Magaña

Director of Community Capacity Building, Pueblo Unido

María Griselda García

Líderes Campesinas / Unión de Polancos

Ryan G. Sinclair PhD, MPH

Associate Professor, Loma Linda University School of Public Health

Patricia Leal-Gutierrez

Community Member of North Shore

Sahara Huazano

Director of Programs, Alianza Coachella Valley