



April 24, 2018

Ms. Karen Magliano
Director, Office of Community Air Protection
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: AB 617 Community Air Protection Revised Concept Paper Comments

Submitted Electronically

Dear Director Magliano:

The Climate Change Policy Coalition [CCPC] is a diverse group representing California's large and small employers, cap-and-trade regulated entities, taxpayer groups, agriculture interests and building and planning experts. We advocate for policies to reach AB 32 and SB 32 greenhouse gas [GHG] emission reduction mandates and the implementation of California's climate change policies -- such as the AB 617 Air Protection programs -- in a cost-effective and technologically feasible manner to protect jobs and the economy.

We and others representing business stakeholder interests are committed to working with the California Air Resources Board (ARB), ARB staff, legislative leaders, air districts throughout the state and local government on a successful design and implementation of AB 617 to achieve real and meaningful risk reductions in communities highly burdened by local air pollution.

Our comments are in alignment with others in the business community with a focus on moving forward with a design that is based on sound science and not anecdotal information.

Clear Metrics/Sound Science:

We support the Guiding Principles in ARB's Concept Paper that advocate for clear metrics to track progress and a strong science-based foundation to support measures that will deliver meaningful air quality benefits in communities with the greatest cumulative exposure burdens. If AB 617 is to deliver on its promise of improving air quality in these communities, then ARB and the air districts will need to apply rigorous screening tools in the community selection process and employ strategic monitoring campaigns to fill data gaps that will inform the need for emissions reduction programs and the design of those programs.

Program Goals Identified:

Prior to program/project implementation, ARB should work closely with air districts, local governments, stakeholder groups and other community partners, including local and regional business and facility representatives, to ensure local program goals are achievable within a reasonable period of time. Performance metrics must be quantifiable, both to determine the impact of program measures on emissions reductions in the community and to assess local economic impacts resulting from program implementation. This data will be crucial to inform the need for course corrections during the implementation process.

Cost-Effectiveness & On-Going Funding:

AB 617 requires consideration of cost-effective emission reduction measures (H&SC 44391.2 (c)(2)) reflecting the reality that ARB, the districts, regulated entities and communities are working with limited resources. For these reasons, ARB should promote an overarching goal of deploying the most cost-effective emission reduction technologies to maximize the benefit per dollar invested in a given community. In this regard, the bias reflected in the draft Concept Paper in favor of zero emission technology is

a problem because it will tend to limit the volume of emissions reductions that can be achieved in individual communities and on a statewide basis.

In addition, in the interest of maximizing program benefits and long-term sustainability, if after review a particular 'designated community' is no longer disproportionately impacted or if the goals of the community monitoring or emissions reduction program have been met, that 'community' should be removed from the program.

Community Selection Process:

As ARB works with the local air districts across the state, identification, prioritization and selection of candidate communities should be based on the best available air pollution data that indicates levels of criteria pollutants and toxic air contaminants that are significantly elevated above statewide ambient air levels. Use of coarse, multi-variate screening tools such as OEHHA's CalEnviroScreen Version 3.0 is only appropriate to the extent that application of the tool can be limited to the socio-economic and air quality factors specified in the statute.

We also note that ARB's draft Community Selection document does not actually identify the criteria ARB will use to sort through the many recommendations it expects to receive from the individual air districts and from community groups for monitoring and emissions reductions programs. It is critical that these criteria are identified before final selection decisions are made, and that they are adequately described so all stakeholders understand why some communities are selected while others are not.

Health Effects and AB 617:

We agree with ARB's assessment that epidemiological research required to establish cause and effect relationships between air pollution exposure and public health outcomes (e.g., asthma, chronic heart conditions and emergency room visits) at the community level requires long lead times and will not produce results within the timeframes envisioned in AB 617. We

also agree with ARB and local public health officials that health outcomes are driven by a number of variables, many of which are unrelated to air quality and therefore cannot be used as performance metrics for AB 617 emissions reduction programs. The statute provides clear direction to ARB and the air districts to build state-level guidance and local programs around elevated levels of criteria pollutants and toxic air contaminants. An additional focus on health effects would exceed the agencies' statutory authority and would likely result in misdirection of program resources, to the detriment of communities with disproportionate air quality problems.

Technical Clearinghouse Measures:

During many of the ARB AB 617 Technical Summits the 'Technical Clearinghouse Measures' raised a lot of questions and concerns. CCPC agrees that air quality reporting tools must be calibrated and held to the same standards as current tools used to support regulatory decision making throughout the state/air districts. As our other business partners have stated, Community Emissions Reduction Plans should be consistent with Health and Safety Code requirements for Best Available Control Technology, Best Available Retrofit Control Technology, and AB 617 requirements, including informing selection of emission reductions with evaluations of cost-effectiveness and technological feasibility.

Mobile Source Elements:

The Concept Paper lacks necessary emphasis on identification and further inclusion of mobile source measures. Primary drivers of air quality impacts in many communities are mobile sources, therefore, ARB should offer a more detailed explanation as to how it will address mobile source emissions with regard to community reductions programs moving forward.

We look forward to participating in additional AB 617 workshops and summits regarding the continued regulatory development of the Community Emissions Reduction Program. Should you have any questions or need anything further please feel free to contact Shelly Sullivan at (916) 213-3700.

