



Richard Corey

Executive Officer

California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Community Air Protection Program

Dear Mr. Corey,

On behalf of the communities, individuals and businesses we represent, we are pleased to offer input regarding the Air Resources Board's draft "Community Air Protection Program Framework Concept Paper" and "Process and Criteria for 2018 Community Selections" document.

AB 617 builds onto existing, extensive air pollution regulations at the federal, state and local levels. With the strictest air quality regulations on the planet for many sources, California's persistent efforts to reduce emissions means that we have already captured the most cost-effective reductions. Emissions reduction requirements imposed on many sources are increasingly expensive with rapidly diminishing air quality benefits. Achieving meaningful additional emission reductions will require new approaches, with much greater emphasis on incentives and closer attention to all the sources that contribute to local air quality issues.

To help inform the process of developing core program elements, we offer the following recommendations:

- **AB 617 Implementation Process and Principles.** The program design and regulatory process should be transparent, inclusive, and based on best available, peer-reviewed science. While the statute envisions an active role for community representatives, ARB and the air districts should also solicit input from business and facility representatives who understand the technical and operational challenges of achieving air quality goals. ARB and the air districts should also discourage implementation of new regulatory requirements by other authorities that duplicate or are inconsistent with AB 617 or existing air quality requirements, such as inclusion of new air quality requirements in local land use ordinances.

Potential solutions to community air quality problems should be approached from a technology-neutral perspective to maximize near term benefits in high priority communities. What may work in one community will not necessarily be a good fit for all communities. For example, ARB's recommendation to focus on zero emission vehicles fails to take into consideration each individual community's population distribution and socio-economic conditions. These considerations are best left to the local air districts, which have a better understanding of these

factors and are better equipped to work closely with communities in their jurisdiction. The intent should be to improve air quality without compromising the economic future of the community and the surrounding region.

- **Public Health Indicators.** We urge ARB to proceed very cautiously with respect to using public health information, such as asthma rates and hospital ER visits, to support program decisions. During the March 26 meeting of ARB's AB 617 Consultation Group, a medical doctor from the Alameda County Department of Public Health stated that air quality is just one of many factors that define community health. This presentation underscores ARB's own statements in the Concept Paper about the limitations of public health data for AB 617 implementation purposes. As the statute requires, ARB and the air districts should use air quality data rather than public health indicators to designate specific communities for emission reduction programs and to track program performance over time.
- **Community Selection.** Consistent with the statute, application of screening and prioritization tools for community selection, whether for purposes of AB 617 monitoring or emissions reduction programs, should be focused on air quality and socio-economic impacts. Selection decisions should not be driven by other issues that may impact community health but are beyond the scope and capacity of this program (e.g., water quality, large contaminated sites, etc.). In addition, the criteria used to select communities for emissions reduction programs should be more rigorous than those used to select communities for AB 617 monitoring programs, reflecting the additional data needs to properly design and implement effective community-level emissions reduction programs.
- **Relative Source Contributions.** Any new regulatory actions must be based on a thorough understanding of the contributions of various sources to total community-level emissions. In many communities, more information and analyses will be needed to identify relevant sources and determine how much each contributes to criteria pollutant and toxic air emissions at the community level. Experimental, low quality or inaccurate technologies such as hand-held sensors and smartphone-based applications will provide misleading information and therefore are not appropriate for AB 617 purposes. ARB and the air districts must also account for the fact that air quality in a given community is influenced by a variety of factors which cannot be controlled by individual sources, like population density, pollutant transport, weather patterns, terrain and natural sources.
- **Feasibility and Cost-Effectiveness.** The statute requires consideration of technological feasibility and cost-effectiveness in implementing monitoring and emissions reduction programs. These principles should be extended to all AB 617 implementation decisions and should include an assessment of potential impacts on jobs and regional economic productivity. This analysis is necessary to 1) ensure the greatest possible air quality benefits, 2) ensure effective allocation of program resources, 3) prevent additional economic impacts in disadvantaged communities and 4) sustain the program long-term.

- **Community Involvement.** While we support a high level of community involvement in program implementation, ARB must also establish boundaries to ensure that any new regulatory actions are driven by the best available information and rigorous scientific and economic analysis. For example, enforcement decisions should be strictly evidence-based and not influenced by direct community involvement. The Air Resources Board and local air districts are the only entities with the authority, expertise and resources necessary to accurately identify potential violations and take appropriate enforcement actions.
- **Program Adaptation.** We agree with ARB that the program must allow flexibility to accommodate new information and technological advancements over time. The implementation process should include mechanisms to review and change early decisions that may prove to be ineffective or to misallocate program or stakeholder resources.

Thank you for providing an opportunity to offer our comments on this important process. We look forward to working with ARB and the local air districts toward successful program implementation.

Sincerely,

Agricultural Council of California
 American Chemistry Council
 Asian Pacific Islander
 American Public Affairs
 Associated Builders and
 Contractors Central Valley
 Chapter
 Bakersfield Chamber of
 Commerce
 Bay Planning Commission
 Biz Fed Los Angeles
 California Business Properties
 Association
 California Cotton Ginners and
 Growers Association
 California Farm Bureau Federation
 California Food Producers
 California Hispanic Chamber
 of Commerce
 California Independent
 Petroleum Association
 California Regional Hispanic
 Chamber of Commerce
 California Small Business
 Association

Chemical Industry Council
 of California
 Climate Change Policy Coalition
 Coastal Energy Alliance
 Commercial Real Estate
 Development Association
 Council of Industries
 Fresno County Farm Bureau
 Greater Bakersfield Chamber
 of Commerce
 Harbor Association of Industry
 and Commerce
 Industrial Association of Contra
 Costa County
 Inland Empire Economic
 Partnership
 International Warehouse
 Logistics Association
 Latin Business Association
 Long Beach Chamber of
 Commerce
 Los Angeles Chamber of
 Commerce
 Milk Producers Council

Orange County Business Council
 Orange County Hispanic
 Chamber of Commerce
 Oxnard Chamber of Commerce
 Redondo Beach Chamber of
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 San Gabriel Valley Economic
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 San Pedro Chamber of
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 Solano Economic
 Development Corporation
 South Bay Association of
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 The Chamber of the Santa
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 Torrance Area Chamber of
 Commerce
 Valley Industry and Commerce
 Association
 Western Agricultural
 Processors Association
 Western States Trucking
 Association
 Wilmington Chamber of
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