



May 20, 2019

Chair Mary Nichols and Board Members
California Air Resources Board (CARB)
1001 I Street
Sacramento, CA 95814

Re: 19-5-4: Public Meeting to Consider Proposed Community Air Protection Funds 2019 Guidelines

Dear Chair Nichols and the members of CARB,

The Coalition for Clean Air (CCA) is writing to provide comments regarding the proposed Community Air Protection Funds 2019 Guidelines. Since its passage, CCA has been actively involved with the implementation of AB 617 (C. Garcia, 2017) both at the statewide and air district level. AB 617 has the potential to transform and empower California's most environmentally burdened, disadvantaged communities.

In general, we are supportive of these proposed incentive guidelines, and believe they will help meet the objective of AB 617: reducing the amount of air pollution that plagues disadvantaged communities, as well as helping protect these communities from exposure to toxic air pollutants and other harmful emissions. In addition to these emission and exposure reduction requirements, both the air districts and CARB must engage with the community and address local needs. Given that many of these communities have endured chronic exposure to pollution as well as both actual and perceived governmental inaction, fostering community ownership and building trust is vital to AB 617's success.

In addition to the general comments above, CCA would like to offer some additional input:

1) Creating a specific incentive category for hexavalent chromium (chromium-6) responds well to local needs, but efforts must focus on eliminating all emissions affecting the community

Chromium-6 is a known carcinogen which can lead to skin burns, pneumonia and childbirth complications. According to CARB staff, most chromium-6 emissions in California is from metal plating industries which have failed to implement effective emissions control systems. These emissions, which are most commonly encountered as a chromic acid mist, are breathed in and absorbed into the body. The communities of Paramount, North Long Beach, Compton and South Gate all recently experienced highly

elevated levels of chromium-6 due to emissions from industrial emitters. While the South Coast Air Quality Management District (SCAQMD) was able to reduce chromium-6 emissions, other Californian communities may be experiencing exposure to chromium-6 as well. As such, creating an incentive category dedicated to reducing chromium-6 emissions and exposure is warranted.

However, one possible option under the proposed guidelines is to assist the transition to a chromium-3 based process. While chromium-3 is safer than chromium-6, animal tests suggest that chromium-3 is still toxic at high concentrations.¹ As such we strongly recommend, in addition to incentivizing the transition to chromium-3, prioritizing the elimination of emissions and exposure through stronger rules and enforcement.

2) Allowing the Executive Officer to create new project categories gives CARB and air districts greater flexibility to address local needs

At the heart AB 617's intent is the need to address local air quality concerns rather than responding with regional or statewide policy. This intent has been clearly stated by the legislation's author as well as the community and environmental advocates involved with AB 617's implementation. This means CARB and air districts will need to respond to situations which may not fit neatly into existing categories. As such, allowing the Executive Officer to create new project categories in order to respond to local needs is appropriate. To ensure accountability, the proposed guidelines stipulate air districts "must use CAP incentives to reduce emissions consistent with the Community Emissions Reduction Programs, where area-wide sources may also be considered", and ideally support and work in conjunction with mobility and land use policies.

3) We commend CARB for exceeding its minimum requirement for funds being spent on projects within or benefiting AB 1550 communities, and encourage the Board to continue this level of funding as appropriate

According to the CARB staff report, approximately 93% of the committed funding has gone to projects located within or benefiting AB 1550 communities. This is in excess of the requirement that 80% of funds be spent within or benefiting AB 1550 communities. This is consistent with the intent of AB 617, which among other things requires a reduction of emissions and exposure to emissions in California's most polluted, disadvantaged communities. We strongly encourage CARB to continue this level of funding commitment, understanding that certain situations may call for some flexibility.

¹ <https://www.epa.gov/sites/production/files/2016-09/documents/chromium-compounds.pdf>

4) The proposed Guiding Principles for Community Air Protection Incentives are commendable and reflect the need to reduce emissions, include emissions co-benefits and prioritize zero-emissions equipment

In order to truly bring clean air to California's most environmentally burdened disadvantaged and low-income communities, incentive programs must favor the most effective projects. We strongly support the Guiding Principles requiring CARB and air districts to spend funds on projects that will reduce emissions, as well as consider other pollutant co-benefits and deployment of zero-emissions technology. We also strongly support the requirement for air districts to fund projects consistent with community priorities that are identified in a public, transparent and inclusive process.

5) While incentives are important, AB 617 needs strong rules and enforcement to be implemented successfully. Additionally, more oversight and transparency of how AB 617 funds are being spent is needed.

Just as the causes of environmental injustice are many, so are the approaches to provide remedies to affected communities. Some air districts have suggested they will focus most of their efforts on incentive programs. While incentives can be an effective tool in reducing emissions under the right circumstances, they are just one tool out of many. Creating stronger regulations and community protections, as well as stronger enforcement of existing and new rules, must also be included in CARB's and the air districts' local and statewide strategy. Additionally, in order to ensure AB 617 incentive funds (as well as other AB 617 dollars) is being spent effectively, air districts need to provide clearer information as to how AB 617 funds are being spent and how those funds have led to direct or indirect emissions reductions and community empowerment.

CCA appreciates the proposed Community Air Protection Funds 2019 Guidelines reflecting the needs of California's communities and the values central to AB 617. We look forward to continuing our involvement with the AB 617 implementation process and will continue to provide feedback on the implementation of this important legislation.

Thank you for your time and consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Christopher Chavez". The signature is written in a cursive style with a long, sweeping underline.

Christopher Chavez
Deputy Policy Director