



December 4, 2015

David Mallory
California Air Resources Board
1001 I Street
Sacramento, CA
95819

Subject: Adaptive Management Program

Dear Mr. Mallory:

On behalf of the undersigned organizations, we are writing to express our support for the progress made in developing an Adaptive Management plan for the AB 32 Cap and Trade program. The Cap and Trade program is an important component of our state AB 32 programs to cut greenhouse gas emissions, but we need to remain vigilant about local emissions impacts as the program is implemented. We view the Adaptive Management program as an important tool for identification and investigation of unintended outcomes of the market-based Cap and Trade program at the neighborhood and community level.

California has a long history of innovative air quality regulation, and has become a global leader in policies and programs that protect our climate and the health of future generations. We know that the sources of climate pollution are largely the same as those that cause smog, soot and toxic air contaminants that affect all Californians, but especially those nearest to major pollution sources that are often low-income communities and communities of color. We need to ensure that communities near cap and trade covered facilities are experiencing continued improvements in local air quality conditions.

- ***We support the development of the Adaptive Management program as a vital watchdog tool*** for identifying facilities that are not cleaning up - or are actually increasing - harmful local pollutants, while still complying with Cap and Trade.
- ***We appreciate the development of the online, public mapping tool that allows interested parties to review emissions trends and pose questions to Board staff.*** Opening this tool for public use and investigation is an important step toward a transparent process for identifying, questioning and investigating why a facility, or group of facilities, is or is not cleaning up their pollution, and importantly, how quickly or slowly clean up occurs.
- ***The Air Resources Board should keep a broad scope on the review of emissions data.*** It should be a given that all emissions increases are investigated, whether related to Cap and Trade or not. The Adaptive Management program should also be used to help identify facilities, companies or sectors that are flat-lining on emissions, or not cleaning up emissions at a steady

pace. For example, a company that invests in clean up in newer facilities, but is not investing in older facilities located in disadvantaged communities may show progress, but at a much slower rate in one community over another. It is especially important that Adaptive Management be broad enough to answer questions relevant to communities that have been historically disadvantaged by industrial pollution and that face ongoing toxic pollution from a facility that is otherwise compliant with Cap and Trade, whether through increased production, purchases of allowances and/or offsets or other compliance options rather than on-site clean-up. Fence-line communities that have been victims of environmental injustice deserve expedited clean-up, not mere maintenance of the status quo.

- ***Consider discussion of the Environmental Justice Advisory Committee meeting that is scheduled to occur after the public comment period.*** The ARB Environmental Justice Advisory Committee is scheduled to meet on December 7th, after the close of the Adaptive Management comment period. As the EJAC has been following the development of Adaptive Management and broader AB 32 tracking tools over time, committee members should be afforded the opportunity to offer thoughts on the proposal that may not have been shared yet in workshops or formal comments.

Our organizations look forward to working with you to continue the important work of protecting Californians from the worst impacts of climate change and correcting the history of local pollution impacts on our most disadvantaged communities.

Sincerely,

Bonnie Holmes-Gen
American Lung Association in California

Bill Magavern
Coalition for Clean Air

Matt Read
Breathe California