Assembly Bill 617 in South Sacramento is a Charade of Justice

**Chapter 1: A Sham from the Start**

When Assembly Bill (AB) 617 was introduced, the Sacramento Metropolitan Air Quality Management District (SacMetro) nominated communities for the California Air Resources Board’s consideration ([Letterhead APCO (airquality.org)](https://www.airquality.org/ProgramCoordination/Documents/SMAQMD%20Final%20Recommendations-Report.pdf)). These were supposed to be the most marginalized communities at the greatest intersections with air pollution. That is the spirit of the legislation.

In their recommendations of proposed AB 617 communities, SacMetro did not include the community directly across the street from a Title V facility, and the Southgate industrial Park (in some cases both). The recommendations from SacMetro did not include Woodbine, a community with homes that are bordered on the east by logistics centers, autobody & paint shops, smog shops, and even coal trains, while bordered on the west by a municipal airport with associated lead emissions. The traffic on its eastern and western fronts is continual as these are major heavy-duty (HD) truck thoroughfares servicing South Sacramento. This community is sandwiched between major pollution sources is full of children, and low-income people of color.

Their recommendations also did not include The Avenues or Bowling Green, which face the same HD truck traffic and pollution from the Southgate Industrial Park and the Title V facility on its western border, and Highway 99 on its eastern one. It is also full of children (mostly Latino and Middle Eastern) and sandwiched between two major pollution sources.

SacMetro did propose a wealthy community like Elmhurst in East Sacramento, which is adjacent to Aggie Square, for consideration as AB 617 community; this is the kind of community where folks in the same socioeconomic status as agency upper management, and Board members from both SacMetro, and CARB would live. They also included downtown which is part of the city’s gentrification goals and valuable real estate.

The Southgate Industrial Park is never mentioned in their recommendations report, nor are the people living closest to it.

**Chapter 2. The Corruption Becomes Evident**

After the absence of the most marginalized communities in closest proximity to pollution sources became evidently clear in SacMetro’s recommendations for AB 617, the community was told that the AB 617 Community Steering Committee (CSC) would decide the final boundaries.

During the AB 617 community air monitoring plan (CAMP) boundaries discussion, the CSC seemed inclined to include the aforementioned communities (Woodbine, Bowling Green, and the Avenues) in their CAMP. It was at this time, that SacMetro’s APCO took the CSC into another room, and away from the public and stakeholders for a private discussion. This seemed like a violation of the Brown Act which you (CARB) were made aware of (through previous public comments) and chose to ignore. “The people of the State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created” (Govt.Code, § 54950). Upon returning from their private meeting with SacMetro’s APCO, the CSC had changed their tune and indicated that CARB would select Woodbine, Bowling Green, and the Avenues the following year, as well as not being on the CSC to advocate for communities beyond their own neighborhood.

The initial map that SacMetro provided for the boundary’s discussion didn’t even include the Avenues, Bowling Green, Woodbine, or the industrial parks hubs they border. After being called out for that, SacMetro conveniently produced another map that did allow for the CSC to consider these communities and the industrial park. It was only after an impassioned speech about equity and justice that the CSC voted to include Bowling Green, but not the Avenues or the Woodbine, despite seemingly wanting to do so (resources are limited they were told). I would argue that people from Bowling Green, the Avenues, and Woodbine were all denied their right to advocate for their community by being excluded from the outreach to join the Community Steering Committee discussion around boundaries. Having decisions made for them by outsiders is an injustice that is correctable now. To move forward with a CERP, is to double down on their (Woodbine and the Avenues) injustices.

**Part 3. The Plot Deepens**

It was surprising to learn, a couple of years after the boundary discussions, that many things were in the works for the industrial area facing the Avenues and Woodbine. Several news outlets have named Phil Serna, a former CARB Board member and SacMetro Board member as well, as a co-architect of this new project which was expected to increase HD truck traffic into the community ([Video: Groundbreaking at Sacramento CA Campbell Soup plant | The Sacramento Bee (sacbee.com)](https://www.sacbee.com/news/business/article254650502.html)). The other co-architect named is Patrick Kennedy, the current chair of the SacMetro Board. The former chair of SacMetro’s Board is a current member of the CARB and SacMetro Boards, Eric Guerra. When questioned about the seeming injustice of AB 617 in South Sacramento, the APCO for SacMetro replied at least once, “I’m just doing what my bosses tell me.” His bosses were the board of SacMetro (Eric, Phil, Patrick); all who seemingly stifled or used AB 617, in support of decisions they were making as elected officials.

**Part 4. Sacramento and AB 617 Today**

CARB has granted Valley Vision an AB 617 grant to conduct air monitoring in support of AB 617 in Sacramento ([Community Air Protection - Valley Vision - Sacramento](https://www.valleyvision.org/projects/community-air-protection/)). The Avenues and Woodbine are not monitored under this grant, but one of the most gentrified communities in Sacramento (Aggie Square, formerly Oak Park), adjacent to Elmhurst, is included. This area of monitoring doesn’t include nary the permitted sources as those near Woodbine, Bowling Green, or the Avenues. This area is also considered a pet project of our elected official, and your Board member, Eric Guerra (and everyone else who wants to seem DEI saavy). One of their partner’s is United Latinos, a group I’ve called out for using equity jargon to describe development projects in Elmhurst and Aggie Square. These are the only two members of the public in attendance at the current South Sacramento AB 617 meetings. They actually answered on behalf of SacMetro when I called them out on the lack of public in a community led meeting; that wasn’t their place to do so, but it was telling of who they serve, IMO.

The last South Sacramento AB 617 meeting I attended was made up of around 13 governmental staff, and 9 others (that number included the 6 or 7 CSC). There is no tension anymore, and justice is not even a topic. I called out the district and the CSC because they were discussing a Community Emissions Reduction Plan (CERP) when they still haven’t had a proper tour of the community. When a CSC member requested to see the industrial park during the planning of a community tour, they were told “the bus is big and can’t navigate every street.” That was a lie as every street in that industrial park can accommodate 5 of the biggest buses side by side.

**Conclusion**

The AB 617 process in South Sacramento was founded on lies and half-truths by SacMetro and CARB. The most vulnerable people in South Sacramento (Woodbine and Avenues) were robbed of their opportunity to be heard. Their concern for their children’s health never seemed to matter to anyone, including the community representatives on the South Sacramento AB 617 CSC. To move forward with a CERP, is to disenfranchise them again.

It's my opinion that CARB in creating this new blueprint is simply buying itself more time. Throughout the AB 617 process, your standard operating procedure has been to ask for more time. I’m sure many community-based advocates have been paid handsomely for you to gain the appearance of equity, through their participation in this charade of a new blueprint meaning a new day for justice. CARB has not been an overseer of justice in the SacMetro’s handling of AB 617, but rather a partner in the abuse of my community. All your CBO partners input on AB 617 have not changed things one bit for my community’s most marginalized. CARB, UC Davis, and the greater EJ advocacy community are all complicit in the oppression of South Sacramento. I could argue that their oppression of my community through AB 617 is reflected in how they site homeless shelters, and what schools (withing the same, SCUSD, district) get the resources they need, and which ones don’t. AB 617 didn’t change Sacramento politics, it got rolled into them and just became another part and parcel to the ubiquitous systemic racism we experience in South Sacramento; it permeates every aspect of our lives. The AB 617 process in South Sacramento is modern day redlining; history will bear this out.

As the CARB Board, you can deny SacMetro the opportunity to continue the charade of equity by denying any CERP requests; and even cancelling their status as a CAMP until they engage with those communities they seemingly excluded intentionally to benefit the pet projects of elected officials serving on public health agency boards. It’ll require moral courage as you’d be questioning the judgement of, he who appointed you by questioning the person sitting beside you (he appointed them too). When the community came before you with this same issue, you stood with Phil, and NOT the Californians you were supposed to protect; makes me wonder what shenanigans you’re hiding.

Before moral courage, it’ll require morality for you to understand that all those kids in the dense housing just outside the AB 617 boundaries, are yours too. James Baldwin said that.

If anyone wants to know more, please request that CARB provide you with every comment from Mauro Libre on this subject.

Sincerely,

Mauro Libre