

California Air Resources Board
Community Air Protection Program

Arvin/Lamont Community Emissions Reduction Program Staff Report

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Staff Recommendation

Staff recommends that the California Air Resources Board (CARB or Board) approve the Arvin/Lamont Community Emissions Reduction Program developed pursuant to Assembly Bill (AB) 617 (C. Garcia, Stats. 2017, ch. 136¹) and direct CARB staff to work with the San Joaquin Valley Air Pollution Control District (Valley Air District or District), the community co-leads, the Arvin/Lamont Community Steering Committee (CSC), California Department of Pesticide Regulation (DPR), Office of Environmental Health Hazard Assessment (OEHHA), Kern Council of Governments (Kern COG), California Department of Transportation (Caltrans), and California Geologic Energy Management Division (CalGEM) to take additional actions to strengthen implementation.

Background

In July 2017 AB 617 was signed into law. To implement AB 617, CARB established the *Community Air Protection Program*² (Program), which requires community-focused action to reduce air pollution and improve public health in communities that experience disproportionate burdens from exposure to air pollutants. On September 27, 2018, the Board approved the *Community Air Protection Blueprint*³ (Blueprint), which among other things, establishes criteria for developing and implementing community emissions reduction programs (as described in the *Blueprint Appendix C* and summarized in the *Blueprint Checklist for Community Emissions Reduction Program Evaluation*⁴ (Checklist)), community air monitoring plans, and other elements of the Program.

On February 25, 2021, CARB selected the Arvin/Lamont community to develop both a community emissions reduction program (CERP) and a community air monitoring plan (CAMP). This community also includes the areas of Hilltop, Fuller Acres, and Weedpatch. To date, the Board has selected a total of seventeen communities to implement community emissions reduction programs, community air monitoring, or both.

Between March 2021 and August 2022, the Valley Air District, with the help of a third-party facilitator, convened an Arvin/Lamont CSC, and together, along with other agency partners, developed the *Arvin/Lamont Community Emissions Reduction Program*.⁵ CSC meetings addressed topics ranging from an introduction to the AB 617 Program, community air pollution concerns, and air pollution impacts on the community, including specific discussions of health

¹ Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB617

² Community Air Protection Program: <https://ww2.arb.ca.gov/capp>

³ The Blueprint is available at: <https://ww2.arb.ca.gov/capp-blueprint>.

⁴ The Checklist for the Community Emissions Reduction Program Evaluation begins on page C-41.

⁵ To review the Arvin/Lamont CERP and associated documents, visit the Community page hosted by Valley Air District: <https://community.valleyair.org/selected-communities/arvin-lamont/>

impacts, monitoring, rules and enforcement, and the role of incentives. The community's priority emissions sources of concern include pesticides, industrial sources, agricultural operations, oil production and extraction, dust, and heavy-duty trucks.

State law gives communities and air districts 12 months to develop a CERP following CARB community selection. The Arvin/Lamont Community initiated its CAMP in February 2022 and implementation efforts continue. The Statewide stay-at-home orders lasted through June 2021 and the ongoing need to protect public health during this time exacerbated the already short timeline.

In December 2021, the Valley Air District sent a letter to CARB requesting an extension for the CERP development deadline. The letter highlighted these challenges, described the status showing significant progress, and asked for an additional four months to continue working on the CERP. The CSC supported the request. While AB 617 does not give CARB the authority to adjust the statutory 12-month deadline, CARB's response acknowledged the challenging circumstances related to the global pandemic and commended the Valley Air District and co-leads on the intentional approach to ensure meaningful engagement in the development of the CERP.⁶ The CSC continued to work with the Valley Air District, CARB, and other partners to develop and prioritize the measures to include in the final CERP.

On April 27, 2022, the District hosted an in-person CSC meeting, the first and only in-person meeting held so far. During this meeting, the CSC discussed the initially proposed CERP measures which were based on CSC priorities identified through an innovative, online participatory budgeting tool (described further below in the Key Strengths section). An iterative process of revisions followed and on June 6, 2022, the Arvin/Lamont CSC unanimously supported the final CERP. On June 16, 2022, the Valley Air District Board unanimously adopted the CERP, which contains a variety of measures to improve the air quality and reduce air pollution exposure in the Arvin/Lamont community.

The CARB Board is now considering the Arvin/Lamont CERP that includes the following types of air quality measures:

- Incentive investments of \$30 million toward projects like residential lawn and garden equipment replacement and agricultural equipment replacement
- Partnership measures to address pesticides, truck re-routing, and oil well impacts
- Outreach measures to help inform the community about their air quality and related opportunities
- Enhanced enforcement focused on stationary source inspections, fugitive dust, and heavy-duty truck idling

⁶ Extension request letter and CARB response are posted on the Arvin/Lamont CERP development webpage: <https://community.valleyair.org/selected-communities/arvin-lamont/cerp-development-implementation/>

- Statewide regulatory measures

This report provides key findings from CARB staff's (Staff) review of the CERP and recommended actions to strengthen its implementation. This review determines if the CERP meets the criteria established in AB 617 and the Blueprint, if it reflects community priorities, and if it is likely to reduce air pollution emissions and exposure in the community.

Arvin/Lamont Community Emissions Reduction Program Overview

The Arvin/Lamont CSC with their elected co-leaders Gustavo Aguirre Jr, Central California Environmental Justice Network, and Byanka Santoyo, community resident, worked in partnership with the Valley Air District, CARB, and other agencies to develop the Arvin/Lamont CERP to reduce air pollution emissions and exposure in their local community.

The Valley Air District worked with the community using an online visualization tool to help the community map the locations of their air pollution source and exposure concerns. The results from that effort are shown in Figure 1. The top community sources of concern for the community include pesticides, industrial sources, agricultural operations, oil production and extraction, dust, and heavy-duty trucks.

The CERP focuses on reducing emissions and exposure to fine particulate matter (PM2.5), oxides of nitrogen (NOx), volatile organic compounds (VOCs), and toxic air contaminants like those from pesticides and diesel particulate matter (DPM) that originate from sources such as heavy-duty trucks, passenger vehicles, and oil and gas operations. The Valley Air District estimates a lifetime reduction of 135.4 tons of PM2.5, 372.5 tons of NOx, and 148.3 tons of VOC from CERP measures.⁷

⁷ For more information, see page 142 of the CERP. https://community.valleyair.org/media/4014/6-final_arvinlamont-cerp_610.pdf

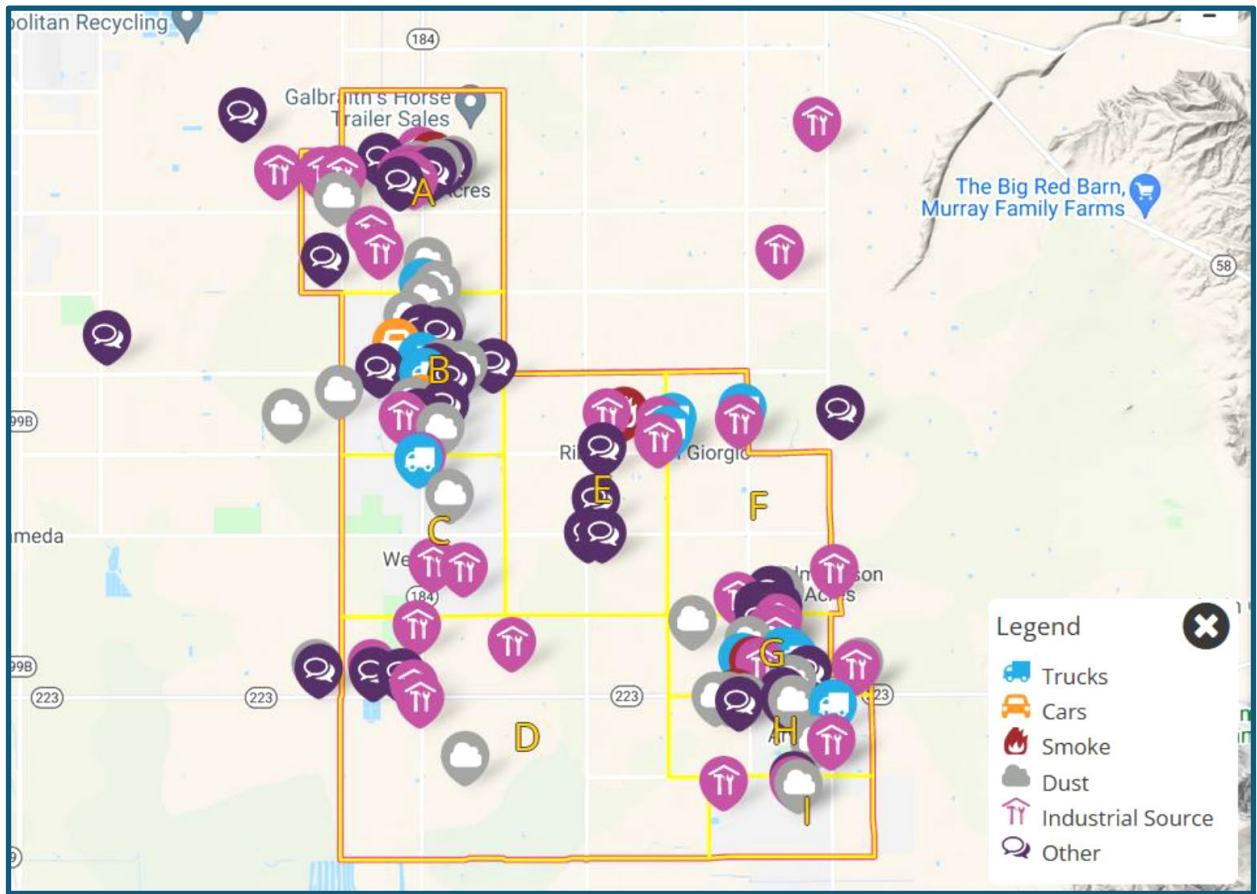


Figure 1. Locations of community identified sources of concern. (Source: Arvin/Lamont CERP, Chapter 4.)

CERP measures employ a wide variety of strategies to reduce air pollution emissions and exposure. Strategies can be categorized as incentives, regulatory, enforcement, agency partnerships, and outreach. This approach aligns well with the statutory intent of AB 617 to use all existing authorities to reduce emissions. The CERP has 25 measures in total, including 12 with specific reduction targets. Many measures have been previously identified and vetted through other AB 617 communities, which demonstrates the value of transferability of strategies across similar communities and will allow efficient and effective implementation. Figure 2 lists examples of the CERP measures. For the full list of strategies with details, see Chapter 4 of the CERP.

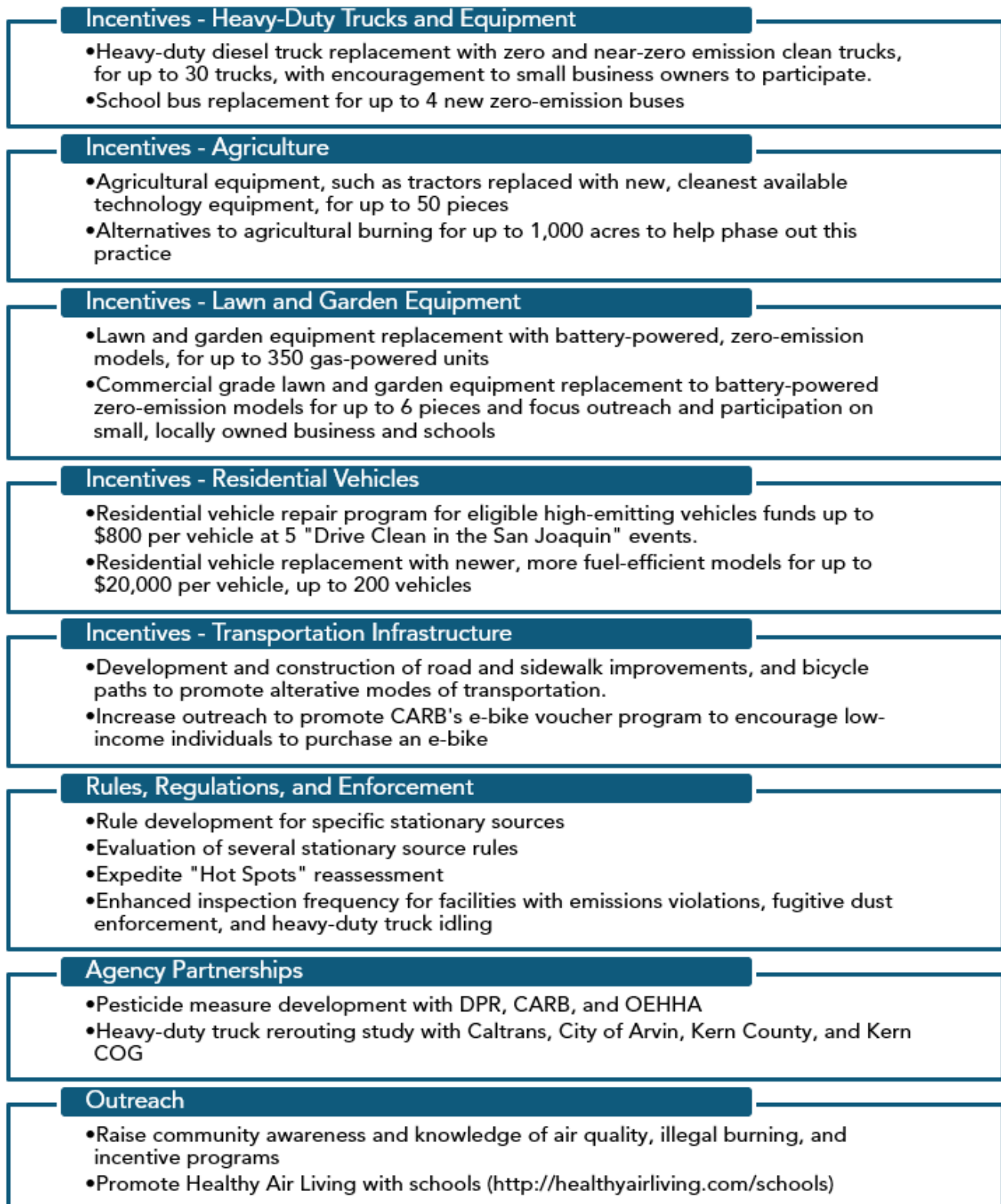


Figure 2. Example CERP measures

Summary of CARB's Evaluation

Staff completed the CERP evaluation following the framework established in the Blueprint.⁸ In addition to the CERP itself, Staff reviewed meeting materials and a record of public comments and responses to those comments by the Valley Air District, which are included in Appendix H of the CERP. Throughout the process, Staff attended all CSC meetings to hear the community's ideas and concerns. In August 2022, Staff surveyed the CSC and led a portion of a regular CSC meeting to hear directly from the Arvin/Lamont CSC, community members, and other interested parties. The evaluation included asking structured questions such as, "What could be improved during the CERP implementation?" Both the survey and the CSC discussion provided ways for the community to communicate their perspective verbally, electronically, and in writing. Seven people responded to the survey, and the results are reflected in the evaluation. Because the workshop was held during a regular CSC meeting, well over a majority of the CSC members and several members of the public participated and offered comments and ideas that are also included in this evaluation. The survey and workshop both offered ample opportunity for sharing thoughts about the CERP and the process. These participation and outreach efforts helped inform the findings in this report.

CSC members are satisfied overall with the CERP, as demonstrated by the unanimous vote of the CSC to approve the CERP and reinforced by the survey results, and comments shared during the CARB-led portion of the CSC meeting. CSC members commended the Valley Air District's efforts in community engagement and for providing clear, understandable information throughout the process. The CSC members anticipate continued refinement of measures and strategies and are eager to implement the CERP measures to begin improving the air quality in their community.

Community members' concerns most notably centered around the pesticide partnership measure, desiring swift action to reduce pesticide emissions exposure, and for the measure to specifically include buffer zones and a local notification system. Other comments include the desire to prioritize incentive projects that maximize emission reductions and directly benefit local residents when possible, to include more business and agency representation in the CSC voting membership, and for the CSC to develop novel measures that go beyond what the Valley Air District has already done for other communities. Illegal fireworks are one source of concern identified beyond what is currently included in the CERP.

Ultimately, based on the thorough evaluation by CARB staff, the CERP meets the criteria established in AB 617 and the Blueprint, it reflects the community's priorities, and is likely to reduce emissions and the community's exposure to air pollution. However, to ensure successful implementation and maximize health benefits for the community, the CERP should be strengthened by continuing to prioritize, refine, and detail steps to implement measures and

⁸ Final Community Air Protection Blueprint - Appendix C. https://ww2.arb.ca.gov/sites/default/files/2018-10/final_community_air_protection_blueprint_october_2018_appendix_c.pdf

ensure continued collaboration between the Valley Air District, the CSC, and other partnering agencies.

Staff recommends approving the CERP, providing additional Board direction to CARB staff, Valley Air District, and the CSC to begin implementation immediately to start reducing air pollution emissions and exposures, and taking steps to strengthen its implementation. These recommendations draw directly from the core principles of the Board-adopted Blueprint.

Staff has organized the results of this review into two categories:

- Key strengths of the CERP, and its development process, which highlight areas staff found particularly noteworthy; and
- Recommended actions for Valley Air District and CARB to strengthen implementation, including areas where additional discussion, information, clarification, and detail will help ensure the CERP is successful and achieves emissions reductions in the Arvin/Lamont Community, as well as commitments CARB will make based on feedback provided about CARB's role in the process to date.

Key Strengths

Community Engagement and Participation

The CERP was soundly supported by one of the largest CSCs to date, which reflects the Valley Air District's efforts to support a community-driven process with extensive community engagement, reliance on trusted third-party facilitators and a strong focus on language justice, which included the prompt Spanish translation of CSC documents and real-time interpretation services at all meetings. Prior experiences helped build capacity for working together and allowed the Valley Air District, the CSC, and the co-leads, along with the facilitators, to create a collaborative space that welcomed all concerns and comments and created a transparent and accountable process.

Experienced partners

The Valley Air District's work with the Arvin/Lamont community was informed by its experience with three San Joaquin Valley AB 617 communities selected in prior years. This experience proved incredibly valuable at the beginning of the process when the Valley Air District built trust with the community by supporting the community's choice to extend their community boundaries to include the areas of Hilltop, Fuller Acres, and Weedpatch, by accepting the over 70 eligible applicants for membership in the CSC, and by agreeing to a governance system of co-leadership by a community resident and a community-based organization representative.

Several CSC members, including the elected co-leads, also came to this CERP process with previous and continued experience working on the Shafter CSC, which has been operating for approximately four years. Having co-leads rooted in the local community and familiar with the process was critical to both the CSC and the Valley Air District as they reached out to support CSC members with technology challenges and guided them through prioritization and decision-

making complicated by virtual meeting processes and the challenge of having one of the largest CSCs. The co-leads also periodically met with the community outside of regular CSC meetings to help the community and CSC members understand more about the process or the technical data and information being presented. These efforts built trust, deepened community knowledge, and permitted steady progress in the CERP development. Additionally, local community-based organizations received community air grants that supported community capacity building.

Steering Committee Structure

With 70 members, including five non-voting government representatives, the Arvin/Lamont CSC has more members than any other CSC in the AB 617 Program. Of the voting members, 53 (82%) are residents, eight (12%) represent businesses, and four (6%) represent community-based organizations. In the beginning, it was unclear how this committee would function with so many members. However, the Valley Air District developed a way to streamline voting and with the additional outreach meetings provided by the co-leads, all members were able to participate. These original CSC members have remained active throughout the CERP development process.

The CSC held 20 regular evening meetings between March 2021 and August 2022 that ranged in topics from an introduction to the AB 617 Program, community boundaries, community air pollution concerns, emission sources, and air quality monitoring. The CSC discussed and worked in consensus or voted on items such as forming a governing charter, identifying community air pollution concerns, locating sources, and air quality monitor locations. These meetings helped form a collaborative space between the community and agencies.

Accessibility

To keep the CSC meetings accessible and productive, the Valley Air District employed a third-party facilitation team to help plan and host the meetings, and provide simultaneous Spanish interpretation at all meetings. To help those members with technological challenges, the Valley Air District held an information session on using Zoom, provided free internet connectivity and laptops for use at home, and for those requesting it, printed and mailed materials directly to members. All materials are provided in both English and Spanish. Members were provided a stipend for their time which helped sustain participation. Along the way, the Valley Air District also held bi-lingual (Spanish and English) office hours and reached out directly to CSC members to answer questions and hear concerns about CERP measures.

The Valley Air District engaged the community using a wide variety of tools and techniques including interactive maps, action item trackers, contacting individuals one-on-one, hosting office hours and training sessions, and holding additional meetings as needed. They also developed a useful webpage that provides transparency by hosting many of these resources, all CSC materials, and meeting video recordings. To build the CSC's knowledge base on air quality, the CSC received and discussed information on air quality and health effects, emissions inventory, regulations and enforcement, and pesticides.

Participatory Budgeting

The Valley Air District developed an innovative tool for prioritizing and assigning funding values to CERP incentive measures, which empowered the CSC to make choices about which measures to include in the CERP. The tool allows users to visualize the costs of certain measures and the amount of emissions reductions that can be realized to help CSC members make informed choices about their priority measures. See Figure 3 for a visual sample of the tool.

This tool was sent to each member of the CSC who used their own personal link to select their priority measures and assign their own funding values. As measures were chosen and funding values assigned, dials at the top of the tool indicated the achievable PM2.5 and NOx emission reductions. Users could continue to adjust their choices until they arrived at their final decisions.

Budget		\$ 30,000,000		total tons estimated emissions reductions from each measure			Place a "CHECK" to support measures here			Add notes or questions for the District		
Proposed Incentives		\$ 30,000,000		Total NOx Target	Total PM2.5 Target	Total VOC Target	Proposed Measure Funding	Yes	Maybe	No	Notes	
Estimated Emissions Reduced in CERP (tons)		NOx	324	5.6	0.1	1.6	\$ 4,580,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		PM2.5	80									
		VOC	496									
*New program, or new incentive amount		ENTER YOUR PROPOSED CHANGES HERE										
**Increased access to existing program												
Idea		Unit Type	Number of Units	Incentives Per Unit	Total NOx Target	Total PM2.5 Target	Total VOC Target	Proposed Measure Funding	Yes	Maybe	No	Notes
Resident Incentives				5.6	0.1	1.6	\$ 4,580,000					
*Increase incentive for resident's vehicle replacement	Cars	200	\$ 20,000	1.9	0.1	0.0	\$ 4,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
**Enhanced incentive for resident vehicle repair	Cars	400	\$ 600	3.6	0.0	0.0	\$ 240,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
*Electric scooters/ Ebikes (free for residents)	Bikes or Scooters	200	\$ 1,000	Emissions Reductions Expected Pending CARB Methodology			\$ 200,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
*Replace residential lawn and garden equipment (free for residents)	Lawn Mowers	280	\$ 500	0.1	0.1	1.6	\$ 140,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Roads and Community Transportation Incentives				18.6	10.2	37.8	\$ 12,900,000					
*Bike Paths, Sidewalks, & Road Improvements	Projects	6	\$ 2,000,000	18.6	10.2	37.8	\$ 12,000,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
*EV Car sharing program	Projects	1	\$ 250,000	0.0	0.0	0.0	\$ 250,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
*Replace street sweeper	Street Sweepers	2	\$ 200,000	Emissions Reductions Expected Pending CARB Methodology			\$ 400,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
**EV charging infrastructure for public	Chargers	10	\$ 25,000	Supports Direct Reductions			\$ 250,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Heavy-Duty Incentives				83.8	1.7	7.0	\$ 5,800,000					
**Replace diesel trucks	Trucks	20	\$ 200,000	76.6	1.6	5.6	\$ 4,000,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
*Heavy-duty truck reroute								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Figure 2. Participatory Budgeting Tool to help CSC members choose their priority measures and funding amounts to include in the CERP.

To ensure CSC participation and accessibility of the funding tool, the Valley Air District held training and assistance sessions virtually, one-on-one, and in person at the Arvin library. The Valley Air District reported the best response ever received from a survey tool during a CSC process. The District compiled and considered individual member priorities when they developed the final list of measures that they proposed to the CSC.

The District hosted Arvin/Lamont's first in-person CSC meeting at the Arvin Veteran's Center to present the outcome of this budgeting exercise. They posted the proposed measures for initial deliberation along the walls including the text and the funding values. District staff, CARB and other agencies stood with the measures to answer questions and take input, see Figure 4. To

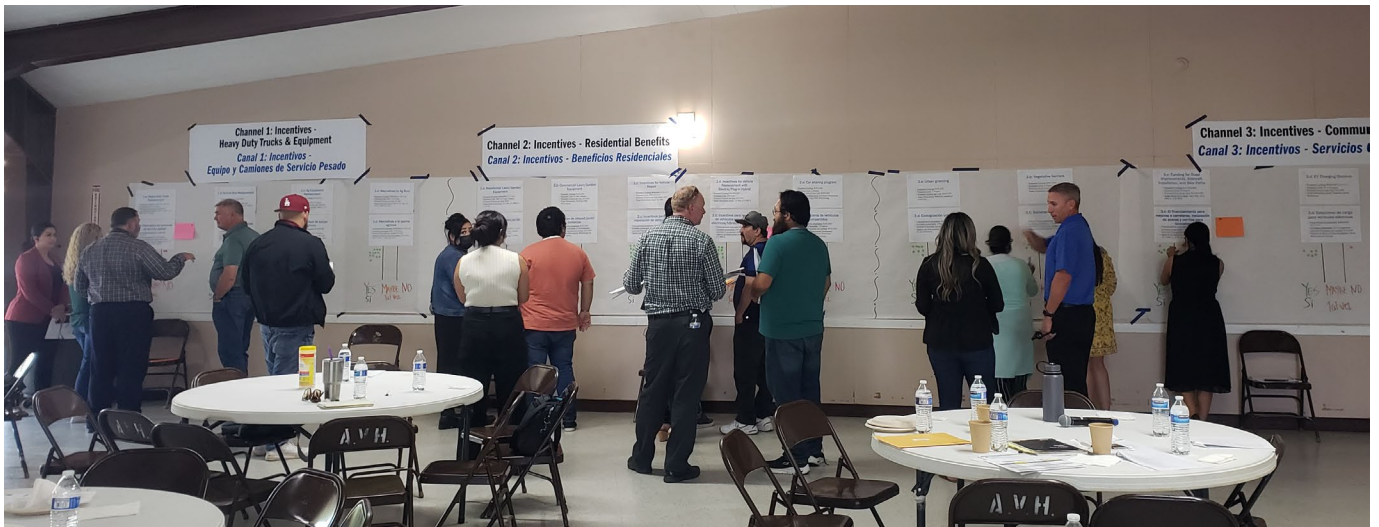


Figure 3 Arvin/Lamont CSC members gather in person to discuss proposed CERP measures with the Valley Air District, CARB, and other agencies.

help people participate, the district followed Kern County Covid-19 prevention policies, provided simultaneous Spanish interpretation through headsets at each area, provided activities for children, and offered food and drink for participants. The CSC had a chance to discuss the proposed measures with each other and with the agency representatives. An iterative process followed, incorporating community reactions to the measures and the CERP before the CSC unanimously voted to support the final CERP on June 6, 2022.

Agency Partnerships and Coordination

A key strength of any CERP process is the early formation of partnerships that helped secure actionable commitments that are included in the CERP. The CSC chose four partnership measures in its CERP and reducing emissions and exposures from the leading sources of community concern depend upon the success of these measures.

Even before community selection, the Arvin/Lamont community began expressing its concern about pesticide emissions. CSC meetings were regularly attended by staff of the California

Department of Pesticide Regulation (DPR) which, together with Agricultural Commissioners, have primary regulatory authority over pesticides in their pesticidal use.

The Valley Air District proactively responded to the community's pesticide concerns by inviting the Kern County Agriculture Commissioner to be a non-voting, governmental representative on the CSC. Both DPR and the Agriculture Commissioner have presented information and answered questions throughout the CERP development process. DPR has also made direct commitments in the CERP to identify and communicate the frequency and amount of pesticides used; to work with OEHHA to evaluate health risks/impacts based on air monitoring results; and to engage the CSC and community with statewide notification development efforts, ongoing sustainable pest management workgroup efforts, reporting complaints, and enforcement procedures. Specific aspects of this partnership measure also include partnering with CARB and OEHHA on pesticide monitoring, identification, and technical assistance. Kern County is also committed to being a part of expanding exposure mitigation practices and implementing the statewide regulatory notification system, once in effect. The Valley Air District, in response to a request from the CSC, has also convened these agencies to be part of a pesticides subcommittee in which CARB also participates.

Other partnership measures address the potential impacts of idle oil wells, land use, and diesel particulate matter from heavy-duty truck traffic by working with CalGem, the City of Arvin, Kern County, Kern COG, Caltrans and CARB's Enforcement Division. The CSC includes active members from the local and regional government agencies and the District invites other agencies to attend as needed. The Valley Air District committed to working with the implementing agencies as they develop measures and policies to reduce air pollution emissions and exposure in the community.

Recommended Actions to Strengthen Implementation

The CERP is the culmination of an extensive amount of work in a short timeframe. CARB staff remain committed to working with the Valley Air District, the CSC, and its co-leads to refine implementation strategies and support periodic status reports required under AB 617.

CARB staff has developed the following set of recommended actions. Progress in implementing these recommendations should be included in the annual progress reports submitted to CARB as required by the Blueprint.

Continue to Refine Strategies Informed by CSC Direction

By continuing to engage the CSC in refining measures, the Valley Air District can build investment in shared outcomes across the community and support more informed decisions during implementation. CARB staff remains committed to supporting this process. The compressed timeline required to develop a CERP makes it difficult to create and document detailed strategies. Throughout implementation, the Valley Air District and the CSC should

work together to refine these details and prioritize projects. When prioritizing projects to implement, many CSC members have suggested balancing choices between those measures that benefit community residents with CERP measures that already have CARB approval and can be quickly deployed, and those novel measures that will take more time to develop. After prioritizing projects, Valley Air District should work with the CSC to develop a schedule/workplan to implement the measures. Detailed updates, priority shifts, and the workplan should be included in the annual progress reports submitted to CARB.

Collaboration, Participation, and Transparency

Several actions taken during the CERP development process established a foundation of participation and transparency that should be maintained throughout implementation to ensure successful air pollution exposure reduction projects in the community. For instance, the Valley Air District employed a participatory budgeting tool to help CSC members choose incentive measures for the CERP by displaying the expected pollutant emission reductions for a selected strategy and funding amount. As implementation progresses, community priorities may shift and this tool could again empower the CSC to reconsider the measures and assigned funding values.

Over the course of CERP development, CSC members indicated that they want to ensure follow-through on the CERP measures. The action item tracker used during CSC meetings has been helpful to assure the CSC that agencies are responding to CSC questions and concerns. Similarly, the District should continue its practice of establishing an online tracking system to update the community about incentive expenditures, emission target metrics, enforcement issues, rule development, and community engagement opportunities.

The Valley Air District should continue to expand the technical knowledge base within the CSC so that it may make informed decisions. The CSC has heard about many technical aspects of air pollution exposure, health effects, and regulations, but as measure details are worked through, additional information and refreshers will be needed.

The District should continue its practice of regularly reviewing CSC governance including the charter, agenda-setting procedures, membership, meeting agreements, committee size and composition to ensure it meets the CSC needs. Collaboratively setting goals or guiding principles could provide the means to create a shared purpose and could help the CSC make decisions as implementation moves forward and project assessment occurs. When the committee and its partners create shared values and goals, outcomes are more likely to find full support and commitment.

Partnerships

The Valley Air District should continue to build and maintain effective interagency partnerships and collaboration and CARB is committed to support these efforts. A community-focused

approach to priority setting is a cornerstone of AB 617. This often means that some community-identified priorities may not fall neatly within either Air District or CARB jurisdictions.

Consequently, the CERP rightly looks to collaborations with other agencies that have relevant jurisdiction to address a CERP priority.

CARB staff suggest exploring the possibility of creating collaborations with other appropriate partners to solidify collective actions, and clarify respective roles. CARB staff are committed to help bridge gaps between local agencies, communities, and other state agencies as the CERP is implemented over the next five years.