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Dr. Philip M. Fine
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



August 4, 2023

Deldi Reyes
Director, Office of Community Air Protection
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Draft Blueprint 2.0

Dear Ms. Reyes,

Thank you for the opportunity to comment on the California Air Resources Board's (CARB) draft Blueprint 2.0. CARB's Blueprint serves as the guidance document for implementing Assembly Bill (AB) 617, which was signed into law by Governor Brown in 2017. The current update to the Blueprint aims to provide a community-led framework to ensure that equity and environmental justice are at the center of AB 617 implementation. We appreciate that the draft Blueprint is designed to be rooted in environmental justice, that it has been significantly informed by the People's Blueprint, and that it uses an equity-centered approach to pursue just implementation of AB 617.

We support CARB's shift to a more community and equity-centric approach to AB 617 implementation. The Blueprint calls for a reimagined program, where no new communities are nominated by local air districts and selected by CARB. Rather, communities may self-nominate and apply for state and local funding to develop emission reduction plans (L-CERPs). The proposed Blueprint 2.0 also asks local air districts to participate in the development of L-CERPs. This shift reflects a positive move toward increased engagement, equity, and inclusion. However, we urge CARB to coordinate with local air districts in clarifying their role in the development of L-CERPs and implementation of community identified strategies. Also, for communities that self-nominate, CARB should require an initial community boundary. A geographic boundary offers critically needed clarity for incentive program eligibility and reporting, as well as other local air district-led resources, including monitoring and early technical assessments. A boundary and additional clarity on the local air district's role would help to appropriately plan resource needs, ensure local districts can meet community expectations, and to limit uncertainty in program implementation.

The draft Blueprint also describes greater flexibility in state Community Air Grants and, when approved, local air district-administered Community Air Protection (CAP) incentives. While we support CARB's intention to streamline community access to resources, this shift carries several potential challenges. First, local air districts will need time to respond to CARB's proposed changes to the CAP incentives program, e.g., to establish new policies and procedures and to develop and implement new data management systems to process and administer new types of grants. We therefore request that CARB acknowledge in the Blueprint what is required in terms of time and resources for public agencies.

A related issue is that local air districts may not be able to offer all incentive programs identified in CERPs and/or L-CERPs, and new programs will likely need to be phased in over a period of years. This means that some strategies identified in CERPs or L-CERPs may not be available for funding at the time of plan adoption.

Second, current liquidation and obligation deadlines echo the deadlines that were established previously for diesel replacement projects. Deadlines are not well aligned with the realities of the time it takes to identify and complete the new types of projects that may be included in CERPs or eventually L-CERPs, including zero emissions projects. At least in the short- and medium-term, while there are supply-side limitations and while local air districts and communities attempt to take on new types of projects, CARB and local air districts should partner to advocate that the California state legislature consider flexible liquidation and obligation deadlines. For community-identified projects to be successful, and in the interest of equity, sponsoring communities and local air districts will need more time to complete projects and assurance that non-liquidated funds will not be lost in the event of project completion delays.

Similarly, CARB and local air districts should partner in advocating to the state legislature for an increase in allowable cost-recovery and long-term funding. Cost-recovery rates have not changed in 10 years and other state incentives programs have 10-year funding cycles, e.g., the Carl Moyer Program. For the proposed changes in the Blueprint to be successful, there will need to be assurances that funding will be available in future years and that there will be no gap in funding, as local air districts need to be able to justify (and pay for) investments in new resources and systems.

Furthermore, there remains some concern that the 19 existing CERP communities will continue to be held accountable to the 2018 Blueprint, while also having to adhere to Blueprint 2.0. Previously, we have expressed to CARB a variety of concerns regarding the original Blueprint. Most notably, there is misalignment between the Blueprint and the approaches communities have taken in developing their CERPs. For example, actions in the adopted West Oakland Community Action Plan, *Owning Our Air*, and in the pending Richmond-North Richmond-San Pablo plan do not include action-specific targets. Tracking results and progress solely based on quantitative targets per action dismisses the need for actions that cannot be directly quantified. Setting a goal for a plan to simply add up what can be quantified may not align with community aspirations. To the extent the 2018 Blueprint remains the operative guidance in currently designated communities, CARB should address these and other concerns in draft Blueprint 2.0.

In addition to the above, we offer further comments below on Parts One and Two of the draft Blueprint. Comments are offered to request additional detail, clarity, and/or guidance on specific aspects of the Blueprint. We also offer recommendations and minor factual corrections for CARB's consideration.

Part One

- ***Bayview Hunters Point-Southeast San Francisco:*** On pages 5-6, please change “Bay View Hunters Point” to “Bayview Hunters Point-Southeast San Francisco”.
- ***Defining Redlining:*** On page 9, consider expanding the description of redlining to “Redlining, as a government property assessment process based on racialized theories came about as part of the Great New Deal’s homeownership, a series of programs enacted by President Franklin D. Roosevelt to stave off foreclosures and lift the United

States out of the Great Depression.” It is important to acknowledge how governments may seek to enact “progressive” policy that can have negative consequences even if referencing accepted, mainstream science and theories of the times.

- ***Resources not Reaching Those Who Need Them:*** On page 11, consider pulling out the last sentence, “Implementation approaches of multi-year community air monitoring plans (CAMP) and community emission reduction programs (CERP) development are resource intensive, and the resources are not reaching all those who need it” and starting a new paragraph where you may provide further information and/or clarification. The issue as to why resources are not reaching the right places is deeply complex and nuanced. For example, structural barriers via complex grant applications, limited capacity and/or resources for agencies to fully engage with communities, timing limitations due to mandated deadlines and numerous other issues impact resource allocation issues.
- ***Use of Equity Lens:*** On page 13, consider clarifying what it means to use a racial equity lens, i.e., on all aspects of the program, or only in working with the community?
- ***Civil Rights Disparate Impact Analysis:*** On page 17, consider adding an action to work with local air districts to develop an environmental justice-forward disparate impact analysis and to identify affirmative opportunities to use such an analysis (civil rights compliance) in programs like permitting, enforcement, rulemaking, and compliance with the California Environmental Quality Act. Furthermore, on the same page, consider using CARB’s own racial equity tool to evaluate the application process for Community Air Grants.
- ***Completion of CERPs:*** On page 17, there is reference to most CERPs taking 5 or more years to implement. It would be helpful to clarify that most CERPs will take substantially longer than five years to implement, which could help in setting realistic expectations. Please also provide clarity on what it means to “complete” a CERP, i.e., all strategies are completed or only those under CARB and/or local air district authority?
- ***Engagement Plans and Enforcement Efforts:*** On page 18, several priority actions indicate the development and implementation of engagement plans and implementing enforcement priorities. It would be helpful to know if local air districts will participate in the development and implementation of community engagement plans, and/or in enforcement efforts. Also, consider clarifying which category of sources enforcement will be centered on.
- ***Training for L-CERP Communities:*** On page 19, training for L-CERP communities is listed as a priority action. CARB may want to consider partnering with local air districts in training programs, as some local districts, including the Bay Area Air District, have distributed capacity building grants to local communities. These grants have helped build relationships and trust with communities, which could be further enhanced in partnership with CARB. Local air districts may also provide information on local air quality, monitoring and modeling techniques, source apportionment and other pertinent information.

Part Two

- **Statewide “Floors” for Control Technologies:** Statewide technology floors on feasibility and best available retrofit control technology for major industrial facilities would be a helpful, practical tool to implement the guiding principle on emissions reduction strategies listed in the “Equity Lens” section, on page 13.
- **Federal and State Air Quality Standards:** On page 5, national air quality standards are mentioned. Consider adding information on state air quality standards.
- **Mandated Enforcement Plans:** On page 5, consider adding reference to enforcement plans under the list of AB 617 statutory requirements.
- **Proposition 209:** On page 19, in reference to Proposition 209, consider adding “public education” to areas in which the California Constitution prohibits discrimination or preferential treatment.
- **Involving Residents and Affected Parties in Decision-Making Process:** On page 21, consider acknowledging that there may be tension between residents and affected industries that need careful mediation and effective mechanisms put into place to open dialogue. In some cases, community members may resist having affected industries be a part of a community steering committee due to power imbalances and perceived greater political clout by these entities.
- **Incentive Project Plans:** On page 22, in the section on Transparent and Inclusive Process, there is reference to an “incentive plan.” Consider clarifying what an incentive plan is and guidelines for such a plan.
- **Participatory Budgeting:** The Air District has a strong interest in working with CARB and local communities on the design and implementation of a participatory budgeting program within the AB 617 framework. Currently, we are exploring ideas for participatory budgeting, however, we have yet to implement a program. We look forward to further conversations with our local communities and with CARB on how we may implement participatory budgeting within the CAP implementation program. Please correct page 31 where it is noted the Bay Area Air District has implemented a participatory budgeting program.
- **Bayview Hunters Point-Southeast San Francisco:** On page 42, please note that Bayview Hunters Point-Southeast San Francisco was self-nominated, with support from the Bay Area Air District. The community was not nominated by the Bay Area Air District.
- **Consistently Nominated Communities:** Please clarify how the list of 65 communities, referenced on page 45, came to be what CARB considers “consistently nominated communities.” For example, San Francisco, Bayview Hunters Point and East Oakland are on the consistently nominated communities list. East Oakland and Bayview Hunters Point-Southeast San Francisco are already designated communities, and there is some uncertainty as to whether the entire City of San Francisco was nominated. Also, please correct the table to indicate that the City of San Francisco, Eastern San Francisco, and

Treasure Island are in San Francisco County.

- ***Estimating Emission Reductions for Incentive-Based Actions:*** On page 78, there is reference to estimating emission reductions from the implementation of CERP actions, including incentive-focused actions. In many cases, incentives are identified as a strategy to reduce mobile source emissions. Consider acknowledging that determining emission reductions from mobile source strategies to a specific community is challenging and has a high degree of inaccuracy. Estimating emissions will only become increasingly complex as additional communities are brought into the program.
- ***Updates to Existing CERPs:*** On page 80, there is reference to updating existing community emission reduction programs. Currently, the Bay Area Air District does not have any plans to update West Oakland's *Owing Our Air*, our only existing CERP. If *Owning Our Air*, or any future CERP were updated, there would have to be consideration of resource requirements, especially as new L-CERPs are brought into the program for which the Air District may be dedicating resources, i.e., a discussion of trade-offs may be necessary.
- ***CERP Action Targets:*** On page 80, there is reference to CERP action-specific targets. It bears noting that not all actions have a target in West Oakland's community action plan, *Owning Our Air*, nor in the pending Richmond-North Richmond-San Pablo plan. A target focused approach could drive actions toward emission reductions, at the expense of holistic solutions or exposure/health reducing outcomes. Tracking results and progress solely based on quantitative targets per action dismisses the real need for actions that cannot be directly quantified. Also, setting a goal for a plan on adding up only what you can quantify is not aligned with community aspirations.

Thank you for the opportunity to comment on the draft Blueprint 2.0. Please let me know if you would like to discuss the contents of this letter.

Sincerely,



Dr. Philip M. Fine
Executive Officer/Air Pollution Control Officer