



# South Coast Air Quality Management District



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August 15, 2023

VIA Electronic Mail

Deldi Reyes

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

## **Re: Comments on the Blueprint 2.0**

Dear Ms. Reyes (she/her/hers),

The South Coast Air Quality Management District (South Coast AQMD) appreciates the opportunity to provide written comments on the Blueprint 2.0 draft. South Coast AQMD recognizes the difficult task of incorporating the People's Blueprint, lessons learned and navigating AB 617 moving forward. Blueprint 2.0 is significant in guiding air districts, community residents, community-based organizations, local and state agency staff, and business and industry representatives in lifting the voices of community members and supporting continued community air protection efforts, particularly in environmental justice communities.

South Coast AQMD has six communities: Wilmington, Carson, West Long Beach (WCWLB); San Bernardino Muscoy (SBM); East Los Angeles, Boyle Heights, West Commerce (ELABHWC); Eastern Coachella Valley (ECV); South East Los Angeles, (SELA), and South Los Angeles (SLA). These six environmental justice communities span multiple cities and represent over 2 million residents. South Coast AQMD is implementing six Community Emission Reduction Plans (CERPs) representing over 200 actions and Community Air Monitoring Plans (CAMPs) for each of these communities. South Coast AQMD is actively implementing six CERPs with nearly 300 actions. .

This cover letter includes six main comments regarding: Racial Equity and Environmental Justice; Development of Success Indicators; CERP Implementation and Community Engagement Post Year 5; Community Guidelines, Templates, and Tools for L-CERPs; Fourth Optional Community-Led Pathway; and Educating Beyond the AB 617 Sphere. Attachment 1 includes more detailed comments.

## **Racial Equity and Environmental Justice**

South Coast AQMD applauds the centering of non-discrimination laws and protections to uphold civil rights laws and protections in Blueprint 2.0. Inclusion of priority actions elevates important evidenced based examples to show community members and community-based organizations its

importance to CARB and air districts. South Coast AQMD acknowledges the inclusion of racial equity and environmental justice practices that continue to adversely impact the quality of life of the residents. Partnership, collaboration, and engagement with the Diversity, Equity, and Inclusion (DEI) and Environmental Justice (EJ) practitioners of agencies is a critical next step in translating the guiding principles into operational standards to working with a diversifying population of residents throughout the state. South Coast AQMD believes that the information provided in the Blueprint 2.0 provides appropriate context, however, more purposeful efforts can be made to address ongoing DEI, EJ, and Civil Rights issues and concerns as it relates to engagement with communities. These priority actions, training materials, and resources are critical to building the capacity of all staff of AB 617 to further enhance engagement with all communities on air quality related issues.

### **Development of Success Indicators**

South Coast AQMD recommends that success indicators and benchmarks be developed to promote evidence-based best practices. There are a variety of ways to measure success with AB 617 such as enhanced engagement, implementation of Community Emission Reduction Plan (CERP) actions, community monitoring, community air protection program funding, etc. Development of evaluation tools such as pre-checklists, self-assessments and/or community surveys provides greater transparency to measure and communicate program successes and areas to enhance. Development of these evaluation tools upfront provides greater transparency for the community and establishes expectations for agencies and the community. The current 5-year timeline should allow for interim assessments of progress and additional updates and programmatic pathways to be established. South Coast AQMD would welcome further discussion as to the development, facilitation, and assessment of programmatic evaluations.

### **CERP Implementation and Community Engagement Post Year Five**

South Coast AQMD appreciates the recognition that implementation of the CERPs will likely go beyond five years. As many of these communities are dealing with the intersection of ongoing environmental justice and civil rights amidst the ongoing health effects of COVID-19, South Coast AQMD appreciates that CARB recognizes the issues are impacting the five-year timeline of CERP implementation. South Coast AQMD is committed to completing implementation of actions in the CERPs and continuing to work with communities to further the relationships that have been built throughout the AB 617 process. South Coast AQMD is committed to working with CARB and the communities as year five is approaching for three of its six communities. South Coast AQMD would like to work with CARB and the other air districts to establish some general guidelines to ensure full implementation of CERPs, how to address changes in actions in an approved CERP to reflect implementation issues, and community engagement after the first five years and post-CERP implementation.

### **Community Guidelines, Templates, and Tools for L-CERPS**

Since the inception of AB 617 and its inclusion of community members in CERP development, and implementation, there has been a vast takeaway of lessons learned and best practices for air districts. South Coast AQMD supports the concept of Local CERPS (L-CERPS) as a new pathway to community-led action. To ensure the success of this new pathway, Blueprint 2.0 should include templates and tools for communities to help develop L-CERPs. Establishing guidelines will ensure communities know upfront expectations and limitations and available resources to ensure success. Ongoing, in-person, and annual opportunities for communities to engage with one another, CARB,

and air districts on administrative and operational infrastructure, and topics such as DEI, Environmental Justice, governance, co-collaboration, community outreach, consensus building, and conflict resolution, and air quality related actions. The combination of resources and application of these lessons and best practices will position communities for success.

#### **Fourth Optional Community-Led Pathway**

South Coast AQMD applauds CARB for developing three pathways to build capacity to address the 65 plus consistently nominated communities, that have not yet been selected. Staff estimates that nearly 20 of the communities are within the South Coast AQMD's jurisdiction and agrees that new and innovative approaches are needed. Implementation of AB 617 is in a transitional period, where new approaches are being considered that are less resource intensive, address community concerns, and provide air quality and exposure reduction benefits. South Coast AQMD suggests that Blueprint 2.0 include a fourth optional pathway that agencies can define that meets specific criteria such as addressing community needs and provides emission reductions or exposure reductions. A fourth optional community led pathway allows agencies to collaborate creatively with communities to develop solutions paths that are not yet defined during this transitional phase of AB 617. South Coast AQMD believes that allowing a fourth optional pathway provides agencies with the greatest number of tools to work with communities without being constrained or waiting for the next update to the Blueprint.

#### **Educating Beyond the AB 617 Sphere**

Implementation of AB 617 has led to a number of successes from more innovative ways to collaborate with community members, elevating the voices of community members to better understand lived experiences, centering of non-discrimination laws and protections to uphold civil rights laws and protections, and much more. In order to provide a more sustainable environmental justice program, South Coast AQMD encourages CARB to work with agencies to ensure that the education of AB 617 lessons learned, DEI, EJ, and civil rights protections go beyond the sphere of AB 617 practitioners and extends throughout all air quality agencies in California. This type of education will ensure community engagement lessons will continue beyond implementation of CERPs and CAMPs and will continue to progress in various aspects of our agencies.

In conclusion, the South Coast AQMD is committed to work collaboratively with communities to address air quality and environmental justice. South Coast AQMD believes that Blueprint 2.0 plays a pivotal role in this endeavor and appreciates the opportunity to work with CARB and to provide comments. If you have any questions or would like to discuss further, please call contact me at [ahheard-johnson@aqmd.gov](mailto:ahheard-johnson@aqmd.gov) or 909-964-2573.

Sincerely,



Dr. Anissa Cessa Heard-Johnson  
Deputy Executive Officer  
Diversity, Equity, and Inclusion with  
Community Air Programs

# Attachment I

## **PART ONE - STATEWIDE STRATEGY**

### **GOALS, OBJECTIVES, AND PRIORITY ACTIONS**

Part 1, page 11. Says "CARB will continue to engage directly with the 19 community steering committees, including serving as a non-voting member when invited. CARB will also engage with representatives of communities that have not been selected and other stakeholders." We feel it is important to identify what this engagement and communication with communities can look like (frequency, virtual vs. in person vs. hybrid); potential examples should be provided. It is also important to be as consistent as possible and coordinate efforts between CARB and individual Air Districts when communicating with both CSC members and non-selected community members.

## **PART TWO – IMPLEMENTATION GUIDANCE**

### **LEGAL FOUNDATION**

This section does a thorough job of outlining the key legal components of AB 617 relative to agency roles, accountability, and actions. However, South Coast AQMD has a few concerns that we recommend be addressed:

- AB 617 Statute addresses local impacts of criteria air pollutants and toxic air contaminants from both mobile and stationary sources. We suggest added clarification that greenhouse gas emissions are not part of CAP but with mention of potential co-benefits.
- A section on Tribal Communities and their regulatory process should be included in the Blueprint 2.0. It is important to emphasize air district's limited authority over tribal lands and we suggest including a narrative that describes the differences between California Native American Tribes and Federally Recognized Tribes. This background information will help guide air districts in engaging tribal communities surrounding AB 617 CERP actions.

### **Section: Statutory Requirements of the Community Air Protection Program, Reducing Emissions at the Community Level**

Says CERPs *"shall result in emissions reductions in the community based on monitoring or other data."*

Clarify the role of monitoring and the difficulty of showing emission reductions based on the variables associated with monitoring data. Also, it would be helpful to include examples of acceptable "other data" (emissions inventory, modeling, etc.)

### **Monitoring Air Quality at the Community Level**

Currently, AB 617 statute is unclear as to entities that are required to be involved in the consultation process for monitoring plan preparation. The guidelines should be clarified in alignment with statute, so stakeholder expectations are appropriately managed.

### **Expedited Best Available Retrofit Control Technology (BARCT)**

This requirement addresses sources that fall within 18 air districts across the state. South Coast AQMD recommends detailing which air districts this applies to.

This section, or in an appendix, should include a toolbox or repository of successful action items, lessons learned, and best practices. South Coast AQMD staff have made these suggestions in previous written comments and during in-person discussions.

### **Assessment of Communities**

AB 617 requires CARB to include, as part of the statewide strategy, criteria for the development of community emissions reduction programs that are based on the assessment of high cumulative exposure burdens and toxic air contaminants and criteria air pollutants. The term “cumulative exposure” should be clearly defined since it may refer to other non-air exposure routes beyond the scope of this program.

### **Working Together Role of Communities**

South Coast AQMD recognizes that there is a need to define what successful participation of the communities looks like from the community perspective and from the agency perspective. The Blueprint should address a range of success indicators inclusive of how to cultivate and develop success, and how success will be measured and monitored. Considerations include attendance at meetings, working groups, participation in surveys and other feedback mechanisms; and/or additional engagement outside the CSC meetings. Metrics for successful engagement should be clearly defined.

### **State Non-Discrimination Laws and CARB**

South Coast AQMD recommends making a distinction between unintentional and intentional disparate impacts. The reality that intent does not equate to impact should be uplifted in this section to illustrate the application of these laws in AB 617 settings. It is critical to identify that each entity has a discrimination complaint process; no one agency should be omitted from this listing.

### **The Role of CARB**

South Coast AQMD recommends adding “review and approve CERP” to the section outlining CARB’s role. Additionally, add a bullet to include CARB’s role with respect to the Community Air Monitoring Programs (CAMPs) community selection. Throughout the document, there are references to contact information for CARB’s Office of Air Protection; there should be a supporting index of information for local air districts included as well.

### **The Role of Air Districts**

The characterization of the role of Air Districts should leave more opportunity for progressive learning. For example, rather than state, “hold expert knowledge of the local community, its people, practices, businesses, political environment, history, geography,” we recommend stating “air districts hold *more informed* knowledge of the local community, its people, practices, businesses, political environment, history, geography”. Any legislative efforts should be referenced in this section (for example SB 849).

### **Implementation Funds**

South Coast AQMD recommends outlining how each of these actions reduces emissions and exposure. Also, we suggest including monitoring and outreach in this section, but should be, as these indirectly reduce emissions and exposure.

## **Air District Regulatory Process/Air Quality Permitting**

Air districts use air permits to ensure that stationary sources comply with requirements. South Coast AQMD recommends the language be clarified to explain that stationary sources are required to have permits and engineering evaluations are conducted to ensure they can meet regulatory requirements and enforcement ensures they comply with those conditions. Permits incorporate a series of conditions to ensure that the source is complying with local air quality requirements as well as state and federal requirements.

Add-on controls or process changes can be investigated outside of the CERP pathway and would have to go through the permitting process prior to implementing changes to ensure their effectiveness and enforceability.

This sentence can be misleading, as it implies that community members can require add on controls or process changes. Also, should clarify that any changes must follow local, state, and federal requirements. Consider rephrasing.

## **Enforcement Actions**

South Coast AQMD recommends a section that includes a discussion on Notices of Violation (NOVs) and Orders for Abatements.

A CERP Enforcement Plan should identify significant noncompliance issues within or directly surrounding the selected community that are important to community members and, when possible, include near-term enforcement actions.

If Air Quality Management Districts are required to identify any noncompliance issues within or directly surrounding a community, the potential impact of this workload should be addressed with agencies at the onset of this initiative.

## **Partnering with Local and Transportation Agencies**

South Coast AQMD recommends this section convey that tribes must also be included. By law, consultation with local tribes is required when cities and counties develop a general plan.

South Coast AQMD suggests it be clearly stated that air districts and CARB do not have land use authority nor does AB 617 provide land use authority or require land use agencies to participate, despite the correlation between cumulative burden that communities face and land use decisions.

South Coast AQMD recommends this portion include introductory list of cities versus county jurisdiction, including the development and enforcement of truck routes, and who the role of firework enforcement belongs to.

## **TRANSFORMING COMMUNITY SELECTION – FOCUS ON 65-PLUS PLACES**

South Coast AQMD strongly supports the inclusion of this section and outline of commitments to consistently nominated communities. The List of consistently nominated AB 617 communities should not only be acknowledged, but also prioritized for resources to support capacity building, education, and collaborative involvements with CARB and air districts on projects that result in emission reductions and exposure reductions. For common understanding of what is meant by “constantly nominated communities” additional context should be detailed in this section of the Blueprint 2.0.

### **Priority List of the 65-Plus Places**

South Coast AQMD recommends that CARB include a definition of what is meant by consistently nominated communities and any associated metrics for these communities. Also, provide insight as to why some communities were not selected.

Many communities have been on what CARB has defined as “consistently nominated communities” since the program began. South Coast AQMD suggests that a checklist or self- assessment be co-developed with a cross-section of representatives from these communities to gauge levels of readiness and to surface areas of opportunity for progress toward AB 617 program involvement.

An additional recommendation is to partner representatives from these communities with representatives from representatives in the 19 CSC’s currently in the program for cross learning and cross sharing of experiences and lessons learned.

South Coast AQMD suggests that a fourth pathway that gets at the same objective but is not yet defined. While not yet identified, this fourth pathway can help achieve the objective.

### **NEW PATHWAYS FOR COMMUNITY-LED ACTION**

South Coast AQMD strongly supports the concept of Local CERPS as a mechanism for communities not formally selected as AB 617 communities to be supported by CARB and Air Districts, especially in the absence of continuing and/or increased program funding. However, metrics, assessment mechanisms, and other supporting resources must be in place.

#### **Local CERPS (L-CERPS)**

It is critical for air districts, in collaboration with CARB, to apply their index of lessons learned and best practices from community engagement, as well as CERP and CAMP development and implementation.

There is a need to identify success indicators at the onset of the program development.

Criteria for successful action items should be included. Efforts to create thematic language across communities should be prioritized.

When addressing statewide action items, more concrete and meaningful data should be presented.

Capacity and resources of air districts to support communities that are developing L CERPS should also be accessed and supported by CARB where there are gaps in air district resources.

#### **Community-Focused Enforcement**

South Coast AQMD supports the concept of community-focused enforcement for non-designated communities as part of our existing Environmental Justice program.

In light of resource limitations, collaboration between CARB and South Coast AQMD is crucial to be able to effectively address the wide array of community concerns.

Partnering with local communities allows air districts to focus efforts on local residents’ concerns and can help community members gain a better understanding of the capabilities and jurisdictional boundaries of both agencies.

#### **Increased Flexibility in the USE of CAP Incentive Funds**

CAP Guidelines require a project plan be submitted for new projects that are not incentive programs currently in the CARB portfolio. Air districts should be allowed to modify project plans that have already been adopted in other air district territories without requiring the formal adoption of a new project plan.

The time to get project plans adopted has been taking too long and additional project pathways should be allowed in the CAP Guidelines. Air districts and other agencies have existing programs in place that are often listed as CERP actions. Existing programs should be considered in a separate streamlined adoption process by CARB.

## **SELECTED COMMITTEES**

### **Community Air Monitoring Plans (CAMPs)**

This section of the Blueprint states that, according to statute, air districts and their community partners must deploy community air monitoring within 12 months following selection. CARB should be ready to share their own monitoring resources in case communities and organizations that have been approved for an L-CERP request monitoring support from local air districts. In our experience most community organizations do not have the technical expertise to properly select, maintain and operate air monitoring equipment, and to analyze the resulting data.

CARB has approved community air grants for work that is already being done by the local district under AB 617. CARB CAP grant reviewers should make sure new grant proposals are in alignment with the goals and objectives of monitoring activities that have been or are being conducted in AB 617 communities. CARB should consult and coordinate with local district prior to selecting promising proposals to ensure proper coordination and no repetitiveness.

CARB recommends that a CAMP community begin with a phased or screening approach to meet the statutory deadline, but a screening approach also takes time to develop and implement and should be established in coordination with the CSC. Overall, it is unclear how the proposed screening approach would help with CAMP implementation and statutory deadlines.

Right after the first of three key questions highlighted at the end of page 55 (i.e., what is the reason for conducting monitoring?) CARB should consider including “Can air monitoring appropriately address the purpose it is intended for?” and “Is air monitoring data (or other relevant information) already available?” Monitoring is a valuable tool, but it is not always the only or most appropriate solution to address community issues/concerns. Also, monitoring technologies may not exist yet that can appropriately address the “reason for monitoring”.

On pages 58 and 59, CARB stated that “The CSC should help make decisions about logistics and resources associated with how monitoring will be conducted such as the types of monitoring approaches that should be used and when/where monitoring should occur.” Also, “The CSC should have a key role in defining how data will be analyzed and the process for information sharing and reporting to the community.” Based on South Coast AQMD’s experience working with six AB 617 and other environmental justice communities in the Basin, most community organizations do not have the technical expertise to recommend which type of monitoring approaches or data analysis tools are needed to address specific air quality issues.

On page 59, CARB stated that “The CSC should work with the air district to set an annual budget for air monitoring work”. This approach may work if air measurement activities are limited or contracted out but may not be appropriate when ongoing resources are devoted for air districts to



establish a core monitoring team and a monitoring/laboratory toolbox for AB 617. Building air capacity and expertise has substantial benefits, as it allows air districts to go beyond the initial scope of AB 617 monitoring, if needed, and to leverage other resources from other existing/ongoing community air quality programs.

On page 59, CARB stated that “Throughout the process, CARB’s air monitoring resources and tools should be leveraged to provide guidance, technical information, and examples from successful CAMPs”. CARB’s air monitoring resources should also be made available to implement the CAMPs, in part or whole.

On pages 60-61, CARB stated that “Ongoing laboratory and field-based air sensor evaluations are conducted by multiple agencies including CARB, South Coast Air Quality Management District (which operates the Air Quality Sensor Performance Evaluation Center program), and the US EPA. South Coast AQMD recommends including a web link/reference to its AQ-SPEC program ([www.aqmd.gov/aq-spec](http://www.aqmd.gov/aq-spec)).

### **Community Emissions Reduction Programs (CERPs)**

#### *Implementation Timeline / CERP Revisions and Realignment*

CERPs should be flexible, living documents that are adaptable to the needs of a changing community. CERPs must include a process to revise emissions reductions strategies that no longer reflect community priorities/concerns, or that are no longer feasible for air districts.

#### *CERP Implementation of Responsibilities*

It is important that CSC members who are community residents, and not affiliated with a CBO, have access to CARB administered grants or similar funding to support technical, capacity building and community engagement needs.

Establish standardized statewide/CARB administered funding for stipends, meeting facilitation/co-hosting, interpretation, and document translation services, and consider providing subgrants for community members who are unaffiliated with a CBO.

During the development of the CERP, workgroups and subcommittees have been successful in communicating community priorities to air districts. South Coast AQMD supports focus on workgroups and subcommittees and recommends that increased stipends be offered to CSC members who participate in such subcommittees.

#### *Facilitation, Co-design, Co-drafting of the CERP*

South Coast AQMD recommends that CARB promote and develop a model for statewide equity in funding structures for CSC facilitators, co-leads, and co-hosts, and consider providing subgrants for community members who are unaffiliated with a CBO.

#### *Transitioning after Five Years of CERP Implementation*

South Coast AQMD recommends that CARB provide general guidance on the process of how to transition CSCs after 5 years or when there is confirmation and community and air district consensus that all CERP actions have been implemented. While numerous discussions have been held on this topic, currently, there is no process in place.

There is a need to develop objective tools to assess CERP success and completion. Ensure that the tools guard against a “check off the box” process. These metrics should be based on a standard measure of completeness and a structured certification process. Metrics should acknowledge take non-meeting forms of engagement into consideration, such as phone call discussions, email responses, working teams.

Air districts should continue to engage with local community members and stakeholders as needed, outside of the CERP Action plan; What are possible solutions to these concerns?

We ask that consideration as to how ongoing social injustice and global health issues and concerns such as COVID-19 have and continue to impact communities’ CERP priorities.

Additional adjustments to consider would include the development of processes for CSCs to re-open and/or reprioritize CERP actions and shift priorities and milestones. This would also include CERP actions that are not achievable and outline a process to reevaluate actions no longer deemed of priority/value to the community. This would also include the development of criterion for potential extension process and advocacy for legislative changes needed to support such a process.

### **Overall Comments throughout Blueprint 2.0**

As this is a document that will be shared with diverse entities (including employees, community members, and community-based organization representatives), it is essential to clarify who is the intended community entity or agency when “You” is referenced. Specificity throughout the document will ensure common understanding of roles, responsibilities, collaborations, and relationship alignments.

Examples:

1. Throughout part 1 of the Blueprint 2.0 document, “The P” in CERP is referred to as both plan and program. It should be clarified and consistent throughout the document.
2. As a language justice effort, the point of view for the document should be more clearly defined and clarified.
3. Statutory Requirements of the Community Air Protection Program, Monitoring Air Quality at the Community Level, “*Select, in consultation with the air districts, the highest priority locations to deploy community air monitoring systems.*” Who is selecting in consultation with the air districts?
4. Clarify agencies mandated by statute, voluntarily participating agencies, and note that there are currently no statutory mechanisms for state or local agencies to be held accountable. (*Legal Foundation Section*)
5. Distinguish CARB and Air District individual and overlapping roles. (*Legal Foundation*)

Goal 5: Priority Action 2: *Develop and implement an engagement plan focused on the 65 places that have been consistently nominated but not selected. (2024).* CARB or Air Districts?

Statutory Requirements of the Community Air Protection Program, Monitoring Air Quality at the Community Level, “*Hold an annual public hearing on the status of implementing the network of community air monitoring systems and make recommendations for*

*improvements.” CARB or Air districts? (Legal Foundation Section)*

6. California Air Pollution Control Officer’s Association (CAPCOA)

Mentioned in “Implementation Funds” but does not identify the Association’s purpose and why they have final decision-making input for final funding distributions to Air Districts.

As this is a document that will be shared with diverse entities with differing levels of knowledge regarding the origins of AB 617 and Blueprint documents, it is essential to identify terminology that is being introduced. Suggest including footnotes.

Examples:

1. “Capacity Building” is not defined until mid-way through the document but referenced earlier. Suggested to define earlier in the document.
2. “Targeted” Incentive Funding (*Section: What is the Community Air Protection Program and the Blueprint?*)
3. “Collective Government Action” (*Section: What’s New in Blueprint 2.0*)
4. “Most Impacted” by pollution sources/environmental pollution (Section: CARB’s Vision for Racial Equity and Environmental Justice), “communities affected by a high cumulative exposure burden.” Suggest using consistent references for “overburdened Communities,” “highly impacted communities,” “disadvantaged communities,” “most impacted communities,” and “priority populations” and add footnotes to define any differences.
5. Air Districts, air districts
6. “Racial Equity Lens” (*Section: Goal 3: Priority Actions*)
7. CAPP, CAP Program, Program, CAP, Community Air Protection Program
8. AQview, Aqview, AQ View
9. Time-series graphing tool and download tool for continuous monitoring data
10. Criteria pollutants, air toxics, greenhouse gases, PM, NO<sub>x</sub>, DPM, PM<sub>2.5</sub>, VOC, hexavalent chromium, formaldehyde, ROG
11. Section on Enforcement Actions
  - i. Noncompliance issues
  - ii. “Directly surrounding” the selected community
  - iii. “Near-term” enforcement actions
12. Land-use versus land use