

August 23, 2023

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

Re: Assembly Bill (AB) 617 Draft Blueprint 2.0

Dear Ms. Reyes,

The San Joaquin Valley Air Pollution Control District (District) thanks the California Air Resources Board (CARB) for the opportunity to review and provide feedback on the latest revision of the AB 617 Draft Blueprint 2.0. We wish to share our appreciation to the CARB staff responsible for the significant time and effort taken to update the Draft Blueprint and to the writers of the People's Blueprint for their vision for centering equity and justice in the AB 617 process. Since the adoption of AB 617, transformative change has been occurring at CARB and air districts in the way we interact and engage with community members and tackle hyperlocal air quality challenges. As we look ahead to supporting communities outside of the AB 617 process and transitioning past five years of implementation for some communities, we appreciate the opportunity to provide our experience and feedback on the additional guidance and new pathways CARB has outlined in the updated draft of the AB 617 Blueprint. We believe that with additional clarification and considerations, air districts and communities can engage successfully in the development of new pathways brought forth in this revision.

In reviewing the draft Blueprint 2.0, the District offers the following comments:

Page 43: Priority List of the 65-Plus Places

This section states:

*“Focus our engagement on stakeholders and potential community partners in the 65-Plus places to **identify how to help move communities forward using one or more new pathways**, described in the following section, in partnership with air districts.”*

While we look forward to engaging with community partners in the Valley's portion of the 65-Plus Places list, we ask that CARB increase its engagement with air districts on how to ensure sustained and effective support of these and other underserved communities. Each new pathway outlined in the draft Blueprint (local CERPs, community-focused enforcement and more flexible CAP incentive programs) are time and resource intensive processes and we want to set up realistic expectations that once the final Blueprint is approved by CARB's Governing Board that all air districts across the state will need time to adequately support the 65-plus communities. There should be some level of expectation setting that there will be a significant need for communities, air districts, and CARB to continue to refine the guidance to ensure the overall success of this program moving into the future. To put the scale of effort and needed resources in perspective, over 25% of the 65-Plus communities identified by CARB, and the majority, if not all, communities working on L-CERPs, are located in the San Joaquin Valley.

This section also states:

“Annually update the Priority List of 65-Plus Places in responses to community self-nominations”

We ask for additional clarification on how CARB plans to annually update the Priority List of 65-Plus Places and what the process for community self-nomination looks like (i.e. what metrics or information is being presented to CARB). We understand the intention of this list to be for CARB’s Office of Community Air Protection (OCAP) to have the primary responsibility of prioritizing impacted communities that are interested in developing strategies to further reduce localized impacts of air pollution; however, we are concerned that if each year there are significant additions to the list, it will not be as effective and focused to assist air districts in understanding where to delegate resources and efforts.

Page 49: Local CERPs (L-CERPs)

The District understands that OCAP sees L-CERPs to be one of the recommended paths forward for providing additional resources to under-resourced and underserved communities across the state. The concepts and work being done to develop L-CERPs in Valley communities by Community Air Grant (CAG) recipients is encouraging, though unfortunate that the Blueprint update is occurring at a time that this new process is just beginning. With this being the first year of implementation of these CAGs by community-based organizations (CBOs) and development of L-CERPs, there is still a significant level of learning that is taking place, which makes it challenging to provide input into the process while so much is continuing to be developed through trial and creation of best practices. It is imperative that CARB works with the CAG recipients and air districts to develop L-CERP specific guidance that establishes goals and priorities and creates policy and practices to achieve them.

On page 50, the draft Blueprint Part 2 states:

“Air districts are strongly encouraged to partner with applicants that are funded by CARB for an L-CERP Community Air Grant and as such, would take responsibility for implementing priorities established through the L-CERP for which they have jurisdiction.

- *An L-CERP could include priority actions focused on exposure reduction incentives projects such as air filtration in homes or schools. CARB is concurrently revising incentives guidelines to allow these projects to be funded through CAP incentives with no further approval from CARB. Air districts could integrate these projects into their incentive expenditure plans.”*

Currently, the Valley Air District is the only air district with community groups developing local CERPs. When approached about supporting the CAG grant applications by Valley CBOs to start developing L-CERPs, the District planned for providing District resources to help support the development and implementation of these plans and have provided the level of support requested of us to date. The L-CERP process is still new and there have been none completed to date that could serve as an example for CARB and air districts to understand the overall success or limitations of the process.

As there are no direct funds tied to an L-CERP, we anticipate selected CAG recipients would look to seek funding sources to implement identified measures and are concerned that air

districts would be expected to fund L-CERPs, especially as the draft Blueprint identifies air districts as having responsibility for implementing priorities established through the L-CERPs. Our understanding of the draft Blueprint language is that air districts, who may or may not have been involved in the development of an L-CERP, may be viewed as being responsible for funding L-CERP measures provided they are allowed under CARB's Community Air Protection Incentives Guidelines (Incentives Guidelines) and that air districts would be expected to re-allocate funding potentially available to all low income/disadvantaged communities through their budgeting processes. This is an over simplification of the process that would be required to potentially fund these L-CERP incentive-based priorities. Many of these would be brand new programs for air districts. The resource requirements and time needed to develop and implement these projects should also be discussed in this section to be completely transparent in this regard.

While we appreciate a new pathway to address community challenges, we are concerned this section lacks clarity and sets up unrealistic goals of what air districts can be expected to accomplish. We ask CARB for clarification to understand what responsibilities will be expected of air districts and to outlay expectations for implementers of L-CERPs to consider when thinking about funding and resource constraints.

Potential additional language that can be added to provide this context:

“Air districts are strongly encouraged to partner with applicants that are funded by CARB for an L-CERP Community Air Grant and as such, ~~would take responsibility for~~ may play a supportive role in implementing priorities established through the L-CERP for which they have jurisdiction.

- *An L-CERP could include priority actions focused on exposure reduction incentives projects such as air filtration in homes or schools. CARB is concurrently revising incentives guidelines to allow these projects to be funded through CAP incentives with no further approval from CARB. Air districts, CARB, and other agencies (e.g. DPR, cities, counties, etc.) may ~~could~~ integrate these and other priority projects into their ~~incentive~~ expenditure plans as feasible.”*

As an additional note, each year, there continues to be limited funds to identify Community Air Grant (CAG) recipients to support this type of work. CARB should continue to establish formal guidance and transparent processes on the manner in which they select CAG recipients/L-CERP communities. As has been discussed as a point of emphasis for the current AB 617 process, additional funding to support this program will be essential because implementing L-CERPs, in addition to the work of developing and implementing CERPs and CAMPs, will increase resource needs for CBOs and air districts.

Page 52: Increased Flexibility in the Use of CAP Incentive Funds

This section states:

“CARB encourages the use of CAP incentives to fund both new and additional stationary source emissions reductions projects or Community-Identified Projects in selected AB 617 communities and in communities throughout the state that have not yet been selected for the program.”

As outlined in this section, the District is excited for new pathways and increased flexibility to spend incentive funds in low-income and disadvantaged communities in partnership with community residents and organizations. With CARB's revision to the CAP incentive guidelines, it is our understanding that existing and new community-identified projects will be available to be funded and therefore could then be available to communities working on L-CERPs. As stated above, given L-CERPs are still a relatively new concept, it is unsure what expectations are being created surrounding funding possibilities. Beyond project plans, Community-Identified Projects in particular require staff and resources to implement often fully new programs, including developing guidelines, releasing requests for proposals, and coordinating with outside agencies. Emphasizing sentiments shared above, we want to ensure the Blueprint acknowledges the resource limitations air districts face and provide further clarity on expectations of air districts to implement new programs without new funding or resource allocations.

Page 66: Streamlined CERP Approval Process

This section states:

“To streamline CERP approval and expedite implementation, air district adopted CERPs will be reviewed for approval by CARB’s Executive Officer, through authority delegated by the Board.”

We appreciate CARB's efforts to look for opportunities to streamline existing CERP approval processes for the purpose of allowing air districts and CSCs to begin implementation of their CERP as soon as possible. Based on this section, we understand that CERPs will be reviewed by CARB staff, who will then develop a report with staff's assessment and recommendation. While discussed on a very high level in the Draft Blueprint, the exact process should be laid out for clarity purposes and for appropriate consideration. Depending on the exact process, the District may have additional insight and feedback.

2018 Program Blueprint

Throughout the draft Blueprint 2.0, there were several mentions and references to the 2018 Program Blueprint. Both the original 2018 Blueprint and Blueprint 2.0 are comprehensive and extensive documents, in which certain sections have been removed or updated in the Draft Blueprint. We ask for CARB to clarify the relevance of the 2018 Program Blueprint once the Blueprint 2.0 is finalized.

Blueprint Revision Process

Understanding the Blueprint is the foundational guidance document for all of the work done in AB 617, it is critical to the program's success that the document provides the framework and guidance to successfully implement the program. While we have appreciated the opportunity to work with CARB and other stakeholders on this version of the draft Blueprint, this process has felt rushed in its approach, with part one only being released on May 31, 2023 and part two on June 23, 2023 with the expectation that a near final draft will be made available at the end of September of 2023. The time to provide feedback between the release of the draft and final documents and subsequent adoption at the CARB Board meeting proves challenging and leaves fewer opportunities for air district and community involvement, especially as the previously made comments are rooted in the lack of information and clarity that would hopefully

be provided in the final draft at the end of September. However, that will leave little opportunity to review and provide feedback on that information before the October CARB meeting to review and adopt the amended Blueprint.

In summary, the District understands the importance and need for transitioning the program to bring clean air strategies and resources to a greater number of impacted communities across the state, many of which are located in the San Joaquin Valley, and is committed to doing our part to provide input and feedback in the development of the changes. Once the Blueprint is updated, we are committed to working with all Valley stakeholders to implement the changes in a manner that will benefit all Valley residents. Similar to the first AB 617 Blueprint, much is unknown about the path that is being charted and it is imperative that CARB continue to actively seek and take feedback from all stakeholders during the implementation of the proposed changes, determine best practices and to refine and update AB 617 guidance materials to incorporate this information.

A handwritten signature in black ink, appearing to read 'R. Hayashi', with a stylized flourish extending to the right.

Ryan Hayashi
Deputy Air Pollution Control Officer