

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC MEETING TO CONSIDER ASSEMBLY BILL 617 COMMUNITY AIR PROTECTION PROGRAM – COMMUNITY EMISSIONS REDUCTION PROGRAM FOR WEST OAKLAND

The California Air Resources Board (CARB or Board) will conduct a public meeting at the time and place noted below to consider the Community Emissions Reduction Program for West Oakland.

DATE: December 5, 2019

TIME: 4:00 p.m.

LOCATION: DeFremery Recreation Center
1651 Adeline St.
Oakland, CA 94607

This item will be considered at a meeting of the Board, which will commence at 10:00 a.m., December 5, 2019. This item is expected to be heard at 4:00 p.m., December 5, 2019. Please consult the agenda for the meeting, which will be available at least ten days before December 5, 2019, to determine when this item will be considered.

Background

Assembly Bill (AB) 617 (C. Garcia, Chapter 136, 2017) was signed into law in July 2017. CARB established the Community Air Protection Program (Program) to implement AB 617, which requires new 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 selected ten communities for the first year of this program to implement community emissions reduction programs, community air monitoring, or both. At the same meeting, the Board also approved the "Community Air Protection Blueprint" (Blueprint), which contains detailed requirements for community emissions reduction programs, community air monitoring plans, and other elements of the Program.

Once CARB selects a community to develop a community emissions reduction program, the applicable air district must develop and adopt the community emissions reduction program within one year of selection based on input from a community steering committee. The air district must then submit the community emissions reduction program to CARB for consideration.

CARB selected West Oakland for a community emissions reduction program as one of the first ten communities in 2018. The Bay Area Air Quality Management District (BAAQMD) partnered with the West Oakland Environmental Indicators Project (WOEIP) to form a community steering committee and develop *Owning Our Air: The West Oakland Community Action Plan* (Plan) to reduce exposure to air pollution in West Oakland. The BAAQMD Board of Directors approved the Plan on October 2, 2019.

CARB staff have reviewed the Plan to determine whether it complies with the criteria the legislation and the Blueprint established for community emissions reduction programs, reflects community direction, and sets a foundation to deliver emissions and exposure reductions in West Oakland. CARB staff also held a community meeting in West Oakland on October 9, 2019, to hear directly from West Oakland community members and other stakeholders on their perspectives on the Plan. CARB staff have released the West Oakland Community Emissions Reduction Program Staff Report, which contains a summary of the review and staff recommendations to the Board.

Environmental Analysis

CARB, as the responsible agency under CEQA for approval of the Plan, has prepared findings under its certified regulatory program (California Code of Regulations, title 17, sections 60000 through 60008) to comply with the requirements of the California Environmental Quality Act (CEQA; Public Resources Code section 21080.5). CEQA Guidelines, section 15096 dictates the responsible agency's role when reviewing a project that has been approved by a lead agency. Specifically, CARB must consider the environmental effects of the project as shown in the District's EIR prior to reaching a decision on the project.

Under section 15096 of the CEQA Guidelines, if CARB finds that there are aspects of the EIR that do not adequately analyze the components of the Proposed Project that are within its authority to carry out, like the CARB measures, then CARB "shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment." Since the District did not analyze the environmental impacts associated with the Proposed Project's CARB implementation measures identified in Table 1 in Attachment C to the resolution (CARB Measures), CARB must independently review the CARB measures for consistency with CEQA.

CARB has considered the Final Programmatic Environmental Analysis for the State Strategy for the State Implementation Plan (SIP Strategy EA), State Clearinghouse Number 2015102011, and the Final Environmental Analysis for the Community Air Protection Blueprint (Blueprint EA), State Clearinghouse Number 2018022025, which it certified in March 2017 and September 2018, respectively, to determine whether the CARB Measures, are within the scope of the SIP Strategy and Blueprint EAs and require no further environmental review pursuant to CEQA Guidelines section 15168.

CARB staff is proposing that the Board find that the CARB Measures are within the scope of the Community Air Protection Blueprint and State Strategy for the State Implementation Plan planning documents and the associated programmatic EAs adequately describe the CARB measures for the purposes of CEQA. (14 CCR § 15168(e)(1)-(2).) The full findings to support this “within the scope” analysis is in Attachment C to the Board’s resolution. CEQA does not require CARB to circulate its CEQA “within the scope” determination for public comment. While the public may comment on CARB’s CEQA determination, CARB may, but is not required, to respond to public comments before Board action.

Proposed Action

The Board will hear about the contents of the Plan and consider CARB staff’s recommendations for Board action contained in the West Oakland Community Emissions Reduction Program Staff Report.

Copies of the West Oakland Community Emissions Reduction Program Staff Report may be obtained from CARB’s Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, California, 95814, November 14, 2019. The Staff Report may also be obtained from CARB’s website at <https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program>.

Interested members of the public may present comments orally or in writing at the meeting and may provide comments by postal mail or by electronic submittal before the meeting. To be considered by the Board, written comments not physically submitted at the meeting, must be received **no later than December 2, 2019**, and addressed to the following:

Postal mail: Clerks’ Office, California Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

CARB requests that written statements on this item be filed at least ten days prior to the meeting so that CARB staff and Board members have additional time to consider each comment. Further inquiries regarding this matter should be directed to Anna Scodel, Air Pollution Specialist, Community Planning Section, at (916) 327-1505 or Monique Davis, Staff Air Pollution Specialist, Community Planning Section, at (916) 322-7304.

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the meeting;
- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than ten business days before the scheduled Board meeting.

TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de diez días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

CALIFORNIA AIR RESOURCES BOARD



Richard W. Corey
Executive Officer

Date: *November 14, 2019*

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.arb.ca.gov.