



CENTRAL VALLEY
AIR QUALITY COALITION



Little Manila RISING

Tuesday, July 19, 2021

Liane Randolph, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Cc:
Richard Corey, Executive Officer
Deldi Reyes, Director, Office of Community Air Protection
CARB board members

Submitted electronically

Dear Chair Randolph, board members, and staff of the California Air Resources Board,

On behalf of the undersigned, please accept these comments on the Community Emissions Reduction Plan (CERP) for Stockton. As community co-hosts have shared at several Community Steering Committee (CSC) meetings, south Stockton has historically been redlined and marginalized, with some of the highest asthma rates in the state¹, so the improvements outlined in the Stockton CERP are essential and long overdue. The Stockton CERP has potential to deliver immediate relief to community members who are experiencing severe air pollution impacts now, and make long term investments in transformative changes that could improve the health and lifespan of people living in the community. There are many measures in the proposed plan that will generate immediate exposure reductions along with substantial efforts to reduce emissions, including multiple measures to address heavy duty diesel pollution such as assessment of truck routes, funding for zero emissions trucks, construction of vegetative barriers along heavily trafficked corridors near sensitive sites like homes and schools, in-home and school air filters, electric school buses, and ambitious commitments such as working toward zero emissions zones through integrated land use and transportation planning. For successful implementation, CSC members need to be engaged as authentic partners, technical analysis must

¹<https://oehha.ca.gov/calenviroscreen/report/draft-calenviroscreen-40>: An estimated 238 people per 10,000 people in this census tract visited the emergency department for asthma. **The asthma percentile for this census tract is 100, meaning the asthma rate is higher than 100%** of census tracts in California.

inform the refinement and prioritization of measures, and the problematic process and budgeting issues encountered in Stockton must be rectified.

Given the serious procedural issues in Stockton, we urge you to conditionally approve Stockton's CERP, contingent upon:

1. The Valley Air District finalizing charter updates to rectify procedural issues (examples provided below),
2. The creation of a community designed Technical Advisory Group,
3. Reallocation of the \$5 million originally earmarked for port related incentive measures to other community priorities in Stockton at the discretion of Community Steering Committee members.
 - a. Examples of CSC priorities where funding could potentially be increased include vegetative barriers, air filtration in schools and homes, incentives for electric vehicles, home weatherization and electrification, and an EV mechanics training program.
 - b. Although 25.4% of PM 2.5 emissions are attributable to "Cooking Including Charbroiling,"² no incentive measures were identified to address this source and CSC members were not provided timely technical advice on potential measures. Measures to address this source present another option to which the CSC could redirect that funding to achieve substantial exposure and emissions reductions.

The Stockton Community Steering Committee experienced significant process problems that ultimately impacted outcomes, including but not limited to:

- a. Untimely provision of materials necessary for informed voting to the CSC
 - i. One excerpt of language was provided 10 minutes before the vote
 - ii. Final language of the CERP wasn't available until after it was voted on
- b. Repeated votes and breakdowns in negotiations, particularly around port-related measures
- c. Voting processes have been inconsistent, including votes being taken after official end of CSC meetings.
- d. Despite multiple requests, other AB 617 CSC members were never brought in to share their experiences.

CSC members submitted feedback on numerous occasions requesting additional information and analysis of measures. The committee unfortunately spent a disproportionate amount of time discussing incentive measures, particularly associated with the Port of Stockton, and experienced numerous additional meetings where no additional information or analysis was provided, and yet we were asked to consider the measures multiple times. Several CSC members asked whether

² <http://community.valleyair.org/media/2487/final-stockton-cerp-no-appendix-with-cover.pdf> SJVAPCD Community Emissions Reduction Plan for Stockton, pp 36. Dated March 18, 2021.

there were even more ambitious measures like shoreside power to make the port as clean and “green” as possible, but these requests were not taken seriously or substantively responded to.

There has also been a consistent lack of information, analysis, and additional measures related to enforcement, despite one of the main points of pushback on other measures being that it is not within the Valley Air District’s authority to institute measures like vegetative barriers. Oversight and enforcement at stationary sources is one of the primary functions of the Valley Air District, and should be a focal point for reducing exposures and emissions. Conducting Best Available Retrofit Control Technology (BARCT) analysis at the oldest and largest sources in the area is a crucial missing step. As just one example, the biomass facility DTE Stockton has been operating without a permit for over a year and provided estimates of their emissions that exceed Valley Air District estimates.³ For rapid reductions, resources and attention should be focused on these types of egregious lapses. Much more time and resources must be dedicated to properly enforcing regulations on stationary sources in the AB 617 process.

For current and future AB 617 planning processes, we urge CARB staff to:

1. Actively engage in discussions and decision making on community engagement and CSC structures such as the charter, voting, strategic decision-making, and participatory budgeting processes. Though we appreciate forthcoming revisions to the Blueprint, a document will not resolve these issues in real time. Staff must step into the role of ensuring that the framework provided by the Blueprint is followed so that communities aren’t forced to reteach regulatory agencies how to respectfully engage in participatory decision making with disproportionately impacted communities.
2. Provide more proactive, tailored technical analysis, and invite existing AB 617 communities’ leaders to share their expertise and experiences with CSCs at the beginning of their planning processes.

Overall, successful implementation of the Community Air Protection Program requires a paradigm shift in how the San Joaquin Valley Air Pollution Control District (Valley Air District) engages with the public, particularly people living and working in environmental justice communities. As the oversight authority, the California Air Resources Board (CARB) should do more to ensure that both the process and outcomes are transparent, robust technical analysis is provided, and ultimately that the Community Steering Committee member’s questions and priorities are not just heard but substantively integrated into the plan within the adopted measures and metrics. We urge you to conditionally approve the Stockton CERP so that critical

³ http://community.valleyair.org/media/2315/stockton-appenc_source-apportionment.pdf -SJVAPCD Source Apportionment AB617 Appendix C - ppC-7 shows depreciated SJVAPCD Estimates of **96 TTPY** (Tons Throughput Per Year) in 2018 for NOX compared to DTE’s own marketing materials signaling actual emissions of NOX @ 104 TTPY with a permitted release of 108 TTPY.

implementation work can continue while ensuring that procedural issues are rectified and the \$5 million is reallocated.

Sincerely,

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