

State of California
AIR RESOURCES BOARD

**ASSEMBLY BILL 617 COMMUNITY AIR PROTECTION PROGRAM –
SELECTION OF 2019 COMMUNITIES**

Resolution 19-35

December 12, 2019

Agenda Item No.: 19-12-8

WHEREAS, California's air quality programs have led to significant public health improvements; however, certain communities continue to experience environmental and health inequities from air pollution;

WHEREAS, many of these communities are affected by multiple stationary, area, and mobile sources of air pollution and suffer disproportionate health impacts;

WHEREAS, the high cumulative exposure burdens in these communities are a public health concern, contributing to health conditions, such as cardiorespiratory disease, increased cancer risk, and an increased risk of premature death;

WHEREAS, expedited emission reductions of toxic air contaminants and criteria air pollutants in communities with high cumulative exposure burdens are critical to reduce these disproportionate health impacts;

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the California Air Resources Board (CARB or Board) to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, the Legislature enacted the California Clean Air Act of 1988 (Stats. 1988, ch. 1568) declaring that it is necessary that the State ambient air quality standards be attained by the earliest practicable date to protect public health, particularly the health of children, older people, and those with respiratory diseases;

WHEREAS, section 39650, et seq., of the Health and Safety Code establishes the policy of the State to control emissions of toxic air contaminants, based on the best available scientific information, and directs the Board to establish airborne toxic control measures (ATCM);

WHEREAS, Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes 2017) added sections 39607.1, 40920.8, 42411, 42705.5, 44391.2 and amended sections 40920.6, 42400, 42402 in the Health and Safety Code, requiring a new community-focused program to address criteria air pollutants and toxic air contaminants;

WHEREAS, AB 617 is a significant step in transforming California's air quality programs to address air pollution disparities at the neighborhood level and includes the following requirements and requires CARB to annually consider the selection of communities for the deployment of community air monitoring and/or the development of community emissions reduction programs;

WHEREAS, AB 617 requires an air district containing a community selected for deployment of a community air monitoring system to begin deployment of monitoring in the community within one year of the community being selected by CARB;

WHEREAS, AB 617 requires an air district containing a community selected for development of a community emissions reduction program to adopt, in consultation with CARB, individuals, community-based organizations, affected sources, and local governmental bodies, a community emission reduction program for the community within one year of selection by CARB;

WHEREAS, in 2018, utilizing available data, staff conducted a statewide assessment of the cumulative exposure burden in communities throughout the State, as well as considered local assessments and priorities provided in community nominations and district recommendations;

WHEREAS, on September 27, 2018, CARB:

- Approved the *Community Air Protection Blueprint: For Selecting Communities, Preparing Community Emissions Reduction Programs, Identifying Statewide Strategies, and Conducting Community Air Monitoring* (Blueprint), which set overall Program requirements to reduce toxic air contaminant and criteria air pollutant emissions in communities with high cumulative exposure, and select communities with high cumulative exposure burdens for the deployment of community air monitoring systems and/or the development of community emissions reduction programs;
- Selected an initial set of ten communities for the deployment of community air monitoring and/or the development of community emissions reduction programs;
- Directed staff to consider the following in developing recommendations for communities in subsequent years:
 - o Prioritize moving those communities that were previously selected only for air monitoring into development of an emissions reduction program, if the

recommendation is supported by data and by the community steering committee/district;

- Draw from those communities that were priority recommendations from air districts and community-based organizations in 2018, but were not selected.

WHEREAS, the communities selected by CARB in 2018 set the foundation of the Program and significant resources are needed in these communities to effectively implement the ongoing work that has begun and deliver measurable reductions in emissions and exposure;

WHEREAS, for those districts that had communities selected in 2018 for the development of community air monitoring only, it is important for those communities to transition (as early as practical) to and gain experience with development of a community emissions reduction program prior to selection of additional communities in that air district;

WHEREAS, the State budget maintains the same level of funding in Fiscal Year 2019/2019 for program administration, implementation and incentives, and thus, adding more than three new communities now could adversely impact the foundation being constructed with the initial ten communities selected in 2018;

WHEREAS, the community steering committees should be provided all feasible tools necessary to develop successful community air monitoring systems and emissions reduction programs;

WHEREAS, CARB staff held community meetings and a webinar in February 2019, as well as an AB 617 Consultation Group meeting in April 2019 to get public input on the process for selecting communities;

WHEREAS, CARB staff held a public webinar discussing staff's proposed 2019 community recommendations on October 30, 2019;

WHEREAS, staff released for public comment on November 8, 2019, the "*2019 Community Recommendations Staff Report*," (Staff Report) containing recommended communities for Board consideration in 2019, with preliminary boundaries for each community;

WHEREAS, in consideration of the above factors, staff are recommending the communities listed in Attachment A to the Board for selection in 2019 for the deployment of community air monitoring and/or the development of community emissions reduction programs;

WHEREAS, the Staff Report included a preliminary inventory for the recommended communities;

WHEREAS, in consideration of the Staff Report, written and oral testimony presented by community members, the air districts, industry, and other stakeholders, the Board finds that:

- Continued resources are needed in the initial ten communities CARB selected in 2018 to effectively implement the ongoing work that has begun and deliver measurable reductions in emissions and exposure;
- Many communities throughout the State experience disproportionate cumulative environmental and health impacts from air pollution;
- Community emissions reduction programs and community air monitoring systems are necessary tools to help address these inequities;
- The existing State budget only allows for a limited number of communities to be selected in 2019;
- The Staff Report recommends additional communities with high exposure burdens for toxic air contaminants and criteria air pollutants to deploy community air monitoring systems and/or community emissions reduction programs, based on nominations received by CARB and the Board's prior direction to staff for future recommendations, and is consistent with the requirements of AB 617;

WHEREAS, CARB's regulatory program that involves the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans has been certified by the Secretary for Natural Resources under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251(d)), and CARB conducts its CEQA review according to this certified program (California Code of Regulations, title 17, sections 60000-60008); and

WHEREAS, staff has determined that the proposed Staff Report is exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) ("common sense" exemption) because the record evidence shows with certainty that there is no possibility that the proposed activity may result in a significant adverse impact on the environment, as described in Appendix B of the Staff Report.

NOW, THEREFORE, BE IT RESOLVED that the Board selects the communities listed in Attachment B for the deployment of air monitoring systems and/or development of community emissions reduction programs, as noted in Table 1.

BE IT FURTHER RESOLVED that the Board finds that the proposed community recommendations are exempt from CEQA under California Code of Regulations, title 14, section 15061(b)(3) because substantial evidence in the record shows with certainty that there is no possibility that the proposal may result in a significant adverse impact on the environment.

BE IT FURTHER RESOLVED that an air district containing a community selected for development of community emissions reduction program must adopt an emissions reduction program that follows the requirements set forth in the Blueprint, for the community, within one year after the Board's selection of the community.

BE IT FURTHER RESOLVED that the air districts must proceed quickly to convene community steering committees and work with the community to determine final community boundaries.

BE IT FURTHER RESOLVED that, within three months of CARB selection of the community, the air districts must, in collaboration with the community steering committee, establish a charter to clearly set out the committee structure and process.

BE IT FURTHER RESOLVED that the Board directs staff to, within three months after selection of the community, and as needed throughout the development process of the community air monitoring systems and emissions reduction programs, present to the community steering committee the goals and requirements set forth in the Blueprint.

BE IT FURTHER RESOLVED that the Board directs staff to work with communities and air districts to finalize baseline and forecasted community emissions inventories as soon as possible and present the updated inventories to the community steering committees for use in developing and/or implementing all community air monitoring systems and/or emissions reduction programs.

BE IT FURTHER RESOLVED that the Board directs CARB staff to continue outreach activities and consult with community members, environmental justice organizations, air districts, affected industry, and other stakeholders to implement the Program and provide periodic updates to the Board.

I hereby certify that the above is a true and correct copy of Resolution 19-35 as adopted by the California Air Resources Board.

Patricia Carlos, Board Clerk

Resolution 19-35

December 12, 2019

Identification of Attachments to the Board Resolution

Attachment A: List of Staff Community Recommendations.

**ATTACHMENT A
LIST OF STAFF COMMUNITY RECOMMENDATIONS**

Table 1 identifies staff community recommendations for deployment of air monitoring and/or development of community emissions reduction programs.

Table 1: 2019 Community Recommendations

Community (Air District)	Action	Key Sources	Rationale
Portside Environmental Justice Neighborhoods (San Diego)	Transition to developing a Community Emissions Reduction Program	Port 🚢 Freeways 🛣️ Small Industry 🏭	Consistent with CARB Board direction to place priority on moving monitoring programs to emissions reduction programs. This transition is supported by community steering committee.
Southwest Stockton (San Joaquin Valley)	Develop a Community Air Monitoring System and Emissions Reduction Program	Freeways 🛣️ Inland Port 🚢 Warehouses 🏠 Rail 🚂	Consistent with CARB Board direction to prioritize communities that were recommended by community based organizations last year but not selected. Nominated by Air District Board and community based organizations again in 2019.
Eastern Coachella Valley (South Coast)	Develop a Community Air Monitoring System and Emissions Reduction Program	Rural 🌾 Salton Sea 💧	Consistent with CARB Board direction to prioritize communities that were recommended by community based organizations last year but not selected. Nominated by Air District Board, and again by community based organizations in 2019.
South East Los Angeles Community (South Coast)	Develop a Community Air Monitoring System and Emissions Reduction Program	Industry 🏭 Urban 🏙️ Freeways 🛣️ Freight 🚚	Consistent with CARB Board direction to prioritize communities that were nominated by air districts last year but not selected. Nominated again by the Air District Board this year.