



September 8, 2022

Wayne Nastri
Executive Officer
South Coast Air Quality Management District
21865 Copley Dr.
Diamond Bar, CA 91765

RE: AB 617 Community Emissions Reduction Plans Annual Progress Report 2022

Dear Mr. Nastri,

Thank you for providing the Draft Annual Progress Report (APR) on the AB 617 Community Emission Reduction Plans (CERPs). We express our appreciation for the South Coast Air Quality Management District's (SCAQMD) overview presentation of the APR and its timeline to the Community Steering Committee (CSC). This letter provides direct feedback and recommendations with a concentration on Eastern Coachella Valley (ECV) related matters.

I. APR Structure and Process

The following recommendations pertain to the structure of the APR. These recommendations will promote accountability in the CERP implementation process which was described as the purpose of the APR by SCAQMD staff.

- While it is helpful for the report to provide updates on implementation to-date, it is important that the APR clearly identifies and provides detailed updates on the implementation process specific to the current year of implementation. This will allow for continuous clear measurement of success and evaluation of progress made in order to determine the need to adjust methods, and meaningfully respond to community priorities.
- The APR must provide CAMP and CERP implementation updates including whether or not that action deadline has been met. If the action programmed to be started or completed during that year has missed its deadline, include an explanation of the challenges encountered and potential solutions. As written, the APR does not properly inform the community or stakeholders of implementation progress.
- We recommend incorporating an additional section to each of the community's "Key CERP Implementation Highlights" tables in which there is a summary of the CERP actions intended to be prioritized in the following year. We understand that the purpose of the report is not to give updates on future actions, however, having a summary of key next steps added to these tables would be helpful to set expectations.

- We ask that our continued recommendation to extend the public comment period for future APRs is seriously considered. Less than a week is insufficient for stakeholders and the community to review and provide feedback.

II. Qualitative Assessment

Rules and Regulations

While we appreciate information on SCAQMD's general actions in their development and implementation of rules and regulations it is unclear how these efforts are being built upon by further implementation of the CERPs. We recommend including updates on how specific CERP actions involving rules and regulations are being moved forward. ECV CERP actions that fit this description include Chapter 5b, Table 2, Action F, and Chapter 5d, Table 2, Action D which were programmed to start in 2021.

Enforcement

We appreciate SCAQMD's implementation of CERP focused enforcement efforts. As described by the APR, inspectors are not required to complete a specific number of inspections, however, these can be prioritized considering a number of factors. The APR should detail how CERP actions that include enforcement and inspection are being prioritized given the inherent prioritization needs of AB 617 communities.

We are glad to see enforcement measures related to CERP actions on the Greenleaf Desert View Power Plant and the continued enforcement of Rule 444. The CERP actions related to these efforts are composed of multiple subsections, please detail the progress of these efforts to further implement the related CERP action including the following actions calendared to have started this year; Chapter 5g, Table 1, Action A, and Chapter 5e, Table 2, Action A.

Air Monitoring

Data collected from air monitoring is vital in ensuring the continuous appropriate implementation of CERPs by providing updated information on pollution sources. Furthermore, this data needs to be made available to the general public in a simple and accessible manner.

Despite our involvement with the Air Monitoring Working Team, we are not updated on the efforts and progress in SCAQMD's expansion of air monitoring stations. We understand that SCAQMD has experienced obstacles in its effort to implement more air monitors. Knowing this we recommend that the APR include updates on SCAQMD's effort to further implement the Community Air Monitoring Plan (CAMP) including obstacles and potential solutions.

Collaboration

We are glad to see initial collaboration between SCAQMD, CARB, the Department of Pesticides Regulation (DPR), the Office of Environmental Health Hazard Assessment (OEHHA), and the Riverside County Agricultural Commissioner on the implementation of CERP actions related to pesticides. We recommend that the APR include details on how these initial efforts are being built upon to move forward related CERP actions in Chapter 5c programmed to have already started. Additionally, we would like to see updates on other actions throughout the CERP reliant on collaboration.

Incentives

While \$5.57 million of incentive funding has been set aside for paving projects and air filtration systems in the ECV. The “ECV CERP Implementation Highlights” mentions a \$33 million incentive allocation that should be further elaborated on to include information on what this entails specifically to ECV CERP implementation. Additionally, we recommend including further detail on SCAQMD’s process to refine emission inventories and provide information about community-level exposures to ambient air toxics.

Public Information and Outreach

Consistent meaningful collaboration within the CSC, strong connections with the ECV community, and transparent communication throughout the entire process as it relates to AB 617 are vital to ensure that CERP implementation fits local needs.

The outreach section in the APR must include how SCAQMD has actively conducted community outreach, including best practices and lessons learned. As demonstrated by the ECV’s Outreach Working Team this year, CSC members can support by strategizing, organizing, and supporting outreach efforts; however, it is key to note efforts specifically led by SCAQMD and how these will be expanded on for future CERP implementation. While informational presentations are helpful they do not encompass the needed outreach and community engagement efforts necessary to properly engage the local community in the CERP implementation process.

We look forward to continuing our collaboration on AB 617 efforts to foster transparency and accountability in the timely implementation of CERP actions. If you would like to discuss this letter further, please contact Mariela Loera at mloera@leadershipcounsel.org.

Sincerely,

Mariela Loera, Policy Advocate, Leadership Counsel for Justice and Accountability