



October 18, 2023

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 2023

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 AB 617 communities. This letter provides direct feedback and recommendations with a concentration on Eastern Coachella Valley (ECV) related matters.

I. APR Structure and Process

The subsequent suggestions concern the structure of the APR, with the aim of fostering accountability throughout the CERP implementation process.

Reflection of 2023 Actions and Milestones

We acknowledge the inclusion of the yearly highlights section in the APR, providing a summary of key actions and milestones for 2023. However, for improved transparency and clarity, we suggest that the report clearly differentiate actions resulting from CERP measures and those falling under general SCAQMD actions. This distinction is vital for accurately evaluating the impact and effectiveness of the CERPs in addressing the unique challenges of the ECV. While we understand that some general SCAQMD actions are closely related to CERP measures it is important to note that these are related but not designated CERP measures that then apply to CERP implementation actions.

Moreover, two items listed as 2023 highlights in figure 6¹ of the APR extend beyond the designated time frame, specifically:

¹ [“Annual Progress Report for AB 617 Community Emissions Reduction Plans” South Coast AQMD, October 2023, p.9.](#)

1. From January 1, 2019, to June 30, 2023, South Coast AQMD received 136 open burning complaints and conducted pre-permit and permit inspections of 488 open burn activities, including burn observations and surveillance.
2. South Coast AQMD issued 4 Notice of Violations (NOVs), 3 in 2020 and 1 in 2023, and sent out referrals to the Combustible Materials Taskforce run by CALFIRE.

Please provide additional clarification on how these actions are considered highlights for 2023, given the temporal misalignment, to ensure a more precise evaluation of the reported milestones.

Public Participation

In previous years we have requested an extension of the one week public comment period, while the extension of the public comment period to two weeks is appreciated a two-week time frame remains inadequate for stakeholders and the community to thoroughly review and provide meaningful feedback on the Draft APR, specially when accompanied with insufficient and untimely information sharing tactics with relevant public stakeholders. To address this concern, a minimum of a 30-day public comment period for future APRs is recommended. Moreover, APR distributions must include both the dates and supplemental forms related to the public comment period in the same email. In this case, the comment period deadlines were not communicated until the APR workshop, posing challenges for effective participation.

The APR workshop, offering a useful overview of both individual and partner communities, was effective in sharing consolidated information. To enhance the process, it is essential to verbally share the APR timeline and engagement opportunities during individual Community Steering Committee (CSC) meetings well in advance of workshop dates. This proactive communication aims to address any comments, questions, and concerns from the CSC, ensuring that members are informed and prepared for effective engagement.

Reporting on Emission Reduction

While we recognize the challenges in precisely measuring emission reductions, Leadership Counsel recommends that the APR, at a minimum, evaluates communities' annual progress toward the emission reduction targets outlined in the AB 617 CERPs. This ensures continuous monitoring of progress, especially considering that target measurements occur every 5 years. Additionally, the report should clearly explain how the implementation of specific CERP measures and strategies has actively influenced and contributed to the projected emission reductions in the past year.

II. Qualitative Assessment

Rules and Regulations

While we appreciate information on SCAQMD's general actions related to implementation of their rules and regulations, it's unclear how these efforts align with the ongoing implementation of CERPs. We recommend including updates on how specific CERP actions involving rules and regulations are being moved forward. Specifically, we ask that if the APR indicates no rule amendments have begun, it should explain why and outline any alternative actions taken. ECV CERP actions that fit this description include Chapter 5b, Table 2, Action F, and Chapter 5d, Table 2, Action D.

Air Monitoring

Data collected from air monitoring is crucial for ensuring the ongoing and effective implementation of CERPs by providing real-time insights into pollution sources. This information must be made readily accessible to the public in a clear and understandable format. Despite our participation in the Air Monitoring Working Team, we lack updates on SCAQMD's progress in expanding air monitoring stations. Given the acknowledged obstacles in implementing additional air monitors, we suggest that the APR incorporate detailed updates on SCAQMD's efforts to advance the Community Air Monitoring Plan (CAMP), including challenges faced and potential solutions. Moreover, we recommend the APR outline the direct impact of air monitoring results, including, but not limited to, their role in source identification, issuance of Notice of Violations (NOVs), and any notable trends compared to the 2018 ECV baseline.

CERP Progress and Dashboard

Improving communication and collaboration is imperative for enhancing the transparency and effectiveness of CERP implementation, particularly in determining completion percentages. This effort is crucial to achieve alignment and agreement among CSC members, as well as with the broader general public and residents. For instance, the ECV CERP action ECV-5g-01A involves identifying funding and subsequently installing air filtration systems. Although this measure is reported as 100% complete, there has been no prior discussion or clarity on the methodology used to quantify the completion rate. Addressing this gap in communication will foster a shared understanding of how completion percentages are determined, promoting transparency and accountability in the reporting process.

In addition to ensuring clarity on completion percentages, it is equally important to clearly identify CERP measures that have been stalled or are unable to move forward. A systematic process should be established to address these issues collaboratively with CSC members, including providing the opportunity to explore alternative solutions or strategies, including officially updating measures. ECV CERP actions that fit this description include Chapter 5g,

Table 1, Action B related to Greenleaf Desert View Power Plant, which is currently under investigation in relation to a Notice of Violation regarding the Clean Air Act.

As Leadership Counsel looks forward to the development and rollout of a community dashboard, it is imperative that the annual progress report also provide a comprehensive summary of completed, ongoing, and stalled CERP measures. This comprehensive assessment provides communities with a clear understanding of implementation status and progress.

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 Krystal Otworth at kotworth@leadershipcounsel.org.

Sincerely,

Krystal Otworth, Policy Advocate, Leadership Counsel for Justice and Accountability