

June 23, 2020

Portside Environmental Justice Neighborhoods Community Steering Committee,
C/O David Flores
Air Quality Campaign Director
Environmental Health Coalition
2727 Hoover Avenue, Suite 202
National City, California 91950

Dear Portside Environmental Justice Neighborhoods Community Steering Committee,

Thank you for your May 29, 2020, letter requesting California Air Resources Board (CARB) consideration of additional time to develop a community emissions reduction program for the San Diego Portside Environmental Justice Neighborhoods (Portside) community based on several existing challenges. CARB understands that the current circumstances have significantly affected the way communities, air districts, CARB, and other stakeholders must work together to implement Assembly Bill (AB) 617 (C. Garcia, 2017). While AB 617 does not give CARB the authority to adjust the statutory twelve-month deadline for community emissions reductions programs, we believe it is possible to meet AB 617's intent for fast action to cleanup communities while recognizing that it may take longer to develop and implement a full suite of community emissions reductions actions along with the requirements set out in the Community Air Protection Blueprint¹ and propose an approach for achieving both objectives.

Your letter is the first formal request we have received from a steering committee or air district for additional time to develop an emissions reduction program. Because of the statewide implications, I wanted to take the opportunity to respond to you myself. And to that end, we will be sharing the guidance set out in this letter with the other communities and air districts should they too ask for a time accommodation.

CARB commends the creative approaches that steering committees and air districts in San Diego and across the State have identified to continue their work developing community emissions reduction programs and community air monitoring plans. This is critical since AB 617 calls for partnership between communities and air districts in developing community-driven solutions. As such, how to move forward and what to prioritize in the time available under the current unusual circumstances must reflect consensus between the community steering committee and air district staff.

¹ CARB Community Air Protection Blueprint, October 2018, available at: <https://ww2.arb.ca.gov/capp-blueprint>

Community and air district discussions should cover work completed to date and other work that still needs to be completed to meet Community Air Protection Blueprint requirements; approaches to identify community priorities; opportunities to focus on specific issues for monitoring projects and strategy development; and community engagement mechanisms to support participation. The results of these discussions should be documented and provided to the public and CARB as soon as possible.

The statutory deadline for completing an emissions reduction program for the communities that CARB selected in December 2019, including the Portside community, is December 2020. If the district has not adopted a complete program that meets the Blueprint requirements by that deadline, the steering committee and the air district provide CARB the following by December 1, 2020:

1. All elements of a community emissions reduction program that have already been adopted by the air district board, if any;
2. The anticipated date that the local Board will consider approval of a complete community emissions reduction program;
3. A summary of decisions the steering committee and district staff have made to date and topics the steering committee has discussed;
4. A listing of emissions reduction actions the steering committee and district staff have agreed on and a listing of the actions still under discussion, including, to the extent available, emissions reduction targets, implementation schedule, and enforcement plan;
5. Initial community air monitoring priorities and any air monitoring that has been deployed (if applicable);
6. An overview of ongoing and planned community engagement efforts; and
7. A summary of next steps including, key, measurable interim milestones to track progress and a clear schedule for finalizing the emissions reduction program and/or community air monitoring plan.

CARB staff will brief our Board in December 2020 on overall program status using the information provided for the Portside community and the three other communities developing emissions reduction programs this year. We will also coordinate with you and the local air district on when CARB will hold a formal hearing to consider approval of the complete community reduction program with a full suite of actions and program elements.

CARB staff are available to discuss any concerns you, individual committee members, air district staff, or other stakeholders may have with this flexibility guidance.

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Thank you for the continued dedication the community steering committee members and the air district have shown for improving air quality for the Portside community.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. W. C.", followed by a checkmark.

Richard W. Corey
Executive Officer
California Air Resources Board

cc: Bill Brick
Daniela Simunovic
Chuy Flores
Vernon Hughes, CARB