

Air quality regulators must protect vulnerable communities



BY GLADYS LIMÓN POSTED 12.12.2019

The impact of California’s wildfires have left residents across the state with unhealthy air that residents in the Central and Inland Valley breathe throughout the year.

The American Lung Association’s 2019 “State of the Air” report shows that 11 California cities rank within the highest ozone levels or worst particulate contamination in the nation. This pollution causes asthma, lung cancer, a host of other diseases, and thousands of annual premature deaths, which impact low-income people and communities of color first and worst.

California must stop compromising the lives of these communities.

The most impacted communities still face pollution rates two to three times higher than average.

A decade ago, it looked as if progress was taking hold, but since 2013 many pollution levels are climbing again, especially in regions like the Central and Inland Valleys, which have continuously failed to meet the federal Clean Air Act standards.

We have laws and agencies designed to remedy this public health crisis. The California EPA and the California Air Resources Board (CARB) have long held mandates to clean California's air. But often the undue influence of fossil fuel industries and other polluters results in blocking critical measures that protect our health.

A report by the California Environmental Justice Alliance assesses how well state agencies develop, implement and monitor policies that protect vulnerable and overburdened communities.

*CARB earned a poor grade of C- on **CEJA's Environmental Justice Agency Assessment**. This is reflective of the undeniable conclusion that CARB must do better.*

While reductions in lead, nitrous oxides and particulate matter have been achieved statewide, the most impacted communities still face pollution rates two to three times higher than average. California, recognized internationally for its leadership in environmental protection, must meet

its moral and legal duties to protect the most vulnerable communities by doing more—we know the current federal administration will not.

CARB staff is recommending only three communities for the next round of CERPs despite their being dozens of overburdened communities that need real emission reductions.

In 2017, the California Legislature refused advocacy requests to pass direct emission reduction measures, which would have reduced both greenhouse gas (GHG) emissions and air pollution in one stroke. Instead, it divorced accounting for GHG and air pollution emissions that come from the same source, and took aim at improving air quality separately with AB 617.

In response to AB 617, CARB created a Community Air Protection Program which promised to reduce polluting emissions in impacted communities and elevate best practices developed by community leadership. This promise has not been met.

The majority of the draft Community Emission Reduction Plans (CERPs) do not include real, concrete reductions in toxic emissions.

The CERPs largely rely on measures that could have been done without AB 617, not emission reduction mandates. Many measures are vague and refer only to potential future actions—not requirements that will lead to actual emissions decreases. Many of the CERP processes were further

plagued with issues related to translation of materials, bias and conflicts, and unclear timelines and process.

CARB has an opportunity to improve AB 617 when the CERPs and the communities nominated for the next round of CERPs come before it between December 2019 and March 2020. CARB should only approve CERPs if they include a commitment to develop real, enforceable emission reductions through regulatory actions. Without this, many CERPs will not be accomplishing the core vision of AB 617.

For next year, CARB staff is recommending only three communities for the next round of CERPs despite their being dozens of overburdened communities that need real emission reductions in their community. CARB should work to minimize competition between these communities and ensure that the accomplishments of the CERP program can be applied to all impacted communities, not just the few that are chosen.

All communities deserve clean air.

CARB needs to speed up the timeline for controlling indirect sources from warehouses, freight and ports. These are growing rapidly in communities already choked by poor air quality, and contribute to the worsening of California's air quality.

Governor Newsom can demonstrate leadership by fast-tracking decision-making and policies that improve air quality in impacted communities. We need the Air Resources Board to first and foremost protect those communities whose health continues to be jeopardized by the worst air pollution. Without swift and resolute action, we will not see

the real improvements in air quality our most impacted communities desperately need.

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Editor's Note: Gladys Limón is Executive Director of the California Environmental Justice Alliance, which publishes an annual Environmental Justice Agency Assessment. It is available at <https://caleja.org/2019/06/2018-environmental-justice-agency-assessment>