

DATE: November 18, 2020

AP1

TO: Air Pollution Control Board

SUBJECT

COMMUNITY EMISSIONS REDUCTION PLAN FOR PORTSIDE ENVIRONMENTAL JUSTICE NEIGHBORHOODS (DISTRICTS: ALL)

OVERVIEW

Assembly Bill 617 (AB 617) was signed into law in 2017 by then Governor Jerry Brown, requiring new community-focused and community-driven actions to improve air quality in communities that experience disproportionate burdens from exposure to air pollution due to environmental, health, and socioeconomic factors. These actions include conducting community air monitoring and developing and implementing a community emissions reduction plan (CERP) to reduce pollution exposure in the community.

AB 617 requires the California Air Resources Board (CARB) to work with air districts, community groups and others to select locations around the state where the air district will work together with communities to improve local air quality. The San Diego County Air Pollution Control District (District) nominated and CARB selected the "Community of Portside Environmental Justice Neighborhoods" (Portside community) comprising Barrio Logan, Logan Heights, Sherman Heights and western National City as one of thirteen communities statewide that are currently participating in this program. The Portside community was selected because it experiences higher levels of diesel pollution, higher rates of emergency room visits for asthma symptoms, and higher levels of poverty than most communities in California, according to the State's community environmental health screening tool (CalEnviroScreen, version 3.0).

The District has convened a diverse, multi-stakeholder Portside Community Steering Committee (CSC) to hold regular, public meetings to discuss community air concerns and potential solutions with affected parties. The CSC is made up of residents, community leaders, public agency staff, business representatives and non-profit groups, and is the driving force behind CERP development in collaboration with the District. The first CSC meeting occurred on October 25, 2018 at Perkins Elementary School in the Portside community. After last March, the CSC started conducting virtual meetings to comply with the current COVID-19 health orders. District staff created a public webpage to post information on CSC meetings and updates on CERP development.

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The District has coordinated with the CSC and CARB to develop a phased approach for completing CERP development. This approach includes proposed early-action strategies (referred to as the Phase I proposal), which are the subject of today's requested approval; and the completion over the next six months of a proposed, comprehensive Portside CERP that fulfills State requirements including a profile of the community's attributes and public health challenges; a full suite of proposed actions that have been fully developed, goals, and strategies to improve air quality and reduce exposure to air pollution in the community; and metrics for tracking progress (referred to as the Phase II proposal).

Today's requested action is to approve a set of early-action strategies (Phase I proposal) that have been fully developed and are supported by the CSC. Upon approval by the Board, these strategies will be implemented by the District in collaboration with CARB, the CSC and the public to benefit the community sooner than waiting for CERP completion over the next six months: (1) develop a plan to quantify the cumulative health risks posed by air pollution sources in the Portside community; (2) develop and implement a program to provide residential air purifiers and monitors for up to 1,000 residences in the Portside community as currently budgeted in the Fiscal Year 2020-21 Operational Plan for the District; (3) identify the types of air quality projects in the Portside community that will receive priority for State incentive funding and work with CARB to increase flexibility in the types of projects that may be funded pursuant to State guidelines; (4) develop and implement a regionwide Public Participation Plan to enhance the District's community outreach and engagement activities; and (5) develop and implement an Incident Response Plan that defines the District's protocols and procedures to respond to an incident involving major, unplanned releases of air pollution and other emergencies with air quality impacts.

Similarly, the Port of San Diego, US Navy, and the local shipyards have provided early commitments to strategies under their authorities that they will implement to reduce air pollution and exposure in the Portside community. Those actions will be identified in the CERP and will occur independently of today's proposal and do not require approval by the Board.

In May, 2021, staff will present to the District Board the Phase II proposal, which will include a finalized CERP proposal and additional strategies that currently still warrant further investigation to better understand their feasibility, costs, responsible agencies and implementation processes. They include transportation, land use, alternative truck routing, and other strategies such as increased setbacks and vegetative buffers between air pollution sources and residences in the Portside community. Some of these strategies fall outside of the District's purview and the authority to approve and implement them lies with other public agencies such as City of San Diego or National City. In those cases, the proposed CERP will identify the engagement processes that District staff and the CSC will follow to advocate for the specified actions of other public agencies.

RECOMMENDATION(S)

AIR POLLUTION CONTROL OFFICER

1. Find that the proposed actions are categorically exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations, Title 14, Section 15301, as a project involving leasing or minor alteration of existing facilities; Section 15306, as a project involving basic data collection which does not result in a serious

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disturbance to an environmental resource; Section 15308, as actions taken to assure the protection of the environment, where the regulatory process involves procedures for the protection of the environment; and pursuant to Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment.

2. Authorize the Air Pollution Control Officer to collaborate with CARB, the Portside Community Steering Committee, and other community stakeholders to:
 - (a) Develop a plan to quantify the cumulative health risks posed by air pollution in the Portside community.
 - (b) Develop and implement a program to provide residential air purifiers and monitors for up to 1,000 residences in the Portside community;
 - (c) Identify the types of air quality projects in the Portside community that will receive priority for State incentive funding and work with CARB to increase flexibility in the types of projects that may be funded pursuant to State guidelines;
 - (d) Develop and implement a Public Participation Plan to enhance community outreach and engagement activities; and
 - (e) Develop and implement an Incident Response Plan that defines the District's protocols and procedures to respond to emergencies with air quality impacts

FISCAL IMPACT

Funds of \$550,000 for this request are included in the Fiscal Year 2020-21 Operational Plan for the Air Pollution Control District for residential air purifiers and monitors. The funding source is available General Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

No adverse impacts on businesses are expected from today's requested actions. Businesses will benefit by District efforts to increase outreach and engagement and to expand the types of air quality projects that are eligible for State incentive funding.

ADVISORY BOARD STATEMENT

At its meeting on October 13, 2020, with a quorum present, the Portside Community Steering Committee voted in support of staff's recommendations. Similarly, at its meeting on October 23, 2020, with a quorum present, the Air Pollution Control District Advisory Committee voted in support of staff's recommendations.

BACKGROUND

In response to Assembly Bill 617 (AB 617) that was signed into law in 2017 by then Governor Jerry Brown, the California Air Resources Board (CARB) established the statewide Community Air Protection Program. The mission of this State-funded program is to improve air quality and public health in communities that experience disproportionate burdens from exposure to air pollution. This first-of-its-kind statewide effort requires community air monitoring, community emission reduction plans (CERPs), and incentive funding to deploy the cleanest technologies in the most impacted communities.

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Portside Community

The San Diego County Air Pollution Control District (District) nominated and CARB selected the "Community of Portside Environmental Justice Neighborhoods" (Portside community) to be included in this program. The Portside community is made up of the neighborhoods of Barrio Logan, Logan Heights, and Sherman Heights in the City of San Diego, and the western portion of the City of National City (Attachment A).

The Portside community has a mix of residential and industrial land uses and is bisected by major transportation corridors. It contains various sources of air pollution that fall into one of the following categories: on-road and off-road mobile equipment, stationary industrial sources, and areawide sources (such as residential fuel combustion, consumer products use, construction and demolition, and commercial cooking). The community encompasses more than 13 miles of freeways that support regional and local transportation needs, including Interstate Highways 5 and 15, and part of the San Diego Coronado bridge.

The Portside community was selected for this program based on the CalEnviroScreen 3.0 (CES 3.0) ratings. CalEnviroScreen is the State's science-based mapping tool that identifies California communities that are affected by many sources of pollution and are especially vulnerable to pollution's health effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce a numerical score for each census tract in the state. A census tract with a high score experiences a higher pollution burden and greater vulnerability than one with a low score.

The Portside community has a total of 12 census tracts. Out of the 12 census tracts, 4 census tracts are in the 98th percentile for CES 3.0 (i.e., 4 census tracts experience a higher pollution burden and greater vulnerability than 98 percent of all census tracts statewide) and the other 8 tracts are in the 85th percentile. Over 50,000 San Diegans reside in the Portside community and are subject to significant pollution exposure. The Portside community was selected by CARB in 2018 for an air monitoring program and in 2019 for an emissions reduction program, both of which are discussed in the following sections. A Portside Community Steering Committee (CSC) was formed by the District in 2018 to support active community involvement and collaboration in the program development and implementation. The CSC is made up of residents, a medical expert, union representative as well as representatives from the following entities: City of San Diego, National City, Industrial Environmental Association (IEA), Industry General Dynamics NASSCO, Port of San Diego, San Diego Association of Governments (SANDAG), Environmental Health Coalition (EHC), the Greenlining Institute, Mothers Out Front Organization, California Department of Transportation (Caltrans), US Navy, San Diego Gas & Electric (SDG&E).

Air Quality Challenges in the Portside Community

The Portside community experiences higher exposure to cancer-causing diesel particulate matter than most communities statewide. Mobile sources are the driver for diesel particulate matter emissions in the Portside community with the major contributors being commercial harbor craft, off-road diesel equipment and vehicles, and heavy-duty vehicles. As a result, 11 of the 12 census tracts in the Portside community (over 45,000 people) have an exposure risk to diesel particulate

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matter that is greater than 95th percentile. Four of these census tracts (over 15,000 people) are in the 99th percentile for diesel particulate matter.

In addition to these environmental burdens, residents of the Portside community also face significant health and socioeconomic challenges. CalEnviroScreen scores for the asthma indicator show five census tracts (20,000 residents) in the 95th percentile. With the high asthma indicator and significant pollution exposure, residents that suffer from asthma are more vulnerable to the health effects of air pollution. Residents in seven of the census tracts (30,000 people) are in the 95th percentile for poverty. Ten of the census tracts (40,000+ residents) are in the 90th percentile for housing burden. All these challenges highlight the need for a CERP in the Portside community.

Community Air Monitoring

In September 2018, CARB selected the Portside community for an air monitoring program. In 2019, the District installed and is operating new, real-time (i.e. continuous) black carbon (a proxy for diesel particulate matter) analyzers at several locations in the Portside community. These include the Tenth Avenue Marine Terminal (immediately adjacent to the Bay), Chicano Park (central Barrio Logan), Sherman Elementary School (in Sherman Heights), and on Oceanview Boulevard near Interstate Highway 15 (roughly 1.7 miles east of Perkins Elementary School in Barrio Logan). The number of monitoring locations and the types of air pollutants measured in the Portside community will be expanded over the next year.

Initial data from the community air monitors show that black carbon concentrations are highest in the morning hours, corresponding to morning commutes and other activities involving diesel engines in and near the Portside community. The District is committed to continuing to work collaboratively with the CSC and the entire Portside community and residents to obtain additional community-level air quality data and further quantify the emissions impacting the Portside community. The purpose of quantifying emissions is to refine the emission reduction strategies and specifically address the community challenges.

Community Emissions Reduction Plan Development

In December 2019, CARB selected the Portside community for development of a CERP that is due to CARB within one year (by December 2020). The District is working closely with the CSC, CARB, and other community stakeholders and has made substantial progress in developing a draft CERP (Attachment B) with numerous strategies to reduce air pollution and exposure in the Portside community. The draft strategies focus on eight categories: outreach and community engagement, incentives, rule development, enforcement, heavy-duty trucks, land use, working waterfront activities, and advocacy measures. However, further investigation and additional clarification and detail are still needed to ensure the draft CERP meets State requirements and is appropriately detailed including a profile of the community's attributes and public health challenges; a full suite of proposed actions, goals, and strategies to improve air quality and reduce exposure to air pollution in the community; and metrics for tracking progress.

One year is a short timeframe for the extensive coordination and discussion between the District and community stakeholders that is necessary to establish a technical foundation for understanding the community's air quality challenges and developing effective strategies to reduce air pollution

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emissions and exposure. The COVID-19 pandemic has created additional challenges in meeting this one-year timeframe.

Accordingly, District staff and the CSC discussed the possibility of seeking additional time to complete CERP development and a request was submitted to CARB. District staff worked with CARB and the CSC to develop a phased approach for completing CERP development over the next six months. Today's proposal is a result of that approach, where the Board is asked to approve specified early-action strategies that the District will start implementing upon Board approval to benefit the Portside community while CERP development is being completed (Phase I proposal). The District will return to the Board in May 2021 with a completed proposed CERP (Phase II proposal).

Early-Action Strategies (Phase I proposal)

The following proposed early-action strategies, if approved, will be implemented by the District in collaboration with the CSC, CARB, community residents, and stakeholders: (1) develop a plan to quantify the cumulative health risks posed by air pollution sources in the Portside community; (2) develop and implement a program to provide residential air purifiers and monitors for up to 1,000 residences in the Portside community as currently budgeted in the Fiscal Year 2020-21 Operational Plan for the District; (3) identify the types of air quality projects in the Portside community that will receive priority for State incentive funding and work with CARB to increase flexibility in the types of projects that may be funded pursuant to State guidelines; (4) develop and implement a Public Participation Plan to enhance the District's community outreach and engagement activities; and (5) develop and implement an Incident Response Plan that defines the District's protocols and procedures to respond to an incident involving major, unplanned releases of air pollution and other emergencies with air quality impacts.

Moving forward with these early-action strategies now will benefit the Portside community sooner than waiting for completion of the proposed CERP and a full suite of strategies next year. These early-action strategies are in addition to the ongoing implementation of existing District programs to improve air quality, which will also provide ongoing benefits to the Portside community. These include the District's grant program that offers monetary incentives to help replace high-polluting heavy-duty vehicles and equipment in advance of regulatory requirements, and development and enforcement of emissions control rules and regulations.

Additionally, the Port of San Diego, US Navy, and the shipyards in the Portside community have committed to advancing certain strategies while CERP development is being completed. Those strategies are independent of strategies under the District's authority and they do not require approval by the Board.

The Port's early-action strategies are identified in Attachment B and include: developing and implementing an on-road electric truck pilot program; implementing an outreach program to support dedicated truck routes to minimize impacts on local community; promoting emission reduction opportunities from cargo handling equipment, ships at berth, harbor craft and other emission sources at the Port's marine terminals.

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The US Navy's early-action strategies are also identified in Attachment B and include: operating in-port ships on shore power to the maximum extent possible considering national defense requirements, evaluating and monitoring emissions from operations and providing emission related information to the public, and reducing emissions from employee transportation associated with travel to and from the military base.

The shipyards' early-action strategies are also identified in Attachment B and include: reducing emissions from ship repair activities and shipyard employee transportation.

Stakeholder Notification and Engagement

The District, in partnership with the CSC, hosted two public webinars to encourage community stakeholder participation in draft CERP development and to gather community feedback on the draft elements prepared to date. Notices of the public webinars were mailed directly to all residences in the Portside community. Additionally, notices were mailed to stakeholders via the GovDelivery email subscription service. The District's website and social media accounts were also used to announce the public webinars. The stakeholder comments received to date do not raise concerns with today's request, which is to authorize the District to move forward with specified early-action strategies now while CERP development is completed over the next six months. Additional public outreach will be conducted to further encourage a comprehensive discussion of the issues impacting the community and how to address them.

ENVIRONMENTAL STATEMENT

The California Environmental Quality Act (CEQA) requires an environmental review for certain actions. The District has conducted a review of whether CEQA applies to the approval of the specified early-action strategies under the District's authority. Some of these actions are not a "project" as defined by CEQA, because they are organizational or administrative activities that will not result in direct or indirect physical changes to the environment. These include the early-action strategies involving the development of plans to quantify the health risks from air pollution in the community, increase public participation in District operations, and provide more robust response to emergency air quality incidents; and District advocacy to allow for additional incentive funding opportunities are not projects as defined by CEQA. Additionally, the development of a program for the placement of small portable monitors and air filtration systems in existing community residences; and investigation of the rental of an existing office for use as a District satellite office in the community will not result in significant effects on the environment. District staff therefore determined that the approval of the early-action strategies is categorically exempt from the provisions of CEQA pursuant to California Code of Regulations, Title 14, Section 15301, as a project involving leasing or minor alteration of existing facilities; Section 15306, as a project involving basic data collection which does not result in a serious disturbance to an environmental resource; Section 15308, as an action taken to assure the protection of the environment, and pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the Building Better Health and Thriving/Sustainable Environments Initiatives in the County of San Diego's 2020-2025 Strategic Plan with an objective

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to promote an environment where residents can enjoy clean air and better health. The proposal provides ongoing reductions in air pollution emissions in the Portside community and helps ensure its residents will have cleaner air to breathe for years to come.

Respectfully submitted,



SARAH E. AGHASSI
Deputy Chief Administrative Officer



ROBERT REIDER
Interim Air Pollution Control Officer

ATTACHMENT(S)

Note: Due to the size of the attachments, the documents are available online through the Clerk of the Board's website at www.sandiegocounty.gov/content/sdc/cob/bosa.html.

Attachment A – Map of the Portside Community

Attachment B – Draft Portside Community Emissions Reduction Plan

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

March 16, 2018 (AP01), Apply for and Accept State Funding to Conduct
Community-Level Air Monitoring and Related Activities

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: Air Pollution Control District

OTHER CONCURRENCE(S): None

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