



November 30, 2022

Chair Benoit and Members of the Board  
Governing Board  
South Coast Air Quality Management District (“SCAQMD”)  
[cob@aqmd.gov](mailto:cob@aqmd.gov)

**Re: Agenda Item 26 - 2022 Air Quality Management Plan**

Dear Chair Benoit and Members of the Board:

On behalf of the undersigned organizations, we comment on the 2022 AQMP (Plan). This vote culminates a long, multi-year process to develop a clean air plan. The Plan is clearly not perfect, but we need to move forward so we can get to the work of passing life-saving regulations. As this Board is aware, this is the most important air plan in the history of the agency. Critically, the Plan recognizes what our organizations have said for a long time – “the only way to achieve the required NO<sub>x</sub> reductions is through extensive use of zero emission technologies across **all stationary and mobile sources**.”<sup>1</sup> We don’t have time to waste pursuing incrementally cleaner combustion strategies because, like all the past ozone strategy failures, it will not work. In light of this zero-emission North Star for regional air planning, we look forward to engaging in working groups to implement zero-emission regulations. The following sections address some of the recent comments/input we have heard about the Plan.

<sup>1</sup> Revised Draft AQMP, at Executive Summary.

### **A. Reject Efforts to Delay Air Plan Adoption.**

It is our understanding that lobbyists for polluting industries are seeking to delay adoption of the Plan by this Board. This effort is absurd. This is the culmination of years of work. While the Plan is not perfect in our opinion, we want to get to the implementation as soon as possible. Adoption of the Plan is not the end of our air pollution debate, and in fact, it is just the beginning. The sooner we can adopt the Plan, the sooner we can get to the work of adopting long-overdue and reasonable regulations that transition us to a zero-emission future.

### **B. Ignore Industry's Requests Regarding Cost Effectiveness.**

We appreciate the willingness to revise the 2022 Plan in a way that shifts gatekeeping for strategies based solely on the costs – ignoring many key factors required under the Health & Safety Code like the health benefits of rules. Stated bluntly, the Air District's current cost effectiveness thresholds made the agency's rulemaking processes less effective. In some rules, staff has not explored strategies that go above the arbitrary thresholds set in the 2016 AQMP.

Regarding the proposal in the Plan to set a \$325,000 threshold adjusted for inflation, this is a step in the right direction. While we remain resolute in the position that no cost threshold is necessary, this approach is much better than the artificially low cost threshold in the 2016 Plan. We remind the Board that this threshold just means more strategies and options will come to the Board for deliberation. The Board can decide to adopt or not adopt with all the information presented, including cost information and health information. We are not asking that rulemakings remove all cost considerations. Rather, we are asking that it not serve as an artificial barrier to bringing ideas to the duly appointed members of the Board to decide.

### **C. Direct Staff to Hasten Work in Cleaning Up Deadly Diesel Magnets and Bring Rules to the Board by Dates Certain with No Delays.**

The Ports of Los Angeles and Long Beach released their 2021 Emissions Inventory earlier this year.<sup>2</sup> The analysis is not pretty. The Ports dosed residents and the region with unconscionably high levels of pollution last year. While the Ports will try to claim this was an anomaly given ship back-ups, they fail to recognize that record volumes have continued to rise. Besides, pollution levels prior to the pandemic were too high, and we will continue to see these high levels. The report also shows the Ports are not likely to meet the NOx reduction goals set in the 2017 Clean Air Action Plan Update by 2023. This demonstrates that voluntary approaches are not working.

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<sup>2</sup> Port of Long Beach. (October, 2022). *Air Emissions Inventory-2021*. Retrieved from: <https://polb.com/port-info/news-and-press/annual-inventory-reflects-unprecedented-pandemic-congestion-supply-chain-disruptions-increased-emissions-in-2021-10-03-2022/>; Port of Los Angeles (September 2022). *Inventory of Air Emissions 2021-Technical Report*. Retrieved from: [https://kentico.portoflosangeles.org/getmedia/f26839cd-54cd-4da9-92b7-a34094ee75a8/2021\\_Air\\_Emissions\\_Inventory](https://kentico.portoflosangeles.org/getmedia/f26839cd-54cd-4da9-92b7-a34094ee75a8/2021_Air_Emissions_Inventory).

Yet, despite over a decade of the South Coast AQMD debating the creation of more accountability, the Board has failed to deliver. Even if the Board does not feel comfortable identifying emissions reductions associated with deadly port sources, railyards, and other sources in the Plan, we ask the Board to provide clear direction that it expects strong indirect source rules by dates certain next year. The time for delay is over, and voluntary approaches do not work.

## **CONCLUSION**

To end, we want to send an appreciative note to staff for their hard work on this plan. We often have disagreements over the substance of the Plan, but staff held a process that allowed for vigorous debate. What the Board has before it is a compromise document reflecting positions from myriad stakeholder. The time for planning to meet the 2015 ozone standard needs to end, and we **must** shift to writing rules to get us to where we need to go.

Sincerely,



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