



March 31, 2020

Dr. William Burke and Board Members  
South Coast Air Quality Management District (SCAQMD)  
21865 Copley Drive  
Diamond Bar, CA 91765

**Re: Opposition to Efforts to Weaken Standards that Protect Public Health, Air and Climate**

Dear Chair Burke and the SCAQMD Board Members,

As Southern California grapples with responding to the COVID-19 public health emergency, we must not allow the fight against our decades-long air pollution public health emergency to backslide. At all levels of government, polluters are asking for “regulatory relief” as part of the economic response to the global pandemic. This would endanger the health of millions, do nothing to stop the spread of the pandemic and not bring financial security for Southern California’s families.

Despite air quality improvements over the decades, the South Coast Air Basin is still one of the most polluted air basins in the nation and is the most polluted for ozone.<sup>1</sup> In one year alone, an estimated 4,000 people die due to Southern California’s poor air quality, and thousands more suffered from respiratory ailments.<sup>2</sup> Despite billions of dollars in federal, state and local investments, the South Coast Air Basin is on track to miss several key ambient air quality attainment deadlines.<sup>3</sup> Violating the federal Clean Air Act risks the possibility of a strict Federal Implementation Plan, loss of highway funding and other draconian measures.

Yet, some industries are attempting to weaken and upend vital public health protections. For example, the California Association of Port Authorities has requested the California Air Resources Board (CARB) “pause” development of the At-Berth Regulation, a rule which will significantly reduce diesel particulate and criteria air pollutants in the South Coast Air Basin.<sup>4</sup> At

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<sup>1</sup> *Most Polluted Cities: State of the Air Report*, American Lung Association (April 24, 2019), retrieved March 30, 2020, <http://www.stateoftheair.org/city-rankings/most-polluted-cities.html>

<sup>2</sup> *2016 Air Quality Management Plan*, SCAQMD (March 2017), retrieved March 31, 2020, Appendix I, p. I-49, <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/appendix-i.pdf?sfvrsn=14>

<sup>3</sup> *2020 Mobile Source Strategy: A Vision for Clean Air*, CARB (March 25, 2020), retrieved March 30, 2020, [https://www3.arb.ca.gov/planning/sip/2020mss/pres\\_marwbmr.pdf](https://www3.arb.ca.gov/planning/sip/2020mss/pres_marwbmr.pdf), p. 44

<sup>4</sup> Barboza, Tony, *Ports and dockworkers seek delay on ship pollution cuts, citing coronavirus*, Los Angeles Times (March 29, 2020), retrieved March 31, 2020, <https://www.latimes.com/environment/story/2020-03-28/ports-dockworkers-ask-for-delay-on-ship-pollution-rulemaking-to-deal-with-coronavirus>

the federal level, the Environmental Protection Agency recently announced a sweeping suspension of enforcement of environmental laws during the COVID-19 outbreak.<sup>5</sup> At SCAQMD, staff has indicated industry groups are already clamoring for the agency to reduce enforcement and rule stringency.

SCAQMD has taken reasonable, measured initial steps in its response to the pandemic. We agree with prioritizing and expediting permitting for entities aiding in the pandemic response. We also do not oppose forgoing the consumer price index adjustment for SCAQMD fees. SCAQMD should, however, use our current situation as an opportunity to transform the South Coast Air Basin's air quality. To this end, we urge SCAQMD to commit to the following:

- Develop and implement effective Indirect Source Rules for ports, warehouses and railyards. We agree with SCAQMD's move away from a credit-based system and urge the District to adopt rules that will bring real, meaningful, and enforceable emission reductions in communities impacted by the freight industry. Further, if SCAQMD continues developing a Memorandum of Understanding with the ports, we urge the District to treat emission reduction targets as requirements rather than merely goals.
- Continue to protect public health by rejecting requests from polluters to weaken, delay or suspend the rulemaking process, enforcement, monitoring and other activities.
- Continue investing in the clean transportation economy by incentivizing commercially available clean vehicles and equipment, funding the development and deployment of zero-emissions technology and facilitating the expedient retirement of diesel-powered vehicles and equipment.
- Ensure safe, equitable and accessible methods of public participation for all SCAQMD proceedings by use of telephonic and virtual technologies both during the COVID-19 outbreak and afterwards.

SCAQMD's mission is clear: "To clean the air and protect the health of all residents in the South Coast Air District through practical and innovative strategies." This mission is even more important during a pandemic. People exposed to air pollution are at a higher risk of acquiring pneumonia and tend to suffer more severe symptoms.<sup>6</sup> While these times are difficult for all of us, polluters should not be given a pass at the expense of Southern Californians.

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<sup>5</sup> Beitsch, Rebecca, *EPA suspends enforcement of environmental laws amid coronavirus*, The Hill (March 26, 2020), retrieved March 30, 2020, <https://thehill.com/policy/energy-environment/489753-epa-suspends-enforcement-of-environmental-laws-amid-coronavirus>

<sup>6</sup> Barboza, Tony, *Does air pollution make you more susceptible to coronavirus? California won't like the answer*, Los Angeles Times (March 21, 2020), retrieved March 30, 2020 <https://www.latimes.com/california/story/2020-03-21/coronavirus-air-pollution-health-risk>

Thank you for your consideration of our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Chavez", with a long, sweeping horizontal line extending to the right.

Christopher Chavez  
Deputy Policy Director

Cc: Wayne Nastri, Executive Officer, SCAQMD