



FOR ENVIRONMENTAL HEALTH & JUSTICE

June 26, 2023

Senator Ben Allen,  
Chair, Senate Environmental Quality Committee  
1021 O Street, Suite 3230  
Sacramento, CA 95814  
*Submitted through committee portal*

**Re: Assembly Bill 985 (Arambula) - SUPPORT**

Dear Chair Allen:

The undersigned organizations urge you to support AB 985 (Arambula), which will bring long overdue and urgent reforms to the San Joaquin Valley Unified Air Pollution Control District's Emissions Reduction Credit system.

The San Joaquin Valley is the most polluted air basin in the United States for fine particles. It is classified as extreme nonattainment of the National Ambient Air Quality Standards (NAAQS) for 8-hour ozone and nonattainment for annual and 24-hour PM2.5 standards. The San Joaquin Valley has yet to achieve the 1997 standard for PM2.5, a standard so old it can no longer be considered health protective. The health-related impacts of air pollution in California's San Joaquin Valley drains the region's economy of \$6 billion every year, or \$1,600 per person on average, costs that are likely underestimated. These costs are tied to severe health outcomes and represent hundreds of premature deaths, tens of thousands of asthma attacks, thousands of cases of bronchitis, and thousands of lost work and school days.<sup>1</sup>

Despite these dire circumstances, the San Joaquin Valley Air Pollution Control District (Valley Air District) has been mismanaging their Emissions Reduction Credit (ERC) system for decades, resulting in more pollution concentrated in environmental justice neighborhoods allowing the oil industry and other major pollution sources to use old credits that were overvalued or never should have been issued instead of cleaning up their pollution on site.<sup>2</sup> These findings were further supported by a system review conducted by the California Air Resources Board (CARB) Enforcement Division which revealed that the Valley Air District has subsequently heavily relied on using credits within the equivalency demonstration that are also invalid or overvalued and could not replicate the Valley Air District's calculations, even with access to available

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<sup>1</sup> Jane Hall et al. (2006) The Benefits of Meeting Federal Clean Air Standards in the South Coast and San Joaquin Valley Air Basins, Institute for Economic and Environmental Studies, California State University, Fullerton.

<sup>2</sup> Nadia Steinzor and Bruce Baizel (2018) [Undeserved Credit](#). Earthworks.

documentation and with support from District staff. CARB also discovered that the Valley Air District was using an incorrect offset ratio for several years that would have led to a failure to demonstrate equivalency as early as 2004.<sup>3</sup> As of March 2022, there are banked credits representing 43,300 tons of 10 different pollutants that have been offset. The oil and gas industry has banked almost half of these credits.

The Valley Air District's ERC system is clearly corrupt and needs to be corrected. Community groups and advocates have engaged for years with the District to seek changes to this system to no avail. For almost two years, representatives of Central Valley Air Quality Coalition, Clean Water Action, and Earthjustice were active members of the Emission Reduction Credit (ERC) Public Advisory Workgroup (PAW) that was tasked to address CARB's findings. These representatives ultimately resigned the PAW as a result of being disappointed in the lack of constructive dialogue and real outcomes.

To restore clean air to the Valley and address the disproportionate burden on communities of color and low income communities, issues with the credits, banks, and permits used by the oil industry and other major pollution sources must be fully assessed and addressed. Communities across the San Joaquin Valley deserve answers as to the implications of these findings for existing permits and clean-up plans that rely on incorrect information.

For all of these reasons, we strongly urge your "yes" vote on AB 985. If you have any questions about our position, please contact Catherine Garoupa at [catherine@calcleanair.org](mailto:catherine@calcleanair.org).

Sincerely:

Dr. Catherine Garoupa, Executive Director, Central Valley Air Quality Coalition

Fatima Iqba-Zubair, Legislative Affairs Manager, California Environmental Voters

Kevin Hamilton, Executive Director, Central California Asthma Collaborative

Asha Sharma, Organizing Co-Director, Pesticide Action Network

Oussama Mokeddem, Director of State Policy, Public Health Advocates

Dillon Delvo, Executive Director, Little Manila Rising

Phoebe Seaton, Co-Executive Director, Leadership Counsel for Justice and Accountability

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<sup>3</sup> Enforcement Division California Air Resources Board. (2020). [Review of the San Joaquin Valley Air Pollution Control District Emission Reduction Credit System](#).

Woody Hastings, Phase Out Polluting Fuels Program Manager, The Climate Center

Catherine Dodd, PhD, RN, Advisor, Families Advocating for Chemical and Toxics Safety

Cheryl Auger, President, Ban Single Use Plastics

Thomas Helme, Co-Founder, Valley Improvement Projects

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Todd Weber, Chair, Elders Climate Action, Northern California Chapter

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Jesus Alonso, Kern Community Organizer, Clean Water Action

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Pauline Seales, Organizer, Santa Cruz Climate Action Network

Janet Cox, CEO, Climate Action California

Daniel Chandler, Chair, Legislative Committee, 350 Humboldt

Greg Muren, Senior Associate Attorney, Earthjustice

Darryl Little Jr., CA Legislative Advocate, Natural Resources Defense Council

Bill Allayaud, CA Director of Government Affairs, Environmental Working Group

Brandon Dawson, Executive Director, Sierra Club California Chapter

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Barbara Sattler, Leadership Council, California Nurses for Environmental Health and Justice

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Andrea Leon-Grossmann, Deputy Program Director, Vote Solar

Cc: Assemblymember Dr. Joaquin Arambula, author