

Copy of Comments Made by Tad Aburn
MWAQC Meeting
September 27, 2023

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Before I begin my comments, could I ask the COG staff to explain to the Committee how after I finish my short comments, I will be muted by the COG staff and the “chat” and “raise hand” functions will be disabled ... and that the only way for me to respond to questions or provide additional information is if a member asks the Chair if she will allow additional input from the public. The Chair may also allow for additional input from the public without a request from the membership. I do not believe many MWAQC members know how public comment and public participation are being handled. Could COG staff go over these procedures before I begin my comments. I would also appreciate it if the 3-minutes allowed by staff for public comment ... 3 minutes is nowhere to be found in MWAQC bylaws or public participation guidance documents ... could be extended to 5 minutes.

Beginning of Comments

Madame Chair, MWAQC members, thank you for providing the opportunity to provide public comment today.

I will start by apologizing up front for the tone of my comments and how they have evolved from collegial and polite in late 2022 to now being more direct and less collegial in September of 2023. I have serious concerns over the way COG staff appears to want to minimize public input and participation. You should ask to be briefed on the way public comment and participation has been handled and become more difficult since late 2022.

Later on your agenda, you will receive a briefing on what has taken place since May 24, 2023 to act on the unanimously approved motion by the

Chair to expeditiously adopt a stand-alone regional plan to address environmental justice and how MWAQC air quality plans are allowing, actually enabling, high-risk, air quality hotspots in environmental justice communities of color to get worse. Although MWAQC and MWCOG appear to want to ignore the issue, what is happening is clear cut institutionalized, systemic environmental racism.

It is my opinion that the elected membership of MWAQC and MWCOG do not fully understand this as they appear to not have been adequately briefed on the air pollution hotspot EJ issue by COG staff ... public input on this issue has also been ignored.

The briefing you will see today (which is similar to recent briefings provided to TAC and ACPAC) was thrown together after my somewhat negative August 24, 2023 letter¹ to MWAQC asking what has the COG staff done for the last quarter of a year to implement the vigorously supported and unanimously approved motion ... made by the Chair ... to expeditiously develop and adopt an environmental justice plan.

As you will see in the briefing:

- Since the May action, no input was sought from leaders and residents who breathe the unhealthy air in environmental justice areas. This kind of immediate input was highlighted by the Chair during the May 24 meeting,
- The framework for a regional EJ plan that I provided to MWAQC in a letter dated June 1, 2023 was never even discussed or considered. This framework includes significant input from environmental justice communities and experts, like Sacoby Wilson and Vernice Miller.
- The briefing is very general and includes a lot of “feel good” concepts and buzzwords like, “EJ toolkit” (which has never actually been used), “EJ Resource Guide” and “equity lens”.

¹ All of the letters mentioned in my comments are attached to the September 26, 2023 letter that is mentioned at the end of my comments.

What it does not include is anything that is action oriented ... things that will actually reduce risk to the residents and the children who have to breathe the air in these already overburdened communities. Maryland is implementing a very action oriented EJ plan in several high profile EJ communities. The MDE effort involves:

- Building partnerships and trust with these communities ... in general, government has very low credibility in these areas,
- Taking immediate action using existing authorities to reduce air pollution risks in these communities, and
- Working to rethink the legacy of government dumping high polluting transportation projects and dirty industrial plants on environmental justice communities over and over and over. This legacy has been built over the last 100 years and will not get better until state and local governments rethink the very difficult issue of how business-as-usual land use and zoning decisions are made.

MDE was not even asked by COG staff to provide a briefing on their EJ plan to TAC.

TAC did not even mention the EJ Plan in their June and July meetings although public comment was provided requesting that the issue be discussed. Over the past year, I have on multiple occasions offered to help set up a panel, involving MDE, EJ community leaders and other local EJ experts.

I urge you to charge the COG staff to establish a subcommittee ... as provided for in the MWAQC bylaws ... to move forward more expeditiously to reach out to communities and local EJ experts immediately, discuss the EJ framework document that was sent to MWAQC and ask for a briefing from MDE ... and to then bring back a much more robust, action-oriented regional environmental justice plan. Again, I will volunteer my time to help with this.

I have submitted a more detailed letter dated September 26, 2023 to supplement these short comments. The letter also provides information on other actions linked to the EJ issues discussed above. Both the recent letter I submitted to EPA on this issue and the Title VI/Civil Rights complaint that was submitted on July 10th are summarized and updated in the September 26 letter. Recent comments and letters from national leaders working on EJ issues in the DMV and the Chesapeake Climate Action Network (CCAN) are also attached to the 9/26 letter.

Because of the time limitation put on public comments, I can not fully summarize my major concerns about an equally important issue ... the briefing on the draft SIP ... a very flawed briefing ... that you will receive as agenda item # 5.

You will be asked to approve the draft SIP for submittal to the EPA. If MWAQC approves the draft SIP ... it will be endorsing an overarching policy that allows emissions to increase and public health protection to be decreased to allow the transportation community to avoid adopting new transportation related emission controls.

That is what the draft SIP does. Ask the staff. I have attached some of my questions for potential use by MWAQC members to ask COG staff questions during the briefing. You could also ask the Chair to unmute me so that you can ask me questions. More detail on this issue (including ways to create a win-win ... public health protection and transportation growth ... solution) is also provided in the September 26, 2023 letter.

I urge you to not approve the SIP today and to ask TAC and the COG staff to revisit the SIP to address the issues I have raised. You may also want to ask the staff to explain how the public comment process and potential legal challenges ... as part of EPA's approval or disapproval process ... works.

In closing, I urge you to set up a subcommittee and to develop a robust EJ plan expeditiously and to not approve the draft SIP today.

Thank you again for allowing public comment. Please let me know if I can help in any way.²

² As background, My name is Tad Aburn. In October of 2022, I was the Chair of MWAQC TAC. For the past 10 years I was the MDE Air Director and an MWAQC member. I have helped write and have submitted over 30 SIPs to EPA over my career. I am now retired ... doing volunteer work for overburdened communities in Prince George's County.

ATTACHMENT TO TAD ABURNS COMMENTS AND THE 09/26/23 SUPPLEMENTAL LETTER MENTIONED IN THE COMMENTS

*Questions That I Believe MWAQC Members Should Ask During
the Briefing for Agenda Item #5*

Request to Approve SIP for EPA Submittal

Note: If desired, MWAQC members can ask the Chair to unmute me during the meeting to provide input.

After the public provides short comments at the beginning of the meeting, the COG staff mutes the commenter and disables their ability to use the chat and raise hand functions of the virtual meeting. This can only be reversed if the Chair asks for the commenter to be unmuted and allowed to use chat and raise hand functions.

Recommendation - Do not approve the SIP for submittal to EPA until response to comments are responsive to the comments that have been submitted and SIP is consistent with the policy goals of MWAQC.

Overarching Policy Question: If MWAQC approves the draft SIP ... it will be endorsing an overarching policy that allows emissions to increase and public health protection to be decreased to allow the transportation community to avoid adopting new transportation related emission controls.

That is what the draft SIP does. Ask the staff.

Is this what MWAQC wants?

There are other ways to find a win-win solution that will be good for both public health protection and transportation growth.

Secondary Policy Question: The SIP appears to be built using two basic concepts:

1. That If something is right and should be done to protect public health, but it's not required by minimum EPA guidance, then do not include it in the SIP ... even if it is logical and would protect public health ... or
2. That if something is wrong, not needed and bad for public health ... but it is allowed because of old, poorly thought out EPA guidance ... then include it .. even if it is wrong and bad for public health.

Is this what MWAQC wants?

Other Key Questions Linked to the Presentation:

Slide 4 - In a May 24, 2023 letter to MWAQC, didn't the person submitting the comments (me - Tad Aburn - Mr. Aburn) provide draft language for the SIP. Wasn't the draft language attached to the comments?

The suggested language was ...

“A core requirement of this SIP is that the emission reduction measures contained in the SIP directly or indirectly, and the implementation of those measures will not create or make worse environmental justice problems in already overburdened communities of color, or other environmental justice communities.”

The SIP should also include detailed descriptions of how MWAQC jurisdictions and the States plan to enforce that core element.”

This language was also recommended in the comments to Virginia and the District.

Shouldn't the responses discuss why that language could not be included?

During the debate on this issue during the May 24, 2023 MWAQC meeting, there was considerable support for the members of MWAQC to include language similar to the suggestion as it appeared to be the right thing to do ... whether it

was or was not required in current EPA guidance ... especially when everyone knows that the new EJ guidance will soon be finalized.

Slide 5 - Bullet 1 - Is the goal of the air quality plan to do the minimum or to do what is right to protect public health? Most MWAQC members became MWAQC members because of their desire to protect the health of their constituents and the residents of the region. The response is particularly weak as the states and the COG staff know that a real problem exists and that EPA guidance is imminent. Why is the EPA not at the 9/27 meeting? Were they asked to attend and to clarify their position on including EJ in the SIP?

Slide 5 - Bullet 2 - Doesn't MDE's response imply that they would be OK with adding the suggested language into the SIP as they are already doing most of what the suggested language would require? MDEs response acknowledges the problem with air quality hotspots ... in EJ communities ... driven by the SIP ... is real.

Slide 6 - Bullet 1 - Does this say anything about the comment. No. The comment is that the SIP needs to make sure that the SIP does not allow for implementation to make problems in EJ areas worse. This is happening right now. The VADEQ response does not even acknowledge that the data, research and analysis show that the problem is real. This response is not responsive and inadequate.

Slide 6 - Bullet 2 - Does the DC DOEE response infer that they would also be OK with adding the suggested language? Their response acknowledges that the problem is real but does not include anything specific on how the problem should be addressed. Like the VA DEQ comment ... The DC DOEE comment provides big picture rhetoric but does not actually address the "hotspots in EJ communities-caused by the SIP" issue.

Slide 8 - All bullets - Will the so-called "Safety Margins" help provide greater public health protection or are they really "Transportation Buffers that will increase emissions and decrease public health protection so that the transportation planning process does not have to find additional emission reductions"?

They are the latter. Safety margins is a misleading term. There are many other ways to address the “uncertainties” associated with new models and other technical changes. The real question is should future changes in mobile emissions or growth be handled by allowing for less public health protection or by finding more emission reductions in the transportation sector. The “Safety Margin” provisions of the SIP sacrifice public health protection to ensure that the transportation planning process does not need to find more emission reductions.

Is this what MWAQC wants?

Slide 9 - All Bullets. - Are the greenhouse gas benefits made available when policy makers are trying to decide what should be in transportation plans? For example if two packages of strategies are being considered (assume one package is very heavy on technology while the other is based on technology and strategies to reduce VMT) are the greenhouse gas reduction benefits from each package of strategies made available to policy makers so that climate change goals can be considered as the two strategies are debated.

The answer is no. This information should be made available to policy makers and the public as decisions are made on how to spend millions of public dollars to improve the region's transportation system while ensuring public health protection. Not ... as is current practice ... after the policy decisions have been made.

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September 26, 2023

Anita Bonds, Chair, MWCOG Metropolitan Washington Air Quality Committee
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Takis Karantonis, Chair, MWCOG Climate, Energy and Environment Policy Committee
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Committee Members, MWAQC
Committee Members, CEEPC
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RE: Concerns Over Delays in Addressing Environmental Justice, the Draft State
Implementation Plan (SIP) MWAQC will be asked to Approve and the Need to
Strengthen MWCOG Climate Change Goals

Chairwoman Bonds, Chairman Karantonis, MWAQC members, CEEPC members:

This letter is the letter mentioned in my comments to MWAQC for the September 27,
2023 MWAQC meeting at noon. This letter is also being submitted to CEEPC as written
public comment for their 10:00 meeting on the 27th. Both MWAQC and CEEPC have
interest in the four issues I am commenting on ... environmental justice (EJ), clean air
and the region's clean air plan, climate change and the Title VI/civil rights complaint.

I will start by apologizing up front for the tone of my letter and how my communications
have evolved from collegial and polite in late 2022 to being more direct and less
collegial in September of 2023. I have serious concerns over the way COG staff
appears to want to minimize public input and participation. You should ask to be
briefed on the way public comment and participation has been handled and become
more difficult since late 2022.

Environmental Justice

On the 27th, both Committees will receive a briefing on what has taken place since May
24, 2023 to act on the unanimously approved motion by the MWAQC Chair to

expeditiously adopt a stand-alone regional plan to address environmental justice and how MWAQC air quality plans and TPB transportation plans are allowing, actually enabling, high-risk, air quality hotspots in environmental justice communities of color to get worse. Although MWAQC, CEEPC, and MWCOG appear to want to ignore the issue, what is happening is clear cut institutionalized, systemic environmental racism.

It is my opinion that the elected membership of MWAQC, CEEPC and MWCOG do not fully understand this as they appear to not have been adequately briefed on the issue by COG staff and public input on this issue has been ignored.

The briefing you will see today (which is similar to recent briefings provided to MWAQC TAC and ACPAC) was thrown together after my somewhat negative August 24, 2023 letter*¹ to MWAQC asking what has the COG staff done for the last quarter of a year to implement the vigorously supported and unanimously approved motion ... again, made by the Chair ... to **“expeditiously”** develop and adopt an environmental justice plan.

As you will see in the briefing:

- No input was sought from leaders and residents who breathe the unhealthy air in the environmental justice areas. This kind of immediate input was highlighted by the Chair during the May 24 MWAQC meeting,
- The framework that I provided to MWAQC in a letter* dated June 1, 2023 was never even discussed or considered. This framework includes significant input from environmental justice communities and experts, like Dr. Sacoby Wilson and Vernice Miller.
- The briefing is very general and includes a lot of “feel good” concepts and buzzwords like, “EJ toolkit” (which is mostly borrowed from other organizations' work and has never actually been used by anyone), “EJ Resource Guide” and “equity lens”.

What the briefing does not include is any discussion of anything that is action oriented ... things that will actually reduce risk to the residents and the children who have to breathe the air in these already overburdened communities. Maryland is implementing a very action oriented EJ plan in several high profile EJ communities. The Maryland Department of the Environment (MDE) effort involves:

- Building real partnerships and trust with these communities ... in general, government has very low credibility in these areas,

¹ All of the other letters ... that are mentioned in this letter ... that are marked with an * ... are attached

- Taking immediate action using existing authorities to reduce air pollution risks in these communities, and
- Working to rethink the legacy of government actions dumping high polluting transportation projects and dirty industrial plants on environmental justice communities over and over and over. This legacy has been built over the last 100 years and will not get better until state and local governments rethink the very difficult issue of how business-as-usual land-use and zoning decisions are made.

MDE was not even asked by COG staff to provide a briefing on their EJ effort and plan to TAC. In their June and July meetings, TAC did not even mention the MWAQC Chair's action requesting that a regional EJ Plan be developed and implemented expeditiously. Public comment* was provided for these meetings requesting that the issue be made a priority. Over the past year, I have on multiple occasions offered to help set up a panel, involving MDE, EJ community leaders and other local EJ experts.

The bottom line ... the issue has been ignored for a quarter of a year.

I urge you to charge the COG staff to establish a subcommittee (as provided for in the MWAQC ... and I believe CEEPC ... bylaws) to move forward more expeditiously. I will volunteer to be on the subcommittee. The Subcommittee should reach out to communities and local EJ experts immediately, discuss the EJ framework document that was sent to MWAQC, ask for a briefing from MDE and then bring back a much more robust, action-oriented regional environmental justice plan for your next set of meetings. Again, I will volunteer my time to help with this.

Air Pollution and Air Quality Plans

During agenda item #5 of the 9/27 MWAQC meeting, MWAQC will be asked to approve a revised regional air quality plan, called the SIP, to submit to EPA. I urge you to ask the COG staff to again revise the draft SIP to be responsive to public comments and to ensure that the SIP is consistent with the public health protection goals that I believe are critical to the vast majority of MWAQC and CEEPC members.

The SIP you will be asked to approve to be sent to EPA, as currently drafted, can be summarized as a SIP that:

Sacrifices public health protection to make the transportation planning process easier and to relieve the transportation planning community from implementing additional emission control measures.

Is this what MWAQC and CEEPC want?

There are common sense, effective transportation emission control measures that could be adopted, implemented and reserved/banked to address the problems that the transportation community is worried about. Examples include environmental performance contracting for transportation projects, offset requirements for transportation projects similar to the offset requirements already in place for stationary sources and the creation of a “rainy day” credit bank of extra transportation emission reductions to be used when unexpected problems surface.

My guess is that neither MWAQC nor CEEPC members clearly understand that the proposed SIP is about sacrificing public health protection to benefit transportation planning. Several examples that demonstrate that the proposed SIP is sacrificing public health for transportation include:

1. The draft SIP does not require that in implementation of the plan, state and local governments may not create environmental justice problems or make existing environmental justice problems worse. This is happening right now.

Comments* submitted to MWAQC and the states recommended that the following language be added to the SIP to ensure that the public health protection for residents and their children who live in environmental justice communities of color is not made worse.

- “A core requirement of this SIP is that the emission reduction measures contained in the SIP directly or indirectly, and the implementation of those measures will not create or make worse environmental justice problems in already overburdened communities of color, or other environmental justice communities. The SIP should also include detailed descriptions of how MWAQC jurisdictions and the States plan to enforce that core element.”

During the May 24, 2023 MWAQC meeting, several MWAQC members argued “why wouldn’t we put this in the SIP ... even if it is not in explicit EPA guidance at this time”. This is a very good question.

Business-as-usual implementation of many measures in the plan will generate significant region-wide health benefits for the residents of the region ... the primarily white residents of the region. This is great. Unfortunately these benefits, because of very old policies on land-use and zoning, are sometimes achieved at the expense of the health of already overburdened communities of color in the region.

The draft SIP package does not discuss inclusion of the proposed language above at all. At a minimum, shouldn't the response to comments document at least discuss why that language was rejected? Again, during the debate on this issue during the May 24, 2023 MWAQC meeting, there was considerable support from some members of MWAQC to include language similar to the suggestions as it appeared to be the right thing to do ... whether it was or was not explicitly required in current (but soon to be revised) EPA guidance.

Failure to include language like the language that was proposed, in essence, means that MWAQC is OK with allowing the implementation of the SIP to increase the public health risks in environmental justice communities of color. I do not believe this is what MWAQC or CEEPC would want.

During the summer, I submitted several other important documents* on this issue. On July 10, 2023, I wrote to EPA and federal transportation agencies on the need to ensure that implementation of federally approved air quality and transportation plans do not create high-risk environmental justice problems in already overburdened communities of color. MWCOG, CEEPC and others were copied.

Also on July 10, 2023, I submitted a Title VI (civil rights) complaint* to MWCOG on ignoring the well documented problem of systemic, institutionalized environmental racism being allowed in federally required and approved air quality and transportation plans. These plans do not require that implementation of the plan will not create EJ problems or make EJ problems worse. The air quality and transportation plans should include such a requirement as current transportation projects in multiple EJ communities are already making existing EJ problems worse. Both of the July 10, 2023 letters/documents are attached. They were also sent to MWAQC TAC..

On August 15, 2023 and September 2, 2023 I submitted comments to Virginia* and the District* as part of the public hearing process on the proposed SIP. These comments are attached.

2. The draft SIP is almost 100% about establishing new mobile budgets with something called "Safety Margins". The safety margins in the SIP have nothing to do with providing greater public health protection. They should be called "Transportation Buffers that will increase emissions and decrease public health

protection so that the transportation planning process does not have to find additional emission reductions”.

Safety margins is a very misleading term. There are many other ways to address the “uncertainties” associated with new models and other technical changes. The real question is should future changes in mobile emissions or growth be handled by allowing for less public health protection or by finding more, readily available, emission reductions in the transportation sector to ensure that public health protection is maintained. Again, the “Safety Margin” provisions of the SIP sacrifice public health protection to ensure that the transportation planning process does not need to find more emission reductions.

I do not think this is what MWAQC or CEEPC would want?

3. The draft SIP does not require that policy makers should be allowed to look at the full benefits of different transportation strategies as they are deciding what projects to put into regional transportation plans. Greenhouse gas emission reduction information should be made available to policy makers and the public during the process of discussing and debating what measures will be in the next TIP or CLRP ... not after those decisions are already made (this is the current practice).

For example ... If two packages of strategies are being considered (assume one package is very heavy on technology while the other is based on technology and strategies to reduce VMT) shouldn't the greenhouse gas reduction benefits from each package of strategies be made available to policy makers so that climate change goals can be considered as the two strategies are debated?

This would be a major change for the transportation planning community ... but it would clearly result in greater transportation emission reduction measures, better public health protection and a better regional action plan to address the urgent problem of climate change.

This issue is one that, I believe, CEEPC would also be very interested in fixing.

There are also, I believe, some procedural issues with the draft SIP package. It has not even been reviewed by MWAQC TAC. The response to comments is also not at all responsive to the comments that were submitted to the states as part of their public hearing process. In addition, the package does not address or even mention the EPA

legal analyses on the use of SIPs and other state and federal authorities as a tool to begin to make progress on environmental justice.

I am also very concerned that the COG staff seems to believe they have been charged by MWAQC and CEEPC to develop the regional air quality plan or SIP by simply meeting minimum federal requirements and guidance ... not doing what is needed to protect public health. Is this what MWAQC and CEEPC want?

Climate Change

On May 24, 2023 and June 1, 2023 I submitted letters* to CEEPC on the need to update the weak climate change goals that are now being used to guide TPB as they develop a greenhouse gas emission reduction strategy for the region. As is now commonly understood, transportation related emissions are the largest contributor to the climate change problem (and the ozone problem) in the Washington region.

The June 1, 2023 letter provided a recommendation on what strengthened climate change goals for the region might look like. There has been no response to these letters. This issue was not discussed at the TAC meetings in June, July and September. It's now been a quarter of a year and it appears that the issue has not even been discussed. In essence, nothing has happened.

There is a true sense of urgency associated with the need to update the region's climate change goals. The science is clear ... deeper and faster GHG reductions are critical. There is also an issue specific to the MWCOG region that adds to that urgency. Again, the most significant contributors to the region's GHG emissions are mobile sources and other transportation related emission sources. The MWCOG TPB is currently developing and implementing a plan to reduce GHG emissions. Transportation strategies are often very expensive, are sometimes irreversible and often take years to phase in emission reductions. Because of this, having the right goals and timing is absolutely imperative.

If weak goals are used to guide the TPB plan, it is likely that important strategies involving VMT reductions and other travel demand management concepts will not be considered.

The Chesapeake Climate Action Network (CCAN) also submitted comments* on this issue for the TPB meeting on September 20, 2023.

The Title VI Civil Rights Complaint

I also need to mention the strengthened Title VI, civil rights complaint that is being prepared. My comments* from the 9/20/23 TPB meeting on this issue are attached. I have also attached comments* submitted by three national EJ experts who are working specifically on EJ issues in the Washington DC area. They have been joined by other EJ experts and have also submitted comments* to MWAQC and CEEPC in advance of the back-to-back meetings on September 27th.

In closing, I urge you to move more quickly to finalize and implement a robust, action oriented EJ Plan and to ask staff and TAC to revise the final draft SIP submittal to be responsive to public comment and to ensure that the SIP is consistent with the public health protection policies that MWAQC and CEEPC feel are critical.²

Respectfully,

George S. Aburn Jr.

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Cc: MWAQC Members
Kate Stewart, Chair, MWCOG BOD
Reuben Collins, Chair, TPB
Clark Mercer, MWCOG
Takis Karantonis, Chair, CEEPC
Era Pandya, Chair, ACPAC
Julie Kimmel, Vice Chair, ACPAC
Tom Ballou, Chair MWAQC TAC
Rick Conrad, MWCOG Title VI Officer
Dr. Sacoby Wilson, UMCP CEEJH
Parisa Norouzi, EmPower DC
Dr Janet Phoenix, MD, MPH, Chair, DC Asthma Coalition
Eric Schaefer, EIP

² As background, My name is Tad Aburn. In October of 2022, I was the Chair of MWAQC TAC. For the past 10 years I was the MDE Air Director and an MWAQC member. I have helped write and have submitted over 30 SIPs to EPA over my career. I was also the State Chair of the National Association of Clean Air Agencies (NACAA) Criteria Pollutant Committee for over ten years. This is a national Committee that worked directly with EPA on all SIP policies and guidance. I am now retired ... and doing volunteer work for overburdened communities in Prince George's County.

Leah Kelly, EIP

Anne Havemann, CCAN

Adam Ortiz, Regional Administrator, USEPA

Cristina Fernandez, USEPA

Angus Welch, USEPA

Janet A. Phoenix, MD, MPH, Chair, DC Asthma Coalition
Parisa Norouzi, Executive Director, EMPOWER DC
Dr. Sacoby Wilson, University of Maryland Center for Community
Engagement, Environmental Justice and Health (CEEJH)
Tene Lewis, Lead Volunteer, Campaign to Reduce
Lead Exposure & Asthma

September 26, 2023

Anita Bonds, Chair, MWCOG Metropolitan Washington Air Quality Committee
(MWAQC)

Takis Karantonis, Chair, MWCOG Climate, Energy and Environment Policy Committee
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Committee Members, MWAQC

Committee Members, CEEPC

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Washington, DC 20002

RE: Request to Provide Input on the MWAQC/MWCOG Environmental Justice Plan

Chairwoman Bonds, Chairman Karantonis, MWAQC members, CEEPC members:

We are writing to offer our assistance to MWAQC, CEEPC and MWCOG as you work to finalize and implement the regional Environmental Justice Plan that Chairwoman Bonds proposed and passed during MWAQC's May 24, 2023 meeting. This proposal was vigorously supported by the Committee and passed unanimously. We understand that this issue may be discussed at the September 27, 2023 MWAQC and CEEPC meetings. This letter is follow-up to the comments that we submitted for the May 20, 2023 TPB meeting.

We have begun to work with Tad Aburn on this and other issues and we share his concern that it has been nearly a quarter of a year and that no real progress has been made to follow-up on Chairwoman Bond's action during the May 24th MWAQC meeting to expeditiously develop and adopt a stand-alone environmental justice plan. We find this surprising given the Committees clear charge to develop and implement the plan expeditiously.

The Plan needs to not only encourage the need to build partnerships with environmental justice communities but also include real action to reduce excessive emissions in these areas from both stationary and transportation related sources.

The data, research and analysis that is now readily available clearly shows that excess emissions in and around environmental justice areas are creating very serious, inequitable public health risks to the people and the children that live in these communities. In a briefing to MWAQC, Dr. Russell Dickerson, a national expert on air pollution, characterized the measured air pollution levels in the Ivy City environmental justice area as “alarming”.

Transportation Related Air Pollution (TRAP) is a high priority to our coalition. We have attached a 2022 letter describing our concerns over TRAP and the critical need for government agencies and regional planning organizations like MWCOG to take action to address this issue.

We have followed Mr. Aburn’s efforts (before retiring, Mr. Aburn was the MDE Air Director for many years) to push MWAQC and the MWCOG Transportation Planning Board (TPB) to address the need to reduce pollution in the now well documented air pollution hotspots that are driven by TRAP and causing high risks in environmental justice communities of color. We support his efforts and share his concerns. Interestingly, Mr. Aburn’s efforts started in Late 2022, almost the same time we began to push the need to address TRAP.

In closing, should you want our input on what we believe is critical in your environmental justice plan, please contact us. Please contact Tad Aburn. He will be coordinating this effort.

Thank you again for allowing public input. The work you are doing is critical.

Sincerely,

Janet A. Phoenix

Janet A. Phoenix, MD, MPH, Chair, DC Asthma Coalition

Parisa Norouzi

Parisa Norouzi, Executive Director, EMPOWER DC

Dr. Sacoby Wilson

BGSU JWP

Dr. Sacoby Wilson, University of Maryland Center for Community Engagement,
Environmental Justice and Health (CEEJH)

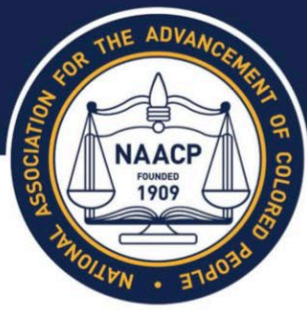
Tene Lewis

Tene Lewis, Lead Volunteer, Campaign to Reduce Lead Exposure and Asthma

George S. Aburn Jr.

George S. (Tad) Aburn Jr., Volunteer

Cc: William Washburn, Climate Justice Chair, Washington DC Branch, NAACP
Kate Stewart, Chair, MWCOG BOD
Reuben Collins, Chair, TPB
Clark Mercer, Executive Director, MWCOG
Rick Conrad, MWCOG Title VI Officer
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September 1, 2022

Olivia Dedner
Chief of External Affairs
District Department of Transportation (DDOT)

Dear Olivia,

I trust that this letter finds you safe & well. This is a note from Neil Boyer, Environment and Climate Justice Committee for the Washington DC branch of the NAACP. We would like to thank you for providing the opportunity to have a Zoom meeting with you and your team on July 18th. We would like to request a further meeting to follow up on the measures discussed at that meeting. We understand that your office is in the process of putting together requests for the FY 24 budget. As you know, in our previous discussions we requested that DDOT use some of the federal and local resources allocated to improve transportation infrastructure in the district to also reduce resident exposure to Traffic-Related Air Pollution (TRAP). This is critical for those areas of the city where exposure to TRAP has resulted in adverse public health outcomes, namely in residential areas adjacent to I-295, I-395, Suitland Parkway, and New York Avenue (as well as other high-volume traffic corridors located in lower-income areas of the city). We also requested active community engagement in the design and implementation of interventions funded by these resources and aimed at reducing TRAP. The Campaign team would very much like to participate as stakeholders as your agencies plan current and future budget requests that could support implementation of some of the recommendations for pollution mitigation along high traffic corridors, especially those in low-income minority neighborhoods.

In the context of the issues cited above, we were recently made aware that WMATA intends to remodel its Shepherd Parkway bus garage to include new Compressed Natural Gas (CNG) fueling infrastructure. The proposed remodel will shift many of WMATA's CNG buses to the community, contribute more fossil fuel powered traffic, result in additional TRAP, and compound adverse health impacts in Ward 8 and along the I-295 corridor. Furthermore, this project represents a troubling new foothold for fossil gas infrastructure in Ward 8 and will stymie efforts to ensure clean public transportation for DC's most vulnerable commuters and residents. Furthermore, the WMATA proposal, if implemented, would undermine its stated commitment to electrify its bus fleet and reduce its carbon footprint. This proposal is especially concerning due to its potential public health impacts on a disadvantaged community that is already disproportionately impacted by TRAP. This development further illustrates the need for greater community involvement in decisions related to TRAP and public health.

In addition, sufficient resources should be allocated to ensure that a baseline of information on TRAP-related adverse health outcomes for residents of the aforementioned communities is established as well. Such a baseline could identify the current levels of TRAP, as well as TRAP-

related morbidity and mortality rates (especially for vulnerable low-income people living close to high-traffic corridors).

In light of the above, our 'ask' is that DDOT & DOEE create a mechanism to monitor and track health outcomes associated with TRAP (e.g. respiratory disease and cardiovascular disease) especially in communities at risk adjacent to I-295, I-395 and New York Avenue. This may require coordination with DC Health as they are the agency with the expertise to assess health indicators and conduct surveillance. Under the assumption that improving public health outcomes remains a priority of the current Bowser administration, establishing this baseline is critical to provide measures of progress towards the goal of reducing harmful exposures to TRAP. This is especially important to those residents at risk in Wards 5, 7 & 8. We also strongly urge that DDOT and DOEE recommend that the District Government's representatives on the WMATA Board call for WMATA staff to suspend its proposal to locate new CNG fueling infrastructure at this Metrobus garage and consider replacing older diesel-powered Metrobuses in the garage's fleet with new electric Metrobuses instead.

Thank you in advance for your continued willingness to meet with us to discuss these important transport related public health issues. We look forward to continued collaboration on this matter and hope to hear from you at your earliest convenience.

Best Regards,


Neil Boyer

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