Community Emission Reduction Plan (CERP) Community Steering Committee Meeting #33

March 25, 2024
Welcome

Y’Anad Burrell, CSC Co-Chair
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<th>TIME</th>
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<tr>
<td>5:30 PM</td>
<td>Welcome, Meeting Logistics, Agenda</td>
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<td>Meeting Minutes from February 26th, 2024</td>
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<td>5:45 PM</td>
<td>Governance Ad Hoc Update</td>
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<td>5:50 PM</td>
<td>Community Engagement and Outreach Standing Committee Update</td>
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<td>5:55 PM</td>
<td>Draft Final PTCA Plan (Action Item)</td>
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<td>6:20 PM</td>
<td>Lead Nominees Panel Discussion and CSC Elects Three Leads (Action Item)</td>
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<td>7:00 PM</td>
<td>Funding Community Benefits from Penalty Funds</td>
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<td>Fuel Refining Ad Hoc: CSC Penalty Policy Recommendations (Action Item)</td>
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<td>7:55 PM</td>
<td>Next Steps, Public Comment on Non-Agenda Item Matters, Meeting Close</td>
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Path To Clean Air Meeting Format

**Member expectations:**
- Be respectful and open to other points of view
- Review all materials prior to the meeting
- Use the raise hand feature in zoom
- Speak only when Co-Chairs and/or facilitator calls on you during discussions and public comment

**Meeting procedures:**
- Begin each meeting by taking roll call to establish a quorum
- Ask for public comment before taking any action
- Any member can make a motion which then has to be seconded by another member
- Co-chairs adjourn
# Where are We Today?

<table>
<thead>
<tr>
<th>Phase</th>
<th>Work Product</th>
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<tbody>
<tr>
<td>SCOPE AND ORGANIZE</td>
<td>Steering Committee (CSC)</td>
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<td>Partner with Community</td>
<td>Leadership Committee</td>
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<td>Subcommittees (Ad Hoc or Standing)</td>
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<td>Implementation Activities</td>
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<td>Annual Progress Report</td>
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Where are We Today?

Path to Clean Air CSC Meeting #33 – March 25, 2024
Approval of February 26, 2024
Meeting Minutes

Y’Anad Burrell, CSC Co-Chair
Public Comment

Y’Anad Burrell, CSC Co-Chair
Governance Ad Hoc Updates
Governance Ad Hoc Updates

Completed Tasks:
- Finalized self-nomination process for CSC Leads
- On Tuesday, March 5th sent out call for nominations for CSC Leads
- On Monday, March 11th and Thursday, March 14th reminders sent out to all CSC members
- On Monday, March 18th staff sent out all nomination applications to CSC members for review
- Staff collected all follow-up panel discussion questions from CSC members in advance of the March 25th CSC meeting

Next steps:
- Lead Nominees Panel Discussion and Elect New Leads (upcoming agenda item)
Steering Committee Questions and Discussions

Alfredo Angulo, CSC Co-Chair
Public Comment

Alfredo Angulo, CSC Co-Chair
Standing Committee Updates

Update on Committee Meetings and Networking Events

- 03/05/2024: North Richmond Municipal Advisory Council (Dave Severy, Suzanne Coffee, Dr Omotoso)
- 03/11/2024: North Richmond Municipal Advisory Council meeting (Suzanne Coffee)
- 03/11/2024: Richmond Housing Commission (Y’Anad Burrell)
- 03/16/2024: Sisters in Solidarity Conference (Suzanne Coffee)
Standing Committee Updates (Cont.)

Reminder: Community Equity Health and Justice Committee (CEHJ) meeting on 4/22, 5:30 pm at San Pablo City Hall, Council Chambers

Ways to increase public engagement

• Reconnect with your contacts and people you reached out to during public comment period - email/text templates available
• Meet with a community engagement committee member for support
• Follow and repost the Air District’s social media content about the event: X, Facebook, LinkedIn, Instagram, NextDoor
• Attend in-person!
Steering Committee Questions and Discussions

Alfredo Angulo, CSC Co-Chair
Public Comment

Alfredo Angulo, CSC Co-Chair
Draft Final PTCA Plan (Action Item)

Wendy Goodfriend, Air District
Overview

• How did we get to where we are today?
• CSC reflections
• Public comment
• Recommendation to approve Draft Final PTCA Plan
• Vote
PTCA Planning Process

Here is the original planning process --- we have adjusted this together over time to fit our purpose.

**SCOPE & ORGANIZE**
- Partnership with Community
  - Steering Committee
  - Plan Process
  - Vision & Principles
  - Plan Boundary

**ASSESS**
- The Challenges We Face
  - Community Description
  - Technical Assessment

**PLAN**
- Our Solutions
  - Key Issues
  - Goals & Targets
  - Strategies

**IMPLEMENT**
- Review & Adoption
  - Environmental Assessment
  - Plan Adoption
    - Steering Committee
    - BAAQMD
    - CARB

**SHARE COMMITMENT TO ACTION**
- Implementation Plan
- Enforcement Plan
- Metrics to Track Progress
- Ongoing Reporting
Scope and Organize: Partnership with Community

- PTCA selected as a CERP community: Feb 2020
- Community Design Team meets, Board of Directors selects and seats CSC: 2020-2021
- First CSC Meeting: April 2021
- CSC develops Vision and Principles: Aug 2021
- PTCA community boundary confirmed: Dec 2021
- 33rd CSC meeting to adopt CERP: March 2023
Assess the Challenges

Community Description Ad Hoc

Community Organizing Grants

Social Pinpoint Mapping Project

Technical Assessment Ad Hoc

CSC Online Learning Opportunities

Presentations and discussions at CSC meetings
Plan: Review

Jan

- Draft PTCA Plan public comment period closed on January 19, 2024

Feb

- Feb 26th CSC meeting
  - Summary of public comments and responses discussed
  - CSC votes to direct Air District to make non-substantive changes

Mar

- Draft Final PTCA Plan and memo described changes shared with the CSC and made available on the PTCA website
Plan: Adopt

CSC adoption confirms approval to move the Draft Final PTCA Plan to the CEHJ Board Committee for consideration

CEHJ considers recommending adoption of the Draft Final PTCA Plan to the Air District Board of Directors
April 22\textsuperscript{nd} San Pablo City Hall, 5:30 pm

Air District Board of Directors considers adoption of the Draft Final PTCA Plan
May 1st, to be confirmed

Final PTCA Plan sent to CARB for consideration
Request for Action

• Recommend the CSC vote to approve the Draft Final Path to Clean Air Plan.
Steering Committee Questions and Discussions

Y’Anad Burrell, CSC Co-Chair
Public Comment

Y’Anad Burrell, CSC Co-Chair
Vote to Approve Draft Final PTCA Plan (Action Item)

Action Item

• The CSC will vote to approve the Draft Final PTCA Plan.
Lead Nominees Panel Discussion and CSC Elects Three Leads (Action Item)

Nina Garde, Air District
CSC Elects Three Leads

Q&A Panel Discussion with Nominees
• Each nominee will answer the same questions
• 1 to 2 minutes per nominee to respond to each question

Election of Nominees
• CSC members to vote for three Leads (except for non-voting government/industry reps)
  ○ Each CSC member can vote for up to 3 nominees
  ○ Only one vote per nominee
• Newly elected leads will coordinate with Co-Chairs to ensure smooth transition
Q&A Panel Discussion

Nominees:
- Marisol Cantú
- Nancy Aguirre
- Dr. Omoniyi Omotoso
- Y’Anad Burrell

Q&A Panel Discussion with Nominees
- Each nominee will answer the same questions
- 1-2 minutes per nominee to respond to each question

Path to Clean Air CSC Meeting #33 – March 25, 2024
Request for Action

• Recommend the CSC vote to elect three new Leads.
Steering Committee Questions and Discussions

Alfredo Angulo, CSC Co-Chair
Public Comment
Vote to Elect Three Leads for CSC

Action Item

• Recommend the CSC vote to elect Marisol Cantú as one of the three Leads of the steering committee for the Path to Clean Air.

*Remember each action item requires a motion, second, and vote!*
Vote to Elect Three Leads for CSC

Action Item

• Recommend the CSC vote to elect Nancy Aguirre as one of the three Leads of the steering committee for the Path to Clean Air.

*Remember each action item requires a motion, second, and vote!*
Vote to Elect Three Leads for CSC

Action Item

• Recommend the CSC vote to elect Dr. Omoniyi Omotoso as one of the three Leads of the steering committee for the Path to Clean Air.

*Remember each action item requires a motion, second, and vote!*
Vote to Elect Three Leads for CSC

Action Item

• Recommend the CSC vote to elect Y’Anad Burrell as one of the three Leads of the steering committee for the Path to Clean Air.

*Remember each action item requires a motion, second, and vote!*
Funding Community Benefits from Penalty Funds

Gregory H. Nudd, Air District
Penalty Policy Proposal

• Develop a policy to automatically set aside a portion of penalty funds for community benefits. If approved by the Board, we would be the first Air District to implement this as a routine policy.

• Policy could be retroactive to the beginning of this fiscal year (July 1, 2023)
Timeline

• Air District and Fuel Refining Ad Hoc meet to discuss proposed policy on 3/14
• The CAC held a discussion on proposed policy and voted on recommended allocations on 3/21
• The penalty policy will be considered by the Air District Finance and Administration Committee meeting - 4/17 at 10 am
• Finally, the penalty policy will be considered by the Board of Directors during their meeting - 5/1 at 10 am
Background

- The Air District collects penalties from facilities that violate our regulations.
- In the past five years, these funds have varied from $700k to $4.2M per year.
- Penalty collections for this fiscal year are almost $22M.
- In the current fiscal year, $3M of penalty funds are budgeted to partially fund our enforcement program consisting of 77 full time employees with a total direct costs of roughly $16M per year.
Background

• The Air District collects penalties from facilities that violate our regulations.
• In the past five years, these funds have varied from $700k to $4.2M per year.
• Penalty collections for this fiscal year are almost $22M.
• In the current fiscal year, $3M of penalty funds are budgeted to partially fund our enforcement program consisting of 77 full time employees with a total direct costs of roughly $16M per year.
About the Penalties

• Most individual penalties are between $10-$50k (58%).

• But most of the penalty dollars collected are from a few large penalty agreements exceeding $1M.

• Penalties > $1M are paid primarily by petroleum refineries and related industry. Over 90% of the penalties collected in recent years are from this sector.
Penalty Allocation Option 1: 80 - 20

<table>
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<tr>
<th>Lower Break Point</th>
<th>Upper Break Point</th>
<th>% to Local Benefit Fund</th>
<th>% to Air District or Regional Benefit Fund</th>
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<tbody>
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<td>$100,000</td>
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<td>$100,000</td>
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<tr>
<td>$1,000,000</td>
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<td>80%</td>
<td>20%</td>
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- The first $100,000 of each penalty payment would go to offset the Air District’s expenses in enforcing regulations. After the budget target is met those funds would go into a regional benefit fund.

- Between $100,000 and $1,000,000, 50% of the penalties would go to a fund to benefit the community impacted by the violation. The balance would go either to the Air District or the regional benefit fund (depending if budget target has been met).

- Above $1,000,000, 80% of the penalties would be reserved for local benefits programs, with 20% to the Air District/Regional Fund (depending if budget target has been met).
Option 1: 80 - 20 (con)

First $100K

Next $100K-$1M

Over $1M

100% 50% 50% 20% 80%

First ~$4M

District Budget

Regional Community Benefits Fund

Over budget target

Local Community Benefits
Option 1: 80 - 20 Results

• Using penalty data from fiscal year ending 2022, Option 1 would have had the following results:
  • Local benefit fund for Martinez area: $1,598,100
  • Local benefit fund for Benicia area: $168,250
  • Regional Benefit fund: $0 (budget target was not met)

• For the fiscal year ending 2024 including the $20M Chevron penalty, the Option 1 would have the following results:
  • Air District budget target met
  • Local benefit fund for Richmond area: $16,250,000
  • Regional benefit fund: $2,658,650
  • Local benefit fund for Pleasanton: $64,000
Community Advisory Council Recommendations

On January 18th, the CAC recommended the Air District Board of Directors:

- Create a policy in collaboration with the CAC that automatically sets aside a portion of penalties for regional and local benefits
- Have the CAC conduct an annual periodic review of the program after one year to ensure that the policy is effective and equitable
- Ensure, with the collaboration of the CAC, there is the creation of a plan for community outreach and oversight of any local or regional benefit fund spending programs

On March 21st, the CAC recommended the Air District Board of Directors:

- Allocate 80% to Local Benefit Fund and 20% to Regional Benefit Fund
Timeline and Next Steps

- The penalty policy will be considered by the Air District Finance and Administration Committee on April 17th and by the Board of Directors on May 1st.
- There are opportunities for continued discussion with the PTCA CSC between now and May.
- Further discussions need to be scheduled among all CSC members (i.e., CSC monthly or special meeting).
Questions?
Steering Committee Questions and Discussions

Y’Anad Burrell, CSC Co-Chair
Fuel Refining Ad Hoc:
CSC Penalty Policy Recommendations
(Action Item)

Lucia Castello, CSC Member
Request for Action

• Recommend the CSC directs the Fuel Refining Ad Hoc to finalize and send a letter to the Air District Board of Directors with recommendations regarding the Air District proposed penalty policy.
Steering Committee Questions and Discussions

Alfredo Angulo, CSC Co-Chair
Public Comment

Alfredo Angulo, CSC Co-Chair
Vote to Direct Fuel Refining Ad Hoc to Finalize and Send Letter to the Air District Board of Directors

Action Item

• Recommend the CSC directs the Fuel Refining Ad Hoc to finalize and send a letter to the Air District Board of Directors with recommendations regarding the Air District proposed penalty policy.
Next Meeting Details

April CSC Meeting - same day as CEHJ, cancelled with concurrence from CSC co-chairs

CSC learning session: Rule 6-5 Settlement Agreement Community Air Quality Fund - day/time TBD, but goal is ASAP

Community, Equity, Health and Justice Meeting (Hybrid)
- CEHJ will consider recommending to the Board of Directors adoption of the Draft Final PTCA Plan
- Date: April 22, 2024 at 5:30 pm
- On-Site Location: City of San Pablo City Hall Council Chambers
  - 1000 Gateway Ave San Pablo, CA 94806
  - Zoom Meeting (Link posted on BAAQMD website)
Public Comment on Non-Agenda Matters

Alfredo Angulo, CSC Co-Chair