

RICHMOND - NORTH  
RICHMOND - SAN PABLO  
COMMUNITY

# PATH TO CLEAN AIR

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

March 25, 2024

# Welcome

**Y'Anad Burrell, CSC Co-Chair**

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# Agenda

TIME	TOPIC
5:30 PM	Welcome, Meeting Logistics, Agenda
5:40 PM	Meeting Minutes from February 26th, 2024
5:45 PM	Governance Ad Hoc Update
5:50 PM	Community Engagement and Outreach Standing Committee Update
5:55 PM	Draft Final PTCA Plan (Action Item)
6:20 PM	Lead Nominees Panel Discussion and CSC Elects Three Leads (Action Item)
7:00 PM	Funding Community Benefits from Penalty Funds
7:30 PM	Fuel Refining Ad Hoc: CSC Penalty Policy Recommendations (Action Item)
7:55 PM	Next Steps, Public Comment on Non-Agenda Item Matters, Meeting Close

# 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?

		2024									
Phase	Work Product	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
 <b>SCOPE AND ORGANIZE</b> PARTNERSHIP WITH COMMUNITY	Steering Committee (CSC)										
	Leadership Committee										
	Subcommittees (Ad Hoc or Standing)										
 <b>COMMUNITY OUTREACH</b>	Community Education										
	Community Outreach										
	Community Engagement	☑									
 <b>PLAN</b> REVIEW & ADOPT	Plan Adoption - CSC			☑							
	Plan Adoption - BAAQMD										
	Plan Adoption - CARB					☑					
	Translate Final Plan										
 <b>IMPLEMENT</b> SHARED COMMITMENT TO ACTION	Pre-Implementation				☑				☑		
	Implementation Plan										
	Implementation Activities								☑		
	Annual Progress Report									☑	

Major Milestone

# Approval of February 26, 2024 Meeting Minutes

Y'Anad Burrell, CSC Co-Chair





# Public Comment

**Y'Anad Burrell, CSC Co-Chair**

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# Governance Ad Hoc Updates

**Jessica Range, CSC Member**





# 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**



# Community Engagement and Outreach Standing Committee

**Dave Severy, CSC Member**



# 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

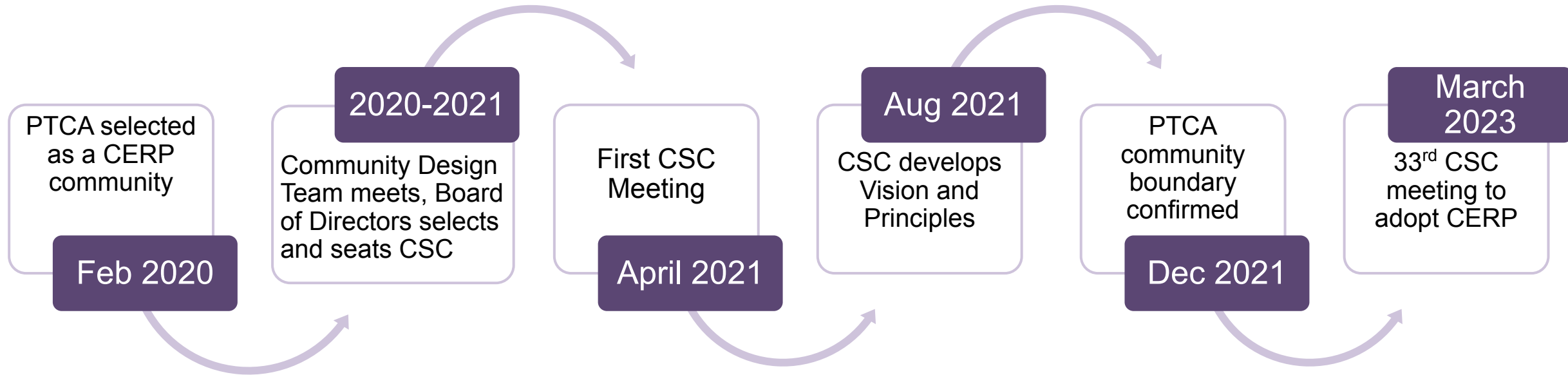
- How did we get to where we are today?
- CSC reflections
- Public comment
- Recommendation to approve Draft Final PTCA Plan
- Vote

# PTCA Planning Process

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



# Scope and Organize: Partnership with Community





# 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: Our Solutions

**4** Goals

**5** Community Concerns

**4** Cross-Cutting Issue Areas

**18** Key Issue Statements

**31** Strategies

**140** Actions

# Plan: Review

Jan

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

Feb

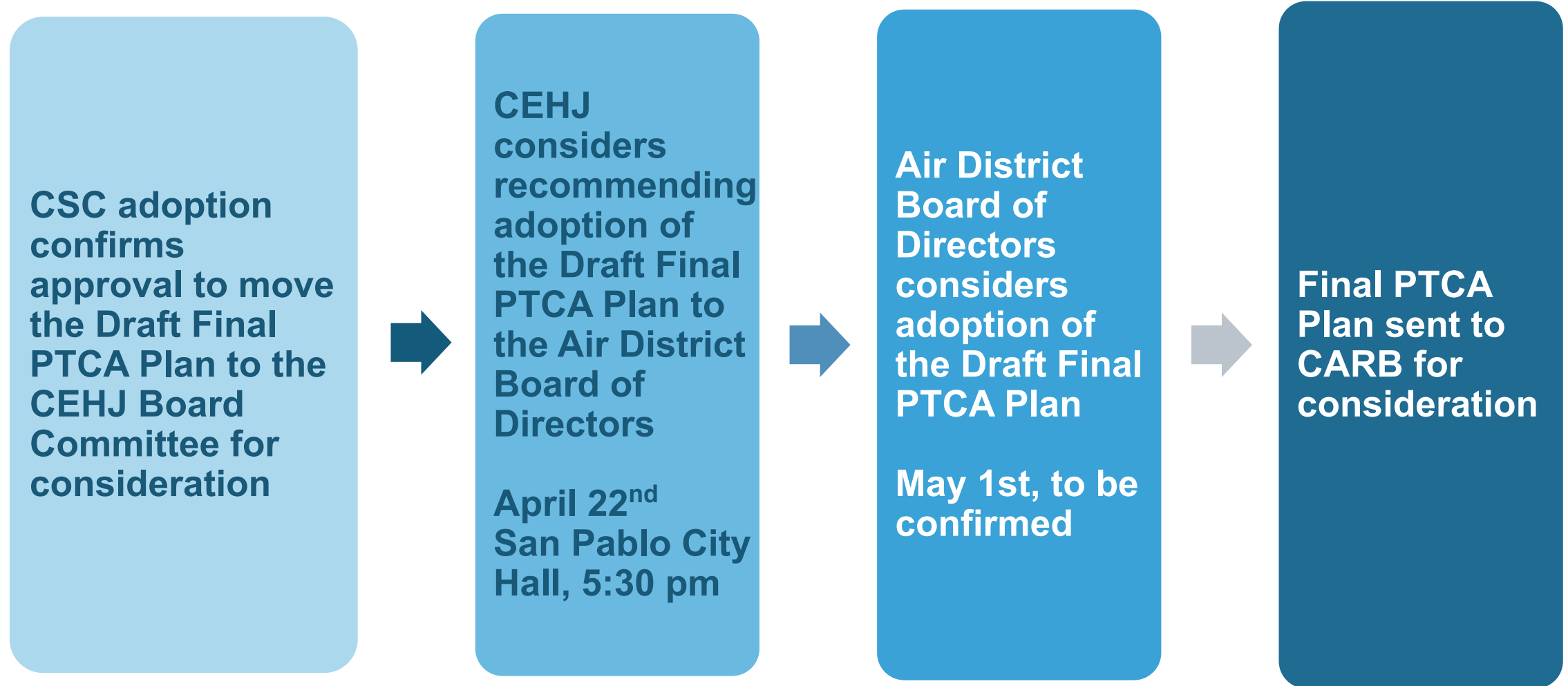
## Feb 26<sup>th</sup> CSC meeting

- 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



# 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**

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# 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

# Request for Action

- Recommend the CSC vote to elect three new Leads.



# Steering Committee Questions and Discussions

Alfredo Angulo, CSC Co-Chair



# Public Comment

**Alfredo Angulo, CSC Co-Chair**



# 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

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# 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.

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- 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

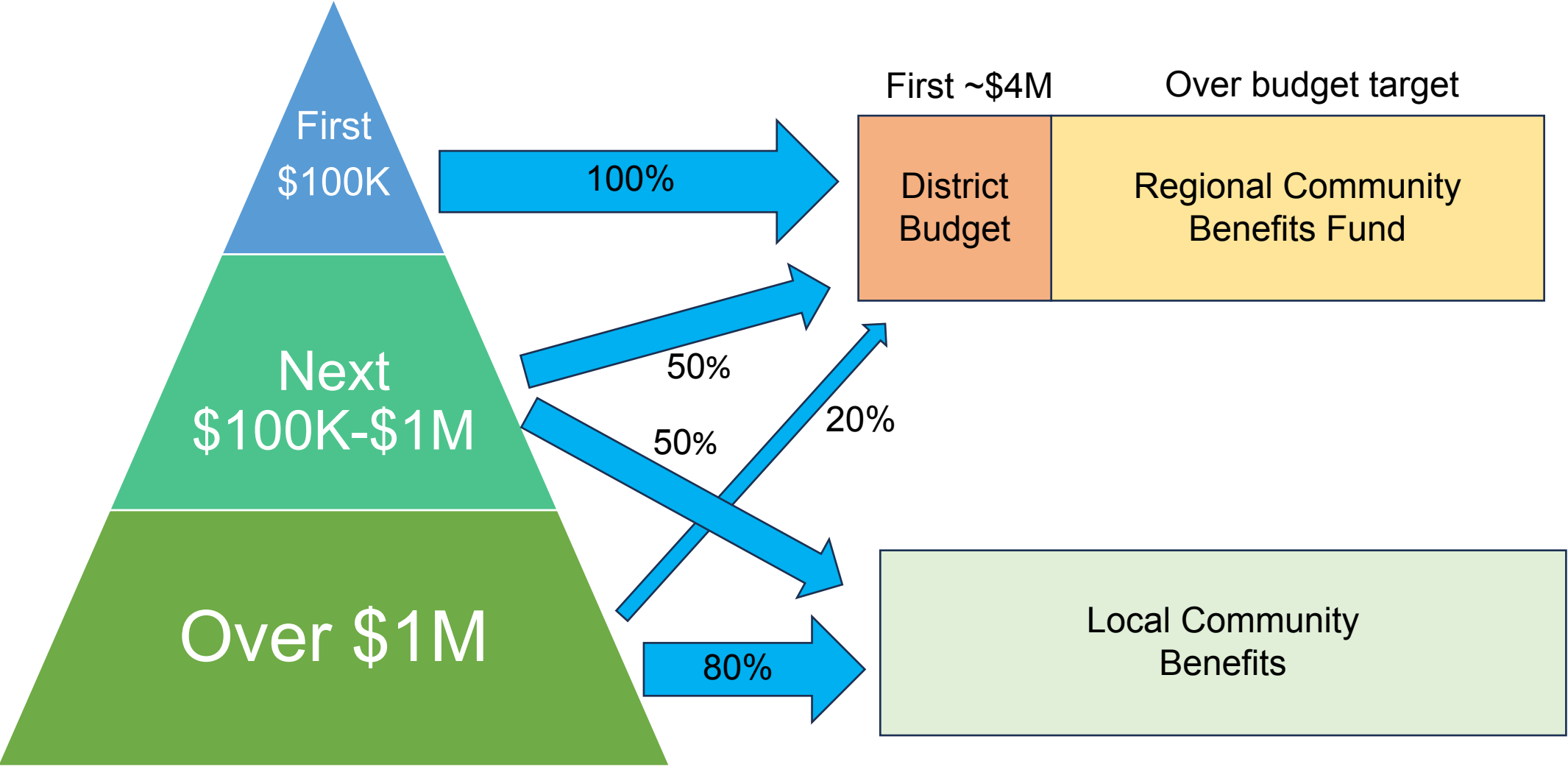
- Most individual penalties are between \$10-\$50k (58%).
- But most of the penalty dollars collected are from a few large penalty agreements exceeding \$1M.
- Penalties > \$1M are paid primarily by petroleum refineries and related industry. Over 90% of the penalties collected in recent years are from this sector.

# Penalty Allocation Option 1: 80 - 20

Lower Break Point	Upper Break Point	% to Local Benefit Fund	% to Air District or Regional Benefit Fund
\$0	\$100,000		100%
\$100,000	\$1,000,000	50%	50%
\$1,000,000		80%	20%

- 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)





# 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



# Public Comment

**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

