



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS SPECIAL
MEETING
DECEMBER 1, 2021

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
ASSEMBLY BILL 361**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY
CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA
WEBPAGE AT**

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- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE
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YOUR APPLICATION IS UP TO DATE**

BOARD OF DIRECTORS MEETING AGENDA

WEDNESDAY
DECEMBER 1, 2021
8:00 A.M.

Chairperson, Cindy Chavez

1. **CALL TO ORDER - ROLL CALL**

PLEDGE OF ALLEGIANCE

PUBLIC MEETING PROCEDURE

The Board Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Board members.

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.

***Public Comment on Agenda Items** The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda for the meeting, will have three minutes each to address the Board. No speaker who has already spoken on that item will be entitled to speak to that item again.*

CONSENT CALENDAR (ITEMS 2-17)

2. Continuation of Remote Teleconferencing per Assembly Bill (AB) 361 (Rivas)

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider approving Resolution No. 2021-15 reauthorizing Air District Board and Committee meetings remote teleconferencing through January 6, 2022.

3. Minutes of the Board of Directors Special Meeting of November 17, 2021

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Special Meeting of November 17, 2021.

4. Board Communications Received from November 17, 2021, through November 30, 2021

J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from November 17, 2021, through November 30, 2021, if any, will be distributed to the Board Members by way of email.

5. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of October 2021

J. Broadbent/5052

jbroadbent@baaqmd.gov

In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the month of October 2021.

6. Quarterly Report of the Executive Office and Division Activities for the Months of July 2021- September 2021

J. Broadbent/5052

jbroadbent@baaqmd.gov

A summary of Board of Directors, Hearing Board, and Advisory Council meeting activities for the third quarter is provided for information only. Also included is a summary of the Executive Office and Division Activities for the months of July 2021 – September 2021.

7. Quarterly Report of California Air Resources Board Representative – Honorable Davina Hurt

J. Broadbent/5052

jbroadbent@baaqmd.gov

8. Notice of Proposed Amendments to the Air District’s Administrative Code, Division II: Fiscal Policies & Procedures, Section 5 Allowable Expenses, 5.1 Director Travel Expenses

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Board of Directors will consider adopting an amendment to the Air District’s Administrative Code, Division II: Fiscal Policies & Procedures, Section 5 Allowable Expenses, 5.1 Director Travel Expenses.

9. Proposed Regulatory Agenda for 2022

J. Broadbent/5052

jbroadbent@baaqmd.gov

State law requires each Air District to publish a list of potential regulatory measures for the upcoming year. No regulatory measure can be brought before the Board that is not on the list, with specified exceptions. Consequently, the list contains all regulatory measures that may come before the Board of Directors in 2022.

10. Authorization to Accept 2022 Carl Moyer Program and Greenhouse Gas Reduction Fund State Grant Funds from the California Air Resources Board

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Board of Directors will consider adopting resolutions authorizing the Bay Area Air Quality Management District to accept Fiscal Year 2021-2022, Carl Moyer Program, Community Air Protection Program, and Funding Agricultural Reduction Measures for Emission Reductions Program funds from the California Air Resources Board, and allocating Mobile Source Incentive Funding as match funding for the Carl Moyer Program.

11. Authorization to Approve Proposed Grant Awards for the Fiscal Years 2021/2022 James Cary Smith Community Grant Program
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider approving a second set of proposed grant awards for Fiscal Years 2021/2022, James Cary Smith Community Grant Program; and authorize the Executive Officer/APCO to execute grant agreements for the recommended projects, in an amount not to exceed \$3,061,470.00.

12. Authorization to Amend Current Grant Agreement with Community Health Protection Grants Program Grantee, All Positives Possible
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing a one-year extension to the term of the current grant agreement with All Positives Possible to December 31, 2022, with an increase of \$100,000 for a total grant amount not to exceed \$200,000.

13. Authorization to Adopt CalPERS Resolution to Pay and Report the Value of Employer Paid Member Contribution
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider adopting the CalPERS resolution to pay and report the value of Employer Paid Member Contribution (EPMC) for the Air Pollution Control Officer/Executive Officer and Legal Counsel.

14. Advisory Council Meeting
BOARD LIAISON: D. Haubert
J. Broadbent/5052
jbroadbent@baaqmd.gov

- 14.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of November 8, 2021

For the full Committee agenda packet and materials, click on the link below:
<https://www.baaqmd.gov/about-the-air-district/advisory-council/agendasreports>

- 14.2 Report of the Advisory Council Meeting of November 8, 2021

15. Stationary Source and Climate Impacts Committee Meeting
CO-CHAIRS: J. Bauters and K. Mitchoff
J. Broadbent/5052
jbroadbent@baaqmd.gov

- 15.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report November 15, 2021

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

- 15.2 Report of the Stationary Source and Climate Impacts Committee Meeting of November 15, 2021

16. Richmond Area Community Emissions Reduction Plan Steering Committee Meeting
CO-CHAIRS: Alfredo Angulo and Y'Anad Burrell
V. Eady/4646
veady@baaqmd.gov

- 16.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of November 15, 2021

For the full Committee agenda packet and materials, click on the link below:

<https://www.baaqmd.gov/community-health/community-health-protection-program>

- 16.2 Report of the Richmond Area Community Emissions Reduction Plan Steering Committee Meeting of November 15, 2021

17. Administration Committee Meeting

CO-CHAIRS: C. Chavez and C. Groom

J. Broadbent/5052

jbroadbent@baaqmd.gov

- 17.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of November 17, 2021

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

- 17.2 Report of the Administration Committee Meeting of November 17, 2021

The Council recommends Board of Directors approval of the following:

- A) **ACTION REQUESTED:** Management Audit Vendor Qualification Recommendation

1) Enter discussions with vendors (Sjoberg Evashenk or TAP International) qualified under Request for Qualifications No. 2021-011, to establish a contract for management audit services in an amount not to exceed \$250,000.

- B) **ACTION REQUESTED:** Request to Amend Fiscal Year Ending 2022 Budget to Increase Staffing

1) Amend the Fiscal Year Ending 2022 Budget to authorize the creation of four additional full-time positions (a Senior Deputy Executive Officer, Senior Assistant Counsel, Director/Officer, and Assistant Counsel) for immediate recruitment;

2) Request that the vendor selected, to conduct the Air District's management audit, review the creation of the aforementioned positions and recruitment before offers of employment are made; and

3) Direct Air District staff to present a status update to the Board on the work of MEB Consulting Group, no later than February 2022.

END OF CONSENT CALENDAR

PRESENTATION

18. Environmental Justice Training Module: Structural Racism and Environmental Injustice
V. Eady/4646
veady@baaqmd.gov

The Board of Directors will participate in a continuation of the first Environmental Justice Training session focused on the historical connection between racial segregation and structural racism and current day environmental injustices in the Bay Area, and across our nation.

END OF PRESENTATION

PUBLIC COMMENT ON NON-AGENDA MATTERS

19. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Board.

BOARD MEMBERS' COMMENTS

20. *Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

OTHER BUSINESS

21. Report of the Executive Officer/APCO

22. Chairperson's Report

23. Time and Place of Next Meeting:

Wednesday, December 15, 2021, at 8:30 a.m., via webcast, pursuant to procedures authorized in accordance with Assembly Bill 361.

24. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
yjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs, and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District's Non-Discrimination Coordinator, Terri Levels, at (415) 749-4667 or by email at tlevels@baaqmd.gov.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE: MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

NOVEMBER 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Mobile Source and Climate Impacts Committee – CANCELLED AND RESCHEDULED TO MONDAY, DECEMBER 6, 2021, AT 1:00PM	Thursday	25	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

DECEMBER 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting	Wednesday	1	8:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	1	11:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Community Equity, Health and Justice Committee	Thursday	2	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee	Monday	6	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Technology Implementation Office Steering Committee - CANCELLED	Thursday	9	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Thursday	9	2:00 p.m.	Webcast only pursuant to Assembly Bill 361
Advisory Council Meeting	Monday	13	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Special Meeting	Wednesday	15	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee - CANCELLED AND RESCHEDULED TO WEDNESDAY, DECEMBER 1, 2021 AT 11:00 AM	Wednesday	15	11:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee - CANCELLED	Wednesday	15	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee	Monday	20	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee – CANCELLED AND RESCHEDULED TO MONDAY, DECEMBER 6, 2021, AT 1:00PM	Thursday	23	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Continuation of Remote Teleconferencing per Assembly Bill (AB) 361 (Rivas)

RECOMMENDED ACTION

The Board of Directors will consider approving Resolution No. 2021-15 reauthorizing Air District Board and Committee meetings remote teleconferencing through January 6, 2022.

BACKGROUND

AB 361 (R. Rivas) – Open meetings: state and local agencies: teleconferences.

Allows until January 1, 2024, a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act, when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided. The law requires a resolution every 30 days to provide this flexibility.

DISCUSSION

When the COVID-19 pandemic started, local agency boards struggled to conduct their meetings in compliance with the Brown Act's public accessibility requirements while still abiding by stay-at-home orders. As a result, Governor Newsom signed several executive orders to grant local agencies the flexibility to meet remotely during the COVID-19 pandemic. The Governor's executive orders allowed public agencies to meet remotely and did not require physical public access to those meeting locations. Those executive orders expired on September 30, 2021. The State of Emergency Declaration of March 4, 2020, continues to remain in effect.

AB 361 provides additional flexibility for local agencies looking to meet remotely during a proclaimed state of emergency, however, the legislative body is required to consider and vote on this flexibility on a monthly basis. Excerpts of the bill amending Section 54593 of the Government Code provide the following guidance:

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The following guidance on exercising this flexibility is also contained in the amended Section 54593 of the Government Code:

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alan Abbs
Reviewed by: Jack P. Broadbent

Attachment 2A: Draft Resolution of The Board of Directors of the Bay Area Air Quality Management District Proclaiming a Local Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and Re-Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Air District for the Period December 6, 2021 to January 6, 2022 Pursuant to Brown Act Provisions.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION NO. 2021-

A Resolution of The Board of Directors of the Bay Area Air Quality Management District Proclaiming a Local Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and Re-Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Air District for the Period December 6, 2021 to January 6, 2022 Pursuant to Brown Act Provisions.

WHEREAS, the Bay Area Air Quality Management District (District) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution on October 6, 2021, finding that the requisite conditions exist for the legislative bodies of District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically, the Covid-19 state of emergency remains active and the Governor's Covid-19 Emergency Proclamation of March 4, 2020 remains in effect; and

WHEREAS, social distancing has been ordered by state and local public health authorities due to the imminent health and safety risks of in person contacts and meetings during the COVID-19 emergency; and

WHEREAS, the Board of Directors recognizes the social distancing orders of state and local public health authorities, and hereby finds that the state of emergency related to Covid-19, and the risk of contagion of Covid-19 for attendees at in-person meetings has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District; and

WHEREAS, the Board of Directors desires to affirm a local emergency exists, re-ratify the proclamation of state of emergency by the Governor of March 4, 2020, and re-ratify the state and local orders of public health authorities for social distancing; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the District is publicizing in its meeting agendas zoom links for members of the public to participate remotely in meetings of the District's legislative bodies.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency related to Covid-19 in the District, proclaims that a local emergency persists throughout the District, recognizes that social distancing orders have been issued by state and local public health authorities, and finds that in person meetings would present imminent risks to the health and safety of attendees.

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Staff and legislative bodies of District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) January 6, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

The foregoing resolution was duly regularly introduced, passed, and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the motion of _____, seconded by _____, on the 1st day of DECEMBER 2021, by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Cindy Chavez
Chair of the Board of Directors

John J. Bauters
Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Minutes of the Board of Directors Special Meeting of November 17, 2021

RECOMMENDED ACTION

Approve the attached draft minutes of Board of Directors Special Meeting of November 17, 2021.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Special Meeting of November 17, 2021.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Board of Directors Special Meeting of November 17, 2021

AGENDA: 3A – ATTACHMENT

Draft Minutes - Board of Directors Special Meeting of November 17, 2021

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
(415) 749-5073

Board of Directors Special Meeting
Wednesday, November 17, 2021

DRAFT MINUTES

Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

This meeting was conducted under procedures in accordance with Assembly Bill 361. Members of the Board of Directors participated by teleconference.

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Cindy Chavez, called the meeting to order at 9:01 a.m.

Roll Call:

Present: Chairperson Cindy Chavez; Vice Chairperson Karen Mitchoff; Secretary John Bauters; and Directors Teresa Barrett, Rich Constantine, Pauline Russo Cutter, John Gioia, Erin Hannigan, David Haubert, Lynda Hopkins, David Hudson, Davina Hurt, Tyrone Jue, Myrna Melgar, Nate Miley, Rob Rennie, Mark Ross, Brad Wagenknecht, Shamann Walton, and Lori Wilson.

Absent: Directors Margaret Abe-Koga, David Canepa, Carole Groom, and Katie Rice.

CONSENT CALENDAR (ITEMS 2 – 9)

2. Minutes of the Board of Directors Regular Meeting of November 3, 2021
3. Board Communications Received from November 3, 2021, through November 16, 2021
4. Air District Personnel on Out-of-State Business Travel
5. Request that \$100,000 of the \$1 million in the Fiscal Year Ending (FYE) 2022 Budget, Designated to Fund a Wildfire Preparedness Program, be Reallocated to Fund Home Air Filtration Program Projects
6. Set a Public Hearing for December 15, 2021, to Consider Adoption of Proposed Amendments to Regulation 2, Rule 1: General Requirements (Rule 2-1) and Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants (Rule 2-5) and Adoption of a Negative Declaration Pursuant to the California Environmental Quality Act (CEQA)

- 7. Mobile Source and Climate Impacts Committee Meeting
- 7.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of October 28, 2021
- 7.2 Report of the Mobile Source and Climate Impacts Committee Meeting of October 28, 2021

The Board of Directors approved the following:

- A) **ACTION REQUESTED:** Projects and Contracts with Proposed Grant Awards Over \$100,000
 - 1) *Approve recommended projects with proposed grant awards over \$100,000;*
 - 2) *Authorize the Executive Officer/Air Pollution Control Officer (APCO) to enter into all necessary agreements with applicants for the recommended projects; and*
 - 3) *Allocate an additional \$2 million for the electric vehicle (EV) infrastructure, Charge! program, for projects serving multi-unit dwellings in Assembly Bill (AB) 617 communities.*

- B) **ACTION REQUESTED:** Proposed Updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2023
 - 1) *Approve the proposed updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending (FYE) 2023.*
 - a. *Increase cost-effectiveness threshold in Policy #2 for Infrastructure Improvements for Trip Reduction;*
 - b. *Rename “Shuttle/Feeder Bus Service” to “First-and-Last-Mile Connections” for clarification that services aren’t limited to only shuttles or buses; and*
 - c. *Under the Alternative Fuel Heavy-Duty Trucks and Buses category, increase the percentage of project costs that are eligible for reimbursement for School Bus projects from 90% to 100%.*

- C) **ACTION REQUESTED:** Clean Cars for All Contractor Selection
 - 1) *Approve the selection of GRID Alternatives Bay Area (GRID) as Clean Cars for All (CCFA) program contractor;*
 - 2) *Authorize the Executive Officer/APCO to execute contracts with GRID for the CCFA program for up to \$624,755 for a two-year term; and*
 - 3) *Authorize the Executive Officer/APCO to extend these services and budget for an additional three years, at the Air District’s discretion, based on contractor performance.*

- 8. Community Equity, Health and Justice Committee Meeting
- 8.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of November 4, 2021
- 8.2 Report of the Community Equity, Health and Justice Committee Meeting of November 4, 2021
ACTION REQUESTED: Slate of Recommended Candidates for the Community Advisory Council

The Board of Directors approved the proposed slate of fifteen candidates, and two additional youth candidates (Kevin Ruano Hernandez and Cecilia Mejia), for a total of 17 Community Advisory Council members.

- 9. Nominating Committee Meeting
- 9.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of November 17, 2021
- 9.2 Report of the Nominating Committee Meeting of November 17, 2021

- A) **ACTION REQUESTED:** Consideration and Nomination of Board Officers for the Term of Office Commencing 2022

The Board of Directors approved Karen Mitchoff as Chairperson; John Bauters as Vice Chairperson; and Davina Hurt as Secretary.

Public Comments

No requests received.

Board Comments

The Committee and staff discussed the recommended slate of Board Officers for 2022 (Item 9); the recommended allocation of an additional \$2 million for the electric vehicle infrastructure via the *Charge!* program, for projects serving multi-unit dwellings in Assembly Bill 617 communities (Item 7.2A-3); and the recommended slate of the Community Advisory Council members (Item 8).

Board Action

Director Hudson made a motion, seconded by Director Walton, to **approve** the Consent Calendar Items 2 through 9, inclusive; and the motion **carried** by the following vote of the Board:

- AYES: Bauters, Barrett, Chavez, Constantine, Cutter, Gioia, Hannigan, Haubert, Hopkins, Hudson, Hurt, Jue, Melgar, Miley, Mitchoff, Rennie, Ross, Wagenknecht, Walton, Wilson.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Abe-Koga, Canepa, Groom, Rice.

PRESENTATIONS

10. Environmental Justice Training Module: Structural Racism and Environmental Injustice

The Board of Directors continued its first Environmental Justice Training session, which focused on the historical connection between racial segregation and structural racism, as well as local and nationwide current day environmental injustices. This training was given by Deldi Reyes, Director of the Community Air Protection Program at the California Air Resources Board. Ms. Reyes continued with the presentation *Structural Racism and Environmental Justice*, along with Kevin Olp, Community Engagement Senior Staff Specialist. Slides included: model of change; why lead with race; racial equity framework; dimensions of racism; examples; redlining and racism; why; share a root cause to explain the pattern; West Oakland; story maps; redlined neighborhoods and asthma Emergency Room visits in Oakland and San Francisco; redlined neighborhoods and CalEnviroScreen 3.0 scores in Oakland and San Francisco; pollution and prejudice project findings; results based on accountability (video); share any takeaways you have from the Theo Miller clip; partnering; partnership in practice; and the myth of neutrality.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the need for the Board to be purposeful and examine how root causes impact decisions; and a scheduling conflict on December 1 with the California State Association of Counties Annual Meeting, and the subsequent request to begin the December 1 Board meeting at 8:00 a.m.

Board Action

None; receive and file.

11. Report Out on COP26 Climate Conference

The Board of Directors received a report out from Air District staff and Board members who attended the recent 2021 United Nations Climate Change Conference, COP26 (Conference of the Parties) annual summit, which brings countries together to accelerate action towards the goals of the Paris Agreement and the United Nations Framework Convention on Climate Change. Jack P. Broadbent, Executive Officer/APCO, Abby Young, Climate Protection Manager, and Kristine Roselius, Director of Communications; gave the staff presentation *Report Out on COP26 Climate Conference*, including: outcome; outline; requested action; background; key issues; outcomes; how the Air District fits in; and sharing the COP experience. A video showcasing highlights from the conference was played, and then Board members Bauters, Hopkins, and Hurt, who attended the conference, gave their impressions and reflections.

Public Comments

Public comments were given by Gary Hughes, Biofuelwatch; Dr. Stephen Rosenblum, Palo Alto resident; and Jed Holtzman, San Francisco resident.

Board Comments

The Board and staff discussed the suggestion of holding a climate conference, similar to a COP Climate Conference, in the Bay Area.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

12. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

No requests received.

BOARD MEMBERS' COMMENTS

13. Board Members' Comments

Director Jue acknowledged Azibuike Akaba, Public Information Officer, for helping arrange for the Environmental Justice Training session.

OTHER BUSINESS

14. Report of the Executive Officer/APCO

Jack P. Broadbent, Executive Officer/APCO, had nothing to report.

15. Chairperson's Report

Chair Chavez reported that San Francisco Mayor, London Breed, reappointed herself (with Tyrone Jue as her Deputy) to the Air District's Board for another two-year term, effective Dec 10, 2021 (until December 10, 2023.)

16. Time and Place of Next Meeting

Before the meeting adjourned, Chair Chavez moved the time of the next meeting, on Wednesday, December 1, 2021, from 8:30 a.m., to 8:00 a.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361.

17. **Adjournment**

The meeting adjourned at 11:00 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Board Communications Received from November 17, 2021, through November 30,
2021

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from November 17, 2021, through November 30, 2021, if any, will be distributed to the Board Members by way of email.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marjorie Villanueva

Reviewed by: Vanessa Johnson

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of
October 2021

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

In accordance with Resolution No. 2012-08, attached to this Memorandum is a listing of all Notices of Violation issued, and all settlements for amounts in excess of \$10,000 during the calendar month prior to this report.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The amounts of civil penalties collected are included in the Air District's general fund budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Adan Schwartz

Attachment 5A: Notices of Violations for the Month of October 2021

NOTICES OF VIOLATIONS ISSUED

The following Notice(s) of Violations were issued in October 2021:

Alameda						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
American Technologies	L3951	Hayward	A61003A	10/28/2021	11-2-401.5	Failure to revise start date.
City of Berkeley/Engr Div/Public Works	A3590	Berkeley	A58851A	10/12/2021	2-1-307	Permit Condition violation - Late Reporting.
City of Fremont c/o TRC	E3277	Fremont	A58850A	10/4/2021	2-1-301	No A/C & no P/O for new source and abatement.
City of Fremont c/o TRC	E3277	Fremont	A58850B	10/4/2021	2-1-302	No A/C & no P/O for new source and abatement.
City of Livermore	Z4977	Livermore	A59733A	10/15/2021	2-1-307	Failure to meet permit condition .
Crossings at 880 Industrial, LLC	E2597	Fremont	A60493A	10/6/2021	2-1-307	Operation of fire pump engine outside of permitted use.
Five Rivers Aviation	Z9813	Livermore	A59734A	10/15/2021	2-1-307	Failure to meet permit condition.
Gooch and Housego (Palo Alto) LLC	E3087	Fremont	A60495A	10/19/2021	2-1-307	Solvent usage exceeded permit limits.
Lake Merritt Gasoline	Z5742	Oakland	A61354A	10/18/2021	2-1-307	Did not meet source test permit condition 2.5" of gasoline in 89 fill bucket.
Lake Merritt Gasoline	Z5742	Oakland	A61354B	10/18/2021	8-7-308	Did not meet source test permit condition.
Liaoning Benefit Petroleum	Z9773	Alameda	A59702A	10/13/2021	2-1-307	Failed to meet source test permit condition.

MG Remediation, Inc.	Z9744	Hayward	A60276A	10/4/2021	11-2-401.3	Improper notification.
P. W. Stephens Environmental, Inc.	Z6816	Fremont	A59127A	10/13/2021	11-2-401.5	Failure to revise start date.
P.W. Stephens Environmental, Inc.	Z0961	Hayward	A59126A	10/12/2021	11-2-401.3	Improper Notification.
Restoration Management Company	Z7864	Hayward	A60304A	10/12/2021	11-2-303.6	No viewport.
Santa Rita Chevron #98414	Z9840	Pleasanton	A59738A	10/26/2021	8-7-301.5	Operating phase I product dust cap missing gasket (defective).
SFD	Z9808	Alameda	A60078A	10/20/2021	11-2-401.3	Late Notifier.
Tesla, Inc.	A1438	Fremont	A60216A	10/7/2021	2-6-307	Source not abated at all times of operation.
Tesla, Inc.	A1438	Fremont	A60217A	10/12/2021	2-6-307	Source not abated at all times of operation.
Tesla, Inc.	A1438	Fremont	A60218A	10/29/2021	1-523.3	Parametric monitor excursion was not reported to the District within 96 hours.

Contra Costa						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Air Liquide Large Industries US LP	B7419	Rodeo	A59916A	10/19/2021	1-522.7	Late reporting.
Chevron Products Company	Y2653	San Ramon	A59736A	10/20/2021	2-1-307	Failure to meet permit condition.
Chevron Products Company	Y2653	San Ramon	A59736B	10/20/2021	8-7-301.3	Failure to meet permit condition.

Chevron Products Company	A0010	Richmond	A59590A	10/6/2021	2-1-307	Permit condition violation.
Chevron Products Company	A0010	Richmond	A59993A	10/4/2021	10	Hydrogen sulfide excess.
Chevron Products Company	A0010	Richmond	A59994A	10/4/2021	2-6-307	Hydrogen sulfide excess.
Chevron Products Company	A0010	Richmond	A59995A	10/4/2021	2-1-307	Hydrogen sulfide excess.
Chevron Products Company	A0010	Richmond	A59996A	10/4/2021	10	Hydrogen sulfide excess.
Chevron Products Company	A0010	Richmond	A59997A	10/4/2021	2-6-307	Hydrogen sulfide excess.
Chevron Products Company	A0010	Richmond	A60719A	10/25/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60720A	10/25/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60721A	10/25/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60722A	10/25/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60723A	10/25/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60724A	10/25/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60713A	10/20/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60714A	10/20/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60715A	10/20/2021	2-1-307	NOx excess.

Chevron Products Company	A0010	Richmond	A60716A	10/20/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60717A	10/20/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60718A	10/25/2021	2-1-307	NOx excess.
Chevron Products Company	A0010	Richmond	A59998A	10/4/2021	2-1-307	Hydrogen sulfide excess.
Chevron Products Company	A0010	Richmond	A59999A	10/12/2021	12-12-406	Incomplete flare causal for 11/25/20 flaring event.
Chevron Products Company	A0010	Richmond	A60000A	10/12/2021	12-12-406	Incomplete flare causal for 05/14/21 flaring event.
Chevron Products Company	A0010	Richmond	A60039A	10/6/2021	2-1-307	Permit condition violation.
Chevron Products Company	A0010	Richmond	A60711A	10/20/2021	2-6-307	NOx excess.
Chevron Products Company	A0010	Richmond	A60712A	10/20/2021	2-1-307	NOx excess.
East Bay Regional Park District	Z9865	Orinda	A61355A	10/20/2021	2-1-307	Failed to meet source test permit condition.
GAWFCO Enterprises Inc.	Y8635	Walnut Creek	A61274A	10/29/2021	2-1-301	Converted gas tank to diesel tank without A/C.
John Muir Medical Center	B0742	Walnut Creek	A59375A	10/27/2021	9-7-307.2	Exceeded NOx limit in 2019, no testing in 2020.
John Muir Medical Center	B0742	Walnut Creek	A59375B	10/27/2021	9-7-506	Exceeded NOx limit in 2019, no testing in 2020.
John Muir Medical Center	B0742	Walnut Creek	A59376A	10/27/2021	9-7-307.2	Exceeded NOx limit in 2019, no testing in 2020.
John Muir Medical Center	B0742	Walnut Creek	A59376B	10/27/2021	9-7-506	Exceeded NOx limit in 2019, no testing in 2020.

Keller Canyon Landfill Company	A4618	Pittsburg	A60416A	10/14/2021	8-34-303	Surface leak discovered by above 500 ppm limit.
Keller Canyon Landfill Company	A4618	Pittsburg	A60416B	10/14/2021	CCR	Surface leak discovered by above 500 ppm limit.
Martinez Refining Company LLC	A0011	Martinez	A60753A	10/14/2021	2-6-307	Failure to meet Title V permit condition.
Mt View Sanitary District	A4408	Martinez	A60415A	10/7/2021	2-1-307	Failure to conduct weekly concentration test for digester gas.
Sugar Barge Marina GDF	Z9844	Bethel Island	A61273A	10/14/2021	8-7-301.1	Uncertified Phase I equipment in use.
Walnut Creek Gasoline	Y2678	Walnut Creek	A60239A	10/8/2021	2-1-307	Exceeded 12-month gasoline throughput limit 600,000 gal's / year.

Marin						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Golden Gate Bridge & Transit District	A1793	San Rafael	A61353A	10/18/2021	2-1-307	Failed to meet source test permit conditions.

Napa

Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
ASA Drilling and Foundations	Z9861	Napa	A59819A	10/7/2021	2-1-301	Operating portable engine w/o Authority to Construct or Permit to Operate or PERP registration.
ASA Drilling and Foundations	Z9861	Napa	A59819B	10/7/2021	2-1-302	Operating portable engine w/o Authority to Construct or Permit to Operate or PERP registration.
ASA Drilling and Foundations	Z9861	Napa	A59820A	10/7/2021	6-1-301	Engine produced 10 minutes of excessive visible emissions.
Eurostampa	E5069	Napa	A60725A	10/20/2021	2-1-301	No authority to construct
Eurostampa	E5069	Napa	A60725B	10/20/2021	2-1-302	No permit to operate painting facility.

San Francisco

Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Laguna Honda Hospital	A1860	San Francisco	A60277A	10/13/2021	2-1-307	No fuel meter, fuel use records per permit condition.

San Mateo

Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Coit Com	E4207	Redwood City	A59185A	10/20/2021	2-1-302	Operating natural gas generator without permit.
Coit Com	E4207	Redwood City	A59185B	10/20/2021	2-1-301	Operating natural gas generator without permit.

Santa Clara						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
AeroDynamic Aviation	Z9839	San Jose	A60496A	10/21/2021	2-1-302	No Authority to Construct.
AeroDynamic Aviation	Z9839	San Jose	A60496B	10/21/2021	2-1-301	No permit to operate.
Chevron Products Company	A0049	San Jose	A55727A	10/28/2021	8-5-322.1	Multiple holes, tears in the secondary seal fabric.
International Disposal Corp of CA	A9013	Milpitas	A55726A	10/21/2021	8-34-301.1	Failure to operate landfill gas collection system continuously.
San Jose Fuel Company	Z9778	San Jose	A60494A	10/15/2021	2-1-301	No Authority to Construct, No permit to operate.
San Jose Fuel Company	Z9778	San Jose	A60494B	10/15/2021	2-1-302	No Authority to Construct, No permit to operate.
The Home Depot (Store #6621)	B7731	San Jose	A60492A	10/6/2021	2-1-307	Operation of fire pump engine outside of permitted use.

Solano						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Diamond Petroleum Inc dba Marina	Z5741	Suisun City	A61272A	10/12/2021	8-7-314	Missing hold-open latches on dispensers #2 & #8.
Travis AFB - AAFES	Z9838	Fairfield	A61276A	10/21/2021	2-1-307	Failure to submit test results within 30 days of testing. Located at building 170.
Valero Refining Company - California	B2626	Benicia	A59511A	10/6/2021	2-6-307	Failure to meet Title V permit condition.

Valero Refining Company - California	B2626	Benicia	A59511B	10/6/2021	1-522	Failure to meet Title V permit condition.
Valero Refining Company - California	B2626	Benicia	A59512A	10/11/2021	8-18-402.1	Connectors, pressure relief devices & valves not identified or inspected quarterly.
Valero Refining Company - California	B2626	Benicia	A59512B	10/11/2021	8-18-401.2	Connectors, pressure relief devices & valves not identified or inspected quarterly.

Sonoma						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Herc Rentals	Z6009	Rohnert Park	A59737A	10/26/2021	8-7-301.1	Operating uncertified phase I equipment.
SFD	Z9741	Santa Rosa	A59222A	10/12/2021	5-301	Illegal Burn
Syar Industries Inc	A2157	Santa Rosa	A59223A	10/22/2021	2-1-307	NOx and CO exceedance on source test.

District Wide						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
BP Products North America	Z9632	Artesia	A59701A	10/8/2021	8-7-301.5	Vapor dust caps are defective.
BP Products North America	Z9632	Artesia	A61271A	10/4/2021	8-7-302.3	Failure to maintain phase II vapor recovery system.
California Highway Patrol	Z9807	Sacramento	A59735A	10/20/2021	2-1-307	Failure to meet permit condition.

SETTLEMENTS FOR \$10,000 OR MORE REACHED

There were 7 settlement(s) for \$10,000 or more completed in October 2021.

- 1) On October 6, 2021, the District reached settlement with A B & I Foundry for \$13,000, regarding the allegations contained in the following 2 Notices of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A57878A	6/28/2018	6/4/2018	2-6-307	Excess particulate matter (PM) emissions
A57881A	10/15/2018	9/18/2018	2-6-307	Excess PM emissions when required abatement_device failed

- 2) On October 7, 2021, the District reached settlement with Republic Services of Sonoma County, Inc for \$42,350, regarding the allegations contained in the following 5 Notices of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A58158A	2/8/2019	8/14/2018	2-6-307	Excess CO emissions
A58173A	9/9/2019	9/9/2019	8-34-301.2	Component leaks of landfill gas
A58173B	9/9/2019	9/9/2019	CCR	Wellhead with positive pressure
A58173C	9/9/2019	9/9/2019	CCR	Component leaks of landfill gas
A58173D	9/9/2019	9/9/2019	8-34-305.1	Wellhead with positive pressure
A58174A	9/9/2019	9/9/2019	8-34-301.2	Component leaks of landfill gas
A58175A	9/9/2019	9/9/2019	8-34-303	Surface leaks of landfill gas
A58175B	9/9/2019	9/9/2019	10	Surface leaks of landfill gas
A58176A	9/9/2019	9/9/2019	8-34-305.1	Wells under positive pressure
A58176B	9/9/2019	9/9/2019	10	Wells under positive pressure

- 3) On October 12, 2021, the District reached settlement with Martinez Refining Company LLC for \$433,000, regarding the allegations contained in the following 44 Notices of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A56198A	5/17/2017	2/23/2017	9-1-307	SO2 emitted in excess of 250 ppm limit.
A56199A	8/10/2017	6/6/2017	2-6-307	Pressure relief valve leaking above 500ppm limit.
A56199B	8/10/2017	6/6/2017	8-5-307	Late reporting of violation above.
A56200A	8/10/2017	6/9/2017	12-11-506	Late reporting of inoperation of flare monitoring system.
A56201A	8/10/2017	6/27/2017	2-6-307	Leak test conducted after 20% loading of cargo.
A56202A	8/30/2017	8/16/2017	8-5-306.2	Leak concentration in excess of 100ppm standard.
A57578A	9/13/2017	3/26/2017	9-1-307	SO2 emitted in excess of 250 ppm limit.
A57579A	9/13/2017	4/22/2017	9-1-307	SO2 emitted in excess of 250 ppm limit.
A57580A	10/30/2017	6/26/2017	9-1-307	SO2 emitted in excess of 250 ppm limit.
A57581A	10/30/2017	6/26/2017	10	H2S emitted in excess of 162 ppm/3 hr limit.
A57582A	10/30/2017	7/22/2017	9-2-301	H2S emitted in excess of .06 ppm/3min limit.
A57583A	10/30/2017	9/7/2017	12-11-503	Lost all pilots to the flare.
A57583B	10/30/2017	9/7/2017	10	Lost all pilots to the flare.
A57585A	11/15/2017	6/28/2017	9-1-307	SO2 emitted in excess of 250 ppm limit.
A57585B	11/15/2017	6/28/2017	10	SO2 emitted in excess of 250 ppm limit.
A57586A	12/7/2017	11/30/2017	8-5-306.2	Leak concentration in excess of 100ppm standard.
A57587A	12/7/2017	11/30/2017	8-5-306.2	Leak concentration in excess of 100ppm standard.
A57588A	2/1/2018	9/20/2017	10	H2S emitted in excess of 162 ppm/3 hr limit.
A57589A	2/1/2018	9/20/2017	2-6-307	H2S emitted in excess of 50ppm/24 hr limit.

A57589B	2/1/2018		10	H2S emitted in excess of 162 ppm/3 hr limit.
A57590A	4/10/2018	2/22/2017	10	H2S emitted in excess of 162 ppm/3 hr limit.
A57591A	4/10/2018	2/16/2018	12-11-503	Flare pilots extinguished.
A57591B	4/10/2018	2/16/2018	10	Flare pilots extinguished.
A57593A	5/2/2018	12/21/2017	2-6-307	N0x emitted in excess of 10 ppm/ 3hr avg limit.
A57595A	6/14/2018	2/18/2018	9-1-307	SO2 emitted in excess of 250 ppm limit.
A57597A	7/31/2018		12-11-503	Flare pilots extinguished.
A57600B	9/20/2018	5/9/2018	2-6-307	Late Reporting.
A57600C	9/20/2018	5/9/2018	8-5-404	Late Reporting.
A57601A	11/15/2018	7/8/2018	6-1-302	Opacity exceeded District and Federal standards.
A57601B	11/15/2018	7/8/2018	10	Opacity exceeded District and Federal standards.
A57601C	11/15/2018	7/8/2018	CFR	Opacity exceeded District and Federal standards.
A57602A	9/20/2018	6/21/2018	6-1-302	Opacity exceeded District standard.
A57647A	6/13/2019	4/30/2019	10	Flare heating value fell below combustion zone operating limit and exceeded flare tip velocity limit.
A57648A	6/13/2019	5/1/2019	10	Exceeded flare tip velocity limit.
A57649A	9/24/2019	2/27/2019	9-1-307	SO2 emitted in excess of 250 ppm limit
A58603A	11/15/2018	7/8/2018	6-1-302	Opacity exceeded District and Federal standards.
A58603B	11/15/2018		10	Opacity exceeded District and Federal standards.
A58603C	11/15/2018		CFR	Opacity exceeded District and Federal standards.
A58604A	1/30/2019	7/8/2018	6-1-302	Opacity exceeded District and Federal standards.

A58604B	1/30/2019	7/8/2018	10	Opacity exceeded District and Federal standards.
A58604C	1/30/2019	7/8/2018	CFR	Opacity exceeded District and Federal standards.
A58605A	2/21/2019	10/16/2017	9-2-301	H2S in excess of 0.06ppm/3min and 0.03ppm/60 mins limit.
A58606A	2/21/2019	10/17/2017	9-2-301	H2S in excess of 0.06ppm/3 mins limit.
A58607A	2/21/2019	10/17/2017	9-2-301	H2S in excess of 0.06ppm/3 mins limit.
A58608A	3/6/2019	10/17/2017	9-2-301	H2S in excess of 0.06ppm/3mins and 0.03ppm/60mins limit.
A58609A	3/6/2019	10/17/2017	9-2-301	H2S in excess of 0.06ppm/3mins and 0.03ppm/60mins limit.
A58611A	4/19/2019	11/14/2018	6-1-302	Opacity exceeded District standard.
A58612A	4/18/2019	2/10/2019	1-523.3	Late reporting.
A58612B	4/18/2019	2/10/2019	10	Exceeded flare tip velocity limit.
A58616A	6/25/2019	10/16/2017	9-2-301	H2S in excess of 0.06ppm / 3 min limit.
A58617A	6/25/2019	10/17/2017	9-2-301	H2S in excess of 0.06ppm/3min and 0.03 ppm/60min limit.
A58618A	6/25/2019		9-2-301	H2S in excess of 0.06 ppm/3min & 0.03 ppm/60min limit.
A58619A	6/25/2019	10/20/2017	9-2-301	H2S in excess of 0.03 ppm / 60 min limit.
A58620A	6/25/2019	10/11/2017	9-2-301	H2S in excess of 0.06 ppm / 3 min limit.
A58621A	6/25/2019	10/21/2017	9-2-301	H2S in excess of 0.06 ppm/3 min & 0.03 ppm/60 min limit.
A58626A	8/7/2019	10/31/2017	9-2-301	H2S in excess of 0.06 ppm/3 min & 0.03 ppm/60 min limit.
A58627A	8/7/2019	11/1/2017	9-2-301	H2S in excess of 0.06 ppm/3 min & 0.03 ppm/60 min limit.

- 4) On October 18, 2021, the District reached settlement with Safeway Stores Inc, Bakery Plant for \$35,000, regarding the allegations contained in the following 1 Notice of Violation:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A57780A	6/19/2019	3/26/2019	2-1-307	Ethanol destruction efficiency <90% per BAAQMD source test #19121.

- 5) On October 21, 2021, the District reached settlement with Pick N Pull Auto Dismantlers for \$60,000, regarding the allegations contained in the following 1 Notice of Violation:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A60480A	1/14/2021	5/1/2019	2-1-307	Malfunctioning abatement system on waste gasoline storage tank.

- 6) On October 26, 2021, the District reached settlement with United Airlines, Inc for \$35,000, regarding the allegations contained in the following 4 Notices of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A59010A	12/16/2020	4/7/2020	2-6-307	Air filters on coating spray booths exceeded pressure drop limits; exceedances not timely reported.
A59010B	12/16/2020	4/7/2020	CFR	Air filters on coating spray booths exceeded pressure drop limits; exceedances not timely reported.
A59012A	2/19/2021	12/2/2020	2-6-307	Air filters on coating spray booths exceeded pressure drop limits; exceedances not timely reported.
A59012B	2/19/2021	12/2/2020	10	Air filters on coating spray booths exceeded pressure drop limits; exceedances not timely reported.

- 7) On October 27, 2021, the District reached settlement with Northern Calif Power Agency for \$10,000, regarding the allegations contained in the following 6 Notices of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A59803A	2/5/2020	2/5/2020	9-9-504	Failed to conduct source test.
A59804A	2/5/2020	2/5/2020	9-9-504	Failed to conduct source test.
A59805A	2/5/2020	2/5/2020	2-1-301	Unpermitted diesel engine > 50 HP.
A59805B	2/5/2020	2/5/2020	2-1-302	Unpermitted diesel engine > 50 HP.
A59806A	2/5/2020	2/5/2020	2-1-301	Unpermitted diesel engine > 50 HP.
A59806B	2/5/2020	2/5/2020	2-1-302	Unpermitted diesel engine > 50 HP.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 19, 2021

Re: Quarterly Report of the Executive Office and Division Activities for the Months of July
2021 – September 2021

ADMINISTRATIVE RESOURCES DIVISION M. MARTINEZ, DIRECTOR
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Human Resources

The Human Resources (HR) Office conducted 18 recruitments including exams for: Air Quality Inspector I/II, Air Quality Laboratory Technician I/II, Director/Officer, Executive Assistant, Human Resources Analyst I/II, Manager, Principal Air Quality Meteorologist, Senior Air Quality Chemist, Senior Air Quality Engineer (3), Senior Air Quality Specialist, Staff Specialist I/II (2), Temporary Administrative Assistant, Temporary Human Resources Analyst, Temporary Human Resources Technician, and Temporary Staff Specialist I/II. The HR Office offered 52 wellness/fitness classes and 4 group training sessions, including: Dayforce Learning Management System, The Future is Now – Embracing Generational Diversity, Exercising Your Management Rights, and Supervisor’s Guide to Understanding and Managing Employees’ Rights. In addition, 11 employees utilized individual training courses and educational reimbursements. The HR Office continues to administer payroll, benefits, safety/worker’s compensation, and labor/employee relations. There were 22 new employees, 16 promotions, and 9 separations from July to September 2021. There are currently 392 regular employees, 8 temporary employees, and 48 budgeted vacant positions.

Business Office

The Business Office issued 462 purchase orders and executed 120 contracts. There were 3 Requests for Proposals/Qualifications issued during this period.

Fleet and Facilities Office

Fleet services disposed of five (0) vehicles, acquired zero (0) vehicles, and sent 43 vehicles for maintenance and/or body shop repairs. There were twenty (20) vehicle requests (all from Metropolitan Transportation Commission (MTC) staff and none from Air District staff), of which four (4) were pool vehicles and sixteen (16) were Enterprise car rentals, and zero (0) cancellations. There are currently 126 fleet vehicles: three (3) electric, one (1) hydrogen fuel cell, 86 plug-in hybrids, 13 hybrids, 22 gas, and one (1) diesel.

Facilities received nine (9) Angus requests, facilitated two (2) furniture orders, and completed 75 ad-hoc projects/tasks. Facilities also performs daily maintenance of the coffee machines, replenishes coffee and tea supplies in the Air District coffee bar and pantries, and replenishes office supplies in the copy/supply rooms.

COMPLIANCE AND ENFORCEMENT DIVISION
J. GOVE, DIRECTOR

Enforcement Program

Air District Staff documented 251 air pollution violations that resulted in Notice of Violations (NOV) and responded to 972 general air pollution complaints. These activities addressed noncompliance with applicable Federal, State and Air District regulations, and provided a mechanism for the public to voice their concerns about air pollution issues that might be in noncompliance status. Additionally, highlighted enforcement activities for the quarter are as follows:

On July 6, 2021, staff met with the City of San Jose (City) to discuss ongoing smoke/odor/outside fire complaints in San Jose associated with homeless encampments along the Coyote Creek watershed. There were approximately 5,000 unhoused people and 250 encampments in San Jose. Staff learned the City prioritized its responses for encampment management based on current resources, number of incidents, crime, risk and safety. That said, the area the Air District received most of its complaints (Naglee Park area) was not a top priority for clean-up. The parties had a robust conversation on how the City and Air District might work together to coordinate future complaint response and shared the various enforcement tools available to them, limited as they may be, and agreed to meet at a future date to continue the discussion.

On August 17, 2021, staff issued a Notice of Violation (NOV) to International Disposal Company of California, aka Newby Island Landfill, for an alleged public nuisance concerning a biosolids relocation project on July 19th that resulted in 33 odor complaints from residents of Milpitas and Fremont.

On June 9, 2021, Air District staff issued a Public Nuisance violation to Chevron Richmond Refinery for the reportable flaring event which occurred on May 27, 2021, which resulted in nine complaints, four of which were confirmed by inspection staff.

On June 30, 2021, Air District staff issued a Public Nuisance violation and another violation for denial of access on June 30, 2021, to Vulcan Asphalt. This was based on numerous complaints received by the Air District on June 30/July 1, 2021. Environmental and engineering staff from Vulcan asphalt plant met with Air District staff on July 7 & 20, 2021 to address the capture efficiency of the “blue smoke system” along with maintenance issues of the blue smoke control system that have been the root cause of fugitive asphalt odor emissions and recent complaints. Vulcan has since made an application to the Air District to enhance the capture efficiency of the “blue smoke system”.

Compliance Assurance

Air District Staff conducted over 2,634 inspections of permitted facilities, gasoline dispensing stations, asbestos demolition and renovation jobs, open burning, portable equipment, and mobile sources. Additionally, highlighted inspection activities for the quarter are as follows:

On July 15, 2021, staff participated in the quarterly South Bay Odor Stakeholders Group meeting. The Air District's contractors Jacobs Engineering and Montrose Environmental presented preliminary results from the South Bay Odor Attribution Study sampling events. One goal of that study was to chemically fingerprint odorous compounds from the three organic waste facilities upwind of the Milpitas/Fremont areas to determine their contribution to the odor problems experienced in the community. The preliminary results indicated that that may be possible.

On July 27, 2021, Berkeley Asphalt started up its Butler-Justice blue smoke abatement system (for which the Air District issued to BA the Authority to Construct on November 30, 2020). The Air District has not received any odor complaint directly associated with BA since the blue smoke abatement system started operating.

On July 29, 2021, staff participated in the monthly conference call with the California Air Pollution Control Officers Association (CAPCOA) Prescribed Burn Workgroup, comprised of representatives from CAPCOA, the California Air Resources Board (CARB), and other air districts. One topic of discussion that concerned air districts was the planned move of the Prescribed Fire Information Reporting System (PFIRS) to a new ESRI platform (web-based mapping system) to be more compatible with CalFire's online permitting system. There was concern about their lack of knowledge of CalFire's permitting system and the possible compliance issues between CalFire's permitting system and local air district burn requirements. CalFire's new online system was expected to be activated for the fall's 2021 burn season.

On August 30 and September 1, 2021, the final South Bay Odor Attribution Study sampling event was held. The sampling team collected samples from the San Jose – Santa Clara Regional Wastewater Treatment Facility, Newby Island Landfill, and nearby communities. The odor study aims to investigate the odor problems impacting Milpitas and surrounding communities from the three large organic waste facilities adjacent to them: Newby Island Landfill, ZWED, and the Regional Wastewater Treatment Facility.

On September 16, 2021, staff participated in a kick-off meeting for a CalEPA Environmental Justice Taskforce initiative focusing on composting facilities in Santa Clara County. Multi-media inspections (air, water, toxics, solid waste, etc.) will be conducted at composting facilities to determine compliance with local, state and federal environmental regulations.

Staff participated in monthly conference calls with Lehigh Southwest Cement representatives to discuss ongoing compliance and permitting issues at this Portland Cement manufacturing facility and quarry.

Staff approved one new Asbestos Dust Mitigation Plan (ADMP) for RIN NOA-0218) Los Altos High School, Los Altos. This NOA (naturally occurring asbestos) project is required to perform 24-hour asbestos ambient perimeter air monitoring and submit the results to the Air District on a bi-weekly basis. Nine proposed ADMPs are currently under review. In addition, staff received seven ADMP revision requests and approved two ADMP revisions for 1) RIN NOA-0196 SFPUC Biosolids Digester Facility Project, San Francisco; and 2) RIN NOA-0215 Mountain View High School, Mountain View.

Compliance Assistance and Operations Program

Wildfire Air Quality Response Program:

In the 3rd quarter of 2021, Air District staff provided three presentations to the Board of Directors on the Wildfire Air Quality Response Program (WAQRP) and Clean Air Filtration initiatives:

- A presentation on July 7, 2021, focused on wildfire preparedness efforts to provide air filtration units to seven home visiting programs in a partnership with the Regional Asthma Management and Prevention (RAMP) as part of the Air District's new Home Air Filtration Program to help vulnerable populations who are low income and suffering from severe asthma. The Board of Directors authorized \$1M to be transferred from the woodsmoke reserves to wildfire preparedness efforts. Staff also provided an update on the status of Assembly Bill (AB) 836, *Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program*. The Board authorized the Executive Officer to enter into contract with the California Air Resources Board not to exceed \$5M for the purposes of accepting AB 836 funding for Clean Air Centers.
- On September 1, 2021, staff presented an informational update on the Air District's Clean Air Filtration Program to provide clarity on current wildfire strategies and initiatives, education and outreach efforts, and highlighted specific projects within the program such as the Home Air Filtration Program, Partnerships with the American Red Cross and County Office of Emergency Services, AB 836 Cleaner Air Centers Grant Program and other new projects in development to expand the program. Staff discussed new opportunities to further expand the program and provide air filtration units to shelters for the unhoused and developing a solicitation for donations through the Bay Area Clean Air Foundation. A program expansion would help make programs available to all nine counties and improve health, equity and access to air filtration units to improve indoor air for those most vulnerable to wildfire smoke.
- On September 15, 2021, staff provided a presentation on the Air District's Clean Air Filtration Program funding, project locations and geographical coverage within the Bay Area and the 2022 Wildfire Program Outlook. Staff also requested authorization from the Board of Directors to transfer \$1M to the Wildfire Mitigation Designation from Pandemic Contingency Designation to prepare for an enhanced wildfire program next year. In total, \$6.275M has been allocated to projects within the Clean Air Filtration Program to support indoor air improvements in homes, schools, emergency evacuation and sheltering facilities and Clean Air Centers by providing portable air filtration units and retrofitting air filtration and ventilation systems across the Bay Area. These projects are all part of the Air District's 2022 wildfire strategy to further improve access to cleaner indoor air, enhance public education and

information resources and collaborate with regional and community partners to improve programs and health equity in disadvantaged communities.

Home Air Filtration Program: The Air District's 2-year partnership with the Regional Asthma Management and Prevention helps reach those most vulnerable to wildfire smoke through the State of California's Asthma Mitigation Project (AMP) which provides a series of home asthma assessments and mitigation for those who are low income, Medi-Cal recipients suffering from severe asthma. In August, a first batch of 670 air filtration units were delivered to seven home visiting programs and will gradually be distributed during the course of individual care. Approximately 135 units were distributed in the first two months. The rate of the distribution is anticipated to increase over the next quarter as AMP partners become familiar with the program, tracking and reporting requirements. The Air District is looking to expand the program and is exploring other partnerships in Marin, Napa and Solano Counties and will have more information on these efforts in the next quarter.

Partnerships with County Office of Emergency Services (OES): The Air District entered into partnership agreements with the OES in Marin, Alameda, Solano, and San Mateo Counties over the last quarter to enhance coordination and wildfire preparedness. Counties will be able to purchase portable air filtration units up to an amount of \$100,000 per county to deploy to evacuation and sheltering facilities and other congregate facilities such as schools, libraries, community centers when there are wildfire smoke impacts in their region. San Francisco and Santa Clara Counties are working closely with their legal counsel to finalize the details of their agreements with the Air District. Contra Costa, Napa and Solano Counties have expressed staffing and resource challenges that prevents them from entering into a partnership agreement with the Air District at this time.

Assembly Bill (AB) 836, Cleaner Air Centers: Air District staff have been working closely with CARB over the last year to develop program guidelines for AB 836, *Wildfire Smoke Clean Air Center Incentive Program for Vulnerable Populations*. The Compliance & Enforcement Division is now in the process of transitioning this grant program to the Technology Implementation Office for program implementation. Through the program, \$3M funding will be open to the nine Bay Area counties to help improve air filtration in public buildings through ventilation retrofits, portable air filtration units and/or the purchase replacement air filters. The program will focus on disadvantaged, smoke burdened communities to create Cleaner Air Centers and help county emergency management authorities and disaster response agencies enhance wildfire preparedness.

Compliance Assistance and Operations Activities: Air District Staff received and evaluated over 1,682 plans, petitions, and notifications required by the asbestos, coatings, open burn, tank and flare regulations. Staff received and responded to over 53 compliance assistance inquiries and green business review requests. Highlighted compliance assistance and operations activities for the quarter also included the following:

- Air District staff approved 1 marsh burn smoke management plan in Solano County; however due to poor burn conditions from wildfire smoke there were no burns allowed.
- Air District staff completed the data verification and posting of refinery flare monitoring data through July 2021.

- Air District staff conducted the following inspections for the Strategic Incentives Division (SID): 41 projects and 68 engines.

**TECHNOLOGY IMPLEMENTATION OFFICE
A. FOURNIER, OFFICER**

The mission of the Technology Implementation Office (TIO) is to provide financial incentives, technical services, and matchmaking support that speed development and deployment of climate technologies in the Bay Area and beyond.

Climate Tech Finance

Climate Tech Finance increases access to capital for entrepreneurs, small businesses, and local governments to reduce greenhouse gas emissions. The program uses innovative financial instruments to encourage commercialization and adoption of low-carbon technologies. Our products are offered through a unique partnership between the Air District and the California Infrastructure and Economic Development Bank (IBank). (www.baaqmd.gov/ctf)

To support climate technology development, the Climate Tech Finance program offers a first-of-its-kind loan guarantee. This de-risking insurance will pay a commercial lender up to 90% of a loan value, to a maximum of \$2.5 million, in case of a default on a loan made to a technology venture bringing new climate tech to market. This loan guarantee enhances the credit of technology startups and increases their access to working capital that can fuel their growth. The Air District markets and develops these loan guarantees in close cooperation with NorCal Financial Development Corporation (NorCal FDC), an Oakland-based affiliate of IBank.

Companies funded by banks who received Climate Tech Finance loan guarantees:

- **SWITCH Maritime**, a hydrogen fuel cell ferry (\$2.5 million/50% guarantee including Air District funds)
- **Gridscape Solutions**, a renewable microgrid developer (\$1 million/90% guarantee including Air District funds)
- **Imperial Electric Services**, an electric vehicle charging station installer (80% guarantee with State funds)
- **The Climate Center**, a nonprofit that helped establish Community Choice Aggregators (80% guarantee with State funds)

Staff and NorCal FDC continue to support advancement of loan applications of qualified projects and to identify other prospects across industrial sectors. This includes prospective borrowers developing solutions in energy storage, zero-emission infrastructure, construction, data center spaces, and advanced energy efficiency.

Staff, with the support of the marketing contractor and Air District's web team, are developing a new Climate Tech Finance website to enhance outreach for the program.

Staff continued discussions on the statewide expansion of Climate Tech Finance with IBank and NorCal FDC by utilizing state and federal funding from recent climate legislation.

Clean Air Centers

Clean Air Centers is part of a statewide initiative under AB 836: Wildfire Smoke Clean Air Center Incentive Program for Vulnerable Populations (Wicks, Chapter 393, Statutes of 2019) to establish a network of publicly accessible facilities with high-efficiency air filtration systems for people who may not otherwise have access to clean air during wildfire events. The grant program will allow counties to apply directly for facility ventilation upgrades and for purchasing portable air cleaners and air filter replacements.

The Air District received \$3M in program and administrative resources to implement Clean Air Centers. The program is being administered by the California Air Resources Board (CARB). The Air District collaborated with CARB to develop the funding guidelines and executed a contract with CARB in July 2021 to begin program implementation.

The Air District is currently developing the program guidelines in collaboration with the nine Bay Area counties and the Red Cross.

Clean Air Centers Program Key Performance Indicators (KPI)

Clean Air Centers Program KPI Totals to Date (Q3 2021)	
Total budget	\$3M
Total available	\$2,775,000 (i.e. not awarded)
Applications received	0
Funds awarded	\$0
Funds paid	\$0

Clean Cars for All

Clean Cars for All (CCFA) incentivizes income-qualified households to replace older, higher-emission vehicles with a newer, cleaner vehicle or mobility options (e.g. public transit passes). (www.baaqmd.gov/cleancarsforall)

To date the Air District has received \$35.4M in program and administrative resources to implement CCFA. CCFA funding comes from the Transportation Fund for Clean Air and CARB funds, which include funding from California Climate Investments (CCI), Volkswagen Settlement (VW), and Air Quality Improvement Program (AQIP). A breakdown of funding is below:

Clean Cars for All Funding to Date

Year	Funding source	Project funds	Admin funds	Total
2018	CCI	\$4.25M	\$0.75M	\$5M
2019	VW	\$4.25M	\$0.75M	\$5M
2020	CCI	\$3.4M	\$0.60M	\$4M
	TFCA1	\$4.25M	\$0.75M	\$5M
	TFCA2	\$4.25M	\$0.75M	\$5M
2021	AQIP	\$2.55M	\$0.45M	\$3M
	CCI	\$7.14M	\$1.26M	\$8.4M
Total		\$30.09M	\$5.31M	\$35.4M

CCFA stopped accepting applications on June 30, 2021, in order to make application updates and to await additional funding. CARB notified staff that the Air District will receive \$8.4 million in funding for CCFA. The Air District received Board approval to accept the funding and executed a contract with CARB on September 10, 2021. This funding is part of the \$75 million in the state budget allocated for CCFA programs statewide. Additional funds will be distributed in December or January after CARB’s funding plan process.

CCFA was reopened on August 19, 2021. A press event was held on Clean Air Day (October 6, 2021) to announce the relaunch of CCFA. Damian Breen and Chair Chavez spoke at the event. Since the press event, CCFA has been featured by over 20 media outlets, including Newsweek, Car and Driver, Univision, KTVU, NBC Bay Area, KRON-TV, Yahoo!, and The Mercury News.

Here are key program highlights:

- 2,799 applications have been submitted since the program opened in March 2019, and 2,286 awards have been made (totaling over \$19.43 million). Nearly 1,800 grantees purchased new vehicles, 13 grantees received PEX cards for public transit and other mobility options, 155 grantees installed a home charger or purchased a portable charger.
- Of the clean transportation options selected to date, 24% were battery electric vehicles (BEV), 53% were plug-in hybrid electric vehicles (PHEV), 21% were conventional hybrid vehicles, 1% percent were hydrogen fuel cell vehicles (FCEV), and 1% were mobility option.

Clean Cars for All Program Key Performance Indicators (KPI)

Clean Cars for All Program KPI Totals to Date (2019-2021)	
Total budget	\$35.4M
Total available	\$7.08M (i.e. not awarded)
Applications received	2,799
Funds awarded	\$19.43M / 2,286 grantees
Funds paid	\$15.46M / 1,975 payments

Clean Cars for All Program KPI Totals During Q3 of 2021	
Applications received	243
Funds awarded	\$1.8M / 210 grants
Funds paid	\$1.28M / 150 payments

Charge! Program for Electric Vehicle (EV) Infrastructure

Charge! provides grants for installation of light-duty electric vehicle charging infrastructure, focusing on expanding the coverage of charging stations, especially in multi-unit dwellings and along transportation corridors. (www.baaqmd.gov/charge)

- Staff continue to administer and monitor current Charge! program projects for compliance.
- The 2021 Charge! Program launched on December 28 and closed on March 18. Twenty-five applications were submitted requesting nearly \$13 million in funding. Applications have been evaluated and a panel of three staff from TIO, SID, and Rules and Strategic Policy scored and ranked the projects. Twenty projects are eligible for roughly \$10 million. Sixteen projects will receive funding totaling \$5.23 million.
- The 2022 Charge! Program is scheduled to reopen in December. A draft of the Charge! program guidance was released on October 15th and comments are being accepted until November 15th. There is \$7 million in funding planned for the new program.

Charge! Program KPI Totals to Date (Calendar Year 2021) – program currently closed	
Total budget	\$6,000,000
Applications received	25
Funds awarded	\$5.23M
Funds paid	\$0

Outreach and Partnerships

TIO continues to organize the Bay Area EV Coordinating Council and convene quarterly networking, coordinating, and information sharing events for public agencies, companies, and non-profit organizations to accelerate EV adoption in the Bay Area. Two EV Coordinating Council meetings were held this quarter. The first was held on July 6, 2021, and focused on challenges and solutions for advancing the adoption of e-mobility and second meeting on October 13, 2021 focused on municipal fleet electrification. The next meeting is being scheduled for December 2021 and will provide a preview of Plan Bay Area 2050 and the EV Acceleration Plan.

Staff have finalized a partnership with StopWaste to provide technical assistance to encourage EV charging installations at multi-family buildings serving low-income residents or located in AB 617 communities.

Sponsorship and Conferences

- Derrick Tang presented on electric vehicle-to-grid technologies for the Marin Conservation League Climate Action Panel on July 16, 2021.
- JJ Camarena and Danny Fung attended the Electric Vehicles in West Oakland: A WOEIP & OakDOT Workshop on August 10th and October 20th.
- Caylee Mercado attended the EVS for Equity webinar hosted by Acterra on September 8th.
- Areana Flores and Tamara Kohne attended E2 National Webinar: The Time is Now-Climate Action with Senator Wyden and Congresswoman Dingell on September 15th.
- TIO sponsored a ride and drive event with Breathe California on September 25, 2021 in San Jose.
- Areana Flores attended E2 National Webinar: A Conversation with National Climate Advisor Gina McCarthy on September 29, 2021

**ENGINEERING DIVISION
P. LEONG, DIRECTOR**

Permit Activity Statistics

The following table summarizes permit activity in the quarter:

Permit Activity			
New applications received	304	New facilities added	105
Authorities to Construct issued	196	Permit Exemptions (entire application deemed exempt)	6
Permits to Operate issued (new & modified)	182	Annual update packages completed	1084
Registrations (new)	29		

New Source Review (NSR) Health Risk Assessments (HRA)

77 HRAs were completed during the reporting period.

California Environmental Quality Act (CEQA) Projects

Schnitzer Steel’s Ocean-Going Vessel (OGV) Increase Project (Oakland)

Schnitzer Steel submitted an application to increase the allowable number of OGVs transporting materials from Schnitzer Steel’s scrap metal recycling facility in Oakland, California from 26 ship calls per calendar year to 32 ship calls per calendar year. Recently, smaller ships and partially loaded ships have been used to transport Schnitzer Steel’s scrap metal, resulting in the need to have more ship calls per year to transport the same amount of material. This application will not change any of the existing throughput limits at this facility.

The Air District is Lead Agency under California Environmental Quality Act (CEQA) for this application. The Air District has contracted with Environmental Audit, Inc. to conduct the CEQA review and prepare the CEQA documentation for this project. The Air District is continuing work on the CEQA Initial Study and health risk assessment.

Martinez Refinery Renewable Fuels Project (unincorporated Contra Costa County) and Phillips 66 Rodeo Renewed Project (Rodeo)

The Martinez Refinery Renewable Fuels Project proposes to repurpose the existing Refinery to discontinue the refining of crude oil and switch to production of fuels from renewable feedstock sources including rendered fats, fish oils, soybean and corn oil, and other cooking vegetable oils, but excluding palm oil. The Phillips 66 Rodeo Renewed Project proposes to transform the existing Rodeo Refinery into a facility that would process renewable feedstocks into renewable diesel fuel, renewable components of other transportation fuels, and renewable fuel gas.

The Contra Costa County Department of Conservation and Development (County) is the Lead Agency under CEQA for these projects. Staff has reviewed and provided written comments to the County on the County's Notice of Preparation for a Draft Environmental Impact Report (DEIR) prepared for each of these two petroleum refinery projects. Public comment for both projects are due to the County by December 17, 2021.

Permits and Projects

Bay View/Hunters Point (BVHP) Facilities (San Francisco)

Staff completed preliminary reports for CEMEX, Hanson Aggregates Pier 92, and Hanson Aggregates Pier 94, located in the Bayview Hunters Point neighborhood of San Francisco. The public participation period for the permits closed on June 17. Staff is considering tasking a consultant with the CEQA review for these permits. Staff is reviewing and considering the comments received before recommending a final decision on these permits.

On June 3, Recology San Francisco submitted an application to request permits for concrete debris stockpiles, screens, crushers, and associated portable equipment located at Pier 94, Lot 352. This facility is located adjacent to emergency housing trailers, which were erected on Port of San Francisco property in 2020. Staff is reviewing the application.

Irvington Memorial Cemetery (Fremont)

On August 16, the Air District issued a Change of Conditions to Irvington Memorial Cemetery to increase the limit for two crematory retorts from a combined limit of 1,371 cremations per year to 2,300 cremations per year. This increase was necessary to respond to the COVID-19 pandemic.

Schnitzer Steel (Oakland)

Schnitzer Steel operates metal shredding and recycling operations. The Air District is requiring Schnitzer Steel to control organic and toxic emissions from the metal shredding operations due to Air District enforcement actions. On August 26, the Air District issued an Authority to Construct to Schnitzer Steel for the required emission control equipment, which includes two regenerative thermal oxidizers and two packed bed scrubbers. The Air District also issued a Change of Permit Conditions with updated emission limits and test requirements for the shredder. Schnitzer Steel expects to complete construction and installation of these controls next year.

Republic Services (Milpitas)

Republic Services applied for Permits to Operate one portable diesel engine and two prime diesel generators to power covered aerated static pile (CASP) blowers. All engines are 314 brake horsepower and are Tier 4 certified. The prime engines used to power blowers for the CASP will be used until PG&E power is available to power the operation. The portable engine will be used as backup to the prime engines in case either malfunction or may also be used at the facility for other purposes up to a total of 200 hours per year. All three engines are PERP registered. The health risk analysis from these engines and prior related projects are acceptable with toxics new source review. Offsets for organics and nitrogen oxides were provided. The Permits to Operate were issued and the Notice of Exemption for CEQA with Santa Clara County were filed on July 22.

Bloom Energy Natural Gas Solid Oxide Fuel Cells (San Jose)

Bloom energy applied for a certificate of exemption for 24-MW of solid oxide fuel cells that will provide backup power to the Equinix Data Center. A health risk assessment was performed to verify that the emissions from the combustion of natural gas did not trigger a Permit to Operate. The certificate of exemption was issued on July 14.

Russell City Energy Company, LLC (Hayward)

In response to anticipated high demand for electricity this summer, the Russell City Energy Company applied for a permit to allow simple-cycle operation of its two gas turbines while the power plant's steam turbine is being replaced. The simple-cycle operation was approved by the California Energy Commission (CEC) on July 20. To ensure electricity is readily available to meet regional demands, the Air District issued a Temporary Permit to Operate on August 4 to allow simple-cycle operation of the gas turbines while the issuance of the final amended permit is pending. The Temporary Permit to Operate will expire upon final action of the application or on November 9, whichever is earlier.

Newby Island Material Recovery Facility (Milpitas)

International Disposal Corp. of CA, "Newby Island", operates a recycling center. An application was submitted for the equipment currently operating without a permit at the Materials Recovery Facility (MRF). The MRF building consists of material recovery lines where commercial and residential recyclable materials are sorted, processed and recovered as saleable commodities or for other beneficial re-use such as organic materials and aggregates. Some materials that enter the facility are not recyclable and are considered municipal solid waste which are sent offsite for disposal.

Permitting the MRF was originally evaluated under Application 27073 for processing wet and dry materials. On September 21, staff issued a denial of the application for failure to provide required offsets. Since the operations at the MRF have changed where wet waste material will no longer be processed, permitting of the MRF will be handled under Application 30937.

California Air Pollution Control Officers Association (CAPCOA) Engineering Managers Committee

On July 26 and 27, 2021, staff participated in the quarterly CAPCOA Engineering Managers meeting. Attendees discussed updates from California Air Resources Board (CARB) regarding the Governor's State of Emergency Declaration regarding California's heatwave, CalRecycle's organic waste/composting monitoring project, the status of the draft gasoline station industrywide guidelines, and their AB 2588 emissions inventory criteria and guidelines regulation. In addition,

EPA provided updates on the new Administration transition and regulations. Updates were also provided by the Enforcement Managers committee and the vapor recovery sub-committee. As part of AB 617, the Criteria Pollutants and Toxic Air Contaminants Reporting (CTR) Regulation requires uniform emission factor development. The Air District is involved in this emission factor development for the following three sectors: power generation, refineries, and landfills.

In addition, cannabis operations permitting activities, open burning alternative equipment permitting, and COVID-19 operations & teleworking were discussed. The attendees started to coordinate assignments for the October 2021 CAPCOA Engineering and Toxics Symposium for panels and presentations. On August 5, 2021, staff provided the Toxics Risk Managers Committee (TARMAC) data for the purpose of creating an industry-wide HRA Guidelines for diesel engines.

National Association of Clean Air Agencies (NACAA)

Staff participated in the July meeting of the NACAA Permitting and New Source Review Committee. During the meeting, U.S. EPA provided updates on New Source Review and an EPA Office of Inspector General Report titled “EPA Should Consider More Oversight of Synthetic Minor Source Permitting to Assure Permits Adhere to EPA Guidance”. The Wisconsin Department of Natural Resources presented results of its project to establish guidelines for incorporating federal standards into air permits and Oklahoma presented the results of its survey regarding minor source permitting thresholds. Staff also participated in the August NACAA Permitting and New Source Review Committee meeting. During the meeting, NACAA members discussed with U.S. EPA a recent Title V petition order and implications for similar facilities (BP Amoco Chemical Company Texas City Chemical Plant, signed July 20, 2021) and updates on EPA’s new source review regulatory activities. Also, the NACAA NSR improvement subcommittee provided an update on its progress.

Cost Recovery and Containment Study

The Air District has retained Matrix Consulting Group (Matrix) for a new cost recovery and containment study. Matrix performed the last study in 2018. The Air District completes cost recovery and containment studies every 3 to 5 years to review the Air District’s cost recovery methodology. During the adoption of the 2022 budget in June, the Board of Directors (The Board) requested staff to explore a 100% cost recovery goal and to review the Air District’s cost recovery methodology. Staff will be working with Matrix to conduct this review with this new goal and additional opportunities to improve our processes.

On September 8, 2021, staff, the consultant, and industry stakeholders met to receive feedback on fees and cost containment. Industry stake holders included the WSPA, the California Council for Environmental and Economic Balance (CCEEB), and five (5) large/medium facility contacts. Staff has confirmed two (2) community contacts for participation and will meet to get their feedback. Internal meetings with specific divisions are planned in the next few weeks. Staff continues to provide Matrix with information for their analysis.

On September 27, 2021, Air District staff of support programs were interviewed to better understand costs and cost containment measures. Staff is coordinating with two community members on how best to receive their input. Staff continues to provide background information.

South Coast Air Quality Management District' BACT Scientific Review Committee

As a member of the South Coast Air Quality Management District's Best Available Control Technology (BACT) Scientific Review Committee, staff met with South Coast staff on July 16, 2021, to further discuss a proposed BACT determination for an asphalt rotary drum dryer.

Production System Project

On September 11, 2021 the permit application module was migrated to the new 'Gemini' platform for approximately 7,700 Production System facilities. This combines the permit application and permit renewal functionality in Gemini. The Gemini permit renewal module was launched in November 2019. This change provides improved tools to receive applications online and process permits. Staff plan to migrate the transfer of ownership functionality in Gemini in the next code push and they continue to work on additional source categories.

College Intern Program

This summer, two college interns were assigned to the Engineering Division (Melissa Tanaka and Teresa Godoy). They have completed numerous EPA and CARB air quality engineering training courses and have been provided mentorship. To learn a core function of permitting, they been training on the basics of evaluating soil vapor extraction and sub-slab venting system permit applications. For special projects, they have been participating in the Air District's internal technical working group on the AB 617 Richmond/San Pablo community emission reduction plan. To address a public concern at a Berkeley restaurant, they have researched control technologies and cost of controls for under-fire char broilers which can cause smoke and odor issues.

Rule Development and Implementation

Regulation 11, Rule 18 – Reduction of Risk from Air Toxic Emissions at Existing Facilities

Regulation 11, Rule 18, or Rule 11-18 requires that facilities reduce health risks if facility health risks exceed a risk action level (RAL). A site-wide HRA is necessary to determine the facility health risks due to routine and predictable toxic emissions from stationary sources at the facility. The current list of Phase I facilities is available on the Air District web site at: <https://www.baaqmd.gov/community-health/facility-risk-reduction-program/facility-risk-reduction-list>.

Once a preliminary HRA is complete, it is sent to the facility for a 90-day review period. The Air District will respond to facility comments and post a draft HRA on the web site for public review. After the 45-day public comment period, staff will consider all comments, make any necessary revisions to the HRA, and post a final HRA on the website. The requirement for risk reductions will be identified in the final HRA report. If risk reductions are required, the facility will have 180 days to submit a risk reduction plan.

Status as of September 30, 2021, for the Phase I facilities

HRA Review Stage	Number of Facilities
Validating Inventory and HRA Input Data	13
Preparing Preliminary HRA	15
On 90-Day Facility Review	0
Preparing Draft HRA	3
On 45-Day Public Comment	0
Preparing Final HRA	3
Final HRA Complete	0

AB&I Foundry (Oakland)

The Air District posted responses to frequently asked questions and comments regarding the draft HRA on September 1. Staff continues to evaluate comments on the emission inventory.

Regulation 12, Rule 15 – Petroleum Refining Emissions Tracking

Staff received required facility-wide emissions inventories from the petroleum refineries and their support facilities which were due April 15, 2021. Staff held preliminary conference calls as a courtesy (not required by the regulation) with facilities to discuss initial comments and ask clarifying questions. Staff reviewed submitted inventories, noted deficiencies in each inventory, and sent each of the petroleum refineries and their support facilities letters with deficiencies specific to each facility's inventory. Staff held meet and confer conference calls with each facility, as required by the regulation, to discuss in detail the identified deficiencies. Revised inventories and deficiency responses submitted by the refineries and their support facilities were received and reviewed. Staff are currently working on finalizing of emissions inventories with Air District required corrections. Staff is also working with the Western States Petroleum Association (WSPA) on ways the facilities can improve their submittals so that they do not require as much review effort to validate submitted inventories.

Refinery Rules Definitions

Two of the five Bay Area petroleum refineries have indicated their intention to transition away from petroleum processing to renewable fuels facilities. Staff worked with Compliance & Enforcement, Legal, and Rule Development to propose amending definitions within Air District rules that currently apply to petroleum refineries such that these facilities remain subject to these rules. Staff have identified 34 rules as potentially needing revision. Of these, amendments to 15 rules were proposed and issued for public comment on September 20, 2021, with the comment period ending on October 11, 2021. The comment was extended to the day of the public hearing for rule adoption which is scheduled for November 3, 2021.

Heavy Liquids Study

Staff is working with Legal, Enforcement, and Rule Development to address a path forward for developing revised average emission factors for fugitive emission leaks from heavy liquid service components. Staff participates in biweekly conference calls with WSPA's technical personnel to discuss methodologies for developing revised average emission factors.

Assembly Bill (AB) 617

Staff continue to participate in the implementation of AB 617 as part of the Air District's working group on the technical assessment and source apportionment of the Richmond/San Pablo community emission reduction plan (CERP). Staff continue to work with the CARB, CAPCOA, and other local air districts as part of the CARB's BACT / Best Available Retrofit Control Technology (BARCT) Working Group on reviewing and commenting on the AB 617 Technology Clearinghouse being developed by CARB and its consultants. AB 617 requires CARB to establish and maintain a statewide Technology Clearinghouse that identifies the best technologies for reducing emissions, namely BACT, BARCT, and related technologies for the control of toxic air contaminants. CARB is developing a technology clearinghouse of air district rules and control technologies as required under its AB 617 program and is working with CAPCOA and local air districts to ensure the information is useful and meets the needs of users. The working group members from CARB and California air districts discussed the CARB's tools under development, the future of CARB's Air Toxics Control Measure (ATCM) updates, and a few BACT determinations for controlling emissions from methyl bromide fumigation and large diesel engines. On August 31, a sub-workgroup was formed of staff from CARB and a few local air districts for developing a permitting questions and answer document on permitting programs. This workgroup is meeting weekly to draft responses to the public 's frequently-asked-questions on permitting, which is expected to be presented to CARB's Board in November 2021 for its consideration and approval.

LEGAL DIVISION A. SCHWARTZ, ACTING DISTRICT COUNSEL
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The following summarizes the activities of the District Counsel's Office for the First Quarter.

The District Counsel's Office received **277** violations reflected in Notices of Violation (NOVs) for processing.

Mutual Settlement Program staff-initiated settlement discussions regarding civil penalties or passing the Wood Smoke Awareness Course for **129** violations reflected in NOVs. In addition, **7** Final 30 Day Letter(s) was/were sent regarding civil penalties for **8** violation(s). Finally, settlement negotiations resulted in collection of **\$205,050** in civil penalties for **160** NOVs. No NOV was settled by passing the Wood Smoke Awareness Course with \$0.

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for **17** violation(s). Settlement negotiations by counsel resulted in collection of **\$163,300** in civil penalties for **19** violation(s).

COMMUNICATIONS AND PUBLIC INFORMATION DIVISION K. ROSELIUS, OFFICER
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Media Inquiries

Staff responded to 127 media inquiries, including requests about:

- Air purifiers
- Air Quality Advisories
- Air quality comparison

- Air quality conditions
- Air quality trends
- Backup generators
- Chevron flaring
- Chevron lawsuit
- Clean Air Filtration Program
- Covid/wildfire smoke study
- Diesel generators
- Environmental Impact Reports from refineries
- FARMER grant program
- Fireworks
- Flaring reports
- General air quality
- Home air filtration program
- Hydrogen emissions
- Hydrogen ferry
- I-880/580 pollution
- Lake Tahoe smoke
- Phillips 66 investigation
- PM2.5 data
- Press conference on fireworks and wildfire preparedness
- Recology Notice of Violation
- Records
- Reg 6-5
- Sequoia data center
- Smoke impacts
- Spare the Air
- West Oakland air quality
- Wildfire preparation
- Wildfires

Media Events/Op-eds

- Wildfire dangers due to fireworks press conference – 7/2.
- Regional Asthma Management and Prevention air filter delivery press conference – 8/10.
- Clean Cars for All press conference – 10/6
- West Oakland air filter press conference – 10/14

Media Highlights

The Air District was mentioned in 1,195 print/online stories and 748 radio/video clips from July through September 2021. Below are media coverage highlights:

- 09/29/2021 [Air District announces \\$2.2M settlement with Martinez refinery over air quality violations](#)
- 09/29/2021 [Refinery Settles With Air Quality District For \\$2.2 Million Over Emissions Violations](#)

09/29/2021 [West Oakland air pollution disproportionately affects Black, Latino residents, report finds](#)

09/29/2021 [In Bayview, air power for the people](#)

09/29/2021 [Bay Area Air Quality Management District offering \\$1,200 to buy back older vehicles](#)

09/29/2021 [Marathon to pay \\$2 million for air quality violations at idled Martinez oil refinery](#)

09/27/2021 [California agency proposes to update refinery regs for renewables](#)

09/27/2021 [BUSD launches environmentally friendly electric school buses](#)

09/27/2021 [Wildfire smoke is here to stay. Here's how to clean the air inside your home.](#)

09/26/2021 [Air quality advisory extended through Monday](#)

09/25/2021 [Air quality advisory extended due to wildfire smoke](#)

09/25/2021 [Air quality advisory extended due to wildfire smoke](#)

09/25/2021 [Air Quality Advisory Extended Through Monday Due To Wildfire Smoke](#)

09/25/2021 [Air quality advisory extended through Monday due to wildfire smoke, district says](#)

09/25/2021 [Air Quality Advisory Extended Through Monday](#)

09/25/2021 [Air alert extended through Monday for Bay Area](#)

09/25/2021 [Bay Area Air Quality Management District Offers Cash to Scrap Old Cars Through Vehicle Buy Back Program](#)

09/25/2021 [North Bay may see light rain as moisture clears out wildfire smoke](#)

09/25/2021 [North Bay may see light rain as moisture clears out wildfire smoke](#)

09/24/2021 [Air quality advisory issued through Saturday](#)

09/24/2021 [Wildfire smoke prompts regional air quality advisory](#)

09/23/2021 [Air district issues air quality advisory for Friday, Saturday](#)

09/23/2021 [Air district issues air quality advisory for Friday, Saturday](#)

09/23/2021 [Air Quality Advisory issued for Bay Area due to smoke](#)

09/23/2021 [Bay Area Air Quality Advisory Issued For Friday, Saturday Because of Wildfire Smoke](#)

09/23/2021 [In Your Town for Sept. 24, 2021: Health alert issued due to more smoke](#)

09/23/2021 [Smoke drifts into area from Napa-Sonoma fire](#)

09/23/2021 [Wildfire Smoke Prompts Regional Air Quality Advisory](#)

09/22/2021 [Poor air quality to impact the Bay Area](#)

09/22/2021 [Air quality advisory issued for Wednesday due to wildfire smoke](#)

09/22/2021 [Spare the Air Alert: Here are the Bay Area 'hot spots' for poor air quality today](#)

09/21/2021 [Officials downgrade smog warning for Solano, greater Bay Area region](#)

09/21/2021 [Wildfire smoke triggers another air quality advisory in the Bay Area](#)

09/21/2021 [Air Quality Advisory Issued for Wednesday Due to Wildfire Smoke](#)

09/21/2021 [Air Quality Advisory Issued for Wednesday Due to Wildfire Smoke](#)

09/21/2021 [Unseasonably hot temperatures predicted Tuesday; Spare the Air alert issued](#)

09/21/2021 [High temperatures bring smog warning to Solano, greater Bay Area region](#)

09/21/2021 [Air quality advisory issued for the Bay Area Wednesday due to drifting wildfire smoke](#)

09/21/2021 [Spare the Air Alert Issued for Tuesday Due to Unhealthy Smog](#)

09/20/2021 [Last day of summer brings hot weather to Bay Area](#)

09/20/2021 [Spare the Air alert issued for Tuesday due to smoke, smog](#)

09/20/2021 [Wildfire Smoke, High Temperatures Prompt Spare The Air Alert For Bay Area On Tuesday](#)

09/20/2021 [In Your Town for Sept. 21, 2021: District issues alert on pollution forecast](#)

09/20/2021 [Spare the Air alert issued for Tuesday](#)

09/20/2021 [Spare the Air alert issued for Tuesday](#)

09/20/2021 [Spare The Air Alert Issued For Tuesday](#)

09/20/2021 [Bay Area Spare the Air alert issued for Tuesday, but not for wildfire smoke. Here's what's going on](#)

09/19/2021 [Wildfire season complicates efforts to keep Berkeley schools safe from COVID-19](#)

09/14/2021 [Air quality advisory issued in Bay Area due to wildfire smoke](#)

09/14/2021 [Smoke from wildfires triggers another air quality advisory](#)

09/14/2021 [Air Quality Advisory Issued for Wednesday Due to Wildfire Smoke](#)

09/14/2021 [Air Quality Advisory Extended to Thursday Due to Wildfire Smoke](#)

09/14/2021 [Air quality advisory issued for Wednesday and Thursday due to Northern California wildfire smoke](#)

09/14/2021 [\\$10 Million Available For Projects To Reduce Air Pollution From Freight Movement Equipment](#)

09/14/2021 [Letter to the Editor: Move up deadline to be diesel-free](#)

09/13/2021 [What the Air Quality Index Actually Means](#)

09/11/2021 [Bay Area's Air Quality Improving Despite Northern California Wildfires](#)

09/09/2021 [Chevron, PBF Energy Sue Air District Over New Bay Area Refinery Pollution Rule](#)

09/09/2021 [Wildfire season is complicating efforts to keep schools safe from COVID-19](#)

09/07/2021 [Bay Area under third straight Spare the Air alert](#)

09/07/2021 [Wildfire smoke remains a concern as Solano again under air pollution warning for smog](#)

09/07/2021 [Bay Area under third straight Spare the Air alert](#)

09/07/2021 [Responders Are Gaining On The Caldor Fire, But Now They've Got New Blazes To Battle](#)

09/06/2021 [WILDFIRE SEASON: BAAQMD Extends Spare The Air Through Tuesday](#)

09/06/2021 [Smoky skies, hot temps play active role for Labor Day weekend in Bay Area](#)

09/06/2021 [Labor Day weekend unhealthy air alert extended through Tuesday](#)

09/06/2021 [Spare the Air alert extended through Tuesday](#)

09/05/2021 [Spare the Air Alert extended through Labor Day to lessen smog buildup](#)

09/05/2021 [Spare the Air Alert Extended Through Labor Day](#)

09/05/2021 [Weekend smoke advisory shifts to air pollution warning – for smog](#)

09/05/2021 [Hot weather, smoky skies on tap for Labor Day: Bay Area warned to reduce driving and pollution](#)

09/04/2021 [Spare the Air Alert for smog issued Sunday](#)

09/04/2021 [Bay Area Spare the Air Alert Issued for Sunday](#)

09/04/2021 [Smoke-filled smog from wildfires will hurt Bay Area air quality this weekend](#)

09/04/2021 [Smoke and smog trigger Spare the Air alert for Labor Day in Bay Area](#)

09/04/2021 [Smoke-filled smog from wildfires will hurt Bay Area air quality this weekend](#)

09/04/2021 [Spare the Air alert in effect Sunday due to smog](#)

09/04/2021 [Smoke-filled smog from wildfires will hurt Bay Area air quality this weekend](#)

09/04/2021 [Spare the Air alert in effect Sunday due to smog](#)

08/30/2021 [Free air purifiers to be given away by Bay Area air district to protect vulnerable people from wildfire smoke](#)

08/29/2021 [Air quality advisory issued in the Bay Area for Monday](#)

08/29/2021 [Regional Air Quality Advisory Issued for Monday](#)

08/29/2021 [Air Quality Advisory Issued for Bay Area Monday](#)

08/29/2021 [Sonoma County air quality set to improve Monday, but smoke will linger](#)

08/29/2021 [Spare the Air Alert Extended Through Sunday; Regional Air Quality Advisory to Go Into Effect Monday](#)

08/28/2021 [Bay Area Spare the Air Alert in effect](#)

08/28/2021 [Bay Area Spare the Air Alert Extended to Sunday](#)

08/28/2021 [California wildfires: Bay Area copes with unhealthy air quality, smoke and heat](#)

08/28/2021 [Spare the Air alert extended through Sunday across Bay Area](#)

08/28/2021 [Spare the Air alerts extends into Sunday](#)

08/28/2021 [High temperatures and smoky conditions set for Bay Area](#)

08/27/2021 [Air filtration program expanded to all Bay Area counties](#)

08/27/2021 [Smoke Plume Over Bay Area Triggers Spare the Air Alert, Forces Cancellation Of Youth Sports Games](#)

08/27/2021 [East Bay events go on despite unhealthy air quality from Northern CA wildfires](#)

08/27/2021 [Spare the Air alert issued through Saturday for Bay Area due to smoke from Northern California wildfires](#)

08/27/2021 [Spare the Air alert issued through Saturday for Bay Area due to smoke from Northern California wildfires](#)

08/27/2021 [Smoke blanketing Bay Area prompts new Spare the Air alert](#)

08/27/2021 [Air district expands filtration program to all Bay Area counties](#)

08/27/2021 [Spare the Air alert issued for Bay Area: Here's the weekend air quality and weather outlook](#)

08/26/2021 [Bay Area impacted by heat wave, wildfire smoke](#)

08/26/2021 [Air Quality Advisories Issued for Friday, Saturday Due to Wildfire Smoke](#)

08/26/2021 [Air Filtration Units to Be Provided to Low-Income Residents Impacted by Smoke](#)

08/26/2021 [Bay Area to heat up over the weekend, hazy atmosphere expected to return](#)

08/26/2021 [Free air purifiers to be given away by Bay Area air district to protect vulnerable people from wildfire smoke](#)

08/26/2021 [Free air purifiers to be given away by Bay Area air district to protect vulnerable people from wildfire smoke](#)

08/26/2021 [Exactly when and where the next wave of smoke will hit the SF Bay Area](#)

08/25/2021 [S.F. will soon roll out nation's first hydrogen ferry](#)

08/24/2021 [Air quality advisory issued through Tuesday](#)

08/23/2021 [Air quality advisory extended to Tuesday due to wildfire smoke](#)

08/23/2021 [UPDATE: Smoke Leads Bay Area Air District to Extend Advisory into Tuesday](#)

08/23/2021 [Air Quality Advisory Extended Through Tuesday Due to Wildfire Smoke](#)

08/23/2021 [Stanford and Santa Clara County ramp up protective measures against air pollution](#)

08/23/2021 [Caldor Fire 'knocking on the door' of Lake Tahoe Basin, Cal Fire says](#)

08/22/2021 [Air quality improving for Bay Area, but not for long - here's the weather outlook for the week](#)

08/21/2021 [Editorial: The Bay Area is going to be 'sucking smoke' for a long time. And we have ourselves partly to blame](#)

08/21/2021 [Air quality not good but slightly improving for Bay Area](#)

08/17/2021 [Wildfire smoke prompts Bay Area air quality advisory. Here's how bad it could get](#)

08/17/2021 [Red flag warning for Napa County could also impact East Bay hills](#)

08/17/2021 [Another air quality advisory issued for Wednesday due to wildfire smoke](#)

08/17/2021 [Sonoma County air quality set to drop as more smoke from Northern California wildfires approaches](#)

08/17/2021 [Wildfire Smoke Expected to Return to Bay Area Skies](#)

08/17/2021 [NorCal Wildfire Smoke Prompts New Air Quality Advisory](#)

08/16/2021 [Air quality advisory extended through Monday due to wildfire smoke](#)

08/16/2021 [Napa, Lake, Mendocino counties under fire weather watch until Wednesday](#)

08/15/2021 [Air Quality Advisory Extended Through Monday](#)

08/15/2021 [Bay Area skies starting to clear. Here's the air quality and weather outlook](#)

08/15/2021 [PG&E warns of possible power shutdowns for some Northern California customers](#)

08/15/2021 [Air quality advisory extended through Monday for wildfire smoke](#)

08/12/2021 [Wildfire smoke prompts air quality advisory for Thursday](#)

08/11/2021 [Air District To Provide Air Filtration Units To Low-Income Residents Impacted By Wildfire Smoke](#)

08/11/2021 [Bay Area air quality advisory issued for Thursday as wildfire smoke drifts south](#)

08/11/2021 [Air Quality Advisory Extended Through Sunday Due to Wildfire Smoke](#)

08/11/2021 [How wildfire smoke will impact Bay Area air quality](#)

08/11/2021 [Smoky Chevron flare alarms residents, spews sulfur dioxide into air](#)

08/10/2021 [Free Air Filtration Units Available For Low-Income Asthma Sufferers](#)

08/10/2021 [UPDATE: Flaring at Richmond Chevron Refinery Sends Massive Plume of Black Smoke Into Sky](#)

08/10/2021 [Chevron Richmond refinery smoke visible in East Bay](#)

08/10/2021 [Study links East San Jose airport to high lead in children, but can it be closed?](#)

08/08/2021 [Bay Area district extends air quality advisory for 4th day, now through Sunday](#)

08/08/2021 [Smoke from Dixie Fire starts to move away from the Bay Area](#)

08/08/2021 [Onshore Wind Pattern to Improve Bay Area Air Quality Conditions Sunday](#)

08/07/2021 [Live map: Bay Area air quality advisory extended](#)

08/07/2021 [Bay Area air quality advisory extended through Sunday due to wildfire smoke](#)

08/02/2021 [Bay Area Air Quality Management District Expands Testing of "Smart" Electric Tractors](#)

08/01/2021 [Hyundai announces plans for hydrogen trucks in California](#)

07/30/2021 [Bay Area Air Quality Management District Adopts Stricter Emission Standards for Refineries](#)

07/30/2021 [‘They always whine’: Long-polluted Richmond has no patience for Chevron](#)

07/28/2021 [Hyundai Is Bringing Its Hydrogen Trucks Here](#)

07/28/2021 [BAAQMD funds 7 zero-emission tractors](#)

07/27/2021 [Hyundai bringing hydrogen fuel cell trucks to California](#)

07/26/2021 [Satellite image shows heavy smoke from Dixie Fire, California's largest wildfire](#)

07/19/2021 [Big Oil has fouled the Bay Area's air for too long. You can put a stop to it this week](#)

07/17/2021 [How to Stay Safe and Prepare for Looming Threats of Unhealthy Air Quality](#)

07/16/2021 [Is a new regional agency the answer to the East Bay’s wildfire woes?](#)

07/14/2021 [Concrete Crushing Operation Next to SF Homeless Shelter Shut Down](#)

07/11/2021 [16 Shipping Lines Slow Down to Protect Blue Whales and Blue Skies](#)

07/10/2021 [Excessive smog: Spare the Air alert issued due to forecast](#)

07/10/2021 [Hottest day of Bay Area heat wave expected to hit Saturday](#)

07/07/2021 [Exercises in Moraga train area firefighters and reduce flammable fuels](#)

07/06/2021 [‘This is unacceptable’: Air-polluting industries face increased scrutiny in East Oakland](#)

07/03/2021 [Opinion: Bay Area air board can reduce emissions without killing jobs](#)

07/02/2021 [Bay Area Fire Officials Ask Public to Put Away Fireworks Amid Dry Conditions](#)

07/01/2021 [FSUSD receives a \\$268,000 grant to support clean energy transportation](#)

07/01/2021 [County, local fire departments cracking down on illegal fireworks ahead of holiday weekend](#)

- 07/01/2021 [Santa Clara County fears July 4th will jumpstart fire season, toxic air](#)
- 07/01/2021 [Trucks are Banned on Oakland's I-580. These Sixth Graders Wondered Why](#)
- 07/01/2021 [Air district urges residents to resist lighting fireworks for fire, health reasons](#)

Press Releases

- 09/29/2021 [Air District settles case with Tesoro Refining & Marketing Company](#)
- 09/25/2021 [Air District extends air quality advisory through Monday](#)
- 09/23/2021 [Air District issues air quality advisory for Friday & Saturday](#)
- 09/21/2021 [Air District issues air quality advisory for Wednesday](#)
- 09/20/2021 [Air District issues Spare the Air Alert for smog for Tuesday](#)
- 09/15/2021 [Air District offers \\$1200 to scrap old cars through the Vehicle Buy Back Program](#)
- 09/15/2021 [Air District extends air quality advisory through Thursday](#)
- 09/14/2021 [Air District issues air quality advisory for Wednesday](#)
- 09/13/2021 [\\$10 million available for projects to reduce air pollution from freight movement equipment](#)
- 09/06/2021 [Air District extends Spare the Air Alert for smog & air quality advisory for smoke through Tuesday](#)
- 09/05/2021 [Air District extends Spare the Air Alert for smog through Labor Day](#)
- 09/04/2021 [Air District issues Spare the Air Alert for smog for Sunday](#)
- 09/03/2021 [Air District extends air quality advisory through Labor Day](#)
- 09/01/2021 [Air District issues air quality advisory for Thursday & Friday](#)
- 08/29/2021 [Air District issues air quality advisory for Monday](#)
- 08/28/2021 [Spare the Air Alert is extended through Sunday due to wildfire smoke](#)
- 08/27/2021 [Air District upgrades air quality advisory to Spare the Air Alerts through Saturday](#)
- 08/26/2021 [Air District expands Clean Air Filtration Program to all Bay Area counties](#)
- 08/26/2021 [Air District issues air quality advisory for Friday & Saturday](#)
- 08/25/2021 [Air District's James Cary Smith Community Grant Program empowers Bay Area community leaders](#)
- 08/23/2021 [Air District extends air quality advisory through Tuesday](#)
- 08/22/2021 [Air District issues air quality advisory for Monday](#)
- 08/20/2021 [Air District issues air quality advisory for Saturday](#)
- 08/19/2021 [Air District issues Spare the Air Alerts through Friday](#)
- 08/18/2021 [Air District extends air quality advisory through Friday](#)
- 08/17/2021 [Air District issues air quality advisory for Wednesday](#)
- 08/15/2021 [Air District extends air quality advisory through Monday](#)
- 08/13/2021 [Air District extends air quality advisory through Sunday](#)
- 08/12/2021 [Air District extends air quality advisory through Friday](#)
- 08/11/2021 [Air District issues air quality advisory for Thursday](#)
- 08/10/2021 [Air District launches first indoor air filtration program for Bay Area's most vulnerable residents](#)
- 08/07/2021 [Air quality advisory for smoke extended through Sunday](#)
- 08/06/2021 [Air quality advisory for smoke extended through Saturday](#)
- 08/04/2021 [Air District issues air quality advisory for Thursday and Friday](#)
- 07/22/2021 [Air District funds cutting-edge zero-emission tractors](#)
- 07/21/2021 [Air District strengthens refinery rule to reduce particulate emissions from fluidized catalytic cracking units](#)
- 07/20/2021 [Air District funds cutting-edge zero-emission tractors](#)

- 07/15/2021 [Media Advisory: Air District continues public hearing on proposed amendments to Regulation 6, Rule 5: Particulate Emissions from Refinery Fluidized Catalytic Cracking Units](#)
- 07/09/2021 [Air District issues a Spare the Air Alert for smog](#)
- 07/02/2021 [Air District asks residents to not light personal fireworks this Fourth of July](#)

Public Inquiries

Phone: 130 public calls

Events

- Participation in most events has been cancelled due to COVID-19. Some participation in digital events and Spare the Air presentations.
 - Rise Together Events (Livable City) – various SF neighborhoods on weekends starting on 6/4.
 - Marin County Virtual Fair – Marin on 7/2 to 7/4.
 - Sonoma County Fair – Santa Rosa on 7/28 to 8/8.
 - SF Transit Riders: Transit Month – various SF locations on 8/1 to 8/31.
 - Silicon Valley Bicycle Coalition Virtual Bike Summit – on 8/5 to 8/6.
 - National First Responders Fund Virtual Stair Climb – 9/11.
 - Silicon Valley Fallfest – 9/11.
 - Donate Life Run/Walk (Donor Network West) – San Ramon on 9/18.
 - Fremont Festival of the Arts – Central Fremont on 9/25 to 9/26.
 - Healthy Living Festival (virtual) – on 9/30.

Spare the Air

- Advertising
 - Developed advertising media buy plans.
 - Created a media buy plan by 8/1 to secure media buys for Sept./Oct.
 - Worked to finalize plans and share by week of 8/9.
 - Finalizing winter media buy.
 - Managed advertising media buys.
 - Switched to new transit creative week of 7/5.
 - Transit creative was submitted on 6/22 to post week of 7/5.
 - Radio and TV sent to the station by 7/1 for 7/5 traffic.
 - Prosidio continued to steward the summer media buy through August.
 - New contractor – A+P
 - Contractor held initial meetings with current advertising vendors.
 - Discussed paid media in depth with contractor on 7/13.
 - Completed initial meetings on Spare the Air and winter campaign.
 - Continued to vet advertising and awareness partners.
 - Reached out to Waze and identified possible opportunities.
 - Scheduled call with Cal Athletics to further vet opportunity to run media with them.

- Winter campaign
 - Began outreach and planning for November start of the winter campaign per the \$600K remaining budget through February.
 - Vetted winter campaign proposals: Vistar, Comcast, Waze, Fifty, Centro, CPM, KARGO.
 - Ongoing development of Q&As for current and future campaigns.
- Creative
 - Changes were incorporated into rough spots.
 - Presented creative to management for approval.
- Media relations
 - Spare the Air Every Day
 - Created comprehensive public relations media plan for Spare the Air Every Day.
 - Staff reviewed Spare the Air Every Day media plan and provided edits/comments.
 - Spare the Air Every Day media plan approved.
 - Administrative
 - Responded to interview requests.
 - Maintained comprehensive Bay Area media contact list/reference including local broadcast, print and online outlets.
 - Updated staffing plan for the months of September to October.
 - Contractor transition
 - Reviewed list of transition items.
 - Pitches and outreach
 - Conducted targeted media outreach week of 7/28 for the Fourth of July press conference to 140+ local news outlets focusing on the San Francisco and South Bay markets.
 - Monitored media coverage stemming from the Fourth of July press conference.
 - Secured 9 broadcast segments, 17 radio hits and 21 online articles.
 - Developed Spare the Air Alert pitches and coordinated outreach to 170+ local news outlets in the San Francisco, South Bay, East Bay and North Bay markets.
 - Corresponded with A+P team on Air Quality Advisories and Spare the Air Alerts.
 - End of campaign report
 - Prosidio completed end of campaign report to the Air District for summer efforts through June by 7/31.

- Social media
 - Social media content
 - July social media content
 - Staff drafted social media content for the first two weeks of July.
 - Met with A+P on 7/7 to discuss content.
 - Created social graphics for July content.
 - Scheduled July content to publish via Sprout Social.
 - August social media content
 - Drafted social media content for the first two weeks of August.
 - Updated first two weeks of August content.
 - Drafted social media content for the last two weeks of August.
 - Edited and approved all content.
 - Scheduled content to publish via Sprout Social.
 - Revised social media content for 9/13 – 9/26.
 - September social media content
 - Developed social media content for September.
 - Scheduled September content to publish via Sprout Social.
 - October social media content
 - Developed social media content for October.
 - Spare the Air Alerts
 - Adjusted pre-scheduled social media content as Spare the Air Alerts were issued.
 - Monitored social channels daily and over weekends.
 - Responded to inquiries regarding smoke and air quality.
- Employer Program
 - Strategy
 - Worked on new strategic plan framework.
 - Crafted new Employer Program strategy.
 - Held Employer Program information gathering/kick off call on 8/16.
 - Presented updates to team.
 - Conducted meeting to review Employer Program on 9/15.
 - Reviewing revised Employer Program proposal based on feedback and additional research.
 - Sponsorships
 - Coordinated with event contacts on details and logistics for approved Employer Program sponsorships.
 - Followed up on the Woman Tech sponsorship opportunity for more information.
 - Identified Bay Area Best and Brightest sponsorship deliverable needs.
 - Followed up on Society for Human Resource Management event session meeting time, presentation walk-through and support.
- Public Opinion Surveys
 - Organized and participated in introductory meeting with research firm True North.
 - Held a check-in call with True North.

Spare the Air Social Media

Staff and Prosio actively monitored and posted on social media throughout the Spare the Air season. Facebook, Twitter, Instagram and Pinterest platforms were monitored.

- Post samples:
 - [Facebook](#)
 - [Twitter](#)
 - [Instagram](#)
- Response sample:
 - [Twitter](#)

In this quarter, Spare the Air social media follower numbers decreased to 12,924 (-437) on Facebook, increased to 15,430 (+422) on Twitter, increased to 1,686 (+78) on Instagram, and remained at 301 (+0) on Pinterest.

Air District Social Media

- Special content
 - Worked with Strategic Incentives Division on ad campaigns to promote the Community Health Protection Grant Program.
 - Google Ads, LinkedIn and Facebook campaigns ran 8/15 – 9/27.
 - Next campaign runs 10/15 – 11/15.
 - Worked with Technology Implementation Office on ad campaigns to promote Clean Cars for All.
 - Campaigns ran 8/15 – 9/27.
 - Next campaign runs 10/4 – 10/31.
- Staff continued to run social posts daily including:
 - Air quality forecasts: daily, two-day and five-day forecasts.
 - Shared:
 - Air quality updates
 - Air Quality Advisories
 - Spare the Air Alerts
 - Fireworks
 - July 4th/wildfire preparedness press conference
 - Fairfield-Suisun Unified School District new propane school buses
 - The Guardian article on climate change
 - Clarity article on environmental justice communities and air monitoring
 - Community grants recipient Mycelium Youth Network
 - Pier 94 press conference live stream and donation of air filtration units
 - Prescribed burn at Van Hoosear Preserve
 - Climate stripes from NOAA
 - Clean Air Day unsung heroes
 - Restoring methane pollution standards
 - Santa Rosa City Bus youth ride free program
 - California Smoke Spotter app

- Gas lawn mowers and leaf blowers
- Wildfire preparedness tips from CARB
- Staff feature on Community Engagement intern
- Elementary school project funded through a community grant
- Local News Matters Q&A on air quality
- Wildfires and heat waves
- EPA carbon footprint calculator
- Camp Fire smoke impacts report
- Donating air filtration units through Red Cross partnership
- Berkeley Lab air monitoring efforts
- Car-free streets in San Francisco
- Chevron flaring
- Air filtration donation press conference
- Bay Area asthma rates
- Community grantee Veggielution
- Bay Area Monitor articles
- Meet the Air District intern spotlights
- Community Advisory Council
- FARMER program
- Pollution and Prejudice webinar announcement
- Clean Cars for All testimonial
- Clean Cars for All program
- Community Advisory Council application
- Brightline environmental justice work
- James Cary Smith Community Grant Program and webinar
- New bike cages at SF State campus
- Clean Air Filtration Program expansion
- Hydrogen ferry
- Clean Air Day promotion
- Air pollution and COVID-19
- New advisory council member
- James Cary Smith community grants
- Goods Movement Program
- Study on disparities in air pollution exposure in the Bay Area
- AB 1836 and proposed phase-out of gas-powered small off-road engines
- Clean Air Filtration Program
- AirNow Fire and Smoke Map tutorial video
- International Day of Clean Air
- EPA research on DIY air filters
- Staff feature on intern Elizabeth Grubb
- Air quality complaints process
- Staff feature on Erica Trask
- WHO new air quality guidelines
- Automobile Emissions Research and Technology Fund grant
- Funding for school bus fleets
- Guide to electric retrofits
- Vehicle Buy Back program

In this quarter, Air District social media follower numbers increased to 5,214 (+182) on Facebook, increased to 19,975 (+2,696) on Twitter, increased to 2,261 (+135) on Instagram, and increased to 2,431 (+78) on LinkedIn.

Other

- Video
 - AB 617 video
 - Drafted script for Veronica for video shoot.
 - Filmed video.
 - Edited video for community workshop on 8/12.
 - Filmed portion with Community Engagement.
 - Worked on AB 617 youth video edits.
 - Reviewing the videos the Air District interns created.
 - Air quality complaints videos
 - Discussed video status with Compliance and Enforcement Division.
 - Scheduled filming.
 - Recorded video at the Richmond office.
 - Clean air room video
 - Developed.
 - Filmed on 9/16.
 - Complete.
 - Carl Moyer Program video
 - Planning shoot dates.
 - Air quality monitoring in Richmond/San Pablo video
 - Working with Meteorology and Measurements Division on video project to inform the community of air quality monitoring in Richmond/San Pablo.
 - Oakland Gets Active video
 - Finalized video.
 - Video/media requests
 - Contacted Meteorology and Measurements Division regarding request for educational video about air quality instruments.
 - Identified video clips on air quality for NorCal Public Media.
 - Video think tank
 - Continued video think tank meetings.
 - Answered questions about upcoming video ideas.
 - Presented sample video treatment to think tank.
- Staff development
 - Professional training
 - CAPIO and Ragan training ongoing.
 - Associated Press Style Updates training completed by staff.
 - Cyber Security Awareness training completed by staff.
 - Media training
 - Discussed media training for new in-language staff.
 - Scheduling media training.

- 2021 Annual Report
 - Administrative
 - Executed contract for We The Creative.
 - Worked on preliminary video planning and deliverable schedule.
 - Theme
 - Met with We The Creative regarding theme on 8/11.
 - Design
 - Met to select design direction on 8/31.
 - Requested first round of designs by week of 9/20.
 - Met with Executive for design selection on 9/30.
- Graphic design projects
 - EV graphics for Technology Implementation Office
 - In review.
 - Clean Cars for All
 - Posters
 - Complete.
 - Mailer
 - Complete.
 - Handout
 - English complete.
 - Other languages awaiting translations.
 - Flex Your Commute
 - Content edited by staff.
 - Pledge
 - Complete.
 - Web banner
 - In progress.
 - Air monitoring handouts for Meteorology and Measurements Division
 - Received final content.
 - Requested final review.
 - Benicia Community Monitoring workshop
 - Requested final content for overview docs.
 - Air filter handout for Green and Healthy Homes
 - Vietnamese translation in progress.
 - All other translations complete.
 - Complete.
 - James Cary Smith Grant Program document
 - English complete.
 - Translated.
 - Complete.
 - Wildfire smoke posters
 - Masks
 - Complete.
 - Air quality data
 - Received content from Meteorology and Measurements Division.
 - Complete.
 - Translations of eight wildfire-related posters in progress.

- Human Resources Office web graphic
 - Complete.
- Community Engagement flyer
 - Requested content.
- VW grant postcard
 - Complete.
- VW light-duty flyers
 - With printer.
 - Complete.
- Web updates
 - Spare the Air website
 - Built Quick Links and Landing Page items.
 - Reviewed alert categories and added Homepage Emergency Panel items and Quick Links to two alert types.
 - Flex Your Commute Pledge website
 - Building out and content editing.
 - Reviewed and edited summary email for Flex Your Commute website options.
 - Received new Flex Your Commute site structure finalization.
 - Spare the Air Data and Records webpage
 - Updated ozone exceedance statistics.
 - Remote Work Clearinghouse webpage
 - Revisions made.
 - Published webpage revamp.
 - Current Air Quality webpage
 - Reporting down air monitors in real time.
 - Continued daily monitoring of station reporting status.
 - Reviewed chart of monitoring priority levels.
 - Reviewed notification levels for stations going down.
 - Working on roll-out of station down icons and notifications.
 - Accuracy
 - Updated box scores after weekend exceedances.
 - Working with web team and Cylogy to fix display of air monitors' highest pollution level recorded for the day in the far-right column of the daily AQI summary.
 - Update requests
 - Will meet to review requested updates from Meteorology and Measurements Division.
 - Press release webpage
 - Posted press releases and made Latest News items.
 - Translated and posted press release translations.
 - Wildfire Safety webpage
 - Updated and added new mask messaging.
 - Posted air filtration and clean air room documents.
 - Posted link to Clean Air Space video.
 - Home Air Filtration Program webpage
 - Posted fact sheet.

- James Cary Smith webpage
 - Coordinated publishing and e-blast send-out with press release distribution.
- Social Media Policy webpage
 - Created, laid out and coordinated publishing.
- Air District Operations During Covid webpage and advisory
 - Worked to update text for current stage of Covid.
 - Removed early Covid-era language.
- Homepage Emergency Panel (during Wildfires, etc.)
 - Worked with web team to finalize items and language.
- Clean Air Filtration Program sign-up form
 - Discussed and coordinated with web team the sign-up and short links.
- Translations
 - Downloaded and delivered seven sets of poster texts.
 - Downloaded and delivered Clean Air Space poster translations.
 - Reg. 2 translation corrections in progress.
- Spare the Air App
 - Worked on getting app build ready
 - Confirmed with Innoppl on when we can expect the next app edit
- Administrative
 - Met with Twilio regarding public sector customers changes.
- Workshops
 - UCSF Risk Communication workshop
 - Worked with health officer and UCSF to provide crisis communications training to resident physicians.
- Promotions
 - Discussing potential radio PSAs and podcasts to promote the Clean Cars for All program with the Technology Implementation Office.
- Remote Work
 - Staff participated in Remote Work Taskforce meetings.
- Publications
 - Air Currents
 - Prepared August issue.
 - Distributed August issue on 8/3.
 - League of Women Voters
 - Contract
 - Worked on contract renewal.
 - Submitted contract to League for signature.
 - Content creation
 - Met with incoming editor.
 - Coordinated interview with Planning Division staff for next article on air filters/clean air centers.
 - Coordinated and reviewed air filters article.

- Photography
 - Scheduled shoots and took photographs of 2021 projects/events for various uses, including photographs of:
 - Equipment procured using Zero-Emission Equipment grants.
 - Giants fans on BART.
 - Transit riders for Spare the Air ad campaign.
 - Fireworks press conference on 6/30.
 - Planning
 - Climate Tech Finance website photos in planning stage.

PLANNING AND CLIMATE PROTECTION DIVISION
H. HILKEN, DIRECTOR

Local Government Climate Planning Support

Staff participated in meetings with local government climate staff and facilitated information-sharing in order to support local climate action planning and to identify and discuss synergies between Air District and local climate work, including:

- Sent out monthly issues of the Local Government Climate Newsletter to local government climate and sustainability staff across the Bay Area, announcing Air District and other funding programs, webinars and reports (<https://www.baaqmd.gov/plans-and-climate/climate-protection/local-government-support>).
- Reviewed the City of San Carlos' Draft Climate Mitigation and Adaptation Plan and provided feedback to San Carlos staff.
- Participating in the City of Cupertino's stakeholder workshop on their Climate Action Plan update process.
- Met with Napa County staff to discuss the first steps in launching the County's coordinated climate action planning effort, funded by the Air District.
- Met with San Francisco Department of Energy staff to discuss methods for calculating GHG emission reductions due to replacement of compressors and refrigerants in local commercial business refrigeration systems.
- Met with City of Hayward staff to discuss the City's consideration of opting up to the East Bay Community Energy all-renewable Renewable 100 product as the new default product for all city-wide electricity accounts (the City did opt up to Renewable 100).

GHG Reduction Activities

Staff finalized the final grant report from Daily Acts for the *Eco2School Youth Leadership Development Project*. Through this project, Daily Acts has convened over 50 events, student leadership trainings and activities at high schools in Sonoma County to develop student sustainability leaders. One element of the program was the Green Heart Community Design Challenge, in which students proposed strategies to mitigate an environmental problem in their community and develop a usable design solution. The Design Challenge Showcase (<https://dailyacts.org/green-heart-community-design-challenge-showcase/>) features short videos of the youth designers and their projects submitted in the challenge. Design concepts include a

community bike repair stand, instructions for creating personal renewable energy kits, and a community cooling shelter,

Staff organized and hosted a three-part webinar series for local government staff on building decarbonization, titled “Addressing Public Needs by Rethinking Buildings.” (<https://www.baaqmd.gov/plans-and-climate/climate-protection/local-government-support>). The webinars included speakers from Bay Area local governments, community choice energy programs and state agencies, and some featured Climate Protection Grant projects. The three webinar themes were:

- *Addressing Public Needs by Rethinking Buildings;*
- *Equity in Existing Building Decarbonization;* and
- *Electrifying Rebuilds After Wildfires.*

Staff continued gathering information and meeting with key stakeholders to discuss options for low-carbon technology alternatives to diesel back-up power at data centers, including meetings with: Facebook staff to learn about their operations in the Bay Area in pursuit of cleaner backup generator alternatives at their facilities; South Coast AQMD to discuss use of renewable diesel in backup generators, and to learn about the SCAQMD work to explore potential rulemaking that would mandate use of renewable diesel at older backup generators; and Enchanted Rock to discuss their back-up natural gas engine generators at the forthcoming Microsoft data center in San Jose.

Staff convened a kick-off meeting of the Appliance Recycling Program with contractor ARCA Recycling, who will be recovering and completely recycling large appliances such as refrigerators, reducing the emission of fluorinated gases that are included in appliance lines and foams. This project scales up a successful Climate Protection Grant Project that was piloted in Palo Alto.

Staff convened a series of six focus groups with local government planning and climate staff, housing advocates and builders, non-profits, and other CEQA practitioners from all counties in the region, presenting on the current approach to updating the CEQA greenhouse gas (GHG) thresholds of significance and solicited feedback from focus group participants. Staff participated in a CAPCOA Planning Managers discussion about CEQA GHG Thresholds and provided CAPCOA members with a preview of Air District staff GHG CEQA threshold proposal.

Staff participated in the multiple meetings as part of MTC/ABAG’s development of Plan Bay Area 2050. Staff attended the Implementation Plan Stakeholder workshop and participated in numerous meetings with MTC/ABAG staff to discuss the air quality and GHG components of the Plan Bay Area environmental impact report and on implementation of Plan Bay Area 2050 strategies of mutual interest.

Staff attended multiple workshops on CARB’s update to the Climate Change Scoping Plan, including workshops on short-lived climate pollutants, the energy sector, the transportation sector, carbon dioxide removal and development of the technical scenarios. Staff attended several meetings of CARB’s Environmental Justice Advisory Committee. Staff conducted regular monthly check-in meetings with staff of CARB’s Community Action Branch to discuss common planning efforts, including development of the next Scoping Plan update, CEQA GHG thresholds, and building decarbonization.

Staff is co-author of several papers in the process of publication:

- “Methane emissions from a California landfill: comparative assessment of experimental and modeling approaches,” submitted to *Environmental Science & Technology* by scientists at Cal Poly San Luis Obispo, based results from studies in 2018 at Potrero Hills Landfill, on which Air District staff collaborated; and
- “Improved methane emission estimates using AVIRIS-NG and an Airborne Doppler Wind LIDAR,” accepted to the journal *Remote Sensing of Environment*, in collaboration with scientists at the NASA Jet Propulsion Laboratory.

Staff presented a brownbag webinar to Air District staff on the Summary for Policymakers of the IPCC AR6 report by Working Group 1: The Physical Science Basis. Staff participated in a Roundtable discussion on The Future of Climate Change and Lung Health hosted by the online news organization Axios.

CEQA Program

During the third quarter of 2021, staff tracked 617 projects, reviewed 13 projects, and commented on the following ten (10) projects: California Energy Commission Great Oaks South Backup Generating Facility Draft Environmental Impact Report; California Energy Commission Gilroy Data Center Notice of Preparation; California Energy Commission Lafayette Data Center Notice of Preparation; California Energy Commission CA3 Data Center Notice of Preparation; City of Santa Clara Memorex Data Center Draft Environmental Impact Report; City of Oakland Prologis Operational Air Quality Plan for Custom Goods at the former Oakland Army Base; Contra Costa County Scannell Properties Draft Environmental Impact Report; City College of San Francisco Evans Center Renovation and Aircraft Maintenance Technology Program Relocation Initial Study/Mitigated Negative Declaration; Contra Costa County Phillips 66 Rodeo Renewed Project and Martinez Refinery Renewable Fuels Project Administrative Draft Environmental Impact Reports. Staff also responded to 16 Stationary Source Information Requests and a variety of requests for technical assistance.

Staff continued working in partnership with Climate Protection staff on the update the CEQA Thresholds of Significance for Greenhouse Gasses (GHGs) and the CEQA Guidelines. Staff continue working collaboratively with the consultant support team from Ascent and Legal staff to finalize a draft proposed justification for GHG Thresholds of Significance. Staff prepared and held a briefing for Executive staff on the proposed update and presented the update to the Mobile Source and Climate Impacts Committee. Staff continue working on updating the CEQA Guidelines, including drafting eight new chapters and a series of appendices. Staff continue working with the consultant support team to develop new, updated criteria air pollutant screening tables. Staff continue working closely with AIM staff on updated Health Risk Assessment (HRA) modeling guidance and began a project to update all HRA screening tools on a regular basis. Staff began planning a focus group for environmental justice community partner organizations to be held in November and briefed Executive staff on the approach and expected outcomes of the focus group. Staff began planning a public workshop to be held in December.

Community Health Protection (AB 617)

Staff continued collaborating on the overall AB 617 Program Plan for FY 2022 including meeting on a regular basis with staff from Meteorology and Measurement, Community Engagement, Assessment, Inventory and Modeling and the Executive Office, and supporting the development and delivery of a regional convening on the AB617 program and the proposed selection of East Oakland as the next AB 617 designated community.

West Oakland staff continue to plan and hold regular Core Team meeting and weekly meetings with the Co-leads, West Oakland Environmental Indicators (WOEIP), and project consultants. Staff continued meeting biweekly with City of Oakland staff to discuss coordination on the General Plan update, Environmental Justice element, and WOCAP implementation. Staff continue meeting with agency partners including the City of Oakland, the Bay Area Regional Collaborative, MTC/ABAG, and the Alameda County Transportation Authority to share updates and exchange ideas on implementation. Staff completed an analysis of freight trip generation in Oakland and developed policy recommendations for conditional use business permits and increased distances separating industrial and commercial uses from residential uses. Staff attended the Port of Oakland Turning Basins Widening Study Community Stakeholder Informational Meeting on the project feasible study.

Staff working on the Richmond-North Richmond-San Pablo Path to Clean Air project continued to hold regular Core Team meetings, plan, and hold biweekly Internal Path cross-divisional meetings, and continue to prepare for and hold a monthly meeting with Executive staff and a monthly meeting to update Director Gioia. Staff attend AIM/M&M's weekly Emissions Inventory and Technical Assessment meetings and continue to meet with the consultant MIG on the development of the Social Pinpoint mapping tool, a plan process graphic for the Path to Clean Air, and on GIS services and activities. Staff planned and held two additional internal key issues working sessions and worked with Community Engagement to review and complete a beta version of the Social Pinpoint tool and ultimately launch a final tool in September. Staff prepared for and participated in a Community Organizing Grants workshop with grantees and other Divisions. Staff prepared for and held a meeting with the Contra County Health Services Department on acquiring health data and began working in partnership with Department staff to discuss and agree on requested data. Staff helped to plan and hold regular meetings with the Steering Committee Co-chairs and plan and hold monthly Steering Committee Meetings. Staff planned and held an Ad Hoc Committee meeting on developing the CERP Vision and Principles and worked closely with the Co-chairs and Ad Hoc Committee members to draft, present to the Steering Committee, revise, and finalize the Vision and Principles.

East Oakland staff planned and held regular Core Team meetings and planned and held a briefing for Executive staff on progress made towards recommending the Board selects East Oakland as the next AB 617 CERP community. Staff continued to attend semi-regular meetings with Communities for a Better Environment (CBE) to discuss air monitoring, inventory, and modeling approaches as well as current and upcoming grant opportunities. Staff meeting with Strategic Incentives, Assessment Inventory, and Modeling, Measurement and Meteorology, Rules and Compliance and Enforcement staff to discuss existing and available data to support a community selection and background report recommending East Oakland develops a community emission reduction plan. Staff met with staff from the Alameda County Public Health Department, the City of Oakland, the City of San Leandro, and Alameda County Planning on the recommendation for East Oakland. Staff coordinated inter-Divisional content input, created a review draft, and

collected and responded to internal feedback on the community selection report and background report. Staff joined Community Engagement staff in a meeting with CBE to share the community selection report and background report and discuss the community's timeline for report review and feedback. Staff organized and worked with Compliance and Enforcement staff to present an overview of data for the communities of East Oakland, San Leandro, and Tri-Valley.

Staff partnered with Community Engagement staff to brief Executive staff on continued work with Bayview Hunters Point Community Advocates (BVHPCA). Staff continued to work with Community Engagement on logistics for a community-led Town Hall in September and worked to provide information to Executive staff to support their active participation in the event. Staff continue working with Tri-Valley Air quality Community Alliance (TVAQCA) on their community profile, providing additional review and data to support the project. Staff also continued working with Community Engagement to support the TVAQCA in a developing and delivering a potential workshop addressing climate change and air pollution.

Air Quality Planning

Staff continued working on local, regional, and statewide air quality planning. Staff continued meeting biweekly with Rules staff on amendments to Rules 2-1 and 2-5, attended the public workshops, and provided review comments on the draft amendments. Staff continued coordinating with Climate Protection staff on the review of the Plan Bay Area 2050 Draft Environmental Impact Report, Implementation Plan, and Equity Assessment. Staff attended meetings with MTC/ABAG staff to discuss next steps of the partnership on Plan Bay Area 2050, attended subregional Plan Bay Area 2050 virtual workshops, and helped organize and prepare Executive staff for meetings on Plan Bay Area 2050. Staff continue attending monthly CAPCOA Planning Managers meetings and the CAPCOA Land-Use Models working group meetings to discuss topics such as the California Air Resources Board's efforts to plan and coordinate with local Air Districts on future air quality activities and the launch of the updated version of CalEEMOD.

ASSESSMENT, INVENTORY, AND MODELING

P. MARTIEN, DIRECTOR

Emissions and Community Exposure Assessment

Under Assembly Bill (AB) 617 community assessment work, staff completed a community-scale emissions inventory and developed a preliminary, modeling-based exposure assessment to support the Richmond/North Richmond/San Pablo (R/NR/SP) Community Emissions Reduction Plan (CERP). Staff continued collaboration with the Metropolitan Transportation Commission (MTC) staff to archive and document selected datasets on the data management platform. Under the District's California Environmental Quality Act (CEQA) work, staff continued collaboration with the Planning and Climate Protection Division staff to update the CEQA modeling guidance and propose CEQA policy recommendations regarding analysis methods. Staff completed review of the administrative draft of the Phillips 66 Renewal Fuels Project. Staff participated in a panel with staff from the California Department of Transportation (Caltrans), the U.S. Environmental Protection Agency (EPA), and California Air Resources Board (CARB) and completed the review of a proposed research project for improving road dust emissions estimation.

To meet emissions reporting requirements under the California Emission Inventory Development and Reporting System (CEIDARS) and the new statewide Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants (CTR), staff completed compiling a draft version and a final version of the CEIDARS/CTR datasets for reporting year 2020 and delivered them to the California Air Resources Board (CARB). Staff collaborated with Engineering Division staff to review the air toxics emissions from permitted facilities and estimate fees under the California's Air Toxics "Hot Spots" program. Staff continued development of the District's base year emissions inventory, focusing on quality assurance and methodology documentation update with the use of RStudio and GitHub tools. Staff compiled and shared estimates of Bay Area lead emissions from aviation fuels. Staff reviewed emissions estimates for the Lehigh Southwest Cement facility to support further modeling analysis. Staff attended several webinars/workshops, including the Carbon Monitoring System webinar hosted by the National Aeronautics and Space Administration (NASA), a public workshop hosted by CARB to discuss revisions of the oil production greenhouse gas emissions estimator (OPGEE) model, a public workshop hosted by CARB on the emissions inventory updates to ocean-going vessels (OGVs) and cargo handling equipment (CHE).

Air Quality Modeling and Analysis

AB 617 activities continued to be a focus, with major modeling and analysis projects completed to support activities in the Richmond/North Richmond/San Pablo (R/NR/SP) community. Staff participated in meetings with Engineering Division to coordinate modeling activities for AB 617, based on Engineering's Rule 11-18 air toxics model runs in R/NR/SP. During this period, staff completed all community-scale modeling runs for on-road sources in R/NR/SP and performed quality assurance checks on model outputs. Staff engaged in AB 617-related work for other communities as well. Staff held internal meetings to discuss an East Oakland workplan; staff held meetings with CARB to discuss emission inventory issues related to AB 617 communities, such as transitioning to EMFAC2021 (CARB's Emission Factors model); and staff participated in meetings with Communities for a Better Environment to discuss air quality issues in East Oakland. Staff updated gridded criteria and air toxics inventories for the East Oakland and San Leandro AB 617 communities based on revised toxic speciation files from CARB. Staff subsequently prepared files mapping permitted facility locations in East Oakland and San Leandro and shared these maps internally. Staff prepared emissions inventory-related material for the East Oakland AB 617 designation report. At the request of the Planning Section, staff reviewed the East Oakland Selection report and a community profile for the Tri-Valley AB 617 community and provided feedback on emissions-related information in these documents.

Staff continued investigating the impact of residential natural gas combustion emissions in the Bay Area by conducting regional air quality model sensitivity simulations to evaluate impacts from Bay Area residential natural gas combustion. Staff participated in a meeting with the Meteorology & Measurement Division to discuss selected on-going regional modeling studies. Staff assisted rule development efforts for Rules 2-1 and 2-5 by sharing literature reviews, reviewing documentation, and participating in related meetings and public workshops. For an ongoing woodsmoke evaluation project, staff received updated estimates of regional woodboring emissions from consultant Baseline Environmental, reviewed and summarized updated emissions, generated model-ready emissions inputs, and performed modeling sensitivity simulations. Staff participated in a meeting with Dr. Bart Ostro and Dr Heather Kuiper, working on a State Community Air Grant on the Assessment of Coal and Petcoke Project in Richmond, to advise them on the District's application

of the US EPA’s Benefits Mapping and Assessment Program (BenMAP). Staff processed local airport meteorological data and uploaded them into the District’s data management system database. Staff completed several public records request for meteorological data.

**RULES & STRATEGIC POLICY DIVISION
E. YURA, DIRECTOR**

Definition of Refinery:

Status / Next Milestones:

- Set a Public Hearing – October 6, 2021
- Public Hearing for Board consideration of proposed regulatory language – November 3, 2021

Background: Air District staff are looking to revise the definition of “refinery” and other terms associated with “petroleum” in all Air District rules to ensure that refineries transitioning from the use of petroleum to renewable fuels remain subject to current Air District requirements. Engineering and Compliance & Enforcement Staff analyzed these proposed changes and how best to modify definitions to ensure that permitted sources continue to be subject to appropriate controls.

Discussion / Key Updates: The regulatory development timeline is in consideration of amended permit applications for modified operations at two facilities to ensure that statutory deadlines are met. Compliance and Enforcement staff provided an update to the Stationary Source and Climate Impacts Committee on July 19, 2021. Proposed regulatory language was published September 20, 2021, and public comments are requested by October 11, 2021. Response to comments received will be included with the proposal to the Board of Directors for consideration at a public hearing November 3, 2021.

Visit this webpage for more information: <https://www.baaqmd.gov/rules-and-compliance/rule-development/refinery-rules-definitions>.

Amendments to Regulation 2: Permits (Rules 2-1 and 2-5):

Status / Next Milestones:

- Developing Proposed Rule Amendments, anticipated Board Hearing date December 15, 2021

Background: Staff is developing proposed changes to the permitting rules to provide greater health protection from new and modified sources of air pollution, particularly in communities that are overburdened by air pollution and other public health stressors. In response to concerns from community advocates, staff has met with community and public health advocacy organizations in the following areas to hear their feedback how to amend the permitting rules: the Carquinez Strait region (Vallejo and Rodeo), Suisun Bay region (Pittsburg), Eastern San Francisco (Bayview-Hunters Point), East Oakland, the South Bay region (Santa Clara County), the North Bay region, and the Tri-Valley region. Staff intends to incorporate feedback from advocacy organizations into the potential amendments to the permitting rules.

Discussion / Key Updates: On August 24, 2021, the Air District hosted a virtual public workshop on draft rule amendments to Rule 2-1 (General Permitting Requirements) and Rule 2-5 (New Source Review of Toxic Air Contaminants). During the workshop, staff described the following draft changes, which are based on internal and external comments on how to make the permitting rules more equitable and health protective:

- (1) Utilize CalEnviroScreen to delineate areas that experience high levels of environmental pollution and health burdens, referred to as “Overburdened Communities.”
- (2) In Overburdened Communities, make the cancer risk limit more stringent to increase the health protectiveness of the permitting program.
- (3) To increase transparency, require notification of surrounding addresses if a health risk assessment is necessary for a project in an Overburdened Community.
- (4) Update the Air District’s Health Risk Assessment Guidelines with more health protective procedures for assessing health risk from projects at gasoline dispensing facilities. Also update the Toxic Air Contaminant Trigger Levels in Table 2-5-1.
- (5) Seek feedback on a potential change to health risk assessment procedures for emergency backup engine operations.
- (6) Update language in the rule as necessary to improve clarity and prevent circumvention of rule requirements.

The draft rule changes are based upon those discussed during the May 12, 2021, public workshop on proposed concepts to amend the permitting rules. Staff provided an update to the Stationary Source and Climate Impacts Committee on May 17, 2021, on the feedback received during the concepts workshop. Staff also updated the Community Equity, Health and Justice Committee on July 1, 2021. On September 27, 2021, staff presented to the Stationary Source and Climate Impacts Committee on the feedback received on the draft language and provided the Committee with an overview of the proposed amendments that are described in this Staff Report.

Staff is continuing outreach to community stakeholders and industry representatives during the ongoing evaluation and development of amendments to improve the Air District’s permitting processes. Staff anticipates presenting proposed amendments in a final proposal at a Board Hearing at the end of this year.

Visit this webpage for more information: <https://www.baaqmd.gov/reg-2-permits>.

Rule 13-5: Refinery Hydrogen Plants:

Status / Next Milestones:

- Proposed amendments – November 2021

Background: Hydrogen gas releases from petroleum refinery hydrogen plant operations and from naphtha reforming operations sometimes include methane and other organic gases. Currently, methane emissions are exempt from most Air District regulations because methane emissions do not contribute to ozone formation. As a result, the Air District has no regulatory basis for requiring facilities to control methane emissions from these operations. Now that the Air District is addressing methane emissions, a powerful climate pollutant, staff is developing a rule to control methane emissions from hydrogen plants, one of the largest industrial sources of methane in the Bay Area.

Discussion / Key Updates: Most recently, staff provided an update on this rule development effort to the Stationary Source Climates Impacts Committee on September 27, 2021. One area of concern raised was the potential for the use of flares as a means of compliance. Staff has also engaged stakeholders on alternative methods to comply with the draft rule, ways to avoid building new flares, and environmental impacts associated with potential new flares. Staff is evaluating the proposed alternative compliance methods to determine if the draft rule could be revised to accommodate these proposals.

In developing Rule 13-5: Refinery Hydrogen Plants, staff first held a public workshop in January 2020. Based on comments received on the draft rule and additional research, staff revised the draft rule significantly and in October 2020, staff posted a revised version of the rule on the Air District's web page. One of the things that arose during staff analysis of this sector was that one of the abatement methods, a hydrogen flare, may emit of oxides of nitrogen and volatile organic compounds in quantities that could potentially exceed that Air District's California Environmental Quality Act (CEQA) threshold. Because of this, staff is undertaking a thorough environmental analysis to determine if an Environmental Impact Report would be required under CEQA for this rule development effort. On June 30, a Notice of Preparation and Initial Study (NOP/IS) was posted to the Air District Rule 13-5 webpage. Staff held a scoping meeting on July 27, 2021 to solicit public comment regarding the scope and content of the environmental information to be included in the Draft Environmental Impact Report. Staff also released revised draft rule language based on stakeholder comments from the October version of the draft rule, and updated the Stationary Source and Climate Impacts Committee on rule development activities for Rule 13-5 on July 19, 2021. The deadline for comments on both the environmental analysis discussed in the NOP/IS as well as any comments on the draft rule language was July 30, 2021. Staff intends to propose Rule 13-5 to the Board of Directors for consideration in February of next year.

Visit this webpage for more information: <https://www.baaqmd.gov/rules-and-compliance/rules/reg-13-rule-5-petroleum-refinery-hydrogen-plants>.

Amendments to Rules 9-4 and 9-6: Residential and Commercial Appliances:

Status / Next Milestones:

- Public Workshop – October 7th, 2021
- Stationary Source and Climate Impacts Committee – October 18th, 2021

Background: Staff is assessing potential rule development efforts to further reduce oxides of nitrogen (NOx) emissions from residential appliances. These sources are addressed by Rules 9-4: Residential Furnaces and 9-6: Gas-Fired Water Heaters. The current rulemaking approach would be to match ultra-low oxides of nitrogen standards currently required by South Coast Air Quality Management District and San Joaquin Valley Unified Air Pollution Control District, as well as determining a path to regulation of natural gas installation for new construction. Staff is also considering introducing a zero or near-zero emission standard for oxides of nitrogen as that can be met by some equipment currently available on the market. Because conversion to these appliances may require changes to homes electrical service, staff is developing an equity analysis to ensure the cost impacts to consumers, especially low-income consumers, are fully understood and means to mitigate those impacts are explored and considered.

Discussion / Key Updates: Staff presented initial source information to the Climate Protection Committee in November 2020 and presented rule development concepts to the Stationary Source and Climate Impacts Committee on April 19, 2021. The Board and public both expressed general support for staff’s proposed concepts and emphasized the need for swift action in this space but also noted the importance of balancing complicating factors, such as equity and the availability of funding mechanisms for incentives and subsidies. Staff held a kick-off meeting for an external working group on May 26, 2021, and subsequent meetings meeting specific to water and space heating technical issues on June 23, 2021 and July 9, 2021. On July 21, 2021, the stakeholder working group met to discuss pathways to ensuring equitable processes and outcomes for this effort. Staff met with a wide spectrum of stakeholders and will continue to meet with this group throughout the remainder of 2021. Staff intends to bring these amendments to the Board of Directors for consideration in the first quarter of 2022.

Amendments to Rule 8-8: Petroleum Wastewater Treating (AB 617 BARCT Schedule):

Status / Next Milestones:

- Stationary Source and Climate Impacts Committee – Q4 2021

Background: Regulation 8: Organic Compounds, Rule 8: Wastewater Collection and Separation Systems (Rule 8-8) was selected as one of the six high-priority rule development projects in the AB 617 Expedited BARCT Implementation Schedule based on high emissions of volatile organic compounds per year, based on the Air District’s emissions inventory. Air District staff conducted early stakeholder outreach on this rule development effort in meetings of the Refinery Rules Technical Working Group in 2020.

Discussion / Key Updates: Currently, staff is working on amending Rule 8-8 only focusing on reducing the front-end emissions related to collection and separation systems. The secondary or back-end emissions and potential emission reductions are at this time poorly understood and need to be better characterized. Staff focused on characterizing emissions from petroleum refinery wastewater treatment plants as part of the Air District’s internal Organics Emission Estimation Project. The knowledge assessment phase of this process was completed in March 2021, and staff is currently working on identifying potential monitoring, sampling, and modeling efforts to better characterize and quantify these emissions.

A more in-depth stakeholder engagement effort is anticipated in early 2022. Staff is tentatively scheduled to present this rule to the Board of Directors in the second quarter of 2022.

Visit this webpage for more information: <https://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule>.

Amendments to Rule 8-5: Organic Liquid Storage Tanks (AB 617 BARCT Schedule):

Status / Next Milestones:

- Stationary Source and Climates Impact Committee—Q1 2022

Background: Regulation 8: Organic Compounds, Rule 5: Storage of Organic Liquids (Rule 8-5) was selected as one of the six high-priority rule development projects in the AB 617 BARCT Schedule because stored organic liquids are estimated to emit over 400 tons of volatile organic compounds per year and emit toxic air contaminants, such as benzene, toluene, ethylbenzene, and xylene. Storage tank designs used for organic liquid storage vessels include fixed roof tank (vertical and horizontal), external floating roof tank, domed external (or covered) floating roof tank, internal floating roof tank, variable vapor space tank, and pressure tanks (low and high).

Discussion / Key Updates: Staff is currently working to development amendments to Rule 8-5 that would further reduce emissions of organic compounds, including toxic emissions. Although staff initially anticipated bringing this rule before the Board of Directors by the end of 2021, additional technical analyses needed require more time than originally estimated. Therefore, staff is proposing to shift this rule timeline into 2022 but will in turn accelerate the timeline for Rule 13-5, which is closer to completion.

Visit this webpage for more information: <https://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule>.

Rule 8-18: Refinery Heavy Liquids Leaks (AB 617 BARCT Schedule):

Status / Next Milestones:

- Stationary Source and Climate Impacts Committee—Q4 2021

Background: This rule development project would address emissions of reactive organic gases (ROG) from petroleum refineries, chemical plants, bulk terminals and bulk plants, and other facilities that store, transport, and use organic liquids. Amendments to Regulation 8, Rule 18: Equipment Leaks (Rule 8-18) in December 2015 addressed equipment that service heavy liquids at these sources, but those amendments have not yet been fully implemented due to uncertainty regarding proper emissions factors for heavy liquid fugitive emissions. Air District staff coordinated with each of the five Bay Area refineries to conduct a Heavy Liquid Leak Study. These studies are designed to determine appropriate emission factors for heavy liquid leaks. The results of these studies are currently being finalized.

Discussion / Key Updates: Staff recommends using results of the Heavy Liquid Leak Study to amend Rule 8-18 and address the current issues with the 2015 amendments. Any recommended and implemented requirements to address reactive organic compound emissions from these sources are also anticipated to reduce toxic air contaminant (TAC) emissions. Once the results of the heavy liquids study are finalized, the results will be used to complete rulemaking for emissions of organics from equipment that service heavy liquid. Staff anticipates updating the Stationary Source and Climate Impacts Committee in the fourth quarter of 2021 and presenting this effort at a Board Hearing in the second quarter of 2022.

Visit this webpage for more information: <https://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule>.

Amendments to Rule 9-13: Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing (AB 617 BARCT Schedule):

Status / Next Milestones:

- Active rule development currently on hold pending data gathering efforts, including determining the impacts of the Consent Decree.

Background: Potential emissions reductions from Cement Manufacturing were identified as part of the AB 617 Expedited BARCT Implementation Schedule. In the Rule Development Project Scope, staff estimated that application of BARCT may result in emissions reductions of particulate matter (PM) and sulfur dioxide (SO₂). Emissions of oxides of nitrogen (NO_x), and reactive organic gases (ROG) were addressed by the 2012 adoption of Regulation 9, Rule 13, so rulemaking for those emissions was not anticipated. Regulation 9, Rule 13 also addressed emissions of PM but specified the use of accepted source test methods at the time which only account for filterable particulate matter. Source test methodology adopted by US Environmental Protection Agency (US EPA) in 2016 now allows for measurement of condensable particulate matter through use of dry impingement.

The Lehigh Cement Company LLC (Lehigh) facility in Cupertino is the only Portland cement manufacturing facility currently operating within Air District jurisdiction and is thereby the only facility subject to the requirements of Rule 9-13. On Nov 18th of 2020, a consent decree (CD) was entered into federal Court between Lehigh Cement Company and US EPA, the Air District, and other environmental jurisdictions throughout the United States. This CD compels Lehigh to implement modifications for enhanced control of NO_x and SO₂ emissions at several facilities including the kiln in Cupertino. The CD requires Lehigh to enter into a “test and set” procedure to establish the lowest achievable SO₂ emission level for the Cupertino kiln. The “test and set” process may take between two and three years and includes time for preparation, submittal and approval of a design and optimization plan, optimization report, and demonstration report, along with a period to design and install equipment and operational modifications, an optimization period, and a demonstration period. Review and approval periods for US EPA are not set and there may be extensions due to non-operation of the kiln, required permitting, or other reasons.

Discussion / Key Updates: Staff will coordinate with Lehigh Cupertino to conduct a series of source tests during the demonstration period as proscribed in the consent decree to measure and characterize the back half (condensable fraction) particulate matter, along with oxides of nitrogen, sulfur dioxide, total organic compounds, and Ammonia (measurements for these emissions may be corroborated by continuous emissions monitoring systems). Staff will evaluate the effectiveness of the consent decree in reducing particulate matter emissions and will determine if additional rulemaking is needed to ensure adequate control of this pollutant.

Amendments to Rule 9-14: Coke Calcining Operations (AB 617 BARCT Schedule):

Status / Next Milestones:

- Awaiting the decisions of Phillip 66 regarding the shutting down of the Carbon Plant—Q4 2021

Background: This rule limits sulfur dioxide emissions from coke calcining kilns; of which there is only one in the Air District operated by Phillip 66. The amendments to Rule 9-14 would address oxide of nitrogen emissions from the coke calciner. However, Phillip 66 has announced that it will convert to a renewable fuels production operation.

Discussion / Key Updates: This announcement leaves in doubt the future of the coke calciner. Staff believes there are three potential outcomes: 1) With the conversion of Phillip 66 to renewable fuels production, the refinery could shut down the operation of the coke calciner; 2) Phillip 66 could continue operation of the calciner by accepting and processing green coke from another source; or 3) Phillip 66 could resume petroleum refining and continue operations of the coke calciner. Until one of the above outcomes is decided upon, the impacts of coke plant operation remain unknown. Staff will continue to track the status of the coke calciner and will be evaluating potential paths forward later this year.

Visit this webpage for more information: <https://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule>.

Particulate Matter (PM) Reduction Efforts:

Status / Next Milestones:

- PM Planning efforts underway.

Background: The Air District's Advisory Council convened a conference series on undifferentiated particulate matter, with a focus on fine (PM_{<2.5}) particulate matter. This series included presentations and discussions among nationally recognized scientists, health professionals, industry, community members, and the Air District, identifying the most effective measures to further protect public health. The symposia highlighted this public health challenge, as well as information and tools to inform future policy decisions. The first symposium took place on October 28, 2019, and covered topics on particulate matter health effects and particulate matter exposure and risk. In February 2020, staff also participated in a Particulate Matter Community Summit held in Richmond, California. The Summit was co-organized by representatives from 350 Bay Area, 350 Marin, All Positives Possible, California Climate Health Now, New Voices Are Rising, the Sunflower Alliance, and Vallejo Citizen Air Monitoring Network, and highlighted Air District's efforts to better assess the impacts of particulate matter, current rule development efforts to reduce particulate matter emissions and exposure, and policy concepts for further addressing particulate matter and reducing the public's exposure. Approximately 30 people attended, sharing a meal in addition to expressing their concerns regarding particulate matter, its sources, and its health effects. Staff also presented information to the Advisory Council during a technical policy discussion in May 2020.

At a joint meeting with the Air District Board of Directors in December 2020, the Advisory Council presented its Particulate Matter Reduction Strategy Report, which included findings, a framework for evaluation reduction strategies, and recommendations.

Discussion / Key Updates: Staff has met with community stakeholders in Bayview Hunters Point (San Francisco), including touring large aggregate facilities and construction sites. Staff took the opportunity to document community concerns surrounding PM and witness PM-related activity that may impact community health.

Staff is currently investigating ways to further reduce particulate matter emissions that are consistent with the Air District's authority under that California Health and Safety Code, including potential measures to further reduce emissions and public exposure from particulate matter sources, such as restaurants and concrete batch plants.

The Air District has also established a Policy-focused PM Internal Working Group (IWG) to collaborate with the PM Design Team (consisting of representatives from community groups) on Air District PM reduction efforts. Rule Development staff are currently mapping PM-related rule developing activities and reviewing a potential PM reduction Resolution for the Board of Director's consideration.

COMMUNITY ENGAGEMENT DIVISION
S. PEESAPATI, ENVIRONMENTAL JUSTICE DIRECTOR

Community Engagement and Outreach Programs

AB 617 Community Health Protection Program

- **Monday, September 27, and Wednesday, September 29** - Staff attended the Statewide AB 617 Convening
- **Thursday, September 9** – Staff met with Communities for a Better Environment in East Oakland to discuss the draft reports to support the recommendation of East Oakland.
- **Thursday, August 26 and Friday, August 27** – Staff met with Communities for a Better Environment in East Oakland to discuss their draft MSA contract.
- **Friday, August 13** - Staff met with WOEIP to debrief the AB 617 workshop and to listen to feedback to bring back to the organization.
- **Thursday, August 12** – Staff co-convened with other Divisions and facilitated an AB 617 workshop about the recommendation to nominate East Oakland as the next CERP community, share out a new approach to AB 617 and listen to workshop participants about their needs and feedback on the AB 617 program.
- **Tuesday, August 3** – Staff met with Communities for a Better Environment about their air quality concerns and air monitoring and to discuss their draft MSA contract and the upcoming AB 617 workshop.
- **Week of July 30** – Staff worked with Communications and members of AB 617 Community Steering Committees to film short clips for a video montage to be showcased at the August 12 Community Workshop
- **Friday, July 30** – Staff met with New Voices are Rising about the upcoming AB 617 workshop and to request a youth leader from East Oakland to speak about nomination of the next community
- **Tuesday, July 13, and Friday, July 16** – Staff met with Communities for a Better Environment to discuss their interest in the CERP process.

West Oakland AB 617

- Staff continue to meet with our West Oakland Co-Leads (WOEIP) on a weekly basis to discuss next steps for implementation of the Community Action Plan and design the following month's Steering Committee meeting.
- **Wednesday, September 29 – Health Equity Advisory Committee Meeting** – The new forum taking the place of our Health and Living Buffer Subcommittee met to discuss topics centered on emission reduction and public health.
- **Wednesday, September 1 – WOCAP Steering Committee Meeting:** WO EIP and the Air District provided updates on project realignment. Subcommittee Co-Chairs reported back on their August 2021 meetings. The meeting also featured an introduction to our new health focused committee
- **Wednesday, August 25 – WOCAP Land Use Subcommittee Meeting**
- **Tuesday, August 24 – WOCAP Port & Freight Subcommittee Meeting**
- **Friday, August 20** – staff met with WOEIP to discuss options for modifying the organizational structure of the Plan implementation process.
- **Wednesday, August 11** – staff met with WOEIP to discuss their contract and the consultants' contracts and next steps.
- **Thursday, July 29 – Co-Leads Retreat** - The Co-Leads and consultant team attended a 6-hour retreat at OakStop in Oakland. Our Deputy Executive Officer, Veronica Eady was in attendance as well. The meeting was held to solidify our realignment efforts taking place over the past several weeks.
- Staff met with our Co-Leads to plan a retreat on Thursday, July 8 and Tuesday, July 13
- Staff met with staff from Alameda County Public Health Department to discuss the status of a smoke free multi-unit housing policy, which is a strategy in the WOCAP.
- **Wednesday, July 8** – West Oakland AB 617 Steering Committee Meeting. The meeting featured an update from WO EIP and the Air District on the project realignment. Subcommittee Co-Chairs reported back on their June 2021 meetings. The meeting also featured a presentation from Land Use Subcommittee Co-Chairs Charles Reed and Alicia Parker on the Wood Street Unhoused Community Tour.
- **Friday, July 2 and Thursday July 8** - Staff met with WOEIP and consultants to plan a Co-Leads retreat.

Richmond/San Pablo AB 617

- **Tuesday, September 21 - Monitoring Outreach Team (MOT) Meeting #12** – Four members of the Monitoring Outreach Team met with District staff to discuss the next quarterly report on air monitoring projects, outreach to community members, and alignment with the Richmond/North Richmond/San Pablo CERP process.
- **Monday, September 20 - Path to Clean Air Steering Committee meeting.** Air District and Co-chairs hosted the Steering Committee meeting to adopt the charter document and discuss the process to fill vacant seats and the community description. Staff continue to meet with the Steering Committee Co-chairs on a regular basis to plan and prepare for Steering Committee meetings and other related work.

- **Tuesday, September 7 – Community Organizing Grants Workshop** – staff hosted a three-and-a-half-hour workshop for the six community-based organizations which were awarded grants to organize in the Path to Clean Air study area. The workshop conducted trainings on the Air District Community Air Pollution Mapping platform, the AB 617 process, the grant reporting and administration process, and hosted a meet-and-greet with Air District staff.
- **Monday, September 13 – Prep with trainers for AB 617 staff training** – staff met with panelists for an upcoming Air District training on conflict resolution and understanding the root causes of conflict.
- **Friday, August 27** – Staff met with staff from Contra Costa Public Health Department to discuss the upcoming staff training.
- **Monday, August 23 – Monitoring Outreach Team (MOT) Meeting #11** – Four members of the Monitoring Outreach Team met with District staff to discuss air toxics monitoring, communications to community members, and next steps for the Richmond/North Richmond/San Pablo CERP process.
- **Monday, August 16 – Path to Clean Air Steering Committee meeting.** Air District staff hosted the fifth Steering Committee meeting, which focused on the development of Vision and Principles, the revision of the charter document, and a presentation on the Path to Clean Air Community Organizing grantees and Community Pollution and Asset Mapping platform.
- **Thursday, July 29 – Coffee Chat with CSC Members** – Staff facilitated three Virtual Coffee Chats with several Steering Committee members and staff from AIM, M&M, and Compliance and Enforcement. The chats allowed an informal space to get to know each other and learn about the work of the various divisions.
- **Monday, July 26 – Monitoring Outreach Team (MOT) Meeting #10** – Four members of the Monitoring Outreach Team met with District staff to discuss the team’s workplan and timeline, outreach efforts, and alignment with the Richmond/North Richmond/San Pablo CERP process.
- **Monday, July 19 – Path to Clean Air Steering Committee meeting** – Staff held the fourth Steering Committee meeting, which focused on the charter development and creating a Vision and Principles for the team.
- **Monday, June 28 – Monitoring Outreach Team (MOT) Meeting #9** – Four members of the MOT, all of whom were Monitoring Steering Committee members, met with District staff to discuss the next quarterly update on monitoring projects and outreach to the community. The group also discussed findings from a black carbon data analysis presented by an intern working on the Groundwork Richmond Air Rangers air monitoring project.
- Staff met with multiple community leaders, including Andres Soto, Linda Whitmore, and Oscar Garcia, to promote the community organizing grants.

Spare the Air Resource Teams

- **Wednesday, September 22 – San Mateo County Spare the Air Resource Team – The San Mateo County Spare the Air Resource Team** met via Zoom on Wednesday, September 22, 2021, at 1:00 pm. At the meeting, the Team discussed ideas for new projects and decided on future meeting schedule. The Team also reviewed the draft SHRM member survey.

- **Friday, September 17 – Sonoma County Spare the Air Resource Team – Sonoma County Spare the Air Resource Team** met via Zoom on Friday, September 17, 2021, at 10:30 am. At the meeting, the Team received updates on Idle Free Pledge outreach and results of the Bay Area Councils’ “Return to Work and Transit” survey. The Team also discussed linking emergency preparedness and commuting and reviewed a document shared by the SF Spare the Air Resource Team.
- **Thursday, August 19 – Southern Alameda County Spare the Air Team – The Southern Alameda County Spare the Air Team** met via Zoom on Thursday, August 19, 2021, at 1:00 pm. This was the first meeting of the new program/fiscal year. At the meeting, the Team discussed potential projects for the year.
- **Thursday, August 19 – Contra Costa County Spare the Air Team – The Contra Costa County Spare the Air Team** met via Zoom on Thursday, August 19, 2021, at 11:00 am. This was the first meeting of the new program/fiscal year. At the meeting, the Team discussed potential projects for the year.
- **Wednesday, August 18 – San Mateo County Spare the Air Team – The San Mateo County Spare the Air Team** met via Zoom on Wednesday, August 18, 2021, at 1:00 pm. This was the first meeting of the new program/fiscal year. At the meeting, the Team discussed potential projects for the year.
- **Thursday, August 12 – Tri-Valley Spare the Air Team – The Tri-Valley Spare the Air Team** met via Zoom on Thursday, August 12, 2021, at 1:00 pm. The meeting included a roundup of transit agency updates, commute surveys conducted recently and TDM tools for employers. The meeting also included a new project discussion is focused around 1) helping employers message safe RTW commute options to their employees, 2) helping employers understand how to provide equitable commute programs and 3) messaging direct to commuters: how commute alternatives help preserve Quality of Life.
- **Wednesday, August 11 – Santa Clara County Spare the Air Team – The Santa Clara County Spare the Air Team** met via Zoom on Wednesday, August 11, 2021, at 10:00 am. At the meeting, the Team discussed specific steps that employers are taking to encourage non-SOV commuting upon return-to-worksite. The Team also received a quick update from the Bike Pool Committee.
- **Friday, July 23 – Napa Valley Clean Air Coalition – The Napa Valley Clean Air Coalition** met via Zoom on Friday, July 23, 2021, at 1:00 pm. This was the first meeting of the new program/fiscal year. At the meeting, the Team continued working on their promotion of Idle Free Bay Area and an Idle Free pledge incentive, which includes hanging a street banner.
- **Friday, July 16 – Sonoma County Spare the Air Team – The Sonoma County Spare the Air Team** met via Zoom on Friday, July 16, 2021, at 10:30 am. At the meeting, the Team continued developing a plan to support Resilient 37 and other commute SOV/VMT reduction efforts in the county.
- **Thursday, July 15 – Tri-Valley Spare the Air Team – The Tri-Valley Spare the Air Team** met via Zoom on Thursday, July 15, 2021, at 1:00 pm. At the meeting, the Team reviewed their inventory of promotional collateral and began brainstorming ideas for new projects. The Team also received an update on the status of the Best Workplaces for Commuters Giveaway of memberships. \

- **Friday, August 27 – Napa Valley Clean Air Coalition – Napa Valley Clean Air Coalition** met via Zoom on Friday, August 27, 2021, at 1:00 pm. At the meeting, the Coalition discussed an outreach opportunity to support the third Drive/Bike Electric event that Regeneration Napa County and the Napa Sierra Club are hosting in Napa on September 26. The Coalition also continued discussing potential projects for the year.
- **Wednesday, July 14 – San Francisco Spare the Air Team – The San Francisco Spare the Air Team** met via Zoom on Wednesday, July 14, 2021, at 1:00 pm. At the meeting, the Team received an update from John Knox White of SFMTA. The Team also reviewed its budget and began discussing new projects, including a potential collaboration with SF Transit Riders.

Community Grant Program

- **Thursday, September 16 – Application Assistance Webinar for the James Cary Smith Community Grant Program** – Staff and technical assistance providers offered the second of two webinars to provide information about the grant program, and receive questions from the public. This webinar focused on tips and tricks for prospective applicants interested in learning more about grant application procedures.
- **Tuesday, August 31 – Informational Webinar for the James Cary Smith Community Grant Program** – Staff offered the first of two webinars to provide information about the grant program, and receive questions from the public. Twenty-three individuals from various communities in the Bay Area attended the webinar.
- **Wednesday, August 25 – Launch of the FY2021/2022 James Cary Smith Community Grant Program** – Staff opened the application period for the refocused James Cary Smith Grant Program. \$750,000 is available for nonprofit organizations to design and implement strategies that foster authentic community participation in planning activities that improve a community’s environmental health. Application assistance is available in five languages. Applications are due by 5 p.m. Pacific Time on October 1, 2021.
- **Monday, July 26 – James Cary Smith Community Grant Program** – A recipient of a 2018 James Cary Smith grant from the Air District, Vallejo Citizen Air Monitoring Network, submitted a final report and deliverables for their air quality education and engagement project. The grantee is located in Solano County, and funded activities included working with community members and the Bay Air Center on installation of 25 low-cost air sensors to better understand local air quality variation, and community outreach around air quality education in Vallejo. The project experienced delays due to COVID and other challenges, but the grantee was ultimately able to meet the target goals.
- **Thursday, July 15 – School Community Grants** – A recipient of a 2019 School Community Grant from the Air District, Roseland University Prep, submitted a final report and deliverables for their funded project. The grantee is located in Sonoma County, and the funded activities included creation of a radio advertisement to make the community aware of climate change and how to mitigate the effects, working with after-school students to teach them about recycling and climate change, and creation of a climate change education mural at the school.



Photo: Roseland University Prep students painting a mural which they designed. The mural was funded by a School Community Grant from the Air District.

Community Health Protection Grant Program

- **Thursday, July 8 – Community Health Protection Grant Program** – Staff attended the International Children’s Assistance Network’s (ICAN) Community Forum on Air Quality to present information on the Air District’s programs and activities.

Training

- **Friday, September 17 – Agile Program Management Workshop** – Staff attended the Air District Agile Workshop to learn and apply Agile project management tools.
- **Tuesday, September 7 and Wednesday, September 15 - Bravely Lead Workshops** – Staff from the Community Engagement Office and Planning Division participated in workshops with Stephani Roy McCallum of Bravely Lead to discuss building a connected and strengthened internal team.
- **Friday, September 3 – Agile Program Management Workshop** – Staff attended the Air District Agile Workshop to learn and apply Agile project management tools.
- **Friday, August 20** - Staff participated in the fourth training of an internal Agile Management Workshop Series, designed to develop project management skills.
- **July 29 & 30 – Social Intelligence of Facilitators** – Three staff members participated in a two-part virtual facilitation training offered by IAP2.
- **Friday, July 23** - Staff participated in the third training of an internal Agile Management Workshop Series, designed to develop project management skills.

Other

- **Monday, September 13 BVHP Town Hall** – Community Engagement and Planning staff coordinated and planned with the Bayview Hunters Point Community Advocates to host a Town Hall meeting. Air District executive staff attended and answered questions asked by community members in attendance.

- **Friday, September 3 – Bay Air Center meeting with Councilmember Cecilia Taylor** – Staff joined colleagues from M&M for an alignment meeting with Councilmember Taylor of Belle Haven to better understand how the Bay Air Center can support the community’s goals to advocate for clean air.
- **Tuesday, August 31 – DTSC Quarterly Public Forum** – Staff attended the DTSC Quarterly Public Forum to learn more about their programs and activities and hear public questions and perspective that are shared with DTSC leadership and staff.
- **Tuesday, August 24 – Workshop on Draft Amendments to Permitting Rules** – Staff attended and helped moderate a workshop on the Air District’s Draft Amendments to the Permitting Rules (2-1 & 2-5). Attendees learned about amendments to the two rules and were able to ask questions and provide feedback.
- **Tuesday, August 24 – Meeting with Councilmember Cecilia Taylor** – Staff participated in a meeting with Councilmember Taylor to learn about how the Bay Air Center can support the Belle Haven community as well as discuss health data and air filters for high needs seniors in the community. The community would like to learn about current air quality and public health conditions to advocate for policies.
- **Thursday, August 19 - Pollution and Prejudice webinar.** Staff will be presenting at the Air District-sponsored webinar focused on environmental justice, featuring Veronica Eady.
- **Tuesday, August 16 - Dry run for Pollution and Prejudice webinar.** Staff hosted EJ leaders who will be presenting at the Air District-sponsored webinar, walking them through the run-of-show and preparing them for Thursday’s presentation.
- Staff are contacting different EJ organizations across the state in coordination with Veronica Eady to be featured in the upcoming Pollution and Prejudice webinar on August 19.
- After much consideration Air District staff and leadership have decided to sunset the PM Design Team. This decision was informed and supported by the team members themselves. Staff are currently working with the business office to finalize the compensation payments to PM Design Team members for the past months of effort.

**OFFICE OF DIVERSITY, EQUITY, AND INCLUSION
TIM WILLIAMS**

In the third quarter of 2021, the Office of Diversity, Equity & Inclusion (Office) focused on five (5) functional areas; Board of Directors/Community Equity, Health and Justice Committee support, strategic planning, Human Resources strategies, training, and communications.

Board of Directors/Community Equity, Health and Justice Committee Support

In July, the Office participated in the Community Equity, Health, and Justice Committee’s meeting and presented an update to the Committee regarding the Air District Equity Workplan. Information included an update on the Air District’s selection of contractor, Global Community Advancement Center to assist in the creation of the workplan. In addition, information was shared regarding the Air District’s employee Equity Resource Team who will also assist in the plan creation.

The Office met Community Equity, Health and Justice (CEHJ) Committee Co-chairs Hurt and Jue, Sr. Deputy Executive Officer Eady, Deputy Nudd and members of the Community Engagement team to discuss next steps in the Community Advisory Council (CAC) selection process. Next steps included, but were not limited to, finalization of the CAC application, a timeline of the process execution dates, a communication strategy to inform potential candidates, and messaging for the CEHJ Committee. The CAC will consist of 15 community members from across the Bay Area. The overall process included initial application screenings including scoring, an interview round, and CEHJ and Board of Directors approval.

In August, the Office met with the Community Engagement Team to discuss the creation of a standardized stipend policy for community members who hold positions on Air District led committees and councils. Upon completion of the drafted document and Executive Officer approval, the Community Equity, Health and Justice Committee will weigh in before taking to the Board of Directors for discussion.

In September, the Office participated in the Technology Implementation Office’s (TIO) agenda review meeting for the TIO Steering Committee Meeting. During this meeting, TIO’s presentation focused on Climate Tech Finance with a Racial Equity Framework. Part of the framework consist of proper data collection, technical assistance, community relationship building, strategic planning, and establishing priorities with the community to advance racial equity.

DE&I Strategic Planning

For the third quarter 2021, the Office updated its demographic analysis report of all Air District employees by gender and race/ethnicity compared to the Bay Area working age adults ages 18-64. Below is a snapshot of the data within the report.

*Bay Area - ACS

Gender	
F	50%
M	50%

Air District

Gender - All Air District	
F	43%
M	57%

*Bay Area - ACS

Ethnicity/Race	
American Indian/Alaskan Native	1%
Asian (Non Hispanic or Latino)	24%
Black or AA (Non Hispanic/Lat)	5%
Hispanic or Latino	20%
Unknown or Other	4%
White (Non Hispanic or Latino)	47%

Air District

Ethnicity/Race - All Air District	
American Indian/Alaskan Native	1%
Asian	41%
Black or AA	8%
Hispanic or Latino	8%
Other	1%
White	41%

Note: Figures shown (+/- 1% due to rounding)

*ACS is the American Community Survey Census Bureau’s 5 yr. average (age 18-64) for the SF Bay Area

The Office met with the Employee Resource Group Guidelines Committee to finalize a presentation to share at an Executive Council meeting regarding a guidelines policy for the formation of employee resource groups. The Air District has two types of resource groups. Functionally, the two types of groups are identified as traditional and non-traditional. Traditional groups share common characteristics or identifier such as race, gender, age, or sexual identity. Non-traditional groups are generally based on specific group projects such as the Remote Work Taskforce, Innovation Team or the Cultural Advisory Team.

During the 3rd quarter, the Office shared with the Air District Equity Resource Team information regarding equity pillars of work to support the development of a District-wide Equity Plan. The group discussed their individual participation on Pillar Teams based upon their key areas of interest and the overall group's role. Pillars of equity work at the District include Workforce Development, Community Health, Public Investment and Operations.

The Office participated in the Pollution and Prejudice Webinar. Staff members from the California Environmental Protection Agency, the Bay Area Air Quality Management District, and the U.S. Environmental Protection Agency created the Pollution and Prejudice Story Map. The purpose was to document the historical policies and planning decisions that have contributed to current racial disparities, pollution burdens, and unhealthy land uses where people live, work, and play. Sr. Deputy Executive Officer Eady moderate and presented.

The DE&I Office leads the Transparent and Equitable Funding Project team. The project is designed to improve transparency in program budgets and spending in communities, especially Black/African American communities, and to better communicate funding opportunities. In August, the Office met with the Transparent and Equitable Funding (TEF) Project Team and the Participatory Budget team to discuss content for the TEF presentation during the October CEHJ Meeting. The TEF team will share the phases of the project including, data collection, a pilot through the James Cary Smith Grant to collect demographic data for grant recipients, defining "equity" with the Community Advisory Council, and participatory budgeting.

Human Resources/DE&I Strategies

The Office participated in Succession Planning meetings with Executive Office and Human Resources staff and management representatives. The Succession Planning Team shared with Air District Sr. Deputy Executive Officers Eady and Breen a presentation outlining a proposal to ensure smooth transfers of institutional knowledge. The presentation shed light on the probability of employee turnover, and retirements, and provided recommended steps to prepare for succession including job shadowing, a mentoring program, training initiatives and formalized documentation of job duties and best practices.

The Office met with People Engagement Officer, Terri Levels to discuss a partnership with Cristo Rey De La Salle High School regarding its Corporate Work Study Program (CWSP) for low-income students. Every Cristo Rey student takes a full course load of college preparatory coursework for four years, while participating one day each week in the four-year CWSP to fund most of the tuition costs. The Air District will participate in their internship program and host multiple students throughout the year.

The Office participated in the Cultural Advisory Team (CAT)'s survey theme evaluation meetings. The team worked on categorizing employee comments and associating them with the overarching themes identifying areas of growth created by the consultant, illumyx. A metric system was created to identify those items that spread across multiple themes. The themes identified will be the on-going focus of the group to further enhance employee engagement throughout the Agency.

Training

The Office participated in the Liebert Cassidy Whitmore Webinar: The Future is Now - Embracing Generational Diversity & Succession Planning. Information provided will be utilized to further develop the Agency's succession planning strategy.

In July, the Office participated in the FEHA/ADA Disability Interactive Process for Supervisors & Managers Training sessions administered by Shaw HR Consulting. The training focused on:

- The essentials when it comes to the District's obligations in accordance with the Fair Employment and Housing Act (FEHA), and Title I of the Americans with Disabilities Act (ADA); and
- How the FEHA/ADA disability interactive process works at the Air District

In August, the Office met with the Human Resources Team and participated in the Human Resources Matrix Insights Assessment Training. During this training, the team reviewed personal management styles and individual profiles to assist the team learn how to maximize effective communication with staff.

In September, the Office participated with the Human Resources Department in the Liebert Cassidy Whitmore Webinar: A Supervisor's Guide to Understanding and Managing Employees' Rights: Labor, Leaves, and Accommodations. The Office will also participate in the subsequent follow-up courses to equitable practices are adhered to.

Communications/Newsletters

The DE&I Office continued to provide educational and informational content on the Public Bulletin Board and within the employee newsletter. Communication examples included information about the Pollution & Prejudice webinar, the Americans with Disabilities Act Anniversary, the Diversity Beyond the Checkbox employee spotlight, and Latin American Heritage Month.

Sample communications:



**STRATEGIC INCENTIVES DIVISION
K. SCHKOLNICK, DIRECTOR**

Key Performance Indicators

Key Performance Indicators for the period of July 1, 2021 to September 30, 2021.

<i>Activity</i>		<i>Count</i>	<i>Amount/Description</i>
Projects	Evaluated	51	\$15,784,581
	Contracted	38	\$14,653,202
	Amended	36	\$2,126,538
	Reimbursement Requests Processed	39	\$20,252,668
Outreach	Presentations	11	474 Attendees
	Press Releases	4	FARMER ZE Demonstration Program NorCal Drayage Vehicle Buy Back Goods Movement
Reports	Submitted to CARB	7	ZEFM Semi-Annual and Quarterly LDV Semi-Annual and Quarterly GMP Quarterly Carl Moyer Year 19 Liquidation Carl Moyer Year 20-22 Cumulative
	Submitted to EPA	1	Woodsmoke Reduction Program Quarterly
	Submitted to Attorney General	1	Annual GGRGP/ Carbon Offset Fund
Disbursements Submitted		3	\$6,451,664.50 / CMP Years 22, 23 & 23 State Reserve

Key Accomplishments and Milestones

Transportation Fund for Clean Air (TFCA) – Funded through a \$4 surcharge on motor vehicles registered within the nine Bay Area counties to implement projects that reduce on-road motor vehicle emissions within the Air District’s jurisdiction. Sixty percent (60%) of TFCA funds are awarded directly by the Air District. The remaining forty percent (40%) are passed-through and awarded by the nine designated agencies within the Air District’s jurisdiction.

- **County Program Manager (CPM) Fund:** Staff hosted a Work Group Meeting to discuss proposed policy updates and to discuss administrative program improvements, 7/12.

- **Audit #22:** The authorizing legislation for the TFCA requires annual audits be conducted at least bi-annually on all TFCA-funded programs and projects to confirm whether TFCA funds were used to implement the approved projects in accordance with applicable State law. This quarter, staff coordinated with auditors Simpson & Simpson regarding Audit #22, which involved the review of 100 Regional Fund projects that were completed between July 1, 2019, and December 31, 2020.

Throughout the quarter, staff and the auditor had ongoing communications regarding the progress and completion.

Carl Moyer Program (CMP), Mobile Source Incentive Fund (MSIF), Funding Agricultural Replacement Measures for Emission Reductions Program (FARMER), and Community Air Protection Program – In cooperation with California Air Resources Board (CARB), the Air District administers State-funded grant programs including the CMP, MSIF, FARMER, and the Community Health Protection Grant Program. These programs provide funding to reduce emissions from existing heavy-duty engines in on-road vehicles, school buses, off-road, agricultural and marine equipment, and locomotives by replacing these with cleaner new equipment including zero emission equipment and supporting infrastructure when eligible. Staff evaluated applications, contracted with grantees for eligible projects, monitored project performance, conducted outreach and webinars to promote funding opportunities, submitted disbursement requests and funding reports, and participated in meetings and educational/informational events related to these programs.

- **Key Administrative Activities and Reports:**

- Staff submitted to CARB the CMP yearly report including the Year 19 Liquidation report and Years 20-22 Cumulative report, 8/27.
- Staff submitted CMP Year 22 disbursement Request #3 and the CMP Year 23 and State Reserve Initial disbursement requests, totaling \$6,451,664.50, 9/17.

- **FARMER Demonstration Program:** Staff issued a press release to announce the deployment of seven zero-emission tractors under the FARMER demonstration program, 7/30 and met with Monarch Tractor to discuss future participation in the Air District’s off-road grant programs and reporting for the FARMER Demo Program, 9/15.

- **Coordination Meetings, Events, and Other Activities:**

- Staff attended a presentation on CalTrans’ long-term strategy for zero-emission locomotives, 8/3.
- Staff provided feedback on CARB’s Executive Order minimization project, 8/25.
- Staff attended CARB’s trainings, workshops, and webinars on:
 - Transportation Refrigeration Units (TRUs) and TRU Air Toxic Control Measure (ATCM)
 - Large Spark Ignition Regulation, Air Regulatory Overview for Public Agencies in California
 - Compliance Overview: Truck & Bus Rule, Off-Road Regulation, & Portable Equipment
 - Diesel Truck Rules - Compliance Options and Reporting Requirements for 2021 and Beyond
 - Diesel Particulate Filter (DPF) Operation & Maintenance

- In-Use Off-Road Diesel Vehicle Regulation
- Agricultural Emissions Inventory Workshop
- 2021 Carl Moyer Reporting Webinar
- CAP Incentives Policies and Procedures Manual workshop
- Public Workshop for FY 2021-2022 Clean Transportation Incentives
- Zero-Emission Forklift Rulemaking Workgroup
- New Programs and Regulations webinar

Proposition 1B Goods Movement Program (GMP) – This program provides funding for upgrades and replacement of diesel trucks, locomotives, transportation refrigeration units (TRUs), cargo handling equipment, and shore power equipment. The program has \$10 million available for projects that reduce diesel emissions and health risk from freight movement vehicles and equipment along California trade corridor.

The Goods Movement Program’s 7th solicitation began accepting applications on September 13, 2021, and is expected to close on October 28, 2021. Staff teleconferenced with CARB to discuss the status of the Prop 1B Goods Movement Program, 8/31.

Volkswagen (VW) Environmental Mitigation Trust Fund Program - The VW Environmental Mitigation Trust will provide approximately \$360M to mitigate the excess nitrogen oxide emissions caused in California by VW’s use of illegal emissions testing defeat devices. Under contract to CARB, San Joaquin Valley, South Coast, and Bay Area air districts are administering VW Program funding, with the Bay Area Air District responsible for the administration of two pots of funding: 1) for the installation of new electric and hydrogen fueling stations for light duty vehicles, and 2) for the scrap and replacement of heavy-duty forklifts, airport ground support equipment, port cargo-handling equipment, engines of marine vessels, and the installation of shore power systems for ocean going vessels.

Staff conducted outreach, worked to finalize program solicitation materials and resources, and participated in coordination meetings with the other administering air districts and CARB.

- **General VW Coordination Meetings, Events, and Other Activities:** Staff submitted Quarterly and Semi-Annual reports to CARB.
- **Light-Duty Infrastructure (LDI) – Hydrogen-Fueling Stations** – The \$5 million in VW Trust funding was awarded through a competitive solicitation conducted under a contract with the California Energy Commission (CEC). The deadline to submit applications was May 22, 2020. On December 9, 2020, the CEC approved award of the VW Trust funds (five stations award \$1 million each). Two of these stations are in the Bay Area and are anticipated to be constructed by 2022. During this quarter staff continue to coordinate with the CEC for the contracting of the approved projects and routinely meet with project partners to discuss status of light-duty hydrogen stations. On 8/30, staff made a first payment of \$962,094.88 to the Energy Commission for the five funded hydrogen stations.

- **LDI – Electric Vehicle (EV) Stations** - A competitive solicitation offering \$5 million in VW Trust funding opened on May 11, 2021. Staff hosted an application workshop for the Light-Duty EV Infrastructure Program, 7/29. The application deadline was extended to August 18, 2021 and 18 applications were received requesting over \$40 Million in funding.
- **Zero-Emission Freight and Marine Projects (ZEF&M)** – A competitive solicitation offering \$35 million in VW Trust funding was conducted June 18 - August 31, 2020. Staff received approval from CARB for revisions to the Program Guidance for the second Zero-Emission Freight and Marine Program solicitation. A first-come first served solicitation seeking to award the remaining ~ \$34 million, opened on May 25, 2021, was set to close on September 22, 2021. The solicitation deadline was extended to March 22, 2022.

Other Programs and Special Projects

Zero-Emission Hydrogen Ferry Demonstration Project – This Project, funded by CARB and administered by the Air District, will demonstrate the feasibility of hydrogen fuel cells for use in the commercial maritime industry by deploying a zero-emission hydrogen ferry in the San Francisco Bay. Construction on the ferry started in November 2018 and is expected to be completed by mid-2022.

Staff hosted a monthly meeting with project partners to discuss the project’s status, 7/15 and attended the water launch and start of operational trials for the hydrogen fuel cell ferry, 8/12.

Woodsmoke Reduction Program – This program is funded by the Environmental Protection Agency (EPA) Targeted Airshed Grant (TAG) program and is scheduled to open in early 2022. The program is currently under development and this quarter staff worked on developing program materials and the online application portal. The program will replace approximately 325 woodstoves or fireplace-inserts with zero-emission heat pumps initially in West Oakland and Richmond-San Pablo.

Staff submitted the program’s first Targeted Airshed Grant quarterly report for the period of 4/1/21 to 6/30/21 to the EPA, 7/30 and attended the EPA’s monthly Residential Wood Smoke Working Group meeting, 9/28.

Grant Programs in Development: Staff met with SFO and the City and County of San Francisco discuss opportunities for participating in a CEQA mitigation program emissions reduction, 7/21.

AB 617:

- Staff attended the AB 617 Inter-Division Coordination Meetings.
- Staff attended the Air District’s Community Health Protection Program (AB 617) Community Workshop, 8/12.
- Staff met with CARB to discuss reporting and mapping of projects benefitting AB617 Year 2-5 communities, 7/12.
- Staff attended the West Oakland Sustainable Port Collaborative Meeting, 8/24.
- Staff attended the Port of Oakland Sustainable Collaboration Meeting, 8/30.
- Staff provided FYE 2021 incentives data to the Planning Division for the WOCAP Annual Report to CARB, 9/10.

Other SID Coordination Meetings and Events

- Staff hosted and attended the Monthly CAPCOA Mobile Source and Grants Sub-Committee Meetings.
- Staff attended the Bay Area Transportation Agencies Roundtable Meetings.
- Staff attended a monthly meeting with regional, state, and federal government staff to discuss update on the development of hydrogen stations in California.
- Staff attended the following webinars, workshops, and meetings:
 - “Can renewables help reduce wildfire risk and GHG emissions?” Webinar
 - “How Porterville Transit is Using EVs to Improve its Shuttle Services” Webinar
 - CARB’s development of California’s heavy-duty vehicle inspection and maintenance (HD I/M) program Workshop
 - Smart Mobility Workshop in San Francisco
 - Pollution and Prejudice Workshop
 - Agile training on Product Backlogs Workshop
 - EnergIIZE Project Design Focus Group - Small Fleets
 - ARB’s “Update to Cargo Handling Equipment (CHE) & Ocean-Going Vessels (OGV) Emissions Inventories” Workshop
 - CARB’s Electric Bicycle Incentive Projects Workshop
 - County Transportation Agencies (CTA) Planning Directors meeting
 - Bay Area EV Coordinating Council meeting
 - Fiscal Year 2021-22 Heavy-Duty Advanced Technology Demonstration and Pilot Projects Work Group Meeting
 - Virtual Green Transportation Summit & Expo
 - Metropolitan Transportation Commission’s Active Transportation Working Group Meeting
 - NACFE Run on Less Electric Bootcamp #10: Drivers and Electric Trucks
 - ProspecSV Peer Forum on Transit Innovation
- Staff presented the following:
 - Air District programs at the I-80 Corridor Partnership Meeting
 - VW Zero-emission Freight and Marine Program and Carl Moyer Off-road Program at the CORE Update Webinar
 - Carl Moyer On-road program at the Fleet Electrification Workshop hosted by the Transportation Authority of Marin
- Staff held a meeting with EPA and consultants to debrief on the Air District’s unselected FY 21 DERA application, 7/8.
- Staff coordinated with the Center for Transportation and the Environment to issue a press release to announce the deployment of 22 Class 8 fuel cell electric trucks for operations in Northern California, 7/20.
- Staff met with Board of Directors Chair Cindy Chavez and other District staff to discuss the status of District efforts at reducing emissions from diesel backup generators and alternative technologies available, 9/17.
- The Air District’s Vehicle Buy Back Program was featured in the following media outlets, week of 9/13:
 - **NBC Bay Area (KNTV):** How to Get \$1,200 and Save the Environment by Retiring That Old Set of Wheels <https://www.nbcbayarea.com/news/local/how-to-get-1200-and-save-the-environment-by-retiring-that-old-set-of-wheels/2656657/>

- **CBS Bay Area (KPIX):** Bay Area Air Quality Management District Offering \$1,200 To Buy Back Older, More Polluting Vehicles
<https://sanfrancisco.cbslocal.com/2021/09/15/baaqmd-vehicle-buyback-program-1997-older-cars-trucks/>
- **East County Today:** Air District Offers \$1200 to Scrap Old Cars Through Vehicle Buy Back Program <https://eastcountytoday.net/air-district-offers-1200-to-scrap-old-cars-through-vehicle-buy-back-program/>
- **Univision:** <https://www.univision.com/local/san-francisco-kdtv/distrito-del-aire-ofrece-1200-dolares-para-que-dejes-de-manejar-tu-auto-viejo>

Open Grant Solicitations Administered by SID (as of 10/19/2021)

- **Heavy-Duty Mobile and Stationary Equipment Replacement** – Funding is available for eligible projects that reduce emissions from mobile and stationary sources by replacing old, high-polluting vehicles and equipment with clean technologies. Project types include heavy-duty-trucks, school, transit and shuttle buses, marine vessels, locomotives, off-road construction, industrial, agricultural, port, and freight equipment, and stations and alternative fueling stations-that support advanced clean vehicles and technology. Priority is given to projects that benefit AB 617-identified communities and other areas highly impacted by air pollution. Grant funding is provided by the CMP, Community Air Protection, TFCA, and FARMER programs.
- **Passenger Car and Light-duty Truck Retirement** – The Vehicle Buy Back Program pays Bay Area residents \$1,200 per vehicle to turn in their operable, registered, model year 1997 and older passenger cars or light-duty trucks for scrapping.
- **VW Zero-emission Freight and Marine Program** - \$34 million in Volkswagen Environmental Mitigation Trust funding is available statewide on a first-come, first-served basis, to owners of eligible equipment who will scrap and replace airport ground support equipment, heavy-lift forklifts, and/or port cargo handling equipment with new, commercially available zero-emission technologies; scrap and re-power ferry, tugboats, or towboats with all-electric engines; and/or install portside oceangoing vessel shore power systems at berths. At least 75 percent of funding will be awarded to projects that reduce emissions in California’s disadvantaged and low-income communities.
- **Goods Movement Program** - \$20 million is available for award to eligible vehicle and equipment owners to help quickly reduce diesel emissions and health risk from freight movement along California trade corridors.

METEOROLOGY & MEASUREMENT DIVISION
R. CHIANG, DIRECTOR

Air Quality Forecasting

	# of Days	Dates
Spare the Air alerts called for ozone	7	7/10, 8/27-28, 9/5-7, 9/21
Spare the Air Alerts called for PM _{2.5}	3	8/19-20, 8/29
Exceedances of the national 8-hour ozone standard (70 ppb)	5	8/19-20, 8/27-29
Exceedances of the national 24-hour PM _{2.5} standard (35 µg/m ³)	2	8/27-28

Ten Spare the Air alerts were called in the Bay Area and seven exceedances were observed during the third quarter of 2021. Five of the Spare the Air alerts were called for ozone, while two were called for PM_{2.5}. All days those alerts were called were the result of high pressure over the Bay Area leading to hot inland temperatures (100°F and above) and light afternoon sea breezes. During August and September, wildfire smoke likely contributed to the ozone exceedances. On August 27 and 28, widespread smoke and a shallow marine layer lead to exceedances of the federal PM_{2.5} standard.

Laboratory

Subsequent to the shelter-in-place due to COVID-19, the laboratory has continued to operate on a reduced schedule and performing support for critical ambient air monitoring programs including PM₁₀, PM_{2.5}, PM_{coarse}, SASS, toxics canisters, and aldehydes.

During the third quarter the laboratory has continued to bring other instrumentation online and has continued to focus on document revision, method and systems evaluation, and modernizing procedures amenable to digitalization. This has included the completion of several promotions to restructure the laboratory and introduce the new roles of Quality Assurance Lead and Instrumentation & Equipment Lead.

Regulatory Air Monitoring

Staff participated in an EPA Technical Systems Audit, which is an assessment of the Air District’s monitoring program for compliance with regulation and EPA guidance. The audit covers planning of the ambient air monitoring network, field and laboratory operations, quality assurance and quality control, and data management and reporting.

Thirty-one air monitoring sites were operational during the third quarter 2021. Operations were adjusted to ensure staff safety and compliance with applicable county health directives pertaining to COVID-19 response. Despite having to adapt to the logistical challenges posed by the shelter-in-place directives, staff continued to exceed all quality objectives while maintaining an average data capture rate for continuous criteria pollutant measurements of **94.50%**.

Napa Valley College station was demobilized on May 20, 2021 due to development efforts on the college campus. District staff are scouting alternate locations to replace the closed station. A new station location in Napa is currently under review with lease negotiations.

Berkeley Aquatic Park station was vandalized on October 1, 2021, and is currently offline until necessary repairs are complete. The team is working to have the electrical line replaced.

Refinery Community Monitoring

- o District employees worked with the City of Benicia with site development plans in a candidate location.

Community Monitoring

Staff worked with Aclima on reviewing the mobile measurements and analyses throughout the Bay Area to identify potential differences in air pollution across geographies and establish community-scale baseline concentrations of air pollutants.

Staff conducted in-motion field testing monitoring capabilities of the Air Monitoring Van. Staff plan to begin work the air toxics monitoring project selected by the AB 617 Richmond-San Pablo Monitoring Steering Committee in late October.

Quality Assurance

All gas analyzers and particulate samplers were found to be operating within the Air District's established accuracy limits (23 monitoring stations, 71 parameters).

- o The section has been conducting as many audits as possible, while still respecting social-distancing guidelines, as well as everyone's personal-parameter requests for health and safety needs.
- o The section completed the TVA QC Check/Calibration System for the Compliance and Enforcement Division. The first calibrations were completed in mid-July and the system performed extremely well. Scheduled TVA calibrations for the Compliance and Enforcement will become an added duty/responsibility for the section moving forward.
- o Several auditing standards were transported to CARB for regularly scheduled certification.
- o 2nd Quarter 2021 Performance Evaluation audits were compiled and upload to AQS during the first week of September.
- o Ground-Level Monitoring (GLM) audits of hydrogen sulfide (H₂S) and sulfur dioxide (SO₂) gas-analyzers were conducted at Valero and Chevron Refineries.
- o Regular departmental duties continued, including audits; report processing and review; database management; and equipment testing and maintenance.

Air Quality Analysis

General Monitoring Analysis and Summaries

- Updated PM_{2.5} and O₃ design value trends, with and without fire days (September Advisory Council meeting)

Inter-agency Collaboration, Conferences and Workshops

- Attended the A&WMA specialty conference on vapor intrusion to build staff knowledge in this area, which is often of concern to community members
- Presented on a panel about community monitoring at the statewide AB 617 Community Convening (9/27 and 9/29)
- Attended EPA's Cumulative Impacts State & Local Listening Session (9/23)
- Met with the Love My Air program leads to hear about their program development using sensors, and to share information about the Bay Air Center pilot program (9/30)

AB 617: Richmond-North Richmond-San Pablo Path to Clean Air

Monitoring Plan Implementation

- Continued compiling and analyzing data for use in quarterly updates on monitoring plan implementation
- Assisted with defining target monitoring areas in preparation for the air toxics monitoring project
- Monitoring Outreach Team (MOT):
 - Finalized and released quarterly monitoring update for Q3 2021 describing ongoing air monitoring projects
 - Held monthly meetings with the MOT to discuss status of air monitoring projects and develop public-facing materials (meeting dates 7/26, 8/23, and 9/21)

Support for the Community Emissions Reduction Plan (CERP) Development

- With AIM, developed a project plan for the joint work for the CERP technical assessment, including a project roadmap as part of an agile project management pilot, and with Planning and Community Engagement on providing input on the CERP Community Steering Committee (CSC) meeting schedule and potential agenda topics
- Prepared and delivered presentations on general monitoring information for internal capacity building
- With the MOT, developed presentation materials to introduce the MOT to the CERP CSC
- Participated in the Path to Clean Air Community Organizing Grants workshop (9/7)

AB 617: Support to Communities Not Yet Designated

- Developed a concepts to 1) provide community members with a foundation in air quality topics to build shared capacity, and 2) provide community-specific information and analysis about air pollution that can be used for further assessments, planning, and decision making.
- Prepared materials for and participated in the Capacity Building and Getting Started break-out sessions at the AB 617 workshop (8/12)
- Eastern SF / Bayview-Hunters Point
 - Coordinated numerous meetings between EPA and the Air District concerning Navy air monitoring activities at the Shipyard
 - Met with Brightline to discuss traffic counting/ air quality data analysis project (7/21)

- East Oakland
 - Contributed language and figures for the East Oakland selection request for submission to the Board and CARB
 - Began ongoing conversations with CBE East Oakland on community concerns about air pollution and potential data analysis or air monitoring projects (8/3,
- Drafted 5 letters of support and/or commitment to 2021 CARB grant applicants (All Positives Possible, Brightline Defense, BVHP Community Advocates, Greenaction, Sustainable Silicon Valley).
- Presented to Abraham Lincoln HS in San Francisco on understanding air quality in the Bay Area (9/30)
- Continued to work with Bay Air Center (BAC) to develop informational resources about air quality, sensors, and data interpretation.
 - Onboarded BAC technical support projects include:
 - Alameda County Library – informational displays on air quality
 - East Bay Regional Parks – technical assistance on deployment and data interpretation of PM_{2.5} sensors
 - Belle Haven (Councilwoman Taylor) – community-focused air quality analysis and training on accessing and interpreting data

Technical Advising to Air District Divisions

- Supported Compliance and Enforcement’s implementation of Naturally Occurring Asbestos regulatory program by
 - Reviewing and commenting on the monitoring design for 7 new and revised Asbestos Dust Monitoring Plans.
 - Providing suggested language to improve the steps contractors should take when the action level is exceeded to improve enforceability
 - Consulting with program leads regarding the required sampling period for asbestos dust monitoring and other criteria
- Supported the Communications office in providing responses to press requests including giving an interview to SF Chronicle on air quality trends, and providing materials, talking points, and resources to reporter from Bay City News on data access and trends
- Contributed to materials used to communicate information about impacts of leaded aviation gas use by piston driven engine aircraft at general aviation airports in the Bay Area, and suggested options for steps to reduce or eliminate lead emissions near communities.

Source Test

- Evaluations and implementation of new measurement technologies and developed test procedures relevant to AB-617, Regulation 11-18 and emission inventory improvement.
- Oversight of the Regulation 12-15 fence line monitoring programs.
- Evaluated results of refinery hydrogen sulfide fence line monitoring field demonstration and reviewed developer presentation given at the National Environmental Monitoring Conference.
- Attended Per- and polyfluoroalkyl substances (PFAS) webinars and listening sessions to evaluate policy impacts and test method development status.
- Provided South Bay Odor Attribution Study presentations and updates to the South Bay Odor Stakeholder Group (SBOSG).

- Attended Oil & Gas Methane Detection Workshop.
- Oversight of South Bay Odor Attribution Study and September sampling event.
- Initiated management review of Injury & Illness Prevention Plan (IIPP).
- Initiated development of source test prioritization system and review of current practices.
- Source tests conducted:
 - Conducted side-by-side testing at a landfill to evaluate and optimize fourier-transform infrared spectroscopy (FTIR) testing methods versus standard volatile organic compound (VOC) testing methods.
 - Performance of source tests to determine emissions of precursor organic compounds, and toxic air contaminants.
 - Performance of source tests to determine emissions of particulate matter.
 - Performance of tests to assess the compliance status of gasoline cargo tanks, gasoline dispensing facilities, gasoline terminal loading and vapor recovery systems.
 - Evaluation of independent contractor conducted source tests to determine report acceptability and source compliance.
 - Evaluation of CEMS installations and ongoing compliance, including monitoring plan review and approval.
- Technical advising to Air District Divisions:
 - Advice and guidance to Engineering on emission data interpretation, Rule 11-18 health risk assessments and air toxics, permit development, and facility annual emission reporting.
 - Advice and guidance to Compliance & Enforcement and Legal on emission data interpretation, recommendations for further evaluation indicating potential violations, CEMS compliance audits, and ongoing enforcement actions.
 - Advice to the Rules Section on development of Rules 6-5, 8-5, 9-4, 9-6, 9-7, 13-5 and petroleum refinery definitions.
 - Initiated review and revision of BAAQMD Permit Handbook standard permit conditions and Tier 4 engine permit conditions as requested by Engineering.
 - Advice and meeting participation on the Organics Emissions Estimation (OEE) workgroups and knowledge gap analysis.

Recruitment News

New Hires and Promotions

- Carmen Durán, Principal Air Quality Chemist
- Duc Nguyen, Principal Air Quality Meteorologist
- Hemant Amin, Principal Air Quality Chemist
- Jun Liu, Principal Air Quality Instrument Specialist
- Tim Cheng, Senior Air Quality Chemist

EXTERNAL AFFAIRS
L. FASANO, OFFICER

Acterra

Staff continue to coordinate with Acterra regarding the Holiday ReFresh event and discussed languages and ideas for making the event available in Chinese and Spanish. Staff is currently awaiting confirmation from the previous judges of the committee on their ability to serve again; The invitation was also extended to Bessma Aljarbou, Leader of Clean Energy Program at Apple, Inc.

Staff also coordinated with the Communications Office to get items on the social media calendar and posted the following:

- Spare the Air Leadership Award application open
- Acterra Newsletter
- Holiday ReFresh event

Bay Area Regional Collaborative

Participated in planning meetings for a new free online magazine focused on climate change, impacts and resiliency. [KneeDeep Times](#) was launched in September 2021.

California Public Utilities Commission

Staff filed a motion for party status and certificate of service with assistance from the Air District's Legal Office to the California Public Utilities Commission. Status was granted and comments were developed and sent to the CPUC, Martha Guzman, Aceves, Commissioner adjudicating the broadband internet, extended middle mile issue that is before the Commission.

Commuter Benefits Program

Participated in Commuter Benefits meeting regarding the intersection and difference between regulatory program and *Flex Your Commute*. Working on clear *Flex Your Commute* talking points and key messages to be used in communications and promotion of new program.

Research on parking measures or "CEQA for Parking" as a possible ideas possible update to rule 14-1. Staff is currently building list of options for connecting EN-7 strategies into proposal for consideration possible rule amendment.

Staff met with MTC and provided input on Commuter Benefits Program documents to be uploaded to the <https://511.org/employers/commuter-benefits-program> and input on improvement for Transportation Planning Guide. Finalized Telework Guidance document with MTC.

Staff developed initial framework for development of team to implement EN7 in coordination with MTC including budget development.

Met with Salesforce to further discuss potential software options to maintain Commuter Benefits Program registration database list in coordination with MTC.

Salesforce produced a demo and presented it during a joint meeting with MTC on Friday, October 29. Setting up follow up meeting with MTC week of Nov. 1 to discuss demo and potential for use to maintain the Commuter Benefits Program employer database.

California State Association of Counties

Met with Alan Abbs and Geoff Neill, Legislative Officer for CSAC, and obtained an update of CSAC's effort on the broadband middle mile issue. It was discussed that Middle Mile Map will be coming out soon from California Public Utilities Commission (CPUC). Geoff Neill will add the Air District to their email distribution list to receive future CSAC actions and requests for support.

Community Equity Event

Planning for presentation for new Community Advisory Council regarding 2023 Community Equity event. Date TBD in 1st quarter 2023.

Flex Your Commute

Staff is at the final stages with the *Flex Your Commute* webpages in coordination with the Web Team. Developed the *Flex Your Commute* icon logo for use on webpages and a recommended transportation survey employers can use as a guide to create their own employee survey. Template located in Microsoft Forms and to be posted on *Flex Your Commute* website. Executive team currently reviewing *Flex Your Commute* webpages and providing feedback to External Affairs.

Staff continue to consult with Caribou Public Relations regarding program promotion. Developing ad for limited *Flex Your Commute* advertising buy on LinkedIn.

Request for Proposal (RFP) scope for *Flex Your Commute* contract drafted and awaiting review.

NACAA

Attend monthly Public Outreach Committee meetings supporting Executive Officer, current committee co-chair. Developed and presented the Commuter Benefits enforcement rule and the *Flex Your Commute* messaging program.

STATISTICS			
<u>Administrative Services:</u>		<u>Compliance Assistance and Operations Program:</u>	
Accounting/Purchasing/Comm.		Asbestos Plans Received	1634
General Checks Issued	1369	Coating and other Petitions Evaluated	6
Purchase Orders Issued	462	Open Burn Notifications Received	13
Checks/Credit Cards Processed	4678	Prescribed Burn Plans Evaluated	0
Contracts Completed	120	Tank/Soil Removal Notifications Received	16
RFP/RFQ	3	Compliance Assistance Inquiries Received	53
		Green Business Reviews	0
		Refinery Flare Notifications	8
<u>Executive Office:</u>		<u>Compliance Assurance Program:</u>	
APCO'S Meetings Attended	455		
Board Meetings Held (including Budget Hearing and CAF)	6		
Committee Meetings Held (including Richmond Area CERP)	10	Industrial Inspections Conducted	2195
Advisory Council Meetings Held	1	Gas Station Inspection Conducted	338
Hearing Board Meetings Held	0	Asbestos Inspections Conducted	466
New Variances Received	0	Open Burning Inspections Conducted	3
		PERP Inspections Conducted	15
<u>Information Systems:</u>		Mobile Source Inspections	
New Installation Completed	11	Grant Inspections Conducted	68
PC Upgrades Completed	13		
Service Calls Completed	702	<u>Engineering Division:</u>	
		Annual Update Packages Completed	
<u>Human Resources:</u>		New Applications Received	
Manager/Employee Consultation (Hrs.)	350	Authorities to Construct Issued	
Management Projects (Hrs.)	400	Permits to Operate Issued (New and Modified)	
Employee/Benefit Transaction	600	Permit Exemptions (Entire application deemed exempt)	
Training Sessions Conducted (Group)	4	New Facilities Added	
Training Sessions Conducted (Individual)	11	Registrations (New)	
Applications Processed	273	Health Risk Assessments (HRA)	
Exams Conducted	18		
New Hires	22		
Promotions	16	<u>Communications and Public Information:</u>	
Separations	9	Responses to Media Inquires	127
Payroll Administration (Hrs.)	900	Events Staffed with Air District Booth	10
Safety/Wellness Administration	150		
Inquiries	4000		
Wellness Sessions	52		

STATISTICS (continued)			
		Community Engagement:	
Facility/Vehicle:		Presentations Made	9
Request for Facility Service	9	Visitors	0
Vehicle Request(s)	20	Air District Tours	0
Vehicle Maintenance/Service/Repair(s)	43	Community Meetings Attended	39
Compliance and Enforcement Division:		3rd Quarter 2021 Agricultural Burn Days	
Enforcement Program		July – Sept. Permissive Burn Days-North	16
Violations Resulting in Notices of Violations	251	July – Sept. No-Burn Days-North	76
Violations Resulting in Notice to Comply	0	July – Sept. Permissive Burn Days-South	16
New Hearing Board Cases Reviewed	0	July – Sept. No-Burn Days-South	76
Reportable Compliance Activity Investigated	173	July – Sept. Permissive Burn Days-Coastal	16
General Complaints Investigated	972	July – Sept. No Burn Days-Coastal	76
Wood Smoke Complaints Received	557		
Mobile Source Violations	0	Laboratory	
		Analyses Performed	1501
Meteorology Measurements & Rules:		Inter-Laboratory Analyses	0
3rd Quarter 2021 Ambient Air Monitoring			
Days Exceeding Nat'l 24-Hour PM _{2.5} Std.	2	Technical Library	
Days Exceeding Nat'l 24-Hour PM ₁₀ Std.	0	Titles Indexed/Cataloged	0
Days Exceeding State 24-Hour PM ₁₀ Std.	0	Periodicals Received/Routed	0
Days Exceeding the Nat'l 8-Hour Ozone Std.	5	Reportable Compliance Activity Investigated	0
Days Exceeding the State 1-Hour Ozone Std.	2	Source Test	
Days Exceeding the State 8-Hour Ozone Std.	5	Cargo Tank Tests Performed	1
		Total Source Tests	55
Ozone Totals, Year to Date 2021		Pending Source Tests	1
Days Exceeding State 1-Hour Ozone Std.	4	Further Evaluation Notices Recommended	20
Days Exceeding Nat'l 8-Hour Ozone Std.	7	Contractor Source Tests Reviewed	4,467
Days Exceeding State 8-Hour Ozone Std.	7	Outside Test Observed	17
		Further Evaluation Notices Recommended After Review	25
Particulate Totals, Year to Date 2021		Contractor Source Test Protocols Reviewed	48
Days Exceeding Nat'l 24-Hour PM _{2.5} Std.	2	Contractor Source Tests invalidated	20
Days Exceeding Nat'l 24-Hour PM ₁₀ Std.	0		
Days Exceeding State 24-Hour PM ₁₀ Std.	0	Continuous Emissions Monitoring (CEM)	
		Indicated Excesses Emission Reports Evaluated	26
Ground Level Monitoring (GLM)		Monthly CEM Reports Reviewed	106
July – Sept. Ground Level Monitoring SO ₂ Excess Reports	0	Indicated Excess from CEM	20
July – Sept. Ground Level Monitoring H ₂ S Excess Reports	0	Field Accuracy Tests Performed	1

These facilities have received one or more Notices of Violations
Report period: July 1, 2021 – September 30, 2021

Alameda County				
Status Date	Site #	Site Name	City	Regulation Title
7/19/2021	Z9442	Astra	Alameda	No Authority to Construct
7/19/2021	Z9442	Astra	Alameda	No Permit to Operate
8/24/2021	A9684	Bay Ship & Yacht Co	Alameda	Failure to Meet Permit Conditions
8/24/2021	A9684	Bay Ship & Yacht Co	Alameda	Marine Vessle Coating Records
9/10/2021	Z9732	U.S. Coast Guard GDF	Alameda	Failure to Meet Permit Conditions
8/3/2021	B2692	Berkeley Marine Center	Berkeley	Failure to Meet Permit Conditions
8/6/2021	Z7046	Berkeley Landfill	Berkeley	Failure to Meet Permit Conditions
8/6/2021	Z7046	Berkeley Landfill	Berkeley	Solid Waste Disposal Site: Gas Collection System Installation Requirements
8/6/2021	Z7046	Berkeley Landfill	Berkeley	Standards for New Stationary Sources
9/9/2021	A0059	University of California, Berkeley	Berkeley	No Permit to Operate
9/9/2021	A0059	University of California, Berkeley	Berkeley	Non-Compliance; Major Facility Review
9/29/2021	A0059	University of California, Berkeley	Berkeley	Non-Compliance; Major Facility Review
7/9/2021	Z9417	Lazer Diode Inc	Fremont	Failure to Meet Permit Conditions
7/14/2021	B0617	Applied Thin-Film Products	Fremont	Failure to Meet Permit Conditions
7/28/2021	A1438	Tesla, Inc	Fremont	Non-Compliance; Major Facility Review
7/28/2021	A1438	Tesla, Inc	Fremont	Non-Compliance; Major Facility Review
8/24/2021	B6088	Final Finish, Inc	Fremont	No Permit to Operate
9/14/2021	A1438	Tesla, Inc	Fremont	Non-Compliance; Major Facility Review
7/15/2021	Z9441	Anthony Rillera	Hayward	Asbestos; Written Plan or Notification
8/3/2021	Z9496	Lone Tree Cemetery Association	Hayward	GDF Standard Phase II CARB Certified Requirement
8/3/2021	Z9496	Lone Tree Cemetery Association	Hayward	Failure to Meet Permit Conditions
8/23/2021	Z9600	Vincent Roofing Co Inc	Hayward	All Phase II Vapor Recovery Requirements
8/25/2021	Z9589	Stonebrae Country Club	Hayward	Failure to Meet Permit Conditions
8/25/2021	B2106	D W Nicholson Corporation	Hayward	Failure to Meet Permit Conditions
8/27/2021	U8720	Rafael Flores	Hayward	Asbestos; Written Plan or Notification
7/13/2021	A5095	Vasco Road Landfill	Livermore	Landfill Gas Collection and Emission Control System Requirements
7/13/2021	A5095	Vasco Road Landfill	Livermore	Non-Compliance; Major Facility Review
8/31/2021	Z9614	Livermore Auto Group Inc.	Livermore	Failure to Meet Permit Conditions
9/28/2021	Z9730	FBD Vanguard Construction	Livermore	Failure to Meet Permit Conditions
7/19/2021	A0153	PABCO Gypsum	Newark	Failure to Meet Permit Conditions
8/3/2021	Z9562	Metropolitan Golf Links	Oakland	GDF Standard Phase I CARB Certified Requirement
8/3/2021	Z9562	Metropolitan Golf Links	Oakland	GDF Standard Phase II CARB Certified Requirement
8/3/2021	Z9562	Metropolitan Golf Links	Oakland	Failure to Meet Permit Conditions
8/26/2021	B5126	Digital 720 2nd LLC	Oakland	No Permit to Operate
8/26/2021	Z9633	Arco Facility #07026	Oakland	Failure to Meet Permit Conditions
8/26/2021	Z9617	United Parcel Service	Oakland	GDF Phase I Equipment Not Maintained
8/31/2021	Z9613	SFD	Oakland	Asbestos; Written Plan or Notification
9/21/2021	Z9692	Eagle Gas	Oakland	No Permit to Operate
7/8/2021	Z9364	Santa Rita Shell #135786	Pleasanton	GDF Phase I Equipment Not Maintained
7/8/2021	Z9364	Santa Rita Shell #135786	Pleasanton	Failure to Meet Permit Conditions
8/16/2021	A0705	Vulcan Materials, Western Division	Pleasanton	Public Nuisance
8/16/2021	A0705	Vulcan Materials, Western Division	Pleasanton	Right of Access to Premises
9/2/2021	Z9628	Pleasanton Hand Wash & Detail	Pleasanton	Phase I Vapor Recovery Equipment Requirements
9/2/2021	Z9628	Pleasanton Hand Wash & Detail	Pleasanton	GDF Phase II Equipment Not Maintained
9/9/2021	Z9663	Carmax #6068	Pleasanton	GDF Standard Phase II CARB Certified Requirement
9/21/2021	Z9693	Castlewood Countru Club	Pleasanton	GDF Standard Phase II CARB Certified Requirement
8/31/2021	Z9616	Bigge Crane And Rigging Co.	San Leandro	Failure to Meet Permit Conditions
7/22/2021	A0595	Mission Valley Rock Co	Sunol	Failure to Meet Permit Conditions
Contra Costa County				
Status Date	Site #	Site Name	City	Regulation Title
9/1/2021	Z9747	Bethel Harbor LTD	Bethel Island	GDF Standard Phase I CARB Certified Requirement
7/12/2021	B1916	Enterprise Roofing Service Inc	Concord	Failure to Meet Permit Conditions
7/12/2021	B1916	Enterprise Roofing Service Inc	Concord	GDF Standard Phase I CARB Certified Requirement
7/28/2021	Z9483	Golden State Contract	Concord	Failure to Meet Permit Conditions
9/15/2021	Z9733	Discovery Bay Yacht	Discovery Bay	All Phase II Vapor Recovery Requirements
7/21/2021	Z9452	Alhambra Petroleum, Inc	Martinez	Failure to Meet Permit Conditions
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Opacity Limitation
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Standards for New Stationary Sources
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Opacity Limitation
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Standards for New Stationary Sources
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Opacity Limitation
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Standards for New Stationary Sources
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Opacity Limitation
8/3/2021	A0011	Martinez Refining Company LLC	Martinez	Standards for New Stationary Sources
8/11/2021	A0011	Martinez Refining Company LLC	Martinez	Opacity Limitation
8/11/2021	A0011	Martinez Refining Company LLC	Martinez	Standards for New Stationary Sources
8/23/2021	Z9452	Alhambra Petroleum, Inc	Martinez	GDF Phase I Equipment Not Maintained
9/1/2021	Z9452	Alhambra Petroleum, Inc	Martinez	GDF Standard Phase II CARB Certified Requirement
9/1/2021	Z9452	Alhambra Petroleum, Inc	Martinez	All Phase II Vapor Recovery Requirements
8/16/2021	Z9575	Arco Facility #07126	Oakley	GDF Phase II Equipment Not Maintained
8/25/2021	B3965	City of Pittsburg Environmental Center	Pittsburg	GDF Periodic Testing Notification and Submission Requirements
9/3/2021	A4618	Keller Canyon Landfill Company	Pittsburg	Landfill Emission Control System Requirement
9/3/2021	A4618	Keller Canyon Landfill Company	Pittsburg	Landfill Surface Requirements

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Report period: July 1, 2021 – September 30, 2021
(continued)**

Napa County Continued...				
Status Date	Site #	Site Name	City	Regulation Title
9/13/2021	A9183	Napa-Vallejo Waste Management Authority	Napa	California Code of Regulations
8/4/2021	Z9572	VCS #5	Saint Helena	Failure to Meet Permit Conditions
8/5/2021	E3763	St Helena High School Maintenance & Operati	Saint Helena	No Permit to Operate
8/9/2021	E2998	Huneeus Vintners LLC	Saint Helena	No Permit to Operate
9/7/2021	B4012	Napa County Public Works	Yountville	Failure to Meet Permit Conditions
9/7/2021	B4012	Napa County Public Works	Yountville	GDF Standard Phase I CARB Certified Requirement
9/7/2021	B4012	Napa County Public Works	Yountville	GDF Pressure Vacuum Valve Requirements, Underground Storage Tanks
9/7/2021	B4012	Napa County Public Works	Yountville	Failure to Meet Permit Conditions
San Francisco County				
Status Date	Site #	Site Name	City	Regulation Title
7/6/2021	Z9401	Potrero Union 76	San Francisco	Failure to Meet Permit Conditions
7/6/2021	Z9401	Potrero Union 76	San Francisco	GDF Phase I Equipment Not Maintained
7/8/2021	Z9367	SFD	San Francisco	Asbestos; Schedule Changes and Updates
7/9/2021	A9347	City and County of San Francisco - Boilers	San Francisco	Periodic Testing
7/9/2021	A9347	City and County of San Francisco - Boilers	San Francisco	Periodic Testing
7/9/2021	A9347	City and County of San Francisco - Boilers	San Francisco	Failure to Meet Permit Conditions
7/9/2021	A9347	City and County of San Francisco - Boilers	San Francisco	Periodic Testing
7/12/2021	V3276	Quality Gas for your Cash	San Francisco	Failure to Meet Permit Conditions
7/14/2021	A0429	Hudson 1455 Market LLC	San Francisco	Periodic Testing
7/14/2021	A0429	Hudson 1455 Market LLC	San Francisco	Periodic Testing
7/14/2021	A0429	Hudson 1455 Market LLC	San Francisco	Periodic Testing
7/20/2021	Z9438	Valero SS #7959	San Francisco	Failure to Meet Permit Conditions
7/27/2021	H1945	Pacific Gas & Electric	San Francisco	No Permit to Operate
7/27/2021	H1945	Pacific Gas & Electric	San Francisco	No Authority to Construct
7/27/2021	H1945	Pacific Gas & Electric	San Francisco	No Authority to Construct
7/27/2021	H1945	Pacific Gas & Electric	San Francisco	No Permit to Operate
7/28/2021	A4116	San Francisco Public Utilities Commission	San Francisco	Failure to Meet Permit Conditions
8/4/2021	A9313	St Luke's Hospital A/P,CPMC-STL Campus	San Francisco	No Permit to Operate
9/2/2021	Z4018	Lombard Union 76	San Francisco	GDF Standard Phase II CARB Certified Requirement
9/2/2021	Z4018	Lombard Union 76	San Francisco	Failure to Meet Permit Conditions
9/20/2021	A9313	St Luke's Hospital A/P,CPMC-STL Campus	San Francisco	Periodic Testing
9/20/2021	A9313	St Luke's Hospital A/P,CPMC-STL Campus	San Francisco	Periodic Testing
9/20/2021	A9313	St Luke's Hospital A/P,CPMC-STL Campus	San Francisco	Periodic Testing
9/23/2021	A1860	Laguna Honda Hospital	San Francisco	Periodic Testing
9/23/2021	A1860	Laguna Honda Hospital	San Francisco	Periodic Testing
9/23/2021	A1860	Laguna Honda Hospital	San Francisco	Periodic Testing
San Mateo County				
Status Date	Site #	Site Name	City	Regulation Title
8/16/2021	Z9576	Belmont Shell	Belmont	GDF Phase II Equipment Not Maintained
7/20/2021	Z9505	Seven Eleven #19235	Daly City	Gasoline Dispensing Facility Right of Access
8/10/2021	Z9525	SFD	Daly City	Asbestos; Containment Requirement
7/28/2021	Z9484	COM	Half Moon Bay	Asbestos; Written Plan or Notification
8/5/2021	A2266	Browning-Ferris Industries of CA Inc	Half Moon Bay	Failure to Meet Permit Conditions
8/10/2021	A3499	City of Menlo Park	Menlo Park	Failure to Meet Permit Conditions
8/18/2021	D1665	City of Pacifica	Pacifica	GDF Standard Phase I CARB Certified Requirement
7/22/2021	Z9447	Hengehold Motors	Palo Alto	Failure to Meet Permit Conditions
8/20/2021	Z9568	SFD	Portola Valley	Asbestos; Schedule Changes and Updates
8/10/2021	A0068	Granite Rock	Redwood City	Failure to Meet Permit Conditions
7/8/2021	Z9365	COM	San Bruno	Asbestos; Schedule Changes and Updates
8/16/2021	Z9545	Unocal #0109	San Bruno	Failure to Meet Permit Conditions
9/28/2021	Z9545	Unocal #0109	San Bruno	Phase I Vapor Recovery Equipment Requirements
9/28/2021	Z9545	Unocal #0109	San Bruno	All Phase II Vapor Recovery Requirements
9/28/2021	Z9545	Unocal #0109	San Bruno	GDF Phase II Equipment Not Maintained
7/27/2021	Z9494	The Towers Association	San Mateo	No Authority to Construct
7/27/2021	Z9494	The Towers Association	San Mateo	No Permit to Operate
8/9/2021	B6930	San Mateo County Youth Services Center	San Mateo	Failure to Meet Permit Conditions
8/10/2021	B6930	San Mateo County Youth Services Center	San Mateo	Failure to Meet Permit Conditions
8/10/2021	B6930	San Mateo County Youth Services Center	San Mateo	Inorganic Gaseous Pollutants Final Emissions Limits
8/30/2021	A3887	San Mateo Medical Center	San Mateo	Standards for New Stationary Sources
8/30/2021	A3887	San Mateo Medical Center	San Mateo	Standards for New Stationary Sources
8/30/2021	A3887	San Mateo Medical Center	San Mateo	Standards for New Stationary Sources
9/28/2021	Z9729	MFD	San Mateo	Asbestos; Schedule Changes and Updates
7/29/2021	Z9472	Unocal #1020 Grand Martco Inc.	South San Francisco	Failure to Meet Permit Conditions
8/12/2021	Z0978	Shell Service (7-11 Branded)	South San Francisco	Failure to Meet Permit Conditions
8/12/2021	Z0978	Shell Service (7-11 Branded)	South San Francisco	GDF Record Keeping Requirements
8/12/2021	Z0978	Shell Service (7-11 Branded)	South San Francisco	GDF Phase I Equipment Not Maintained
8/31/2021	Z9615	Kilroy Oyster Point 2D Project	South San Francisco	California Code of Regulations
Santa Clara County				
Status Date	Site #	Site Name	City	Regulation Title
7/7/2021	Z9358	COM	Campbell	Asbestos; Schedule Changes and Updates
7/7/2021	Z9359	SFD	Campbell	Asbestos; Schedule Changes and Updates
8/4/2021	A9013	International Disposal Corp of CA	Milpitas	Landfill Surface Requirements

**These facilities have received one or more Notices of Violations
Report period: July 1, 2021 – September 30, 2021
(continued)**

Santa Clara County Continued...				
Status Date	Site #	Site Name	City	Regulation Title
8/4/2021	A9013	International Disposal Corp of CA	Milpitas	Standards for New Stationary Sources
8/17/2021	A9013	International Disposal Corp of CA	Milpitas	Public Nuisance
7/21/2021	A1812	Kirby Canyon Recycling and Disposal Facility	Morgan Hill	Landfill Surface Requirements
7/21/2021	A1812	Kirby Canyon Recycling and Disposal Facility	Morgan Hill	California Code of Regulations
7/15/2021	A2561	Shoreline Amphitheatre	Mountain View	Landfill Emission Control System Requirement
8/5/2021	Z7803	Mt View High School	Mountain View	Asbestos; Written Plan or Notification
8/31/2021	Z9609	PAUSD MOT	Palo Alto	GDF Standard Phase I CARB Certified Requirement
7/7/2021	Z9404	San Carlos 76	San Jose	Failure to Meet Permit Conditions
7/15/2021	Z9440	Capitol Nissan	San Jose	Failure to Meet Permit Conditions
7/27/2021	Z9475	MK Atar Properties Inc	San Jose	GDF Phase II Requirement: Hold Open Latch
7/28/2021	Z9440	Capitol Nissan	San Jose	Failure to Meet Permit Conditions
7/29/2021	E3467	Vander-Bend Manufacturing	San Jose	Failure to Meet Permit Conditions
8/13/2021	A7265	San Jose State University (Cogen Plant)	San Jose	Stationary Gas Turbines Annual Demonstration of Compliance
8/24/2021	Z9586	Belmont Village Senior Living	San Jose	No Permit to Operate
9/1/2021	A3294	Guadalupe Rubbish Disposal	San Jose	No Authority to Construct
9/1/2021	A3294	Guadalupe Rubbish Disposal	San Jose	No Permit to Operate
9/15/2021	A7265	San Jose State University (Cogen Plant)	San Jose	Failure to Meet Permit Conditions
9/28/2021	A0778	San Jose-Santa Clara Regional Wastewater Facility	San Jose	Non-Compliance; Major Facility Review
7/19/2021	Z9479	Chevron GDF	Santa Clara	Failure to Meet Permit Conditions
7/1/2021	Z9391	Stanford Golf Course Maint. Yard	Stanford	Failure to Meet Permit Conditions
7/6/2021	Z9394	Village Square Apartments	Sunnyvale	Asbestos; Containment Requirement
7/16/2021	A0733	City of Sunnyvale Water Pollution Control	Sunnyvale	Landfill Gas Collection and Emission Control System Requirements
7/16/2021	A0733	City of Sunnyvale Water Pollution Control	Sunnyvale	Non-Compliance; Major Facility Review
7/26/2021	Z9481	Alliance Gas GDF	Sunnyvale	All Phase I Vapor Recovery Requirements
7/26/2021	Z9481	Alliance Gas GDF	Sunnyvale	GDF Operating Practices
9/8/2021	Z9674	SFD	Sunnyvale	Asbestos; Reporting Demolition and Renovation
Solano County				
Status Date	Site #	Site Name	City	Regulation Title
7/1/2021	Z9389	Benicia Industries	Benicia	Failure to Meet Permit Conditions
7/13/2021	B2626	Valero Refining Company - California	Benicia	Non-Compliance; Major Facility Review
7/13/2021	B2626	Valero Refining Company - California	Benicia	Non-Compliance; Major Facility Review
7/13/2021	B2626	Valero Refining Company - California	Benicia	Emission Limitations for Sulfur Recovery Plants
7/13/2021	A0901	Valero Benicia Asphalt Plant	Benicia	Non-Compliance; Major Facility Review
7/27/2021	B4511	Gilroy Energy Center, LLC (Wolfskill Energy Center)	Fairfield	Failure to Meet Permit Conditions
9/29/2021	Z9345	Concrush	Fairfield	No Authority to Construct
9/29/2021	Z9345	Concrush	Fairfield	No Permit to Operate
9/13/2021	Z9719	Bonfare Market #37 - GDF	Suisun City	GDF Phase II Equipment Not Maintained
7/6/2021	Z9393	Broadway Exxon	Vallejo	Gasoline Dispensing Facility Record Keeping Requirements
7/22/2021	A3319	Vallejo Flood and Wastewater District	Vallejo	Failure to Meet Permit Conditions
7/22/2021	Z9449	M F Maher	Vallejo	GDF Standard Phase II CARB Certified Requirement
Sonoma County				
Status Date	Site #	Site Name	City	Regulation Title
7/6/2021	B1308	NorCal HealthConnect LLC dba Petaluma Vly H	Petaluma	No Permit to Operate
9/13/2021	A1071	City of Petaluma, Dept of Water Resources & (Petaluma	Failure to Meet Permit Conditions
9/13/2021	A1071	City of Petaluma, Dept of Water Resources & (Petaluma	Failure to Meet Permit Conditions
9/29/2021	A2254	Republic Services of Sonoma County, Inc	Petaluma	Landfill Emission Control System Requirement
8/6/2021	Z9524	Straus Family Creamery	Rohnert Park	Inorganic Gaseous Pollutants Registration Requirements
7/6/2021	Z9381	COM	Santa Rosa	Asbestos; Written Plan or Notification
7/6/2021	Z9382	SFD	Santa Rosa	Asbestos; Written Plan or Notification
9/15/2021	A1641	BoDean Company Inc	Santa Rosa	Total Suspended Particulate Concentration Limits
9/15/2021	A1641	BoDean Company Inc	Santa Rosa	Total Suspended Particulate Weight Limits

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021**

Alameda

Site Name	Site #	City	Penalty Amount	# of Violations Closed
100 Mac 76 GDF	Z9002	Oakland	\$700	1
Altus Draft & Design	Z8640	Oakland	\$150	1
ARCO AMPM Minimart	Z5000	Dublin	\$100	1
ARCO Service Station	X1491	Hayward	\$250	2
Bayview Shell #136019	Z9006	San Leandro	\$100	1
Chevron #0289	Z8560	Berkeley	\$2,000	1
Chevron Station #90972	Z8581	Berkeley	\$750	1
Claremont Country Club	R6462	Oakland	\$5,000	1
Craig Schwab	Z8436	Pleasanton	\$3,500	1
DeSilva Gates Construction	B7755	Dublin	\$1,500	2
Elements Petroleum	Y4948	Berkeley	\$750	1
Henkel US Operations Corporation	A0774	Berkeley	\$2,000	2
Hesperian Gas, Inc.	Z8480	Hayward	\$1,000	1
Marina Food Market	Z9108	San Leandro	\$4,750	1
New Raja Enterprises, Inc.	Z8506	Hayward	\$250	1
Oncore Manufacturing, LLC dba NEO Tech	B1851	Fremont	\$6,000	2

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

Alameda (cont'd)

P.W. Stephens Environmental, Inc.	Z3449	Hayward	\$7,500	1
PW Stephens	Z9074	Fremont	\$10,000	1
PW Stephens, Inc.	Y0778	Hayward	\$1,000	2
R&B Equipment	Z4338	Hayward	\$6,000	2
Restoration Management Company	Z5380	Hayward	\$500	1
Restoration Management Company	Z9686	Hayward	\$500	1
Salkhi Petroleum Inc.	Z8126	San Leandro	\$2,000	1
Silverado Contractors Inc.	Z8840	Oakland	\$250	1
Stone City Corp.	Z9167	Fremont	\$250	1
SV Apartments LLC	Z8129	Fremont	\$2,500	3
SW Building Design	Z9113	Dublin	\$100	1
Vasco Road Landfill	A5095	Livermore	\$3,800	3
Wave 92 (76 Station)	Z8024	Hayward	\$250	1
Zoetis, Inc.	B9013	Union City	\$1,000	1

Alameda Total Violations Closed: 40

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

Contra Costa

Site Name	Site #	City	Penalty Amount	# of Violations Closed
523Rods	A5558	Richmond	\$250	1
A-Street Union 76	V8974	Antioch	\$250	1
A-Street Union 76	Z9120	Antioch	\$300	1
Atria Senior Living Facility	E2579	Walnut Creek	\$1,000	2
C Hammond Construction	U3580	Richmond	\$750	1
California Department of Water Resources	A8930	Byron	\$500	1
Carmax Pleasant Hill	Z8262	Pleasant Hill	\$4,000	1
Chevron Products Company	P4764	San Ramon	\$2,500	2
Crow Canyon Country Club	Z8885	Danville	\$6,000	2
Danville 76	Z8820	Danville	\$100	1
Danville Olde Town ARCO	Z8875	Danville	\$500	1
Grand Petroleum Inc.	Z4381	Concord	\$250	1
Harbor Petroleum Inc.	Z8965	Brentwood	\$250	1
Henkel US Operations Corporation	B2855	Bay Point	\$7,500	4
Lone Tree Shell	V5389	Antioch	\$150	1
MSE Environmental	U7269	Martinez	\$200	1

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

Contra Costa County (Cont'd)

Napier Venture Inc.	Z9330	San Ramon	\$500	1
Petromart Retail Group	Z8439	Lafayette	\$250	1
Reeza Inc.	Z8887	San Ramon	\$500	1
Southern Counties Oil Co	Z8818	San Ramon	\$1,400	1
Southern Counties Oil Co.	Z8816	Concord	\$750	2
St Marys College GDF	Z8984	Moraga	\$3,000	1
ST Shore Terminals LLC	A0581	Crockett	\$89,000	6
Star Holdings LLC	Z7190	Moraga	\$2,500	3
TransMontaigne Operating Company LP	A0745	Richmond	\$7,500	1
TransMontaigne Operating LP	A7034	Martinez	\$47,500	6
Woodbridge Construction	Z8711	El Sobrante	\$100	1

Contra Costa Total Violations Closed: 46

Marin

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Novato Sanitary District	A1275	Novato	\$2,500	1

Marin Total Violations Closed: 1

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

Napa

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Quantium Limits Vineyards	N9852	Napa	\$250	1
Syar Industries Inc.	A2158	Napa	\$2,000	1

Napa Total Violations Closed: 2

San Francisco

Site Name	Site #	City	Penalty Amount	# of Violations Closed
City & County San Francisco	Y5771	San Francisco	\$750	1
Gashouse Cove Marina, Inc.	S5763	San Francisco	\$500	1
Rank Quichserve	Z8380	San Francisco	\$750	1
San Francisco Public Utilities Commission	A4116	San Francisco	\$4,500	1
The Presidio Trust	B2517	San Francisco	\$4,000	1

San Francisco Total Violations Closed: 5

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

San Mateo

Site Name	Site #	City	Penalty Amount	# of Violations Closed
5 Star Gas & Diesel	Z7758	Colma	\$1,750	1
Belmont Shell	Z5043	Belmont	\$800	1
Condo	Z8759	San Bruno	\$6,000	3
Double Time	Z7690	Belmont	\$9,000	1
Gas & Shop/Andy's BP Inc.	Z4864	South San Francisco	\$10,000	1
Genentech, Inc.	A1257	South San Francisco	\$13,000	2
HL Enterprises, Inc.	Z9165	Redwood City	\$750	1
Holiday Cleaners	B1414	South San Francisco	\$2,000	2
Holy Cross Cemetery	Z8539	Colma	\$1,000	1
Home of Peace Cemetery	Z8852	Colma	\$1,000	1
ICE Design Inc.	Z8585	South San Francisco	\$250	1
KN Properties	L4516	Half Moon Bay	\$750	1
Lake Merced Country Club	Z9115	Daly City	\$1,500	1
LG Energy Group LLC	Z8760	San Mateo	\$2,500	1
Menlo Country Club	Z8582	Redwood City	\$3,000	1
MFD	Z8656	San Bruno	\$500	1

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

San Mateo (Cont'd)

MFD	Z8681	San Bruno	\$1,000	2
MFD	Z8831	San Bruno	\$2,750	3
Rong Chang Lang	Z8951	San Bruno	\$1,500	3
San Bruno Kwik Serv	Z9205	San Bruno	\$1,000	2
Sharon Heights Golf and Country Club	X5624	Menlo Park	\$1,000	1
Sharp Park Golf Course	Z8633	Pacifica	\$500	1
Skywood Trading Post	Z8481	Woodside	\$2,000	1
Westborough Kwik Serv	Z8022	South San Francisco	\$500	1
Woodlawn Cemetery	A8020	Colma	\$2,500	1

San Mateo Total Violations Closed: 35

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

Santa Clara

Site Name	Site #	City	Penalty Amount	# of Violations Closed
BD Biosciences	A5751	San Jose	\$1,000	1
BELFOR Property Restoration	V6482	San Jose	\$500	1
City of Los Altos Maintenance Service Center	Z9290	Los Altos	\$500	1
Corning Optical Communication Silicon Valley	E0875	Milpitas	\$500	1
EV Ventures, LLC	Z8850	Santa Clara	\$500	1
Farhad & Parissa Olfat	Z9214	San Jose	\$500	1
Great America Gas & Auto Care	Z9197	Santa Clara	\$225	1
J & M Termite Control, Inc.	Z9087	Mountain View	\$750	1
MK Atar Properties Inc.	Z9475	San Jose	\$250	1
Reed & Graham, Inc.	A0107	San Jose	\$1,500	1
Sacramento ST Gas LLC	Z8738	Milpitas	\$500	1
Santa Clara Unified School District	X3062	Santa Clara	\$2,000	1
Silicon Valley Valero	Z9655	Mountain View	\$250	1
SOhal Oil #2	Z8734	San Jose	\$1,000	1
Valero of Santa Clara	Z9153	Santa Clara	\$1,750	1
Western Digital Corporation	A0085	San Jose	\$1,500	2

Santa Clara Total Violations Closed: 17

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

Solano

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Element Petroleum, Inc.	Z8809	Vallejo	\$750	1
Flyers Valero	Z5353	Fairfield	\$6,000	1
State of California Highway Patrol	A4212	Vallejo	\$1,000	1
Sull Corp.	Z8871	Suisun City	\$100	1
Vizavoo Inc. dba Fairfield Gas	Y7216	Fairfield	\$1,100	3

Solano Total Violations Closed: 7

Sonoma

Site Name	Site #	City	Penalty Amount	# of Violations Closed
Cachita LLC	Z8720	Sonoma	\$1,000	1
Caltrans-Petaluma Maint Site	Z9100	Petaluma	\$1,000	1
Curran Environmental Services Inc.	Z9380	Petaluma	\$500	1
CVE NB Contracting Group Inc.	Z5329	Rohnert Park	\$2,000	2
Salkhi Petroleum Inc.	Z8547	Santa Rosa	\$1,500	1
Sonoma County Facilities Dev & Mngmt Div	A9080	Santa Rosa	\$500	1
Sonoma Raceway	Z5370	Sonoma	\$2,500	1
St Joseph Health N CA, dba Santa Rosa Mem Hospital	A2531	Santa Rosa	\$250	1

Sonoma Total Violations Closed: 9

**Closed Notice of Violations with Penalties by County
July 1, 2021 – September 30, 2021 (continued)**

District Wide

Site Name	Site #	City	Penalty Amount	# of Violations Closed
1-888-4-Abatement	Z9231	Rancho Cordova	\$375	1
7-Eleven Inc.	Z8587	Irving	\$500	1
AFM Environmental Inc.	F0615	West Sacramento	\$500	1
BP West Coast Products LLC	Z4251	Artesia	\$1,000	1
Colonial Energy LLC	Z9003	Orange	\$750	1
Edward R. Marszal Enterprises Inc.	Z8889	Carmichael	\$1,000	1
Hertz Corporation	Z7318	Estero	\$1,500	1
MG2	Z9155	Seattle	\$500	1
NH Environmental, Inc.	X3022	City Of Industry	\$500	1
Power One LLC	Z8545	Anaheim	\$300	2
RADC Enterprises Inc.	Z8552	Upland	\$1,250	1
Southern Counties Oil Co.	Z8377	Rancho Cordova	\$1,000	3
Tesoro Refining & Marketing	Z8371	San Antonio	\$500	1
Tesoro Refining & Marketing Co, LLC	Z9304	San Antonio	\$2,500	1

District Wide Total Violations Closed: 17



Gavin Newsom, Governor
 Jared Blumenfeld, CalEPA Secretary
 Liane M. Randolph, Chair

To: **Members of the Board of Directors**
 From: Davina Hurt, Board Member, California Air Resources Board
 Date: November 3, 2021
 Subject: Quarterly Report of My Activities as an Air Resources Board Member

The list below summarizes my activities as a California Air Resources Board member from July 1, 2021, through September 30, 2021:

July Activities

12th Meeting w/ VERA re: Offsets and Scoping Plan
 19th July Staff Briefing
 Meeting w/ CALSTART re: Meet-and-Greet
 22nd July Board Meeting
 26th Stockton CERP Briefing
 29th Stockton CERP Meeting

August Activities

2nd Meeting w/ World Energy re: EJ Issues and Renewable Energy
 11th Meeting w/ Charge Point re: Meet-and-Greet

September Activities

3rd Eastern Coachella Valley CERP Briefing
 8th Meeting w/ Pacific Environment re: Commercial Harbor Craft
 9th Eastern Coachella Valley CERP Meeting
 10th Meeting w/ CNGVC re: Advanced Clean Cars II
 17th September Staff Briefing
 23rd September Board Meeting

Attachments: Public Agendas



Advance Copy Public Meeting Agenda

Thursday, July 22, 2021

In accordance with Governor Newsom's Executive Order [N-08-21](#), the July 22, 2021, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833

Webinar ID: 823 4173 2206

To only watch the Board Meeting and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by the California Air Resources Board (CARB or Board) during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

[Webcast](#) – for those who only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)

Thursday, July 22, 2021 @ 9:00 a.m.

Discussion Item:

21-6-1: Public Hearing to Consider Proposed Revisions to the On-Board Diagnostic System Requirements and Associated Enforcement Provisions for Passenger Cars, Light-Duty Trucks, Medium-Duty Vehicles and Engines, and Heavy-Duty Engines

The Board will consider amendments to the light-duty, medium-duty, and heavy-duty on-board diagnostic (OBD) system regulations to require more data to be stored by the OBD systems, address issues regarding several malfunction monitors, and address manufacturers' implementation concerns.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
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Closed Session

The Board may hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

Best Energy Solutions & Technology Corp., et al v. California Air Resources Board, et al., Kern County Superior Court, Case No. BCV-20-102198.

California v. Stout, et al., United States District Court, Central District of California, Case No. 2:20-cv-00371.

California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

California, et al. v. United States Environmental Protection Agency, United States Court of Appeals for the District of Columbia Circuit, Case No. 21-1024.

California, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

Clean Energy Renewable Fuels, LLC v. California Air Resources Board, Orange County Superior Court, Case No. 30-2020-01167039-CU-WM-CJC.

Competitive Enterprise Inst. v. NHTSA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145 (consolidated with No. 20-1167).

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

Environmental Defense Fund, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360.

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

John R. Lawson Rock & Oil, Inc. et al., v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 19CEGG00331.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985.

State of California v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

State of California v. Wheeler et. al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with Nos. 19-1241, 19-1242, 19-1243, 19-1245, 19-1246, and 19-1249.

State of California, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1359.

State of California, et al. v. David Bernhardt, et al., United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR; United States Court of Appeals, Ninth Circuit, Case No. 20-16793.

State of California, et al., v. United States Environmental Protection Agency, United States District Court, Northern District of California, Case No. 4:18-cv-03237-HSG.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

State of New York, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

State of New York, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028.

State of Massachusetts v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS; United States Court of Appeals, Tenth Circuit, Case No. 20-8073.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

Western States Petroleum Association v. California Air Resources Board, Los Angeles County Superior Court, Case No. 20STCP03138x.

Westmoreland Mining v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1160.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc., Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

Opportunity for Members of the Board to Comment on Matters of Interest

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

Open Session to Provide an Opportunity for Members of the Public to Address the Board on Subject Matters within the Jurisdiction of the Board

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.

Other Information

[Submit Comments Electronically the Day of the Board Meeting](#)

[View Submitted Comments](#)

Please Note: PowerPoint presentations to be displayed during public comment at the Board meeting must be electronically submitted via email to the Clerks' Office at cotb@arb.ca.gov no later than noon on the business day prior to the scheduled Board meeting.

If you have any questions, please contact the Clerks' Office:

1001 I Street, 23rd Floor, Sacramento, California 95814

cotb@arb.ca.gov or (916) 322-5594

CARB Homepage: www.arb.ca.gov

Special Accommodation Request

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;

- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at cotb@arb.ca.gov or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Acomodación Especial

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alterno u otro idioma
- Una acomodación razonable relacionados con una incapacidad

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor contacte la oficina del Consejo al (916) 322-5594 o por correo electrónico al cotb@arb.ca.gov lo más pronto posible, pero no menos de 7 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.



Public Meeting Agenda

Thursday, July 29, 2021

In accordance with Governor Newsom's Executive Order [N-08-21](#), the July 29, 2021, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833

Webinar ID: 843 7998 7828

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[Webcast](#) – for those who only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)

[Como Participar en la Reunión del Consejo a Distancia](#)

[Agenda de la Reunión del Consejo del 29 de julio de 2021](#)

Spanish interpretation will be provided for the July 29 Board Meeting.

Thursday, July 29, 2021 @ 4:00 p.m.

Discussion Item:

21-7-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Stockton

The community emissions reduction program was developed through a partnership between the San Joaquin Valley Air Pollution Control District and the Stockton Community Steering Committee. The Board will consider the Stockton Community Emissions Reduction Program as required by Assembly Bill 617, and will also consider adopting a California Environmental Quality Act exemption as part of its action.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
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Opportunity for Members of the Board to Comment on Matters of Interest

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

Open Session to Provide an Opportunity for Members of the Public to Address the Board on Subject Matters within the Jurisdiction of the Board

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but that do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak. The public will also have an opportunity to [submit written comments](#) for open session the morning of the Board Meeting.

Other Information

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[View Submitted Comments](#)

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cotb@arb.ca.gov or (916) 322-5594

CARB Homepage: www.arb.ca.gov

Special Accommodation Request

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- Documents made available in an alternate format or another language;

- A disability-related reasonable accommodation.

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- Un intérprete que esté disponible en la audiencia
- Documentos disponibles en un formato alternativo u otro idioma
- Una acomodación razonable relacionados con una incapacidad

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Public Meeting Agenda

Thursday, September 9, 2021

In accordance with Governor Newsom's Executive Order [N-08-21](#), the September 9, 2021, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833

Webinar ID: 814 5432 4317

To only watch the Board Meeting and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by the California Air Resources Board (CARB or Board) during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

[Webcast](#) – for those who only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)

[Como Participar en la Reunión del Consejo a Distancia](#)

[Agenda de la Reunión del Consejo del 9 de septiembre de 2021](#)

Spanish interpretation will be provided for the September 9, 2021, Board Meeting.

Thursday, September 9, 2021 @ 4:00 p.m.

Discussion Item:

21-8-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Eastern Coachella Valley

The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the Eastern Coachella Valley Community Steering Committee. The Board will consider the Eastern Coachella Valley

Community Emissions Reduction Program as required by Assembly Bill 617 and will also consider adopting a California Environmental Quality Act exemption as part of its action.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

Opportunity for Members of the Board to Comment on Matters of Interest

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Open Session to Provide an Opportunity for Members of the Public to Address the Board on Subject Matters within the Jurisdiction of the Board

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Other Information

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[View Submitted Comments](#)

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cotb@arb.ca.gov or (916) 322-5594

CARB Homepage: www.arb.ca.gov

Special Accommodation Request

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- Documents made available in an alternate format or another language;
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Public Meeting Agenda

Thursday, September 23, 2021

In accordance with Governor Newsom's Executive Order [N-08-21](#), the September 23, 2021, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833

Webinar ID: 883 1975 8093

To only watch the Board Meeting and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by the California Air Resources Board (CARB or Board) during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

[Webcast](#) – for those who only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)

[Como Participar en la Reunión del Consejo a Distancia](#)

[Agenda de la Reunión del Consejo del 23 de septiembre de 2021](#)

Spanish interpretation will be provided for the September Board Meeting.

Thursday, September 23, 2021 @ 9:00 a.m.

Discussion Items:

21-9-1: Public Meeting to Consider Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal

The Board will consider adopting the proposed Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal.

- [More Information](#)
- [Public Meeting Notice](#)

- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

21-9-2: Public Meeting to Consider Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal

The Board will consider adopting the proposed Second 10-Year Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

21-9-3: Public Meeting to Hear an Update on the 2018 PM2.5 State Implementation Plan for the San Joaquin Valley and Consider a State Implementation Plan Revision for the 15 µg/m³ Annual PM2.5 Standard

The Board will hear an update on the implementation of the 2018 PM2.5 State Implementation Plan (SIP) for the San Joaquin Valley and consider a SIP Revision for the 15 microgram per cubic meter annual PM2.5 standard.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

21-9-5: Public Hearing to Consider Proposed Amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate

The Board will consider staff's proposal for the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate. The amendments are designed to achieve additional emission and health risk reductions by requiring zero-emission truck TRUs, a PM emission standard for newly-manufactured TRU engines, and the use of lower global warming potential refrigerant. This hearing will be the first of two planned Board hearings.

- [Formal Rulemaking Webpage \(includes links to Notice, Staff Report, and Appendices\)](#)
 - [Public Meeting Notice](#)

- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

Closed Session

The Board may hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

Best Energy Solutions & Technology Corp., et al v. California Air Resources Board, et al., Kern County Superior Court, Case No. BCV-20-102198.

California v. Stout, et al., United States District Court, Central District of California, Case No. 2:20-cv-00371.

California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

California, et al. v. United States Environmental Protection Agency, United States Court of Appeals for the District of Columbia Circuit, Case No. 21-1024.

California, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

Clean Energy Renewable Fuels, LLC v. California Air Resources Board, Orange County Superior Court, Case No. 30-2020-01167039-CU-WM-CJC.

Competitive Enterprise Inst. v. NHTSA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145 (consolidated with No. 20-1167).

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

Environmental Defense Fund, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360.

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985.

State of California v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

State of California v. Wheeler et. al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with Nos. 19-1241, 19-1242, 19-1243, 19-1245, 19-1246, and 19-1249.

State of California, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1359.

State of California, et al. v. David Bernhardt, et al., United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR; United States Court of Appeals, Ninth Circuit, Case No. 20-16793.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1018.

State of New York, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

State of New York, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028.

State of Massachusetts v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS; United States Court of Appeals, Tenth Circuit, Case No. 20-8073.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

Western States Petroleum Association v. California Air Resources Board, Los Angeles County Superior Court, Case No. 20STCP03138x.

Westmoreland Mining v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1160.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc., Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 19, 2021

Re: Notice of Proposed Amendments to the Air District's Administrative Code, Division
II: Fiscal Policies & Procedures, Section 5 Allowable Expenses, 5.1 Director Travel
Expenses

RECOMMENDED ACTION

The Board of Directors will consider adopting an amendment to the Air District's Administrative Code, Division II: Fiscal Policies & Procedures, Section 5 Allowable Expenses, 5.1 Director Travel Expenses.

BACKGROUND

Members of the Board of Directors are occasionally asked to attend conferences and events outside of the Bay Area on behalf of the Air District. On November 17, 2021, the Administration Committee was presented with a staff recommendation to create a travel policy to provide clear guidance to Board Members when traveling on behalf of the Air District. Direction was provided to staff to bring the formal policy, as an amendment to the Air District's Administrative Code to the Board of Directors for consideration of adoption.

DISCUSSION

The Air District does not have an explicit travel policy for Board Members. The Air District Administrative Code provides direction for reimbursable expenses for Board Members as it relates to the business of the Air District, but is limited as to how travel is authorized and cost reimbursement. The proposed Policy would establish a formal policy, enhance transparency of board operations, and provide guidance to Board Members when traveling.

This item is notice of the proposed amendments. Adoption of these proposed amendments will be considered at a subsequent meeting of the Board of Directors.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Rex Sanders
Reviewed by: Jack P. Broadbent

Attachment 8A: Air District's Administrative Code, Division II: Fiscal Policies & Procedures, Section 5 Allowable Expenses, 5.1 Director Travel Expenses, Redlined Version

Attachment 8B: Air District's Administrative Code, Division II: Fiscal Policies & Procedures, Section 5 Allowable Expenses, 5.1 Director Travel Expenses, Final Draft Version

SECTION 5 ALLOWABLE EXPENSES

5.1 Director Travel Expenses. (Rev. Date)

~~The Board of Directors shall be reimbursed for actual and necessary expenses, including meals, incurred by them in the performance of their duties, and for travel incurred by them in the performance of their duties, and for travel expenses outside of the District when authorized by the Board of Directors or the Chairperson of the Board in cases where short notice prevented authorization by the full Board. Directors shall be reimbursed for mileage at the rate per mile allowed by the Internal Revenue Service each year. Mileage shall be allowed to Directors for meetings of the Board of Directors and for committee meetings from their homes to the office of the District or to such other place as the meeting of the Directors or the committee, or other official business, may be held. Necessary incidental expenses shall include all reasonable charges for bridge tolls and for parking.~~

Board Members are entitled to receive reimbursement for actual and necessary expenditures incurred in connection with the performance of their official duties for the Bay Area Air Quality Management District (BAAQMD). The guiding principle of this policy is that travel and expenditures incurred on behalf of BAAQMD must be in the public interest. This document establishes guidelines for expenditures authorized as business expenditures and business travel expenditures incurred by BAAQMD Board Members.

a) General Procedures and Responsibilities

All travel for BAAQMD Board Members must be justified business travel (Section j) and must be preapproved in accordance with the Administrative Code to be eligible for reimbursement. For all in-state travel, the Chair may authorize Board Member travel on behalf of BAAQMD. For all out-of-state travel, including international travel, the Administration Committee must authorize Board Member travel on behalf of BAAQMD prior to travel. In the case of an unexpected or urgent need to travel on BAAQMD business, a Board Member may obtain the approval of the Chair, in writing, before the expenditures are incurred. Such approval must be reported to and ratified by the Administration Committee at the committee's next meeting.

Board Members will be reimbursed for all reasonable and necessary expenditures while traveling on authorized agency business. Expenditures should be paid with a personal credit card or cash. Advances are not allowed. A list of non-reimbursable expenditures is included in Section j. Actual receipts are almost always required except where otherwise stated in this Policy.

When a Board Member combines business and personal travel on a business trip, the Board Member will be responsible for the additional charges related to the personal travel. Only Board Member's direct travel expenditures are eligible for reimbursement. BAAQMD is unable to provide reimbursement for travel expenditures incurred by a spouse or any another individual traveling with the Board Member.

Requests for reimbursement of expenditures must be submitted on the authorized BAAQMD Expense Reimbursement Form within 30 calendar days after the conclusion of the trip. Receipts must be provided for all expenditures (other than incidentals that typically do not result in a receipt such as tips). Any reimbursement or payment issued by BAAQMD which is subsequently refunded to the traveler by a third party must be repaid to BAAQMD within 30 calendar days of receipt.

Only the Executive Director can override and approve specific cost items that would otherwise be ineligible for reimbursement under this Travel and Expenditure Policy, and only when it is in the best interests of BAAQMD to do so. Any Board Member reimbursement that requires the waiver of this policy by the Executive Director for approval will be brought back to the Administration Committee for informational purposes.

Expenditure reimbursement documents will be audited from time to time and are considered public records subject to disclosure under the California Public Records Act.

Any Board Member authorized to travel on behalf of BAAQMD pursuant to this section shall provide a brief, written report on their travel on the Board Member Travel Report Back Form. The Chair may also request that Board Members who represent BAAQMD at meetings, conferences, or other events provide an oral report on their participation and experience to the Board.

b) Board Member Selection for Attendance

The Chair shall nominate for approval by the Administration Committee, Board Members for out-of-state and international travel to attend conferences, conventions, legislative advocacy trips and other forms of reimbursable travel covered by this policy. In making such nominations, the Chair shall solicit the interest of Board Members and consult with the Executive Director and any other relevant BAAQMD staff to ensure compliance with this policy.

The Chair, Vice Chair or Secretary shall have priority to represent BAAQMD at any event where attendance is limited or capped due to cost or capacity. In considering which other Board Members may be selected for travel, or who shall represent BAAQMD in the stead of the Executive Officers, the Chair shall consider, at a minimum, all the following:

- The history of attendance and participation by Board Members at regular BAAQMD Board and Committee Meetings
- The length of service on the Board by a Board Member
- The prior opportunities to travel and represent BAAQMD by Board Members
- The relevance or appropriateness of Board Members' committee assignments to the nature and purpose for the travel
- Opportunities for the professional growth or development of new Board Members
- The relevance and purpose of a meeting or agenda to the home jurisdiction of Board Members
- Equitable considerations that would elevate or include the voices of marginalized members of the Bay Area.

Additionally, the Chair shall have the authority to recommend non-Board Members for inclusion in BAAQMD-related travel. In making such a recommendation, the Chair shall demonstrate how and why the recommendation fulfills the mission of BAAQMD and is consistent with the goals of the Board and agency.

c) Conferences/Conventions

Registration fees for conferences and conventions are reimbursable for Board Members if the conference or convention is directly related to the mission of BAAQMD, the Board Member

is attending as a representative of BAAQMD and the Board Member received preapproval from the Administration Committee.

d) Air Travel

Board Members flying on business should make reservations as early as possible to minimize costs.

For domestic air travel with a flight duration of four hours or less, airfare should be purchased for coach/economy seats only, at the lowest cost possible which provides a practical flight itinerary and meets the requirements of the trip. First and business class airfare is not a reimbursable expenditure, nor are upgrades from the lowest coach/economy fare to “economy plus” seats (or equivalent), or to first or business class. If a Board Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available coach/economy fare only.

For domestic air travel with a flight duration of more than four hours, as well as for international travel, airfare may be purchased at the “economy plus” fare/seats. First and business class airfare is not a reimbursable expenditure, nor are upgrades to first or business class. If a Board Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available “economy plus” fare only.

Board Members will be reimbursed for regular baggage fees charged pursuant to applicable airline policy. Excess baggage charges will be reimbursed only when the Board Member is traveling with heavy or bulky materials or equipment necessary for BAAQMD business.

e) Hotel Accommodations

When making hotel reservations, Board Members must use the approved Per Diem Rates for lodging located on the General Services Administration (GSA) website, www.gsa.gov for the location of the stay plus 25%, to determine the maximum hotel accommodation expenditure that BAAQMD will reimburse per night, plus any applicable taxes.

Board Members should use hotels where government rates are available. Hotels that subscribe to a “green” standard must be utilized where available.

If the hotel stay is in connection with a conference or training activity, the cost should not exceed the maximum group rate published by the conference or activity sponsor. Inquiries should always be made about any special rates or discounts available to BAAQMD by the hotel, such as governmental rates, to get the best rate possible.

If accommodations are shared with individuals who are not traveling on BAAQMD business, the Board Member is responsible for the payment of any rate difference between the single occupancy room rate and actual rate incurred.

Resort or facility use fees imposed by the hotel, such as fitness center fees and internet connection fees and business center charges incurred for performing BAAQMD work, are allowable as reimbursable business-related expenditures.

Hotel self-parking fees are also allowable as reimbursable business-related expenditures, however, the cost of parking at the hotel should be considered when deciding whether to rent a vehicle or use public transportation (see Transportation discussion below). Valet parking fees will not be reimbursed.

f) Rental Vehicles

Reimbursement for rental of cars or other vehicles while traveling on BAAQMD business is limited to those circumstances where the need for a vehicle for business purposes is expected to be extensive, or the use of taxi services or public transportation would not be economical or practical. Board Members who operate vehicles on BAAQMD business must have a valid driver's license and proof of insurance in their possession and must also have a good driving record.

In the event a rental vehicle is required, BAAQMD will reimburse for a "Standard Class" size vehicle or alternative fuel vehicle, except when there are justifiable circumstances, such as group requirements, which make a larger vehicle necessary. The use of alternative fuel vehicles should, when available, should be used, even if the cost triggers a surcharge or exceeds the cost of a non-alternative fuel vehicle.

BAAQMD holds liability insurance to cover third parties in case a Board Member injures someone or causes property damage to another vehicle while renting a car or driving his/her own personal vehicle while engaging in BAAQMD business. Accordingly, rental car insurance is not an allowable reimbursable expenditure.

Rental cars should be returned with a full tank of gas to avoid refueling fees. The cost of gas for rental cars is an allowable expenditure under this policy.

g) Meals While Traveling

One-Day Travel – meals are NOT an allowable reimbursable expenditure for one-day travel unless such travel is more than 25 miles one way from either the Bay Area Metro Center or the Board Member's personal residence.

Multiple-Day Travel – meals will be reimbursed at the lesser of:

- i) Actual reasonable cost (including applicable taxes and reasonable tip), or
- ii) The Per Diem Rates for meals located on the GSA website, www.gsa.gov for the location of the stay plus 25%. Note that separate rates are provided for Breakfast, Lunch and Dinner. For travel days where a Board Member has traveled more than 12 hours but less than 24 hours, the Per Diem Rate shall be 75% of the GSA rate for the destination.

If the actual cost method is used, an original itemized receipt must be submitted with the expense report form. If meals are provided by an event or conference the cost for which is paid by BAAQMD, then no separate reimbursement is allowed for that meal. A Board Member who pays the bill for a meal attended by more than one Board Member or BAAQMD employee may submit the expenditure with receipt for the combined meal cost, but all attendees' names must be included on the expense report form. Only costs related to Board Members and BAAQMD employees' meals are eligible for reimbursement. Costs incurred for any other person at such a meal (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Board Members who claim the allowable Per Diem Rate from the GSA website should print the page for the location of the meeting or conference from the website to attach to their expense report form. In addition, they should retain their actual receipts to substantiate out-of-pocket expenses in the event of an audit by the State or IRS.

Alcoholic beverages are not a reimbursable expenditure. Alcoholic beverages may appear on the itemized receipt for a meal, but the charge (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Entertainment expenditures are not considered reimbursable expenditures. This includes, but is not limited to, meals unrelated to BAAQMD business, movies, shows, etc...

h) Other Meals

Expenditures for business meals other than meals during travel, such as meals with other elected officials where BAAQMD business is discussed, must be preapproved by the Executive Director. To obtain reimbursement for such expenditures, the following documentation is required and must be recorded on the expense report form or backup documentation:

- i) Names of individuals present along with their titles and affiliation,
- ii) Name and location of where the meal took place,
- iii) Exact amount and date of the expenditure, and
- iv) Specific BAAQMD-related topics discussed.

i) Miscellaneous Travel Expenditures

Ordinary, reasonable, and necessary miscellaneous expenditures are reimbursable at actual cost when accompanied by itemized receipts and justification for the expenditures including WiFi, phone, fax, and similar expenses.

In-flight phones and WiFi services should be used only in emergency situations.

Tipping – reasonable and customary tipping rates are reimbursable. In the US 15-20% gratuity on meals, up to a \$3 baggage handling gratuity and up to \$5 per day housekeeping gratuity are considered reasonable and are allowable. (Receipts for baggage and housekeeping gratuities are not required for reimbursement.)

Transportation – Fares and expenditures for taxis, shuttles, buses, BART, or other public transportation (including Uber, Lyft or similar services) are reimbursable when incurred for BAAQMD business. Receipts should be obtained whenever possible, but expenditures are still eligible for reimbursement when a receipt is unavailable. If a receipt is not available, a printout from the transportation agency showing the fare must be submitted for reimbursement. For example: a printout from the BART website showing the total fare for the trip taken. Board Members should apply prudent business judgment in determining the means of transportation to use.

Personal/Private Vehicle Usage – Board Member's use of a personal/private vehicle is reimbursable at the mileage rate established by the IRS which can be found at www.irs.gov. Details on the date of travel, starting and ending destinations, purpose of travel, miles driven, tolls and parking costs (receipt required when possible) incurred must be provided on the expense report form. A printout from a map website such as Google Maps should be used to determine the total miles driven and must be submitted with the expense report form. Board Members who operate vehicles on BAAQMD business must have a valid driver's license and proof of insurance in their possession, and a good driving record.

j) Justified BAAQMD Travel

Justified BAAQMD travel trips include but are not limited to:

- Attending meetings with local representatives in Sacramento or Washington DC or Sacramento with BAAQMD Staff for legislative advocacy purposes.
- Attending the AWMA Conference as a BAAQMD representative
- Attending other air quality-related conferences as a BAAQMD representative

- Attending the annual COP Climate Conference as a BAAQMD representative

NOTE: Justified travel is not limited to the list provided above. This list is provided for reference purposes only and includes the most common examples of justified travel. All trips must be preapproved, regardless of whether they are included on this list.

k) Non-Reimbursable Expenditures

Non-reimbursable expenditures include but are not limited to:

Airfare upgrades or rental car upgrades

Air phone charges (except in emergencies)

Alcoholic beverages

Business class airfare

Entertainment expenditures

Expenditures incurred by/for spouses or other travel companions Expenditures related to personal days while on business trip First class airfare

Interest incurred on credit cards

Loss due to theft of cash or personal property

Lost baggage or briefcase

Meeting room rentals (when not for BAAQMD business) “No show” charges for hotel or car service

Optional travel or baggage insurance

Parking or traffic tickets or fines

Personal items

Reading material such as magazines, books and newspapers Rental car insurance

Valet parking fees

NOTE: Non-reimbursable expenditures are not limited to the list provided above. This list is provided for reference purposes only.

l) Forms

The Travel and Expense Reimbursement Forms and Board Member Travel Report Back Form are kept by the Clerk of the Board.

SECTION 5 ALLOWABLE EXPENSES

5.1 Director Travel Expenses. (Rev. Date)

Board Members are entitled to receive reimbursement for actual and necessary expenditures incurred in connection with the performance of their official duties for the Bay Area Air Quality Management District (BAAQMD). The guiding principle of this policy is that travel and expenditures incurred on behalf of BAAQMD must be in the public interest. This document establishes guidelines for expenditures authorized as business expenditures and business travel expenditures incurred by BAAQMD Board Members.

a) General Procedures and Responsibilities

All travel for BAAQMD Board Members must be justified business travel (Section j) and must be preapproved in accordance with the Administrative Code to be eligible for reimbursement. For all in-state travel, the Chair may authorize Board Member travel on behalf of BAAQMD. For all out-of-state travel, including international travel, the Administration Committee must authorize Board Member travel on behalf of BAAQMD prior to travel. In the case of an unexpected or urgent need to travel on BAAQMD business, a Board Member may obtain the approval of the Chair, in writing, before the expenditures are incurred. Such approval must be reported to and ratified by the Administration Committee at the committee's next meeting.

Board Members will be reimbursed for all reasonable and necessary expenditures while traveling on authorized agency business. Expenditures should be paid with a personal credit card or cash. Advances are not allowed. A list of non-reimbursable expenditures is included in Section j. Actual receipts are almost always required except where otherwise stated in this Policy.

When a Board Member combines business and personal travel on a business trip, the Board Member will be responsible for the additional charges related to the personal travel. Only Board Member's direct travel expenditures are eligible for reimbursement. BAAQMD is unable to provide reimbursement for travel expenditures incurred by a spouse or any another individual traveling with the Board Member.

Requests for reimbursement of expenditures must be submitted on the authorized BAAQMD Expense Reimbursement Form within 30 calendar days after the conclusion of the trip. Receipts must be provided for all expenditures (other than incidentals that typically do not result in a receipt such as tips). Any reimbursement or payment issued by BAAQMD which is subsequently refunded to the traveler by a third party must be repaid to BAAQMD within 30 calendar days of receipt.

Only the Executive Director can override and approve specific cost items that would otherwise be ineligible for reimbursement under this Travel and Expenditure Policy, and only when it is in the best interests of BAAQMD to do so. Any Board Member reimbursement that requires the waiver of this policy by the Executive Director for approval will be brought back to the Administration Committee for informational purposes.

Expenditure reimbursement documents will be audited from time to time and are considered public records subject to disclosure under the California Public Records Act.

Any Board Member authorized to travel on behalf of BAAQMD pursuant to this section shall provide a brief, written report on their travel on the Board Member Travel Report Back Form.

The Chair may also request that Board Members who represent BAAQMD at meetings, conferences, or other events provide an oral report on their participation and experience to the Board.

b) Board Member Selection for Attendance

The Chair shall nominate for approval by the Administration Committee, Board Members for out-of-state and international travel to attend conferences, conventions, legislative advocacy trips and other forms of reimbursable travel covered by this policy. In making such nominations, the Chair shall solicit the interest of Board Members and consult with the Executive Director and any other relevant BAAQMD staff to ensure compliance with this policy.

The Chair, Vice Chair or Secretary shall have priority to represent BAAQMD at any event where attendance is limited or capped due to cost or capacity. In considering which other Board Members may be selected for travel, or who shall represent BAAQMD in the stead of the Executive Officers, the Chair shall consider, at a minimum, all the following:

- The history of attendance and participation by Board Members at regular BAAQMD Board and Committee Meetings
- The length of service on the Board by a Board Member
- The prior opportunities to travel and represent BAAQMD by Board Members
- The relevance or appropriateness of Board Members' committee assignments to the nature and purpose for the travel
- Opportunities for the professional growth or development of new Board Members
- The relevance and purpose of a meeting or agenda to the home jurisdiction of Board Members
- Equitable considerations that would elevate or include the voices of marginalized members of the Bay Area.

Additionally, the Chair shall have the authority to recommend non-Board Members for inclusion in BAAQMD-related travel. In making such a recommendation, the Chair shall demonstrate how and why the recommendation fulfills the mission of BAAQMD and is consistent with the goals of the Board and agency.

c) Conferences/Conventions

Registration fees for conferences and conventions are reimbursable for Board Members if the conference or convention is directly related to the mission of BAAQMD, the Board Member is attending as a representative of BAAQMD and the Board Member received preapproval from the Administration Committee.

d) Air Travel

Board Members flying on business should make reservations as early as possible to minimize costs.

For domestic air travel with a flight duration of four hours or less, airfare should be purchased for coach/economy seats only, at the lowest cost possible which provides a practical flight itinerary and meets the requirements of the trip. First and business class airfare is not a reimbursable expenditure, nor are upgrades from the lowest coach/economy fare to "economy

plus” seats (or equivalent), or to first or business class. If a Board Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available coach/economy fare only.

For domestic air travel with a flight duration of more than four hours, as well as for international travel, airfare may be purchased at the “economy plus” fare/seats. First and business class airfare is not a reimbursable expenditure, nor are upgrades to first or business class. If a Board Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available “economy plus” fare only.

Board Members will be reimbursed for regular baggage fees charged pursuant to applicable airline policy. Excess baggage charges will be reimbursed only when the Board Member is traveling with heavy or bulky materials or equipment necessary for BAAQMD business.

e) Hotel Accommodations

When making hotel reservations, Board Members must use the approved Per Diem Rates for lodging located on the General Services Administration (GSA) website, www.gsa.gov for the location of the stay plus 25%, to determine the maximum hotel accommodation expenditure that BAAQMD will reimburse per night, plus any applicable taxes.

Board Members should use hotels where government rates are available. Hotels that subscribe to a “green” standard must be utilized where available.

If the hotel stay is in connection with a conference or training activity, the cost should not exceed the maximum group rate published by the conference or activity sponsor. Inquiries should always be made about any special rates or discounts available to BAAQMD by the hotel, such as governmental rates, to get the best rate possible.

If accommodations are shared with individuals who are not traveling on BAAQMD business, the Board Member is responsible for the payment of any rate difference between the single occupancy room rate and actual rate incurred.

Resort or facility use fees imposed by the hotel, such as fitness center fees and internet connection fees and business center charges incurred for performing BAAQMD work, are allowable as reimbursable business-related expenditures.

Hotel self-parking fees are also allowable as reimbursable business-related expenditures, however, the cost of parking at the hotel should be considered when deciding whether to rent a vehicle or use public transportation (see Transportation discussion below). Valet parking fees will not be reimbursed.

f) Rental Vehicles

Reimbursement for rental of cars or other vehicles while traveling on BAAQMD business is limited to those circumstances where the need for a vehicle for business purposes is expected to be extensive, or the use of taxi services or public transportation would not be economical or practical. Board Members who operate vehicles on BAAQMD business must have a valid driver’s license and proof of insurance in their possession and must also have a good driving record.

In the event a rental vehicle is required, BAAQMD will reimburse for a “Standard Class” size vehicle or alternative fuel vehicle, except when there are justifiable circumstances, such as group requirements, which make a larger vehicle necessary. The use of alternative fuel vehicles should, when available, should be used, even if the cost triggers a surcharge or exceeds the cost of a non-alternative fuel vehicle.

BAAQMD holds liability insurance to cover third parties in case a Board Member injures someone or causes property damage to another vehicle while renting a car or driving his/her own personal vehicle while engaging in BAAQMD business. Accordingly, rental car insurance is not an allowable reimbursable expenditure.

Rental cars should be returned with a full tank of gas to avoid refueling fees. The cost of gas for rental cars is an allowable expenditure under this policy.

g) Meals While Traveling

One-Day Travel – meals are NOT an allowable reimbursable expenditure for one-day travel unless such travel is more than 25 miles one way from either the Bay Area Metro Center or the Board Member's personal residence.

Multiple-Day Travel – meals will be reimbursed at the lesser of:

- i) Actual reasonable cost (including applicable taxes and reasonable tip), or
- ii) The Per Diem Rates for meals located on the GSA website, www.gsa.gov for the location of the stay plus 25%. Note that separate rates are provided for Breakfast, Lunch and Dinner. For travel days where a Board Member has traveled more than 12 hours but less than 24 hours, the Per Diem Rate shall be 75% of the GSA rate for the destination.

If the actual cost method is used, an original itemized receipt must be submitted with the expense report form. If meals are provided by an event or conference the cost for which is paid by BAAQMD, then no separate reimbursement is allowed for that meal. A Board Member who pays the bill for a meal attended by more than one Board Member or BAAQMD employee may submit the expenditure with receipt for the combined meal cost, but all attendees' names must be included on the expense report form. Only costs related to Board Members and BAAQMD employees' meals are eligible for reimbursement. Costs incurred for any other person at such a meal (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Board Members who claim the allowable Per Diem Rate from the GSA website should print the page for the location of the meeting or conference from the website to attach to their expense report form. In addition, they should retain their actual receipts to substantiate out-of-pocket expenses in the event of an audit by the State or IRS.

Alcoholic beverages are not a reimbursable expenditure. Alcoholic beverages may appear on the itemized receipt for a meal, but the charge (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Entertainment expenditures are not considered reimbursable expenditures. This includes, but is not limited to, meals unrelated to BAAQMD business, movies, shows, etc...

h) Other Meals

Expenditures for business meals other than meals during travel, such as meals with other elected officials where BAAQMD business is discussed, must be preapproved by the Executive Director. To obtain reimbursement for such expenditures, the following documentation is required and must be recorded on the expense report form or backup documentation:

- i) Names of individuals present along with their titles and affiliation,
- ii) Name and location of where the meal took place,
- iii) Exact amount and date of the expenditure, and

iv) Specific BAAQMD-related topics discussed.

i) Miscellaneous Travel Expenditures

Ordinary, reasonable, and necessary miscellaneous expenditures are reimbursable at actual cost when accompanied by itemized receipts and justification for the expenditures including WiFi, phone, fax, and similar expenses.

In-flight phones and WiFi services should be used only in emergency situations.

Tipping – reasonable and customary tipping rates are reimbursable. In the US 15-20% gratuity on meals, up to a \$3 baggage handling gratuity and up to \$5 per day housekeeping gratuity are considered reasonable and are allowable. (Receipts for baggage and housekeeping gratuities are not required for reimbursement.)

Transportation – Fares and expenditures for taxis, shuttles, buses, BART, or other public transportation (including Uber, Lyft or similar services) are reimbursable when incurred for BAAQMD business. Receipts should be obtained whenever possible, but expenditures are still eligible for reimbursement when a receipt is unavailable. If a receipt is not available, a printout from the transportation agency showing the fare must be submitted for reimbursement. For example: a printout from the BART website showing the total fare for the trip taken. Board Members should apply prudent business judgment in determining the means of transportation to use.

Personal/Private Vehicle Usage – Board Member's use of a personal/private vehicle is reimbursable at the mileage rate established by the IRS which can be found at www.irs.gov. Details on the date of travel, starting and ending destinations, purpose of travel, miles driven, tolls and parking costs (receipt required when possible) incurred must be provided on the expense report form. A printout from a map website such as Google Maps should be used to determine the total miles driven and must be submitted with the expense report form. Board Members who operate vehicles on BAAQMD business must have a valid driver's license and proof of insurance in their possession, and a good driving record.

j) Justified BAAQMD Travel

Justified BAAQMD travel trips include but are not limited to:

- Attending meetings with local representatives in Sacramento or Washington DC or Sacramento with BAAQMD Staff for legislative advocacy purposes.
- Attending the AWMA Conference as a BAAQMD representative
- Attending other air quality-related conferences as a BAAQMD representative
- Attending the annual COP Climate Conference as a BAAQMD representative

NOTE: Justified travel is not limited to the list provided above. This list is provided for reference purposes only and includes the most common examples of justified travel. All trips must be preapproved, regardless of whether they are included on this list.

k) Non-Reimbursable Expenditures

Non-reimbursable expenditures include but are not limited to:

Airfare upgrades or rental car upgrades

Air phone charges (except in emergencies)

Alcoholic beverages

Business class airfare

Entertainment expenditures

Expenditures incurred by/for spouses or other travel companions Expenditures related to personal days while on business trip First class airfare

Interest incurred on credit cards

Loss due to theft of cash or personal property

Lost baggage or briefcase

Meeting room rentals (when not for BAAQMD business) "No show" charges for hotel or car service

Optional travel or baggage insurance

Parking or traffic tickets or fines

Personal items

Reading material such as magazines, books and newspapers Rental car insurance

Valet parking fees

NOTE: Non-reimbursable expenditures are not limited to the list provided above. This list is provided for reference purposes only.

l) Forms

The Travel and Expense Reimbursement Forms and Board Member Travel Report Back Form are kept by the Clerk of the Board.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chair Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Proposed Regulatory Agenda for 2022

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Each year, the Air District is required by Health and Safety Code section 40923 to publish a list of regulatory measures scheduled or tentatively scheduled for consideration during the next calendar year. If a measure is not on this list, it may not be brought before the Board of Directors unless it is necessary to:

1. Satisfy federal requirements;
2. Abate a substantial endangerment to public health or welfare;
3. Comply with state toxic air contaminant requirements;
4. Comply with California Air Resources Board (CARB) requirement that the Air District adopt contingency measures due to inadequate progress towards attainment;
5. Preserve an existing rule's "original intent;" or
6. Allow for alternative compliance under an existing rule.

The attached list includes all measure that may come before the Board in calendar year 2022. Some of the measures may fall within exceptions listed above but are nevertheless included for completeness. It is very unlikely that all the measures on the list will be enacted during the calendar year. Rules are listed in numerical order as they appear in the Air District Rules and Regulations.

All new rules and rule amendments must be adopted at a public hearing conducted by the Board of Directors of the Air District. Public comment is accepted at these hearings. Public notice of hearings is provided as required by law. In addition, the Air District staff typically conducts public workshops and provides opportunities for oral and written comments before scheduling a rule for public hearing for the Board's consideration. Information on workshops, hearings, and other rule development issues may be obtained from the Air District website.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Victor Douglas
Reviewed by: Greg Nudd

Attachment 9A: Bay Area Air Quality Management District 2022 Regulatory Measures List

AGENDA 9A - ATTACHMENT

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
PROPOSED REGULATORY AGENDA
CALENDAR YEAR 2022**

Regulation, Rule	Title	Objectives ¹
Reg. 1	General Provisions and Definitions	Clarify and enhance District policies, definitions
Reg. 2, Rule 1	General Requirements (Permits)	GHG threshold, community health protection
Reg. 2, Rule 2	New Source Review	GHG threshold, community health protection
Reg. 2, Rule 4	Emissions Banking	Community health protection
Reg. 2, Rule 5	New Source Review for Toxic Air Contaminants	Clarifications, community health protection
Reg. 2, Rule 9	Interchangeable Emission Reduction Credits	Community health protection
Reg. 2, Rule TBD	Biogas Flares	Reduce emissions
Reg. 3	Fees	Cost recovery
Reg. 4	Air Pollution Episode Plan	Reduce emissions
Reg. 5	Open Burning	Reduce emissions
Reg. 6	General Provisions	Standardize administrative requirements
Reg. 6, Rule 1	Construction and Cement Plants	CERPs, reduce emissions
Reg. 6, Rule 2	Commercial Cooking Devices	CERPs, reduce emissions
Reg. 6, Rule 3	Wood Burning Devices	CERPs, clarifications, reduce emissions
Reg. 6, Rule 4	Metal Recycling and Shredding Operations	CERPs, clarifications, reduce emissions
Reg. 6, Rule 5	Fluid Catalytic Cracking Units	AB 617 BARCT, reduce emissions, definitions
Reg. 6, Rule TBD	Glass Melting and Forming Operations	Reduce emissions
Reg. 6, Rule TBD	Reduction of Health Risks from Particulate Matter	Reduce emissions and risk
Reg. 7	Odorous Substances	Clarifications, reduce emissions
Reg. 8, Rule 1 and others	General Provisions	Applicability, VOC and refinery definitions, remove methane exemption if applicable
Reg. 8, Rule 2	Miscellaneous Operations	Clarifications
Reg. 8, Rule 3	Architectural Coatings	Clarifications, flexibility
Reg. 8, Rule 4	General Solvent and Surface Coating Operations	Clarifications, reduce emissions
Reg. 8, Rule 5	Storage of Organic Liquids	AB 617 BARCT, reduce emissions
Reg. 8, Rule 6	Organic Liquid Bulk Terminals and Bulk Plants	Clarifications, reduce emissions

Regulation, Rule	Title	Objectives ¹
Reg. 8, Rule 7	Gasoline Dispensing Facilities	CERPs, reduce emissions
Reg. 8, Rule 8	Wastewater Collection and Separation Systems	AB 617 BARCT, clarifications, definitions, emission reductions
Reg. 8, Rule 9	Vacuum Producing Systems	Clarifications, definitions
Reg. 8, Rule 10	Process Vessel Depressurization	Clarifications, definitions, reduce emissions
Reg. 8, Rule 11	Metal Container, Closure and Coil Coating	Clarifications, definitions, reduce emissions
Reg. 8, Rule 12	Paper, Fabric and Film Coating	Clarifications, definitions, reduce emissions
Reg. 8, Rule 13	Light and Medium Duty Motor Vehicle Assembly Plants	Clarifications, definitions, reduce emissions
Reg. 8, Rule 14	Surface Preparation and Coating of Large Appliances and Metal Furniture	Clarifications, definitions, reduce emissions
Reg. 8, Rule 15	Emulsified and Liquid Asphalts	Reduce emissions
Reg. 8, Rule 16	Solvent Cleaning Operations	Clarifications, reduce emissions
Reg. 8, Rule 18	Equipment Leaks	AB 617 BARCT, clarifications, definitions, applicability, reduce emissions, changes to address legal concerns
Reg. 8, Rule 19	Surface Preparation and Coating of Miscellaneous Metal Parts and Products	Clarifications, definitions, reduce emissions
Reg. 8, Rule 20	Graphic Arts Operations	Clarifications, reduce emissions, EPA policy
Reg. 8, Rule 21	Rubber Tire Manufacturing Operations	Clarifications, definitions
Reg. 8, Rule 22	Valves and Flanges at Chemical Plants	Clarifications, definitions
Reg. 8, Rule 23	Coating of Flat Wood Paneling and Wood Flat Stock;	Clarifications, definitions, reduce emissions
Reg. 8, Rule 24	Pharmaceutical and Cosmetic Manufacturing Operations;	Clarifications, definitions, reduce emissions
Reg. 8, Rule 26	Magnet Wire Coating Operations	Clarifications, definitions, reduce emissions
Reg. 8, Rule 28	Episodic Releases from Pressure Relief Devices at Petroleum Refineries and Chemical Plants	Clarifications, flexibility, definitions, reduce emissions
Reg. 8, Rule 29	Aerospace Assembly and Component Coating Operations	Clarifications, definitions, reduce emissions
Reg. 8, Rule 30	Semiconductor Manufacturing Operations	Reduce emissions
Reg. 8, Rule 31	Surface Coating of Plastic Parts and Products	Clarifications, definitions, reduce emissions
Reg. 8, Rule 32	Wood Products Coatings	Clarifications, flexibility, reduce emissions
Reg. 8, Rule 33	Gasoline Bulk Terminals and Gasoline Delivery Vehicles	Clarifications
Reg. 8, Rule 34	Solid Waste Disposal Sites	Climate protection, reduce emissions
Reg. 8, Rule 35	Coating, Ink and Adhesive Manufacturing	Clarifications, definitions, reduce emissions
Reg. 8, Rule 36	Resin Manufacturing	Clarifications, definitions, reduce emissions

Regulation, Rule	Title	Objectives ¹
Reg. 8, Rule 37	Natural Gas and Crude Oil Production Facilities	Reduce emissions, consistency with ARB standards, definitions
Reg. 8, Rule 38	Flexible and Rigid Disc Manufacturing	Clarifications, VOC definition, reduce emissions
Reg. 8, Rule 39	Gasoline Bulk Plants and Gasoline Delivery Vehicles	Clarifications
Reg. 8, Rule 40	Aeration of Contaminated Soil and Removal of Underground Storage Tanks	Clarifications, definitions
Reg. 8, Rule 41	Vegetable Oil Manufacturing Operations	Clarifications, definitions
Reg. 8, Rule 43	Surface Preparation and Coating of Marine Vessels	Clarifications, definitions, reduce emissions
Reg. 8, Rule 44	Marine Vessel Loading	Clarifications, reduce emissions
Reg. 8, Rule 45	Motor Vehicle and Mobile Equipment Coating Operations	CERPs, reduce emissions, clarifications, flexibility
Reg. 8, Rule 46	Marine Tank Vessel to Marine Tank Vessel Loading	Clarifications
Reg. 8, Rule 47	Air Stripping and Soil Vapor Extraction Operations	Clarifications, organic compound definition
Reg. 8, Rule 49	Aerosol Paint Products	Clarifications, consistency with ARB standards, reduce emissions
Reg. 8, Rule 50	Polyester Resin Operations	Clarifications
Reg. 8, Rule 51	Adhesive and Sealant Products	Clarifications, reduce emissions
Reg. 8, Rule 52	Polystyrene, Polypropylene and Polyethylene Foam Product Mfg. Ops.	Clarifications
Reg. 8, Rule 53	Vacuum Truck Operations	Clarifications, definitions
Reg. 8, Rule TBD	Green Waste Operations	Reduce emissions
Reg. 8, Rule TBD	Livestock Waste/Confined Animal Facilities	Reduce emissions
Reg. 8, Rule TBD	Digital Printing	Reduce emissions
Reg. 8, Rule TBD	Natural Gas Transmission and Distribution	Reduce emissions
Reg. 8, Rule TBD	Wastewater from Coke Cutting	Reduce emissions
Reg. 8, Rule TBD	Wineries	Reduce emissions
Reg. 8, Rule TBD	Vanishing Oils and Rust Inhibitors	Reduce emissions
Reg. 8, Rule TBD	LPG, Propane, Butane, and other Pressurized Gases	Reduce emissions
Reg. 9, Rule 1	Sulfur Dioxide	Monitoring, recording requirements, reduce emissions
Reg. 9, Rule 2	Hydrogen Sulfide	Monitoring, recording requirements, reduce emissions
Reg. 9, Rule 4	NOx from Fan Type Residential Central Furnaces	Reduce emissions
Reg. 9, Rule 6	NOx from Natural Gas-Fired Water Heaters	Clarifications, reduce emissions
Reg. 9, Rule 7	NOx and CO from Boilers, Steam Generators and Process Heaters	Clarifications, reduce emissions

Regulation, Rule	Title	Objectives ¹
Reg. 9, Rule 8	Stationary IC Engines	CERPs, clarifications, reduce emissions
Reg. 9, Rule 9	Stationary Gas Turbines	Reduce emissions
Reg. 9, Rule 10	Refinery boilers, steam generators and process heaters	Reduce emissions
Reg. 9, Rule 12	NOx, SO ₂ and Particulate from Glass Melting Furnaces	Reduce emissions
Reg. 9, Rule 13	NOx, Particulate Matter and Toxic Air Contaminants from Cement Kilns	AB 617 BARCT, clarifications, reduce emissions
Reg. 9, Rule 14	SOx from Petroleum Coke Calcining	AB 617 BARCT, reduce emissions
Reg. 9, Rule TBD	NOx from Kilns, Ovens and Furnaces	Reduce emissions
Reg. 9, Rule TBD	NOx from Large Residential and Commercial Space Heating	Reduce emissions
Reg. 9, Rule TBD	Sulfur content for gaseous fuels	Reduce emissions
Reg. 9, Rule TBD	Sulfur content for liquid fuels	Reduce emissions
Reg. 9, Rule TBD	PM Exposure Reduction	Reduce emissions
Reg. 9, Rules TBD	Source-Specific PM Reductions Rules.	Reduce emissions
Reg. 10	Standards of Performance for New Stationary Sources	Federal standards update
Reg. 11	Hazardous Air Pollutants	Reference federal standards
Reg. 11, Rule 1	Lead	Clarifications, reference federal standards
Reg. 11, Rule 2	Asbestos Demolition, Lead Paint Removal, Renovation and Manufacturing	Clarifications
Reg. 11, Rule 10	Hexavalent Chromium from All Cooling Towers and Total Hydrocarbon Emissions from Petroleum Refinery Cooling Towers	Clarifications, changes to address legal concerns
Reg. 11, Rule 14	Asbestos-Containing Serpentine	Clarifications, reduce emissions
Reg. 11, Rule 18	Reduction of Risks from Air Toxics at Existing Facilities	Clarifications, change timelines, change risk thresholds and applicability
Reg. 11, Rule TBD	Backup Generators	Reduce emissions and risk
Reg. 12, Rule 11	Flare Monitoring at Petroleum Refineries	Clarifications, definitions
Reg. 12, Rule 12	Flares at Petroleum Refineries	Reduce emissions, definitions, administrative
Reg. 12, Rule 13	Foundry and Forging Operations	CERPs, reduce emissions
Reg. 12, Rule 15	Refinery Emissions Tracking	increase monitoring accuracy and precision, assess health impacts, definitions
Reg 13:	Climate Pollutants	Standardize definitions and administrative requirements
Reg. 13, Rule 1	Significant Methane Releases	Reduce emissions
Reg. 13, Rule 2	Organic Materials Handling	Climate protection
Reg. 13, Rule 3	Composting Operations	Climate protection
Reg. 13, Rule 4	Sewage Treatment Facilities and Anaerobic Digesters	Climate protection

Regulation, Rule	Title	Objectives ¹
Reg. 13, Rule 5	Petroleum Refinery Hydrogen Systems	Climate protection
Reg. 13, Rule TBD	Petroleum Refinery Carbon Intensity Limits	Climate protection
Reg. 13, Rule TBD	Short-Lived Climate Pollutants	Climate protection
Reg. 13, Rule TBD	Refrigeration Management	Climate protection
Reg. 13, Rule TBD	Heat Mitigating Technologies Deployment	Climate protection
Reg. 13, Rule TBD	Energy Use in Residential, Commercial and Industrial Sectors	Climate protection
Reg. 13, Rule TBD	Livestock Waste	Climate protection
Reg. 13, Rule TBD	Carbon Neutrality	Climate protection
Reg. 14, Rule 1	Commuter Benefits Program	Expand Program
Reg. 15:	Disaster Preparedness & Response Program	Reduce emissions, respond to emergencies
Reg. and Rule TBD	Indirect Source Review	Reduce emissions
Reg. and Rule TBD	Episodic Controls	Reduce emissions
Reg. and Rule TBD	Sulfur Hexafluoride	Reduce emissions
Reg. and Rule TBD	Magnet Source Rule	Reduce emissions
Reg. and Rule TBD	Emergency Stand-by Stationary IC Engines	Reduce emissions
Reg. and Rule TBD	Refinery Fuel Gas	Reduce emissions
Reg. and Rule TBD	Limiting Health Impacts from Particulate Matter Pollution	Reduce emissions and health impacts
Reg. and Rule TBD	Sulfuric Acid Plants	Reduce emissions
Reg. and Rule TBD	Sulfur Plants	Reduce emissions
Reg. and Rule TBD	Refinery Delayed Cokers	Reduce emissions
Reg. and Rule TBD	Methane and Air Toxics from Oil & Gas Capped Wells	Reduce emissions
Reg. and Rule TBD	Ammonia from Stationary Sources	Reduce emissions
Reg. and Rule TBD	Sample and Analyze Episodic Event Plumes	Monitor emissions, assess health impacts
Reg. and Rule TBD	Impacts of Crude Changes Upstream of Crude Units	Improve enforceability
Reg. and Rule TBD	Start-up, Shutdown & Malfunction Emissions	Reduce emissions
Reg. and Rule TBD	Refinery Emissions Best Practices Backstop Rule	Reduce emissions
Reg. and Rule TBD	Periodic Assessment of Significant Emission Sources	Reduce emissions
Reg. and Rule TBD	AB 617 BARCT Plan	Community health protection
Reg. and Rule TBD	AB 617 Community Emissions Reduction Plans	Community health protection
MOP, Volume I	Enforcement Procedures	Clarification, improve data submittals
MOP, Volume II	Engineering Permitting Procedures	Consistency with EPA requirements, clarifications
MOP, Volume III	Laboratory Methods	New and improved analytical procedures
MOP, Volume IV	Source Test Methods	New and improved analytical procedures
MOP, Volume V	Continuous Emission Monitoring	New and improved analytical and monitoring procedures

Regulation, Rule	Title	Objectives ¹
MOP, Volume VI	Ground Level Monitoring	Consistency with EPA requirements
New MOP, Volume X	Procedures for Evaluating and Lists of Non-Precursor Organic Compounds, Group I and Group II	Evaluation and listing of NPOCs

1 Objectives are listed for information only and are subject to change. Rule development efforts for a rule are not limited to listed objectives.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Authorization to Accept 2022 Carl Moyer Program and Greenhouse Gas Reduction
Fund State Grant Funds from the California Air Resources Board

RECOMMENDATIONS

Recommend Board of Directors:

1. Authorize the Bay Area Air Quality Management District to accept, obligate, and expend new State funds from California Air Resources Board, for the following programs:
 - a. Carl Moyer Program Year 24 (up to \$42 million);
 - b. Community Air Protection Grant Program (up to \$60 million);
 - c. Funding Agricultural Reduction Measures for Emission Reductions Program, (up to \$6 million).
2. Allocate \$6.3 million in Mobile Source Incentive Funds to provide the required match funding and additional monies for projects eligible for funding under the Carl Moyer Program guidelines;
3. Adopt resolutions authorizing the Executive Officer/APCO to execute all necessary agreements with the California Air Resources Board relating to these new funds; and
4. Authorize the Executive Officer/APCO to enter into all agreements necessary to accept, obligate, and expend this funding, and to execute grant agreements and amendments for projects with individual grant award amounts up to \$100,000.

BACKGROUND

Carl Moyer Program (CMP)

The Bay Area Air Quality Management District (Air District) has participated in the CMP since the program began in Fiscal Year (FY) 1998-1999. Through the CMP, the Air District provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them.

Mobile Source Incentive Fund (MSIF)

Assembly Bill (AB) 923 (Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The Air District has collected this surcharge since it was first authorized and deposits the revenues from the surcharge in the Air District’s MSIF. AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible under the CMP.

Community Air Protection Program (CAP)

In 2017, AB 617 directed the California Air Resources Board (CARB), in conjunction with local air districts, to establish the CAP Program. The Air District has been participating the CAP Program since it was first conceived. A large goal of CAP is to benefit communities disproportionately impacted by air pollution, by focusing on reducing emissions from mobile sources and stationary sources that spend a substantial amount of time within impacted communities.

Funding Agricultural Reduction Measures for Emission Reductions Program (FARMER)

The Air District has participated in the FARMER Program since it first began in 2017. CARB developed the FARMER Program to meet the Legislature’s objectives and for the continued reduction of criteria, toxic, and greenhouse gas emissions from the agricultural sector, in service of the State’s emission reduction goals.

State Budget

The 2021 California State Budget appropriated \$260 million statewide for the CAP grant program; \$212.6 million in Greenhouse Gas Reduction Fund (GGRF) funds to the CARB for FARMER Program; and \$247 million in motor vehicle registration surcharge and tire fee funds to CARB in support of the CMP. State allocation amounts for Fiscal Year (FY) 2021-22 are larger than prior years; in some cases, over double, due to availability of additional funding from the State; and for CAP and FARMER, because the amount of funding represents a two-year cycle.

DISCUSSION

CMP and MSIF

The Air District recently applied for up to \$42 million for the implementation of the CMP Year 24 funding cycle (FY 2021-2022). The acceptance of CMP funds requires a minimum of 15% in matching funds for local districts and staff is recommending up to \$6.3 million in MSIF be provided as match for the CMP Year 24 funding cycle.

Staff plans to begin accepting CMP Year 24 applications in 2022 and to evaluate applications on a first-come, first-served basis until all funds have been allocated. Eligible projects include trucks and buses, mobile off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, forklifts, and infrastructure to support zero-emission vehicles and equipment.

The Air District will use the 2017 CARB CMP Guidelines, and subsequent updates for the Year 24 CMP cycle. In accordance with AB 1390, at least 50% of all CMP funding allocated by the Air District must be awarded to projects that benefit impacted communities. The process that will be used for identifying and prioritizing CMP Year 24 projects will be similar to the process used for the previous CMP funding cycles with priority given to projects that reduce emissions in communities based on data from the Air District's Community Air Risk Evaluation (CARE) program, as well as Disadvantaged Communities designated in Senate Bill (SB) 535 and Low-Income Communities defined in AB 1550.

CAP

The Air District will apply for up to \$60 million for the CAP program for award to eligible emission reduction grant projects for the fourth CAP cycle in 2022. Staff plans to begin accepting CAP applications by early 2022 for projects eligible under the Carl Moyer 2017 guidelines and will work on expanding eligible project categories allowed under the CAP Guidelines based on community priorities.

Eligible CAP projects under the Community Air Protection Incentives 2019 Guidelines include mobile source projects eligible under the CMP or the California Goods Movement Bond Program, stationary source emission reduction projects including zero-emission, and other projects developed with community input through a public process so long as the program is consistent with the actions identified in the applicable community emission reduction program pursuant to Section 44391.2 of the California Health and Safety Code.

In implementation of CAP, the Air District follows the Community Air Protection Incentives 2019 Guidelines. Pursuant to these state-adopted CAP guidelines and the legislative requirements imposed on these GGRF-sourced funds, at least 80% of CAP funds must benefit Disadvantaged Communities designated in SB 535 and Low-Income Communities defined in AB 1550.

FARMER

The Air District applied for nearly \$6 million for the fourth cycle of the FARMER Program in 2022. Staff plans to begin accepting FARMER applications in early 2022 and will evaluate eligible projects under the Carl Moyer Guidelines.

Eligible FARMER projects include agricultural vehicle and equipment replacements that meet the qualifications for the CMP, such as heavy-duty truck replacements, mobile off-road farm equipment replacements, and agricultural irrigation pump replacements, as well as advanced technology demonstration projects.

The Air District will utilize the FARMER Program Guidelines approved by CARB in 2018. As with CAP and other GGRF-funded programs, the FARMER Program is bound by legislative requirements, including the prioritization of Disadvantaged Communities designated in SB 535 and Low-Income Communities defined in AB 1550.

CAP, FARMER, CMP, and MSIF

For each of these funding sources, up to 6.25% of the total funds awarded to the Air District will be used to pay for administrative expenses related to the implementation of these respective programs.

For each of these funding sources, Staff is requesting a continuation of the Board’s direction to grant the Executive Officer/APCO authorization to execute contracts and amendments for projects with individual grant awards up to \$100,000. Projects with recommended award amounts over \$100,000 are brought to the Mobile Source and Climate Impacts Committee for consideration at least on a quarterly basis. Staff reviews and evaluates grant applications based upon the respective governing policies and guidelines established by the CARB and the Air District Board of Directors.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Through the CAP, FARMER, CMP, and MSIF grant programs the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for all programs are provided by each funding source.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jessica DePrimo and Alona Davis
Reviewed by: Chengfeng Wang and Karen Schkolnick

- Attachment 10A: Draft Resolution Accepting Year 24 Carl Moyer Program Funds from the California Air Resources Board
- Attachment 10B: Draft Resolution Accepting Fiscal Year 2021-22 Community Air Protection Grant Funding from the California Air Resources Board
- Attachment 10C: Draft Resolution Accepting Fiscal Year 2021-22 “Funding Agricultural Reduction Measures for Emission Reductions” Program Funding from the California Air Resources Board

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2021 -

**Resolution Accepting Year 24 Carl Moyer Program Funds
From the California Air Resources Board**

WHEREAS, California Health and Safety Code Division 26, Part 5, Chapter 9, empowers the California Air Resources Board (ARB) to allocate Carl Moyer Program funds to local air quality districts to provide financial incentives to both the public and private sectors to implement eligible projects to reduce emissions of oxides of nitrogen (NO_x), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them;

WHEREAS, California Health and Safety Code section 44287, authorizes ARB to provide an air district with funds if that district provides matching funds in an amount established by ARB;

WHEREAS, the Bay Area Air Quality Management District (District) has successfully implemented the Carl Moyer Program since its inception in 1998;

WHEREAS, the District submitted an application to ARB requesting \$42 million in Carl Moyer Program funds to implement the Carl Moyer Program within the District for the fiscal year (FY) 2021-2022 (Year 24) cycle;

WHEREAS, the District proposed to commit up to \$6.3 million in matching funds as part of the Year 24 Carl Moyer Program cycle, in accordance with the requirements of California Health and Safety Code section 44287;

WHEREAS, eligible projects include vehicle and equipment replacements or retrofits from on-road, marine, locomotive, agricultural, and off-road engines, and infrastructure to support zero-emission equipment;

WHEREAS, the District may consider projects that qualify for grant funds under the requirements for the State Reserve portion of Carl Moyer Program funds;

WHEREAS, the District will follow the 2017 ARB Carl Moyer Program Guidelines, and subsequent updates for the Year 24 CMP cycle, in the implementation of Carl Moyer Year 24 and MSIF funds;

WHEREAS, the District may use up to 6.25 percent of the funds it receives to pay the reasonable costs of implementing the incentive program.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the District's acceptance of FY 2021-2022 CMP funds, including the State Reserve portion thereof, to be awarded to eligible District projects in accordance with legislative and applicable program requirements.

BE IT FURTHER RESOLVED, the District will provide the required matching funds for District projects by allocating local MSIF revenues to eligible emission reduction projects that qualify for Carl Moyer Program matching purposes.

BE IT FURTHER RESOLVED, the Executive Officer/Air Pollution Control Officer is hereby authorized and empowered to execute on behalf of the District grant agreements with ARB and all other necessary documents to implement and carry out the purposes of this resolution.

The foregoing resolution was duly and regularly introduced, passed, and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the ____ day of _____, 2021, by the following vote of the Board:

AYES:

NOES:

ABSENT:

Cindy Chavez
Chair of the Board of Directors

ATTEST:

John Bauters
Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2021 -

**Resolution Accepting Fiscal Year 2021-2022
Community Air Protection Grant Funding
from the California Air Resources Board**

WHEREAS, Assembly Bill (AB) 617 directed the California Air Resources Board (ARB), in conjunction with local air districts, to establish the Community Air Protection (CAP) Program in order to provide a community-focused framework to improve air quality and reduce exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution;

WHEREAS, the Bay Area Air Quality Management District (District) has successfully implemented the CAP Program since its inception in 2017;

WHEREAS, the District will apply for up to \$60 million in CAP funds to implement the fourth cycle of the CAP program beginning Fiscal Year (FY) 2021-2022;

WHEREAS, eligible projects include mobile sources that meet eligibility requirements of the Carl Moyer Program and California Goods Movement Bond Program, stationary source equipment replacement projects that reduce emissions, and community-identified projects consistent with the applicable community emission reduction program pursuant to Section 44391.2 of the CA Health and Safety Code;

WHEREAS, the District will implement emission reduction projects pursuant to the CAP Incentives Guidelines, allocating funding to projects consistent with priorities identified by affected communities in a transparent, meaningful public process;

WHEREAS, the District may use up to 6.25 percent of the funds it receives to pay the reasonable costs of administering the incentive program.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the District's acceptance of FY 2021-2022 CAP funds to be awarded to eligible projects in accordance with legislative and applicable program requirements.

BE IT FURTHER RESOLVED, the Executive Officer/Air Pollution Control Officer is hereby authorized and empowered to execute on behalf of the District grant agreements with ARB and all other necessary documents to implement and carry out the purposes of this resolution.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the ____ day of _____, 2021, by the following vote of the Board:

AYES:

NOES:

ABSENT:

Cindy Chavez
Chairperson of the Board of Directors

ATTEST:

John Bauters
Secretary of the Board of Directors

DRAFT

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2021 -

Resolution Accepting Fiscal Year 2021-22 “Funding Agricultural Reduction Measures for Emission Reductions” Program Funding from the California Air Resources Board

WHEREAS, the California Air Resources Board (ARB) developed the Funding Agricultural Reduction Measures for Emission Reductions (FARMER) Program to meet the Legislature’s objectives and help meet the State’s criteria, toxic, and greenhouse gas emission reduction goals from the agricultural sector;

WHEREAS, the Bay Area Air Quality Management District (District) has successfully implemented the FARMER Program since its inception in 2017;

WHEREAS, the District submitted an application requesting nearly \$6 million in FARMER funds to implement the fourth cycle of the FARMER Program beginning in Fiscal Year (FY) 2021-2022;

WHEREAS, eligible projects include agricultural vehicle and equipment replacements that meet the qualifications for the Carl Moyer Program, such as heavy-duty truck replacements, mobile off-road farm equipment replacements, and agricultural irrigation pump replacements, and advanced technology demonstration projects;

WHEREAS, the District will follow the most recent version of the FARMER Guidelines released by ARB in the implementation of FARMER funds;

WHEREAS, the District may use up to 6.25 percent of the funds it receives to pay the reasonable costs of implementing the incentive program.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the District’s acceptance of FY 2021-2022 FARMER funds to be awarded to eligible projects in accordance with legislative and applicable program requirements.

BE IT FURTHER RESOLVED, the Executive Officer/Air Pollution Control Officer is hereby authorized and empowered to execute on behalf of the District grant agreements with ARB and all other necessary documents to implement and carry out the purposes of this resolution.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the ____ day of _____, 2021, by the following vote of the Board:

AYES:

NOES:

ABSENT:

Cindy Chavez
Chairperson of the Board of Directors

ATTEST:

John Bauters
Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Authorization to Approve Proposed Grant Awards for the Fiscal Years 2021/2022
James Cary Smith Community Grant Program

RECOMMENDED ACTION

Recommend the Board of Directors approve a second set of proposed grant awards for Fiscal Years 2021/2022 James Cary Smith Community Grant Program; and authorizing the Executive Officer/APCO to execute grant agreements for the recommended projects, in an amount not to exceed \$3,061,470.00.

BACKGROUND

On July 7, 2021, the Air District's Board of Directors authorized the release of Grant Guidelines and Call for Applications for the James Cary Smith Community Grant Program. During the application period, which closed on October 1, 2021, the Air District received 45 grant applications.

A review panel scored each application using the criteria outlined in the grant program guidelines. The panel consisted of one current member of the Richmond-North Richmond-San Pablo Community Emissions Reduction Plan Steering Committee, two Air District staff, one from the Technology Implementation Office and the other from the Office of Diversity, Equity and Inclusion, and one outside agency partner from the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG).

At its meeting on November 3, 2021, based on recommendations from a review panel, the Air District Board of Directors approved nine grant awards for FY2021/2022 James Cary Smith Community Grant Program and authorized the Executive Officer/APCO to execute grant agreements for the recommended projects, up to an amount not to exceed \$773,801.00. The following is the list of the nine awards approved by the Board of Directors.

Organization	Geographical Location	Amount Requested		
	AB 617	Year 1	Year 2	Year 3
Bayview Hunters Point Community Advocates	Bayview Hunters Point	\$100,000	\$100,000	\$100,000
Earth Team	Eastern Contra Costa, East Oakland & San Leandro	\$70,000	\$70,000	\$70,000
Greenaction for Health & Environmental Justice	Bayview Hunters Point	\$100,000	\$100,000	\$100,000
La Clinica de La Raza	Pittsburg, Bay Point & Vallejo	\$100,000	\$100,000	\$100,000
Marin City Climate Resilience and Health Justice	Marin City	\$100,000	\$100,000	\$100,000
Rose Foundation for Communities and the Environment	Pittsburg-Bay Point, Antioch, East Oakland & Bayview Hunters Point	\$100,000	NA	NA
Sequoia Foundation	East Oakland	\$98,801	\$86,419	\$79,855
Sustainable Contra Costa	Pittsburg, Bay Point, & Antioch	\$40,000	\$30,000	\$30,000
Valley Verde	San Jose	\$65,000	\$65,000	\$65,000

DISCUSSION

The Air District recently identified an opportunity to reprioritize California Air Resources Board (CARB) 19CAPP Grant funds to support capacity-building efforts through the James Cary Smith Grant program. In accordance with the provisions outlined in the Air District’s Grant Agreement with CARB, funding is reserved for projects serving designated AB 617 communities and communities awaiting AB 617 designation in the Bay Area. Therefore, Air District staff requests the Board of Directors’ approval to fund grant proposals from the recent James Cary Smith Community Grant solicitation that meet the AB 617 funding requirements and received a score of 70 or greater by the review panel. Following is the list of 25 eligible projects staff recommends for funding through the reprioritized 19CAPP Grant funds that received a score of 70 or greater by the review panel.

Organization	Geographical Location	Amount Requested		
	AB 617	Year 1	Year 2	Year 3
Acterra: Action for a Healthy Planet	San Jose/Pittsburg/Bay Point/Oakland (Unspecified)	\$99,500	\$71,900	\$71,900
Bayview YMCA	Southeastern San Francisco	\$100,000	\$100,000	\$100,000
Breathe California of the Bay Area, Golden Gate, and Central Coast	East San Jose	\$94,000	\$94,000	\$94,000
Brightline Defense Project	South Eastern San Francisco	\$100,000	\$100,000	\$100,000
Citizen Air Monitoring Network	Vallejo	\$100,000	\$100,000	\$100,000
Communities for a Better Environment	East Oakland	\$99,856	NA	NA
Community Climate Solutions	San Jose	\$90,000	\$55,000	\$55,000
East Bay Bike Coalition dba Bike East Bay	Pittsburg/Bay Point	\$63,900.52	\$73,575.55	\$76,174.32
Higher Ground Neighborhood Development Corp	East Oakland	\$50,000	\$25,000	\$25,000
HOPE Collaborative, A Project of the Tides Center	East Oakland	\$100,000	\$100,000	\$100,000
International Children Assistance Network	San Jose	\$100,000	\$100,000	\$100,000
Latinos United for a New America	San Jose	\$100,000	\$100,000	\$100,000
Livable City	San Francisco	\$80,000	\$80,000	\$80,000
Mycelium Youth Network	East Oakland	\$83,600	\$100,000	NA
NorCal Resilience Network	San Leandro	\$100,000	\$25,000	\$25,000
Rise South City	South Eastern San Francisco	\$100,000	\$100,000	\$100,000
San Francisco Transit Riders	South Eastern San Francisco	\$95,000	\$95,000	\$95,000
San Leandro 2050	San Leandro	\$99,204	NA	NA
Silicon Valley Bicycle Coalition	San jose	\$100,000	\$100,000	\$100,000
Strategic Energy Innovations TransForm	Bay Area AB617 Communities	\$100,000	\$100,000	\$100,000
	East Oakland	\$90,108	\$95,168	\$97,440
Tri-Valley Air Quality Community Alliance	Tri-Valley	\$100,000	\$100,000	\$100,000
Urban Habitat Program	Bay Area AB617 Communities	\$50,000	\$25,000	\$25,000
White Pony Express	Pittsburg/Bay Point	\$100,000	\$100,000	\$100,000
Youth UpRising	East Oakland	\$92,500	NA	NA

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding is included in Fiscal Years 2021/2022 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aneesh Rana, Megan Mabry, and Kristen Law
Reviewed by: Suma Peesapati and Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Authorization to Amend Current Grant Agreement with Community Health Protection
Grants Program Grantee, All Positives Possible

RECOMMENDED ACTION

Recommend the Board of Directors authorize a one-year extension to the term of the current grant agreement with All Positives Possible to December 31, 2022, with an increase of \$100,000 for a total grant amount not to exceed \$200,000.

BACKGROUND

In April of 2019, the Air District launched its Community Health Protection Grant Program to offer new capacity-building grants of up to \$50,000 to community groups, neighborhood associations, and local non-profits based in Assembly Bill (AB) 617 priority communities (East Oakland/San Leandro, Eastern San Francisco, East Contra Costa area, San Jose, the Tri-Valley, and Vallejo). The grants are intended to help communities design and implement strategies that foster authentic, empowered community participation in planning activities while increasing their ability to partner with the Air District in the future.

Our 2019 Community Health Protection Grantees were, as follows:

- All Positives Possible – Vallejo
- Breathe California of the Bay Area, Golden Gate, and Central Coast – San Jose
- Bayview Hunters Point Community Advocates – Eastern San Francisco
- Communities for a Better Environment – East Oakland
- International Children Assistance Network – San Jose
- La Clinica de la Raza – East Contra Costa
- Tri-Valley Air Quality Community Alliance – Tri-Valley

In early 2020, the COVID-19 Pandemic hit our nation. The Community Health Protection grantees were suddenly forced to adjust their projects to overcome the challenges posed by the shelter in place orders in effect throughout the Bay Area. Despite the challenges, the grantees displayed remarkable resilience by adjusting their engagement strategies to meet project objectives. To help the grantees build on the progress made during the first year of their project workplans, staff sought the approval of the Air District's Board of Directors to extend their contracts for an additional year

and to increase the total amount of their grant award. On November 24, 2020, the Board of Directors approved extending the terms of the current cohort's contracts to December 31, 2021 and increasing the total amount of their grants from \$50,000.00 to \$100,000.

DISCUSSION

The Air District recently identified an opportunity to reprioritize California Air Resources Board (CARB) 19CAPP Grant funds to support capacity-building efforts in communities awaiting AB 617 designation in the Bay Area.

All Positives Possible is a leader in their community of Southern Vallejo with a strong history of advocating on environmental justice issues related to air and water quality. Through its Community Health Protection Grant Program, the Air District supports the work All Positives Possible does to organize their community and develop their community's capacity to meaningfully participate in decision-making processes that impact their environmental health. Recognizing the critical nature of the work All Positives Possible is doing, Air District staff recommends extending the terms of their current Community Health Protection Grant agreement to December 31, 2022, and increasing the total amount of their grant award from \$100,000 to \$200,000. This extension and increase in funding are in line with the Air District's refocused James Cary Smith Community Grant Program, which also aims to strengthen partnerships with community-based organizations and work collaboratively to improve community members' ability to partner with the Air District to improve local air quality.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding is included in Fiscal Years 2021/2022 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aneesh Rana, Megan Mabry, and Kristen Law
Reviewed by: Suma Peesapati and Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Authorization to Adopt CalPERS Resolution to Pay and Report the Value of Employer
Paid Member Contribution

RECOMMENDATION

Recommend the Board of Directors consider adopting the CalPERS resolution to pay and report the value of Employer Paid Member Contribution (EPMC) for the Air Pollution Control Officer/Executive Officer and Legal Counsel.

BACKGROUND

In accordance with California Code of Regulations Section 571, Subdivision (a)(1), employers contracting with CalPERS are required to adopt a resolution indicating that certain conditions under the EPMC is being paid and reported as special compensation.

DISCUSSION

In July 2011, the Board of Directors adopted to incrementally remove paying and reporting the value of EPMC as special compensation for management group employees. This change does not include contract employees, the Air Pollution Control Officer/Executive Officer and Legal Counsel. The Air District continues to pay for their full member contributions due to the provisions in their employment agreements. The attached resolution is necessary to meet CalPERS reporting requirements.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully Submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Terri Levels
Reviewed by: Rex Sanders

Attachment 13A: Draft Resolution for Paying and Reporting the Value of Employer Paid Member Contribution

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION NO. 2021-17

A Resolution of the Board of Directors of the Bay Area Air Quality Management District for Paying and Reporting the Value of Employer Paid Member Contribution

RECITALS

WHEREAS, the governing body of the Bay Area Air Quality Management District has the authority to implement Government Code Section 20636(c) (4) pursuant to Section 20691;

WHEREAS, the governing body of the Bay Area Air Quality Management District has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the Bay Area Air Quality Management District of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the Bay Area Air Quality Management District has identified the following conditions for the purpose of its election to pay EPMC;

- This benefit shall apply to all employees of the following classifications: Contract Management Group
- This benefit shall consist of paying 7% of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable** {excluding Government Code Section 20636(c)(4)} as additional compensation.
- The effective date of this Resolution shall be July 1, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District elects to pay and report the value of EPMC, as set forth above.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of _____, seconded by _____, on the 1st day of December 2021, by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

Cindy Chavez
Chairperson of the Board of Directors

ATTEST:

John J. Bauters
Secretary of the Board of Directors

* Note: Payment of EPMC and reporting the value of EPMC on compensation earnable is on pay rate and special compensation except special compensation delineated in Government Code Section 20636(c)(4) which is the monetary value of EPMC on compensation earnable.

REPORT OF ADVISORY COUNCIL MEETING

(Ex-Officio Member: David Haubert)

The Advisory Council met on Monday, November 8, 2021. This meeting was conducted under procedures authorized by Assembly Bill 361. Members of the Council participated by teleconference.

The Council then received the presentation *Translating Community Engagement in Science into Emissions Reduction*, given by Dr. Bhavna Shamasunder, Chair and Associate Professor of Occidental College's Urban & Environmental Policy Department.

The Council then received the presentation *U.S. Environmental Protection Agency's Efforts to Address Disproportionate Impacts in Overburdened Communities*, given by Dr. Philip Fine, Principal Deputy Associate Administrator of the U.S Environmental Protection Agency.

Finally, Council received the staff presentation *Overview of Air Pollution, Inequity, and Community Health in the Bay Area*, and discussed what more the Air District could be doing with the tools it has; metrics that the Air District should use to track progress and prioritize actions, and who should decide those metrics; and issues that the Advisory Council wants to consider.

The next meeting of the Council will be held on Monday, December 13, 2021, at 8:30 a.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361. This concludes the Chair Report of the Advisory Council meeting.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Report of the Advisory Council Meeting of November 8, 2021

RECOMMENDED ACTION

The Advisory Council (Council) received only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Council met on Monday, November 8, 2021, and received the following report:

- A) Overview of Environmental Justice;
 - 1) None, receive and file.
- B) Current U.S. Environmental Protection Agency (EPA) Efforts to Address Disproportionate Impacts in Overburdened Communities; and
 - 1) None, receive and file.
- C) Overview of Air Pollution, Inequity, and Community Health in the Bay Area
 - 1) None, receive and file.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None; and
- C) None;

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marjorie Villanueva
Reviewed by: Vanessa Johnson

Attachment 14.2A: 11/08/2021 – Advisory Council Meeting Agenda #2
Attachment 14.2B: 11/08/2021 – Advisory Council Meeting Agenda #3
Attachment 14.2C: 11/08/2021 – Advisory Council Meeting Agenda #4

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Linda Rudolph and Gina Solomon, and Members
of the Advisory Council

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 4, 2021

Re: Overview of Environmental Justice

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Environmental justice principles are integral to the Air District's work to reduce inequitable air pollution exposure in the Bay Area.

DISCUSSION

Advisory Councilmembers will receive a presentation on environmental justice principles, community leadership and the centrality of lived experience in developing policy and decision-making.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Sonam Shah-Paul
Reviewed by: Suma Peesapati & Greg Nudd

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Linda Rudolph and Gina Solomon, and Members of the Advisory Council

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 4, 2021

Re: Current U.S. Environmental Protection Agency (EPA) Efforts to Address Disproportionate Impacts in Overburdened Communities

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Under the direction of Administrator Michael Regan, addressing disproportionate impacts in overburdened communities and advancing environmental justice is one of the U.S. Environmental Protection Agency (US EPA)'s priorities. Using collaborative partnerships with communities and state, local, and Tribal agencies, efforts are underway to incorporate equity considerations into US EPA work and to develop, implement, and enforce environmental laws, regulations, and policies, including assessing impacts in pollution-burdened, underserved, and Tribal communities.

DISCUSSION

Advisory Councilmembers will receive a presentation from Dr. Philip Fine, Principal Deputy Associate Administrator for Policy at the US EPA on their efforts to address disproportionate impacts of air pollution in overburdened communities, integrate environmental justice into their programs and reevaluate how cumulative impacts and other burdens are operationalized in their programs.

Dr. Fine joined EPA after a 15-year career at the South Coast Air Quality Management District (SCAQMD) in Southern California where he most recently served as the Deputy Executive Officer leading the Planning, Rule Development & Area Sources Division. He oversaw all activities of the Division, including development of State Implementation Plans and Air Quality Management Plans, strategies and regulations for air pollution control, meteorology and forecasting, air quality evaluation, air toxics risk assessment, emissions inventories, socioeconomic analyses, transportation programs, and enforcement for area sources. Prior to this role, Dr. Fine's previous responsibilities at SCAQMD included oversight of ambient air monitoring, laboratory services, quality assurance, and source testing. Dr. Fine served on the California Air Resources Board's legislatively mandated Research Screening Committee and has also served on several EPA Clean Air Scientific Advisory Committee expert panels. He received his Ph.D. from the California Institute of Technology in Environmental Science & Engineering, and his bachelor's degree in

Mechanical Engineering and Materials Science & Engineering from the University of California, Berkeley.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Katherine Hoag
Reviewed by: Greg Nudd

ADVISORY COUNCIL MEETING
OF 11/08/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Linda Rudolph and Gina Solomon, and Members
of the Advisory Council

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 4, 2021

Re: Overview of Air Pollution, Inequity, and Community Health in the Bay Area

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Air District staff will provide background on current understandings of variation in air pollution exposure and trends and discuss Air District efforts to partner with communities to reduce inequitable exposures.

DISCUSSION

Air District staff will provide a background and overview on current air quality, monitoring data and modeling results, as well as a broad discussion on inequity in health outcomes and cumulative impacts. In addition, Air District staff will discuss what the Air District is doing to reduce air pollution in disproportionately impacted communities and provide a detailed overview of the Assembly Bill (AB) 617 program. This overview will include information on the Air District's work in West Oakland and Richmond-North Richmond-San Pablo.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Katherine Hoag
Reviewed by: Greg Nudd

**COMMITTEE CHAIR SUMMARY REPORT OF THE STATIONARY SOURCE
AND CLIMATE IMPACTS COMMITTEE**

(Co-Chairs: John Bauters and Karen Mitchoff)

The Stationary Source and Climate Impacts Committee met on Monday, November 15, 2021, and approved the minutes of October 18, 2021. This meeting was conducted under procedures authorized by Assembly Bill 361. Members of the Committee participated by teleconference.

The Committee then reviewed and discussed the staff presentation *Facility Risk Reduction Program Improvements* (regarding Rule 11-18). Committee Co-Chairperson Karen Mitchoff asked Committee members how they felt about Air District staff moving forward with proposed program improvements designed to accelerate implementation of risk reduction measures. The consensus of the Committee members present was: Before moving forward with the proposed program improvements, provide the Committee with the following:

- 1) a status update and implementation timeline of the Health Risk Assessments and Risk Reduction Plans for Phase I facilities;
- 2) a side-by-side comparison of what implementation would look like both with and without the proposed program improvements, and;
- 3) real-time updates as milestones are completed and delayed.

The Committee then reviewed and discussed the staff presentation *Building Appliance Rules: Public Comment and Timelines*.

[OVER]

The next meeting of this committee will be held on Monday, December 20, 2021, at 9:00 a.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361. This concludes the report of the Stationary Source and Climate Impacts Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Report of the Stationary Source and Climate Impacts Committee Meeting of November
15, 2021

RECOMMENDED ACTIONS

The Stationary Source and Climate Impacts (Committee) recommends Board of Directors (Board) approval of the following:

- A) Facility Risk Reduction Program Improvements ; and
 - 1) None; receive and file.
- B) Draft Amendments to Building Appliance Rules – Regulation 9, Rules 4 and 6.
 - 1) None; receive and file.

BACKGROUND

The Committee met on Monday, November 15, 2021, and received the following reports:

- A) Facility Risk Reduction Program Improvements; and
- B) Draft Amendments to Building Appliance Rules – Regulation 9, Rules 4 and 6.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None; and
- B) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marjorie Villanueva
Reviewed by: Vanessa Johnson

Attachment 15.2A: 11/15/2021 – Stationary Source and Climate Impacts Committee Meeting
Agenda #3

Attachment 15.2B: 11/15/2021 – Stationary Source and Climate Impacts Committee Meeting
Agenda #4

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons John Bauters and Karen Mitchoff, and Members
of the Stationary Source and Climate Impacts Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 10, 2021

Re: Facility Risk Reduction Program Improvements

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

While the Air District has achieved reductions in cancer risk and other health impacts throughout the Bay Area, the current ambient cancer risk of about 600 in a million is still too high, and some Air District communities have disproportionately higher health risks compared to other communities. The Air District is using numerous approaches to reduce Bay Area health risks and, especially, health risk disparities in overburdened communities.

The Air District's Facility Risk Reduction Program focuses on stationary sources at existing facilities. It seeks to identify facilities that pose elevated health risks to nearby residents and workers due to toxic emissions from stationary sources, and it requires risk reductions for facilities and sources with elevated health risks. Since many facilities with high health risks are located in overburdened communities, this program should help to reduce health risk disparities in overburdened communities.

The Facility Risk Reduction Program is implemented through Regulation 11, Rule 18 (or Rule 11-18): "Reduction of Risk from Air Toxic Emissions at Existing Facilities." Rule 11-18 requires that existing facilities either:

- (a) reduce all health risks from stationary sources below the rule's risk action levels, or
- (b) install best available retrofit control technology for toxics (TBARCT) on all significant sources of health risks.

Rule 11-18 contains the most stringent risk action levels in the nation for existing facilities located in urban areas. Effective January 1, 2020, the final risk action levels for facility health impacts are:

- cancer risk of 10 in a million,
- non-cancer chronic hazard index of 1.0, and
- non-cancer acute hazard index of 1.0.

DISCUSSION

Implementation Process:

The Rule 11-18 implementation process includes the following steps:

- (1) screening facilities to identify those that require a facility-wide health risk assessment (HRA),
- (2) collecting and validating emission inventories and other input data required for the HRA,
- (3) conducting and approving HRAs,
- (4) reviewing and approving risk reduction plans (RRPs), and
- (5) implementing and verifying risk reductions.

Facilities are screened on a routine basis using the facility's prioritization score. Any facility with a prioritization score greater than 10 is a "high priority" facility that will require a comprehensive facility-wide HRA. Phase I facilities have the highest potential for elevated health risks and have a prioritization score greater than 250. The remaining sites with a prioritization score greater than 10 are Phase II facilities. Based on the most recent screening assessment, the Air District has 34 Phase I facilities and 290 Phase II facilities.

For each facility that is required to have a facility-wide HRA, the Air District notifies the site about their Rule 11-18 requirements, collects all input data needed for the HRA, and conducts a thorough engineering review and update of the facility's toxic emission inventory, emission release parameters, and other HRA input data. A preliminary HRA is then conducted using this updated emission inventory and HRA input data. Once the Air District completes an HRA, the preliminary HRA is provided to the facility for a 90 day-comment period. After responding to facility comments, the draft HRA is posted on the web-site for a public comment period. The Air-District will respond to public comments before finalizing the HRA and determining the Rule 11-18 risk reduction requirements.

Implementation Status:

To date, the Air District has completed emission inventory updates for 21 of the 34 Phase I facilities. Staff have completed 6 preliminary HRAs, and 3 additional preliminary HRAs are undergoing final internal review. The Air District has also posted 3 draft HRAs for public comment. Staff is evaluating and responding to public and facility comments received during the public comment periods and is incorporating necessary revisions into the final HRA reports for 3 facilities. Staff estimates that about half (17) of the Phase I facilities will be required to submit risk reduction plans.

Processing Delays:

Initially, the emissions inventory review and risk assessment approval processes above were expected to take about 18 months per facility. However, the data review process for some Phase I facilities, including the Bay Area's petroleum refineries, has been taking longer than anticipated due to delays in completing toxic emission inventory updates and competing staff priorities. In some cases, the Air District's engineering review uncovered data gaps, inconsistencies, and errors in the toxic emission inventory that must be resolved before completing the HRA. In addition, some facilities have been conducting source tests and other on-site measurements to improve their emissions inventories. Several sites have also requested authorities to construct for process changes or abatement devices that will reduce health impacts in their communities. The staff reviewing these permit applications is also the staff that is reviewing the emission inventories. Toxic emission rate disputes for unique sources with no standardized emission factors and difficult testing scenarios have resulted in additional delays for some sites. The initial review time estimate also did not consider the time necessary for conducting public workshops. These unanticipated issues have resulted in lengthy HRA processing times.

Program Improvements:

For each Phase I facility, staff has strived to minimize HRA processing times while maintaining a high standard of quality and consistency for the toxic emission inventory and the risk assessment. However, staff has heard Board and public concerns regarding the HRA processing delays. We have identified a number of near-term, mid-term, and long-term program improvements that are intended to accelerate the HRA processing times. These program improvements will be discussed in the presentation and are explained in more detail below.

- Near-Term Improvements
 - Minimize Inventory Review Time – Staff will minimize emission inventory review time by concentrating our review on a few toxic compounds that are expected to have the most significant impacts on health risk and on the largest sources of emissions for these compounds. Reviews will be based primarily on facility emission inventory submittals. Past staff reviews have identified facility emission inventory errors and omissions for sources that were later found to have significant impacts. Using a less rigorous emission inventory review process may not uncover all significant risk sources.
 - Minimize Preparation Time for Preliminary HRAs - Staff have been preparing detailed preliminary HRA reports that encompass all stationary sources at the site. Staff will prepare slimmed down preliminary HRA reports that focus on a smaller list of toxic compounds and the most significant sources emitting these compounds. Detailed explanations of processes and emission inventories that are intended for the public will be left out of the preliminary HRA report and prepared while the facility is reviewing the preliminary HRA. If a site has a risk exceeding a risk action level, the normal risk assessment refinements will be

skipped to ensure the facility review process starts as quickly as possible. Risk assessment refinements sometimes reveal errors or misunderstanding that could be resolved earlier in the process. Refined risk assessments can also identify the significant sources and significant pollutants which allow for either inventory refinement, source testing and/or allow for early work on risk reduction.

- Mid-Term Improvements

- Prepare More Default Toxic Emission Factors – Having standardized or default emission factors for common sources accelerates Air District review of common sources but takes staff time to develop the standardized factors and documentation. Some of the inventories requiring the longest review times have involved uncommon sources with no emission factors that are difficult monitor or test and some of these sources have been identified as having the most significant health impacts. While it is important to have a more complete set of default toxic emission factors, the default factors may not reduce processing time for unique and significant sources.
- Publish General HRA Documentation – Common explanations about rule applicability, risk assessment process, and risk context that are often repeated in HRA reports can be pulled out of individual reports and prepare as more general documentation. Having more general HRA documentation may speed up the report preparation process.
- Educate Public and Obtain Public Support – Having less rigorous emission inventory reviews and streamlined HRA reports focused on a limited number of compounds and sources with less public explanation may result in more questions and comments during the public review process. This could result in less public trust and more time on the latter end of the HRA process explaining why sources were not discussed or included in the HRA. We will need to educate the public that faster processing times may require such quality sacrifices. Public support of these program changes is necessary to prevent counterproductive comments and further processing delays.
- Focus Available Staff Modeling Resources on Rule 11-18 HRAs – Staffing shortages and competing priorities have led to modeling staff reassignments to model complex projects for New Source Review permit applications in addition to processing high profile permit applications. As staff is hired and trained, permit application assignments will be diverted away from modeling staff to enable them to focus on Rule 11-18 HRA assignments.
- Hire Consultants or Temporary Staff – Consultants or temporary staff will be engaged to perform specific tasks, such as publishing default emission factor documents, preparing general HRA and public communication documents, or reviewing modeling input parameters for large facilities.

- Long Term Improvements

- Leverage Model and Risk Evaluation Work Completed for AB617 –Staff would use modeling work completed for AB617 communities as a screening procedure to determine which facilities need further work under Rule 11-18. AIM and Engineering staff are resolving procedural differences for the Richmond/North Richmond/San Pablo modeling effort underway now to ensure that this is an appropriate screening procedure for Rule 11-18. Facilities with impacts well below the risk action levels would not need further Rule 11-18 review, while facilities with higher impacts would undergo further emission inventory scrutiny and rapid preparation of a Preliminary HRA for facility review.
- Rely on Facility Inventories Prepared by Certified Consultants – This new strategy would require facility emission inventories to be prepared by “certified” consultants. This strategy would require the development of more extensive toxic emission factor guidance documents and a consultant certification process. The Air District would then use this inventory with a minimal QA/QC review.
- Reduce Facility Review Periods and Action Times – This strategy would require amendment of Rule 11-18 review periods and action times. Numerous public comments have been received indicating that the five-year implementation period for risk reduction measures is too long. Also, the HRA processing times could be reduced by shortening facility review times. This rule development effort would need to be prioritized and scheduled in consideration of other rule development work that is already underway.
- Ingest and Store Emissions and Modeling Inputs for Future Use – Staff has already established a data warehouse to store emissions and modeling data for future use by Engineering or other divisions. However, preparing the final modeling data for ingestion will require staff time and has been deferred until staff is available. This is a task that could be conducted by consultants at a future date.

Pros and Cons:

Some of the above strategies that are intended to shorten the HRA processing time and accelerate implementation of risk reduction measures will result in a less rigorous Air District review of toxic sources and inventories, which could result in sacrifices to the quality of the HRA. The streamlined HRAs may not fully capture all stationary toxic emissions, and there is a potential that some significant sources may not be identified. However, the intention of these strategies is to minimize the time required to prepare an HRA that identifies the most significant toxic sources so that risk reduction measures can be started sooner for these largest toxic sources. Public support of a streamlined facility-wide HRA is critical. Otherwise, the HRA approval time could be delayed due to extensive public comment on HRA quality. The long-term improvements would likely have more of an impact on Phase II facilities, but they will reduce risk reduction implementation times for Phase I facilities, if rule amendments are approved.

Next Steps:

Staff is working on near-term changes now. These program revisions will be discussed with the Rule 11-18 Implementation Work Group in December and with the Community Advisory Council as soon as feasible. Mid-term changes will be implemented next year. The implementation time for the long-term improvements will depend on rule development priorities and the feasibility of certifying consultants for emission inventory preparation.

The Air District agreed to create a Dispute Resolution Panel (DRP) to recommend resolution of issues if the Air District, industry, and the public reach an impasse on an issue. The Air District is creating guidelines for the DRP and identifying experts in various air emissions, testing, and modeling areas who will serve on the DRP.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Carol Allen and Pam Leong
Reviewed by: Damian Breen

MOBILE SOURCE AND CLIMATE
IMPACTS COMMITTEE MEETING
OF 11/15/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons John Bauters and Karen Mitchoff, and
Members of the Stationary Source and Climate Impacts Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 10, 2021

Re: Draft Amendments to Building Appliance Rules – Regulation 9, Rules 4 and 6

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Air District staff has published draft amendments to Regulation 9, Rule 4: *Nitrogen Oxides from Fan Type Residential Central Furnaces* (“Rule 9-4”) and Regulation 9, Rule 6: *Nitrogen Oxides Emissions from Natural Gas-Fired Boilers and Water Heaters* (“Rule 9-6”). The draft amendments would impact natural gas-fired space and water heating appliances. These include furnaces and water heaters used in single family homes, multifamily residences such as apartment buildings, and commercial spaces such as retail and office buildings. The Air District regulates these sources on a point-of-sale basis, requiring that equipment manufactured after the compliance date and installed within the geographical jurisdiction of the Air District meets the standards contained in the Rules. These sources generate a substantial portion of nitrogen oxides (NOx) emissions from sources in the Bay Area, and nitrogen oxides are a precursor to ozone and secondary particulate matter (PM) formation.

The draft amendments include an “ultra-low” NOx emission limit of 14 ng/joule for residential furnaces applicable on July 1, 2023, as well as the introduction of a zero-NOx emissions standard for natural gas-fired furnaces and water heaters as shown below.

Jan. 1, 2027	Rule 9-6	Water heaters and boilers below 75,000 BTU/hr
Jan. 1, 2029	Rule 9-4	All commercial and residential furnaces
Jan. 1, 2031	Rule 9-6	Water heaters and boilers between 75,000 and 2 million BTU/hr

DISCUSSION

Draft amendments to Rules 9-4 and 9-6 were published on September 30, 2021, which began a public comment period that closed on November 1, 2021. Staff will present a summary of comments received during this period to the committee members. Additionally, staff will discuss anticipated next steps informed by public comment as well as feedback received from this committee at its October meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jennifer Elwell

Reviewed by: Victor Douglas and Elizabeth Yura

MOBILE SOURCE AND CLIMATE
IMPACTS COMMITTEE MEETING
OF 11/15/2021

**COMMITTEE SUMMARY REPORT OF THE RICHMOND AREA COMMUNITY EMISSIONS
REDUCTION PLAN STEERING COMMITTEE**

The Richmond Area Community Emissions Reduction Plan Steering Committee met on Monday, November 15, 2021, and approved the minutes of October 18, 2021. This meeting was conducted under procedures authorized by Assembly Bill 361. Members of the Committee participated by teleconference.

The Committee then received and discussed the staff presentation *Timeline to Submit the Community Emissions Reduction Plan to the California Air Resources Board*. The current statutory timeframe for submitting a *Community Emissions Reduction Plan* to the California Air Resources Board is by February 2022, but the Committee considered a longer timeframe to accommodate a community process, pushing the proposed deadline to November 2022. After the presentation, four Committee members volunteered to draft a letter, notifying the California Air Resources Board of this longer timeframe.

The Committee then received and discussed the staff presentation *Assessing Air Quality Impacts: Concepts and Tools*, which built on a previous presentation regarding air quality monitoring and modeling, Air District staff described tools and methods for assessing and understanding key air quality issues in the community, and illustrated key concepts, including emissions, concentrations, and exposures. After the presentation, five Committee members volunteered to be on the new Technical Ad Hoc Committee.

[OVER]

The Committee then received and discussed the staff presentation *Community Emissions Reduction Plan Boundary Overview*, which presented updated preliminary boundaries of the Richmond – North Richmond – San Pablo Community Emissions Reduction Plan. The Committee will consider approval of the preliminary boundaries at its December 13, 2021 meeting.

Finally, there was to be a staff presentation entitled *Community Assets and Air Pollution Mapping Project Update*, regarding an interactive mapping platform designed by the Air District that allows local community members to share their input and stories on a publicly available online map of the Richmond area. The presentation contained a review of the key themes and recurring issues within the comments and discussed next steps for the organizing and community engagement efforts. but du. Due to the shortage of time, this presentation was only briefly explained by staff and sent to all Committee members.

The next meeting of the Richmond Area Community Emissions Reduction Plan Steering Committee will be held on Monday, December 13, 2021, at 6:00 p.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361. This concludes the Chair Report of the Richmond Area Community Emissions Reduction Plan Steering Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Report of the Richmond Area Community Emissions Reduction Plan Steering
Committee Meeting of November 15, 2021

RECOMMENDED ACTIONS

The Richmond Area Community Emissions Reduction Plan Steering Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) Timeline to Submit Community Emissions Reduction Plan (CERP) to the California Air Resources Board (CARB);
 - 1) None; receive and file.
- B) Assisting Air Quality Impacts: Concepts and Tools; and
 - 1) None; receive and file.
- C) CERP Boundary Overview.
 - 1) None; receive and file.

BACKGROUND

- A) Timeline to Submit Community Emissions Reduction Plan (CERP) to the California Air Resources Board (CARB);
- B) Assisting Air Quality Impacts: Concepts and Tools; and
- C) CERP Boundary Overview.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None; and
- C) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marjorie Villanueva
Reviewed by: Vanessa Johnson

Attachment 16.2A: 11/15/2021 – Richmond Area Community Emissions Reduction Plan Steering
Committee Meeting Agenda #3

Attachment 16.2B: 11/15/2021 – Richmond Area Community Emissions Reduction Plan Steering
Committee Meeting Agenda #4

Attachment 16.2C: 11/15/2021 – Richmond Area Community Emissions Reduction Plan Steering
Committee Meeting Agenda #5

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Community Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Date: November 15, 2021

Re: Timeline to Submit Community Emissions Reduction Plan (CERP) to the California Air Resources Board (CARB)

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The current CARB CERP submittal deadline is February 2022, and the Committee will consider a longer timeframe to accommodate a community process and timeline. The Committee will then discuss the process for notifying CARB of this longer timeframe.

DISCUSSION

The Committee will discuss the suggestion to implement a longer timeframe for the CERP and will also discuss the process for notifying CARB of this longer timeframe.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Prepared by: Kelly Malinowski
Reviewed by: Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Community Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Date: November 15, 2021

Re: Assessing Air Quality Impacts: Concepts and Tools

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Air District uses a variety of tools and methods, including air quality measurements and models, to help assess air quality impacts in communities. Assessments can support the development and/or implementation of emissions and exposure reduction strategies.

DISCUSSION

Building on a previous presentation that started the conversation on air quality monitoring and modeling, Air District staff will describe tools and methods for assessing and understanding key air quality issues in the community. The presentation will illustrate several key concepts, including emissions, concentrations, and exposures.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Prepared by: Dan Alrick
Reviewed by: Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Community Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Date: November 15, 2021

Re: CERP Boundary Overview

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

As part of the CERP process, the Committee will receive a presentation of the draft CERP Boundary for consideration.

DISCUSSION

The Committee will discuss the draft CERP Boundary, and process for approving the Boundary at an upcoming meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Prepared by: Kelly Malinowski

Reviewed by: Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Community Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Date: November 15, 2021

Re: Community Assets and Air Pollution Mapping Project Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The California Air Resources Board Community Air Protection Blueprint underlines, “Most importantly, underpinning Assembly Bill (AB) 617 is the understanding that community members must be active partners in envisioning, developing, and implementing actions to clean up the air in their communities.” Towards this end, the Air District awarded grants to six nonprofit organizations in the Richmond, North Richmond, and San Pablo area to organize and engage with community members to provide input to inform the development of strategies with the Steering Committee.

The Air District has also developed an interactive mapping platform that will allow local community members to share their input and stories on a publicly available online map. Since September 1st, users have been adding comments to help identify local sources of air pollution, places where people gather – especially seniors, young people or community members with increased health risks, and community assets and strengths. As of October 30th, the Air District has received 177 comments from people in the Study Area.

DISCUSSION

This agenda item will offer a review of the key themes and recurring issues within the comments and discuss next steps for the organizing and community engagement efforts.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Prepared by: Kevin Olp
Reviewed by: Veronica Eady

PATH TO CLEAN AIR COMMUNITY
STEERING COMMITTEE MEETING
OF 11/15/2021

COMMITTEE CHAIR SUMMARY REPORT OF THE ADMINISTRATION COMMITTEE

(Co-Chairs: Cindy Chavez and Carole Groom)

The Administration Committee met on Wednesday, November 17, 2021, and approved the minutes of October 20, 2021. This meeting was conducted under procedures authorized by Assembly Bill 361. Members of the Committee participated by teleconference.

The Committee then received and discussed the staff presentation *Summary of 2021 Spare the Air Summer Campaign and Update of 2021- 2022 Spare the Air Winter Campaign*.

The Committee then received and discussed the staff presentation *Management Audit Vendor Qualification Recommendation*. The Committee recommends the Board:

- 1) Enter discussions with vendors (Sjoberg Evashenk or TAP International) qualified under Request for Qualifications No. 2021-011, to establish a contract for management audit services in an amount not to exceed \$250,000.

The Committee then received and discussed the staff presentation *Request to Amend Fiscal Year Ending 2022 Budget to Increase Staffing*. The Committee recommends the Board:

- 1) Amend the Fiscal Year Ending 2022 Budget to authorize the creation of four additional full-time positions (a Senior Deputy Executive Officer, Senior Assistant Counsel, Director/Officer, and Assistant Counsel) for immediate recruitment;

- 2) Request that the vendor selected to conduct the Air District's management audit review the creation of the aforementioned positions and recruitment before offers of employment are made; and
- 3) Direct Air District staff to present a status update to the Board on the work of MEB Consulting Group, no later than February 2022.

Finally, the Committee received and discussed the staff presentation *Board of Directors International Travel Policy*. Based on the Committee's discussion with Air District staff, Director Bauters will revise his proposed travel policy before it is presented to the full Board.

The next meeting of the Administration Committee will be held on Wednesday, December 1, 2021, at 11:00 a.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361. This concludes the Chair Report of the Administration Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Report of the Administration Committee Meeting of November 17, 2021

RECOMMENDED ACTIONS

The Administration Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) Summary of 2021 Spare the Air Summer Season and Update of 2021-2022 Spare the Air Winter Season;
 - 1) None; receive and file.
- B) Management Audit Vendor Qualification Recommendation;
 - 1) Recommend the Committee allow staff to enter discussions with vendors qualified under Request for Qualifications (RFQ) No. 2021-011, to establish a contract for management audit services in an amount not to exceed \$250,000.
- C) 1) Recommend the Committee allow staff to enter discussions with vendors qualified under Request for Qualifications (RFQ) No. 2021-011, to establish a contract for management audit services in an amount not to exceed \$250,000.
- D) Assembly Bill (AB) 836 Clean Air Centers Program Update.
 - 1) None; receive and file.

BACKGROUND

The Committee met on Wednesday, October 20, 2021, and received the following reports:

- A) Bay Area Regional Collaborative (BARC) Update;
- B) Management Audit Vendor Selection Update;
- C) Review Air District Recruitment and Selection Plan; and
- D) Assembly Bill (AB) 836 Clean Air Centers Program Update.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) Funding for the Spare the Air summer season was included in the Fiscal Year Ending (FYE) 2021 and FYE 2022 budgets. The campaign is funded primarily through the Congestion Mitigation Air Quality program, supplemented by the Transportation Fund for Clean Air. Funding for the Spare the Air winter season is included in the FYE 2022 budget;
- B) \$250,000 will be transferred out of Air District reserves and into the Fiscal Year Ending 2022 budget to fund the cost of these services;
- C) None; and
- D) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marjorie Villanueva
Reviewed by: Vanessa Johnson

Attachment 17.2A: 11/17/2021 – Administration Committee Meeting Agenda #3
Attachment 17.2B: 11/17/2021 – Administration Committee Meeting Agenda #4
Attachment 17.2C: 11/17/2021 – Administration Committee Meeting Agenda #5
Attachment 17.2D: 11/17/2021 – Administration Committee Meeting Agenda #6

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members
of the Administration Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 12, 2021

Re: Summary of 2021 Spare the Air Summer Season and Update of 2021-2022 Spare the
Air Winter Season

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Created in 1991, the Spare the Air program alerts residents when air quality is forecast to be unhealthy and calls on the public to make clean air choices to reduce air pollution. The Spare the Air program is known regionwide and is a trusted source of air quality information in the Bay Area.

In 2008, the Air District's Board of Directors adopted Regulation 6, Rule 3, to protect Bay Area residents from the public health impacts of wood smoke pollution and ban wood burning when air quality is unhealthy. The upcoming Spare the Air winter wood smoke season will run from November 1, 2021, through February 28, 2022.

DISCUSSION

Staff will provide a summary of the 2021 Spare the Air summer season and an overview of the upcoming 2021-2022 Spare the Air winter season.

The 2021 Spare the Air summer campaign focused on remote work early in the season and pivoted to promoting transit in July as more Bay Area residents returned to the office. New transit-focused creative targeted returning commuters region-wide, including non-English speakers. Through social media and media outreach, the campaign also promoted active transportation. Results from the summer campaign will be provided.

The Spare the Air winter campaign makes the link between the unhealthy air quality the region experiences during wildfires to wood smoke pollution from fireplaces. The campaign will continue to focus on the localized health impacts from wood smoke as well as indoor air quality impacts from wood burning. Staff will present an overview of this year's creative and campaign strategy as well as a summary of how Spare the Air Alerts are forecast.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Funding for the Spare the Air summer season was included in the Fiscal Year Ending (FYE) 2021 and FYE 2022 budgets. The campaign is funded primarily through the Congestion Mitigation Air Quality program, supplemented by the Transportation Fund for Clean Air.

Funding for the Spare the Air winter season is included in the FYE 2022 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristina Chu
Reviewed by: Kristine Roselius

ADVISORY COUNCIL MEETING
OF 11/08/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members
of the Administration Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 12, 2021

Re: Management Audit Vendor Qualification Recommendation

RECOMMENDED ACTION

Recommend the Committee allow staff to enter discussions with vendors qualified under Request for Qualifications (RFQ) No. 2021-011, to establish a contract for management audit services in an amount not to exceed \$250,000.

BACKGROUND

On June 16, 2021, the Board of Directors approved a workplan to initiate a management audit and the scope of work to procure services for the management audit, acknowledging the following priorities: evaluate the Air District's current hiring process, analyze Air District divisions that are asking for the greatest numbers of new staffing positions, and include a performance audit and risk evaluation. The vendor selection team for the auditor would include Board Members Carole Groom and Margaret Abe-Koga, one community member appointed by the Community Equity, Health, and Justice Committee, another appointed by the Stationary Source and Climate Impacts Committee, and a subject matter expert in management audits.

DISCUSSION

On June 30, 2021, the District issued an RFQ for management audit services which closed on July 21, 2021. During the open period, the Air District received six proposals from various vendors.

The members of the Vendor Selection Panel independently scored each proposal and interviewed the two vendors with highest scoring proposals. Panel members independently scored each of the two finalists based on their interviews. The scoring summary is shown in Table 1.

TABLE 1

Vendor	Written Proposal Score	Interview Score	Total Score
Sjoberg Evashenk Consulting, Inc	35.0	27.6	62.6
TAP International	33.3	27.4	60.7
Eide Bailly	29.9	N/A	N/A
Matrix Consulting Group	28.1	N/A	N/A
MGT of America Consulting, LLC	26.9	N/A	N/A
Macias Gini & O'Connell LLP	25.1	N/A	N/A

Table 1 shows that Sjoberg Evashenk Consulting, Inc. received the highest proposal and interview score. TAP International received the second highest score and was nearly tied with Sjoberg Evashenk Consulting, Inc. in the interview stage. As a result, staff recommends that both vendors be qualified under this RFQ for management audit services.

Additionally, staff recommends entering discussions with the highest scoring vendor, Sjoberg Evashenk, for a management audit services contract in an amount not to exceed \$250,000. If Sjoberg Evashenk is unable to meet required time or cost constraints, the Air District may alternately enter discussions for management audit services with TAP International.

BUDGET CONSIDERATION/FINANCIAL IMPACT

\$250,000 will be transferred out of Air District reserves and into the Fiscal Year Ending 2022 budget to fund the cost of these services.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: John Chiladakis

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members
of the Administration Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 12, 2021

Re: Request to Amend Fiscal Year Ending 2022 Budget to Increase Staffing

RECOMMENDED ACTION

Recommend the Board of Directors amend the Fiscal Year Ending 2022 Budget to authorize the creation of four (4) additional full-time positions (a Senior Deputy Executive Officer, Senior Assistant Counsel, Director/Officer and Assistant Counsel) for immediate recruitment.

BACKGROUND

The Ad-Hoc Executive Support Committee (Committee) met on October 1, 2021, and November 8, 2021, and discussed options for improving structures and operation of both the Executive Office and Legal Department. The Committee reviewed the current structure of both organizations, including the span of control for the Executive Officer and Legal Counsel, and examined how well these sections are set up to execute current and future Bay Area Air Quality Management District priorities.

In addition to its review, the Committee tasked the Acting Legal Counsel to examine the Legal Department's structure and to make recommendations on how it could be restructured and strengthened to meet current and future demands for regulatory enforcement, mutual settlement, litigation and legal support for the Board of Directors and Agency staff.

DISCUSSION

Based on the recommendations of the Committee and the structural review by the Acting Legal Counsel, staff is proposing the following:

Restructuring of the Executive Office:

During discussions with the Committee, it was noted that the current span of control for the Executive Officer is ten direct reports. The Committee deemed this excessive and as a result, recommended the recruitment of a Senior Deputy Executive Officer (DEO) to consolidate day-to-day operations and to reduce the span of control for the Executive Officer to no greater than five direct reports.

Additionally, the Committee recommended that a Board Operations Officer be added to the Executive Team to assist the Executive Officer in regular interactions with the Board of Directors and to enhance communications to Board Stakeholders.

Descriptions for each of these positions are included in Attachment A.

Restructuring of the Legal Division:

Based on the review requested by the Committee, the Acting Legal Counsel is recommending the following:

In order to improve regular operational processes in the Legal Division (Division) and to focus on increasing timeliness and transparency of legal actions to both internal and external stakeholders, the Acting Legal Counsel is proposing the Division be restructured to increase the use of the Hearing Board and to create more opportunity for management of individual enforcement cases. As part of this effort, the Division will need to work more closely with the Compliance and Enforcement Division, embedding with investigations early and collaborating on evidence gathering and case preparation.

To manage the Hearing Board process and this expansion of duties adequately, staff proposes and the Committee recommends that the current legal Division be augmented with an additional Senior Assistant Counsel and an additional Assistant Counsel I/II position.

Descriptions for each of these positions are included in Attachment B.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The costs for these new staff are fully covered in the current budget – Fiscal Year Ending 2022, based on the vacancy rate associated with natural attrition and the hiring pause put in place pending the results of the upcoming management audit.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Damian Breen and Stephanie Osaze
Reviewed by: Jack Broadbent and Adan Schwartz

Attachment: 5A – Position Descriptions for Expanded Executive Office Staff

Attachment: 5B – Position Descriptions for Expanded Legal Division Staff



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

DEPUTY EXECUTIVE OFFICER

Class Code:
1M102

Bargaining Unit: Executive

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Established Date: Jun 1, 2015
Revision Date: Jun 11, 2015

SALARY RANGE

\$115.99 - \$140.99 Hourly
\$9,279.21 - \$11,278.93 Biweekly
\$20,104.95 - \$24,437.69 Monthly
\$241,259.36 - \$293,252.25 Annually

DISTINGUISHING CHARACTERISTICS:

DEFINITION

Under executive direction, serves as the immediate and highest level class below the Executive Officer / Air Pollution Control Officer, who plans, organizes, coordinates and directs divisions of the Bay Area Air Quality Management District; develops and provides policy guidance and strategies regarding air quality management; acts as the Air Pollution Control Officer as assigned; performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

This single position class provides high-level technical and policy direction in the management of the District's programs and activities for multiple divisions. The incumbent is accountable for overseeing and directing the accomplishment of goals and objectives of assigned divisions and for furthering District goals and objectives in an effective manner.

The Deputy Executive Officer is distinguished from the Air Pollution Control Officer in that the latter has overall management responsibility for the District. The class is further distinguished from the Deputy Air Pollution Control Officer in that the latter has managerial responsibility for specified divisions or functional areas of the District, and may report to the Deputy Executive Officer.

EXAMPLES OF DUTIES:

EXAMPLES OF DUTIES (Illustrative Only)

Provides designated technical and policy direction and support to the Executive Officer / Air Pollution Control Officer and the District Board.

Represents the District and/or the Executive Officer / Air Pollution Control Officer in varied situations with various groups and agencies both within and outside of the District.

Plans, organizes, coordinates and directs through deputies, division directors, section managers and support staff the work of assigned divisions.

Directs the development and implementation of goals, objectives, policies, procedures and work standards for assigned divisions.

Directs the management of and makes policy recommendations regarding assigned divisions, programs and activities.

Organizes and coordinates the development and implementation of projects and activities with other agencies.

Supports the Executive Officer / Air Pollution Control Officer in District management and interactions with the Board.

Ensures conformance with program schedules, budgets and contracts.

Develops and presents technical and policy issues and recommendations to the District Board and the Executive Officer / Air Pollution Control Officer.

May direct the work of Deputy Air Pollution Control Officers.

EDUCATION AND EXPERIENCE:

Education and Experience:

A typical way to obtain the knowledge and skills is:

Equivalent to a graduate degree in engineering, physical or biological sciences, business or public administration or a closely related field and five years of experience managing environmental quality and related technical and support programs and activities at or equal to the District's Deputy Air Pollution Control Officer, preferably with a public agency.

SUPPLEMENTAL INFORMATION:

QUALIFICATIONS

Knowledge of:

Administrative principles and methods, including goal setting, program and budget development and implementation and employee supervision.

Principles, practices and program areas related to assigned divisions.

Social, political and environmental issues influencing air quality management programs.

Applicable District, state and federal laws, rules and regulations.

Principles and practices of effective public relations.

Current developments, literature and sources of information regarding air quality management activities.

Skill in:

Planning, organizing, coordinating and directing assigned programs and activities.

Selecting, motivating and evaluating staff and providing for their training and professional

development.

Developing and implementing goals, objectives, policies, procedures, work standards and internal controls.

Analyzing complex technical and administrative problems, evaluating alternative solutions and adopting effective courses of action.

Interpreting, explaining and applying District rules and regulations and state and federal laws.

Representing the District effectively in contacts with the public, industry and other agencies.

Establishing and maintaining effective working relationships with those contacted in the course of the work.

Preparing clear and concise reports, correspondence and other written materials.

Exercising sound independent judgment within policy guidelines.

OTHER REQUIREMENTS:

Other Requirements:

Must possess a valid California's driver's license.

ADVISORY COUNCIL MEETING
OF 11/08/2021



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

DIRECTOR/OFFICER

Class Code:
2M110

Bargaining Unit: Executive

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Established Date: Jun 1, 2015
Revision Date: Jun 11, 2015

SALARY RANGE

\$83.91 - \$101.99 Hourly
\$6,712.80 - \$8,159.45 Biweekly
\$14,544.40 - \$17,678.81 Monthly
\$174,532.79 - \$212,145.69 Annually

DISTINGUISHING CHARACTERISTICS:

DEFINITION

Under executive direction, incumbents in this class function as senior managers operating within a broad policy framework and typically manage a division of the agency. Incumbents assume sole responsibility for a functional area(s) of service; coordinate and implement program planning; and define organizational structure, staffing requirements, resource allocation and identification of future resource needs. Incumbents also interface with all managerial levels within the agency and outside agencies, and serve as representatives of the division in meetings involving policies, procedures, operation, and administrative systems; and perform related duties as required.

DISTINGUISHING CHARACTERISTICS

Incumbents in this class may serve as the District's chief subject expert and directs all activities of a Division. The incumbent is accountable for accomplishing division goals and objectives and for furthering District goals and objectives within general policy guidelines.

Director/Officer is distinguished from Deputy Air Pollution Control Officer (DAPCO) in that the latter has overall managerial responsibility for multiple divisions or functional areas of the District. This class is further distinguished from Manager in that the latter has managerial responsibility for one or more section(s), programs or functional areas.

EXAMPLES OF DUTIES:

EXAMPLES OF DUTIES (Illustrative Only)

Directs, plans, monitors, and evaluates the goals, operations, policies, procedures and work standards of a division.

Plans, organizes, administers, reviews and evaluates the activities of assigned staff; coaches assigned staff to improve performance.

Selects personnel and provides for their training and professional development.

Provides technical and managerial direction to District staff and others.

Directs the allocation of resources to achieve timely outcomes and measurable goals within budget; adjusts plans and programs to meet emerging or new programs, while continuing to address major agency priorities.

Monitors and evaluates the effectiveness and efficiency of the division's operations, organizational structure, staffing levels, systems, and other internal policies and procedures; recommends alternative approaches and implements changes.

Represents the District at meetings with the public, industry and other agencies; serves as the liaison for the agency.

Plans, develops, implements or directs major or complex projects or programs; directs the research of complex, highly technical issues; analyzes alternative solutions or approaches; recommends most effective course of action.

Directs and oversees the preparation and administration of the division's budget.

Develops and presents technical, policy, operational or administrative issues and recommendations to the District Board and executive management.

Receives and analyzes division and agency reports; directs the preparation of monthly and annual reports; directs the gathering and analysis of information and evaluate processes.

Assists in the identification, development and implementation of agency goals, objectives, policies, and priorities.

EDUCATION AND EXPERIENCE:

Education and Experience:

A typical way to obtain the knowledge and skill is:

Equivalent to graduation from a four year college or university with major coursework in job related field and five years of professional level work experience, preferably in a public agency, including three years of supervisory experience. Some positions may require specialized training, education and experience.

SUPPLEMENTAL INFORMATION:

QUALIFICATIONS

Knowledge of:

Administrative principles and practices, including goal setting, program and budget development and implementation and employee supervision.

Principles and practices of employee supervision, including selection, training, work evaluation and discipline.

Principles and practices of effective public relations.

Applicable District, local, state and federal laws, rules and regulations.

Methods and techniques of research, statistical analysis, and report presentation.

Skill in:

Planning, organizing, assigning, directing, reviewing and evaluating the work of assigned staff.

Selecting and motivating staff and providing for their training and professional development.

Interpreting, explaining and applying District rules and regulations and local, state and federal laws.

Representing the District effectively in contacts with the public, industry and other agencies.

Analyzing complex technical, scientific and administrative problems evaluating alternative solutions and adopting effective courses of action.

Establishing and maintaining effective working relationships with those contacted in the course of the work.

Preparing clear and concise reports, correspondence and other written materials.

Exercising sound independent judgment within policy guidelines.

OTHER REQUIREMENTS:

Other Requirements:

Must possess a valid California driver's license.



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

SENIOR ASSISTANT COUNSEL

Class Code:
6M101

Bargaining Unit: Management

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Established Date: Jan 1, 1992
Revision Date: Jan 1, 1992

SALARY RANGE

\$86.55 - \$105.21 Hourly
\$6,924.29 - \$8,416.51 Biweekly
\$15,002.62 - \$18,235.78 Monthly
\$180,031.45 - \$218,829.35 Annually

DISTINGUISHING CHARACTERISTICS:

DEFINITION

Under direction, assists in administering and coordinating all phases of legal work for the Legal Division; performs the most specialized, complex and sensitive legal work; performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

This single position class has responsibility for assisting the Counsel with departmental administrative matters and for handling the serious, controversial and complex legal matters. In addition, the Senior Assistant Counsel provides advice and counsel to the Board of Directors, the Hearing Board, and the Advisory Council and District management. This class is distinguished from the Counsel in that the latter has overall management and administrative responsibility for all District legal matters.

EXAMPLES OF DUTIES:

EXAMPLES OF DUTIES (Illustrative Only)

Assists in the development and implementation of goals, objectives, policies, procedures and work standards for the Counsel's office; assists in the administration of the department's budget.

Plans, organizes, administers, reviews and evaluates the activities of professional and support staff; assists in the selection of staff and provides for their training and professional development.

Provides technical advice to attorneys in the office; handles the more complex and difficult litigation and negotiations.

Confers with and advises District departments and prepares legal opinions concerning their duties, powers, functions and obligations.

Represents the District in court cases encompassing a wide variety of complex environmental legal issues including all phases of pretrial, trial and appellate work in state and/or federal courts.

Monitors legal developments including legislation and court decisions related to environmental law and activities and evaluates their impact upon District operations.

Prepares pleadings, motions, ordinances, resolutions, contracts, leases, permits and other legal documents.

Attends meetings of the Board of Directors, the Hearing Boards, the Advisory Council and other commissions and committees as required.

Acts as the Counsel on a relief basis.

EDUCATION AND EXPERIENCE:

Education and Experience:

A typical way to obtain the knowledge and skills is:

Equivalent to graduation from a college or university plus and appropriate law degree and four years of experience as an attorney engaged in the practice of environmental law with a public agency in the State of California.

SUPPLEMENTAL INFORMATION:

QUALIFICATIONS

Knowledge of:

Principles and procedures of civil law, especially as related to environmental air quality.

Principles, methods and practices of legal research and investigation.

Judicial procedures and rules of evidence.

Pleadings, practices and effective techniques in the presentation of court cases.

Responsibilities and obligations of public officials and administrative agencies.

Applicable District rules and regulations and state and federal laws.

Basic budgetary principles and practices.

Skill in:

Planning, organizing, directing and reviewing the work of assigned staff.

Providing training and technical assistance to staff.

Assisting in developing and implementing goals, objectives, policies, procedures and work standards.

Performing complex legal research, analyzing multi-faceted problems, evaluating alternatives and making sound recommendations.

Exercising independent judgement within general policy guidelines and legal parameters.

Analyzing and applying legal principles and precedents and making effective court and hearing presentations.

Representing the District effectively in meetings with others.

Preparing clear, concise and complete legal documentation and reports, correspondence and other written materials.

Establishing and maintaining effective working relationships with those contracted in the course of the work.

OTHER REQUIREMENTS:

Other Requirements:

Must be a member in good standing of the State Bar of California.

ADVISORY COUNCIL MEETING
OF 11/08/2021



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ASSISTANT COUNSEL I/II

Class Code:
8M101/7M101

Bargaining Unit: Management

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Established Date: Jan 1, 1992
Revision Date: Jan 19, 2008

SALARY RANGE

\$69.99 - \$95.43 Hourly
\$5,599.29 - \$7,634.03 Biweekly
\$12,131.79 - \$16,540.39 Monthly
\$145,581.46 - \$198,484.67 Annually

DISTINGUISHING CHARACTERISTICS:

DEFINITION

Under direction, performs legal work of a routine to complex nature representing the District and providing advice and counsel to the Board of Directors, the Advisory Council, the Hearing Board and District management, staff and committees; performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

Assistant Counsel I is the entry level in this specialized attorney series. It is designed to allow an experienced civil attorney to gain specific environmental law experience. This class is alternately staffed with Assistant Counsel II and incumbents may advance to the higher level after gaining experience and demonstrating proficiency which meet the qualification of the higher level class.

Assistant Counsel II is the journey level class of this specialized series, fully competent to perform a wide range of environmental law work. This class is responsible for providing effective legal counsel in complex and controversial environmental law matters. This class is distinguished from Senior Assistant Counsel in that the latter assists in administering and coordinating all phases of legal work for the Legal Division.

EXAMPLES OF DUTIES:

EXAMPLES OF DUTIES (Illustrative Only)

Advises District departmental management regarding District authority, jurisdiction, functions and operational procedures.

Researches legal problems and prepares opinions, briefs, ordinances, resolutions, and other legal documents.

Prepares and tries routine to difficult cases, often involving a specialized body of law.

Represents the District in court and in administrative hearings before boards and commissions and state and federal agencies.

Attends District departmental, board and commission meetings to provide legal advice on a

variety of matters.

Investigates and prepares reports regarding claims by and against the District and recommends actions to be taken.

Reviews ordinances, resolutions, contracts and other documents for legal sufficiency; recommends modifications as required.

Maintains accurate records and files and compiles reports of work performed.

Monitors legal developments, including proposed legislation and court decisions; evaluates their impact on District operations and recommends appropriate action.

EDUCATION AND EXPERIENCE:

Education and Experience:

A typical way to obtain the knowledge and skills is:

Assistant Counsel I: Equivalent to graduation from a college or university plus an appropriate law degree and two years of experience as an attorney engaged in the practice of civil law with a public agency, preferably involving environmental law. Experience in litigation and negotiation is desirable.

Assistant Counsel II: In addition to the above, two additional years of experience as an attorney engaged in the practice of environmental law with a public agency in the State of California.

SUPPLEMENTAL INFORMATION:

QUALIFICATIONS

NOTE: The level and scope of the knowledge and skills listed below are related to job duties as defined under Distinguishing Characteristics.

Knowledge of:

Principles and procedures of civil law, particularly environmental law.

Procedures and practices and effective techniques in the presentation of cases.

Judicial procedures and rules of evidence.

Principles, methods and techniques of legal research and investigation.

District rules and regulations and state and federal laws.

Responsibilities and obligations of public officials and administrative agencies.

Rules of procedure governing the conduct of hearings before administrative bodies.

Skill in:

Defining issues, performing legal research, analyzing problems, evaluating alternatives and making appropriate recommendations.

Presenting statements of fact, law and argument clearly and logically.

Exercising sound, independent judgment within the general policy guidelines and legal parameters.

Interpreting state and federal laws affecting District operations.

Representing the District effectively in hearings, courts of law and meetings with others.

Preparing clear, concise and legally sufficient resolutions, ordinances, contracts, leases, permits, reports, correspondence and other written materials.

Establishing and maintaining effective working relationships with those contacted in the course of the work.

OTHER REQUIREMENTS:

Other Requirements:

Must be a member in good standing of the State Bar of California

ADVISORY COUNCIL MEETING
OF 11/08/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members
of the Administration Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 12, 2021

Re: Board of Directors International Travel Policy

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Members of the Board of Directors are occasionally asked to attend various conferences and events outside the United States. To ensure transparency and equity when determining which Board Members will represent the Air District abroad, staff proposes that the Board consider adopting an International Travel Policy (Policy) for Board Members.

DISCUSSION

Currently, the Air District does not have an explicit travel policy for Board Members regarding international travel. The Administrative Code only provides direction for reimbursable expenses for Director Travel, as it relates to business of the Air District.¹

The Policy would establish a process by which the Chair and Board Officers would determine which Board Members travel abroad on Air District business. Factors taken into consideration may include:

- Length of event
- Cost of event
- Location
- Agenda
- Members who have/have not attended past international events
- Most appropriate Member to attend (background, association, etc.)

All authorization for international Board Member travel would be taken to the next full Board meeting for approval.

¹ BAAQMD Administrative Code, Division II Fiscal Policies & Procedures, Section 5 Allowable Expenses, 5.1 Director Travel Expenses

Additionally, the Policy would contain re-imbursement requirements consistent with the United States Department of State per diem rate (https://aoprals.state.gov/web920/per_diem.asp) for the Board Member's city of destination.

For international transportation, it is recommended that Board Members obtain the lowest published routine fare for travel by the most efficient, direct and economical mode of transportation required by the occasion, and that airfare should be booked for economy/coach class only.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Erica Trask
Reviewed by: Jack P. Broadbent

ADVISORY COUNCIL MEETING
OF 11/08/2021



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY

John J. Bauters
(Secretary)
Pauline Russo Cutter
David Haubert
Nate Miley

CONTRA COSTA COUNTY

John Gioia
David Hudson
Karen Mitchoff
(Vice Chair)
Mark Ross

MARIN COUNTY

Katie Rice

NAPA COUNTY

Brad Wagenknecht

SAN FRANCISCO COUNTY

Tyrone Jue
(SF Mayor's Appointee)
Myrna Melgar
Shamann Walton

SAN MATEO COUNTY

David J. Canepa
Carole Groom
Davina Hurt

SANTA CLARA COUNTY

Margaret Abe-Koga
Cindy Chavez
(Chair)
Rich Constantine
Rob Rennie

SOLANO COUNTY

Erin Hannigan
Lori Wilson

SONOMA COUNTY

Teresa Barrett
Lynda Hopkins

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



November 16, 2021

To: Chairpersons Cindy Chavez and Carole Groom and Members of the
Administration Committee

**Draft BAAQMD Board of Directors Travel and Expenditure Policy
(November 2021)**

Board Directors are entitled to receive reimbursement for actual and necessary expenditures incurred in connection with the performance of their official duties for the Bay Area Air Quality Management District (BAAQMD). The guiding principle of this policy is that travel, and expenditures incurred on behalf of BAAQMD must be in the public interest. This document establishes guidelines for expenditures authorized as business expenditures and business travel expenditures incurred by BAAQMD Board Directors

General Procedures and Responsibilities

All travel for BAAQMD Board Directors must be justified business travel [see Appendix A] and must be preapproved by the Administration Committee (or a successor committee) to be eligible for reimbursement under this Policy. In the case of an unexpected or urgent need to travel on BAAQMD business, a Board Director may obtain the approval of the Chair, in writing, before the expenditures are incurred with a report to follow at the next Administration Committee (or a successor committee) meeting.

Board Directors will be reimbursed for all reasonable and necessary expenditures while traveling on authorized agency business. Expenditures should be paid with a personal credit card or cash. Advances are not allowed. A list of non-reimbursable expenditures is included in Appendix B. Actual receipts are almost always required except where otherwise stated in this Policy.

When a Board Director combines business and personal travel on a business trip, the Board Director will be responsible for the additional charges related to the personal travel. Only Board Director's direct travel expenditures are eligible for reimbursement. BAAQMD is unable to provide reimbursement for travel expenditures incurred by a spouse or any another individual traveling with the Board Director.

Requests for reimbursement of expenditures must be submitted on the authorized BAAQMD Expense Reimbursement Form [see Appendix C] within 30 calendar days after the conclusion of the trip. Receipts must be provided for all expenditures (other than incidentals that typically do not result in a receipt such as tips). Any reimbursement or payment issued by

BAAQMD which is subsequently refunded to the traveler by a third party must be repaid to BAAQMD within 30 calendar days of receipt.

Only the Executive Officer may override and approve specific cost items that would otherwise be ineligible for reimbursement under this Travel and Expenditure Policy, and only when it is in the best interests of BAAQMD to do so. Any Board Director reimbursement that requires the waiver of this policy by the Executive Officer for approval will be brought back to the Administration Committee (or a successor committee) for informational purposes.

Expenditure reimbursement documents will be audited from time to time and are considered public records subject to disclosure under the California Public Records Act.

Director Selection for Attendance

The Board Chair shall nominate for approval by the Administration Committee, Directors for travel to attend conferences, conventions, legislative advocacy trips and other forms of reimbursable travel covered by this policy. In making such nominations, the Board Chair shall consult with the Executive Officer, or their designee to ensure compliance with this policy. The Board Chair, Vice Chair or Secretary shall have priority to represent BAAQMD at any event where attendance is limited. In considering which Board Directors shall be selected for travel, or who shall represent BAAQMD in the stead of the Executive Officer, the Chair shall consider, at a minimum, all the following:

- The history of attendance and participation by Board Directors at regular BAAQMD Board and Committee Meetings
- The length of service on the Board by a Board Director
- The prior opportunities to travel and represent BAAQMD by Board Directors
- The relevance or appropriateness of Board Directors' committee assignments to the nature and purpose for the travel
- Opportunities for the professional growth or development of new Board Directors
- The relevance and purpose of a meeting or agenda to the home jurisdiction of Board Directors
- Equitable considerations that would elevate or include the voices of marginalized members of the Bay Area.

Additionally, the Board Chair shall have the authority to recommend non-Directors for inclusion in BAAQMD-related travel. In making such a recommendation, the Board Chair shall demonstrate how and why the recommendation fulfills the mission of BAAQMD and is consistent with the goals of the Board and agency.

Conferences/Conventions

Registration fees for conferences and conventions are reimbursable for Board Directors if the conference or convention is directly related to the mission of BAAQMD, the Director is attending as a representative of BAAQMD and the Director received preapproval from the Administration Committee.

Air Travel

Board Directors relying on air travel for BAAQMD business should make reservations as early as possible to minimize costs. Airfare should be purchased for coach/economy seats only, at the lowest cost possible which provides a practical flight itinerary and meets the requirements of the trip. First and business class airfare is not a reimbursable expenditure, nor are upgrades from the lowest coach/economy fare to "economy plus" seats (or equivalent), or to first or business class. If a Board Director purchases a first or business class ticket, he/she will be reimbursed for the lowest available coach/economy fare only.

Board Directors will be reimbursed for regular baggage fees charged pursuant to applicable airline policy. Excess baggage charges will be reimbursed only when the Director is traveling with heavy or bulky materials or equipment necessary to conduct BAAQMD business.

Hotel Accommodations

When making hotel reservations, Board Directors must use the approved Per Diem Rates for lodging located on the General Services Administration (GSA) website, www.gsa.gov for the location of the stay plus 25%, to determine the maximum hotel accommodation expenditure that BAAQMD will reimburse per night, plus any applicable taxes.

If the hotel stay is in connection with a conference or training activity, the cost should not exceed the maximum group rate published by the conference or activity sponsor. Inquiries should always be made about any special rates or discounts available to BAAQMD by the hotel, such as governmental rates, in order to obtain the best rate possible.

If accommodations are shared with individuals who are not traveling on BAAQMD business, the Board Director is responsible for the payment of any rate difference between the single occupancy room rate and actual rate incurred.

Resort or facility use fees imposed by the hotel, such as fitness center fees and internet connection fees and business center charges incurred for performing BAAQMD work, are allowable as reimbursable business-related expenditures.

Hotel self-parking fees are also allowable as reimbursable business-related expenditures, however, the cost of parking at the hotel should be considered when deciding whether to rent a vehicle or use public transportation (see Transportation discussion below). Valet parking fees will not be reimbursed.

Rental Vehicles

Reimbursement for rental of cars or other vehicles while traveling on BAAQMD business is limited to those circumstances where the need for a vehicle for business purposes is expected to be extensive, or the use of taxi services or public transportation would not be economical or practical. Board Directors who operate vehicles on BAAQMD business must have a valid driver's license and proof of insurance in their possession and must also have a good driving record.

In the event a rental vehicle is required, BAAQMD will reimburse for a "Standard Class" size vehicle, except when there are justifiable circumstances, such as group requirements, which make a larger vehicle necessary.

BAAQMD has Hired and Non-owned Auto Coverage of up to \$1 million for liability to third parties in case a Board Director injures someone or causes property damage to another vehicle while renting a car or driving his/her own personal vehicle while engaging in BAAQMD business. Accordingly, rental car insurance is not an allowable reimbursable expenditure.

Rental cars should be returned with a full tank of gas to avoid refueling fees. The cost of gas for rental cars is an allowable expenditure under this policy.

Meals While Traveling

One-Day Travel – meals are NOT an allowable reimbursable expenditure for one-day travel unless such travel is more than 25 miles one way from either the Bay Area Metro Center or the Board Director's personal residence.

Multiple-Day Travel – meals will be reimbursed at the lesser of:

- Actual reasonable cost (including applicable taxes and reasonable tip), or
- The Per Diem Rates for meals located on the GSA website, www.gsa.gov for the location of the stay plus 25%. Note that separate rates are provided for Breakfast, Lunch and Dinner.

If the actual cost method is used, an original itemized receipt must be submitted with the expense report form. If meals are provided by an event or conference the cost for which is paid by BAAQMD, then no separate reimbursement is allowed for that meal. A Board Director who pays the bill for a meal attended by more than one Board Director or BAAQMD employee may submit the expenditure with receipt for the combined meal cost, but all attendees' names must be included on the expense report form. Only costs

related to Board Directors and BAAQMD employees' meals are eligible for reimbursement. Costs incurred for any other person at such a meal (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Board Directors who claim the allowable Per Diem Rate from the GSA website should print the page for the location of the meeting or conference from the website to attach to their expense report form. In addition, they should retain their actual receipts to substantiate out-of-pocket expenses in the event of an audit by the State or IRS.

Alcoholic beverages are not a reimbursable expenditure. Alcoholic beverages may appear on the itemized receipt for a meal, but the charge (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Entertainment expenditures are not considered reimbursable expenditures. This includes, but is not limited to, meals unrelated to BAAQMD business, movies, shows, etc.

Other Meals

Expenditures for business meals other than meals during travel, such as meals with other elected officials where BAAQMD business is discussed, must be preapproved by the Executive Officer. To obtain reimbursement for such expenditures, the following documentation is required and must be recorded on the expense report form or backup documentation:

- Names of individuals present along with their titles and affiliation,
- Name and location of where the meal took place,
- Exact amount and date of the expenditure, and
- Specific BAAQMD-related topics discussed.

Miscellaneous Travel Expenditures

Ordinary, reasonable, and necessary miscellaneous expenditures are reimbursable at actual cost when accompanied by itemized receipts and justification for the expenditures including WiFi, phone, fax, and similar expenses.

Tippling – reasonable and customary tipping rates are reimbursable. In the US 15-20% gratuity on meals, up to a \$3 baggage handling gratuity and up to \$5 per day housekeeping gratuity are considered reasonable and are allowable. (Receipts for baggage and housekeeping gratuities are not required for reimbursement.)

Transportation – Fares and expenditures for taxis, shuttles, buses, BART, or other public transportation (including Uber, Lyft or similar services) are reimbursable when incurred for BAAQMD business. Receipts should be obtained whenever possible, but expenditures are still eligible for reimbursement when a receipt is unavailable. If a receipt is not available, a printout from the transportation agency showing the fare must be submitted for reimbursement. For example: a printout from the BART website showing the total fare for the trip taken. Board Directors should apply prudent business judgment in determining the means of transportation to use.

Personal/Private Vehicle Usage – Board Director's use of a personal/private vehicle is reimbursable at the mileage rate established by the IRS which can be found at www.irs.gov. Details on the date of travel, starting and ending destinations, purpose of travel, miles driven, tolls and parking costs (receipt required when possible) incurred must be provided on the expense report form. A printout from a map website such as Google Maps should be used to determine the total miles driven and must be submitted with the expense report form. Board Directors who operate vehicles on BAAQMD business must have a valid driver's license and proof of insurance in their possession, and a good driving record.

Appendices

Appendix A: Justified BAAQMD Travel

Justified BAAQMD travel trips include but are not limited to:

- Attending meetings with local representatives in Sacramento or Washington DC or Sacramento with BAAQMD Staff for legislative advocacy purposes.
- Attending the AWMA Conference as a BAAQMD representative
- Attending other air quality-related conferences as a BAAQMD representative
- Attending the annual COP Climate Conference as a BAAQMD representative

NOTE: Justified travel is not limited to the list provided above. This list is provided for reference purposes only and includes the most common examples of justified travel. All trips must be preapproved, regardless of whether they are included on this list.

Appendix B: Non-Reimbursable Expenditures

Non-reimbursable expenditures include but are not limited to:

Airfare upgrades or rental car upgrades
Air phone charges (except in emergencies)
Alcoholic beverages
Business class airfare

Entertainment expenditures
Expenditures incurred by/for spouses or other travel companions
Expenditures related to personal days while on business trip First class
airfare
Interest incurred on credit cards
Loss due to theft of cash or personal property
Lost baggage or briefcase
Meeting room rentals (when not for BAAQMD business) "No show" charges
for hotel or car service
Optional travel or baggage insurance
Parking or traffic tickets or fines
Personal items
Reading material such as magazines, books and newspapers Rental car
insurance
Valet parking fees

NOTE: Non-reimbursable expenditures are not limited to the list provided
above. This list is provided for reference purposes only.

Appendix C: Travel and Expense Report Form (attached)

ADVISORY COUNCIL MEETING
OF 11/08/2021

TRAVEL EXPENSE REPORT

(Transmit original copy to Administrative Services Division, Fiscal Section with required receipts attached.)

DEPARTING DATE: _____

RETURN DATE: _____

DESTINATION: _____

DIVISION: Board Member _____

PURPOSE: _____

SECTION: _____

RECEIPTS REQUIRED

DATE	DESCRIPTION	HOTEL	AIRFARE	TAXI CAR RENTAL BUS & TRAIN FARES	MEALS	OTHER EXPENSES	TOTAL

Total:	
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Date:		Advance Refund:
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Amount Due:	
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* THE UNDERSIGNED HEREBY CERTIFY that the above is a true statement of expense incurred in official business of the Bay Area Air Quality Management District.

DIVISION DIRECTOR: _____
(Signature)

BOARD MEMBER: John Bauters _____

Approved for Payment: _____	Warrant No.: _____
Account No.: _____	Date: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 24, 2021

Re: Environmental Justice Training Module: Structural Racism and Environmental Injustice

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

During the September 2, 2021, Community Equity, Health, and Justice Committee meeting, Air District staff committed to begin training initiatives for all Board of Directors and staff in the fall of 2021 to increase cultural competence and humility, better understand structural racism and social inequities, and help Board members and staff further build community relationships.

These training sessions will help provide the learning and training to further formulate and implement Air District policies that are inclusive and address disparities in air pollution across the Bay Area region. These trainings will be laid out in three upcoming meetings:

- October 20 and November 17, 2021: Structural Racism and Environmental Injustice
- December 1, 2021: Partnerships and Power Sharing
- January 2022: Navigating Conflict through Collaborative Problem Solving

The second module in this training series will build off the first module, which focused on the historical connection between racial segregation and structural racism and current day environmental injustices in the Bay Area. This presentation will both highlight the need for meaningful engagement and partnerships with communities, and the historical barriers to that have been impediments to building trust within overburdened and underrepresented communities. It will also present a vision of how the Air District can partner with community organizations to advance work towards shared racial equity goals.

DISCUSSION

The second module will conclude with a discussion among Board members regarding what progress towards building relationships, partnerships and trust with communities, and how these partnerships can accelerate progress towards protecting air quality and public health.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kevin Olp
Reviewed by: Veronica Eady