

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

Board of Directors Regular Meeting  
Wednesday, April 20, 2022

### **APPROVED 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](http://www.baaqmd.gov/bodagendas)*

**This meeting was conducted under procedures authorized by Assembly Bill 361 (Rivas 2021), allowing remote meetings. Members of the Board of Directors participated both by teleconference (via Zoom) and in person.**

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, Karen Mitchoff, called the meeting to order at 9:04 a.m.

#### **Roll Call:**

Present: Chairperson Karen Mitchoff; Vice Chairperson John Bauters; Secretary Davina Hurt (Zoom); and Directors Margaret Abe-Koga (Zoom), Teresa Barrett, Pauline Russo Cutter, John Gioia (Zoom), David Haubert (Zoom), Lynda Hopkins (Zoom), David Hudson, Tyrone Jue, Sergio Lopez, Nate Miley (Zoom), Rob Rennie (Zoom), Katie Rice, Mark Ross (Zoom), Brad Wagenknecht, Shamann Walton (Zoom), and Steve Young.

Absent: Directors David Canepa, Carole Groom, Erin Hannigan, Myrna Melgar.

2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC MEETING PROCEDURE**

### **CONSENT CALENDAR (ITEMS 4 – 12)**

4. Approval of the Minutes of April 6, 2022
5. Remote Teleconferencing per Assembly Bill (AB) 361 (Rivas)
6. Board Communications Received from April 6, 2022 through April 19, 2022
7. Air District Personnel on Out-of-State Business Travel for the Month Ending March 2022
8. Authorization to Amend Contract with Dell Marketing, LP, to Support Development of CEQA Screening Tools
9. Report of the Community Equity, Health and Justice Committee Meeting of April 7, 2022
10. Report of the Community Equity, Health and Justice Committee Meeting of April 7, 2022
11. Report of the Legislative Committee Meeting of April 11, 2022

12. Report of the Advisory Council Meeting of April 11, 2022

Public Comments

No requests received.

Board Comments

No Board comments were made prior to the approval of the Consent Calendar. A discussion occurred between the Board and Air District staff after the Board returned from Closed Session, long after the Consent Calendar had been approved, concerning an error identified in the Board Resolution language of Item 5 (Remote Teleconferencing per AB 361.) Air District staff explained that the language should have read, “...and authorizing remote teleconference meetings of the legislative bodies of the Bay Area Air Quality Management District for the period April 20 to May 20, 2022.,” but instead read “...and authorizing remote teleconference meetings of the legislative bodies of the Bay Area Air Quality Management District for the period April 6 to May 6, 2022.” Concern over this matter was expressed, and the nature of clerical/Scrivener's errors, versus substantive errors, was discussed. The consensus of Board members present was that action did not need to be taken to retroactively correct this error. It was decided that the Board would revisit this issue at the May 4, 2022 Board meeting.

Board Action

Director Hudson made a motion, seconded by Director Wagenknecht, to **approve** Consent Calendar Items 4 through 12, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Bauters, Barrett, Cutter, Gioia, Haubert, Hopkins, Hudson, Hurt, Jue, Lopez, Mitchoff, Rennie, Rice, Ross, Wagenknecht, Walton, Young.

NOES: None.

ABSTAIN: None.

ABSENT: Canepa, Groom, Hannigan, Melgar, Miley.

**COMMENDATIONS/PROCLAMATIONS/AWARDS**

13. **RECOGNITION OF JACK P. BROADBENT**

The Board of Directors recognized Jack P. Broadbent for his 18 years of service, dedication, and leadership in creating a healthy breathing environment for every Bay Area resident, while protecting and improving public health, air quality, and the global climate.

NOTED PRESENT: Director Miley was noted present at 9:16 a.m.

Remarks were given by the following guests: Bill Quinn, Jean Roggenkamp, Wayne Nastri, Alberto Ayala, John Dunlap, Richard Corey, Andrew Fremier, Larry Goldzband, Lauren Weston, Brian Sheridan, Frances Keeler, Miles Keogh, Aeron Arlin Genet, and Larry Greene.

### Public Comments

Public comments were given by Bob Brown, Western States Petroleum Association; LaDonna Williams, All Positives Possible; Jill Whynot; Tung Le, California Air Pollution Control Officers Association; and Lonnie Mason, First Generation Environmental Health and Economic Development.

### Board Comments

Various Board members acknowledged Mr. Broadbent's leadership and service.

### Board Action

None; receive and file.

## 14. **2022 SPARE THE AIR LEADERSHIP AWARD**

The Board of Directors presented the 2022 Spare the Air Leadership Award to Marin Clean Energy (MCE) for its Low-Income Family and Tenants (LIFT) program, a two-year pilot program that offers funds for energy efficiency improvements and appliances to income-qualified multifamily communities in MCE's service area.

### Public Comments

No requests received.

### Board Comments

Board members whose jurisdictions are served by MCE, or who currently serve on MCE's Board of Directors, accepted the award on MCE's behalf, as no representative was present.

### Board Action

None; receive and file.

## 15. **ADOPTION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) THRESHOLDS FOR EVALUATING THE SIGNIFICANCE OF CLIMATE IMPACTS FROM LAND USE PROJECTS AND PLANS.**

Henry Hilken, Director of Planning and Climate Protection, gave the staff presentation *Proposed CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*, including: outcome; outline; requested action; background and context; proposed thresholds: land use developments and long-range plans; Justification Report; stakeholder engagement and input; and feedback requested/prompt.

### Public Comments

Public comments were given by Debbie Mytels, Peninsula Interfaith Climate Action Network; Leah Louis-Prescott, Rocky Mountain Institute; Jan Warren, Interfaith Climate Action Network of Contra Costa County; Diane Bailey, Menlo Spark; Bruce Naegel; Jenny Green, Mothers Out Front; Amanda

Bancroft, 350 Silicon Valley; Brian Schuster, California A Association of Environmental Professionals Climate Change Committee; and LaDonna Williams, All Positives Possible.

Board Comments

The Board and staff discussed whether the recommended thresholds would be mandatory or optional for jurisdictions to adopt; when the thresholds would become effective, if adopted by the Board; concerns that such thresholds would impact the restaurant industry, the request that restaurants be exempt from the recommended thresholds, whether the Air District has received feedback from restaurants on this issue, whether propane emissions impact human health, and the percentage of natural gas usage that is attributable to restaurants; concerns about building electric vehicle (EV) charging infrastructure (parking for new or existing multifamily residential and nonresidential buildings) without being able to project the demand for it, and the rationale for EV readiness targets; concerns that the per-capita Vehicle Miles Traveled (VMT) reductions necessary to attain 2050 greenhouse gas (GHG) reduction targets are not realistic or practical, when considering required work commute travel; whether jurisdictions would be granted time extensions for implementation; whether the recommended thresholds encompass construction activities and building materials; and whether the Board may adopt the recommended thresholds and then make subsequent revisions.

Board Action

Director Rice made a motion, seconded by Director Lopez, to **adopt** the proposed CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans; and the motion **carried** by the following vote of the Board:

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

**OTHER BUSINESS**

**16. PUBLIC COMMENT ON NON-AGENDA MATTERS (OUT OF ORDER, ITEM 19)**

No requests received.

**17. REPORT OF THE INTERIM EXECUTIVE OFFICER/APCO (ITEM 21)**

Mr. Crockett announced that the Air District issued a press release on April 20, 2022, called “Air District Seeks to Shut Down Diesel Generators at Green Sage Cannabis Facilities in Oakland,” which will result in an abatement action brought before the Hearing Board.

**18. BOARD MEMBER COMMENTS (ITEM 20)**

None.

19. **CHAIRPERSON'S REPORT (ITEM 22)**

Chair Mitchoff repeated her welcome to the newest Board members (Lopez and Young).

20. **TIME AND PLACE OF NEXT MEETING (ITEM 23)**

Wednesday, May 4, 2022, at 9:00 a.m., in person or via webcast, teleconference, or Zoom, pursuant to procedures in accordance with Assembly Bill 361 (Rivas 2021).

**CLOSED SESSION** (11:58 a.m.)

21. **CONFERENCE WITH LEGAL COUNSEL (ITEM 16)**

**ANTICIPATED LITIGATION**

Initiation of Litigation pursuant to Section 54956.9(c): one potential case

**Reportable Action:** Acting Senior Assistant Counsel, Joel Freid, reported that the Board approved initiation of litigation (parties yet to be disclosed, as the matter is not yet filed.)

22. **PUBLIC EMPLOYEE APPOINTMENT AND EMPLOYMENT (ITEM 17)**

Pursuant to Government Code Section 54957(b)

*Title: District Counsel*

**Reportable Action:** Chair Mitchoff said there was nothing to report.

23. **CONFERENCE WITH LABOR NEGOTIATIONS (ITEM 18)**

Pursuant to Government Code Section 54957.6

*Agency Designated Representatives: Board Chair Karen Mitchoff, Board Vice Chair John Bauters, John Chiladakis, DeeAnne Gillick, Sloan Sakai, Yeung & Wong*

*Unrepresented Employees: District Counsel*

**Reportable Action:** Chair Mitchoff said there was nothing to report.

**OPEN SESSION** (12:35 p.m.)

24. **ADJOURNMENT**

The meeting adjourned at 12:45 p.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards