



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS

MEETING

June 7, 2023

MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY BOARD MEMBERS AND MEMBERS OF THE PUBLIC

Bay Area Metro Center
1st Floor Board Room
375 Beale Street
San Francisco, CA 94105

City of Palo Alto City Hall
250 Hamilton Ave.
Palo Alto, CA 94301

Office of Santa Clara County
Supervisor Otto Lee
70 W Hedding St
East Wing, 10th Floor
San Jose, CA 95110

Office of Contra Costa County
Supervisor John Gioia
Conference Room
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530

Office of Alameda County Supervisor
David Haubert
4501 Pleasanton Avenue
Pleasanton, CA 94566

County of Sonoma
County Administrator's Office
575 Administration Drive
Sunroom, Suite #110A
Santa Rosa, CA 95403

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Board of Directors reserves the right to conduct the meeting without remote webcast and/or Zoom access.

The public may observe this meeting through the webcast by clicking the link available on the air district's agenda webpage at www.baaqmd.gov/bodagendas.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/83330595225>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 833 3059 5225

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 a matter on the agenda will have two minutes each to address the Board on that agenda item, unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again.

BOARD OF DIRECTORS MEETING AGENDA

WEDNESDAY, JUNE 7, 2023

9:00 AM

Chairperson, John J. Bauters

1. **Call to Order - Roll Call**

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

2. **Pledge of Allegiance**

3. **Special Orders of the Day**

CLOSED SESSION

4. Conference with Legal Counsel re Anticipated Litigation (Government Code Sections 54956.9(a) and (d)(2))

Pursuant to Government Code sections 54956.9(a) and (d)(2), the Board will meet in closed session with legal counsel to discuss a significant exposure to litigation, based on facts and circumstances not known to a potential plaintiff or plaintiffs.

OPEN SESSION

CONSENT CALENDAR (Items 5 - 17)

5. Approval of the Draft Budget Hearing Minutes of May 17, 2023

The Board of Directors will consider approving the draft minutes of the Budget Hearing meeting of May 17, 2023.

6. Approval of the Draft Minutes of the Board of Directors Regular Meeting of May 17, 2023

The Board of Directors will consider approving the draft minutes of the Board of Directors regular meeting of May 17, 2023.

7. Board Communications Received from May 17, 2023 through June 6, 2023

A copy of communications directed to the Board of Directors received by the Air District from May 17, 2023 through June 6, 2023, if any, will be distributed to the Board Members by way of email.

8. Authorization to Execute a Contract Amendment with Renne Public Law Group

The Board of Directors will consider authorizing the Executive Officer/APCO to amend the contract with Renne Public Law Group increasing the maximum dollar amount of the contract from \$400,000 to \$550,000 for legal services related to labor and employment matters.

9. Authorization to Execute Purchases for Meteorology and Measurement Division Operations

The Board of Directors will consider authorizing the Executive Officer/APCO to procure goods and services that are required for operations in the Meteorology and Measurement in a total amount not to exceed \$328,964.

10. Authorization to Purchase Equipment from Tricorntech Corporation

The Board of Directors will consider authorizing the Executive Officer/APCO to procure a micro gas chromatography analyzer from Tricorntech for an amount not to exceed \$153,000.

11. Authorization to Amend Contract with Breathe California of the Bay Area, Golden Gate, and Central Coast

The Board of Directors will consider authorizing the Executive Officer/APCO to execute an amendment to the grant agreement with Breathe California of the Bay Area, Golden Gate, and Central Coast to increase the dollar amount of the grant from \$96,000 to \$100,000 to provide the grantee with the correct award amount.

12. Authorization to Amend Contract with Resource Development Associates (RDA Consulting)

The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract amendment with Resource Development Associates increasing the maximum dollar amount of the contract from \$145,000 to \$370,000, to complete the program evaluation in progress for Years 2 and 3 of the refocused James Cary Smith Community Grant Program.

13. Authorization to Establish a New Classification of Senior Payroll Analyst

The Board of Directors will consider establishing a new classification of Senior Payroll Analyst in the Confidential Unit at Salary Range 138.

14. Authorization for Collection of Salary Overpayments

The Board of Directors will consider approving a resolution to grant the Executive Officer/APCO authorization to conduct analyses and enter into agreements to recover salary overpayments.

15. Report of the Stationary Source and Climate Impacts Committee Meeting of May 10, 2023

The Board of Directors will receive a report of the Stationary Source and Climate Impacts Committee Meeting of May 10, 2023.

16. Report of the Community Equity, Health, and Justice Committee Meeting of May 17, 2023

The Board of Directors will receive a report of the Community Equity, Health, and Justice Committee meeting of May 17, 2023.

17. Report of the Community Advisory Council meeting of May 18, 2023

The Board of Directors will receive a report of the Community Advisory Council meeting of May 18, 2023.

PUBLIC HEARING(S)

18. Final Public Hearing to Consider Adoption of Proposed Amendments to Air District Regulation 3: Fees

The Board of Directors will consider adopting a resolution amending Air District Regulation 3: Fees, which would become effective on July 1, 2023, and determining that the amendments are statutorily exempt from California Environmental Quality Act (CEQA). The proposed fee amendments are designed to recover the costs of regulatory program activities in accordance with the Air District's Cost Recovery and Containment Policy.

19. Final Public Hearing to Consider Adoption of the Fiscal Year 2023-2024 Proposed Air District's Budget

The Board of Directors will conduct the final public hearing and consider the adoption of a resolution to approve the Budget for the Fiscal Year Ending (FYE) 2024 and various budget-related actions.

ACTION ITEM(S)

20. Resolution Urging Responsible Leadership and Climate Justice at COP28

The Board of Directors will consider adopting a Resolution Urging Responsible Leadership and Climate Justice at COP28 due to concerns on the selection of Sultan Al Jaber as president of the COP28 climate summit.

INFORMATIONAL ITEM(S)

21. State Implementation Plan: Rules and Regulations

This is an informational item only and will be presented by Mark Tang, Principal Environmental Planner in the Planning and Climate Protection Division.

OTHER BUSINESS

22. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Board of Directors. Members of the public will have two minutes each to address the Board, unless a different time limit is established by the Chair.

23. Board Member Comments

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)

24. Report of the Executive Officer/APCO

25. Chairperson's Report

26. Time and Place of Next Meeting

Wednesday, June 21, 2023, at 9:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Board of Directors members and members of the public will be able to either join in-person or via webcast.

CLOSED SESSION

27. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

*Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6
Agency Designated Representatives:
Laura A. Izon , Atkinson, Andelson, Loya, Ruud & Romo
John Chiladakis, Acting Chief Administrative Officer
Employee organization: BAAQMD Employees' Association*

28. Conference with Legal Counsel re Anticipated Litigation (Government Code Sections 54956.9(a) and (d)(2))

Pursuant to Government Code sections 54956.9(a) and (d)(2), the Board will meet in closed session with legal counsel to discuss significant exposure to litigation, based on facts and circumstances not known to a potential plaintiff or plaintiffs: One case.

29. Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)(1)

Title: District Counsel

OPEN SESSION

30. 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, Suma Peesapati, at (415) 749-4967 or by email at spesapati@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**

JUNE 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	7	9:00 a.m.	1 st Floor Board Room
Board of Directors Legislative Committee	Wednesday	7	10:30 a.m.	1 st Floor Board Room
Board of Directors Finance & Administration Committee	Wednesday	7	1:00 p.m.	1 st Floor Board Room
Advisory Council Meeting	Monday	12	8:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee – Cancelled and Rescheduled to Wednesday, June 21, 2023, at 11:00 a.m.	Wednesday	14	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	14	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Meeting	Wednesday	21	9:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	21	11:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	21	1:00 p.m.	1 st Floor Board Room

JULY 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	5	9:00 a.m.	1 st Floor Board Room
Board of Directors Finance & Administration Committee	Wednesday	5	1:00 p.m.	1 st Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	12	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	12	1:00 p.m.	1 st Floor, Yerba Buena Room

JULY 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Monday	19	9:00 a.m.	1st Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	19	1:00 p.m.	1st Floor Board Room
Board of Directors Community Advisory Council	Thursday	20	6:00 p.m.	1st Floor Board Room
MV 05/31/23 9:19 a.m.				G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Approval of the Draft Budget Hearing Minutes of May 17, 2023

RECOMMENDED ACTION

Approve the draft minutes of the Budget Hearing Minutes of May 17, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval is the draft minutes of the Budget Hearing Meeting of May 17, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Board of Directors Budget Hearing Meeting of May 17, 2023

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

Board of Directors Special Budget Hearing
Wednesday, May 17, 2023

DRAFT MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

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

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors Ken Carlson, Noelia Corzo, Juan Gonzalez, David Haubert, Tyrone Jue, Sergio Lopez, Myrna Melgar, Katie Rice, Shamann Walton, and Steve Young.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor John Gioia, Conference Room, 11780 San Pablo Avenue, Suite D, El Cerrito, California, 94530): Directors Joelle Gallagher, John Gioia, and Mark Ross.

Present, In-Person Satellite Location: (City of Palo Alto City Hall, 250 Hamilton Avenue, 7th Floor, Palo Alto, California, 94301): Directors Margaret Abe-Koga, Ray Mueller, and Vicki Veenker.

Present, In-Person Satellite Location: (Santa Rosa Junior College Campus, Doyle Library, Room 148, 1501 Mendocino Avenue, Santa Rosa, California, 95401): Secretary Lynda Hopkins; and Director Brian Barnacle.

Absent: Directors Erin Hannigan, David Hudson, Otto Lee, and Nate Miley.

2. **PLEDGE OF ALLEGIANCE**

PUBLIC HEARING

3. FIRST PUBLIC HEARING ON THE FISCAL YEAR (FY) 2023-2024 PROPOSED AIR DISTRICT’S BUDGET

NOTED PRESENT: Secretary Hopkins was noted present at 9:04 a.m., and Director Melgar was noted present at 9:09 a.m.

The Board of Directors held the first of two public hearings to receive testimony on the proposed Air District Budget for public review and comment. Final action will be taken at the conclusion of the second public hearing scheduled for June 7, 2023.

Stephanie Osaze, Director of Finance, and Leonid Bak, Economist, gave the staff presentation *First Public Hearing to Consider Adoption of the Air District’s Proposed Budget for Fiscal Year 2023-2024*, including: outcome; outline; requested action; 2023 Financial Plan (economic outlook, inflation, labor market); Budget and Rule Development schedule; current FY 2023 Budget summary; FY 2023-2024 Proposed Budget summary; Fiscal Year Ending (FYE) 2024 Total Budget overview; FY 2024 General Fund Budget – revenues and expenditures; breakdown of \$5.4M budget increase; capital budget detail; funding of retirement liabilities; reserves designations; and budget adoption steps.

Chair Bauters opened the public hearing.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the request for an explanation of the Air District’s Budget over the last ten years; how much the Air District’s unfunded liability policy fluctuates each year; and whether the Board should be concerned about the amount of reserves that are being spent.

Chair Bauters closed the public hearing.

Board Action

None; receive and file.

OTHER BUSINESS

4. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

5. BOARD MEMBER COMMENTS

None.

6. TIME AND PLACE OF NEXT MEETING

Wednesday, June 7, 2023, at 9:00 a.m., 375 Beale Street, San Francisco, CA 94105. The meetings will be in-person for Board members, and members of the public will be able to join either in-person or via webcast.

7. ADJOURNMENT

The meeting was adjourned at 9:19 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Approval of the Draft Minutes of the Board of Directors Regular Meeting of May 17,
2023

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors regular meeting of May 17, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors meeting of May 17, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Board of Directors Meeting of May 17, 2023

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

Board of Directors Regular Meeting
Wednesday, May 17, 2023

DRAFT MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, John J. Bauters, called the meeting to order at 9:23 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors Ken Carlson, Noelia Corzo, Juan Gonzalez, David Haubert, Tyrone Jue, Sergio Lopez, Myrna Melgar, Katie Rice, Shamann Walton, and Steve Young.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor John Gioia, Conference Room, 11780 San Pablo Avenue, Suite D, El Cerrito, California, 94530): Directors Joelle Gallagher, John Gioia, and Mark Ross.

Present, In-Person Satellite Location: (City of Palo Alto City Hall, 250 Hamilton Avenue, 7th Floor, Palo Alto, California, 94301): Directors Margaret Abe-Koga, Ray Mueller, and Vicki Veenker.

Present, In-Person Satellite Location: (Santa Rosa Junior College Campus, Doyle Library, Room 148, 1501 Mendocino Avenue, Santa Rosa, California, 95401): Secretary Lynda Hopkins; and Director Brian Barnacle.

Absent: Directors Erin Hannigan, David Hudson, Otto Lee, and Nate Miley.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR (ITEMS 3 – 9)

3. Approval of the Draft Minutes of the Board of Directors Meeting of May 3, 2023
4. Board Communications Received from May 3, 2023 through May 16, 2023
5. Personnel Out-of-State Business Travel Report for April 2023

6. Authorization to Approve Contract with We The Creative for Refreshed Design of the Air District Logo and Brand Research, Strategy and Guidelines
7. Authorization of Service Contract for Laboratory Analytical Instrument
8. Report of the Finance and Administration Committee Meeting of May 3, 2023
9. Report of the Mobile Source and Climate Impacts Committee Meeting of May 10, 2023
 - A. Transportation Fund for Clean Air County Program Manager Expenditure Plans for Fiscal Year Ending 2024
 - Action Item: Approve the allocation of new Transportation Fund for Clean Air revenue to each of the nine County Program Managers for Fiscal Year Ending 2024; and
 - Authorize the Executive Officer/Air Pollution Control Officer to enter into funding agreements with the County Project Managers
 - B. Transportation Fund for Clean Air Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending 2024
 - Action Item: Approve the proposed updates to the Transportation Fund for Clean Air Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending 2024
 - C. Fiscal Year Ending 2023 Charge! Program Project Recommendations
 - Action Item: Approve the *Charge!* Program rank list; and
 - Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Haubert made a motion, seconded by Director Gonzalez, to **approve** Consent Calendar Items 3 – 9, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barnacle, Bauters, Carlson, Corzo, Gallagher, Gioia, Gonzalez, Haubert, Hopkins, Hurt, Jue, Lopez, Melgar, Mueller, Rice, Ross, Veenker, Walton, Young.
NOES: None.
ABSTAIN: None.
ABSENT: Hannigan, Hudson, Lee, Miley.

OTHER BUSINESS

10. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

11. **BOARD MEMBER COMMENTS**

None.

12. **REPORT OF THE EXECUTIVE OFFICER/APCO**

Dr. Philip M. Fine, Executive Officer/Air Pollution Control Officer, announced the following:

- An Implementation Working Group, consisting of external stakeholders, formed to support the recently adopted amendments to Rules 9-4 and 9-6 (to reduce emissions of nitrogen oxides from residential and commercial furnaces and water heaters in buildings in the Bay Area), will meet on May 23, 2023. The meeting will discuss ground rules, processes, objectives, public concerns, and vision principles. The Board requested to receive a list of participants who will attend the meeting.
- Recruitment for Board-approved Deputy Executive Officer positions has opened, and outreach is ongoing. These include: Deputy Executive Officer of Administration, Deputy Executive Officer of Engineering and Compliance, and Deputy Executive Officer of Public Affairs.

13. **CHAIRPERSON'S REPORT**

Chair Bauters announced the following:

- The Community Equity, Health, and Justice Committee will meet on May 17, 2023, at 1:00 p.m. at 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105
- The Community Advisory Council will meet on May 18, 2023, at 6:00 p.m. at Cal State University, East Bay Grand Lake and Merritt 1 Rooms 1000 Broadway, Suite 109 Oakland, CA 94607
- Board members who attended in person at 375 Beale Street were alerted that they were to be escorted into Closed Session by Air District staff, as another regional agency was occupying the Board Room.
- National Bike Month is a celebration of cycling held every May in the United States and is a chance to showcase the many benefits of bicycling and to encourage more folks to giving bicycling a try.

14. **TIME AND PLACE OF NEXT MEETING**

Wednesday, June 7, 2023, at 9:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the board members and members of the public will be able to either join in-person or via webcast.

CLOSED SESSION (9:28 a.m.)

15. **CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6**

*Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6
Agency Designated Representatives:
Laura A. Izon , Atkinson, Andelson, Loya, Ruud & Romo
John Chiladakis, Acting Chief Administrative Officer
Employee organization: BAAQMD Employees' Association*

REPORTABLE ACTION: Alexander Crockett, District Counsel, reported that there was no reportable action.

16. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1)**

Title: District Counsel

REPORTABLE ACTION: Alexander Crockett, District Counsel, reported that there was no reportable action.

OPEN SESSION (11:48 a.m.)

17. **ADJOURNMENT**

The meeting was adjourned at 11:48 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Board Communications Received from May 17, 2023 through June 6, 2023

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

None.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from May 17, 2023 through June 6, 2023, if any, will be distributed to the Board Members by way of email.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Aloha de Guzman

Reviewed by: Vanessa Johnson

ATTACHMENTS:

None

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Authorization to Execute a Contract Amendment with Renne Public Law Group

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to amend the contract with Renne Public Law Group (RPLG) increasing the maximum dollar amount of the contract by \$150,000 -- from \$400,000 to \$550,000 -- for legal services related to labor and employment issues.

BACKGROUND

When Interim Executive Officer/ACPO Sharon Landers took over on May 23, 2022, there was a need for independent outside counsel to provide legal advice on labor and employment issues in areas where the Air District's normal labor and employment firm was unable to handle the work. The Interim Executive Officer/ACPO therefore consulted with the District Counsel's office regarding finding an appropriate firm to provide these services. The Interim Executive Officer/ACPO and District Counsel made inquiries and reached out to several firms, as outlined below, and ultimately concluded that RPLG and its partner Arthur Hartinger were the best choice. The Air District therefore entered into the current engagement letter (Contract No. 2022.154), dated June 3, 2022, along with four subsequent amendments, the most recent of which were approved by the Board of Directors on October 5, 2022, January 25, 2023, and April 5, 2023, respectively. As amended, the agreement now has a limit on fees of \$400,000. RPLG's work is now expected to exceed \$400,000, so the parties need to amend the engagement letter again to allow the firm to undertake this additional work.

DISCUSSION

As there was a need to retain counsel within a short timeframe to provide legal advice, and there are only a relatively small number of law firms that have the expertise, experience, and ability to provide the services needed, the Air District did not undertake a formal bid process. Instead, the District Counsel's office contacted qualified firms informally to determine what outside counsel would be best to provide these services. The District Counsel's office contacted firms that its attorneys already had relationships with, reached out to our sibling air districts to inquire about firms that these agencies have used for similar work, and pursued other inquiries to identify

suitable candidate firms. The District Counsel's office ultimately approached three firms, including RPLG. RPLG and Mr. Hartinger seemed best suited to advise on these issues given their background and experience, availability to handle the work, and the very strong recommendations from two other public agencies that Mr. Hartinger has worked with in the past.

RPLG has been highly effective thus far in providing legal services to the Air District, and the decision to retain this firm appears to have been a good one. There is no reason to second-guess that decision at this stage or to consider changing firms. It is therefore recommended that the current agreement be amended to increase the limit on fees to allow RPLG to perform additional work.

BUDGET CONSIDERATION/FINANCIAL IMPACT

These funds are included in the Fiscal Year Ending 2023 Program 104 budget.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Alexander Crockett

ATTACHMENTS:

1. Renne Public Law Group Executed Legal Services Agreement - Signed Jun. 3, 2022
2. Renee Public Law Group Legal Services Agreement Amendment 4 - Signed April 17 2023
3. Renee Public Law Group Legal Services Agreement Amendment 5 - DRAFT

RPLG Renne Public Law Group®
350 Sansome Street | Suite 300
San Francisco, CA 94104

Arthur A. Hartinger
ahartinger@publiclawgroup.com
(415) 848-72400

June 3, 2022

Via Email – ACrockett@baaqmd.gov>

Alexander Crockett
Chief Attorney
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

Re: Legal Services Agreement (General Advice in Labor and Employment)

Dear Mr. Crockett:

Thank you for retaining Renne Public Law Group, LLP (“RPLG”) to provide legal services on behalf of Bay Area Air Quality Management District. We appreciate the opportunity to serve as your lawyers and look forward to working with you on this matter.

This Legal Services Agreement (“Agreement”) sets forth our agreement concerning the legal services we will provide and our fee and expense reimbursement arrangements for those services. Please read the entire Agreement before signing and returning it to us.

1. Scope of Engagement. We will provide general advice, representation in administrative proceedings, and other legal work in the area of labor and employment. Our work is limited to such services. When we agree to provide legal services in discrete matters, we will confirm the engagement and bill separately for such services.

2. Fees and Personnel. As compensation for our services, my hourly fee will be \$450.00, and our overall current public sector rates are attached as Attachment A.

I will be the attorney in charge of your matter[s]. However, this agreement retains the legal services of our law firm and not of a particular attorney. If other attorneys and/or paralegals are assigned to work on your matter, then current hourly rates of those individuals will be utilized. (See Attachment A.).

Rates will generally be increased annually on January 1 by the greater of 3% or the relevant local CPI increase over the prior 12-month period, rounded to the nearest \$5.

In the unlikely event of a dispute over fees, the parties agree that the dispute will be submitted to arbitration pursuant to the State Bar’s Mandatory Fee Arbitration Program.

3. Billing and Payment Responsibilities. We will send monthly statements which are due within 30 days of receipt. If you have any questions about an invoice, please promptly



Legal Services Agreement
Page 2

telephone or write me so that we may discuss these matters. Billing is done in 1/10ths of an hour increments. Total billed amounts are not to exceed \$30,000.00.

Our Statement of Fee and Billing Information, which sets forth the details of our disbursement and expense policy, is attached as ATTACHMENT B.

4. Termination of Services. You may terminate RPLG's services at any time by written notice. After receiving such notice, we will cease providing services. We will cooperate with you in the orderly transfer of all related files and records to your new counsel.

RPLG may terminate its services for any reason upon reasonable written notice, consistent with the Rules of Professional Responsibility. If we terminate our services, you agree to execute a substitution of attorneys promptly and otherwise cooperate in effecting that termination.

Termination of our services, whether by you or by us, will not relieve the obligation to pay for services rendered and costs incurred before our services formally ceased.

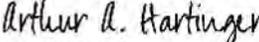
5. No Guarantee of Outcome. Any comments made by us about the potential outcome of this matter are expressions of opinion only and are not guarantees or promises about any outcome or results.

6. Government Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California as applicable.

7. Entire Agreement; Full Understanding; Modifications in Writing. This letter contains our entire agreement about our representation. Any modifications or additions to this Agreement must be made in writing.

8. Joint Representation. Our firm maintains Of Counsel agreements with certain legal specialists. Because these individuals are deemed independent contractors under the applicable provisions of the tax laws and not employees of the firm, it is necessary that you consent to dual representation by the firm and the specialist in the event the matter which you have engaged us to handle requires the use of that specialist. This arrangement has no effect whatsoever on the cost of your legal services, rather it is an ethical requirement that we disclose this fact and that you consent. You are consenting by signing this letter.

Very truly yours,

DocuSigned by:

205F3B857D5F429...
Arthur A. Hartinger

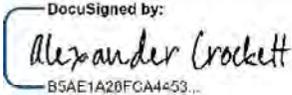


Legal Services Agreement
Page 3

Attachments: **Public Sector Fee Schedule**
Statement of Fee and Billing Information

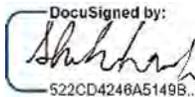
cc: RPLG Billing Department

These terms are accepted and agreed to as of the date of this letter.

By:  _____
DocuSigned by:
B5AE1A28FCA4453...

Print Name: Alexander Crockett

Title: District Counsel

By:  _____
DocuSigned by:
522CD4246A5149B...

Print Name: Sharon Landers

Title: Interim Executive Officer

ATTACHMENT A

PUBLIC SECTOR FEE SCHEDULE EFFECTIVE JANUARY 1, 2022 TO DECEMBER 31, 2022

Partners:	\$395- \$500
Of Counsel:	\$350 - \$450
Associates:	\$295 - \$350
Law Clerks:	\$195 - \$295
Paralegals:	\$145 - \$225
Analysts:	\$125 - \$275
Consultants:	\$195 - \$475

Our rates adjust every January by the greater of 3% or the relevant local CPI increase over the prior 12-month period, rounded to the nearest \$5.



ATTACHMENT B

STATEMENT OF FEE AND BILLING INFORMATION

The following is a general description of our fee and billing policies. These general policies may be modified by the specific engagement letter or agreement to which this summary is attached.

Professional Fees. Our fees for professional services are based on the fair value of the services rendered. To help us determine the value of our services, our attorneys and paralegals maintain time records for each client and matter. Our attorneys and paralegals are assigned hourly rates which are based on years of experience, specialization, training and level of professional attainment. We adjust our rates periodically (usually at the beginning of each year) to take into account inflation and the increased experience of our professional personnel.

To keep professional fees at a minimum, legal work that does not require more experienced attorneys will be performed, where feasible, by attorneys with lower billing rates. Of course, the quality of the work is paramount, and we do not sacrifice quality to economy.

Before undertaking a particular assignment, we will, if requested, provide you with a fee estimate to the extent possible. Estimates are not possible for some matters, however, and cannot be relied on in many others because the scope of our work will not be clear at the outset. When a fee estimate is given, it is only an estimate; it is not a maximum or minimum fee quotation. The actual fee may be more or less than the quoted estimate.

Billing and Payment Procedures. Unless other arrangements are made at the time of the engagement, invoices will be sent monthly. Invoices for outside services exceeding \$100 may be billed separately. Occasionally, however, we may defer billing for a given month or months if the accrued fees and costs do not warrant current billing or if other circumstances would make it appropriate to defer billing.

Our invoices contain a brief narrative description of the work performed; if requested, the initials of the attorney who performed the work will appear on the statement. The invoice will include a line item reflecting in-house administrative costs. The firm's in-house administrative costs include duplicating, facsimile charges, telephone charges, e-mail, postage, mileage and other administrative expenses.

In addition, RPLG charges separately for certain costs incurred in the representation, as well as for any disbursements to third parties made on a client's behalf. Such costs and disbursements include, for example, the following: travel (at the IRS rate in effect at the time the travel occurs), computer-assisted research, transcription, overnight delivery and messenger services. For major disbursements to third parties, invoices may be sent directly to you for payment. RPLG also bills for time spent traveling on a client's behalf at our normal hourly rates.



If you have any questions regarding an invoice, the Operations Manager is available to answer your questions. For any unresolved matters, the Bar Association has an arbitration mechanism that can be used to resolve such matters.



Arthur A. Hartinger
ahartinger@publiclawgroup.com
(415) 848-72400

March 22, 2023

Via Email – ACrockett@baaqmd.gov>

Philip M. Fine
Executive Officer/APCO
Alexander Crockett
District Counsel
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

Re: Legal Services Agreement (General Advice in Labor and Employment)

Dear Dr. Fine and Mr. Crockett:

On behalf of Renne Public Law Group, LLP (“RPLG”), we appreciate the opportunity to provide legal services to the Bay Area Air Quality Management District in the area of labor and employment. Per our recent discussions, this letter is to amend our existing Legal Services Agreement dated (for identification purposes only) June 2, 2022, as amended by our subsequent Amendments dated (for identification purposes only) August 29, 2022, September 23, 2022, and February 3, 2023, to increase the cap on fees from \$300,000 to \$400,000.

By this amendment, the sentence in Section 3 of the Legal Services Agreement that (per the August 29 and September 23, 2022, and February 3, 2023, amendments) that reads “Total billed amounts are not to exceed \$300,000.00” shall be and is replaced by the following sentence: “Total billed amounts are not to exceed \$400,000.00”. All other provisions of the Legal Services Agreement shall remain the same.

Very truly yours,

Arthur A. Hartinger

cc: RPLG Billing Department

These terms are accepted and agreed to as of the date of this letter.

DocuSigned by:

Philip M. Fine
Executive Officer/APCO

DocuSigned by:

Alexander Crockett
District Counsel

Date: 4/17/2023

Date: 4/17/2023

Arthur A. Hartinger
Partner
ahartinger@publiclawgroup.com
(415) 848-7200

May 30, 2023

Via Email – ACrockett@baaqmd.gov

Philip M. Fine
Executive Officer/APCO
Alexander Crockett
District Counsel
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

Re: Legal Services Agreement (General Advice in Labor and Employment)

Dear Dr. Fine and Mr. Crockett:

On behalf of Renne Public Law Group, LLP (“RPLG”), we appreciate the opportunity to provide legal services to the Bay Area Air Quality Management District in the area of labor and employment. Per our recent discussions, this letter is to amend our existing Legal Services Agreement dated (for identification purposes only) June 2, 2022, as amended by our subsequent Amendments dated (for identification purposes only) August 29, 2022, September 23, 2022, February 3, 2023, and April 5, 2023, to increase the cap on fees from \$400,000 to \$550,000.

By this amendment, the sentence in Section 3 of the Legal Services Agreement that (per the August 29 and September 23, 2022, February 3, 2023, and April 5, 2023, amendments) that reads “Total billed amounts are not to exceed \$400,000.00” shall be and is replaced by the following sentence: “Total billed amounts are not to exceed \$550,000.00”. All other provisions of the Legal Services Agreement shall remain the same.

Very truly yours,

Arthur A. Hartinger

cc: RPLG Billing Department

These terms are accepted and agreed to as of the date of this letter.

Philip M. Fine
Executive Officer/APCO

Alexander Crockett
District Counsel

Date: _____

Date: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Authorization to Execute Purchases for Meteorology and Measurement Division
Operations

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to execute the purchases in Attachment B for a total amount not to exceed \$328,964 for supplies and services required for Meteorology and Measurement Division operations.

BACKGROUND

The Meteorology and Measurement (M&M) Division provides emissions, air quality, and meteorological data; chemical analysis; forecasting; and data analysis. The data is used to determine if the Air District is in attainment with state and federal standards, determine if facilities are in compliance with Air District regulations, provide a scientific basis for Air District programmatic decisions, and to communicate about air quality with the public. The data and analyses from the Meteorology and Measurement Division also support the activities of the Compliance & Enforcement, Engineering, Planning, Legal, Rules, Assessment, Inventory & Modeling, Communications, and Community Engagement Divisions. To comply with regulations and to have comparable data over time and from year-to-year, many of the activities of the Meteorology and Measurement Division are routine and repeated. The Sections and budget Program Codes for the Meteorology and Measurement Division are listed in Attachment A.

To accomplish many of these activities, instruments, warranty services and supplies of a very specific and technical nature are regularly required.

DISCUSSION

Because of the highly technical and specific requirements that are involved with M&M Division's air quality work, many of the instruments, supplies, and equipment warranty services that are needed to continue routine operations, comply with regulations, avoid data gaps, maintain instruments, and allow for safe operations are only available from single vendors.

When competitive bidding is not possible, Division II Section 4.6.3 of the Air District's Administrative Code allows sole source procurements, and requires Board approval for procurements over \$100,000.

Staff are recommending the Board of Directors authorize the Executive Officer / APCO to execute the procurements listed in Attachment B. While each of these procurements is not more than \$100,000, the accumulated spending is more than \$100,000 for each of the listed vendors over the multiple years of Air District operations. The total amount for these proposed procurements is \$328,964.

Attachment B provides information for each procurement and details the sole source justification in each case.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The recommended amount of \$328,964 for these expenditures is included in the Meteorology and Measurement Division's approved FYE 2023 budget and FYE 2024 proposed budget.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Mairi Beacon, Jerry Bovee, Jon Bower, Charity Garland, Elaine Ko, Ila Perkins

Reviewed by: Ranyee Chiang, Greg Nudd

ATTACHMENTS:

1. Attachment A: Section names, abbreviations, and program codes
2. Attachment B: Recommended purchases

Attachment A: Section names, abbreviations, and program codes

Section Name	Abbreviation	Program Code(s)	Responsibilities
Ambient Air Quality Analysis	AAQA	811	<ul style="list-style-type: none"> Regional and community-level air quality data analyses and insights Tracking NAAQS / CAAQS attainment Air monitoring network or project plan design and evaluations Regulation / legislation review and tracking for items related to ambient air quality standards and measurement Technical support for communities
Air Monitoring – Operations	AMO	802	<ul style="list-style-type: none"> Federally- and State-mandated (NAAQS, community, and refinery-based stationary monitoring) includes new/updated instrument testing and deployment Operate and maintain high accuracy equipment with quality control across the Bay Area Continuous improvement for near-real time data acquisition, regulatory QC, data validation, and documentation
Air Monitoring – Projects & Technology	AMPT	810	<ul style="list-style-type: none"> Special Projects Develop new monitoring capabilities High-accuracy equipment for mobile or portable Maintain and develop data management systems Quality system documents and processes Quality Assurance Officer
Laboratory	LAB	803	<ul style="list-style-type: none"> Preparing and analyzing samples for monitoring and enforcement programs
Meteorology and Quality Assurance	MQA	805, 807, 809	<ul style="list-style-type: none"> Air quality forecasting for AirNow, Spare the Air Wildfire smoke updates and advisories Audits of monitoring stations (district sites and ground level monitoring) Data validation
Source Test	ST	804	<ul style="list-style-type: none"> Testing at and around facilities Special projects (e.g. odor study, condensable PM)

Attachment B: Recommended purchases

Section Abbreviation	Vendor	Amount	Description	Sole Source Justification
AMO	Alicat	\$12,000	Air monitoring standards including repair and certification services.	Only the original equipment vendor can provide these services.
AMO	Druck	\$10,000	Air monitoring standards including repair and certification services.	
AMO	Mesa Labs	\$20,000	Air monitoring standards including repair and certification services.	
AMO	Met One	\$17,000	Air monitoring instrumentation and supplies, including filter tapes, parts and consumables	
AMO	Sonoma Tech (as Magee)	\$15,000	Air monitoring instrumentation and supplies, including filter tapes, parts and consumables	
AMO	Tegam	\$5,000	Air monitoring standards including repair and certification services.	
AMO	Teledyne	\$15,000	Air monitoring instrumentation and supplies including pumps, fans, parts and other consumables	
AMO	Thermo	\$30,000	Air monitoring instrumentation and supplies, including pumps, fans, parts and other consumables	
AMO	TSI	\$25,000	Air monitoring instrumentation and supplies, including pumps, fans, parts and other consumables	

AMPT	Picarro	\$12,000	Necessary parts for repairs and general maintenance to allow for continuity of operations for community monitoring instrument	
LAB	Sunset	\$3000	Replacement parts for existing Organic Carbon/Elemental Carbon instrument until it can be replaced	
LAB	Thermo Electron	\$5000	Supplies necessary to perform analyses that are specialized to the instrument Ex: columns, suppressors, eluent generators	
AMO	Agilair	\$6,950	Instrument preventative maintenance and support; one-year service contract from instrument manufacturer	Only the original equipment vendor can provide these service contracts.
AMO	Perkin Elmer	\$44,763	Instrument preventative maintenance and support; one-year service contract from instrument manufacturer	
AMO	Thermo	\$24,841	Instrument preventative maintenance and support; one-year service contract from instrument manufacturer	
LAB	Shimadzu Scientific Instruments	\$7,910	Instrument preventative maintenance and support; one-year service contract from instrument manufacturer	
AMPT	Sonoma Technology, Inc.	\$75,000	Instrument for community monitoring to continuously monitor black and organic carbon content in particulate matter to characterize air pollution in communities, aid source identification, and inform follow-up enforcement measures	Based extensive staff research, this is the only instrument that meets the power and reliability requirements for our mobile monitoring platform.
ST	PG&E	\$500	Roots meter calibrations for the Vapor Recovery Program	Only PG&E can provide this service

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Authorization to Purchase Equipment from Tricorntech Corporation

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to purchase a MiTAP P320 micro gas chromatography (microGC) analyzer for continuous and near real-time measurement of volatile organic compounds from Tricorntech Corporation for an amount not to exceed \$153,000.

BACKGROUND

The Air Monitoring – Operations (AMO) Section in the Meteorology and Measurement Division performs ambient air monitoring and sampling of criteria pollutants including gaseous toxic air pollutants. The goals of the AMO Section include understanding air quality in the Bay Area and in communities near refineries. AMO employs stationary monitors to measure and characterize concentrations of air pollutants over time, including monitoring stations funded by Regulation 3 (Fees), Schedule X (Major Stationary Source Community Air Monitoring).

In 2016, the Air District established Schedule X to recover the costs associated with air monitoring in areas where major stationary sources may contribute to air quality impacts that are not captured by the Air District's existing monitoring network. The Air District staff hosted community workshops to gather information about air quality concerns and suggested monitoring locations and assessed available meteorology, monitoring, modeling, and environmental justice screening data to identify general areas near each refinery where monitors could be placed.

Toxic air contaminants of interest to communities near industrial facilities include volatile organic compounds. Current District capabilities are limited to *post-hoc* analysis of toxic air contaminant data and average concentrations over a 24-hour sampling period. Continuous, near real-time measurement of volatile organic compounds will allow the Air District to provide data sooner than what can be done now. This actionable data set can help support identification of toxic air contaminants, their sources, and follow-up enforcement measures.

DISCUSSION

Air District staff conducted a thorough review of literature, technical documentation, and programmatic requirements, including the technical evaluation of seven microGC analyzers that provide continuous analysis of volatile organic compounds. Air District staff found the MiTAP P320 (Tricorntech Corporation) to be the only analyzer that meets the programmatic and operational requirements for refinery community monitoring of toxic volatile organic compounds under Schedule X Major Stationary Source Community Air Monitoring Program.

Air District staff technical evaluation found the MiTAP P320 (Tricorntech Corporation) to be the only suitable analyzer for the operations of the Schedule X Major Stationary Source Community Air Monitoring Program, based on the following criteria:

- Provides near real-time ambient measurements of volatile organic compounds
- Provides measurements of volatile organic compounds at parts per billion by volume (ppbv)
- Has compact footprint
- Has automated event sampling
- Has dedicated technical support to ensure timely quality control and reporting

Long-term users at other Air Districts and state agencies who have extensive experience operating the MiTAP were consulted. They provided input that the MiTAP is reliable and robust to provide a qualified dataset, has accessible technical support, and provides continuous volatile organic compound measurement for community monitoring applications.

Because the MiTAP P320 is the only analyzer that meets the required specifications, this procurement would be authorized by the Board of Directors as a sole source procurement in accordance with Division II Section 4.6.3 of the Air District's Administrative Code.

The recommended purchase of the MiTAP analyzer includes an extended and full cost return warranty (365 days with an additional 91 days). In addition to the technical evaluation of specifications and consulting other agencies that have already been completed, staff will conduct a year-long evaluation, to collect an annual data set in Benicia, the first monitoring station installed with Schedule X fees. Air District staff will evaluate accuracy, comparability to the current samplers, and near real time data reporting to a public facing website and will test the instrument operations. The goal of this evaluation period is to determine if the equipment, quality control, and data evaluation meet District standards for measurement of continuous volatile organic compounds for additional community refinery monitoring locations.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funds for this purchase are included in the FYE (Fiscal Year Ending) 2023 approved budget for Air Monitoring-Operations (Program Code 802). The revenue for this purchase is the fees collected through Schedule X.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Ila Perkins
Reviewed by: Ranyee Chiang

ATTACHMENTS:

None

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Authorization to Amend Contract with Breathe California of the Bay Area, Golden Gate, and Central Coast

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to execute a contract amendment with Breathe California of the Bay Area, Golden Gate, and Central Coast, to increase the current grant award amount by \$6,000 from \$94,000 to a new total amount not to exceed \$100,000.

BACKGROUND

On October 19, 2022, the Air District's Board of Directors authorized the Interim Executive Officer/APCO to execute contract amendments to extend the term of the James Cary Smith Community Grant awards approved by the Board in 2021 for one additional year.

Breathe California of the Bay Area, Golden Gate, and Central Coast (Breathe California), which utilizes a community action model to engage emerging community leaders in policy work, community education, and organizing in the San Jose area, was one of the projects selected for James Cary Smith Community Grant funding in 2021. The Board of Directors authorized a Year 2 award amount of \$94,000 per year, payable to Breathe California of the Bay Area, Golden Gate, and Central Coast.

DISCUSSION

Due to a clerical error, Air District staff inadvertently included an incorrect grant dollar amount in the October 19, 2022 Board materials for James Cary Smith Community Grant awards. The Community Engagement Office's intent was to award \$100,000 to grantee Breathe California, as requested by the organization in its application to the grant program, instead of \$94,000. The error was not discovered until Spring of 2023.

The Air District seeks to honor the grantee's original request for funding through a contract amendment, so that the organization can perform its grant-funded activities to the best of its ability. This amendment, if approved, would increase the existing contract with the grantee from \$94,000 to \$100,000, an increase of \$6,000.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for the contract amendment of \$6,000 is included in the Fiscal Year Ending (FYE) 2023 budget for the Community Engagement Division.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Elinor Mattern
Reviewed by: Suma Peesapati

ATTACHMENTS:

- 1. Executed Contract Agreement - Contract No. 2022.040
- 2. Executed Contract Amendment No. 1 – Contract No. 2022.040
- 3. Proposed Draft Contract Amendment No. 2 - Contract No. 2022.040

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

GRANT AGREEMENT

GRANT NO. 2022.040

1. PARTIES - The parties to this Agreement (“Agreement”) are the Bay Area Air Quality Management District (“DISTRICT”) whose address is 375 Beale Street, Suite 600, San Francisco, CA 94105, and **Breathe California of the Bay Area, Golden Gate, and Central Coast** (“GRANTEE”) whose address is 1469 Park Ave, San Jose, CA 95126.
2. RECITALS
 - A. DISTRICT is the local agency with primary responsibility for regulating stationary source air pollution in the Bay Area Air Quality Management District in the State of California. DISTRICT is authorized to enter into this Agreement under California Health and Safety Code Section 40701.
 - B. DISTRICT desires to award GRANTEE a grant for the activities described in Attachment A, Work Plan.
 - C. All parties to this Agreement have had the opportunity to have the Agreement reviewed by their attorney.
3. TERM - The term of this Agreement is from March 1, 2022 until March 31, 2023, unless further extended by amendment of this Agreement in writing, or terminated earlier.
4. TERMINATION
 - A. DISTRICT shall have the right to terminate this Agreement at its sole discretion at any time upon thirty (30) days written notice to GRANTEE. The notice of termination shall specify the effective date of termination, which shall be no less than thirty (30) calendar days from the date of delivery of the notice of termination, and shall be delivered in accordance with the provisions of section 10 below. Immediately upon receipt of the notice of termination, GRANTEE shall cease all activities under this Agreement, except such activities as are specified in the notice of termination. Within forty-five (45) days of receipt of written notice, GRANTEE is required to:
 - i) Submit a final written report describing all work performed by GRANTEE;
 - ii) Submit an accounting of all grant funds expended up to and including the date of termination; and,
 - iii) Reimburse DISTRICT for any unspent funds.
 - B. DISTRICT may terminate this Agreement and be relieved of any payments should GRANTEE fail to perform the requirements of this Agreement at the time and in the manner herein provided.
5. NO AGENCY RELATIONSHIP CREATED / INDEPENDENT CAPACITY - GRANTEE and the agents and employees of GRANTEE, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of DISTRICT, and nothing herein shall be construed to be inconsistent with that relationship or status. DISTRICT shall not have the right to direct or control the activities of GRANTEE in performing the services provided herein.
6. CONTRACTORS / SUBCONTRACTORS / SUBGRANTEES
 - A. GRANTEE will be entitled to make use of its own staff and such contractors, subcontractors, and subgrantees as are mutually acceptable to GRANTEE and DISTRICT. Any change in contractors,

subcontractors, or subgrantees must be mutually acceptable to the parties. Immediately upon termination of any such contract, subcontract, or subgrant, GRANTEE shall notify DISTRICT.

- B. Nothing contained in this Agreement or otherwise, shall create any contractual relation between DISTRICT and any contractors, subcontractors, or subgrantees of GRANTEE, and no agreement with contractors, subcontractors, or subgrantees shall relieve GRANTEE of its responsibilities and obligations hereunder. GRANTEE agrees to be as fully responsible to DISTRICT for the acts and omissions of its contractors, subcontractors, and subgrantees and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by GRANTEE. GRANTEE's obligation to pay its contractors, subcontractors, and subgrantees is an independent obligation from DISTRICT's obligation to make payments to GRANTEE. As a result, DISTRICT shall have no obligation to pay or to enforce the payment of any moneys to any contractor, subcontractor, or subgrantee.

7. INDEMNIFICATION

- A. GRANTEE shall indemnify and hold DISTRICT, its officers, employees and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of GRANTEE, its officers, agents, or employees.
- B. DISTRICT shall indemnify and hold GRANTEE, its officers, employees and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fee, or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of DISTRICT, its officers, agents, or employees.

8. PAYMENT

- A. DISTRICT agrees to award GRANTEE a grant of \$100,000 for the activities described in Attachment A, Work Plan. This grant shall be payable in five (5) installments, as follows:
 - i) \$35,000 within thirty (30) days after the execution of this Agreement;
 - ii) \$20,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's first grant report documenting GRANTEE's progress and startup costs including receipts detailing the initial \$35,000 grant fund payment used for equipment purchases, supplies, stipends, and other out-of-pocket costs;
 - iii) \$20,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's second grant report
 - iv) \$15,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's third grant report
 - v) \$10,000 within thirty (30) days upon final completion of all work specified in the Work Plan, including all Tasks and Deliverables, and after DISTRICT receipt and approval of GRANTEE's detailed 2022 final grant report.
- B. GRANTEE shall carry out the work described on the Work Plan, and shall obtain DISTRICT's written approval of any changes or modifications to the Work Plan prior to performing or incurring costs for the changed work. If GRANTEE fails to obtain such prior written approval, DISTRICT, at its sole discretion, may refuse to provide funds to pay for such work or costs.
- C. Payment will be made only to GRANTEE.

D. GRANTEE must submit invoices for payment along the reports and final grant report, respectively.

9. AUTHORIZED REPRESENTATIVE - GRANTEE shall continuously maintain a representative vested with signature authority authorized to work with DISTRICT on all grant-related issues. GRANTEE shall, at all times, keep DISTRICT informed as to the identity of the authorized representative.
10. NOTICES - All notices that are required under this Agreement shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by e-mail, facsimile, or regular first class mail. In the case of e-mail and facsimile communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. E-mail and facsimile communications shall be deemed to have been received on the date of such transmission, provided such date was a business day and delivered prior to 4:00 p.m. Pacific Time. Otherwise, receipt of e-mail and facsimile communications shall be deemed to have occurred on the following business day. In the case of regular mail notice, notice shall be deemed to have been delivered on the mailing date and received five (5) business days after the date of mailing.

DISTRICT: Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Attn: Aneesh Rana

GRANTEE: Breathe California of the Bay Area, Golden Gate, and Central Coast
1469 Park Ave
San Jose, CA 95126
Attn: Margo Sidener

11. ADDITIONAL PROVISIONS - All attachment(s) to this Agreement are expressly incorporated herein by this reference and made a part hereof as though fully set forth.
12. ACKNOWLEDGEMENTS - GRANTEE shall acknowledge DISTRICT support each time the activities funded, in whole or in part, by this Agreement are publicized in any news media, brochures, or other type of promotional material. The acknowledgement of DISTRICT support must state "Funded by a Grant from the Bay Area Air Quality Management District." Initials or abbreviations for DISTRICT shall not be used.
13. ADVERTISING / PUBLIC EDUCATION - The DISTRICT shall have the right to review and approve all draft public education or advertising materials prior to GRANTEE's use of such materials.
14. FINANCIAL MANAGEMENT SYSTEM
- A. GRANTEE shall be responsible for maintaining an adequate financial management system and will immediately notify DISTRICT when GRANTEE cannot comply with the requirements in this section.
- B. GRANTEE's financial management system shall provide for:

- i) Financial reporting: accurate, current, and complete disclosure of the financial results of each grant in conformity with generally accepted principles of accounting, and reporting in a format that is in accordance with the financial reporting requirements of the grant.
 - ii) Accounting records: records that adequately identify the source and application of funds for DISTRICT-supported activities. These records must contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures and income.
 - iii) Internal control: effective internal and accounting controls over all funds, property and other assets. GRANTEE shall adequately safeguard all such assets and assure that they are used solely for authorized purposes.
 - iv) Budget control: comparison of actual expenditures or outlays with budgeted amounts for each grant.
 - v) Allowable cost: procedures for determining reasonableness, allowability, and allocability of costs generally consistent with the provisions of federal and state requirements.
 - vi) Source documentation: accounting records that are supported by source documentation.
 - vii) Cash management: procedures to minimize the time elapsing between the advance of funds from DISTRICT and the disbursement by GRANTEE, whenever funds are advanced by DISTRICT.
- C. DISTRICT may review the adequacy of the financial management system of GRANTEE at any time subsequent to the award of the grant. If DISTRICT determines that GRANTEE's accounting system does not meet the standards described in paragraph B above, additional information to monitor the grant may be required by DISTRICT upon written notice to GRANTEE, until such time as the system meets with DISTRICT approval.
15. AUDIT / RECORDS ACCESS - GRANTEE agrees that DISTRICT shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. GRANTEE agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later. GRANTEE agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, GRANTEE agrees to include a similar right of DISTRICT to audit records and interview staff in any contract, subcontract, or subgrant related to performance of this Agreement.
16. FORFEIT OF GRANT FUNDS / REPAYMENT OF FUNDS IMPROPERLY EXPENDED - If grant funds are not expended, or have not been expended, in accordance with this Agreement, or if real or personal property acquired with grant funds is not being used, or has not been used, for grant purposes in accordance with this Agreement, DISTRICT, at its sole discretion, may take appropriate action under this Agreement, at law or in equity, including requiring GRANTEE to forfeit the unexpended portion of the grant funds and/or to repay to DISTRICT any funds improperly expended.
17. COMPLIANCE - GRANTEE shall comply fully with all applicable federal, state, and local laws, ordinances, regulations, and permits. GRANTEE shall provide evidence, upon request, that all local, state, and/or federal permits, licenses, registrations, and approvals have been secured for the purposes for which grant funds are to be expended. GRANTEE shall maintain compliance with such requirements throughout the grant period. GRANTEE shall ensure that the requirements of the California Environmental Quality Act are met for any approvals or other requirements necessary to

carry out the terms of this Agreement. Any deviation from the requirements of this section shall result in non-payment of grant funds.

18. CONFIDENTIALITY – In order to carry out the purposes of this Agreement, GRANTEE may require access to certain of DISTRICT’s confidential information (including trade secrets, inventions, confidential know-how, confidential business information, and other information that DISTRICT considers confidential) (collectively, “Confidential Information”). It is expressly understood and agreed that DISTRICT may designate in a conspicuous manner Confidential Information that GRANTEE obtains from DISTRICT, and GRANTEE agrees to:
- A. Observe complete confidentiality with respect to such information, including without limitation, agreeing not to disclose or otherwise permit access to such information by any other person or entity in any manner whatsoever, except that such disclosure or access shall be permitted to employees of GRANTEE requiring access in fulfillment of the services provided under this Agreement.
 - B. Ensure that GRANTEE’s officers, employees, agents, representatives, subgrantees, and independent contractors are informed of the confidential nature of such information and to assure by agreement or otherwise that they are prohibited from copying or revealing, for any purpose whatsoever, the contents of such information or any part thereof, or from taking any action otherwise prohibited under this section.
 - C. Not use such information or any part thereof in the performance of services to others or for the benefit of others in any form whatsoever whether gratuitously or for valuable consideration, except as permitted under this Agreement.
 - D. Notify DISTRICT promptly and in writing of the circumstances surrounding any possession, use, or knowledge of such information or any part thereof by any person or entity other than those authorized by this section. Take at GRANTEE’s expense, but at DISTRICT’s option and in any event under DISTRICT’s control, any legal action necessary to prevent unauthorized use of such information by any third party or entity which has gained access to such information at least in part due to the fault of GRANTEE.
 - E. Take any and all other actions necessary or desirable to assure such continued confidentiality and protection of such information during the term of this Agreement and following expiration or termination of the Agreement.
 - F. Prevent access to such materials by a person or entity not authorized under this Agreement.
 - G. Establish specific procedures in order to fulfill the obligations of this section.
19. INTELLECTUAL PROPERTY RIGHTS - Title and full ownership rights to all intellectual property developed under this Agreement shall at all times remain with DISTRICT, unless otherwise agreed to in writing.
20. PUBLICATION
- A. DISTRICT shall approve in writing any report or other document prepared by GRANTEE in connection with performance under this Agreement prior to dissemination or publication of such report or document to a third party. DISTRICT may waive in writing its requirement for prior approval.
 - B. Until approved by DISTRICT, any report or other document prepared by GRANTEE shall include on each page a conspicuous header, footer, or watermark stating “DRAFT – Not Reviewed or Approved by BAAQMD,” unless DISTRICT has waived its requirement for prior approval pursuant to paragraph A of this section.

- C. Information, data, documents, or reports developed by GRANTEE for DISTRICT, pursuant to this Agreement, shall be part of DISTRICT's public record, unless otherwise indicated. GRANTEE may use or publish, at its own expense, such information, provided DISTRICT approves use of such information in advance. The following acknowledgment of support and disclaimer must appear in each publication of materials, whether copyrighted or not, based upon or developed under this Agreement.

"This report was prepared as a result of work sponsored, paid for, in whole or in part, by the Bay Area Air Quality Management District (District). The opinions, findings, conclusions, and recommendations are those of the author and do not necessarily represent the views of the District. The District, its officers, employees, contractors, and subcontractors make no warranty, expressed or implied, and assume no legal liability for the information in this report."

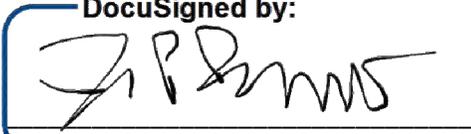
- D. GRANTEE shall inform its officers, employees, subgrantees, and subcontractors involved in the performance of this Agreement of the restrictions contained herein and shall require compliance with the above.
21. PROPERTY AND SECURITY - Without limiting GRANTEE's obligations with regard to security, GRANTEE shall comply with all the rules and regulations established by DISTRICT for access to and activity in and around DISTRICT's premises.
22. ASSIGNMENT - No party shall assign, sell, license, or otherwise transfer any rights or obligations under this Agreement to a third party without the prior written consent of the other party, and any attempt to do so shall be void upon inception.
23. WAIVER - No waiver of a breach, of failure of any condition, or of any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies. Further, the failure of a party to enforce performance by the other party of any term, covenant, or condition of this Agreement, and the failure of a party to exercise any rights or remedies hereunder, shall not be deemed a waiver or relinquishment by that party to enforce future performance of any such terms, covenants, or conditions, or to exercise any future rights or remedies.
24. FORCE MAJEURE - Neither DISTRICT nor GRANTEE shall be liable for or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, enemy or hostile governmental action, civil commotion, strikes, lockouts, labor disputes, fire or other casualty, judicial orders, governmental controls, regulations or restrictions, inability to obtain labor or materials or reasonable substitutes for labor or materials necessary for performance of the services, or other causes, except financial, that are beyond the reasonable control of DISTRICT or GRANTEE, for a period of time equal to the period of such force majeure event, provided that the party failing to perform notifies the other party within fifteen calendar days of discovery of the force majeure event, and provided further that that party takes all reasonable action to mitigate the damages resulting from the failure to perform. Notwithstanding the above, if the cause of the force majeure event is due to party's own action or inaction, then such cause shall not excuse that party from performance under this Agreement.

25. SEVERABILITY - If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them will not be affected.
26. HEADINGS - Headings on the sections and paragraphs of this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Agreement.
27. COUNTERPARTS/FACSIMILES/SCANS – This Contract may be executed and delivered in any number of counterparts, each of which, when executed and delivered, shall be deemed an original, and all of which together shall constitute the same contract. The parties may rely upon a facsimile copy or scanned copy of any party’s signature as an original for all purposes.
28. GOVERNING LAW - Any dispute that arises under or relates to this Agreement shall be governed by California law, excluding any laws that direct the application to another jurisdiction’s laws. Venue for resolution of any dispute that arises under or relates to this Agreement, including mediation, shall be San Francisco, California.
29. ENTIRE AGREEMENT AND MODIFICATION - This Agreement represents the final, complete, and exclusive statement of the agreement between the parties and supersedes all prior and contemporaneous understandings and agreements of the parties. No party has been induced to enter into this Agreement by, nor is any party relying upon, any representation or warranty outside those expressly set forth herein. This Agreement may only be amended by mutual agreement of the parties in writing and signed by both parties.
30. SURVIVAL OF TERMS - The provisions of sections 7 (Indemnification), 15 (Audit / Records Access), 16 (Forfeit of Grant Funds / Repayment of Funds Improperly Expended), 18 (Confidentiality), 19 (Intellectual Property Rights), and 20 (Publication) shall survive the expiration or termination of this Agreement.

IN WITNESS WHEREOF, the parties to this Agreement have caused this Agreement to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

BREATHE CALIFORNIA OF THE BAY AREA,
GOLDEN GATE, AND CENTRAL COST

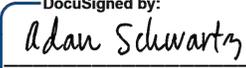
DocuSigned by:

By: _____
Jacob P. Borden B654A3...
Executive Officer/APCO


By: _____
Margo Sidener
Executive Officer

Date: 2/15/2022

Date: February 15, 2022

Approved as to form:
District Counsel

DocuSigned by:
 2/15/2022
By: _____
Adan Schwartz
Acting District Counsel

ATTACHMENT A

WORK PLAN

Overview:

GRANTEE will implement a Community Action Model (CAM) project in the San Jose area that will focus on all three categories—needs assessment, organizing, and participation. The goal of the CAM project is to recruit interested stakeholders, address their need for information and leadership training in culturally and linguistically competent ways (57% of potential stakeholders do not speak English at home). GRANTEE’s CAM project will assist in identifying local air quality issues, gathering compelling data, recruiting additional stakeholders as participants through grassroots community organizing, and designing and implementing policy actions to improve their environments. Since the purpose of the CAM project is to build capacity in disadvantaged communities (DAC) in an effort to increase health equity and environmental justice (EJ), GRANTEE will recruit trainees from Assembly Bill (AB) 617 (C. Garcia 2017) communities and other disadvantaged communities in San Jose facing environmental justice issues for the Emerging Community Leader (ECL) role. GRANTEE will focus recruitment in the East Side, Alum Rock, Burbank, and Downtown areas of San Jose which have a number of DAC and EJ areas and will train each recruited ECL for work in their own communities.

Part 1: Project Schedule

Quarter 1 Tasks: Step 1 – Train Key Participants

- 1.1 GRANTEE will identify and recruit 5-15 ECLs from target DAC, AB 617, EJ communities to lead GRANTEE’s CAM projects in the ECL communities.
- 1.2 GRANTEE will assess training needs of ECLs and request technical support from the DISTRICT (i.e., providing educational materials such as mapping tools; local air pollution data; and guest speakers. GRANTEE may also request hands-on guidance with technical projects, etc., to help GRANTEE and ECLs read Environmental Impact Reports or learn about the DISTRICT’s air quality complaint process and where to direct inquiries.) GRANTEE will space out BAAQMD trainings to no more than one per quarter, provide one month’s notice for specific topics requested, and welcome virtual presentations or prepared webinars if appropriate.
- 1.3 GRANTEE will conduct 2-4 trainings for ECLs and other interested community members in areas such as health equity, environmental justice, civic engagement, leadership skills, public speaking and facilitation, research, grassroots organizing, and current air quality issues. GRANTEE will

Quarter 1 Deliverables

- List of ECLs recruited and the communities they will engage
- Training materials from each ECL training session. Training materials will include attendance sheets, PowerPoint presentations, and handouts.
- Attendance list, training materials, and feedback from training forum described in Task 1.3
- 1st Quarterly Report

Quarter 2 Tasks: Step 2 – Complete a Community Diagnosis

- 2.1. GRANTEE will collaborate with ECLs to recruit an additional 5-10 participants from community members to identify air quality issues in their DAC/EJ communities.
- 2.2. GRANTEE will collaborate with ECLs to collect information to determine the scope and possible root causes of local issues in San Jose’s DAC/EJ AB 617 communities, through

- opinion surveys, focus groups, and/or physical observations (i.e., traffic studies, counting unmitigated dust exposures, noting chemical odors, etc.) involving 50 or more people/incidents (i.e., number of surveys plus number of focus group members plus number of items observed, etc. =50 or more) Collect at least 50 surveys, feedback forms, focus group notes, physical observation forms, key informant interview notes, or other pieces of information to determine the scope of the problem
- 2.3. GRANTEE will coordinate with ECLs and attend 2-4 public or private meetings with officials from agencies such as BAAQMD, MTC, ABAG, and San Jose's Planning Department and Commission to familiarize ECL with their work.
 - 2.4. GRANTEE will coordinate with ECL and attend meetings with officials from groups such as BAAQMD, MTC, ABAG, and San Jose's Planning Department and Commission, as well as key informants from CBOs in communities with health inequities, including other DISTRICT grantees to familiarize ECLs to future policy work.

Quarter 2 Deliverables

- List of 5-10 additional community members recruited to participate in the program
- Project materials such as summary of survey findings, feedback forms, focus group notes, physical observation forms and key informant interview notes
- Notes from meetings with agencies such as BAAQMD, MTC, ABAG, and San Jose's Planning Department and Commission
- 2nd Quarterly Report

Quarter 3 Tasks: Step 3 – Analyze and Share “Diagnosis”

- 3.1 GRANTEE will train ECLs and participants how to analyze the data collected and present ECLs findings, including written and oral presentations with visuals.
- 3.2 GRANTEE will collaborate with ECLs to compile a list of interested community agencies, elected officials, and other interested parties and distribute findings.
- 3.3 GRANTEE will perform outreach and education with ECLs to educate 100-200 community residents about air quality issues through 3-6 educational activities such as: community forums, health fairs, etc.

Quarter 3 Deliverables

- List of interested community agencies, elected officials, and other interested parties
- E Sign-in sheets, agendas, educational materials, photos, and recordings of educational activities
- Copy of training materials used to train ECL
- 3rd Quarterly Report

Quarter 4 Tasks: Step 4 – Choose and implement an “Action” to address the issue (and potentially Step 5 – Enforce and Maintain the Action)

- 4.1. GRANTEE will facilitate discussions with ECLs and interested community members to choose at least one (1) Action to promote for a policy outcome and/or consider previous year's work and advocate for changes.
- 4.2. GRANTEE and ECLs will complete at least two (2) of the following action items: earned media such as letters to the editor; policy activities such as educating key opinion leaders, giving comment at public meetings, or collecting petitions; and possible completion of a Midwest Academy type matrix for planning.

- 4.3. If a policy from Task 4.1 is passed by a targeted governing body, GRANTEE will: conduct compliance checks; meet with city department staff responsible for implementing new policy to discuss progress, challenges and provide technical assistance; conduct polls/key informant interviews to note progress, etc.

Quarter 4 Deliverables

- Project materials such as copies of letters to the editor, copies of testimony given at public meetings, completed planning matrix, meeting notes, summary of polls or surveys, etc. performed in Task 4.2
- Documentation of at least two (2) maintenance actions contingent on a policy passing from Task 4.3
- 2022 Final Grant report

Additional Tasks

GRANTEE will attend a kick-off meeting for the DISTRICT's James Cary Smith Community Grant Program tentatively scheduled in March 2022. The meeting will be an opportunity for grantees to meet each other, DISTRICT staff and consultants who will be supporting the program. At the kick-off meeting, GRANTEE will:

1. Meet the other James Cary Smith Community Grant grantees
2. Meet DISTRICT staff that will support the grant projects
3. Meet staff from InterEthnica, designated by the DISTRICT, to provide ongoing technical assistance to grantees, such as helping prepare reports and invoices, best practices for tracking expenditures, applying for future funding, etc. as needed
4. Meet staff from Resource Development Associates, designated by the DISTRICT, to conduct a year-long evaluation of the realigned James Cary Smith Community Grant Program
5. Learn about the grant timeline and reporting requirements

GRANTEE will participate in a year-long evaluation of the realigned James Cary Smith Community Grant Program. GRANTEE will participate in at least:

1. Two (2) surveys (one at baseline in 2022 and one at the end of the grant in early 2023)
2. Two (2) focus groups (one at mid-year in 2022 and one at the end of the grant in 2023)

Part 2: Reporting to DISTRICT

GRANTEE will develop and submit three (3) quarterly reports and one (1) final grant report to the DISTRICT, following the format provided by the DISTRICT. The quarterly reports and final report must document progress toward and final completion of the tasks and deliverables set forth in this Work Plan.

Quarterly and Final Reporting Due Dates

1. First Quarterly Report: due May 30, 2022
2. Second Quarterly Report: due August 31, 2022
3. Third Quarterly Report: due November 30, 2022
4. 2022 Final Grant Report: due no later than March 31, 2023

AMENDMENT NO. 1 TO
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
GRANT NO. 2022.040

This amendment to the above-entitled grant (“Grant Amendment”) is dated, for reference purposes only, February 27, 2023.

RECITALS:

1. The Bay Area Air Quality Management District (“DISTRICT”) and **Breathe California of the Bay Area, Golden Gate, and Central Coast** (“GRANTEE”) (hereinafter referred to as the “PARTIES”) entered into the above-entitled grant to perform a community action model project to build community capacity in the San Jose area (the “Grant”), which Grant was executed on behalf of GRANTEE on February 15, 2022, and on behalf of DISTRICT on February 15, 2022.
2. The PARTIES mutually seek to amend the term, total grant funds, and Work Plan to the Grant because DISTRICT seeks to continue supporting the work of the GRANTEE and GRANTEE desires to continue the work prescribed in the Grant.
3. In accordance with Section 29 of the Grant, DISTRICT and GRANTEE desire to amend the above-entitled Grant as follows:

TERMS AND CONDITIONS OF GRANT AMENDMENT:

1. By this Grant Amendment, DISTRICT and GRANTEE amend Section 3, “Term”. The term of the Grant shall be extended so that the termination date of the Grant is now April 30, 2024.
2. By this Grant Amendment, DISTRICT and GRANTEE amend Paragraph A of Section 8, “Payment,” of the Grant Agreement by replacing it in its entirety with:
DISTRICT agrees to award GRANTEE a grant of \$194,000 for the activities described in Attachment A, Work Plan. This grant shall be payable in ten (10) installments, as follows:
Year 1
 - i) \$35,000 within thirty (30) days after the execution of this Agreement;
 - ii) \$20,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE’s first grant report documenting GRANTEE’s progress and startup costs including receipts detailing the initial \$35,000 grant fund payment used for equipment purchases, supplies, stipends, and other out-of-pocket costs;

- iii) \$20,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's second grant report;
- iv) \$15,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's third grant report;
- v) \$10,000 within thirty (30) days upon final completion of all work specified in the Work Plan, including all Tasks and Deliverables, and after DISTRICT receipt and approval of GRANTEE's detailed Year 1 final grant report.

Year 2

- vi) \$10,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's invoice following execution of Grant Amendment No. 1;
 - vii) \$25,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's first Year 2 grant report;
 - viii) \$25,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's second Year 2 grant report;
 - ix) \$25,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's third Year 2 grant report; and
 - x) \$9,000 within thirty (30) days upon final completion of all work specified in the Work Plan, including all Tasks and Deliverables, and after DISTRICT receipt and approval of GRANTEE's detailed Year 2 final grant report.
3. By this Grant Amendment, DISTRICT and GRANTEE replace Attachment A, Work Plan, with the attached, "Attachment A-1, Work Plan," and agree that all references in the Grant to Attachment A shall be deemed to refer to Attachment A-1, Work Plan.
4. DISTRICT and GRANTEE agree that all other terms and conditions of the Grant shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES have caused this Grant Amendment to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

BREATHE CALIFORNIA OF THE BAY AREA,
GOLDEN GATE, AND CENTRAL COAST

By: ^{DocuSigned by:}
Philip Fine
Philip M. Fine
Executive Officer/APCO

By: Margo Sidener
Margo Sidener
Chief Executive Officer

Date: 3/21/2023

Date: March 11, 2023

Approved as to form:
District Counsel

By: ^{DocuSigned by:}
Alexander Crockett 3/20/2023
Alexander G. Crockett
District Counsel

ATTACHMENT A-1

WORK PLAN

Overview:

GRANTEE will implement a Community Action Model (CAM) project that will focus on all three categories—needs assessment, organizing, and participation. The goal of the CAM project is to recruit interested stakeholders and address their need for information and leadership training in culturally and linguistically competent ways (57% of potential stakeholders do not speak English at home). Furthermore, GRANTEE’s CAM project will assist in identifying local air quality issues, gathering compelling data, recruiting additional stakeholders as participants through grassroots community organizing, and designing and implementing policy actions to improve their environments. Since the purpose of the CAM project is to build capacity in disadvantaged communities (DAC) in an effort to increase health equity and environmental justice (EJ), GRANTEE will specifically recruit trainees for the Emerging Community Leader (ECL) role that live in disadvantaged communities with environmental justice issues such as the Assembly Bill (AB) 617 (C. Garcia 2017) communities in San Jose. GRANTEE’s goal is to train each ECL for work in their own respective communities. GRANTEE will focus recruitment in the East Side, Alum Rock, Burbank, and Downtown areas of San Jose which have a number of DAC and EJ areas.

For the second year of the grant, GRANTEE will be repeating the first steps of the Community Action Model with new Emerging Community Leaders (ECLs) who are recruited by GRANTEE, while continuing to advance the work of the veteran ECLs who remain with the project, engaging in policy work, community education, and organizing. GRANTEE will connect trainees for the ECL role and additional stakeholders, such as residents from impacted areas and volunteers, with DISTRICT, city & state officials and resources, involve them in public meetings and visits to public officials, and mentor them to design and implement policy actions to improve their environments. ECLs will also develop educational presentations and media products.

Part 1: Project Schedule

Quarter 1 Tasks: Step 1 – Train Key Participants

- 1.1 GRANTEE will identify and recruit 5-15 ECLs from target DAC, AB 617, EJ communities to lead GRANTEE’s CAM projects in the ECL communities.
- 1.2 GRANTEE will assess training needs of ECLs and request technical support from the DISTRICT (i.e., providing educational materials such as mapping tools; local air pollution data; and guest speakers. GRANTEE may also request hands-on guidance with technical projects, etc., to help GRANTEE and ECLs read Environmental Impact Reports or learn about the DISTRICT’s air quality complaint process and where to direct inquiries.) GRANTEE will space out BAAQMD trainings to no more than one per quarter, provide one month’s notice for specific topics requested, and welcome virtual presentations or prepared webinars if appropriate.
- 1.3 GRANTEE will conduct 2-4 trainings for ECLs and other interested community members in areas such as health equity, environmental justice, civic engagement, leadership skills, public speaking and facilitation, research, grassroots organizing, and current air quality issues. GRANTEE will

Quarter 1 Deliverables

- List of ECLs recruited and the communities they will engage
- Training materials from each ECL training session. Training materials will include attendance sheets, PowerPoint presentations, and handouts.
- Attendance list, training materials, and feedback from training forum described in Task 1.3
- 1st Quarterly Report

Quarter 2 Tasks: Step 2 – Complete a Community Diagnosis

- 2.1. GRANTEE will collaborate with ECLs to recruit an additional 5-10 participants from community members to identify air quality issues in their DAC/EJ communities.
- 2.2. GRANTEE will collaborate with ECLs to collect information to determine the scope and possible root causes of local issues in San Jose’s DAC/EJ AB 617 communities, through opinion surveys, focus groups, and/or physical observations (i.e., traffic studies, counting unmitigated dust exposures, noting chemical odors, etc.) involving 50 or more people/incidents (i.e., number of surveys plus number of focus group members plus number of items observed, etc. =50 or more) Collect at least 50 surveys, feedback forms, focus group notes, physical observation forms, key informant interview notes, or other pieces of information to determine the scope of the problem
- 2.3. GRANTEE will coordinate with ECLs and attend 2-4 public or private meetings with officials from agencies such as BAAQMD, MTC, ABAG, and San Jose’s Planning Department and Commission to familiarize ECL with their work.
- 2.4. GRANTEE will coordinate with ECL and attend meetings with officials from groups such as BAAQMD, MTC, ABAG, and San Jose’s Planning Department and Commission, as well as key informants from CBOs in communities with health inequities, including other DISTRICT grantees to familiarize ECLs to future policy work.

Quarter 2 Deliverables

- List of 5-10 additional community members recruited to participate in the program
- Project materials such as summary of survey findings, feedback forms, focus group notes, physical observation forms and key informant interview notes
- Notes from meetings with agencies such as BAAQMD, MTC, ABAG, and San Jose’s Planning Department and Commission
- 2nd Quarterly Report

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- 3.1 GRANTEE will train ECLs and participants how to analyze the data collected and present ECLs findings, including written and oral presentations with visuals.
- 3.2 GRANTEE will collaborate with ECLs to compile a list of interested community agencies, elected officials, and other interested parties and distribute findings.
- 3.3 GRANTEE will perform outreach and education with ECLs to educate 100-200 community residents about air quality issues through 3-6 educational activities such as: community forums, health fairs, etc.

Quarter 3 Deliverables

- List of interested community agencies, elected officials, and other interested parties
- E Sign-in sheets, agendas, educational materials, photos, and recordings of educational activities

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Quarter 4 Deliverables

- Project materials such as copies of letters to the editor, copies of testimony given at public meetings, completed planning matrix, meeting notes, summary of polls or surveys, etc. performed in Task 4.2
- Documentation of at least two (2) maintenance actions contingent on a policy passing from Task 4.3
- 2022 Final Grant report

Additional Tasks

GRANTEE will attend a kick-off meeting for the DISTRICT’s James Cary Smith Community Grant Program tentatively scheduled in March 2022. The meeting will be an opportunity for grantees to meet each other, DISTRICT staff and consultants who will be supporting the program. At the kick-off meeting, GRANTEE will:

1. Meet the other James Cary Smith Community Grant grantees
2. Meet DISTRICT staff that will support the grant projects
3. Meet staff from InterEthnica, designated by the DISTRICT, to provide ongoing technical assistance to grantees, such as helping prepare reports and invoices, best practices for tracking expenditures, applying for future funding, etc. as needed
4. Meet staff from Resource Development Associates, designated by the DISTRICT, to conduct a year-long evaluation of the realigned James Cary Smith Community Grant Program
5. Learn about the grant timeline and reporting requirements

GRANTEE will participate in a year-long evaluation of the realigned James Cary Smith Community Grant Program. GRANTEE will participate in at least:

1. Two (2) surveys (one at baseline in 2022 and one at the end of the grant in early 2023)
2. Two (2) focus groups (one at mid-year in 2022 and one at the end of the grant in 2023)

Year 2 Project Schedule

Quarter 1 Tasks: Step 1 – Train Key Participants

- 1.1. GRANTEE will learn about the grant timeline and grant reporting requirements.
- 1.2. GRANTEE will identify and recruit 5-15 “Emerging Community Leaders” (ECLs) from target DAC, AB 617, EJ communities to lead activities.
- 1.3. GRANTEE will assess training needs of ECLs and request technical support from DISTRICT (i.e., providing educational materials such as mapping tools and the latest local air pollution levels and guest speakers, such as one to explain the top current hazards in their communities and possible remediation steps. GRANTEE may also request from DISTRICT guidance with technical projects, etc. to help ECLs read EIRs or learn about complaint procedure steps and where to direct inquiries.) With DISTRICT’s prior approval, GRANTEE will offer not more than one training by the DISTRICT per quarter. GRANTEE shall provide a month’s notice to DISTRICT for specific topics requested, and welcomes virtual presentations or prepared webinars if appropriate.
- 1.4. GRANTEE will conduct 2-4 trainings for emerging leaders and other interested community members in areas such as health equity, environmental justice, civic engagement, leadership skills, public speaking and facilitation, research, grassroots organizing, and current air quality issues.

Quarter 1 Deliverables

- List of ECLs recruited and the communities they will engage
- List of technical support requested from DISTRICT
- Training materials from each ECL training session described in Task 1.4, such as attendance sheets, PowerPoint presentations, and handouts
- Copies of receipts for grant-related expenditures during the reporting period
- 1st Quarterly Report

Quarter 2 Tasks: Step 2 – Complete a Community Diagnosis

- 2.1 GRANTEE will collaborate with ECLs to recruit an additional 5-10 participants from community members to identify air quality issues in their DAC/EJ communities.
- 2.2 GRANTEE will collaborate with ECLs to collect information to determine the scope and possible root causes of local issues in San Jose’s DAC/EJ AB 617 communities, through opinion surveys, focus groups, and/or physical observations (i.e. traffic studies, counting unmitigated dust exposures, noting chemical odors, etc.) involving 50 or more people/incidents (i.e number of surveys plus number of focus group members plus number of items observed, etc. involving 50 or more).
- 2.3 GRANTEE will coordinate with ECLs and attend 2-4 public or private meetings with officials from agencies such as DISTRICT, MTC, ABAG, and San Jose’s Planning Department and Commission as well as key informants from community-based organizations in communities with health inequities, including other DISTRICT grantees.

Quarter 2 Deliverables

- List of 5-10 additional community members recruited to participate in the program
- Project materials such as summary of survey findings, feedback forms, focus group notes, and/or physical observation forms
- Notes from meetings with agencies such as DISTRICT, MTC, ABAG, and San Jose’s Planning Department and Commission

- Copies of receipts for grant-related expenditures during the reporting period
- 2nd Quarterly Report

Quarter 3 Tasks: Step 3 – Analyze and Share “Diagnosis”

- 3.1 GRANTEE will train ECLs and participants how to analyze the data collected and present ECLs findings, including written and oral presentations with visuals.
- 3.2 GRANTEE will collaborate with ECLs to compile a list of interested community agencies, elected officials, and other interested parties and distribute findings.
- 3.3 GRANTEE with ECLs will educate 100-200 community residents about air quality issues through 3-6 educational activities such as: community forums, health fairs, etc.

Quarter 3 Deliverables

- Copies of training materials used for ECL trainings
- List of interested community agencies, elected officials, and other interested parties
- Documentation of education for community residents about air quality issues including sign-in sheets, photos, agendas, recordings, and/or a log of services, as appropriate
- Copies of receipts for grant-related expenditures during the reporting period
- 3rd Quarterly Report

Quarter 4 Tasks: Step 4 – Choose and implement an “Action” to address the issue (and potentially Step 5 – Enforce and Maintain the Action)

- 4.1 GRANTEE with community will choose one Action to promote for a policy outcome and/or consider previous year’s work and advocate changes.
- 4.2 GRANTEE and ECLs will complete action items including two (2) or more of the following: earned media such as letters to the editor; policy activities such as educating key opinion leaders, giving comment at public meetings, or collecting petitions; and possible completion of a Midwest Academy type matrix for planning.
- 4.3 (If a policy from Task 4.1 is passed, GRANTEE may also: conduct compliance checks; meet with city department staff responsible for implementing new policy to discuss progress, challenges and provide technical assistance; conduct polls/key informant interviews to note progress, etc.)

Quarter 4 Deliverables

- Project materials such as copies of letters to the editor, copies of testimony given at public meetings, completed planning matrix, meeting notes, summary of polls or surveys described in Task 4.2
- Documentation of at least two (2) maintenance actions contingent on a policy passing from Task 4.3
- Copies of receipts for grant-related expenditures during the reporting period
- Records related to payroll and stipends issued using grant funds during Year 2
- Year 2 Final Grant Report

Additional Tasks

In addition to the tasks set forth above for Year 2, GRANTEE must also complete the additional tasks listed below before the termination date noted in Section 3 of the Grant Agreement.

GRANTEE will attend a kick-off meeting for Year 2 of the DISTRICT’s James Cary Smith Community Grant Program in 2023 to learn about the grant timeline, new reporting requirements, and opportunities for

collaboration and technical assistance. DISTRICT will document GRANTEE attendance at kick-off meeting.

In addition, to promote collaboration and coalition building GRANTEE shall participate in at least four (4) of the following opportunities during Year 2 of the program:

- Attend or host a peer learning session for James Cary Smith (JCS) grantees convened by DISTRICT
- Attend a grantee workshop hosted by DISTRICT
- Attend or organize a coordination meeting with one or more JCS grantees, initiated by grantees, to discuss project goals, strategies, and/or target communities
- Observe an Assembly Bill 617 (AB 617) meeting hosted by the California Air Resources Board
- Observe an AB 617 Community Steering Committee meeting for a Bay Area community (consult with DISTRICT's Community Grants Team for more information)
- Help to tell the story of the refocused James Cary Smith Community Grant Program, either through an interview, video shoot, or photography shoot with the DISTRICT's Communications team, or by submitting video footage of a funded project
- Another event approved in advance in writing by DISTRICT

GRANTEE shall provide documentation of participation in at least four (4) of the activities listed above, documented in GRANTEE quarterly reports.

GRANTEE will participate in a continued evaluation of the realigned James Cary Smith Community Grant Program. DISTRICT anticipates evaluation activities will be limited to approximately six (6) hours of GRANTEE staff time during Year 2 of the program.

Part 2: Reporting to DISTRICT

GRANTEE will develop and submit six (6) quarterly reports and two (2) final grant report to the DISTRICT, following the format provided by the DISTRICT. The quarterly reports and final report must document progress toward and final completion of the tasks and deliverables set forth in this Work Plan.

Quarterly and Final Reporting Due Dates

Year 1

1. First Quarterly Report: due June 15, 2022
2. Second Quarterly Report: due September 15, 2022
3. Third Quarterly Report: due December 15, 2022
4. 2022 Final Grant Report: due no later than March 31, 2023

Year 2

1. First Quarterly Report: due July 13, 2023
2. Second Quarterly Report: due October 13, 2023
3. Third Quarterly Report: due January 15, 2024
4. Year 2 Final Grant Report and records related to payroll and stipends issued using grant funds: due no later than April 30, 2024.

AMENDMENT NO. 2 TO
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
GRANT NO. 2022.040

This amendment to the above-entitled grant (“Grant Amendment”) is dated, for reference purposes only, April 6, 2023.

RECITALS:

1. The Bay Area Air Quality Management District (“DISTRICT”) and **Breathe California of the Bay Area, Golden Gate, and Central Coast** (“GRANTEE”) (hereinafter referred to as the “PARTIES”) entered into the above-entitled grant to perform a community action model project to build community capacity in the San Jose area (the “Grant”), which Grant was executed on behalf of GRANTEE on February 15, 2022, and on behalf of DISTRICT on February 15, 2022.
2. The PARTIES entered into Amendment No. 1 to the Grant, dated February 27, 2023, for reference purposes only, to amend the term, total grant funds, and Work Plan to the Grant.
3. The PARTIES mutually seek to amend the total grant funds to the Grant to provide the GRANTEE the correct awarded grant amount.
4. In accordance with Section 29 of the Grant, DISTRICT and GRANTEE desire to amend the above-entitled Grant as follows:

TERMS AND CONDITIONS OF GRANT AMENDMENT:

1. By this Grant Amendment, DISTRICT and GRANTEE amend Paragraph A of Section 8, “Payment,” of the Grant Agreement by replacing it in its entirety with:
DISTRICT agrees to award GRANTEE a grant of \$200,000 for the activities described in Attachment A, Work Plan. This grant shall be payable in ten (10) installments, as follows:
Year 1
 - i) \$35,000 within thirty (30) days after the execution of this Agreement;
 - ii) \$20,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE’s first grant report documenting GRANTEE’s progress and startup costs including receipts detailing the initial \$35,000 grant fund payment used for equipment purchases, supplies, stipends, and other out-of-pocket costs;
 - iii) \$20,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE’s second grant report;

- iv) \$15,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's third grant report;
- v) \$10,000 within thirty (30) days upon final completion of all work specified in the Work Plan, including all Tasks and Deliverables, and after DISTRICT receipt and approval of GRANTEE's detailed Year 1 final grant report.

Year 2

- vi) \$10,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's invoice following execution of Grant Amendment No. 1;
 - vii) \$25,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's first Year 2 grant report;
 - viii) \$25,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's second Year 2 grant report;
 - ix) \$25,000 within thirty (30) days after DISTRICT receipt and approval of GRANTEE's third Year 2 grant report; and
 - x) \$15,000 within thirty (30) days upon final completion of all work specified in the Work Plan, including all Tasks and Deliverables, and after DISTRICT receipt and approval of GRANTEE's detailed Year 2 final grant report.
2. DISTRICT and GRANTEE agree that all other terms and conditions of the Grant shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES have caused this Grant Amendment to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

BREATHE CALIFORNIA OF THE BAY AREA,
GOLDEN GATE, AND CENTRAL COAST

By: _____
Philip M. Fine
Executive Officer/APCO

By: _____
Margo Sidener
Executive Director

Date: _____

Date: _____

Approved as to form:
District Counsel

By: _____
Alexander G. Crockett
District Counsel

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Authorization to Amend Contract with Resource Development Associates (RDA Consulting)

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to amend the Master Services Agreement No. 2020.027 to increase the maximum dollar amount of the contract by \$225,000 – from \$145,000 to \$370,000 – to complete the program evaluation and improvement services in progress for Years 2 and 3 of the refocused James Cary Smith Community Grant Program.

BACKGROUND

On July 7, 2021, the Air District’s Board of Directors authorized the release of one set of Grant Guidelines/Call for Applications to support local environmental justice projects through the refocused James Cary Smith Community Grant Program. Board members also recommended an evaluation of the program. Awards for grantees span up to three years; however, the evaluation contract currently spans only one year. In order to continue the three-year evaluation plan for the refocused grant program, the contract must be amended.

Request for Qualifications

In September 2019, the Air District opened the Request for Qualifications (RFQ) #2019-012 for Community Engagement Support and Facilitation Services. Specific expertise and experience sought in the RFQ included facilitating evaluation services, tracking and communicating progress toward project goals, and convening and facilitating focus groups. Out of nine organizations that submitted full responses, four were determined to be qualified by a panel which included Air District staff, a representative from the Metropolitan Transportation Commission, and a community member. The four qualified organizations were placed on Community Engagement’s facilitation bench, including Resource Development Associates (RDA Consulting, or RDA). In March 2020, Master Services Agreement (MSA) Contract No. 2020.027 in an amount not to exceed \$25,000 was executed with RDA to support community engagement and facilitation services.

James Cary Smith Community Grant Program

The Air District has offered grant funding to local nonprofit organizations for over a decade to support community-based solutions that address air pollution, while also helping reduce our global climate impact. From 2019 through 2021, the Community Engagement Office operated two grant programs concurrently: the James Cary Smith Community Grant Program and the Community Health Protection Grant Program. The James Cary Smith (JCS) Community Grant Program is named for Jim Smith, the Air District's former Community Outreach Manager. Mr. Smith passed away in 2015 from ALS.

The JCS Community Grant Program is designed to strengthen partnerships with community-based organizations and leverage community power to improve local air quality and health outcomes. The Air District prioritizes funding for projects based in local environmental justice communities. Grantees are using these funds to develop and deepen capacity-building efforts that seek to address air quality concerns in communities that have historically faced inequitable pollution impacts.

Evaluation of the James Cary Smith Community Grant Program

In March 2021, Contract No. 2020.027 with RDA was amended to add \$19,960 to conduct an evaluation of the two Community Engagement grant programs that were in operation at that time, the Community Health Protection Grant Program and the James Cary Smith Community Grant Program. The evaluation included focus groups and a web-based survey with current and previous grant recipients to help staff identify opportunities for program improvements and provide recommendations related to grant accessibility and technical assistance.

In July 2021, the Air District's Board of Directors authorized the release of one set of Grant Guidelines/Call for Applications for a refocused James Cary Smith Community Grant Program commencing in fiscal year 2021/2022. The refocused program combined elements of the two previous grant programs. The Board of Directors subsequently approved 33 JCS Community Grant awards—the Year 1 grant cohort—during Board meetings held on November 3, 2021, and on December 1, 2021. These grant awards span up to three years and afford the Board of Directors and staff the flexibility to cancel or suspend funding to grantees in any year. The maximum amount for an individual grant is \$100,000 per year, with the potential for funding for up to three years.

On January 10, 2022, the contract with RDA was amended to add \$97,460 to commence evaluation of Year 1 of the refocused grant program. RDA is currently evaluating the effectiveness of the grant realignment efforts as well as the impacts of the work funded by the JCS Community Grant Program. The evaluation process involves analysis of program data from grantee reports, questionnaires, and focus groups to assess grant management, available resources for grantees, and emerging outputs and outcomes of grant-funded efforts.

On October 19, 2022, the Board of Directors authorized the Interim Executive Officer/APCO to execute any and all contract amendments to extend the term of the JCS Community Grant awards previously approved by the Board of Directors for one additional year—Year 2 of the project—and to amend the cumulative grant amount.

Summary of Task Orders under Master Services Agreement No. 2020.027

- The Air District executed Task Order No. 1 for an amount not to exceed \$25,000 on March 5, 2020 to convene strategic planning meetings regarding Assembly Bill 617 implementation efforts.
- The Air District executed Task Order No. 2 for an amount not to exceed \$19,960 on March 24, 2021 to conduct an evaluation of the Community Engagement grant programs in operation at that time.
- The Air District executed Task Order No. 3 for an amount not to exceed \$10,025 on March 24, 2021 to support the Air District in developing community engagement objectives and strategies.
- The Air District executed Task Order No. 4 for an amount not to exceed \$52,645 on November 9, 2021 to evaluate the realignment and impact of the refocused James Cary Smith Community Grant Program. The not-to-exceed amount for Task Order No. 4 was then increased to \$97,460 via Amendment No. 5, executed on January 10, 2022.

DISCUSSION

Staff request that the MSA with RDA be increased by \$225,000 to a not-to-exceed amount of \$370,000. This additional funding is needed to enable RDA to complete its evaluation of the activities, successes, and community-wide impacts of the current three-year cycle of James Cary Smith Community Grants, awarded in Fall 2021, and to complete the three-year evaluation plan. Because the grant awards span up to three years, staff seek an evaluation and summary report of findings from the full three-year cycle of the refocused JCS Community Grant Program to effectively assess the strengths and limitations of the program and report findings to the Board.

Honest and continual feedback from program participants is essential for authentic assessment of a program, including identification of areas for continued improvement and overall impact of resources. RDA has developed relationships with the 33 JCS grantees since the Year 1 grantee kickoff event in May 2022, and has earned the trust of grantees through collection of anonymous questionnaire data, inclusive focus group facilitation, and the production of honest evaluation reports for the refocused JCS grant program.

RDA will provide increased capacity to support a continued, robust evaluation of the refocused grant program. The proposed scope includes participatory approaches for impact evaluations designed to elevate the outcomes of grant-funded work. The following activities are included in the amended task order:

- Develop and administer grantee questionnaires; analyze responses (Years 2-3)
- Facilitate grantee focus groups; analyze findings (Years 2-3)

- Conduct impact interviews with grantees; produce grantee vignettes (Year 2)
- Conduct Ripple Effect Mapping workshops with grantees; provide qualitative coding and thematic analysis of project impacts (Year 3)

Evaluation findings will be shared with the Board, staff, grantees, and other stakeholders.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for the contract amendment (\$225,000) is included in the program 302 budget for fiscal year 2022/2023. RDA was selected through a Request for Qualifications (RFQ# 2019-012) process to provide facilitation, community engagement, and evaluation services.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Elinor Mattern and Aneesh Rana
Reviewed by: Suma Peesapati

ATTACHMENTS:

1. Original Executed Master Services Contract No. 2020.027 – RDA Consulting
2. Draft Task Order 5 Contract No. 2020.027 – RDA Consulting
3. Draft Amendment 7 Contract No. 2020.027 – RDA Consulting

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

MASTER SERVICES CONTRACT

CONTRACT NO. 2020.027

1. PARTIES – The parties to this Contract (“Contract”) are the Bay Area Air Quality Management District (“DISTRICT”) whose address is 375 Beale Street, Suite 600, San Francisco, CA 94105, and **Resource Development Associates** (“CONTRACTOR”) whose address is 2333 Harrison Street, Oakland, CA 94612.

2. RECITALS
 - A. DISTRICT is the local agency with primary responsibility for regulating stationary source air pollution in the Bay Area Air Quality Management District in the State of California. DISTRICT is authorized to enter into this Contract under California Health and Safety Code Section 40701. DISTRICT desires to contract with CONTRACTOR for Services as defined herein. DISTRICT is entering into this Contract based on CONTRACTOR’s stated qualifications to perform the Services.
 - B. All parties to this Contract have had the opportunity to have this contract reviewed by their attorney.

3. DEFINITIONS
 - A. “Purchase Order” shall mean the written or electronic document used by DISTRICT to track payments to CONTRACTOR under this Contract.
 - B. “Services” shall mean the services to be provided by CONTRACTOR hereunder as generally described in the General Description of Services, attached hereto as Attachment A and made a part hereof by this reference, and as specifically described in Task Orders issued pursuant to this Contract.
 - C. “Task Order” shall mean a written request by DISTRICT for specific services to be performed by CONTRACTOR.

4. PERFORMANCE REQUIREMENTS
 - A. CONTRACTOR is authorized to do business in the State of California. CONTRACTOR attests that it is in good tax standing with federal and state tax authorities.
 - B. CONTRACTOR agrees to obtain any and all required licenses, permits, and all other appropriate legal authorizations from all applicable federal, state and local jurisdictions and pay all applicable fees.
 - C. CONTRACTOR shall comply with all laws and regulations that apply to its performance under this Contract, including any requirements to disclose potential conflicts of interest under DISTRICT’s Conflict of Interest Code.
 - D. CONTRACTOR shall not engage in any performance of work during the term of this contract that is in direct or indirect conflict with duties and responsibilities set forth in the Scope of Work.
 - E. CONTRACTOR shall exercise the degree of skill and care customarily required by accepted professional practices and procedures.
 - F. CONTRACTOR shall ensure that any subcontractors, employees and agents performing under this Contract comply with the performance standards set forth in paragraph D above.

5. TERM – The term of this Contract is from date of execution by the Parties to December 31, 2020, unless further extended by amendment of this Contract in writing, or terminated earlier. CONTRACTOR shall not submit any invoice for services performed under this Contract until the Contract is fully executed.

6. TERMINATION

A. The DISTRICT may terminate this Contract at any time, at will, and without specifying any reason, by notifying CONTRACTOR in writing. The notice of termination shall specify the effective date of termination, which shall be no less than thirty (30) calendar days from the date of delivery of the notice of termination, and shall be delivered in accordance with the provisions of section 13 below. Immediately upon receipt of the notice of termination, CONTRACTOR shall cease all services under this Contract, except such services as are specified in the notice of termination. CONTRACTOR shall deliver a final invoice for all remaining services performed but not billed, including any services specified in the termination notice, on or before ten (10) business days following the termination date.

B. Either party may terminate this Contract for breach by the other party.

- i) Failure to perform any agreement or obligation contained in this Contract or failure to complete the services in a satisfactory manner shall constitute a breach of the Contract.
- ii) The non-breaching party may terminate the Contract by delivery of a written notice of breach. The notice of breach shall specify the date of termination, which shall be no earlier than ten (10) business days from delivery of the notice of breach. In the alternative, at its sole discretion, the non-breaching party may require the breaching party to cure the breach. The notice of breach shall specify the nature of the breach and the date by which such breach must be cured.
- iii) If CONTRACTOR fails to perform any obligation under this Contract, DISTRICT at its sole discretion, may perform, or cause the performance, of the obligation itself. In that event, DISTRICT shall deduct the costs to perform such obligation and any other costs to cure the breach from the payment otherwise due to CONTRACTOR for work performed under this Contract. DISTRICT's performance hereunder shall not be deemed a waiver or release of any obligation of, or default by, CONTRACTOR under this Contract.
- iv) The notice of breach shall be provided in accordance with the notice requirements set forth in section 13.
- v) The non-breaching party reserves all rights under law and equity to enforce this Contract and recover any damages.

7. INSURANCE

A. CONTRACTOR shall maintain the following insurance:

- i) Workers' compensation and employers' liability insurance as required by California law or other applicable statutory requirements.
- ii) Occurrence-based commercial general liability insurance or equivalent form with a limit of not less than one million dollars (\$1,000,000) each occurrence. Such insurance shall include DISTRICT and its officers, agents, and employees as additional insureds and shall be primary with respect to any insurance maintained by DISTRICT.
- iii) Business automobile liability insurance or equivalent form with a limit of not less than one million dollars (\$1,000,000) each accident. Such insurance shall include coverage for owned, hired, and non-owned vehicles. If CONTRACTOR is a sole proprietor, CONTRACTOR may

meet this insurance requirement with personal automobile liability insurance carrying a business use endorsement or by demonstrating to the satisfaction of DISTRICT that business use is covered under the CONTRACTOR's personal automobile liability insurance. A CONTRACTOR using only rental vehicles in performing work under this Contract may meet this insurance requirement by purchasing automobile liability insurance in the required coverage amount from the rental agency.

- B. All insurance shall be placed with insurers acceptable to DISTRICT.
- C. Prior to commencement of work under this Contract, CONTRACTOR shall furnish properly-executed certificates of insurance for all required insurance. Upon request by DISTRICT, CONTRACTOR shall provide a complete copy of any required insurance policy. CONTRACTOR shall notify DISTRICT in writing thirty (30) days prior to cancellation or modification of any required insurance policy. Any such modifications are subject to pre-approval by DISTRICT.
- D. If CONTRACTOR fails to maintain the required insurance coverage set forth above, DISTRICT reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to CONTRACTOR or to terminate this Contract for breach.

8. INDEMNIFICATION

- A. CONTRACTOR shall indemnify and hold DISTRICT, its officers, employees and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance of this Contract but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of CONTRACTOR, its officers, agents, or employees.
- B. DISTRICT shall indemnify and hold CONTRACTOR, its officers, employees and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fee, or claims for injury or damages arising out of the performance of this Contract but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of DISTRICT, its officers, agents, or employees.

9. AGREEMENT TO PROVIDE SERVICES

- A. CONTRACTOR hereby agrees to provide to DISTRICT, as DISTRICT may from time to time designate, such services as DISTRICT may order by Task Order, all in accordance with and subject to the terms, covenants and conditions of this Contract. DISTRICT agrees to pay for these services ordered by DISTRICT in accordance with and subject to the terms, covenants and conditions of this Contract.
- B. All Task Orders issued by DISTRICT to CONTRACTOR for services during the term of this Contract are subject to the provisions of this Contract as though fully set forth in such Task Order. In the event that the provisions of this Contract conflict with any Task Order issued by DISTRICT to CONTRACTOR, the provisions of this Contract shall govern. No other terms and conditions, including, but not limited to, those contained in CONTRACTOR's standard printed terms and conditions, on CONTRACTOR's order acknowledgment, invoices or otherwise, shall have any application to or effect upon or be deemed to constitute an amendment to or to be incorporated into this Contract, any Task Order, or any transactions occurring pursuant hereto or thereto, unless this Contract shall be specifically amended to adopt such other terms and conditions in writing by the parties.

- C. Notwithstanding any other provision of this Contract to the contrary, DISTRICT shall have no obligation to order or purchase any services hereunder and the placement of any Task Order shall be in the sole discretion of DISTRICT. Without limiting the generality of the foregoing, the actual quantity of services to be purchased hereunder shall be determined by DISTRICT in its sole discretion and shall not exceed \$25,000. This Contract is not exclusive. CONTRACTOR expressly acknowledges and agrees that DISTRICT may purchase at its sole discretion, services that are identical or similar to the services described in this Contract from any third party.
10. TASK ORDERS – Each Task Order will specify the following items, as relevant: specific services requested, schedule for services, location where services are to be performed (with contact person), and cost or estimated cost of services. Each Task Order issued under this Contract shall be made part of, and be incorporated into this Contract, and shall reference this Contract on the face of each Task Order. Should any Task Order not conform to or satisfy the terms of this Contract, CONTRACTOR shall have five (5) business days after receipt to reject the Task Order. By not rejecting the Task Order within five (5) business days, CONTRACTOR will have accepted the Task Order. Acceptance by CONTRACTOR is limited to the provisions of this Contract and the Task Order. No additional or different provisions proposed by CONTRACTOR or DISTRICT shall apply. In addition, the parties agree that this Contract and accepted Task Orders constitute a contract for services and satisfy all statutory and legal formalities of a contract.
11. PRICING, INVOICES, AND PAYMENT
- A. DISTRICT shall pay CONTRACTOR for all services ordered and provided in compliance with the terms and conditions of this Contract and with Task Orders issued under this Contract.
- B. CONTRACTOR shall submit original invoices to DISTRICT in form and substance and format reasonably acceptable to DISTRICT. Each invoice, including supporting documentation, must be prepared in duplicate on CONTRACTOR's letterhead; must list DISTRICT's contract number, Purchase Order Number, and the CONTRACTOR's Social Security Number or Federal Employer Identification Number; and must be submitted to: Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105, Attn: Contracts Manager.
- C. Except as specifically set forth in Attachment A or in Task Orders under this Contract, DISTRICT shall not be responsible for any additional costs or expenses of any nature incurred by CONTRACTOR in connection with the provision of the services, including without limitation travel expenses, clerical or administrative personnel, long distance telephone charges, etc.
- D. CONTRACTOR represents, warrants and covenants that the prices, charges and fees for services set forth in this Contract (on the whole) are at least as favorable as the prices, charges and fees CONTRACTOR charges (on the whole) to other of its customers or clients for the same or substantially similar services provided under the same or substantially similar circumstances, terms, and conditions. If CONTRACTOR agrees or contracts with other clients or customers similarly situated during the Term of this Contract, and offers or agrees to financial terms more favorable than those set forth herein (on the whole), CONTRACTOR hereby agrees that it will reduce the prices, charges and/or fees charged to DISTRICT in respect of the services hereunder to the most favorable rates received by those other clients or customers.
12. DISPUTE RESOLUTION – A party that disputes a notice of breach must first seek mediation to resolve the dispute in accordance with the provisions set forth below.

- A. Upon receipt of a notice of breach of contract, the party may submit a demand for mediation to resolve whether or not a breach occurred. The party must state the basis of the dispute and deliver the demand within ten (10) business days of the date of receipt of the notice of breach.
 - B. The mediation shall take place at DISTRICT's office at 375 Beale Street, Suite 600, San Francisco, or at such other place as may be mutually agreed upon by the parties and the mediator.
 - C. The parties shall make good faith efforts to hold the mediation within thirty (30) days after receipt of the demand for mediation.
 - D. Each party shall bear its own mediation costs.
 - E. In the event the parties are unable to resolve the dispute, either party may file an action in a court of competent jurisdiction to enforce the Contract.
 - F. Maximum recovery under this section shall be limited to the total value of all Task Orders issued under this Contract. The mediation costs shall not reduce the maximum amount recoverable under this section.
13. NOTICES – All notices that are required under this Contract shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by e-mail, facsimile, or regular first class mail. In the case of e-mail and facsimile communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. E-mail and facsimile communications shall be deemed to have been received on the date of such transmission, provided such date was a business day and delivered prior to 4:00 p.m. PST. Otherwise, receipt of e-mail and facsimile communications shall be deemed to have occurred on the following business day. In the case of regular mail notice, notice shall be deemed to have been delivered on the mailing date and received five (5) business days after the date of mailing.

DISTRICT: Bay Area Air Quality Management District
 375 Beale Street, Suite 600
 San Francisco, CA 94105
 Attn: Kristen Law

CONTRACTOR: Resource Development Associates
 2333 Harrison Street
 Oakland, CA 94612
 Attn: Patricia Bennett

14. ADDITIONAL PROVISIONS – All attachment(s) to this Contract are expressly incorporated herein by this reference and made a part hereof as though fully set forth.

15. EMPLOYEES OF CONTRACTOR

- A. CONTRACTOR shall be responsible for the cost of regular pay to its employees, as well as cost of vacation, vacation replacements, sick leave, severance pay, and pay for legal holidays.
- B. CONTRACTOR, its officers, employees, agents, or representatives shall not be considered employees or agents of DISTRICT, nor shall CONTRACTOR, its officers, employees, agents, or representatives be entitled to or eligible to participate in any benefits, privileges, or plans, given or extended by DISTRICT to its employees.

- C. DISTRICT reserves the right to review the credentials to perform the services for any of CONTRACTOR's employees assigned herein and to disapprove CONTRACTOR's assignments. CONTRACTOR warrants that it will not employ any subcontractor(s) without prior written approval from DISTRICT.
16. CONFIDENTIALITY – In order to carry out the purposes of this Contract, CONTRACTOR may require access to certain of DISTRICT's confidential information (including trade secrets, inventions, confidential know-how, confidential business information, and other information that DISTRICT considers confidential) (collectively, "Confidential Information"). It is expressly understood and agreed that DISTRICT may designate in a conspicuous manner Confidential Information that CONTRACTOR obtains from DISTRICT, and CONTRACTOR agrees to:
- A. Observe complete confidentiality with respect to such information, including without limitation, agreeing not to disclose or otherwise permit access to such information by any other person or entity in any manner whatsoever, except that such disclosure or access shall be permitted to employees of CONTRACTOR requiring access in fulfillment of the services provided under this Contract.
 - B. Ensure that CONTRACTOR's officers, employees, agents, representatives, and independent contractors are informed of the confidential nature of such information and to assure by agreement or otherwise that they are prohibited from copying or revealing, for any purpose whatsoever, the contents of such information or any part thereof, or from taking any action otherwise prohibited under this section.
 - C. Not use such information or any part thereof in the performance of services to others or for the benefit of others in any form whatsoever whether gratuitously or for valuable consideration, except as permitted under this Contract.
 - D. Notify DISTRICT promptly and in writing of the circumstances surrounding any possession, use, or knowledge of such information or any part thereof by any person or entity other than those authorized by this section. Take at CONTRACTOR's expense, but at DISTRICT's option and in any event under DISTRICT's control, any legal action necessary to prevent unauthorized use of such information by any third party or entity which has gained access to such information at least in part due to the fault of CONTRACTOR.
 - E. Take any and all other actions necessary or desirable to assure such continued confidentiality and protection of such information during the term of this Contract and following expiration or termination of the Contract.
 - F. Prevent access to such materials by a person or entity not authorized under this Contract.
 - G. Establish specific procedures in order to fulfill the obligations of this section.
17. INTELLECTUAL PROPERTY RIGHTS – Title and full ownership rights to all intellectual property developed under this Contract shall at all times remain with DISTRICT, unless otherwise agreed to in writing.
18. PUBLICATION
- A. DISTRICT shall approve in writing any report or other document prepared by CONTRACTOR in connection with performance under this Contract prior to dissemination or publication of such report or document to a third party. DISTRICT may waive in writing its requirement for prior approval.
 - B. Until approved by DISTRICT, any report or other document prepared by CONTRACTOR shall include on each page a conspicuous header, footer, or watermark stating "DRAFT – Not

Reviewed or Approved by BAAQMD," unless DISTRICT has waived its requirement for prior approval pursuant to paragraph A of this section.

- C. Information, data, documents, or reports developed by CONTRACTOR for DISTRICT, pursuant to this Contract, shall be part of DISTRICT's public record, unless otherwise indicated. CONTRACTOR may use or publish, at its own expense, such information, provided DISTRICT approves use of such information in advance. The following acknowledgment of support and disclaimer must appear in each publication of materials, whether copyrighted or not, based upon or developed under this Contract.

"This report was prepared as a result of work sponsored, paid for, in whole or in part, by the Bay Area Air Quality Management District (District). The opinions, findings, conclusions, and recommendations are those of the author and do not necessarily represent the views of the District. The District, its officers, employees, contractors, and subcontractors make no warranty, expressed or implied, and assume no legal liability for the information in this report."

- D. CONTRACTOR shall inform its officers, employees, and subcontractors involved in the performance of this Contract of the restrictions contained herein and shall require compliance with the above.

19. NON-DISCRIMINATION – In the performance of this Contract, CONTRACTOR shall not discriminate in its recruitment, hiring, promotion, demotion, and termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, marital status, sexual orientation, medical condition, or physical or mental disability and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900 et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, and all administrative rules and regulations issued pursuant to said Acts. CONTRACTOR shall also require each subcontractor performing services in connection with this Contract to comply with this section and shall include in each contract with such subcontractor provisions to accomplish the requirements of this section.
20. PROPERTY AND SECURITY – Without limiting CONTRACTOR'S obligations with regard to security, CONTRACTOR shall comply with all the rules and regulations established by DISTRICT for access to and activity in and around DISTRICT's premises.
21. ASSIGNMENT – No party shall assign, sell, license, or otherwise transfer any rights or obligations under this Contract to a third party without the prior written consent of the other party, and any attempt to do so shall be void upon inception.
22. WAIVER – No waiver of a breach, of failure of any condition, or of any right or remedy contained in or granted by the provisions of this Contract shall be effective unless it is in writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies. Further, the failure of a party to enforce performance by the other party of any term, covenant, or condition of this Contract, and the failure of a party to exercise any rights or remedies hereunder, shall not be deemed a waiver or relinquishment by that party to enforce future performance of any such terms, covenants, or conditions, or to exercise any future rights or remedies.

23. ATTORNEYS' FEES – In the event any action is filed in connection with the enforcement or interpretation of this Contract, each party shall bear its own attorneys' fees and costs.
24. FORCE MAJEURE – Neither DISTRICT nor CONTRACTOR shall be liable for or deemed to be in default for any delay or failure in performance under this Contract or interruption of services resulting, directly or indirectly, from acts of God, enemy or hostile governmental action, civil commotion, strikes, lockouts, labor disputes, fire or other casualty, judicial orders, governmental controls, regulations or restrictions, inability to obtain labor or materials or reasonable substitutes for labor or materials necessary for performance of the services, or other causes, except financial, that are beyond the reasonable control of DISTRICT or CONTRACTOR, for a period of time equal to the period of such force majeure event, provided that the party failing to perform notifies the other party within fifteen calendar days of discovery of the force majeure event, and provided further that that party takes all reasonable action to mitigate the damages resulting from the failure to perform. Notwithstanding the above, if the cause of the force majeure event is due to party's own action or inaction, then such cause shall not excuse that party from performance under this Contract.
25. SEVERABILITY – If a court of competent jurisdiction holds any provision of this Contract to be illegal, unenforceable or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them will not be affected.
26. HEADINGS – Headings on the sections and paragraphs of this Contract are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
27. COUNTERPARTS/FACSIMILES/SCANS – This Contract may be executed and delivered in any number of counterparts, each of which, when executed and delivered, shall be deemed an original, and all of which together shall constitute the same contract. The parties may rely upon a facsimile copy or scanned copy of any party's signature as an original for all purposes.
28. GOVERNING LAW – Any dispute that arises under or relates to this Contract shall be governed by California law, excluding any laws that direct the application of another jurisdiction's laws. Venue for resolution of any dispute that arises under or relates to this Contract, including mediation, shall be San Francisco, California.
29. ENTIRE CONTRACT AND MODIFICATION – This Contract represents the final, complete, and exclusive statement of the agreement between the parties related to CONTRACTOR providing services to DISTRICT and supersedes all prior and contemporaneous understandings and agreements of the parties. No party has been induced to enter into this Contract by, nor is any party relying upon, any representation or warranty outside those expressly set forth herein. This Contract may only be amended by mutual agreement of the parties in writing and signed by both parties.
30. SURVIVAL OF TERMS – The provisions of sections 8 (Indemnification), 16 (Confidentiality), 17 (Intellectual Property Rights), and 18 (Publication) shall survive the expiration or termination of this Contract.

IN WITNESS WHEREOF, the parties to this Contract have caused this Contract to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

RESOURCE DEVELOPMENT ASSOCIATES

By: 
Jack P. Broadbent
Executive Officer/APCO

By: 
Patricia Bennett
President & Chief Executive Officer

Date: 3/5/20

Date: 2/25/2020

Approved as to form:
District Counsel

By: 
Brian C. Bunker
District Counsel

Attachment A
General Description of Services

CONTRACTOR shall provide community engagement support and facilitation services to DISTRICT. DISTRICT regularly participates in meetings with community groups and hosts open public forums to inform the community about DISTRICT activities and to provide the public the opportunity to engage with DISTRICT staff, provide comments, ask questions and shape new policy directions. Community engagement activities range from meetings with small groups of community members to larger public meetings, open houses and Interactive workshops on specific topics of interest. Activities may be a single event or include a series of workshops throughout the Bay Area. Upon request, CONTRACTOR shall provide written estimates or proposals to DISTRICT for community engagement and facilitation services.

CONTRACTOR services include but are not limited to:

- a) Provide culturally-relevant information in appropriate languages (arrange for translation of materials as needed);
- b) Identify and share local stakeholder contacts with DISTRICT;
- c) When relevant, promote meetings, workshops, events and program progress. Advertise and send targeted invitations, track responses;
- d) Identify and secure ADA accessible meeting facilities with low to zero facility rental costs - prefer venues that are transit accessible;
- e) Identify and secure child watch as requested;
- f) Identify and secure translation services as requested;
- g) Provide healthy refreshments;
- h) Ensure the audiovisual needs are met;
- i) Work with DISTRICT and identified partners or community groups to design and run successful meetings; and
- j) Provide post meeting recap summaries to DISTRICT staff and identified partners and community groups to document meeting outcomes.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
MASTER SERVICES CONTRACT
Resource Development Associates
CONTRACT NO. 2020.027
Task Order No. 5

Work Plan:

CONTRACTOR will provide DISTRICT with evaluation support to assist DISTRICT in evaluating the impact of the James Cary Smith Community (JCS) Grant Program. These evaluation activities will support DISTRICT in making improvements related to grant program administration, assess the reach and impact of grant funds, and identify community outcomes related to grant funds. CONTRACTOR will conduct a multi-year evaluation, repeating evaluation activities to assess progress over time and conducting other one-time evaluation activities. CONTRACTOR will produce deliverables aligned to the grant program timelines; the scope below describes distinct deliverables produced by year and by cohort, when relevant. Each phase is composed of a set of evaluation activities designed to achieve a focus area of the evaluation. Together, DISTRICT and CONTRACTOR will collaborate to decide on the exact timing of the evaluation activities to best serve the DISTRICT and grantees' needs. In consultation with DISTRICT, CONTRACTOR shall complete the tasks described below no later than December 31, 2025.

To support the DISTRICT in its current needs, CONTRACTOR will provide the following services:

Phase A: Grant Program Launch & Evaluation Design

In PHASE A, CONTRACTOR will facilitate the operational launch and develop a learning framework. This phase seeks to establish a solid working partnership, ensure that the project and future phases are informed by the learning priorities of DISTRICT, and support grantee engagement around evaluation activities. The specific timing of activities will be determined through consultation with DISTRICT. CONTRACTOR shall complete the following project activities in PHASE A:

Task 1.1 Operational Launch

- CONTRACTOR will onboard its team and will review and synthesize documents related to DISTRICT's program context.
- CONTRACTOR will coordinate internal launch meeting, establish contracting and invoicing services, and design of Phase A activities.
- CONTRACTOR will invoice Task 1.1 as: *Operational Launch*

Task 1.2 Learning Framework

- CONTRACTOR will develop a learning framework and guiding questions during Year 2 (Y2) in consultation with DISTRICT to be used across Phases B, C, and D. In consultation with DISTRICT, CONTRACTOR will work with DISTRICT to revise and adapt the learning framework up to two rounds per year throughout the duration of the evaluation.
- CONTRACTOR will invoice Task 1.2 as: *Learning Framework, Learning Framework Revisions*

Task 1.3 Grantee Kickoff (Virtual)

- CONTRACTOR will prepare presentation materials, participate in dry-run practice sessions with DISTRICT, and will facilitate two (2) events during the Year 3 (Y3) kickoff for two JCS cohorts for one grant year. CONTRACTOR will accommodate one round of review of presentation materials by DISTRICT.
- CONTRACTOR will invoice Task 1.3 as: *Y3 Grantee Kickoffs*

Phase A Deliverables & Timeframe – Year 2

- Learning Framework (2023)

Phase A Deliverables & Timeframe – Year 3

- Revised Learning Framework (2024 - 2025)
- Year 3 Grantee Kickoff Presentations and materials (2024)

Phase B: Grant Management Technical Assistance & Program Monitoring

Throughout PHASE B, CONTRACTOR will support DISTRICT with grant management activities to continually improve grant program administration and identify grantee successes through a questionnaire, focus groups, and analysis of grantee program data. This phase seeks to incorporate a variety of project activities to collect feedback and data from current grantees to inform recommendations presented to DISTRICT for current and future grant administration. CONTRACTOR will design tools and analyses to support DISTRICT to meet necessary internal and external reporting requirements as well as to collect data aligned to the Learning Framework. The specific timing of activities will be determined through consultation with DISTRICT. CONTRACTOR shall complete the following project activities in PHASE B:

Task 2.1 Grantee Questionnaire

- CONTRACTOR will develop a grantee questionnaire and accommodate two rounds of review by DISTRICT.
- CONTRACTOR will administrate grantee questionnaire, e-mailing reminders to grantees, and providing updates on questionnaire completion to DISTRICT. CONTRACTOR will analyze questionnaire responses and present findings and recommendations to DISTRICT to inform DISTRICT's ongoing grant management and grantee support. CONTRACTOR will accommodate up to two rounds of review of findings by DISTRICT. CONTRACTOR will administer, analyze, and report on the questionnaire during each of the two grant years.
- CONTRACTOR will invoice Task 2.1 as: *Y2 Questionnaire Data Collection, Y2 Questionnaire Analysis & Report, Y3 Questionnaire Data Collection, Y3 Questionnaire Analysis & Report.*

Task 2.2 Grantee Focus Groups (Virtual)

- CONTRACTOR will develop focus group protocols and accommodate up to two rounds of review by DISTRICT.
- CONTRACTOR will schedule and coordinate focus groups for up to five (5) 90-minute focus groups with grantees. CONTRACTOR will provide qualitative analysis and present findings and recommendations to DISTRICT, and will accommodate up to two rounds of review by DISTRICT. CONTRACTOR will facilitate, analyze and report on the focus groups during Year2 of the JCS grant program.

- CONTRACTOR will invoice Task 2.2 as: *Y2 Grantee Focus Groups Protocol & Facilitation, Y2 Grantee Focus Groups Findings Report*

Task 2.3 Program Data Analysis and Report

- CONTRACTOR will provide quantitative and qualitative analysis for up to twenty-two (22) quarter 4 grant reports from JCS grantees (i.e., both cohorts). CONTRACTOR will present to DISTRICT key program data, findings, and recommendations with up to two rounds of review by DISTRICT. CONTRACTOR will conduct program data analysis and reports at the end of each of the two grant years.
- CONTRACTOR will invoice Task 2.3 as: *Y2 Endpoint Program Data Analysis & Report, Y3 Endpoint Program Data Analysis & Report*

Phase B Deliverables & Timeframe – Year 2

- Y2 Questionnaire (2024)
- Y2 Questionnaire Report (2024)
- Y2 Focus Groups Protocol (2024)
- Y2 Focus Group Findings Report (2024)
- Y2 Endpoint Program Data Report: Cohort 1 & Cohort 2 (2024)

Phase B Deliverables & Timeframe – Year 3

- Y3 Questionnaire (2025)
- Y3 Questionnaire Report (2025)
- Y3 Endpoint Program Data Report: Cohort 1 & Cohort 2 (2025)

Phase C: Storytelling & Impact Evaluation

In PHASE C, CONTRACTOR will facilitate grantee vignettes in Y2 of the grant program and Ripple Effect Mapping in Y3 of the grant program. This phase seeks to assess the outcomes and impacts of the grant program through a variety of storytelling and participatory approaches. The specific timing of activities will be determined through consultation with DISTRICT. CONTRACTOR shall complete the following project activities in PHASE C:

Task 3.1 Grantee Vignettes

- CONTRACTOR will collect and synthesize grantee data to inform vignettes for up to twenty-two (22) grantees and conduct one-hour virtual interviews with up to twenty-two (22) grantees. CONTRACTOR will attend and accommodate the option for up to twelve (12) of the grantees to invite CONTRACTOR to attend one (1) virtual or in-person event each.
- CONTRACTOR will develop a collection of up to twenty-two (22) grantee vignettes to highlight the grantee's experience and impact in the program. Each vignette will be either a one- or two-page document and may include photographs or graphics, and will accommodate one round of review by DISTRICT. CONTRACTOR will produce grantee vignettes during Y2 of the grant program.
- CONTRACTOR will invoice Task 3.1 as: *Grantee Vignettes Data Collection, Grantee Vignettes Deliverable Production*

Task 3.2 Ripple Effect Mapping

- CONTRACTOR will design and prepare up to four (4) in-person Ripple Effect Mapping (REM) workshops. CONTRACTOR will schedule and coordinate in-person workshops, and provide facilitation services for the workshops. CONTRACTOR's workshop is a participatory approach to evaluation and will include an estimated 12-20 participants from grantee organizations per workshop; these participants will include program leadership, program staff, program participants, or other identified key grantee stakeholders. CONTRACTOR will provide four (4) staff for day-of preparation, facilitation, and notetaking.
- CONTRACTOR will provide qualitative coding and thematic analysis of REM findings and will develop up to four (4) draft REM map(s) (i.e., one per workshop).
- CONTRACTOR shall not exceed a budget of up to \$1,000 of expenses for local travel and in-person workshop materials.
- In collaboration with DISTRICT, CONTRACTOR will revise REM map(s) through meetings with DISTRICT and will accommodate up to two rounds of written review by DISTRICT. CONTRACTOR's REM workshops and maps will be conducted in Y3 of the grant program, and the final deliverable will be produced by the end of the contract term (December 31, 2025).
- CONTRACTOR will invoice Task 3.2 as: *REM Plan, REM Facilitation and Analysis, REM Maps Deliverable Production, Travel Expenses, Materials Expenses*

PHASE C Deliverables & Timeframe – Year 2

- Grantee Vignettes (2024)

PHASE C Deliverables & Timeframe – Year 3

- Ripple Effect Map Plan (2025)
- Ripple Effect Maps (2025)

Phase D: Ongoing Project Management & Communication

Throughout the program evaluation, CONTRACTOR will remain in regular communication through virtual meetings and e-mail with DISTRICT to proceed with project activities described in Phases A, B, and C. Additionally, CONTRACTOR will facilitate internal team progress check-ins, ensure consistent and timely responses to client communications, and facilitate contracting services. CONTRACTOR shall complete the following project activities in PHASE D:

Task 4.1 Client Meetings & Communication

- CONTRACTOR will schedule and facilitate up to two (2) meetings per month with DISTRICT. Meetings will be one hour in length and held virtually. Meeting dates and agenda items will be determined by CONTRACTOR and DISTRICT.
- CONTRACTOR will communicate with DISTRICT via e-mails regarding evaluation activities, activities, and coordination.
- CONTRACTOR will create project management tools that will be determined in collaboration between CONTRACTOR and DISTRICT and may include: agendas, meeting synopses, lists of action items, project task tracker or dashboard.

- CONTRACTOR will invoice Task 4.1 as: *Client Meetings & Communications*

Task 4.2 Internal Communication & Project Management

- CONTRACTOR will conduct periodic internal meetings between CONTRACTOR project staff and includes execution of project management tasks related to staffing project needs, project planning, and contracting services over the course of the evaluation.
- CONTRACTOR will invoice Task 4.2 as: *Internal Communication & Project Management*

Phase D Deliverables & Timeframe:

- Project Management Tools (2023 – 2025)

Task Order Duration: The duration of Task Order No. 5 shall continue until December 31, 2025.

Task Order Budget and Timeline: DISTRICT will pay CONTRACTOR on an hourly basis at the hourly rates listed in the table below and up to a maximum amount of **\$225,000**. CONTRACTOR will submit monthly invoices for payment for the number of hours worked in the previous month. Payments will be made within thirty (30) calendar days after DISTRICT’s receipt and approval of CONTRACTOR’s invoice.

Task Order costs are inclusive of all personnel, fringe benefit, materials, travel, equipment, insurance, communications, indirect, facilities, and administrative costs that will be incurred over the course of the proposed project. While local travel expenses are built into CONTRACTOR’s hourly rates, CONTRACTOR will bill half of the travel time related to project activities. This travel time is included in the cost proposal and total budget of up to a maximum amount of \$225,000. The hours proposed for staff on each task are estimates and will be adjusted during the course of the project within the not-to-exceed amount.

Position	Hourly Rate
Chief Executive Officer	\$300
Chief Operating Officer	\$275
Vice President, Consulting Services	\$250
Associate Director	\$235
Consulting Manager	\$220
Senior Consultant	\$190
Consultant	\$175
Associate	\$150
Consulting Assistant	\$110
Subject Matter Expert	\$200

Total Task Order cost not to exceed: \$225,000

Grant Year Cycle Calendar Year	Grant Year 2			Grant Year 3		
	2023 July, Aug, Sept Oct, Nov, Dec	Jan, Feb, Mar April, May, June	July, Aug, Sept Oct, Nov, Dec	Jan, Feb, Mar April, May, June	July, Aug, Sept Oct, Nov, Dec	2025 Jan, Feb, Mar April, May, June July, Aug, Sept Oct, Nov, Dec
Phase A: Grant Program Launch & Evaluation Design						
Operational Launch	█					
Learning Framework	█					
Learning Framework Revisions		█	█	█		
Y3 Grantee Kickoffs		█	█			
Phase B: Grant Management Technical Assistance & Program Monitoring						
Y2 Questionnaire Data Collection	█					
Y2 Questionnaire Analysis & Report		█				
Y2 Grantee Focus Groups Protocol & Facilitation	█					
Y2 Grantee Focus Groups Findings Report		█				
Y2 Endpoint Program Data Analysis & Report			█			
Y3 Questionnaire Data Collection				█		
Y3 Questionnaire Analysis & Report					█	
Y3 Endpoint Program Data Analysis & Report						█
Phase C: Storytelling & Impact Evaluation						
Grantee Vignettes Data Collection	█					
Grantee Vignettes Deliverable Production		█				
REM Plan				█	█	
REM Facilitation and Analysis					█	
REM Maps Deliverable Production						█
Phase D: Ongoing Project Management & Communication						
Client Meetings & Communication						
Project Management & Internal Meetings						

IN WITNESS WHEREOF, the parties to this Task Order have caused this Task Order to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

RESOURCE DEVELOPMENT ASSOCIATES

By: _____
Philip M. Fine
Executive Officer/APCO

By: _____
Amalia Freedman
CEO

Date: _____

Date: _____

Approved as to form:
District Counsel

By: _____
Alexander G. Crockett
District Counsel

AMENDMENT NO. 7 TO
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
CONTRACT NO. 2020.027

This amendment to the above-entitled contract (“Contract Amendment”) is dated, for reference purposes only, May 8 , 2023.

RECITALS:

1. The Bay Area Air Quality Management District (“DISTRICT”) and **Resource Development Associates** (“CONTRACTOR”) (hereinafter referred to as the “PARTIES”) entered into the above-entitled contract for community engagement support and facilitation services (the “Contract”), which Contract was executed on behalf of CONTRACTOR on February 25, 2020, and on behalf of DISTRICT on March 5, 2020.
2. The PARTIES entered into Amendment No. 1 to the Contract, dated October 6, 2020, for reference purposes only, to extend the term of the Contract.
3. The PARTIES entered into Amendment No. 2 to the Contract, dated, March 3, 2021, for reference purposes only, to amend the total cost of the Contract.
4. The PARTIES entered into Amendment No. 3 to the Contract, dated May 5, 2021, for reference purposes only, to amend the term and total cost of the Contract.
5. The PARTIES entered into Amendment No. 4 to the Contract, dated September 28, 2021, for reference purposes only, to amend the term and total cost of the Contract.
6. The PARTIES entered into Amendment No. 5 to the Contract, dated December 16, 2021, for reference purposes only, to amend the tasks under Task Order No. 4.
7. The PARTIES entered into Amendment No. 6 to the Contract, dated January 12, 2023, for reference purposes only, to extend the term of the Contract.
8. The PARTIES seek to amend the term and total cost to the Contract because DISTRICT seeks to continue receiving services from CONTRACTOR prescribed in the Contract and CONTRACTOR desires to continue to provide those services up to term date.
9. In accordance with Section 29 of the Contract, DISTRICT and CONTRACTOR amend the above-entitled Contract as follows:

TERMS AND CONDITIONS OF CONTRACT AMENDMENT:

1. By this Contract Amendment, DISTRICT and CONTRACTOR amend Section 5, "Term." The term of the Contract shall be extended so that the termination date of the Contract is now December 31, 2025.
2. By this Contract Amendment, DISTRICT and CONTRACTOR amend Paragraph C of Section 9, "Agreement to Provide Services," of the Contract to replace "\$145,000" with "\$370,000."
3. DISTRICT and CONTRACTOR agree that all other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES have caused this Contract Amendment to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

RESOURCE DEVELOPMENT ASSOCIATES

By: _____
Philip M. Fine
Executive Officer/APCO

By: _____
Amalia Freedman
CEO

Date: _____

Date: _____

Approved as to form:
District Counsel

By: _____
Alexander G. Crockett
District Counsel

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Authorization to Establish a New Classification of Senior Payroll Analyst

RECOMMENDED ACTION

Recommend the Board of Directors to establish a new classification of Senior Payroll Analyst in the Confidential Unit at Salary Range 138.

BACKGROUND

Pursuant to Administrative Code Division III Section 5, the Air District periodically reviews, updates, and creates classifications to effectively administer the workforce.

DISCUSSION

In November 2022, the Human Resources Management Audit conducted by Sjoberg Evashenk Consulting recommended that the payroll functions be transferred from the Human Resources Office to the Finance Office to improve segregation of duties consistent with best business practice. Staff have assessed the staffing resource needs for the segregated payroll functions and recommend that the addition of a Senior Payroll Analyst classification would allow for the efficient completion of required complex and highly specialized payroll activities.

Attached is the recommended classification specification.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. This recommendation creates an employee classification and does not fund a position or modify the current number of funded positions.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Judy Yu
Reviewed by: John Chiladakis

ATTACHMENTS:

1. Senior Payroll Analyst - Recommended Classification Specification



BAY AREA AIR QUALITY MANAGEMENT DISTRICT
SENIOR PAYROLL ANALYST (Confidential)

FLSA: Exempt

DEFINITION:

Under direction, provides lead direction and performs complex and specialized payroll administration; performs related work as assigned.

DISTINGUISHING CHARACTERISTICS:

This specialized class is responsible for the Air District's payroll administration and payroll system maintenance, and requires advanced knowledge of payroll, general accounting procedures, and laws, ordinances, rules and regulations governing decision-making, day-to-day lead of payroll operations and office support staff. Incumbents will perform the full range of duties independently and exercise sound decision making and independent judgment.

EXAMPLES OF DUTIES:

(Illustrative Only)

Administers and processes full-cycle payroll; receives, reviews, verifies and processes payroll records, documentation, and related paperwork; audits documents for completeness, accuracy and conformance with policies and procedures; inputs payroll information; generates payroll warrants; and researches and resolves complex payroll issues.

Calculates and prepares payroll journal entries to the general ledger as necessary; audits and reconciles balances with accounts and system records.

Calculates and processes pay adjustments and deductions changes, including acting pay assignments, deferred compensation, benefits, and 401a/457 deductions, in accordance with the Memorandum of Understanding, Administrative Code, and other federal and state laws.

Inputs employee bi-weekly wages into CalPERS website as well as entering other special compensation as needed. Processes service credit purchase as they are submitted.

Prepares all warrants for payment of payroll liabilities, including taxes, retirement contributions and garnishments.

Interprets, explains, and implements Air District policies and state and federal laws regarding payroll and relevant benefits.

Provides information to employees and consults management staff on payroll, including interpretation and application of various Air District policies and procedures such as the Memorandum of Understanding and Administrative Code.

Maintains all payroll records, including employee accruals and balances.

Responds to payroll-related requests in writing or by telephone from outside agencies, such as the credit unions, retirement system, insurance companies and auditors.

Compiles, generates, and prepares payroll data for a variety of state and federal mandated reporting.

Develops and recommends procedures and controls for payroll processing and distribution.

Provides technical assistance, training, and support to Air District staff as it relates to the use of the payroll and timekeeping system.

Assists the Air District's HRIS Administrator with system enhancements and improvements.

Develops strategies to reduce payroll costs and/or improve processes while maintaining or improving payroll service levels; analyzes and reviews payroll/HRIS contracts for renewal, legal compliance, and daily administration.

May provide day-to-day lead direction to lower-level analysts, paraprofessional and clerical staff and review their work on special projects as assigned.

Computes payments due relating to the payroll function, including but not limited to, taxes, insurance premiums, retroactive pays, retirement, and other benefit programs.

Performs other related duties as assigned.

QUALIFICATIONS

Knowledge of:

Basic accounting principles as it relates to: payroll processing; software applications related to payroll/accounting systems; and payroll tax concepts and procedures.

Basic supervisory principles and practices.

Principles and practices of public human resources administration relating to wage and salary administration.

Applicable federal, state and local laws, codes, regulations and guidelines governing areas of responsibility including, but not limited to FLSA, Federal W-2 and Quarterly Tax reporting, ACA reporting, and CalPERS reporting and procedures.

Organizational and administrative research analysis and methodology, including statistical research and presentation methods and techniques.

Techniques and practices for composing reports and correspondence.

Practices and procedures of office management, basic business data processing principles, and the use of word processing and other business software and personal computer equipment.

Skill in:

Planning, assigning, leading and reviewing the work of others.

Performing accurate and timely payroll calculations and transactions.

Training others in work procedures.

Applying the principles and practices of public payroll administration.

Analyzing, researching, interpreting, evaluating, summarizing, and explaining policies, procedures, laws, rules, regulations, statistical data, and other written materials.

Analyzing situations, evaluating alternatives, and recommending effective courses of action.

Developing and implementing assigned projects and programs, assembling and analyzing data and preparing reports without detailed instructions.

Effective oral and written communication with people at all levels of the organization.

Maintaining required confidentiality in carrying out assignments, studies, and projects.

Maintaining effective performance under stressful conditions such as meeting deadlines while handling multiple projects.

Establishing and maintaining effective working relationships with those contacted in the course of the work.

Critical thinking and problem solving.

Working as part of a team and exercising sound independent judgment.

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 accounting, finance, public or business administration, or a closely related field, and four years of payroll processing experience, preferably in the public sector.

Substitution: Relevant experience may substitute for education on a year-for-year basis, up to two years.

PHYSICAL DEMANDS & WORKING CONDITIONS:

Physical Demands:

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. This is primarily a sedentary office classification although standing in work areas and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard, typewriter keyboard, or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 25 pounds.

Working Conditions:

Incumbents perform work in an office setting with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Authorization for Collection of Salary Overpayments

RECOMMENDED ACTION

Recommend the Board of Directors consider approving a resolution to grant the Executive Officer/Air Pollution Control Officer authorization to conduct analyses and enter into agreements to recover salary overpayments.

BACKGROUND

On December 1, 2021, the Board of Directors approved the execution of a three-year contract with Sjoberg Evashenk for management performance audit services. On November 2, 2022, Sjoberg Evashenk delivered an Audit Report to the Board of Directors detailing recommendations regarding the Air District's human resources functions.

Recommendation 1.3 of the Audit Report called for Air District management to conduct an analysis regarding the potential for recovering excess acting pay provided to employees in conflict with the Administrative Code.

DISCUSSION

If approved, this resolution would provide the Executive Officer/APCO the authority to conduct required analyses that consider fairness and equity, fiscal prudence and the benefits and risks of potential litigation to determine whether to seek recovery of payments. If payment recovery is warranted, the Executive Officer/APCO would be authorized to enter into agreements with current and/or former employees for the recovery of overpaid acting salaries that were previously provided to employees in conflict with the Air District's Administrative Code.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Overpayments contemplated under this resolution were part of previous years' budgets.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: John Chiladakis

ATTACHMENTS:

1. Draft Resolution Authorizing Collection of Salary Overpayments

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION NO.

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT AUTHORIZING COLLECTION OF SALARY OVERPAYMENTS

WHEREAS, the Bay Area Air Quality Management District (BAAQMD) is charged with the oversight of the District's personnel and salary administration; and

WHEREAS, after audit and investigation in 2022, it was determined that in 2021 and 2022 several District employees were provided over payments in base salary compensation for a variety of reasons without compliance with the Administrative Code; and

WHEREAS, the amounts at issue vary and may be de minimus; and

WHEREAS the Board of Directors is interested in finalizing the resolution of these overpayments in a manner that considers fairness and equity, fiscal prudence, and the benefits and risk of potential litigation;

THEREFORE BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District Board hereby:

1. authorizes the Executive Officer/Air Pollution Control Officer to conduct an analysis into the various circumstances and determine whether to seek recovery of the overpayments.
2. authorizes the Executive Officer/Air Pollution Control Officer, in his discretion, to enter into agreements with current and/or former employees to recover the overpayments.

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 7th day of JUNE 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John J. Bauters
Chair of the Board of Directors

ATTEST:

Lynda Hopkins
Secretary of the Board of Directors

DRAFT

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Report of the Stationary Source and Climate Impacts Committee Meeting of May 10,
2023

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

None.

DISCUSSION

The Stationary Source and Climate Impacts Committee met on Wednesday, May 10, 2023, and approved the minutes of April 12, 2023.

The Committee then reviewed and discussed the staff presentation *Prescribed Burning in the Bay Area*.

The Committee then reviewed and discussed the staff presentation *Overview of Air District Legal Authorities*.

The next meeting of this committee will be on Wednesday, June 14, 2023, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will also be webcast for members of the public. This concludes the report of the Stationary Source and Climate Impacts Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Stationary Source and Climate Impacts May 10, 2023 Meeting Memorandums

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Lynda Hopkins and Members
of the Stationary Source and Climate Impacts Committee

From: Philip M. Fine
Executive Officer/APCO

Date: May 10, 2023

Re: Prescribed Burning in the Bay Area

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Outdoor fires, also known as open burning, produce particulate matter in the air we breathe in the Bay Area. To minimize the impact on public health, Air District Regulation 5 prohibits open burning. However, there are 17 types of fires that are conditionally allowed on designated permissive burn days and during predetermined permissive burn periods for the specific fire types. Permissive burn days are days when weather conditions are favorable for smoke dispersion. The allowable fires are primarily agricultural burns; however, there are several non-agricultural fire types.

One allowable fire type is “prescribed burning,” which is the planned, controlled application of fire to vegetation to achieve specific natural resource management objectives, including wildfire prevention and ensuring fire safety. Prescribed burns are designed to burn less intensely than wildfires and are ignited amid controlled conditions to minimize potential smoke impacts.

Any person seeking to conduct prescribed burning must submit a smoke management plan and receive written approval from the Air District. Regulation 5 requires the plan to include a smoke management prescription, which includes measurable criteria when a prescribed burn may be ignited. Prescription criteria may include, but are not limited to, procedures to minimize smoke impacts, as well as safety, economic, public health, environmental, geographic, administrative, social or legal considerations. The Air District reviews smoke management plans to ensure prescribed burns are conducted during specific meteorological conditions that achieve favorable smoke dispersion and reduce impacts to surrounding communities. Prior to ignition, the burner must request a burn allocation from the Air District. The Air District reviews these requests and determines the approvability of the burn allocation.

DISCUSSION

Staff will present an overview of prescribed burning in the Bay Area. The presentation will include background information on Regulation 5 and prescribed burning, the smoke management plan process, historical trends in prescribed burning, and recent program enhancements.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Patrick Wenzinger
Reviewed by: John Marvin and Charley Knoderer

STATIONARY SOURCE AND
CLIMATE IMPACTS COMMITTEE
MEETING OF 05/10/2023

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Lynda Hopkins and Members
of the Stationary Source and Climate Impacts Committee

From: Philip M. Fine
Executive Officer/APCO

Date: May 10, 2023

Re: Air District Legal Authorities for Regulating Air Pollution

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area Air Quality Management District is the governmental entity vested with primary responsibility for controlling air pollution from stationary sources within the nine-county San Francisco Bay Area, for enforcing laws relating to air pollution, and for maintaining healthy air quality and protecting the global climate. The Air District adopts its own regulations, and it also implements and enforces state and federal legal mandates within the Bay Area region.

DISCUSSION

District Counsel Alexander "Sandy" Crockett will provide the Committee and the public with an overview of the Air District's legal authorities for regulating air pollution within the San Francisco Bay Area.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Alexander Crockett

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Report of the Community Equity, Health, and Justice Committee Meeting of May 17,
2023

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

None.

DISCUSSION

The Community Equity, Health & Justice Committee met on Wednesday, May 17, 2023, and approved the minutes of April 19, 2023.

The Committee then received the presentation *Brightline's Air Quality Monitoring Program*, given by Cecilia Mejia, Air District Community Advisory Council member and Program Coordinator for Brightline Defense. Ms. Mejia provided an update on the expansion of the Brightline Air Quality Monitoring Program and Brightline Defense's accomplishments with the James Cary Smith Grant Program.

The Committee then received the presentation *Bay Area Air Pollution Health Risk Assessment: Translating data to action in partnership with West Oakland Environmental Indicators Project*, given by Dr. Maria Harris of the Environmental Defense Fund, regarding a study showing disproportionate health impacts on overburdened communities from air pollution.

The next meeting of the Community Equity, Health & Justice Committee will be Wednesday, June 21, 2023, at 1:00 p.m., at 375 Beale Street, San Francisco, CA, 94105. The meeting will also be webcast for members of the public. This concludes the Chair Report of the Community Equity, Health & Justice Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Community Equity, Health, and Justice Committee May 17, 2023 Meeting Memorandums

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Community Equity, Health and Justice Committee

From: Philip M. Fine
Executive Officer/APCO

Date: May 17, 2023

Re: Community Perspective

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Community Equity, Health and Justice Committee provides local and regional community environmental justice advocates and local leaders a platform to present and share their expertise and/or lived experiences. Specific subjects/topics will vary based upon each community perspective member's unique experience.

Brightline Defense is an environmental justice non-profit organization that works to empower communities and create sustainable environments. Its work includes public policy advocacy, environmental justice advocacy, ensuring job creation and retention, and advocating for the development of fair, affordable, and sustainable housing. The Brightline Defense team is composed of legal experts, policy advocates, communication specialists, community organizers, volunteers, and a board of directors committed to the empowerment of traditionally under-served communities in local neighborhoods, the San Francisco Bay Area, and beyond.

DISCUSSION

Cecilia Mejia, Brightline's Program Manager, and Air District Community Advisory Council Member, will provide an update on Brightline's continued and expanded work in air quality, community engagement, and capacity building with San Francisco's frontline communities. Cecilia Mejia coordinates Brightline's community-based programs like the Construction Sector Bridge Program and Air Quality Monitoring Program with diverse communities, other nonprofits and government stakeholders to educate and empower frontline communities in San Francisco. Cecilia is interested in the intersection of environmental justice and gender in urban environments as well as equitable environmental restoration. She previously served on the San Francisco Environmental Justice Working Group to create an environmental justice framework for future policy development in the Bay Area. She currently serves as a Council Member on the Bay Area Air Quality Management District Community

Advisory Council provide guidance on key community-related matters and initiatives with the Board of Directors and the Executive Officer. Cecilia has received a BS in Conservation and Resources Studies from the University of California, Berkeley.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Tim Williams
Reviewed by: Veronica Eady

COMMUNITY EQUITY, HEALTH, AND
JUSTICE COMMITTEE MEETING
OF MAY 17, 2023

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Community Equity, Health and Justice Committee

From: Philip M. Fine
Executive Officer/APCO

Date: May 17, 2023

Re: Overview of Environmental Defense Fund Report: Assessing the Distribution of Air
Pollution Health Risks within Cities

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Environmental Defense Fund (EDF) and George Washington University have studied the health impacts of traffic-related air pollution. This health impact study highlights the cumulative impacts of pollution and health disparities in disproportionately impacted communities. The study used air pollution data from street-level monitoring and satellites combined with local population and health information. The study found that neighborhoods with higher percentages of people of color have higher mortality rates and, on average, double the rate of pollution-related childhood asthma compared to predominantly white neighborhoods.

Air pollution health impacts on communities is also influenced by underlying health disparities. EDF's health impact study includes information about existing health conditions and population distribution, along with air pollution concentrations to estimate impacts. This research shows how pollution can contribute to health disparities, as it disproportionately impacts neighborhoods burdened by existing health conditions.

EDF has worked with community and research partners to perform this study, focusing on Alameda County.

DISCUSSION

The Committee will hear a presentation on the research work from Environmental Defense Fund and George Washington University titled “Assessing the Distribution of Air Pollution Health Risks within Cities: A Neighborhood-Scale Analysis Leveraging High-Resolution Data Sets in the Bay Area, California.”

Maria Harris an Environmental Epidemiologist at Environmental Defense Fund will make the presentation on their research, along with their community partners, West Oakland Environmental Indicators Project.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Judith Cutino
Reviewed by: Greg Nudd

COMMUNITY EQUITY, HEALTH, AND
JUSTICE COMMITTEE MEETING
OF MAY 17, 2023

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Report of the Community Advisory Council meeting of May 18, 2023

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

None.

DISCUSSION

The Air District’s Community Advisory Council (Council) met on May 18, 2023 and approved the Minutes of March 16, 2023. This meeting was conducted under procedures authorized by Assembly Bill 2449 (Rubio 2022). Members of the Council participated in person; one member had “just cause” to participate remotely under Section 54953(e)(2)(A)(1) of the Brown Act, and participated remotely by Zoom in accordance with that provision.

The Council then received the presentation *Vote on the Revisions to the Community Advisory Council Charter*, given by Council Member William Goodwin. Council Member Goodwin explained the development of the Charter: Draft Charter was first presented to the Council on January 19, 2023; the Council had the opportunity to submit edits to the Draft Charter by February 10, 2023; an updated version of the Draft Charter, incorporating Council Members’ suggested revisions, was presented to the Council on March 16, 2023, at which time, Council Members suggested additional revisions to the Draft Charter and approved the Draft Charter, recommending the Air District’s Community, Equity, Health and Justice Committee approve it and recommend it to the Board for final approval; and after March 16, 2023, the Council’s Co-Chairpersons proposed additional revisions to the Draft Charter based on input from Board leadership). The Council voted to **approve** the latest round of proposed revisions to the Draft Community Advisory Council Charter, submitted by the Council’s Co-Chairpersons after March 16, 2023, and **recommends** that the Community Equity, Health and Justice Committee recommend the proposed Draft Charter to the Board of Directors for final approval.

The Council then received the staff presentation *Transportation Fund for Clean Air County Program Manager Fund*.

The Council then received the staff presentation *Introduction to Air District Rule Development*.

In the interest of time, it was decided that Item 7, “Work Plan Ad Hoc Committee Update”, and Item 8, “Environmental Justice Policy Ad Hoc Committee Update”, were to be submitted via email to the Council Members.

The next meeting of the Community Advisory Council will be held on Thursday, July 20, 2023, at 6:00 p.m., at 375 Beale Street, San Francisco, California, 94105. This meeting will also be webcast for members of the public. This concludes the Summary Report of the Community Advisory Council.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M.Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

- 1. Community Advisory Council May 18, 2023 Meeting Memorandums

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington and Members of the Community Advisory Council

From: Philip M. Fine
Executive Officer/APCO

Date: May 18, 2023

Re: Vote on the Revisions to the Community Advisory Council Charter

RECOMMENDED ACTION

Vote on the new revisions and to recommend the Community Advisory Council (CAC) Charter to the Community, Equity, Health and Justice Committee and to the Board of Directors for approval.

BACKGROUND

The Draft Charter was presented to the CAC during the January 19, 2023 CAC Meeting. The CAC members had the opportunity to submit edits to the Draft Charter by February 10, 2023. The Governance Committee updated the Charter with changes provided by the CAC members before the deadline. The final version of the Charter was presented at the March 16, 2023 CAC meeting. During the March 16, 2023 CAC Meeting, CAC members provided a few edits to the Charter and approved recommending the CAC Charter to the Air District's Community, Equity, Health and Justice Committee. Since the March 16, 2023 Meeting, Air District Board of Directors and the CAC proposed additional revisions to the CAC Charter.

This is an action item for the CAC to vote on the additional proposed revisions to the CAC Charter.

DISCUSSION

On April 26, 2023, the CAC Co-Chairs met with the Governance Ad Hoc Committee to discuss the proposed revisions to the CAC and jointly agreed to bring back the updated Charter for consideration during the May 18, 2023, CAC meeting. The proposed revisions are captured in several sections, including; Goals, Leadership, Composition of the CAC, Appointment of Members, Meeting of the CAC Members with the Air District, Meeting of the Ad Hocs, Current Agenda Setting Process. The proposed revisions are included in track changes in the attached document.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Lisa Flores and Miriam Torres
Reviewed by: Veronica Eady

ATTACHMENTS:

1. CAC Charter May 18 2023 - Redlined Version
2. CAC Charter May 18 2023 - Clean Version

COMMUNITY ADVISORY COUNCIL
MEETING OF 05/18/2023

Community Advisory Council Charter

1.1 Purpose

The Bay Area Air Quality Management District (Air District) Board of Directors approved the formation of the Community Advisory Council (CAC) on Nov. 17, 2021. The Community Equity, Health, and Justice Committee (CEHJ) of the Air District selected the slate of candidates and recommended establishing the CAC on Nov. 4, 2021. The purpose of the CAC is to use environmental justice principles to provide guidance to the Board of Directors on programs and policies that impact overburdened communities within the Air District's jurisdiction to ensure the fair treatment of all persons living in those communities. The CAC will use environmental justice principles to identify and inform planning and decision making with the goal of mitigating and remedying projected disproportionate impacts of air pollution exposures and reducing health risks and inequities associated with poor air quality for people who live, work, and play in already vulnerable and historically marginalized, [overburdened communities](#). The CAC will aim to meaningfully engage impacted communities to represent and address stakeholders' interests. The CAC advises Air District leadership on community-related matters to advance an equity-forward policy agenda.

Definitions:

- Environmental justice: The State of California defines **environmental justice** as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (California Government Code §65040.12(e).) According to the U.S. Environmental Protection Agency “**fair treatment**” means “no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).
- Overburdened community: an area located within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or within 1,000 feet of any such census tract.¹

¹ Bay Area Air Quality Management District, *Regulation 2, Permits, Rule 1, Section 2-1-243*.
<https://www.baaqmd.gov/~/media/dotgov/files/rules/reg-2-permits/2021->

- Meaningfully engage: Meaningfully involving impacted communities is essential to addressing environmental justice. According to the U.S. Environmental Protection Agency, *meaningful involvement* means “(1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) community concerns will be considered in the decision-making process; and (4) decision makers will seek out and facilitate the involvement of those potentially affected.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).

The CAC will utilize the [17 Principles of Environmental Justice](#) and [Jemez Principles for Democratic Organizing](#), which are both available on the Air District website and hereinafter incorporated by reference in Appendix A.

1.2 Mission Statement

The CAC believes in protecting the fundamental right to clean air for all communities. We aim to provide access to meaningful community engagement and bring community priorities into focus at the Air District. We are committed to democratic decision making and achieving equitable solutions to the impacts of air pollution and the polluting economy. We prioritize solutions that can be applied to more than one community. We are dedicated to eliminating pollution threats both upstream and downstream, standing in solidarity, sharing power and resources, and listening to and amplifying voices from communities that are the most impacted and overburdened.

1.2.1 Goals

The goals of the CAC are as follows:

- To provide representation on behalf of [all communities, including](#) overburdened communities to the Air District Board of Directors.
- To serve as a liaison between the community and the Air District Board of Directors and staff to influence decisions, policies, procedures, and processes to ensure equity, inclusion, civil rights, and environmental justice.

1.2.2 Guiding Principles

CAC members will provide independent and objective advice and be committed to the following principles:

- a. Laying a solid foundation for successful, future CAC members and ensuring long-term sustainability of the CAC's commitment to environmental justice.

- b. Elevating voices and advocating for communities who are not currently being represented or heard.
- c. Building a deep, authentic, and mutually accountable relationship among CAC members.
- d. Helping CAC members value, actualize, and institutionalize environmental justice principles throughout all CAC practices.
- e. Being recognized as partners in the fight to define how we mitigate the impacts of climate change and air pollution exposure to reduce health risks and inequities associated with poor air quality.
- f. Using influence, expertise, and privilege to protect our communities.
- g. Identifying gaps in underrepresented, community-led² decision making, and avenues for well-compensated opportunities for people in the Black, Indigenous, and People of Color (BIPOC) communities.
- h. Striving to include cultural competence.
- i. Acknowledging that one methodology does not apply to all communities and seeking to address the conditions in each community as needed. Utilizing and applying resources and tools based on those differences.
- j. Maintaining impartiality, fairness, and respect for all CAC members and the communities we represent.

1.2.3 Civility

The members of the CAC promote authentic respect for others and strive to see common ground in order to produce our best work for the CAC and the communities that we represent. We are committed to a conscious demonstration of mutual respect — for people, their roles, and their knowledge and expertise. We seek to create a safe environment where diverse viewpoints will be heard and considered. To that end, members of the CAC will act with respect and civility when interacting with each other, the Air District Board of Directors, staff, and members of the public.

Behavior which violates the CAC’s commitment to respect and civility includes, but is not limited to, yelling, cursing, interrupting, humiliating, threatening, and all forms of harassment.

Any violations of this provision will be handled as stated in the Conflict Resolution section below.

1.2.4 Conflict Resolution

In the event that a conflict or behavior arises that violates the CAC’s commitment to respect and civility between CAC members and/or between CAC members and Air District staff, regarding CAC matters:

² Underrepresented community-led: *Underrepresented community* is used to describe those who have been historically and are still systematically excluded from political and policy-making processes, which includes many disadvantaged and vulnerable communities.

Step 1: CAC members agree to work in a collaborative fashion and strive for consensus on the issues before they are brought to the CAC.

Step 2: In the event of an impasse or conflict that continues or becomes an official complaint (sent via email to the Co-Chairs and CAC team staff serving as the in-house mediators), the Co-Chairs and CAC Team Staff shall work with the members in conflict first as in-house mediators.

Step 3: If there continues to be an impasse between CAC Members and/or between CAC Members and Air District staff, those concerned will work with the APCO to reach an agreement.

Step 4: If agreement or resolution cannot be reached with staff or the APCO, a mutually agreed upon third-party mediator will be utilized to resolve the conflict and provide a recommended action to the Board.

In the event of a conflict on agenda items, CAC members can agree to postpone the action or agenda item for discussion until the next meeting, from the date the issue arises, to allow for the Co-Chairs and CAC team staff to help resolve the issue. If during the meeting the facilitator cannot help the CAC reach an agreement, then the action or agenda item in question will not proceed.

Individual members cannot be compelled to participate in any action to which they do not agree. Individual members may abstain from participation in a decision when they believe it would be inappropriate for them to participate in that action or decision.

1.3 Leadership

In 2022, the CAC approved a three Co-Chair model. The leadership model may be amended based on needs expressed by the CAC and approved by the board, -but shall be no more than three Co-Chairs at a time.

Commented [A1]: Text edited during 3/16 CAC Meeting by majority vote is highlighted in grey.

1.3.1 Duties of Leadership

- a. The Co-Chairs shall preside over bi-monthly meetings of the CAC in rotation.
 - I. Presiding over a meeting requires a Co-Chair to open, manage, and adjourn meetings, and to adjust the set order of speakers in collaboration with the facilitator and Air District staff.
 - II. In the event the Co-Chair scheduled to preside over the meeting is absent or unable to perform their duties, the Co-Chair scheduled to preside next shall preside over the meeting and perform all chair duties.

- b. The Co-Chairs shall oversee the preparation and distribution of the agenda and materials for the CAC meetings.
- c. The Co-Chairs shall work with Air District staff and the CAC meeting facilitator to plan, structure, and coordinate CAC meetings.
- d. The Co-Chairs shall attend and provide updates to the Air District Board of Directors as needed and/or requested and interact with the Air District Board of Directors in representation of overburdened communities within the nine Bay Area counties, and on behalf of the CAC members.
- e. The Co-Chairs shall oversee activities of the ad hoc committees.
- f. The Co-Chairs shall perform all other necessary and incidental duties as prescribed by the CAC Charter.
- g. The Co-Chairs shall communicate with each other, divide work, and share information and updates in a timely manner.
- h. The Co-Chairs shall address conflict within the CAC membership and leadership.
- i. The Co-Chairs shall ensure that CAC decisions are made in a democratic, equitable, and timely manner.
- j. The Co-Chairs shall represent the CAC at the Budget Committee and provide feedback on the Air District's budget.
- k. The Co-Chairs shall work with Air District staff to define and oversee the CAC's annual budget.
- l. The Co-Chairs shall understand and adhere to the Brown Act and Robert's Rules of Order.

1.3.2 Leadership (Co-Chairs) Terms of Office

~~Leadership shall hold office for two (2) years. When more than two (2) Co-Chairs are selected, the terms of office shall be staggered as set forth below.~~

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1.3.3 Terms of Leadership

~~In the event that the CAC selects three (3) Co-Chairs, two (2) Co-Chairs shall be appointed for two (2) years, and one (1) Co-Chair shall be appointed for one year. The names will be randomly chosen by Air District Staff to determine which position shall be in the term of two (2) years and which position is appointed for one (1) year.~~

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Leadership is appointed for a two (2) year ~~or one (1) year~~ term and no member may serve for more than two, 2-year terms consecutively.

1.3.4 Election of Leadership (Co-Chairs)

The inaugural leadership of three (3) Co-Chairs was elected at the second meeting of the CAC.

If a leadership position becomes vacant, that position must be filled within two meetings after the vacancy occurs. The leadership position shall be filled through a nomination, selection, and voting process. The process will be as follows:

- Members seeking a vacant leadership position shall submit an essay, which provides a summary of their background and outlines the reasons they seek the position. The full CAC shall be presented with the essays 72 hours in advance of the meeting in which the CAC will vote on each prospective candidate. The candidate receiving the majority of the votes will be selected to fill the vacant leadership position.

1.4 CAC Members

1.4.1 Composition of the CAC

The initial membership of the CAC, including Co-Chairs, shall be composed of seventeen (17) members who live or work in from overburdened communities in California, as follows:

- Four (4), Alameda County
- Four (4), Contra Costa County
- One (1), San Francisco County
- One (1), San Mateo County
- Two (2), Santa Clara County
- One (1), Solano County
- Two (2), at-large
- Two (2), youth

Youth are considered to be individuals between the ages of 14 and 24 at the beginning of their term.

Regarding at-large member seats, priority should be given to individuals living or working in Marin, Napa, or Sonoma counties or individuals with special expertise, such as wildfire management.

Also, diversity, equity, and inclusion on the CAC are highly valued.

1.4.2 Duties of Members

CAC members shall fully participate in bi-monthly meetings and be fully engaged during discussion. The CAC members shall also review materials prior to meetings and come prepared for engaged discussion, active listening, and respectful dialogue. Meeting preparation includes attending required trainings defined below and other trainings as planned by the Co-Chairs or suggested by the CAC. Further, CAC members shall perform all other duties as prescribed by this Charter.

All Members, except CAC leadership, are expected to join at least one ad hoc committee every year to ensure a balance of work for what the CAC has to accomplish, if their schedule allows. Council Members will vote during the first meeting on a time and day for a meeting that works best for the majority. Staff will provide an orientation of the expectations related to the CAC membership requirements.

1.4.2.1 Mandatory Annual Trainings

CAC members and leadership shall attend and participate in four (4) mandatory annual trainings as follows:

- **Brown Act Training:** The Brown Act is a California law that guarantees the public's right to attend and participate in meetings of local legislative bodies.
- **Robert's Rules of Order Training:** Robert's Rules, widely known as parliamentary procedure, was developed to ensure that meetings are fair, efficient, democratic, and orderly.
- **Civility Training:** Civility is an essential aspect of every work environment to create and maintain a fair and professional culture. This civility training is designed to teach CAC members the norms of acceptable conduct and how to identify, prevent, and respond professionally to situations of incivility.
- **Team building and conflict resolution training.**

Additionally, CAC members shall complete an ethics training course within the first year of their term and are required to take follow-up training biannually.

1.4.2.2 Virtual, Hybrid, and In-Person Meetings

In 2022, the CAC attended meetings virtually. As of March 2023, the CAC will meet in person at a location within the nine-county Bay Area with a required quorum of 9 out of 17 members. CAC members may attend remotely under specific circumstances outlined in the Brown Act and AB 2449 and in the Attendance section of this document.

CAC members, and members of the public with disabilities, who need accommodations consistent with Section 504 of the Rehabilitation Act to have equal opportunities to participate in CAC meetings should contact Air District staff.

Reimbursements for travel are outlined in the CAC's Compensation Policy and Procedures.

1.4.3 Members Terms of Office

CAC Members apply or reapply for either a two-year term or a four-year term. CAC Members are limited to serving a total of eight (8) years. This will ensure that others have the opportunity to participate in the CAC and that there is continuity of County or institutional knowledge. The inaugural CAC will serve for four (4) years with the ability to reapply.

1.4.3.1 Appointment of Members

The CAC members are appointed by the Board of Directors. Vacancies are to be filled by the Board of Directors as described in the following process. ~~The CEHJ shall provide guidance on selection criteria and on prospective CAC members.~~ The CAC shall create a CAC Selection Ad Hoc Committee, which may include at least one CEHJ member or other Board member chosen by the Board Chair, to recommend a candidate or slate of candidates to the Community Equity, Health and Justice Committee (CEHJ), according to the guidance provided by the CEHJ. ~~The CEHJ shall appoint a liaison to provide Board recommendations on selection criteria and on prospective CAC members.~~ The candidates approved by the CEHJ Committee will be recommended ~~routed~~ to the Board of Directors for final approval.

The CAC Selection Ad Hoc will be tasked with developing criteria for the selection of candidates, according to the guidance developed by CEHJ. Priority should be given to individuals from Bay Area communities overburdened by air pollution, environmental justice communities, and/or those with a history of partnering with environmental justice communities.

1.5 Standing Committees and Ad Hoc Committees

Upon approval by a majority of its members, the CAC may form committees to advise the CAC on its ongoing functions. The committees shall be composed of members of the CAC. Committee members shall vote on committee leadership during the first meeting.

1.5.1 Standing Committees

A standing committee is considered a legislative body and is subject to Brown Act requirements of staffing support, if budget allows. A committee is considered “standing,” irrespective of its composition, if it has a continuing subject-matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.

1.5.2 Ad Hoc Committees

An ad hoc committee is an advisory committee composed of less than a quorum of members, which will serve for a limited term or single purpose. After the duties of the ad hoc committee are accomplished, and presented to and approved by the CAC, the ad hoc committee will be dissolved. The ad hoc committees will aim to complete their task(s) within six months of assignment.

Furthermore, ad hoc and standing committees shall follow the following guidelines:

1. Limitations: A CAC member cannot simultaneously participate on more than two ad hoc committees, although they can be placed as an alternate on a third committee. This will ensure that all CAC members have an equal opportunity to make their voices heard and exercise their skills and expertise.
2. Commitment: Once selected, CAC members must serve their full term on an ad hoc and/or standing committee. A CAC member cannot abandon their commitment to an ad hoc or standing committee to join another committee.
3. Accountability: Council Members with a track record that matches the attendance requirement set forth above for Ad Hocs or Standing Committees, will be placed as alternates if they wish to participate in another committee.
4. Priority: CAC members not participating on an ad hoc or standing committee will be given priority to serve on newly formed committees (i.e., ad hoc or standing). After which, CAC members currently participating in one (1) committee will be given preference. Lastly, CAC members serving on two (2) committees will be placed as alternates until one of their current ad hoc committees completes its assigned task and is dissolved.
5. Exceptions: The CAC may create an Ad Hoc Committee if an emergent topic or situation demands it, which may require exceptions that supersede the limitations and commitments outlined above. The emergency Ad Hoc Committee will remain active until the mission or task is accomplished.

1.5.2.1 Work Plan Ad Hoc Committee

The CAC will form a CAC Work Plan Ad Hoc Committee annually to set the CAC's work plan and schedule each year. The CAC Work Plan Ad Hoc Committee will identify several priority areas to adhere to and will establish appropriate criteria measures. CAC

Members, Community Members, Air District Staff, and the Air District Board will have the opportunity to recommend agenda items of potential relevance to the CAC for inclusion in the work plan. Once dissolved, CAC Co-Chairs are responsible for implementing the work plan and reserve the right to amend the work plan in an emergency or emergent situation, as defined in the *Setting Agendas* section on page 13.

1.5.2.2 Governance Ad Hoc Committee

In 2022, the CAC formed a CAC Governance Ad Hoc Committee to develop the CAC's governance agreement. The CAC hereby presents the CAC's Charter, which sets forth the mission, goals, scope, rules, and actions applicable to the CAC and CAC membership. Once the mission is accomplished, presented to and adopted by a quorum of the CAC, and approved by the Board of Directors, the Governance Ad Hoc Committee will be dissolved.

The CAC Governance Ad Hoc Committee may be reestablished with a new slate of CAC members to review, revise, and/or propose amendments. Any revisions to the existing charter shall be presented and discussed by the CAC and recommended for approval by the Air District Board of Directors.

1.6 Community Engagement

The CAC will aim to engage the community in the following ways:

- Bi-annual newsletter, which includes items that have been addressed, future meeting dates and agendas, success stories, and ways to engage with the CAC
- CAC web page
- CAC meetings
- Outreach events or workshops hosted by CAC members or the Air District
- Bi-monthly community meetings led by the Compliance and Enforcement Division of the Air District

1.7 Meetings

1.7.1 Facilitation of Meetings

An external professional meeting facilitator will be hired to assist the CAC with bimonthly CAC meetings, if budget allows. For 2022-2023, a facilitator was hired through a competitive process with participation of CAC members. The external facilitator works directly with the CAC leadership to plan and execute the meeting plan in consultation with Air District staff. The facilitator will keep the meetings on track with guidance from the Co-Chairs and will enforce the following meeting expectations and ground rules for CAC members:

- The first expectation is **preparation**: Come prepared for meetings and review all documents that the CAC will discuss.
- Second, is **communication and language**: Communicate with respect and be mindful of individual speaking time so that everyone has the opportunity to speak in meetings. Personal attacks will not be tolerated. Zoom meetings are publicly accessible, so CAC members are expected to conduct themselves accordingly.
- Third, is **distractions**: Avoid distractions and stay present. Active listening is imperative to ensure that members understand other people's viewpoints.
- Fourth, is **timing**: Respect time agreements and stay on topic.
- Finally, **facilitation**: The facilitator will intervene to keep the conversation on track and on time and will remind members of these ground rules as necessary.

The facilitator will have limited authority to open the meetings, convey the agenda item(s), confirm the meeting has quorum after the clerk takes roll call, facilitate the flow of meetings in accordance with the Brown Act and Robert's Rules of Order, maintain order, and defer to the Air District legal representative or staff if needed.

Air District staff will facilitate ad hoc committee meetings, Co-Chair meetings, and other meetings as needed. CAC members, staff, or the Co-Chairs may identify the need for facilitator or contractor support for any CAC meeting, if budget allows.

1.7.2 Regular Meetings

Regular meetings of the CAC are held on the third Thursday of every other month at 6:00 ~~p.m.~~ PT. All meetings will be held in accordance with the Brown Act. Meeting schedule is subject to change, if necessary.

1.7.3 Special Meetings

A majority of Co-Chairs or a majority of the CAC members may call special meetings, following the noticing guidelines set forth in the Brown Act.

1.7.4 Notice of Meetings

Meeting agendas and notices must be posted at the meeting site and on the Air District website in compliance with all applicable laws, including but not limited to the Ralph M. Brown Act. (Government Code Section 54950 et seq.)

Agendas and notices shall be emailed to each CAC member and any person who submits a written request to the Air District for such notice.

1.7.5 Adjournment or Cancellation of Meetings

The presiding Co-Chair or Air District staff may adjourn or cancel a meeting if a quorum will not be present or if the meeting date conflicts with a holiday. Notices of adjournment or cancellation shall be emailed to CAC members and posted at the meeting site and on the Air District [website](#).

1.7.6 Meetings of CAC Members with the Air District

CAC members that meet with Air District staff or Board of Directors, on behalf of the CAC, should inform the CAC Co-Chairs of the discussion within 72 hours of the date the meeting is held.

Action items directed to CAC leadership from CEHJ Committee or Board leadership, the CEHJ Committee, or the Board of Directors should be communicated to CAC leadership within 72 hours via memo.

~~CAC members that meet with Air District staff or Board on behalf of the CAC should report to CAC Leadership meetings. Staff should be notified 48 hours prior to the meeting to request a meeting with the Co-Chairs.~~

1.7.7 Meetings of the Ad Hoc

Ad Hoc Committee Chairs are expected to provide a monthly verbal report-out on the progress of the Ad Hoc Committees to CAC leadership. Report-outs should be a brief summary.

~~Chairs are expected to do a monthly verbal report-out on the progress of the Ad Hocs with CAC leadership. Report-outs should be a brief summary no longer than 5 minutes; no details of the meeting should be provided. Staff should be notified 48 hours prior to the meeting to request a meeting with the Co-Chairs. It is up to the discretion of the Co-Chairs whether to require to accept the verbal report-out during the requested meeting.~~

1.7.8 Quorum Requirements

Effective March 1, 2023, 50% plus one of CAC members (or 9 out of 17 members in 2022-2023) must be present in person to constitute a quorum and for voting to be conducted.

1.7.8.1 Action at a Meeting; Quorum and Required Vote

A quorum is required to take any official action beyond roll call and adjournment. The affirmative vote of a majority of the members of the CAC shall be required for the

approval of all substantive matters. Agenda items that require no action may still be presented and discussed without a quorum.

1.7.8.2 Voting and Abstention

CAC meetings will be conducted in compliance with the Brown Act (Government Code Section 54950 et seq.), Robert's Rules of Order, CAC Charter, and state and local laws. Participation and voting are based on Brown Act requirements and current legislation. Staff will provide an updated summary of any changes as required by law.

1.7.8.3 Conduct of Meetings

(a) All meetings shall be governed by the Ralph M. Brown Act (Government Code Section 54950 et seq.), the CAC Charter, and Robert's Rules of Order for decorum and parliamentary procedure.

(b) Cell phones shall be turned off during all CAC meetings.

(c) The Co-Chairs may issue a warning to any member of the public who is disruptive during CAC meetings. In the event of repeated disruption of any kind, the Co-Chairs shall direct the offending member of the public to leave the meeting. If the meeting is disrupted by *any* member of the public, we hold the right to remove the individual from the meeting with the assistance of security or by muting and turning off the camera of that individual.

(d) The chat feature will be unavailable for the full duration of Zoom meetings due to accessibility limitations.

1.8 Agenda Items

1.8.1 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 will have three minutes each to address the CAC. Members of the public who wish to speak on non-agenda items, will have three minutes to address the CAC. Members of the public who are speaking through an interpreter will have six minutes to address the CAC. All meetings will have a rebuttal period that allows an additional one (1) minute to any member of the public who would like to provide a rebuttal.

1.8.2 Setting Agendas

Air District staff, at the direction of the Co-Chairs, will prepare and distribute the agenda and materials for CAC meetings.

1.8.2.1 Current Agenda Setting Process:

1. A CAC member and/or member of the public may propose agenda item(s) during a CAC meeting or via email to staff.
2. Staff will track proposed agenda items and bring them to the Work Plan Ad Hoc Committee (when constituted) and the Co-Chairs.
3. The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc Committee once adopted by the CAC membership approve the items for the upcoming agenda.
4. Staff will identify presenters and draft presentation and memo (materials).
5. Staff will work with the CAC member(s) who requested the agenda item(s) to create materials as needed.
6. Staff will finalize materials.
7. Staff will send materials to Co-Chairs and the CAC member(s) who requested the agenda item for final approval.
8. Staff will update materials with final edits.
9. Executive staff will review materials.
10. Executive staff will provide edits, if needed.
11. Executive staff will route the materials for public distribution.

The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc once adopted by the CAC membership. The Co-Chairs, Staff, CAC Members or the public can make requests for new topics not included in the work plan. The Public can make requests for agenda items at CAC meetings during the Public Comment on Non-Agenda Items or by emailing staff at communityadvisorycouncil@baaqmd.gov. New additions to the work plan must be approved by majority vote of the CAC.

The Co-Chairs can amend the work plan, as needed when an emergency or emergent issue requires it. An emergency is defined as an event that impacts the health and safety of the community (i.e., flaring). An emergent issue is considered emergent if it is new and immediate action from the CAC is required (i.e., funding opportunity, legislative issue). The current work plan must be included in the materials of every CAC meeting. Changes must be noted when made.

Also, the CEHJ or Board may require advice or recommendations of the CAC on a particular matter or issue (refer to the process outlined in 1.7.6).

1.9 Conflict of Interest Policy

Conflict of interest laws prohibit CAC members or immediate family from benefiting financially from their relationship with the Air District by way of the CAC. Any CAC member, or immediate family members of CAC members, who would directly benefit financially from a contract, must recuse themselves and not be present during a vote to avoid influencing other CAC members.

1.10 Meeting Minutes

Minutes shall be taken at all regular and special CAC meetings and shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et seq.) and the CAC Charter. Minutes shall be approved by the majority vote of CAC members in accordance with applicable statutes.

1.11 Land Acknowledgement

The CAC recognizes that California Native American and other communities have also faced many environmental injustices and social inequities. These issues are hereby acknowledged as part of the CAC Charter. The following CAC Land Acknowledgement will be included in all CAC meeting agendas and is available on the [CAC web page](#).

We begin by acknowledging that this land is unceded Indigenous land. The territories, or counties we represent, are of the Indigenous people. To acknowledge this history of our country — that this nation was built on genocide, the exclusion and erasure of Indigenous people — grounds our work in truth. We also acknowledge that our modern global economy was founded on the free and forced labor of enslaved Black people. And that exploited labor continuously perpetuates itself in disadvantaged communities of color, as we see in the treatment of farm workers, immigrant workers, prison labor and domestic workers. This practice of land acknowledgment calls on us to recognize our violent history that is the foundation of white supremacy, and to recognize the longstanding and ongoing resistance of People of Color to dehumanization, repression and homicide. And that the brilliance and leadership of People of Color in resistance, vision, wisdom and love be honored and recognized as we work to dismantle ongoing legacies of settler colonialism and anti-blackness.

The [Air District website](#) will be updated in preparation for each CAC meeting with materials for discussion and, after each meeting, with meeting summaries, presentations, background materials, requested information, and meeting recordings.

1.12 Dissemination of Materials

All documents, materials, and correspondence produced by or submitted to the CAC, CAC staff, or facilitator are considered public information and subject to the California Public Records Act regulations and procedures for disclosure and transparency. Information related to the operations of the CAC will be made available to the public as requested.

1.13 Public Meetings

All CAC meetings will be noticed and open to the public in accordance with the Brown Act.

1.14 Attendance

The CAC requires the active participation and attendance by members of at least 75% of all meetings during every year served. This applies to Co-Chair meetings, committee meetings, and attendance at meetings of the full CAC. CAC members will inform staff and CAC leadership of any potential absences. As of March 1, 2023, per AB 2449 teleconferencing requirements, members remotely joining CAC meetings that require a quorum must have a "just cause" or an emergency excuse approved by a majority of the CAC in order to participate and vote. CAC members joining CAC meetings remotely without a just cause or approved emergency excuse will not be able to vote and therefore will not be counted present in the meeting.

1.14.1 Absenteeism: CAC Meetings

CAC members are allowed to miss three (3) meetings in one calendar year. Continued absenteeism from CAC Meetings constitutes voluntary abandonment. After two (2) CAC meetings have been missed, staff will send a courtesy letter reminding the absent member of the attendance requirements of the CAC and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs of absent members. Staff will inform a member that they have lost their seat on the CAC after three meetings are missed. Vacant seats on the CAC will be filled as described in the Appointment section on page 8 of this document.

1.14.2 Absenteeism: Co-Chair Meetings

Co-Chair meetings occur every week up to four hours per month.

Co-Chairs are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from Co-Chair meetings constitutes voluntary abandonment. After two (2) Co-Chair meetings have been missed, staff will send a courtesy letter reminding the absent Co-Chair of the attendance requirements of the Co-Chairs and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs and the CAC of absent Co-Chairs. Staff will inform a Co-Chair

that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around the holidays.

Any vacant Co-Chair appointment shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.14.3 Absenteeism: Ad Hoc Meetings

Ad hoc meetings will generally occur every other week (biweekly).

Ad hoc committee members are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from ad hoc meetings constitutes voluntary abandonment. After two (2) ad hoc meetings have been missed, staff will send a courtesy letter reminding the absent ad hoc member of the attendance requirements of ad hoc members and warning them that they are at risk of losing their seat. Staff will be responsible for informing CAC members of absent members. Staff will inform CAC members that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around holidays.

Any vacant appointment of an Ad-Hoc Committee shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.15 Amendment of CAC Charter

The CAC and the Board shall revisit the Charter to make requests for amendments in January of every odd-numbered year following the Board approval of the Charter. The CAC shall provide thirty (30) days' notice for public comment before adopting any amendments to the CAC Charter.

The Community, Equity, Health and Justice Committee and the Board of Directors must approve the Charter before any changes can take effect.

1.16 Compensation

Compensation for CAC Members will be subject to attendance and in accordance with the CAC's Compensation Policy and Procedures. The CAC and the Board shall revisit the Compensation Policy and Procedures to make requests for amendments during the first month of the year of every other year. Updates to the Policy shall include a revision based on cost-of-living increase.

Appendix A

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington, D.C., drafted and adopted these 17 principles of Environmental Justice. Since then, the principles have served as a defining document for the growing grassroots movement for environmental justice.

Environmental Justice Principles³:

- 1) **Environmental Justice** affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
- 2) **Environmental Justice** demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
- 3) **Environmental Justice** mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
- 4) **Environmental Justice** calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.
- 5) **Environmental Justice** affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
- 6) **Environmental Justice** demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
- 7) **Environmental Justice** demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.
- 8) **Environmental Justice** affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
- 9) **Environmental Justice** protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

³ Principles of Environmental Justice, <https://www.ejnet.org/ej/principles.html>. Accessed December 19, 2022.

10) **Environmental Justice** considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.

11) **Environmental Justice** must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12) **Environmental Justice** affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.

13) **Environmental Justice** calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14) **Environmental Justice** opposes the destructive operations of multinational corporations.

15) **Environmental Justice** opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16) **Environmental Justice** calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17) **Environmental Justice** requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

Jemez Principles⁴:

1. Be Inclusive
2. Emphasis on Bottom-Up Organizing
3. Let People Speak for Themselves
4. Work Together In Solidarity and Mutuality
5. Build Just Relationships Among Ourselves
6. Commitment to Self-Transformation

⁴ Sierra Club. *Jemez Principles*. <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/grand-canyon-chapter/misc-pdf/Jemez%20Principles%20Poster.pdf>. Accessed December 19, 2022.

Appendix B

The CAC Charter was developed using information from various sources, including:

Bay Area Air Quality Management District. *Regulation 2, Permits, Rule 1, Section 2-1-243*.
<https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

California Air Resources Board. *Partnering Agreement-West Oakland Toxic Reduction Collaborative*.
(2018, February 14). https://ww2.arb.ca.gov/sites/default/files/2020-04/collaborative_partnering_agreement_west_oakland_acc.pdf. Accessed January 3, 2023.

City and County of San Francisco: *Power Plan Task Force By Laws*.
https://sfqov.org/sfc/pppcatf/index_162_2134.html?page=162. Accessed January 3, 2023

Metropolitan Transportation Commission. *Metropolitan Transportation Commission Resolution No. 3931*. (2009, November 18). https://mtc.ca.gov/sites/default/files/documents/2022-01/RES-3931_approved.pdf. Accessed January 3, 2023.

Partnering Agreement-West Oakland Toxic Reduction Collaborative "Collaboration on Call."

San Francisco Bay Conservation and Development Commission. *Environmental Justice Advisors Charter*.
<https://bcdca.gov/ejwg/environmental-justice-advisors-charter.html>. Accessed January 3, 2023

San Francisco Bay Conservation and Development Commission. *San Francisco Bay Plan*.
https://www.bcdc.ca.gov/plans/sfbay_plan.html. Accessed January 3, 2023

The Bay Area Air Quality Management District. *The Path to Clean Air in the Richmond-North Richmond-San Pablo Area Community Steering Committee Charter and Participation Agreement*.
<https://www.baaqmd.gov/~media/files/ab617-community-health/richmond/ptca-charter-agreement-pdf.pdf?la=en>. Accessed January 3, 2023.

United States Environmental Protection Agency. *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. <https://19january2021snapshot.epa.gov/sites/static/files/2015-06/documents/considering-ej-in-rulemaking-guide-final.pdf>. Accessed January 3, 2023.

Community Advisory Council Charter

1.1 Purpose

The Bay Area Air Quality Management District (Air District) Board of Directors approved the formation of the Community Advisory Council (CAC) on Nov. 17, 2021. The Community Equity, Health, and Justice Committee (CEHJ) of the Air District selected the slate of candidates and recommended establishing the CAC on Nov. 4, 2021. The purpose of the CAC is to use environmental justice principles to provide guidance to the Board of Directors on programs and policies that impact overburdened communities within the Air District's jurisdiction to ensure the fair treatment of all persons living in those communities. The CAC will use environmental justice principles to identify and inform planning and decision making with the goal of mitigating and remedying projected disproportionate impacts of air pollution exposures and reducing health risks and inequities associated with poor air quality for people who live, work, and play in already vulnerable and historically marginalized, [overburdened communities](#). The CAC will aim to meaningfully engage impacted communities to represent and address stakeholders' interests. The CAC advises Air District leadership on community-related matters to advance an equity-forward policy agenda.

Definitions:

- Environmental justice: The State of California defines **environmental justice** as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (California Government Code §65040.12(e).) According to the U.S. Environmental Protection Agency “**fair treatment**” means “no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).
- Overburdened community: an area located within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or within 1,000 feet of any such census tract.¹

¹ Bay Area Air Quality Management District, *Regulation 2, Permits, Rule 1, Section 2-1-243*.
<https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

- **Meaningfully engage:** Meaningfully involving impacted communities is essential to addressing environmental justice. According to the U.S. Environmental Protection Agency, *meaningful involvement* means “(1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) community concerns will be considered in the decision-making process; and (4) decision makers will seek out and facilitate the involvement of those potentially affected.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).

The CAC will utilize the [17 Principles of Environmental Justice](#) and [Jemez Principles for Democratic Organizing](#), which are both available on the Air District website and hereinafter incorporated by reference in Appendix A.

1.2 Mission Statement

The CAC believes in protecting the fundamental right to clean air for all communities. We aim to provide access to meaningful community engagement and bring community priorities into focus at the Air District. We are committed to democratic decision making and achieving equitable solutions to the impacts of air pollution and the polluting economy. We prioritize solutions that can be applied to more than one community. We are dedicated to eliminating pollution threats both upstream and downstream, standing in solidarity, sharing power and resources, and listening to and amplifying voices from communities that are the most impacted and overburdened.

1.2.1 Goals

The goals of the CAC are as follows:

- To provide representation on behalf of all communities, including overburdened communities to the Air District Board of Directors.
- To serve as a liaison between the community and the Air District Board of Directors and staff to influence decisions, policies, procedures, and processes to ensure equity, inclusion, civil rights, and environmental justice.

1.2.2 Guiding Principles

CAC members will provide independent and objective advice and be committed to the following principles:

- a. Laying a solid foundation for successful, future CAC members and ensuring long-term sustainability of the CAC's commitment to environmental justice.

- b. Elevating voices and advocating for communities who are not currently being represented or heard.
- c. Building a deep, authentic, and mutually accountable relationship among CAC members.
- d. Helping CAC members value, actualize, and institutionalize environmental justice principles throughout all CAC practices.
- e. Being recognized as partners in the fight to define how we mitigate the impacts of climate change and air pollution exposure to reduce health risks and inequities associated with poor air quality.
- f. Using influence, expertise, and privilege to protect our communities.
- g. Identifying gaps in underrepresented, community-led² decision making, and avenues for well-compensated opportunities for people in the Black, Indigenous, and People of Color (BIPOC) communities.
- h. Striving to include cultural competence.
- i. Acknowledging that one methodology does not apply to all communities and seeking to address the conditions in each community as needed. Utilizing and applying resources and tools based on those differences.
- j. Maintaining impartiality, fairness, and respect for all CAC members and the communities we represent.

1.2.3 Civility

The members of the CAC promote authentic respect for others and strive to see common ground in order to produce our best work for the CAC and the communities that we represent. We are committed to a conscious demonstration of mutual respect — for people, their roles, and their knowledge and expertise. We seek to create a safe environment where diverse viewpoints will be heard and considered. To that end, members of the CAC will act with respect and civility when interacting with each other, the Air District Board of Directors, staff, and members of the public.

Behavior which violates the CAC’s commitment to respect and civility includes, but is not limited to, yelling, cursing, interrupting, humiliating, threatening, and all forms of harassment.

Any violations of this provision will be handled as stated in the Conflict Resolution section below.

1.2.4 Conflict Resolution

In the event that a conflict or behavior arises that violates the CAC’s commitment to respect and civility between CAC members and/or between CAC members and Air District staff, regarding CAC matters:

² Underrepresented community-led: *Underrepresented community* is used to describe those who have been historically and are still systematically excluded from political and policy-making processes, which includes many disadvantaged and vulnerable communities.

Step 1: CAC members agree to work in a collaborative fashion and strive for consensus on the issues before they are brought to the CAC.

Step 2: In the event of an impasse or conflict that continues or becomes an official complaint (sent via email to the Co-Chairs and CAC team staff serving as the in-house mediators), the Co-Chairs and CAC Team Staff shall work with the members in conflict first as in-house mediators.

Step 3: If there continues to be an impasse between CAC Members and/or between CAC Members and Air District staff, those concerned will work with the APCO to reach an agreement.

Step 4: If agreement or resolution cannot be reached with staff or the APCO, a mutually agreed upon third-party mediator will be utilized to resolve the conflict and provide a recommended action to the Board.

In the event of a conflict on agenda items, CAC members can agree to postpone the action or agenda item for discussion until the next meeting, from the date the issue arises, to allow for the Co-Chairs and CAC team staff to help resolve the issue. If during the meeting the facilitator cannot help the CAC reach an agreement, then the action or agenda item in question will not proceed.

Individual members cannot be compelled to participate in any action to which they do not agree. Individual members may abstain from participation in a decision when they believe it would be inappropriate for them to participate in that action or decision.

1.3 Leadership

In 2022, the CAC approved a three Co-Chair model. The leadership model may be amended based on needs expressed by the CAC and approved by the Board but it shall be no more than three Co-Chairs at a time.

1.3.1 Duties of Leadership

- a. The Co-Chairs shall preside over bi-monthly meetings of the CAC in rotation.
 - I. Presiding over a meeting requires a Co-Chair to open, manage, and adjourn meetings, and to adjust the set order of speakers in collaboration with the facilitator and Air District staff.
 - II. In the event the Co-Chair scheduled to preside over the meeting is absent or unable to perform their duties, the Co-Chair scheduled to preside next shall preside over the meeting and perform all chair duties.

- b. The Co-Chairs shall oversee the preparation and distribution of the agenda and materials for the CAC meetings.
- c. The Co-Chairs shall work with Air District staff and the CAC meeting facilitator to plan, structure, and coordinate CAC meetings.
- d. The Co-Chairs shall attend and provide updates to the Air District Board of Directors as needed and/or requested and interact with the Air District Board of Directors in representation of overburdened communities within the nine Bay Area counties, and on behalf of the CAC members.
- e. The Co-Chairs shall oversee activities of the ad hoc committees.
- f. The Co-Chairs shall perform all other necessary and incidental duties as prescribed by the CAC Charter.
- g. The Co-Chairs shall communicate with each other, divide work, and share information and updates in a timely manner.
- h. The Co-Chairs shall address conflict within the CAC membership and leadership.
- i. The Co-Chairs shall ensure that CAC decisions are made in a democratic, equitable, and timely manner.
- j. The Co-Chairs shall represent the CAC at the Budget Committee and provide feedback on the Air District's budget.
- k. The Co-Chairs shall work with Air District staff to define and oversee the CAC's annual budget.
- l. The Co-Chairs shall understand and adhere to the Brown Act and Robert's Rules of Order.

1.3.2 Leadership (Co-Chairs) Terms of Office

1.3.3 Terms of Leadership

Leadership is appointed for a two (2) year term and no member may serve for more than two, 2-year terms consecutively.

1.3.4 Election of Leadership (Co-Chairs)

The inaugural leadership of three (3) Co-Chairs was elected at the second meeting of the CAC.

If a leadership position becomes vacant, that position must be filled within two meetings after the vacancy occurs. The leadership position shall be filled through a nomination, selection, and voting process. The process will be as follows:

- Members seeking a vacant leadership position shall submit an essay, which provides a summary of their background and outlines the reasons they seek the

position. The full CAC shall be presented with the essays 72 hours in advance of the meeting in which the CAC will vote on each prospective candidate. The candidate receiving the majority of the votes will be selected to fill the vacant leadership position.

1.4 CAC Members

1.4.1 Composition of the CAC

The initial membership of the CAC, including Co-Chairs, shall be composed of seventeen (17) members who live or work in overburdened communities in California, as follows:

- Four (4), Alameda County
- Four (4), Contra Costa County
- One (1), San Francisco County
- One (1), San Mateo County
- Two (2), Santa Clara County
- One (1), Solano County
- Two (2), at-large
- Two (2), youth

Youth are considered to be individuals between the ages of 14 and 24 at the beginning of their term.

Regarding at-large member seats, priority should be given to individuals living or working in Marin, Napa, or Sonoma counties or individuals with special expertise, such as wildfire management.

Also, diversity, equity, and inclusion on the CAC are highly valued.

1.4.2 Duties of Members

CAC members shall fully participate in bi-monthly meetings and be fully engaged during discussion. The CAC members shall also review materials prior to meetings and come prepared for engaged discussion, active listening, and respectful dialogue. Meeting preparation includes attending required trainings defined below and other trainings as planned by the Co-Chairs or suggested by the CAC. Further, CAC members shall perform all other duties as prescribed by this Charter.

All Members, except CAC leadership, are expected to join at least one ad hoc committee every year to ensure a balance of work for what the CAC has to accomplish, if their schedule allows. Council Members will vote during the first meeting on a time and day for a meeting that works best for the majority. Staff will provide an orientation of the expectations related to the CAC membership requirements.

1.4.2.1 Mandatory Annual Trainings

CAC members and leadership shall attend and participate in four (4) mandatory annual trainings as follows:

- **Brown Act Training:** The Brown Act is a California law that guarantees the public's right to attend and participate in meetings of local legislative bodies.
- **Robert's Rules of Order Training:** Robert's Rules, widely known as parliamentary procedure, was developed to ensure that meetings are fair, efficient, democratic, and orderly.
- **Civility Training:** Civility is an essential aspect of every work environment to create and maintain a fair and professional culture. This civility training is designed to teach CAC members the norms of acceptable conduct and how to identify, prevent, and respond professionally to situations of incivility.
- **Team building and conflict resolution training.**

Additionally, CAC members shall complete an ethics training course within the first year of their term and are required to take follow-up training biannually.

1.4.2.2 Virtual, Hybrid, and In-Person Meetings

In 2022, the CAC attended meetings virtually. As of March 2023, the CAC will meet in person at a location within the nine-county Bay Area with a required quorum of 9 out of 17 members. CAC members may attend remotely under specific circumstances outlined in the Brown Act and AB 2449 and in the Attendance section of this document.

CAC members, and members of the public with disabilities, who need accommodations consistent with Section 504 of the Rehabilitation Act to have equal opportunities to participate in CAC meetings should contact Air District staff.

Reimbursements for travel are outlined in the CAC's Compensation Policy and Procedures.

1.4.3 Members Terms of Office

CAC Members apply or reapply for either a two-year term or a four-year term. CAC Members are limited to serving a total of eight (8) years. This will ensure that others have the opportunity to participate in the CAC and that there is continuity of County or institutional knowledge. The inaugural CAC will serve for four (4) years with the ability to reapply.

1.4.3.1 Appointment of Members

The CAC members are appointed by the Board of Directors. Vacancies are to be filled by the Board of Directors as described in the following process. The CEHJ shall provide guidance on selection criteria and on prospective CAC members. The CAC shall create a CAC Selection Ad Hoc Committee, which may include at least one CEHJ member or other Board member chosen by the Board Chair, to recommend a candidate or slate of candidates to the Community Equity, Health and Justice Committee (CEHJ, according to the guidance provided by the CEHJ. The candidates approved by the CEHJ Committee will be recommended to the Board of Directors for final approval.

The CAC Selection Ad Hoc will be tasked with developing criteria for the selection of candidates, according to the guidance developed by CEHJ. Priority should be given to individuals from Bay Area communities overburdened by air pollution, environmental justice communities, and/or those with a history of partnering with environmental justice communities.

1.5 Standing Committees and Ad Hoc Committees

Upon approval by a majority of its members, the CAC may form committees to advise the CAC on its ongoing functions. The committees shall be composed of members of the CAC. Committee members shall vote on committee leadership during the first meeting.

1.5.1 Standing Committees

A standing committee is considered a legislative body and is subject to Brown Act requirements of staffing support, if budget allows. A committee is considered “standing,” irrespective of its composition, if it has a continuing subject-matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.

1.5.2 Ad Hoc Committees

An ad hoc committee is an advisory committee composed of less than a quorum of members, which will serve for a limited term or single purpose. After the duties of the ad hoc committee are accomplished, and presented to and approved by the CAC, the ad hoc committee will be dissolved. The ad hoc committees will aim to complete their task(s) within six months of assignment.

Furthermore, ad hoc and standing committees shall follow the following guidelines:

1. Limitations: A CAC member cannot simultaneously participate on more than two ad hoc committees, although they can be placed as an alternate on a third committee. This will ensure that all CAC members have an equal opportunity to make their voices heard and exercise their skills and expertise.
2. Commitment: Once selected, CAC members must serve their full term on an ad hoc and/or standing committee. A CAC member cannot abandon their commitment to an ad hoc or standing committee to join another committee.
3. Accountability: Council Members with a track record that matches the attendance requirement set forth above for Ad Hocs or Standing Committees, will be placed as alternates if they wish to participate in another committee.
4. Priority: CAC members not participating on an ad hoc or standing committee will be given priority to serve on newly formed committees (i.e., ad hoc or standing). After which, CAC members currently participating in one (1) committee will be given preference. Lastly, CAC members serving on two (2) committees will be placed as alternates until one of their current ad hoc committees completes its assigned task and is dissolved.
5. Exceptions: The CAC may create an Ad Hoc Committee if an emergent topic or situation demands it, which may require exceptions that supersede the limitations and commitments outlined above. The emergency Ad Hoc Committee will remain active until the mission or task is accomplished.

1.5.2.1 Work Plan Ad Hoc Committee

The CAC will form a CAC Work Plan Ad Hoc Committee annually to set the CAC's work plan and schedule each year. The CAC Work Plan Ad Hoc Committee will identify several priority areas to adhere to and will establish appropriate criteria measures. CAC Members, Community Members, Air District Staff, and the Air District Board will have the opportunity to recommend agenda items of potential relevance to the CAC for inclusion in the work plan. Once dissolved, CAC Co-Chairs are responsible for implementing the work plan and reserve the right to amend the work plan in an emergency or emergent situation, as defined in the *Setting Agendas* section on page 13.

1.5.2.2 Governance Ad Hoc Committee

In 2022, the CAC formed a CAC Governance Ad Hoc Committee to develop the CAC's governance agreement. The CAC hereby presents the CAC's Charter, which sets forth the mission, goals, scope, rules, and actions applicable to the CAC and CAC membership. Once the mission is accomplished, presented to and adopted by a quorum of the CAC, and approved by the Board of Directors, the Governance Ad Hoc Committee will be dissolved.

The CAC Governance Ad Hoc Committee may be reestablished with a new slate of CAC members to review, revise, and/or propose amendments. Any revisions to the existing charter shall be presented and discussed by the CAC and recommended for approval by the Air District Board of Directors.

1.6 Community Engagement

The CAC will aim to engage the community in the following ways:

- Bi-annual newsletter, which includes items that have been addressed, future meeting dates and agendas, success stories, and ways to engage with the CAC
- CAC web page
- CAC meetings
- Outreach events or workshops hosted by CAC members or the Air District
- Bi-monthly community meetings led by the Compliance and Enforcement Division of the Air District

1.7 Meetings

1.7.1 Facilitation of Meetings

An external professional meeting facilitator will be hired to assist the CAC with bimonthly CAC meetings, if budget allows. For 2022-2023, a facilitator was hired through a competitive process with participation of CAC members. The external facilitator works directly with the CAC leadership to plan and execute the meeting plan in consultation with Air District staff. The facilitator will keep the meetings on track with guidance from the Co-Chairs and will enforce the following meeting expectations and ground rules for CAC members:

- *The first expectation is **preparation**: Come prepared for meetings and review all documents that the CAC will discuss.*
- *Second, is **communication and language**: Communicate with respect and be mindful of individual speaking time so that everyone has the opportunity to speak in meetings. Personal attacks will not be tolerated. Zoom meetings are publicly accessible, so CAC members are expected to conduct themselves accordingly.*
- *Third, is **distractions**: Avoid distractions and stay present. Active listening is imperative to ensure that members understand other people's viewpoints.*
- *Fourth, is **timing**: Respect time agreements and stay on topic.*
- *Finally, **facilitation**: The facilitator will intervene to keep the conversation on track and on time and will remind members of these ground rules as necessary.*

The facilitator will have limited authority to open the meetings, convey the agenda item(s), confirm the meeting has quorum after the clerk takes roll call, facilitate the flow of meetings in accordance with the Brown Act and Robert's Rules of Order, maintain order, and defer to the Air District legal representative or staff if needed.

Air District staff will facilitate ad hoc committee meetings, Co-Chair meetings, and other meetings as needed. CAC members, staff, or the Co-Chairs may identify the need for facilitator or contractor support for any CAC meeting, if budget allows.

1.7.2 Regular Meetings

Regular meetings of the CAC are held on the third Thursday of every other month at 6:00 p.m. PT. All meetings will be held in accordance with the Brown Act. Meeting schedule is subject to change, if necessary.

1.7.3 Special Meetings

A majority of Co-Chairs or a majority of the CAC members may call special meetings, following the noticing guidelines set forth in the Brown Act.

1.7.4 Notice of Meetings

Meeting agendas and notices must be posted at the meeting site and on the Air District website in compliance with all applicable laws, including but not limited to the Ralph M. Brown Act. (Government Code Section 54950 et seq.)

Agendas and notices shall be emailed to each CAC member and any person who submits a written request to the Air District for such notice.

1.7.5 Adjournment or Cancellation of Meetings

The presiding Co-Chair or Air District staff may adjourn or cancel a meeting if a quorum will not be present or if the meeting date conflicts with a holiday. Notices of adjournment or cancellation shall be emailed to CAC members and posted at the meeting site and on the Air District [website](#).

1.7.6 Meetings of CAC Members with the Air District

CAC members that meet with Air District staff or Board of Directors, on behalf of the CAC, should inform the CAC Co-Chairs of the discussion within 72 hours of the date the meeting is held.

Action items directed to CAC leadership from CEHJ Committee or Board leadership, the CEHJ Committee, or the Board of Directors should be communicated to CAC leadership within 72 hours via memo.

1.7.7 Meetings of the Ad Hoc

Ad Hoc Committee Chairs are expected to provide a monthly verbal report-out on the progress of the Ad Hoc Committees to CAC leadership. Report-outs should be a brief summary.

1.7.8 Quorum Requirements

Effective March 1, 2023, 50% plus one of CAC members (or 9 out of 17 members in 2022-2023) must be present in person to constitute a quorum and for voting to be conducted.

1.7.8.1 Action at a Meeting; Quorum and Required Vote

A quorum is required to take any official action beyond roll call and adjournment. The affirmative vote of a majority of the members of the CAC shall be required for the approval of all substantive matters. Agenda items that require no action may still be presented and discussed without a quorum.

1.7.8.2 Voting and Abstention

CAC meetings will be conducted in compliance with the Brown Act (Government Code Section 54950 et seq.), Robert's Rules of Order, CAC Charter, and state and local laws. Participation and voting are based on Brown Act requirements and current legislation. Staff will provide an updated summary of any changes as required by law.

1.7.8.3 Conduct of Meetings

(a) All meetings shall be governed by the Ralph M. Brown Act (Government Code Section 54950 et seq.), the CAC Charter, and Robert's Rules of Order for decorum and parliamentary procedure.

(b) Cell phones shall be turned off during all CAC meetings.

(c) The Co-Chairs may issue a warning to any member of the public who is disruptive during CAC meetings. In the event of repeated disruption of any kind, the Co-Chairs shall direct the offending member of the public to leave the meeting. If the meeting is disrupted by *any* member of the public, we hold the right to remove the individual from the meeting with the assistance of security or by muting and turning off the camera of that individual.

(d) The chat feature will be unavailable for the full duration of Zoom meetings due to accessibility limitations.

1.8 Agenda Items

1.8.1 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 will have three minutes each to address the CAC. Members of the public who wish to speak on non-agenda items, will have three minutes to address the CAC. Members of the public who are speaking through an interpreter will have six minutes to address the CAC. All meetings will have a rebuttal period that allows an additional one (1) minute to any member of the public who would like to provide a rebuttal.

1.8.2 Setting Agendas

Air District staff, at the direction of the Co-Chairs, will prepare and distribute the agenda and materials for CAC meetings.

1.8.2.1 Current Agenda Setting Process:

1. A CAC member and/or member of the public may propose agenda item(s) during a CAC meeting or via email to staff.
2. Staff will track proposed agenda items and bring them to the Work Plan Ad Hoc Committee (when constituted) and the Co-Chairs.
3. The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc Committee once adopted by the CAC membership for the upcoming agenda.
4. Staff will identify presenters and draft presentation and memo (materials).
5. Staff will work with the CAC member(s) who requested the agenda item(s) to create materials as needed.
6. Staff will finalize materials.
7. Staff will send materials to Co-Chairs and the CAC member(s) who requested the agenda item for final approval.
8. Staff will update materials with final edits.
9. Executive staff will review materials.
10. Executive staff will provide edits, if needed.
11. Executive staff will route the materials for public distribution.

The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc once adopted by the CAC membership. The Co-Chairs, Staff, CAC Members or the public can make requests for new topics not included in the work plan. The Public can make requests for agenda items at CAC meetings during the Public Comment on Non-Agenda Items or by emailing staff at communityadvisorycouncil@baaqmd.gov. New additions to the work plan must be approved by majority vote of the CAC.

The Co-Chairs can amend the work plan, as needed when an emergency or emergent issue requires it. An emergency is defined as an event that impacts the health and safety of the community (i.e., flaring). An emergent issue is considered emergent if it is new and immediate action from the CAC is required (i.e., funding opportunity, legislative

issue). The current work plan must be included in the materials of every CAC meeting. Changes must be noted when made.

Also, the CEHJ or Board may require advice or recommendations of the CAC on a particular matter or issue (refer to the process outlined in 1.7.6).

1.9 Conflict of Interest Policy

Conflict of interest laws prohibit CAC members or immediate family from benefiting financially from their relationship with the Air District by way of the CAC. Any CAC member, or immediate family members of CAC members, who would directly benefit financially from a contract, must recuse themselves and not be present during a vote to avoid influencing other CAC members.

1.10 Meeting Minutes

Minutes shall be taken at all regular and special CAC meetings and shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et seq.) and the CAC Charter. Minutes shall be approved by the majority vote of CAC members in accordance with applicable statutes.

1.11 Land Acknowledgement

The CAC recognizes that California Native American and other communities have also faced many environmental injustices and social inequities. These issues are hereby acknowledged as part of the CAC Charter. The following CAC Land Acknowledgement will be included in all CAC meeting agendas and is available on the [CAC web page](#).

We begin by acknowledging that this land is unceded Indigenous land. The territories, or counties we represent, are of the Indigenous people. To acknowledge this history of our country — that this nation was built on genocide, the exclusion and erasure of Indigenous people — grounds our work in truth. We also acknowledge that our modern global economy was founded on the free and forced labor of enslaved Black people. And that exploited labor continuously perpetuates itself in disadvantaged communities of color, as we see in the treatment of farm workers, immigrant workers, prison labor and domestic workers. This practice of land acknowledgment calls on us to recognize our violent history that is the foundation of white supremacy, and to recognize the longstanding and ongoing resistance of People of Color to dehumanization, repression and homicide. And that the brilliance and leadership of People of Color in resistance, vision, wisdom and love be honored and recognized as we work to dismantle ongoing legacies of settler colonialism and anti-blackness.

The [Air District website](#) will be updated in preparation for each CAC meeting with materials for discussion and, after each meeting, with meeting summaries, presentations, background materials, requested information, and meeting recordings.

1.12 Dissemination of Materials

All documents, materials, and correspondence produced by or submitted to the CAC, CAC staff, or facilitator are considered public information and subject to the California Public Records Act regulations and procedures for disclosure and transparency. Information related to the operations of the CAC will be made available to the public as requested.

1.13 Public Meetings

All CAC meetings will be noticed and open to the public in accordance with the Brown Act.

1.14 Attendance

The CAC requires the active participation and attendance by members of at least 75% of all meetings during every year served. This applies to Co-Chair meetings, committee meetings, and attendance at meetings of the full CAC. CAC members will inform staff and CAC leadership of any potential absences. As of March 1, 2023, per AB 2449 teleconferencing requirements, members remotely joining CAC meetings that require a quorum must have a “just cause” or an emergency excuse approved by a majority of the CAC in order to participate and vote. CAC members joining CAC meetings remotely without a just cause or approved emergency excuse will not be able to vote and therefore will not be counted present in the meeting.

1.14.1 Absenteeism: CAC Meetings

CAC members are allowed to miss three (3) meetings in one calendar year. Continued absenteeism from CAC Meetings constitutes voluntary abandonment. After two (2) CAC meetings have been missed, staff will send a courtesy letter reminding the absent member of the attendance requirements of the CAC and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs of absent members. Staff will inform a member that they have lost their seat on the CAC after three meetings are missed. Vacant seats on the CAC will be filled as described in the Appointment section on page 8 of this document.

1.14.2 Absenteeism: Co-Chair Meetings

Co-Chair meetings occur every week up to four hours per month.

Co-Chairs are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from Co-Chair meetings constitutes voluntary abandonment. After two (2) Co-Chair meetings have been missed, staff will send a courtesy letter reminding the absent Co-Chair of the attendance requirements of the Co-Chairs and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs and the CAC of absent Co-Chairs. Staff will inform a Co-Chair that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around the holidays.

Any vacant Co-Chair appointment shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.14.3 Absenteeism: Ad Hoc Meetings

Ad hoc meetings will generally occur every other week (biweekly).

Ad hoc committee members are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from ad hoc meetings constitutes voluntary abandonment. After two (2) ad hoc meetings have been missed, staff will send a courtesy letter reminding the absent ad hoc member of the attendance requirements of ad hoc members and warning them that they are at risk of losing their seat. Staff will be responsible for informing CAC members of absent members. Staff will inform CAC members that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around holidays.

Any vacant appointment of an Ad-Hoc Committee shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.15 Amendment of CAC Charter

The CAC and the Board shall revisit the Charter to make requests for amendments in January of every odd-numbered year following the Board approval of the Charter. The CAC shall provide thirty (30) days' notice for public comment before adopting any amendments to the CAC Charter.

The Community, Equity, Health and Justice Committee and the Board of Directors must approve the Charter before any changes can take effect.

1.16 Compensation

Compensation for CAC Members will be subject to attendance and in accordance with the CAC's Compensation Policy and Procedures. The CAC and the Board shall revisit the Compensation Policy and Procedures to make requests for amendments during the first month of the year of every other year. Updates to the Policy shall include a revision based on cost-of-living increase.

COMMUNITY ADVISORY COUNCIL
MEETING OF 05/18/2023

Appendix A

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington, D.C., drafted and adopted these 17 principles of Environmental Justice. Since then, the principles have served as a defining document for the growing grassroots movement for environmental justice.

Environmental Justice Principles³:

- 1) **Environmental Justice** affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
- 2) **Environmental Justice** demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
- 3) **Environmental Justice** mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
- 4) **Environmental Justice** calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.
- 5) **Environmental Justice** affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
- 6) **Environmental Justice** demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
- 7) **Environmental Justice** demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.
- 8) **Environmental Justice** affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
- 9) **Environmental Justice** protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

³ Principles of Environmental Justice, <https://www.ejnet.org/ej/principles.html>. Accessed December 19, 2022.

10) **Environmental Justice** considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.

11) **Environmental Justice** must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12) **Environmental Justice** affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.

13) **Environmental Justice** calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14) **Environmental Justice** opposes the destructive operations of multinational corporations.

15) **Environmental Justice** opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16) **Environmental Justice** calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17) **Environmental Justice** requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

Jemez Principles⁴:

1. Be Inclusive
2. Emphasis on Bottom-Up Organizing
3. Let People Speak for Themselves
4. Work Together In Solidarity and Mutuality
5. Build Just Relationships Among Ourselves
6. Commitment to Self-Transformation

⁴ Sierra Club. *Jemez Principles*. <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/grand-canyon-chapter/misc-pdf/Jemez%20Principles%20Poster.pdf>. Accessed December 19, 2022.

Appendix B

The CAC Charter was developed using information from various sources, including:

Bay Area Air Quality Management District. *Regulation 2, Permits, Rule 1, Section 2-1-243*. <https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

California Air Resources Board. *Partnering Agreement-West Oakland Toxic Reduction Collaborative*. (2018, February 14). https://ww2.arb.ca.gov/sites/default/files/2020-04/collaborative_partnering_agreement_west_oakland_acc.pdf. Accessed January 3, 2023.

City and County of San Francisco: *Power Plan Task Force By Laws*. https://sfgov.org/sfc/pppcatf/index_162_2134.html?page=162. Accessed January 3, 2023

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington
and Members of the Community Advisory Council

From: Philip M. Fine
Executive Officer/APCO

Date: May 18, 2023

Re: Transportation Fund for Clean Air County Program Manager Fund

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on cars, trucks and other similar vehicles to fund projects that reduce car and truck air pollution. The legislation requires that 40% of these funds (approximately \$9 million annually in new revenue) be passed through the Air District to nine designated local county agencies, in most cases to a county's transportation authority. For the purpose of this program, these agencies are referred to as the Transportation Fund for Clean Air (TFCA) County Program Managers or County Program Managers (CPMs).

The authorizing legislation designates the 11 eligible project categories that TFCA can fund, and each local CPM may determine which projects they will fund within their respective county, often combining these funds with other local, regional, and state funding. Though it can be higher, the CPM funds typically make up 50% or less of a local project's funding. The Air District audits the projects when completed for financial and policy compliance.

In developing their local grant programs and selecting projects for award under the CPM Fund, the nine county agencies must follow the Air District's CPM Fund policies, which include the legislative requirements and provide detail on project eligibility and cost-effectiveness. Each year the Air District reviews the CPM Fund policies in collaboration with the local CPMs and makes updates based on their feedback. Once completed, the updates are taken to the Air District Board of directors for approval.

For each year of new funding, each designated agency utilizes their own local forums for public comment or leverage their own advisory councils to get direction on their local programs and projects.

DISCUSSION

For the current fiscal year (July 2022 through June 2023), the amount of new revenue passed through to the designated agencies ranged from approximately \$350,000 to \$2.3 Million, based on the number of registered cars in each county. Table 1 below shows the total amount each agency that administers CPM Funds had available to award in the current fiscal year, including new TFCA revenue, remaining funds from prior years, and interest accrued.

Table 1. TFCA County Program Manager Fund Allocation July 2022-June 2023

Designated County Agency	Funds Administered
Alameda County Transportation Commission	\$ 3,081,011
Contra Costa Transportation Authority	\$ 2,187,558
Transportation Authority of Marin	\$ 355,127
Napa Valley Transportation Authority	\$ 204,934
San Francisco County Transportation Authority	\$ 978,769
San Mateo City/County Association of Governments	\$ 1,095,377
Santa Clara Valley Transportation Authority	\$ 2,366,725
Solano Transportation Authority	\$ 378,198
Sonoma County Transportation Authority	\$ 641,776
TOTAL	\$ 11,289,475

Strategic Incentives Director, Karen Schkolnick, and Program Manager, Alona Davis, will provide an overview of the CPM Fund program and seek input on how this program can better meet the needs of communities within the respective counties. The Air District has initiated conversations with the agencies that administer the CPM Fund on this topic and looks forward to sharing the CAC's input with administering agencies at the next CPM Fund workgroup meeting.

The presentation will also cover the types of projects that are eligible for funding, the amount of funding that has been awarded to the different project categories under this program in recent years and will give specific examples of projects funded in each county.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Alona Davis
Reviewed by: Minda Berbeco and Karen Schkolnick

COMMUNITY ADVISORY COUNCIL
MEETING OF 05/18/2023

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington
and Members of the Community Advisory Council

From: Philip M. Fine
Executive Officer/APCO

Date: May 18, 2023

Re: Introduction to Air District Rule Development

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Rules and Strategic Policy Division at the Air District is responsible for creating and modifying regulations that cover sources of pollution that fall within the Air District's regulatory authority (specifically, stationary sources). The division evaluates sources for rule development potential, going through a step-by-step process that involves both legally mandated steps and additional steps that the division employs for public engagement and feedback. Ultimately, rule amendments and/or new rules are proposed to the Air District's Board of Directors to be considered for adoption.

DISCUSSION

The purpose of the Introduction to Air District Rule Development presentation is to introduce the division, generally cover the Air District's authority, go through the rule development process, talk about where to find our current rules and regulations, and touch on how rules come to be under development. Active discussion with the Community Advisory Council about the work of the division will be welcomed and encouraged.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Laura Cackette and Elizabeth Yura
Reviewed by: Elizabeth Yura

COMMUNITY ADVISORY COUNCIL
MEETING OF 05/18/2023

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Final Public Hearing to Consider Adoption of Proposed Amendments to Air District
Regulation 3: Fees

RECOMMENDED ACTION

Recommend the Board of Directors adopt the resolution amending Air District Regulation 3, that would become effective on July 1, 2023 and determining that the amendments are statutorily exempt from California Environmental Quality Act (CEQA).

BACKGROUND

Staff develops recommended amendments to the Air District's fee regulations as part of the budget preparation process. Staff will propose fee amendments as well as other changes to improve cost recovery for fee-based programs.

DISCUSSION

Draft amendments to specific fee schedules were made using our authority to better recover costs as allowed by the California Health and Safety Code.

Consistent with the Cost Recovery and Containment Policy, draft amendments to specific fee schedules were made in consideration of the 2021 Cost Recovery and Containment Study, the 2022 Cost Recovery Report and Board direction. These changes have a weighted fee schedule increase of 7.7 percent. This work, conducted at the fee schedule-level, recommends:

- Schedule M and schedules with a cost recovery rate of at least 100 percent but less than 110 percent be increased by the Consumer Price Index for Bay Area Urban Wage Earners and Clerical Workers (CPI-W) for the most recent year, which is 6.3 percent.
- Schedules with a cost recovery rate less than 100 percent be increased by 15%.

Schedule	Description	Proposed Increase
Schedule A	Hearing Board Fees	15% increase
Schedule B	Combustion of Fuels	15% increase
Schedule E	Solvent Evaporating Sources	15% increase
Schedule F	Miscellaneous Sources	15% increase
Schedule G1	Miscellaneous Sources	15% increase
Schedule G2	Miscellaneous Sources	15% increase
Schedule G3	Miscellaneous Sources	15% increase
Schedule G4	Miscellaneous Sources	15% increase
Schedule G5	Miscellaneous Sources	15% increase
Schedule I	Dry Cleaners (not registered)	6.3% increase
Schedule J	Semiconductor and Related Operations	15% increase
Schedule K	Solid Waste Disposal Sites	15% increase
Schedule M	Major Stationary Source Fees	6.3% increase
Schedule N	Toxic Inventory Fees	6.3% increase
Schedule P	Major Facility Review Fees	6.3% increase
Schedule S	Naturally Occurring Asbestos Operations	15% increase
Schedule T	Greenhouse Gas Fees	15% increase
Schedule V	Open Burning	15% increase
Schedule W	Petroleum Refining Emissions Tracking Fees	15% increase

Fees that are administrative in nature would be increased by the CPI-W (6.3%). In addition, the following key amendments are proposed:

- Clarify how the first toxic air contaminant source is defined for calculating the Risk Assessment Fee when more than one fee schedule is impacted.
- Add new fees for additional emission reduction credit transaction types in Section 3-311.
- Add a new fee for renewing an Authority to Construct.
- Add a new fee for evaluating petitions, plans, and reports with no current specified fee.
- Add metal shredding operations to Schedule G-2 or G-3 from Schedule F, depending on

capacity.

- Delete Schedule U: Indirect Source Review Fee.
- Provide general changes to clarify, clean up, and correct language.

The Staff Report attached with this memorandum provides additional details regarding the proposed fee amendments.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed fee amendments would potentially increase fee schedule revenue in FYE 2024 by an estimated \$5.3 million more than would otherwise result without the amendments based on the previous year's activity in FYE 2023.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Fred Tanaka
Reviewed by: Pamela J. Leong and Veronica Eady

ATTACHMENTS:

1. FYE 2024 Regulation 3 Staff Report - FINAL
2. FYE2024 Regulation 3 Fees Draft Board Resolution



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

STAFF REPORT

Proposed Amendments to BAAQMD REGULATION 3: FEES

June 2023

Prepared by:
Fred Tanaka, Manager

Reviewed by:
Pamela J. Leong, Director
Barry Young, Senior Advanced Projects Advisor
Brian Case, Assistant Counsel II

Engineering Division

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EXECUTIVE SUMMARY

Bay Area Air Quality Management District (Air District or BAAQMD) staff has proposed amendments to Regulation 3: Fees for Fiscal Year Ending (FYE) 2023 that would increase revenue for effectively implementing and enforcing regulatory programs for stationary sources of air pollution. FYE 2024 represents July 1, 2023, to June 30, 2024.

The 2023 Cost Recovery Report shows that the most-recent 3-year average fee revenue (FYE 2020 to 2022) stood at 84.3 percent of program activity costs. Cost recovery fee percentages are impacted by changes to several factors, including but not limited to, new and enhanced programs/rules, staffing levels, Air District priorities, facility emissions and facility permitting. Therefore, cost recovery is evaluated annually and aligned with the proposed budget for the next fiscal year. The overall cost recovery percentage does not consider work backlog, the staff time needed for the Air District to meet its regulatory obligations and the reduced level of service. In other words, the driving factor on the cost side only accounts for time spent on fee-recoverable work with the existing staff regardless of the timeliness and the quality of the work.

Typical work that is supported by fees in Regulation 3, includes but is not limited to:

- Permitting and notification programs
- Compliance and Enforcement of permitted and registered facilities
- Compliance assistance to permitted and registered facilities
- Source Testing at permitted facilities
- Rule development for regulated industries
- Emissions inventory from permitted and registered facilities
- Other (e.g., Implementation of Regulation 11, Rule 18: Reduction of Risk from Toxic Air emissions at Existing Facilities)

Examples of work backlog include but not limited to:

- Delays in issuing permits, registrations, and notifications, reviewing source test reports, completing rule studies and rule development, implementing regulatory requirements, and evaluating facility-wide health risk assessments;
- Longer inspection frequencies;
- Limited time to quality control data and emissions inventories; and
- Increased response times to air quality complaints, inquiries, requests for information, and general assistance.

To close the existing cost recovery gap, the Air District's strategy as directed by the Board of Directors (Board) implements the following methodology based on a fee schedule's 3-year cost recovery percentage:

- 110% or above = 0% increase
- 100% but less than 110% = CPI-W¹ increase

¹ The annual Consumer Price Index for Bay Area Urban Wage Earners and Clerical Workers (CPI-W) increase.

- Less than 100% = 15% increase

The CPI-W for 2022 is 6.3%. The proposal increases administrative fees in Section 300 by CPI-W with a few exceptions where no increase is recommended.

The Air District has over 10,000 facilities with more than 26,000 devices and operations with an active Permit to Operate and/or Registration. If the above proposed amendments are approved, the impact of the changes to a facility’s permit renewal fees are approximately the following:

**Estimated Impact of the FYE 2024 Fee Changes:
Permit Renewal Fees**

Facility type	Percent impact
Registered only	No change
Gas dispensing facility ¹	<0.3
Emergency generator (minimum fee)	11
Auto body operation only	12
Power plant ²	7.3 to 12
Petroleum refinery ²	8.1 to 9.4

¹ Based on a common configuration of 6 islands with 3 triple product nozzles

² Based on the same permitting scenario as the previous year

The proposed fee amendments would increase overall Air District fee revenue in FYE 2024 by approximately \$5.3 million relative to fee revenue that would be expected without the amendments for the same permitted facility inventory.

The proposal also includes administrative cleanup, clarifying language and the following significant changes. In an ongoing effort to fund mandated work that is not being charged a fee or to clarify existing practices, the proposal includes amending Section 311 (Emission Banking Fees) and adding new sections Section 330.1 (Expired Authority to Construct), 345 (Evaluation of Plans, Regulation 6), 346 (Request for a Petition, Regulation 8) and 347 (Evaluation of Reports, Organic Waste Recovery Sites). These fees have a filing fee plus an hourly rate for the work. The rate is equivalent to a fully-recovered rate for an Air Quality Engineer I for FYE 2023.

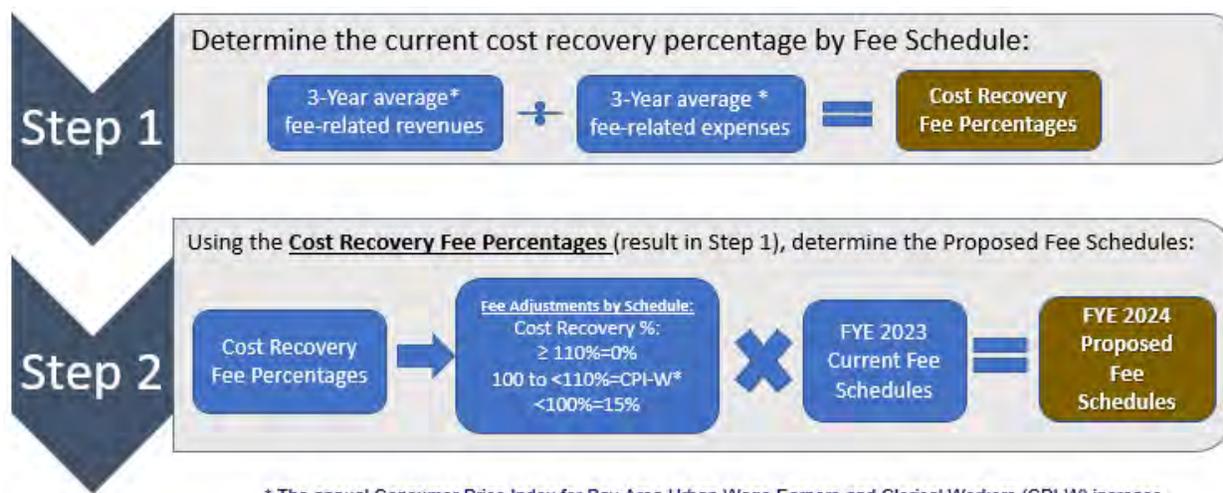
To charge the appropriate fee for operations in the unclassified miscellaneous source schedule, Schedule F, the proposal recommended classifying metal shredding operations to Schedule G2 if the maximum capacity is less than or equal to 150 pounds per hour or Schedule G3 if the maximum capacity is greater than 150 pounds per hour.

The Board of Directors (Board) received testimony on May 3, 2023 regarding the proposed amendments to Regulation 3: Fees. Air District staff recommends that the Board consider adoption of the proposed amendments to Regulation 3: Fees with an effective date of July 1, 2023.

BACKGROUND

State law authorizes the Air District to assess fees to generate revenue to recover the reasonable costs of regulatory program activities for stationary sources of air pollution. The largest portion of Air District fees is collected under provisions that allow the Air District to impose permit fees sufficient to recover the costs of program activities related to permitted sources. The Air District is also authorized to assess fees for: (1) area-wide or indirect sources of emissions which are regulated, but for which permits are not issued by the Air District, (2) sources subject to the requirements of the State Air Toxics Hot Spots Program (Assembly Bill 2588), and (3) activities related to the Air District’s Hearing Board involving variances or appeals from Air District decisions on the issuance of permits. The Air District has established, and regularly updates, a fee regulation, Regulation 3: Fees, under these authorities.

For existing fees, the amendments are proposed in a manner sufficient to increase overall recovery of regulatory program activity costs, not to exceed 15 percent. The amendments follow the following strategy as directed by the Board by analyzing the cost recovery fee percentage of individual fee schedules, averages over the previous 3 years, and applying a recommended fee action.



The proposed amendments contain new fees to recover costs from new programs and rules and significant work previously not charged a fee.

The Air District continues to implement several cost containment and efficiency-based strategies. Some of these strategies include timekeeping improvements to bill codes, periodic review of time accounting, greater web-based capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and transitioning to the new Cloud-based data system, the New Production System (NPS). Implementing these strategies has resulted in efficiencies as well as the ability to provide a higher service level.

COST RECOVERY

The Air District analyzed whether fees result in the collection of a sufficient and appropriate amount of revenue in comparison to the costs of related program activities. In 1999, a comprehensive review of the Air District's fee structure and revenue was completed by the firm KPMG Peat Marwick LLP (*Bay Area Air Quality Management District Cost Recovery Study, Final Report: Phase One – Evaluation of Fee Revenues and Activity Costs*, KPMG Peat Marwick LLP, February 16, 1999). This 1999 Cost Recovery Study indicated that fee revenue did not nearly offset the full costs of program activities associated with sources subject to fees as authorized by State law. Property tax revenue and, in some years, reserve funds had been used to close this cost recovery gap.

The Board adopted an across-the-board fee increase of 15 percent, the maximum allowed by State law for permit fees, for FYE 2000 as a step toward more complete cost recovery. The Air District also implemented a detailed employee time accounting system to improve the ability to track costs by program activities moving forward. In each of the next five years, the Air District adjusted fees only to account for inflation except for FYE 2005, in which the Air District also approved further increases in Title V permit fees and a new permit renewal processing fee.

In 2004, the Air District funded an updated Cost Recovery Study. The accounting firm Stonefield Josephson, Inc. completed this study in March 2005 (*Bay Area Air Quality Management District Cost Recovery Study, Final Report*, Stonefield Josephson, Inc., March 30, 2005). This 2005 Cost Recovery Study indicated that a significant cost recovery gap continued to exist. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data. Finally, the contractor provided a model that could be used by Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

For the five years following the completion of the 2005 Cost Recovery Study (i.e., FYE 2006 through 2010), the Air District adopted fee amendments that increased overall projected fee revenue by an average of 8.9 percent per year. To address fee equity issues, the various fees were not all increased in a uniform manner. Rather, individual fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. In FYE 2009, the Air District's fee amendments also included a new greenhouse gas (GHG) fee schedule. The GHG fee schedule recovers costs from stationary source activities related to the Air District's Climate Protection Program. In FYE 2011, the Air District adopted an across-the-board 5 percent fee increase, except for the Title V fee schedule (Schedule P) which was increased by 10 percent (the Air District's 2010 Cost Recovery Study indicated that Fee Schedule P recovered only 46 percent of program activity costs).

In September 2010, the Air District contracted with the firm Matrix Consulting Group to complete an updated analysis of cost recovery that could be used in developing fee

amendments for FYE 2012 and beyond. This study also included a review of the Air District's current cost containment strategies and provided recommendations to improve the management of the Air District's costs and the quality of services provided to stakeholders. The study was completed in March 2011 (*Cost Recovery and Containment Study, Bay Area Air Quality Management District*, Final Report, Matrix Consulting Group, March 9, 2011). The 2011 Cost Recovery and Containment Study concluded that, for FYE 2010, overall fee revenue recovered 64 percent of related program activity costs. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data and provided a methodology for Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

The results of the 2011 Cost Recovery and Containment Study were used to establish fee amendments for FYE 2012 that were designed to increase overall fee revenue by 10 percent (relative to fee revenue that would result without the fee amendments). To address fee equity issues, the various fees were not all increased in a uniform manner. Rather, existing fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. Based on this approach, the fee rates in several fee schedules were not increased, while the fee rates in other fee schedules were increased by 10, 12, or 14 percent.

One of the recommendations made by Matrix Consulting Group in their 2011 Cost Recovery and Containment Study indicated that the Air District should consider the adoption of a Cost Recovery Policy to guide future fee amendments. Air District staff initiated a process to develop such a Policy in May 2011, and a Stakeholder Advisory Group was convened to provide input in this regard. A Cost Recovery Policy was adopted by the Board on March 7, 2012. This policy specified that the Air District should amend its fee regulation in a manner sufficient to increase overall recovery of regulatory program activity costs to a minimum of 85 percent. The policy also indicated that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

The Matrix Consulting Group was retained by the Air District in September 2017 to provide a cost recovery and containment study for the fiscal year ended June 30, 2017, to update the study done in 2011. This assessment used multiple analytical tools to evaluate the Air District's process for allocation of indirect costs, validate current cost recovery levels, and determine progress from their 2011 recommendations for cost recovery and savings. The primary purpose of this study was to evaluate the indirect overhead and the cost recovery associated with the fees charged. The project team reviewed the Air District's programs and confirmed their classification as direct or indirect, and reviewed time tracking data associated with each of the different fee schedules. The report also provided specific recommendations related to direct and indirect cost recovery, as well as potential cost efficiencies.

The 2018 Matrix Cost Recovery Study recommended the following fee rate changes based on the past 3-year average of cost recovery calculated for each individual fee schedule:

Cost Recovery Rate Range	Proposed Fee Rate Changes
Above 110%	No increase
95 – 110%	CPI-W
85 – 94%	7% increase
75 – 84%	8% increase
50 – 74%	9% increase
Less than 50%	15% increase

The Matrix Consulting Group was retained by the Air District in July 2021 to provide a cost recovery and containment study to update the study completed in 2018. This assessment used multiple analytical tools to evaluate the Air District’s process for allocation of indirect costs, validate current cost recovery levels, and determine progress from their 2018 recommendations for cost recovery and savings. The primary purpose of this study was to review and verify current cost recovery calculation methodology, determine options for achieving 100% cost recovery, ensure compliance with all legal regulations (Proposition 26, Proposition 218, and the California Health and Safety Code), and continue best management practices by having an outside auditor reassess the fee calculations approximately every five years. This rule proposal follows one of the scenarios in the current Cost Recovery and Containment Study to reach 100% cost recovery.

The project team interviewed internal and external stakeholders, reviewed the Air District’s programs and confirmed their cost classification as direct or indirect, and reviewed time tracking data associated with each of the different fee schedules. The final report was released in April 2022 and provided specific recommendations related to direct and indirect cost recovery, as well as potential cost efficiencies.

In December 2022, the Board updated the Cost Recovery and Containment policy. One key change was to increase the overall cost recovery target from 85 percent to 100 percent for fee-based work. The direction to staff was to implement the following strategy:

Cost Recovery Rate Range	Proposed Fee Rate Changes
Above 110%	No increase
100 < 110%	CPI-W
Less than 100%	15% increase

For the 2023 Cost Recovery Report, staff updated the cost recovery analysis for FYE 2022. The study indicates that the overall cost recovery rate for FYE 2022 was 84 percent. This rate is based on a 3-year average of the previous fiscal years. Excluding Schedule I, which has no current applicability, the schedules with the lowest cost recovery

fee percentages are Schedules K (11.6 percent), S (20.6 percent) and W (24.6 percent).

Cost recovery fee percentages are impacted by several factors. For costs that are funded by fee revenue, new and enhanced programs, staffing levels, and priorities impact cost recovery. Allocation of Air District full-time employees (FTEs) to fee-based activities impacts cost recovery of individual schedules. For revenue, permit renewals, facility shutdowns, permit applications, notifications and revenue from emission levels impact cost recovery. Facilities that do not renew their permits or notify the Air District that they are operating new equipment with an Authority to Construct, not only impacts revenue but their compliance status is uncertain.

PROPOSED FEE AMENDMENTS FOR FYE 2024

OVERVIEW OF PROPOSED AMENDMENTS

The Air District is proposing increases to fees and fee schedules based on their cost recovery status. In addition, the proposal includes new fees to recover for work not being charged a fee, moving the metal shredding from Schedule F (Miscellaneous – Undefined), deleting Schedule U (Indirect Source Review Fees), realignment of Risk Assessment fees, clarifying language, and administrative clean-up. Examples of work currently being performed without a fee include processing petitions, evaluating reports and plans, and follow up of applications on Authority to Construct.

Fee Schedule Increases:

Fee schedules with a cost recovery fee percentage greater than or equal to 100 percent but below 110 percent are recommended for CPI-W increase. These fees are listed in Table 1. Schedule I is included in this group even though the cost recovery fee percentage is 6.7 percent in FYE 2022 because there are no current active facilities using this fee schedule since perchloroethylene was banned. There is a theoretical possibility that a large dry cleaner using a solvent based cleaner could require a permit which is the reason the schedule is not being deleted at this time. Schedule M is included as an administrative fee increase.

Table 1. Fee Schedules Proposed for a 6.3% Increase

Schedule	Description
Schedule I:	Dry Cleaners (not registered machines)
Schedule M:	Major Stationary Source Fees
Schedule N:	Toxic Inventory Fees
Schedule P:	Major Facility Review Fees

Fee schedules with a cost recovery fee percentage below 100 percent are recommended for a 15 percent increase. These fees are listed in Table 2.

Table 2. Fee Schedules Proposed for a 15% Increase

Schedule	Description
Schedule A:	Hearing Board Fees
Schedule B:	Combustion of Fuels
Schedule E:	Solvent Evaporating Sources
Schedule F:	Misc. Sources (e.g., storage silos, abrasive blasting)
Schedule G-1:	Misc. Sources (e.g., glass manufacturing, soil remediation)
Schedule G-2:	Misc. Sources (e.g., asphaltic concrete, furnaces)
Schedule G-3:	Misc. Sources (e.g., metal melting, cracking units)
Schedule G-4:	Misc. Sources (e.g., cement kilns, sulfur removal & coking units)
Schedule H:	Semiconductor and Related Operations
Schedule K:	Solid Waste Disposal Sites
Schedule S:	Naturally Occurring Asbestos Operations
Schedule T:	Greenhouse Gas Fees
Schedule V:	Open Burning
Schedule W:	Petroleum Refining Emissions Tracking Fees

The complete text of the proposed changes to Air District Regulation 3: Fees, has been prepared in strikethrough (deletion of existing text) and underline (new text) format, and is included in Appendix B. Proposed fee increases have been rounded to the nearest whole dollar.

PROPOSED RULE AMENDMENTS IN SECTION 200

Section 3-203: Filing Fee

The language was amended to clarify that this administrative fee is not limited to an Authority to Construct.

Section 3-204: Initial Fee

The language was amended to allow the concept of the initial fee to apply to other activities beyond fees for new or modified sources.

PROPOSED RULE AMENDMENTS IN SECTION 300

The following sections of Regulation 3 are proposed to be increased by 6.3 percent:

- Section 3-302: New and modified source filing fees
- Section 3-311: Emission Banking Fees
- Section 3-312: Regulation 2, Rule 9 Alternative Compliance Plan fee
- Section 3-320: Toxic Inventory maximum fee
- Section 3-327: Permit to Operate renewal processing fee
- Section 3-337: Exemption Fee
- Section 3-341: Fee for Risk Reduction Plan

- Section 3-342: Fee for Facility-Wide Health Risk Assessment
- Section 3-343: Fees for Air Dispersion Modeling

Section 3-302: Fees for New and Modified Sources

The language was amended to clarify which version of Regulation 3 applied based on a permit application's submit date. Language pertaining to the Industry Compliance School is consolidated to a new section, Section 3-419.

Section 3-302.8: Risk Assessment Fee

The intent of this new subsection is to clarify how a Risk Assessment Fee is calculated when multiple sources in a permit application triggering this fee are covered by different fee schedules.

Section 3-307: Transfers

Language was added to clarify that the new owner/operator of a transferred facility is responsible for outstanding fees. This is an equity issue for facilities that maintain a permit in good standing and some entities that transfer a permit to avoid payment of valid fees. The new owner may want to consider recovering these outstanding fees as part of a business transaction for which the Air District is not involved.

Section 3-311: Emission Banking Fee

Language was amended to clarify other activity that occurs in maintaining existing Emission Reduction Credits (ERCs). Reference to Interchangeable Emission Reduction Credit (IERC) was moved to Section 3-311.2.

Section 3-311.4: Evaluation of Existing ERCs for PM2.5

This language was added to allow the Air District to assess the fee in line with the actual work. Currently, Section 3-311.2, Converting Existing ERCs, would apply. In some situations, that fee would overcharge for the level of effort, therefore, the Air District proposes an administrative fee plus an hourly rate with a backstop of the initial fee. This strategy also addresses the potential variability of the analysis if a flat fee were proposed. The administrative fee is equivalent to the filing fee and the rate is equivalent to a fully recovered hourly rate for an Air Quality Engineer I.

Section 3-311.5: ERC Condition Change

This language was added to allow the Air District to assess the fee in line with the actual work. Currently, Section 3-311.2, Converting Existing ERCs, would be the best fit, but that methodology has the potential to overcharge for the level of effort. The Air District proposes an administrative fee plus an hourly rate with a backstop of the initial fee. This strategy also addresses the potential variability of the analysis if a flat fee were proposed.

The administrative fee is equivalent to the filing fee and the rate is equivalent to a fully recovered hourly rate for an Air Quality Engineer I.

Section 3-330.1: Fee for Renewing an Authority to Construct

The Air District currently has a back log of expired Authority to Construct permits. This new fee is intended to cover the cost of following up with the applicant, owner/operator on file or current owner/operator to determine its status.

Section 3-331: Registration Fees

Language pertaining to the Industry Compliance School is consolidated to a new section, Section 3-419.

Section 3-345: Evaluation of Plans, Regulation 6

The Air District proposes an administrative fee plus an hourly rate with a backstop of the initial fee. This strategy also addresses the potential variability of the analysis if a flat fee were proposed. The administrative fee is equivalent to the filing fee and the rate is equivalent to a fully recovered hourly rate for an Air Quality Engineer I.

Section 3-346: Request for a Petition, Regulation 8

Several Regulation 8 rules require an owner/operator to obtain approval to use special coatings by the Air District via a petition. Examples include Regulation 8, Rule 19 (Surface Preparation and Coating of Miscellaneous Metal Parts and Products), Regulation 8, rule 31 (Surface Preparation and Coating of Plastic Parts and Products), and Regulation 8, Rule 32 (Wood Products Coatings). Currently there is no fee to process these petitions. The Air District proposes an administrative fee plus an hourly rate with a backstop of the initial fee in Schedule E. This strategy also addresses the potential variability of the analysis if a flat fee were proposed. The administrative fee is equivalent to the filing fee and the rate is equivalent to a fully recovered hourly rate for an Air Quality Engineer I. Requests for usages of coatings that trigger a health risk assessment (HRA) are handled as a permit application.

Section 3-347: Evaluation of Reports, Organic Waste Recovery Sites

There are several requirements to review reports mandated for organic recovery sites. Some of these are listed in Schedule K with a flat fee but that is not a complete list. To address the uncertainty for unlisted reports and the variability of the level of effort, the Air District proposes an administrative fee plus an hourly rate with a backstop of the initial fee in Schedule K. The administrative fee is equivalent to the filing fee and the rate is equivalent to a fully recovered hourly rate for an Air Quality Engineer I.

Section 3-418: Temporary Incentive for Online or Electronic Transactions

Language was amended to make the language more understandable to non-Air District entities.

Section 3-419: Industry Compliance School

Language was consolidated from several citations throughout the rule.

OTHER FEE SCHEDULE CHANGES

The following are specific details and or changes to fee schedules beyond the percent fee increase as shown in Tables 1 and 2.

Schedule C: Stationary Containers for the Storage of Organic Liquids

To align calculation for the Risk Assessment Fee (RAF) with the filing fee in Section 3-302, the base fee was changed in Schedule C.2.a.

Schedule D.A: Gasoline Transfer at Gasoline Dispensing Facilities

The RAF for existing GDFs is proposed for a 15 percent increase in Schedule D.A.4.b. This will improve alignment of the RAF fee already being charged to new GDFs for the same work.

Metal Shredding Operations

Individual fees and source categories being charged Schedule F are reviewed against the level of effort. Permitted sources and operations are charged Schedule F (Miscellaneous – Unclassified) when no other fee schedule applies. Schedule F has lower fees compared to most other fee schedules.

Due to the complexity, regulatory agency interest, and public interest of these facilities, metal shredder projects often involve public workshops, legal discussion, increased enforcement, modeling, source testing and emissions verification. Additional processing time for emission impact analyses, health risk assessments, and presentations for these projects has been required and is expected to continue.

Staff reviewed cost data for from January 2020 to December 2022 for a metal shredding operation which has a capacity greater than 150 pounds per hour. Activity included recurring permit application work, even after issuance of the Authority to Construct and after the Permit to Operate. Due to increased scrutiny, another application has been received to enclose another shredder with a capacity greater than 150 pounds per hour. Staff costs are the following:

- The estimated cost of processing an application from receipt to the issuance of the Permit to Operate was at least \$79,680.
 - \$73,677 in direct permit work and \$6,003 in support meetings from other

- staff.
- Ancillary work from support work was not included.
- The estimated annual cost of maintaining the Permit to Operate was at least \$21,435.

The analysis of permit applications and the permit maintenance of smaller metal shredding operations, defined as having a capacity less than or equal to 150 pounds per hour is commiserate with Schedule G-2 rather than Schedule F. Similar to shredders that have a capacity greater than 150 tons per hour, complexity and interest have increased, but not to the same extent as the larger shredders recommended for reclassification to G-3.

Schedule U: Indirect Source Review Fees

Staff proposes that this fee schedule be deleted. This fee schedule was adopted in 2009 in anticipation of work on a new program; however, the program was never developed. By deleting this schedule, the Air District can propose a new fee or fee schedule comparable to the work of the program.

FEE REVENUE AND COSTS OF PROGRAM ACTIVITIES

The 2023 Cost Recovery Report concluded that, for FYE 2022, fee revenue recovered 84.3 percent of regulatory program activity costs, with revenue of \$54.4 million and costs of \$63.3 million. This resulted in a shortfall based on a 3-year average, or cost recovery gap, of \$8.9 million which was filled by county tax revenue.

The proposed fee amendments for FYE 2024 are projected to increase overall Air District fee revenue by approximately \$5.3 million relative to fee revenue levels that would be expected without the amendments. Revenue in FYE 2024 is expected to remain below the Air District's regulatory program costs for both permitted and non-permitted sources.

The Air District implements cost containment measures as needed including reducing capital expenditures and delaying the hiring of staff. The latter may improve the cost recovery rate but ignores the work backlog. In the FYE 2024 Budget, the Air District proposes no increase in FTEs. If existing FTEs are shifted to programs supported by fees, cost recovery will be impacted.

Some of the efficiency-based and cost management strategies that have been implemented include timekeeping improvements including auditing, review and updates to the cost recovery evaluation, improved public education, training, improved accessibility of information, and expansion of online services. Implementing these strategies has resulted in efficiencies as well as the ability to provide a higher service level.

The Air District is actively transitioning to the NPS, which currently includes an online

portal for the regulated community for high-volume categories including gas stations, dry cleaners, auto body shops, emergency diesel engine-only facilities, remediation operations, solvent cleaning, other permit registrations, and asbestos notifications for renovation and demolition projects.

As of May 17, 2023, 1,532 active facilities have been migrated into NPS from the legacy system in FYE 2023. Currently, 84.4 percent of active permitted and registered facilities are fully managed by NPS. Staff continues to develop the system to manage additional device types and facility configurations. In FYE 2023, system modules to handle coating and solvent use sources were launched. In 2022, approximately 6,200 renovations and demolition asbestos notifications were processed through NPS. Through the online portal, these tools will increase efficiency and accuracy by allowing customers to submit applications and notifications, report data for the emissions inventory, pay invoices and have access to permit documents.

The Air District expanded the ability to pay most invoices online and submit forms via email such as permit applications, annual data updates and administrative forms. In 2022, the Air District processed approximately 11,600 permit applications and renewal invoice payments. The trends of online payments are:

Year	Fax	Online	Manual
2020	512 (5%)	1729 (17%)	7856 (78%)
2021	57 (0.5%)	2896 (26%)	8047 (73%)
2022	6 (0.05%)	3208 (28%)	8440 (72%)
2023 (as of 5/19)	0	1442 (31%)	3197 (67%)

Approximately, 1 FTE amount of work is used to process manual payments, refunds and reconciliation. Increasing online payment acceptance will reduce resources needed to follow-up with expired permits, reconcile over/under payments and issue renewed permit documents in a timely manner. For the asbestos program all payments are processed online.

Several facilities subject to Criteria Air Pollutants and Toxic Air Contaminants reporting (CTR) have transitioned reporting to the Air District from paper forms to electronic spreadsheets reporting. Instead of manually typing the information into the database, the electronic submittal may be uploaded directly into the system. The Air District will continue to implement automated features to improve efficiency.

The Air District continues to be fiscally prudent by maintaining its reserves. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets.

STATUTORY AUTHORITY FOR PROPOSED FEE INCREASES

The Air District is a regional regulatory agency, and its fees are used to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District's fees fall into the category specified in Section 1(e) of Article XIII C of the California Constitution which specifies that charges of this type assessed to regulated entities to recover regulatory program activity costs are not taxes. The amount of fee revenue collected by the Air District has been clearly shown to be much less than the costs of the Air District's regulatory program activities both for permitted and non-permitted sources.

The Air District's fee regulation, with its various fee schedules, is used to allocate regulatory program costs to fee payers in a manner which bears a fair or reasonable relationship to the payer's burden on, or benefits received from, regulatory activities. Permit fees are based on the type and size of the source being regulated, with minimum and maximum fees being set in recognition of the practical limits to regulatory costs that exist based on source size. Add-on fees are used to allocate costs of specific regulatory requirements that apply to some sources but not others (e.g., health risk screening fees, public notification fees, alternative compliance plan fees). Emissions-based fees are used to allocate costs of regulatory activities not reasonably identifiable with specific fee payers.

Since 2006, the Air District has used annual analyses of cost recovery performed at the fee-schedule level, which is based on data collected from a labor-tracking system, to adjust fees. These adjustments are needed as the Air District's regulatory program activities change over time based on changes in statutes, rules and regulations, enforcement priorities, and other factors.

State law authorizes air districts to adopt fee schedules to cover the costs of various air pollution programs. California Health and Safety Code (H&S Code) section 42311(a) provides authority for an air district to collect permit fees to cover the costs of air district programs related to permitted stationary sources. H&S Code section 42311(f) further authorizes the Air District to assess additional permit fees to cover the costs of programs related to toxic air contaminants. H&S Code section 41512.7(b) provides that the Air District shall not "increase any existing fees for authority-to-construct permits or permits to operate by more than 15 percent in any calendar year."

H&S Code section 44380(a) authorizes air districts to adopt a fee schedule that recovers the costs to the air district and State agencies of the Air Toxics Hot Spots Program (AB 2588). The section provides the authority for the Air District to collect toxic inventory fees under Schedule N.

H&S Code section 42311(h) authorizes air districts to adopt a schedule of fees to cover the reasonable costs of the Hearing Board incurred as a result of appeals from air district decisions on the issuance of permits. Section 42364(a) provides similar authority to collect fees for the filing of applications for variances or to revoke or modify variances.

These sections provide the authority for the Air District to collect Hearing Board fees under Schedule A.

H&S Code section 42311(g) authorizes air districts to adopt a schedule of fees to be assessed on area-wide or indirect sources of emissions, which are regulated but for which permits are not issued by the air district, to recover the costs of air district programs related to these sources. This section provides the authority for the Air District to collect asbestos fees (including fees for Naturally Occurring Asbestos operations), soil excavation reporting fees, registration fees for various types of regulated equipment, for Indirect Source Review, and fees for open burning.

The proposed fee amendments are in accordance with all applicable authorities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. Permit fee revenue (after adoption of the proposed amendments) would still be well below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted area wide sources would be below the Air District's costs of regulatory programs related to these sources. Hearing Board fee revenue would be below the Air District's costs associated with Hearing Board activities related to variances and permit appeals. Fee increases would comply with H&S Code section 41512.7(b) strict requirement that the Air District shall not "increase any existing fees for authority-to-construct permits or permits to operate by more than 15 percent in any calendar year."

ASSOCIATED IMPACTS AND OTHER RULE DEVELOPMENT REQUIREMENTS

EMISSIONS IMPACTS

There will be no direct change in air emissions because of the proposed amendments.

ECONOMIC IMPACTS

The Air District must, in some cases, consider the socioeconomic impacts and incremental costs of proposed rules or amendments. Section 40728.5(a) of the California H&S Code requires that socioeconomic impacts be analyzed whenever an air district proposes the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations. The proposed fee amendments will not significantly affect air quality or emissions limitations, and so a socioeconomic impact analysis is not required.

Section 40920.6 of the H&S Code specifies that an air district is required to perform an incremental cost analysis for a proposed rule, if the purpose of the rule is to meet the requirement for best available retrofit control technology or for a feasible measure. The proposed fee amendments are not best available retrofit control technology requirements, nor are they a feasible measure required under the California Clean Air Act; therefore, an incremental cost analysis is not required.

Because cost recovery strategies only look at work already completed, work backlog, which has grown over the last several years, is not considered. Underfunding and understaffing FTEs in fee-based programs impact the regulated community, the public and the economy that relies on the Air District to perform work on a timely basis.

The financial impact of the proposed fee amendments on small businesses depends on the applicable fee schedule of the primary device/operation and whether the facility is located in an OBC. The Air District has over 10,000 active permitted and registered facilities with varying configurations, so it is difficult to show the impact for all situations. It is common for a facility to have a mixture of operations and device types that are charged different fee schedules.

Many small businesses operate only one or two permitted sources, and generally pay only the minimum permit renewal fees. Since Schedule R is proposed to have no increase, facilities with only registered sources will have no increase in FYE 2024. Whereas an auto body shop's primary operation is the painting operation under Schedule E with a proposed 15 percent increase.

Table 3. Estimated Impact of Regulation 3 Amendments to Annual Renewal Fees for Typical Small Businesses Not Located in an OBC

Facility Type	Fee Schedule	Current fee: Not OBC	Current fee: OBC	Proposed fee: Not OBC	Proposed fee: OBC
Back-up Generator ^{1,2}	B	\$438	\$500	\$493 +11%	\$563 +11%
Gas Station ³	D.A	\$2,729	\$3,121	\$2,737 +0.3%	\$3,124 +0.1%
Auto Body Shop ^{1,2}	E	\$938	\$1,073	\$1,067 +12%	\$1,220 +12%
Coffee Roaster	F	\$739	\$845	\$839 +12%	\$960 +12%
Dry Cleaner ¹	R	\$259	\$259	\$0	\$0

1. Assuming facility has only one source.
2. Assuming source qualifies for minimum fee.
3. Assuming a configuration of 6 islands with 3-triple product nozzles.

For larger facilities, such as refineries and power plants, increases in annual permit renewal fees would cover a considerable range due to differences in the facility's size, mix of emission sources, pollutant emission rates and applicable fee schedules.

As shown in Table 4, the FYE 2024 projected annual permit fee increase for the five Bay Area refineries would range from approximately 8.1 and 9.4 percent with the exception of the Tesoro Refinery. Tesoro has surrendered many of their Permits to Operate for their traditional refinery operations as they transition to alternative fuels operation. Their permit renewal fees are expected to slightly decrease next fiscal year.

The estimated increase in annual permit fees for power generating facilities shown in Table 5 would range from 7.3 and 12 percent. Projected FYE 2024 fee increases are based on FYE 2022 material throughput data.

Tables 4 and 5 also include current Permit to Operate fees paid and historical annual fee increases. The proposed fees have less of an impact on the Valero Refinery and Crockett Cogen than similar facilities in their category because they are not located in an OBC and therefore are not subject to the OBC renewal fee.

The tables also show that the actual and predicted fee impact is difficult to determine with certainty. For large facilities, operational swings from year to year may have a significant impact on a facility's permit renewal fees.

Table 4. Comparison of Petroleum Refinery Annual Permit Fee Increase/Decrease with Projected FYE 2023 Impact

Facility	FYE 2022 % Fee change, predicted/actual		FYE 2022 renewal fee	FYE 2023 % Fee change, predicted/actual		FYE 2023 renewal fee	FYE 2024 <u>Projected</u> , % fee change
Chevron	6.1	-7.9	\$3.8 million	17.7	18	\$4.5 million	8.1
Martinez Refining Co.	6.9	0.8	\$4.0 million	17.8	37	\$5.5 million	8.9
Phillips 66	8.1	13	\$2.4 million	22.5	11	\$2.7 million	9.5
Tesoro	6.2	-12	\$2.6 million	21.2	-26	\$1.9 million	-1.0
Valero	6.9	3.4	\$2.7 million	12.9	8.1	\$2.9 million	9.4

Table 5. Comparison of Power Plant Annual Permit Fee Increase/Decrease with Projected FYE 2023 Impact

Facility	FYE 2022 % Fee change, predicted/actual		FYE 2022 renewal fee	FYE 2023 % Fee change, predicted/actual		FYE 2023 renewal fee*	FYE 2024, <u>Projected</u> , % fee change
Crockett Cogen	9.1	6.6	\$289,000	15	21	\$349,000	7.3
Delta Energy	9.2	21	\$608,800	15	16	\$704,100	12
Gateway	9.3	31	\$390,000	13	N/A	Not yet invoiced in FYE2023	12
Los Medanos	9.4	20	\$483,200	15	N/A	Not yet invoiced in FYE2023	12

ENVIRONMENTAL IMPACTS

The California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., and the CEQA Guidelines, 14 CCR 15000 et seq., require a government agency that undertakes or approves a discretionary project to prepare documentation addressing the potential impacts of that project on all environmental media. Certain types of agency actions are, however, exempt from CEQA requirements. The proposed fee amendments are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines, which state: "CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies...." (See also Public Resources Code Section 21080(b) (8)).

Section 40727.2 of the H&S Code imposes requirements on the adoption, amendment, or repeal of air district regulations. It requires an air district to identify existing federal and air district air pollution control requirements for the equipment or source type affected by the proposed change in air district rules. The air district must then note any differences between these existing requirements and the requirements imposed by the proposed change. This fee proposal does not impose a new standard, make an existing standard more stringent, or impose new or more stringent administrative requirements. Therefore, section 40727.2 of the H&S Code does not apply.

STATUTORY FINDINGS

Pursuant to H&S Code section 40727, regulatory amendments must meet findings of necessity, authority, clarity, consistency, non-duplication, and reference. The proposed amendments to Regulation 3:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

RULE DEVELOPMENT PROCESS

Regulation 3 rule development process runs in parallel with the proposed budget for the next fiscal year. California Health and Safety Code Section 41512.5 requires a district board, prior to adopting or revising fees applicable to emission sources that are not permitted, to hold a public hearing at least 30 days prior to the meeting of the district

board at which the amendments are adopted or revised. This provision applies to Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees, and Schedule V: Open Burning. The following are the key dates and activities in the rule development process:

Rule Development Step	Date
Budget Advisory Group (BAG) meeting #1	February 3, 2023
Public workshop for Regulation 3 amendments	February 16, 2023
BAG meeting #2	March 13, 2023
Written workshop comments due	March 14, 2023
Finance and Administration Committee briefing	April 5, 2023
First public hearing on Regulation 3 to receive testimony	May 3, 2023
First public hearing on budget to receive testimony	May 17, 2023
Written Public Hearing comments on Regulation 3 due	May 27, 2023
Second public hearing on budget and Regulation 3 to consider adoption	June 7, 2023
Budget and fee amendments effective, if adopted	July 1, 2023

From January 2023 through March 2023, working meetings and the public workshop were held virtually. Since April, briefings to the board committee and the public hearing were presented in-person at the Air District headquarters. They were conducted as hybrid meetings with participation both in-person and via Zoom.

To provide early input from external stakeholders, the Air District established a Budget Advisory Group (BAG) to make the process more transparent. The group discussed this year’s budget calendar, the state of the economy, cost recovery, last year’s adopted and this year’s proposed Fee Regulation Amendments, and the Fee Amendments relationship to the Air District’s budget. The workgroup is comprised of the chair and vice-chair of the Air District’s Budget and Finance Committee, Air District staff, and regulated industry associations. Air District staff continue to outreach small business associations such as those representing auto body shops, retail gas dispensing facilities and dry cleaners.

The Air District distributed the notice for a public workshop to all Air District-permitted and registered facilities, asbestos contractors, and other potentially interested stakeholders and posted the notice on the Air District website. At the February 16 workshop, staff presented the initial concepts for the draft Regulation 3 amendments. There were twenty (20) stakeholders that attended the public workshop held as a Zoom webinar. On February 23, the Air District posted its initial draft rule proposal. Additional documents were posted to the Regulation 3 Rule Development webpage as they became available, such as the 2023 Cost Recovery Report. The legal notice for the second public hearing was published on May 4.

PUBLIC COMMENTS

All written comments along with Air District responses from the public workshop until the end of the public comment period of May 27, 2023 are documented in Appendix A.

CONCLUSIONS

Air District staff finds that the proposed fee amendments meet the findings of necessity, authority, clarity, consistency, non-duplication and reference specified in H&S Code section 40727. The proposed amendments:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

The proposed fee amendments will be used by the Air District to recover the costs of issuing permits and notifications, ensuring and verifying compliance, verifying emissions, and other associated regulatory activities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. After adoption of the proposed amendments, permit fee revenue would still be below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted sources would be below the Air District's costs of regulatory programs related to these sources. Fee increases for authorities to construct and permits to operate would not exceed 15 percent per year as required under H&S Code section 41512.7. The proposed amendments to Regulation 3 are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines.

**APPENDIX A:
WRITTEN COMMENTS AND RESPONSES
FROM THE WORKSHOP AND PUBLIC
MEETINGS**

Commenter 1

- Submitted: February 17, 2023
- Bob Norrbom, Battalion Chief – Sonoma Valley Fire District

Comment 1: *My concern is that the continual rise in the fee structure for Open Burning may discourage residents from removing hazardous material. Therefore, I propose that you separate residential customers from commercial customers in the fee structure. It doesn't seem fair that a resident on a fixed income should pay the same rate as a large commercial vineyard. With the changes you have made in your online permit process, it should be fairly easy to accomplish separating the two types of customers.*

Air District Response to Comment 1: The Air District appreciates the Sonoma Valley Fire District's comment. The Air District will explore a separate notification fee structure for residential hazardous material (fuel reduction) fires in the future.

Commenter 2

- Submitted: March 14, 2023
- Christine Wolfe, Policy Director – California Council for Environmental and Economic Balance (CCEEB)

Comment 1: *CCEEB requests clarification as to why 15% increases are warranted across all fee schedules when the Air District's goal is to arrive at overall 100% cost recovery over the next several years, and does not differentiate between fee schedules at different cost recovery rates.*

Air District Response to Comment 1: The Air District is not proposing a 15% increase across all fee schedules. The Air District's current methodology uses the three-year average cost recovery of each fee schedule to determine the recommended fee schedule increases based on the Board of Director's 12/7/2022 Amended Cost Recovery and Containment Policy with a goal to achieve overall 100% cost recovery ($\geq 110\% = 0\%$, 100 to $<110\%$ - CPI-W, $<100\% = 15\%$).

Comment 2: *CCEEB requests that staff provide an estimate of the average number of staff hours spent on Rules 3-345, 3-346, and 3-347.*

Air District Response to Comment 2: The Air District has some experience. For example, for simple coating petitions, we estimate 3 hours of effort. If toxics emissions are involved, the level of effort is greater. For emission reduction credits, the range is wide from a few hours to several hours. Because there is no set fee that covers the variation of evaluations and reviews, the Air District is proposing an hourly rate with back stops to better meet cost recovery goals.

Comment 3: *CCEEB comments that the Amended Cost Recovery and Containment Policy also states that “the Air District’s annual budget documents should include a summary of cost containment measures that are being implemented.” CCEEB looks forward to understanding and discussing these matters once they are released alongside the annual budget documents.*

Air District Response to Comment 3: The Air District will continue to work with stakeholders on considering and implementing cost containment strategies. Program efficiencies and resource needs are partly addressed in the current cost recovery methodology. Program efficiencies can contribute to cost containment, which affects staff time worked under certain fee schedules. Resource needs are being addressed through the current Management Audit and resulting Air District actions.

Comment 4: *CCEEB encourages the Air District to continue to investigate the root causes of lower cost recovery within particular fee schedules.*

Air District Response to Comment 4: The Air District continuously reviews fee schedules that are not fully-recovered. The Air District is limited to raising fees by more than 15% per year by state law. In some cases, the current fee schedule does not reflect the current resource needs required for that particular source category. In addition, the Air District looks for cost containment and efficiency opportunities.

Comment 5: *CCEEB asserts that there is a discrepancy between when fee-paying entities prepare their annual budgets and when the Air District presents and adopts their fee increases. CCEEB asks the staff to consider adopting fee increases a year before they come into effect in order to allow facilities to budget for fee increases. A three- or five-year lookout would also assist facilities in planning.*

Air District Response to Comment 5: The Air District’s budget calendar and proposed fee amendments are carefully scheduled each year to meet Air District and state requirements and to allow for stakeholder participation and predictability. Adopting fees increases a year before they come into effect is not feasible due to the many required considerations. The annual Cost Recovery Report provides tables of the cost recovery fee percentages by schedule for each of the last 3 years and the most recent 3-year average. Facilities may want to use that information as an indicator of the fee percentage increase for the next cycle. As presented to the Board, cost recovery becomes less predictable when projections look beyond one year because of the many contributing factors.

Comment 6: *CCEEB comments that the details of the Incident Monitoring Fee are in development pending discussions at the Board’s Incident Monitoring Ad Hoc Committee, but emphasize that staff communicate the applicability and scale of such of a fee, if proposed, to the public with sufficient notice to budget for the fee.*

Air District Response to Comment 6: The Air District will provide the public and affected facilities with as much early public notice and information on the proposal as possible. This fee was tabled for this rule development process.

Comment 7: *CCEEB asserts that the fees assessed by Rule 3-327-2, the Assembly Bill 617 Community Health Impact Fee, Rule 3-327-3, the Criteria Pollutant and Toxic Emissions Reporting fee, and Rule 3-327-4, the Overburdened Community renewal fee, are duplicative and the streams of work are still current and distinct from each other.*

Air District Response to Comment 7: Each of these fees were adopted in a different year for a different purpose as outlined in the respective rule development staff reports.

AB617 Community Health Impact Fee: FYE2020 adoption for stationary source work of partially fee recoverable work not covered by the AB617 grant, for example modeling of an AB617 community with a mix of stationary and mobile sources. The fee covers the portion of work for the stationary source modeling. Only Title V permitted facilities are charged this fee due to emissions impacts on the community.

Criteria Pollutant and Toxic Emissions Reporting Fee: FYE2021 adoption for transitioning and implementing the CARB Criteria and Toxics Reporting regulation. Planning, designing, and testing the New Production System to handle CTR regulation reporting while implementing Applicability 1&2 with current tools, includes outreach to smaller facilities for reporting. These fees are for reporting tools and outreach and all permitted facilities are charged this fee.

Overburdened Community Renewal Fee: FYE2022 adoption to facilities in an overburdened community. Recover fees for implementation, mapping tool, additional resources for compliance assistance, verification, and enforcement. Permits may require initial and periodic compliance verification through monitoring and source tests. The increase in public notices requires staffing.

Each of these fees are determined on the base renewal fee – prior to the application of each of these. The purpose of the fees raised are not related.

Comment 8: *CCEEB requests clarification on if the three fees mentioned in Comment 7 above are distinct from the work that is assessed under Schedules N and W.*

Air District Response to Comment 8: Yes, the work done under the fees assessed by Rule 3-327-2, the Assembly Bill 617 Community Health Impact Fee, Rule 3-327-3, the Criteria Pollutant and Toxic Emissions Reporting fee, and Rule 3-327-4, the Overburdened Community renewal fee are distinct from the work done under Schedules N and W.

Schedule N fees are for: (1) CARB's AB2588 fees, (2) Health Risk Assessments (any costs not recovered via New Source Review risk screen fees or Rule 11-18 risk assessment fees), (3) toxic emission inventory improvements, and (4) any other fees

needed to recover the costs of the Air District's Toxics Section. These fees support the entire toxics program.

Regarding Schedule W, the Air District is responsible for evaluating and validating refinery emissions. For the Regulation 12, Rule 15 program, each refinery typically submits upwards of 30 to 40 Excel workbooks and associated documents comprising of upwards to 40 to 50 spreadsheets resulting in millions of cells. The Air District reviews underlying formulas, assumptions, cited references, and established methodologies and identifies deficiencies in the submittals. Previous Air District reviews have identified numerous deficiencies accounting for hundreds of tons of differences in originally submitted emissions inventories and revised emissions inventories. The Air District also expends a considerable amount of time discussing the emissions inventories with the individual refineries and in the WSPA forum. The refinery inventories are complex and detailed, each must be carefully reviewed by Air District staff.

Commenter 3

- Submitted: March 14, 2023
- Bob Brown, Senior Director, Bay Area Region – Western States Petroleum Association (WSPA)

Comment 1: WSPA appreciates the Air District's efforts to keep them informed through the Budget Advisory Group in recent years.

Air District Response to Comment 1: Comment noted.

Comment 2: WSPA hopes that the Budget Advisory Group can be expanded to additional small and large business organizations and various regulated entities for a broader discussion of fees and budget transparency.

Air District Response to Comment 2: The Air District will continue to make efforts to broaden the Budget Advisory Group's participation.

Comment 3: WSPA suggests that to achieve better predictability and alignment in budget planning for the regulated community, perhaps a periodic workshop or progress report where staff present the status of budget expenditures and how fees are affecting the level of service.

Air District Response to Comment 3: The annual cost recovery per fee schedule is in the 2023 Cost Recovery report. The three-year average is used to determine the recommended permit fee increase by fee schedule based on the Board's policy-to get to 100% cost recovery. The fee revenue shortfall is limiting the staff resources available to service permit applications. Level of service is one of the areas to be addressed and reviewed by the management audit.

Comment 4: *WSPA comments that the Air District should consider how the management audit findings going forward may address prioritization and resource alignment related to the budget and fee collection.*

Air District Response to Comment 4: The impacts of the Air District's management audit findings on the budget and fee collection process will be assessed by the Air District staff.

Comment 5: *WSPA asserts that staff do not directly use the Regulation 12-15 emissions inventories for the annual permit to operate fees.*

Air District Response to Comment 5: This is not related to the proposed fee amendments, but Regulation 12-15 comments can be discussed with the Engineering and Rule Development staff.

Comment 6: *WSPA continues to request that the Air District modify its labor timecoding system to cite the permitted source of work to hours billed, which would be clearer for the regulated facilities.*

Air District Response to Comment 6: The Air District's current labor code timekeeping system allocates the staff time based on the work in the specific fee schedules, which are distinguishable from each other based on the categories of equipment regulated, or by the specific regulated program. The existing timecoding methods ensure that we correctly calibrate the fees that we charge for our programs, in accordance with law. Further timekeeping detail would not change our fee setting methodology, and it is unclear what the added value would be to our permitted facilities.

Comment 7: *WSPA asks whether there will be a deeper review of cost containment opportunities.*

Air District Response to Comment 7: The Air District continuously reviews and implements cost containment and efficiency improvement opportunities in its programs.

Comment 8: *WSPA asks if there will be a comparison with other public agencies or large air districts in seeking best practices for the fees and budget process.*

Air District Response to Comment 8: The Air District has looked at other large air districts, however, the budget processes, requirements and programs vary widely for the air districts, so a comparison would not be a useful exercise at this time.

Comment 9: *WSPA asks if the Air District can reach full cost recovery while continuing to adopt new fee schedules, programs, and more staffing.*

Air District Response to Comment 9: Cost recovery analyzes work in fee-based programs that has already happened, not future needs. Factors that affect revenues include, but are not limited to: new fees, fee changes, facilities, sources, emissions, and

operational changes, and number of notifications and applications. Factors that affect expenses include, but are not limited to: new and enhanced programs/rules, efficient use of resources, shifts in priorities, and staffing levels. Theoretically, if these factors are kept constant, full cost recovery could be achieved.

Commenter 4

- Submitted: May 26, 2023
- Bob Brown, Senior Director, Bay Area Region – Western States Petroleum Association (WSPA)

Comment 1: *Same as March 14, 2023, Comment 3 from WSPA above regarding having periodic workshop or progress reports to improve predictability.*

Air District Response to Comment 1: Same as response for *March 14, 2023, Comment 3 from WSPA above.*

Comment 2: *Same as March 14, 2023, Comment 4 from WSPA above regarding using the audit findings to address prioritization and resource alignment.*

Air District Response to Comment 2: Same as response for *March 14, 2023, Comment 4 from WSPA above.*

Comment 3: *Same as March 14, 2023, Comment 5 from WSPA above regarding Regulation 12-15 emissions inventories.*

Air District Response to Comment 3: Same as response for *March 14, 2023, Comment 5 from WSPA above.*

Comment 4: *WSPA asks for more consistency and transparency with permitting practices, including information to track permit evaluation progress.*

Air District Response to Comment 4: The Air District will continue to make improvements in efficiency and consistency in the permitting program. Some of these issues may come up during the management audit. The Air District welcomes any specific systematic issues you may have. The Air District periodically reports timelines and backlog issues to the Board or Board committees but will look at other opportunities to provide metrics.

Comment 5: *Same as March 14, 2023, Comment 6 from WSPA above regarding the Air District modify its labor timecoding system to cite the permitted source of work to hours billed.*

Air District Response to Comment 5: Same as response for *March 14, 2023, Comment 6 from WSPA above.*

Comment 6: *Same as March 14, 2023, Comment 7 from WSPA above regarding cost containment and efficiency improvement.*

Air District Response to Comment 6: Same as response for *March 14, 2023*, Comment 7 from WSPA above.

Comment 7: *WSPA proposes that a facility subject to Schedule X be given the opportunity to request a refund of fees paid if a facility shuts down before a community monitor is installed.*

Air District Response to Comment 7: Fees from Schedule X: Major Stationary Source Community Air Monitoring Fees, are used to fund a monitoring program. The fees paid by a facility do not pay for a specific monitor.

**APPENDIX B:
PROPOSED REGULATORY LANGUAGE –
REGULATION 3: FEES**

**REGULATION 3
FEES
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REGULATION 3 FEES

(Adopted June 18, 1980)

3-100 GENERAL

3-101 Description: This regulation establishes the regulatory fees charged by the District.
(Amended 7/6/83, 11/2/83, 2/21/90, 12/16/92, 8/2/95, 12/2/98, 5/21/03, 5/21/08, 5/20/09, 6/19/13)

3-102 Deleted July 12, 1989

3-103 Exemption, Abatement Devices: Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, P, and T.

(Amended 6/4/86; 7/1/98; 6/7/00; 5/21/08)

3-104 Deleted August 2, 1995

3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees: Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

(Adopted 1/5/94; Amended 5/21/03)

3-106 Deleted December 2, 1998

3-107 Exemption, Sources Exempt from Permit Requirements: Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

(Adopted 6/7/00)

3-200 DEFINITIONS

3-201 Cancelled Application: Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

(Amended 6/4/86, 4/6/88)

3-202 Gasoline Dispensing Facility: Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

(Amended 2/20/85)

3-203 Filing Fee: A fixed ~~administrative fee for each source in an authority to construct.~~

(Amended 6/4/86)

3-204 Initial Fee: The fee required ~~for each new or modified source based on the type and size of the source or an hourly rate of actual costs incurred by the District. The fee is applicable to new and modified sources seeking to obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.~~

(Amended 6/4/86)

- 3-205 Authority to Construct:** Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.
(Amended ~~June 4, 196/4/86~~)
- 3-206 Modification:** See Section 1-217 of Regulation 1.
- 3-207 Permit to Operate Fee:** The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.
(Amended 6/4/86, 7/15/87, 12/2/98, 6/7/00)
- 3-208 Deleted June 4, 1986**
- 3-209 Small Business:** A business with no more than 10 employees and gross annual income of no more than \$750,000 that is not an affiliate of a non-small business.
(Amended 6/4/86, 6/6/90, 6/7/00, 6/15/05, 6/16/10)
- 3-210 Solvent Evaporating Source:** Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.
(Amended 7/3/91)
- 3-211 Source:** See Section 1-227 of Regulation 1.
- 3-212 Deleted August 2, 1995**
- 3-213 Major Stationary Source:** For the purpose of Schedule M, a major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM₁₀ in an amount calculated by the APCO equal to or exceeding 50 tons per year.
(Adopted 11/2/83; Amended 2/21/90, 6/6/90, 8/2/95, 6/7/00)
- 3-214 Deleted October 20, 1999, effective March 1, 2000**
- 3-215 Deleted October 20, 1999, effective March 1, 2000**
- 3-216 Deleted October 20, 1999, effective March 1, 2000**
- 3-217 Deleted October 20, 1999, effective March 1, 2000**
- 3-218 Deleted October 20, 1999, effective March 1, 2000**
- 3-219 Deleted October 20, 1999, effective March 1, 2000**
- 3-220 Deleted October 20, 1999, effective March 1, 2000**
- 3-221 Deleted October 20, 1999, effective March 1, 2000**
- 3-222 Deleted October 20, 1999, effective March 1, 2000**
- 3-223 Start-up Date:** Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.
(Adopted 6/4/86; Amended 6/6/90)
- 3-224 Permit to Operate:** Written authorization from the APCO pursuant to Section 2-1-302.
(Adopted 6/4/86; Amended 6/7/00)
- 3-225 Deleted June 3, 2015**
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987:** The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information from industry on emissions of potentially toxic air contaminants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.
(Adopted 10/21/92; Amended 6/15/05)
- 3-227 Toxic Air Contaminant, or TAC:** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in Table 2-5-1 of Regulation 2, Rule 5.
(Adopted 10/21/92; Amended 6/15/05)

- 3-228 Deleted December 2, 1998
- 3-229 Deleted December 2, 1998
- 3-230 Deleted December 2, 1998
- 3-231 Deleted December 2, 1998
- 3-232 Deleted December 2, 1998
- 3-233 Deleted December 2, 1998
- 3-234 Deleted December 2, 1998
- 3-235 Deleted December 2, 1998
- 3-236 Deleted December 2, 1998
- 3-237 **PM₁₀**: See Section 2-1-229 of Regulation 2, Rule 1.
(Adopted 6/7/00)
- 3-238 **Risk Assessment Fee**: Fee for a new or modified source of toxic air contaminants for which a health risk assessment (HRA) is required under Regulation 2-5-401, for an HRA required under Regulation 11, Rule 18, or for an HRA prepared for other purposes (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402).
(Adopted 6/15/05; Amended 6/21/17)
- 3-239 **Toxic Surcharge**: Fee paid in addition to the permit to operate fee for a source that emits one or more toxic air contaminants at a rate which exceeds a chronic trigger level listed in Table 2-5-1.
(Adopted 6/15/05)
- 3-240 **Biogenic Carbon Dioxide**: Carbon dioxide emissions resulting from materials that are derived from living cells, excluding fossil fuels, limestone and other materials that have been transformed by geological processes. Biogenic carbon dioxide originates from carbon (released in the form of emissions) that is present in materials that include, but are not limited to, wood, paper, vegetable oils, animal fat, and food, animal and yard waste.
(Adopted 5/21/08)
- 3-241 **Green Business**: A business or government agency that has been certified under the Bay Area Green Business Program coordinated by the Association of Bay Area Governments and implemented by participating counties.
(Adopted 6/19/10)
- 3-242 **Incident**: A non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage.
(Adopted 6/19/13)
- 3-243 **Incident Response**: The District's response to an incident. The District's incident response may include the following activities: i) inspection of the incident-emitting equipment and facility records associated with operation of the equipment; ii) identification and analysis of air quality impacts, including without limitation, identifying areas impacted by the incident, modeling, air monitoring, and source sampling; iii) engineering analysis of the specifications or operation of the equipment; and iv) administrative tasks associated with processing complaints and reports.
(Adopted 6/19/13)
- 3-244 **Permit to Operate Renewal Date**: The first day of a Permit to Operate's Permit Renewal Period.
(Adopted 6/19/13)
- 3-245 **Permit Renewal Period**: The length of time the source is authorized to operate pursuant to a Permit to Operate.
(Adopted 6/19/13)
- 3-246 **Overburdened Community**: As defined in Regulation 2, Rule 1
(Adopted 6/15/22)
- 3-300 **STANDARDS**
- 3-301 **Hearing Board Fees**: Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A.
(Amended 6/7/00)

3-302

Fees for New and Modified Sources: Applicants for authorities to construct and permits to operate new sources shall pay for each new source: a filing fee of ~~\$593630~~, the initial fee, the risk assessment fee, the permit to operate fee, and toxic surcharge (given in Schedules B, C, D, E, F, H, I or K). Applicants for authorities to construct and permits to operate modified sources shall pay for each modified source, a filing fee of ~~\$593630~~, the initial fee, the risk assessment fee, and any incremental increase in permit to operate and toxic surcharge fees. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. If any person requests more than three HRA scenarios required pursuant to Regulation 2, Rule 5 in any single permit application, they shall pay an additional risk assessment fee for each of these scenarios. Except for gasoline dispensing facilities (Schedule D) and semiconductor facilities (Schedule H), the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification. Where applicable, fees for new or modified sources shall be based on maximum permitted usage levels or maximum potential to emit including any secondary emissions from abatement equipment. The fee rate applied shall be based on the fee rate in force on the date the application is ~~declared by the APCO to be complete according to 2-1-402, excluding 2-1-402.3 feessubmitted. The APCO may reduce the fees for new and modified sources by an amount deemed appropriate if the owner or operator of the source attends an Industry Compliance School sponsored by the District.~~

302.1 Small Business Discount: If an applicant qualifies as a small business and the source falls under schedules B, C, D (excluding gasoline dispensing facilities), E, F, H, I or K, the filing fee, initial fee, and risk assessment fee shall be reduced by 50%. All other applicable fees shall be paid in full. If an applicant also qualifies for a Green Business Discount, only the Small Business Discount (i.e., the 50% discount) shall apply.

302.2 Deleted July 3, 1991

302.3 Fees for Abatement Devices: Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a ~~\$593630~~ filing fee and initial and risk assessment fees that are equivalent to 50% of the initial and risk assessment fees for the source being abated, not to exceed a total of ~~\$42,35913,138~~. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 Fees for Reactivated Sources: Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, risk assessment, permit, and toxic surcharge fees.

302.5 Deleted June 3, 2015

302.6 Green Business Discount: If an applicant qualifies as a green business, the filing fee, initial fee, and risk assessment fee shall be reduced by 10%. All other applicable fees shall be paid in full.

302.7 Fee for applications in an Overburdened Community: An applicant with a project that requires a Health Risk Assessment in an Overburdened Community shall pay a fee of \$1,000 in addition to any other permit application fees.

302.8 Risk Assessment Fee: When the Risk Assessment Fee (RAF) is required for more than one source, the first toxic air contaminant (TAC) source is the source with the highest calculated RAF.

(Amended 5/19/82, 7/6/83, 6/4/86, 7/15/87, 6/6/90, 7/3/91, 6/15/94, 10/8/97, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22, TBD)

3-303

Back Fees: An applicant required to obtain a permit to operate existing equipment in accordance with District regulations shall pay back fees equal to the permit to operate fees and toxic surcharges given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The applicant shall also pay back fees equal to toxic inventory fees pursuant to Section 3-320 and Schedule N. The maximum back fee shall not exceed a total of five years' permit, toxic surcharge, and toxic inventory fees. An owner/operator required to register existing equipment in accordance with District regulations shall pay back fees equal to the annual renewal fee given in Schedule R prorated from the effective date of registration requirements, up to a maximum of five years.

(Amended 5/19/82, 7/6/83, 6/4/86, 7/15/87, 6/6/90, 7/3/91, 10/8/97, 6/15/05, 5/20/09)

3-304 Alteration: Except as provided below, an applicant to alter an existing permitted source shall pay the filing fee and 50% of the initial fee for the source, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. For gasoline dispensing facilities subject to Schedule D, an applicant for an alteration shall pay a fee of 1.75 times the filing fee.

304.1 Schedule D Fees: Applicants for alteration to a gasoline dispensing facility subject to Schedule D shall pay a fee of 1.75 times the filing fee.

304.2 Schedule G Fees: Applicants for alteration to a permitted source subject to Schedule G-3, G-4, or G-5 shall pay the filing fee, 100% of the initial fee, and, if District regulations require a health risk assessment of the alteration, the risk assessment fee provided for in Schedule G-2. The applicant shall pay the permit renewal and the toxic surcharge fees applicable to the source under Schedules G-3, G-4, or G-5.

(Amended 6/4/86, 11/15/00, 6/2/04, 6/3/15, 6/15/16, 6/6/18, 6/5/19)

3-305 Cancellation or Withdrawal: There will be no refund of the initial fee and filing fee if an application is cancelled or withdrawn. There will be no refund of the risk assessment fee if the risk assessment has been conducted prior to the application being cancelled or withdrawn. If an application for identical equipment for the same project is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

(Amended 7/6/83, 4/6/88, 10/8/97, 6/15/05, 6/21/17, 6/16/21)

3-306 Change in Conditions: If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

- 1.1 The condition change applies to a single source or a group of sources with shared permit conditions.
- 1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.
- 1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO_x, CO, SO₂, or PM₁₀ at any source or the emission of a toxic air contaminant above the trigger levels identified in Table 2-5-1
- 1.4 The condition change does not require a public notice.

306.2 Other Permit Condition Changes: Applicant shall pay the filing, initial, and risk assessment fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees and toxic surcharges.

(Amended 7/6/83, 6/4/86, 6/6/90, 10/8/97, 6/7/00, 6/15/05, 6/21/17)

3-307 Transfers: The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Upon submittal of a \$102 transfer of ownership fee, permits are re-issued to the new owner/operator of record with no change in expiration dates. For expired permits or registrations, the new owner/operator is responsible for all outstanding fees.

(Amended 2/20/85, 6/4/86, 11/5/86, 4/6/88, 10/8/97, 5/1/02, 5/21/03, 6/02/04, 6/19/13, 6/4/14, 6/15/16)

3-308 Change of Location: An applicant who wishes to move an existing source, which has a permit to operate, shall pay no fee if the move is on the same facility. If the move is not on the same facility, the source shall be considered a new source and subject to Section 3-302. This section does not apply to portable permits meeting the requirements of Regulation 2-1-220 and 413.

(Amended 7/6/83; 6/4/86; 6/15/05)

3-309 Deleted June 21, 2017

3-310 Fee for Constructing Without a Permit: An applicant for an authority to construct and a permit to operate a source, which has been constructed or modified without an authority to construct, shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees pursuant to Section 3-

303, and a late fee equal to 100% of the initial fee. A modified gasoline dispensing facility subject to Schedule D that is not required to pay an initial fee shall pay fees for a modified source pursuant to Section 3-302, back fees, and a late fee equal to 100% of the filing fee.

310.2 Sources previously exempt from permit requirements that lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee and toxic surcharge for the coming year and any back fees pursuant to Section 3-303.

310.3 Sources previously exempt from permit requirements that lose their exemption due to a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.

310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.

(Amended 7/6/83, 4/18/84, 6/4/86, 6/6/90, 7/3/91, 8/2/95, 10/8/97, 6/02/04, 6/15/05, 6/6/12)

3-311

Emission Banking Fees: An applicant to bank emissions for future use, to convert an emission reduction credit (ERC) ~~into an Interchangeable Emission Reduction Credit (IERC), to change assigned conditions, or~~ to transfer ownership of an ERCs, or to make any administrative changes shall pay the following fees:

311.1 Banking ERCs: An applicant to bank emissions for future use shall pay a filing fee of ~~\$593630~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.2 Converting Existing ERCs to Interchangeable Emission Reduction Credits (IERCs): An applicant to convert an existing ERC into an IERC shall pay a filing fee of ~~\$593630~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.3 Transferring ERC Ownership: An applicant to transfer an ERC it currently owns to another owner shall pay a filing fee of ~~\$593630~~.

311.4 Evaluation of Existing ERCs for PM_{2.5}: An applicant to evaluate an existing PM₁₀ ERC shall pay a filing fee of \$630 per source and an evaluation fee equivalent to the total actual and reasonable time incurred by District staff at the hourly rate of \$193 per hour not to exceed the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.5 ERC Condition Change: An applicant to request a change in condition shall pay a filing fee of \$630 and an evaluation fee equivalent to the total actual and reasonable time incurred by District staff at the hourly rate of \$193 per hour not to exceed the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

(Amended 7/6/83, 6/4/86, 7/15/87, 7/3/91, 6/15/94, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/02/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

3-312

Emission Caps and Alternative Compliance Plans: Any facility which elects to use an alternative compliance plan contained in:

312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.

312.2 Regulation 2, Rule 9, or Regulation 9, Rule 10 shall pay an annual fee of ~~\$4,5041,596~~ for each source included in the alternative compliance plan, not to exceed ~~\$45,04415,957~~.

(Adopted 5/19/82; Amended 6/4/86, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/23/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

3-313

Deleted May 19, 1999

3-314

Deleted August 2, 1995

- 3-315** **Costs of Environmental Documentation:** An applicant for an Authority to Construct shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing any environmental evaluation and preparing and filing any documents pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq), including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or filing any environmental evaluation or documentation.
(Adopted 12/18/85; Amended 5/1/02, 6/3/15)
- 3-316** **Deleted June 6, 1990**
- 3-317** **Asbestos Operation Fees:** After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.
(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)
- 3-318** **Public Notice Fee:** An applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:
318.1 A fee of \$2,272 per application, and
318.2 The District's cost exceeding \$2,272 of preparing and distributing the public notice.
318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.
(Adopted 11/1/89; Amended 10/8/97, 7/1/98, 5/19/99, 6/7/00, 5/21/03, 6/2/04, 6/16/10, 6/15/16, 6/21/17, 6/6/18)
- 3-319** **Major Stationary Source Fees:** Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM₁₀ shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.
(Adopted 6/6/90; Amended 8/2/95, 6/7/00)
- 3-320** **Toxic Inventory Fees:** Any facility that emits one or more toxic air contaminants in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate, toxic surcharge, and other fees otherwise authorized to be collected from such facilities.
320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of ~~\$11,738~~12,477 per year.
(Adopted 10/21/92; Amended 5/19/99, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/20/09, 6/16/10, 5/4/11, 6/15/16, 6/21/17, 6/5/19, 6/16/21, 6/15/22)
- 3-321** **Deleted December 2, 1998**
- 3-322** **Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.
(Adopted 1/5/94; Amended 8/2/95; 5/21/03)
- 3-323** **Pre-Certification Fees:** An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.
(Adopted June 7, 1995)
- 3-324** **Deleted June 7, 2000**
- 3-325** **Deleted December 2, 1998**
- 3-326** **Deleted December 2, 1998**
- 3-327** **Permit to Operate, Renewal Fees:** After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the renewal of a permit to operate is the permit to operate fee and toxic surcharge listed in Schedules B, C, D, E, F, H, I, and K, prorated for the period of coverage. When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. The permit

renewal invoice shall also specify any applicable major stationary source fees based on Schedule M, toxic inventory fees based on Schedule N, major facility review fees based on Schedule P, greenhouse gas fees based on Schedule T, refining emissions tracking fees based on Schedule W, and community air monitoring fees based on Schedule X. Where applicable, renewal fees shall be based on actual usage or emission levels that have been reported to or calculated by the District.

327.1 Renewal Processing Fee: In addition, the facility shall also pay a processing fee at the time of renewal that covers each Permit Renewal Period as follows:

- 1.1 ~~\$147,124~~ for facilities with one permitted source, including gasoline dispensing facilities,
- 1.2 ~~\$231,246~~ for facilities with 2 to 5 permitted sources,
- 1.3 ~~\$461,490~~ for facilities with 6 to 10 permitted sources,
- 1.4 ~~\$692,736~~ for facilities with 11 to 15 permitted sources,
- 1.5 ~~\$919,977~~ for facilities with 16 to 20 permitted sources,
- 1.6 ~~\$1,149,221~~ for facilities with more than 20 permitted sources.

327.2 Assembly Bill 617 Community Health Impact Fee: An owner/operator of a permitted facility subject to Schedule P (Major Facility Review Fees) shall pay an Assembly Bill 617 community health impact fee of 5.7 percent of the facility's total renewal fee, up to a maximum fee of ~~\$115,000~~122,245 per year per facility owner.

327.3 Criteria Pollutant and Toxic Emissions Reporting (CTR): The owner/operator of a permitted facility shall pay a CTR fee of 4.4 percent of the facility's total renewal fee, up to a maximum fee of ~~\$57,500~~61,123 per year.

327.4 Overburdened Community renewal fee: The owner/operator of a permitted facility in an Overburdened Community shall pay a fee of 15 percent of the facility's total renewal fee, up to a maximum fee of ~~\$250,000~~265,750 per year.

(Adopted 6/7/00; Amended 6/2/04, 6/16/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/3/20, 6/16/21, 11/3/21, 6/15/22)

3-328 Fee for OEHHA Risk Assessment Reviews: Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard Assessment (OEHHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

(Adopted 6/7/00)

3-329 Fees for New Source Review Health Risk Assessment: Any person required to submit a health risk assessment (HRA) pursuant to Regulation 2-5-401 shall pay an appropriate Risk Assessment Fee pursuant to Regulation 3-302 and Schedules B, C, D, E, F, H, I or K. In addition, any person that requests that the District prepare or review an HRA (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402) shall pay a Risk Assessment Fee. A Risk Assessment Fee shall be assessed for each source that is proposed to emit a toxic air contaminant (TAC) at a rate that exceeds a trigger level in Table 2-5-1: Toxic Air Contaminant Trigger Levels. If a project requires an HRA due to total project emissions, but TAC emissions from each individual source are less than the Table 2-5-1 trigger levels, a Risk Assessment Fee shall be assessed for the source in the project with the highest TAC emissions.

(Adopted 6/15/05; Amended 6/21/17)

3-330 Fee for Renewing an Authority to Construct: An applicant seeking to renew an authority to construct in accordance with Regulation 2-1-407 shall pay a fee of 50% of the initial fee in effect at the time of the renewal. If the District determines that an authority to construct cannot be renewed, any fees paid under this section shall be credited in full against the fee for a new authority to construct for functionally equivalent equipment submitted within six months of the date the original authority to construct expires.

330.1 Expired Authority to Construct: If an applicant does not notify the District with their intent to renew the Authority to Construct prior to its expiration, the applicant shall pay \$100 per application in addition to any other fees under this section if eligible to renew.

(Adopted June 15, 2005)

- 3-331 Registration Fees:** Any person who is required to register equipment under District rules shall submit a registration fee, and any annual fee thereafter, as set out in Schedule R. ~~The APCO may reduce registration fees by an amount deemed appropriate if the owner or operator of the equipment attends an Industry Compliance School sponsored by the District.~~
(Adopted ~~June 6, 206/6/07~~; Amended 6/16/10)
- 3-332 Naturally Occurring Asbestos Fees:** After July 1, 2007, any person required to submit or amend an Asbestos Dust Mitigation Plan (ADMP) pursuant to Title 17 of the California Code of Regulations, Section 93105, Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations shall pay the fee(s) set out in Schedule S.
(Adopted ~~June 6, 206/6/07~~; Amended 6/5/19)
- 3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees:** Any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR permit, an initial synthetic minor operating permit, or a revision to a synthetic minor operating permit, shall pay the applicable fees set forth in Schedule P.
(Adopted ~~May 21, 205/21/08~~)
- 3-334 Greenhouse Gas Fees:** Any permitted facility with greenhouse gas emissions shall pay a fee based on Schedule T. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities, and shall be included as part of the annual permit renewal fees.
(Adopted ~~May 21, 205/21/08~~)
- 3-335 Indirect Source Review Fees:** Applicants that must file an Air Quality Impact Assessment pursuant to District rules for a project that is deemed to be an indirect source shall pay a fee based on Schedule U.
(Adopted ~~May 20, 205/20/09~~)
- 3-336 Open Burning Operation Fees:** Effective July 1, 2013, any person required to provide notification to the District prior to burning; submit a petition to conduct a Filmmaking or Public Exhibition fire; receive an acreage burning allocation to conduct a Stubble fire; or submit a smoke management plan and receive an acreage burning allocation to conduct a Wildland Vegetation Management (Prescribed Burning) fire or Marsh Management fire shall pay the fee given in Schedule V.
(Adopted June 19, 2013; Amended 6/3/20)
- 3-337 Exemption Fee:** An applicant who wishes to receive a certificate of exemption shall pay a filing fee of ~~\$593630~~ per exempt source.
(Adopted ~~June 19, 206/19/13~~; Amended 6/4/14; 6/3/15, 6/21/17, 6/16/21, 6/15/22)
- 3-338 Incident Response Fee:** Any facility required to obtain a District permit, and any District-regulated area-wide or indirect source, that is the site where an incident occurs to which the District responds, shall pay a fee equal to the District's actual costs in conducting the incident response as defined in Section 3-243, including without limitation, the actual time and salaries, plus overhead, of the District staff involved in conducting the incident response and the cost of any materials.
(Adopted ~~June 19, 206/19/13~~)
- 3-339 Refining Emissions Tracking Fees:** Any person required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15 shall pay the applicable fees set forth in Schedule W.
(Adopted 6/15/16, Amended 11/03/21)
- 3-340 Major Stationary Source Community Air Monitoring Fees:** Any major stationary source emitting 35 tons per year of organic compounds, sulfur oxides, nitrogen oxides, carbon monoxide or PM₁₀ shall pay a community air monitoring fee based on Schedule X. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.
(Adopted 6/15/16)
- 3-341 Fee for Risk Reduction Plan:** Any person required to submit a Risk Reduction Plan in accordance with Regulation 11, Rule 18 shall pay the applicable fees set forth below:
- 341.1 ~~\$1,8191,934~~ for facilities with one source subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
 - 341.2 ~~\$3,6393,868~~ for facilities with 2 to 5 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
 - 341.3 ~~\$7,2777,735~~ for facilities with 6 to 10 sources subject to risk reduction pursuant to

- Regulation 11, Rule 18;
- 341.4 ~~\$14,553~~15,470 for facilities with 11 to 15 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
- 341.5 ~~\$29,107~~30,941 for facilities with 16 to 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
- 341.6 ~~\$38,809~~41,254 for facilities with more than 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

(Adopted 6/21/17, Amended 6/5/19, 6/3/20, 6/16/21, 6/15/22)

3-342 Fee for Facility-Wide Health Risk Assessment: Any person required to undergo a health risk assessment (HRA) to assess compliance with the Regulation 11, Rule 18 risk action levels shall pay a risk assessment fee for each source pursuant to Regulation 3-329 and Schedules B, C, D, E, F, H, I or K. The maximum fee required for any single HRA of a facility conducted pursuant to Regulation 11, Rule 18 shall not exceed a total of ~~\$481,946~~193,377.

If a facility retains a District-approved consultant to complete the required facility-wide HRA, the facility shall pay a fee to cover the District's costs of performing the review of the facility-wide HRA, including the costs of any outside consulting assistance which the District may employ in connection with any such review, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the facility-wide HRA. The total HRA review cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of ~~\$248~~264 per hour. Facilities shall pay an HRA review fee as indicated below and the District's cost exceeding the applicable HRA review fees indicated below for performing the review of the facility-wide HRA:

- 342.1 ~~\$2,985~~3,173 for facilities with one to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
- 342.2 ~~\$8,004~~8,508 for facilities with 11 to 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
- 342.3 ~~\$46,979~~18,049 for facilities with more than 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of performing the review of the facility-wide HRA.

(Adopted 6/21/17; Amended 6/6/18, 6/5/19, 6/16/21, 6/15/22)

3-343 Fees for Air Dispersion Modeling: An applicant for an Authority to Construct or Permit to Operate shall pay, in addition to the fees required under Section 3-302 and 3-329 and in any applicable schedule, the District's costs of performing any air dispersion modeling needed to determine compliance with any District regulatory requirement. The total air dispersion modeling fee cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of ~~\$248~~264 per hour. This fee shall also apply for costs incurred in reviewing air dispersion modeling submittals by applicants and the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the air dispersion modeling.

(Adopted 6/5/19; Amended 6/16/21, 6/15/22)

3-344 Rounding: Each fee will be rounded to the nearest dollar.

(Adopted 6/15/22)

3-345 Evaluation of Plans, Regulation 6: For any plan required in any rule in Regulation 6, the requestor shall pay the following fees:

345.1 A filing fee of \$630; and

345.2 An initial fee equivalent to the total actual and reasonable time incurred by District staff at the hourly rate or prorated of \$193 per hour not to exceed the minimum initial fee(s) in the schedule for the applicable source(s).

(TBD)

3-346 Request for a Petition, Regulation 8: For any petition required in any rule in Regulation 8, the requestor shall pay the following fees:

346.1 A filing fee of \$630; and

346.2 An initial fee equivalent to the total actual and reasonable time incurred by District staff at the hourly rate or prorated of \$193 per hour not to exceed the minimum initial fee in Schedule E.

(TBD)

3-347 Evaluation of Reports, Organic Waste Recovery Sites: For the evaluation of any report not currently specified in Schedule K as required by federal, state or Air District rule, the owner/operator shall pay the following fees:

347.1 A filing fee of \$630; and

347.2 An initial fee equivalent to the total actual and reasonable time incurred by District staff at the hourly rate or prorated of \$193 per hour.

(TBD)

3-400 ADMINISTRATIVE REQUIREMENTS

3-401 Permits: Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.

3-402 Single Anniversary Date: The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.

3-403 Change in Operating Parameters: See Section 2-1-404 of Regulation 2, Rule 1.

3-404 Deleted June 7, 2000

3-405 Fees Not Paid: If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:

405.1 Authority to Construct: The application will be cancelled but can be reactivated upon payment of fees.

405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will be notified that operation, including startup, is not authorized.

2.1 Fees received during the first 30 days following the due date must include a late fee equal to 10 percent of all fees specified on the invoice.

2.2 Fees received more than 30 days after the due date must include a late fee equal to 25 percent of all fees specified on the invoice.

405.3 Renewal of Permit to Operate: The owner-~~or~~-operator of a facility must renew the Permit to Operate in order to continue to be authorized to operate the source. Permit to Operate Fees for the Permit Renewal Period shall be calculated using fee schedules in effect on the Permit to Operate Renewal Date. The permit renewal invoice will include all fees to be paid in order to renew the Permit to Operate, as specified in Section 3-327. If not renewed as of the date of the next Permit Renewal Period, a Permit to Operate lapses and further operation is no longer authorized. The District will notify the facility that the permit has lapsed. Reinstatement of lapsed Permits to Operate will require the payment of all unpaid prior Permit to Operate fees and associated reinstatement fees for each unpaid prior Permit Renewal Period, in addition to all fees specified on the permit renewal invoice.

405.4 Reinstatement of Lapsed Permit to Operate: To reinstate a Permit to Operate, the owner-~~or~~-operator must pay all of the following fees:

4.1 The applicable Permit to Operate Fees for the current year, as specified in Regulation 3-327, and the applicable reinstatement fee, if any, calculated as follows:

4.1.1 Fees received during the first 30 days following the due date must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 10 percent of all fees specified on the invoice.

4.1.2 Fees received more than 30 days after the due date, but less than one year after the due date, must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 25 percent of all fees specified on the invoice.

4.2 The applicable Permit to Operate Fees specified in Regulation 3-327 for each prior Permit Renewal Period for which all Permit to Operate Fees and associated reinstatement fees have not been paid. Each year's Permit to Operate Fee shall be calculated at the fee rates in effect on that year's Permit to Operate Renewal Date. The reinstatement fee for each associated previously-unpaid Permit to

Operate Fee shall be calculated in accordance with Regulation 3-405.4.1 and 4.1.2.

Each year or period of the lapsed Permit to Operate is deemed a separate Permit Renewal Period. The oldest outstanding Permit to Operate Fee and reinstatement fees shall be paid first.

405.5 Registration and Other Fees: Persons who have not paid the fee by the invoice due date, shall pay the following late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.

5.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 10 percent of all fees specified on the invoice.

5.2 Fees received more than 30 days after the due date must include an additional late fee equal to 25 percent of all fees specified on the invoice.

(Amended 7/6/83, 6/4/86, 11/5/86, 2/15/89, 6/6/90, 7/3/91, 8/2/95, 12/2/98, 6/15/05, 6/7/06, 6/6/12, 6/19/13, 6/4/14, 6/6/18, 6/5/19)

3-406 Deleted June 4, 1986

3-407 Deleted August 2, 1995

3-408 Permit to Operate Valid for 12 Months: A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

(Adopted 6/4/86; Amended 6/7/00)

3-409 Deleted June 7, 2000

3-410 Deleted August 2, 1995

3-411 Advance Deposit of Funds: The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

(Adopted 12/18/85; Amended 8/2/95)

3-412 Deleted December 2, 1998

3-413 Toxic "Hot Spots" Information and Assessment Act Revenues: ~~No later than 120 days after the adoption of this regulation, the~~The APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

(Adopted 10/21/92)

3-414 Deleted December 2, 1998

3-415 Failure to Pay - Further Actions: When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

415.1 Issuance of a Notice to Comply.

415.2 Issuance of a Notice of Violation.

415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person who is delinquent for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.

415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

(Adopted 8/2/95; Amended 12/2/98, 6/15/05)

3-416 Adjustment of Fees: The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an

administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

(Adopted 10/8/97)

3-417 Temporary Amnesty for Unpermitted and Unregistered Sources: The APCO has the authority to declare an amnesty period, during which the District may waive all or part of the back fees and/or late fees for sources that are currently operating without valid Permits to Operate and/or equipment registrations.

(Adopted 6/16/10)

3-418 Temporary Incentive for Online ~~Production System~~ or Electronic Transactions: The APCO has the authority to declare an incentive period for transactions made using the online ~~production~~-system or other electronic processes, during which the District may waive all or any part of the fees for these transactions.

(Adopted 6/6/18)

3-419 Industry Compliance School: The APCO may reduce fees by an amount deemed appropriate if the owner/operator of the source attends an Industry Compliance School sponsored by the District.

(TBD)

**SCHEDULE A
HEARING BOARD FEES¹**

Established by the Board of Directors December 7, 1977 Resolution No. 1046
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

		Large Companies	Small Business	Third Party
1.	For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of.....	<u>\$8,0499</u> <u>.256</u> <u>\$4,0304</u> <u>.6354,6</u> <u>35</u>	<u>\$1,204</u> <u>1,385</u> <u>\$4064</u> <u>67</u>	
2.	For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of.....	<u>\$4,8325</u> <u>.557</u> <u>\$2,4132</u> <u>.775</u>	<u>\$1,204</u> <u>1,385</u> <u>\$4064</u> <u>67</u>	
3.	For each application to modify a variance in accordance with §42356 Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of	<u>\$3,2063</u> <u>.687</u> <u>\$2,4132</u> <u>.775</u>	<u>\$4064</u> <u>67</u> <u>\$4064</u> <u>67</u>	
4.	For each application to extend a variance, in accordance with §42357 ... Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of	<u>\$3,2063</u> <u>.687</u> <u>\$2,4132</u> <u>.775</u>	<u>\$4064</u> <u>67</u> <u>\$4064</u> <u>67</u>	
5.	For each application to revoke a variance.....	<u>\$4,8325</u> <u>.557</u>	<u>\$4064</u> <u>67</u>	
6.	For each application for approval of a Schedule of Increments of Progress in accordance with §41703	<u>\$3,2063</u> <u>.687</u>	<u>\$4064</u> <u>67</u>	
7.	For each application for variance in accordance with §41703, which exceeds 90 days Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of.....	<u>\$8,0499</u> <u>.256</u> <u>\$4,0304</u> <u>.6354,6</u> <u>35</u>	<u>\$1,204</u> <u>1,385</u> <u>\$4064</u> <u>67</u>	
8.	For each application for variance in accordance with §41703, not to exceed 90 days Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of	<u>\$4,8325</u> <u>.557</u> <u>\$2,4132</u> <u>.775</u>	<u>\$1,204</u> <u>1,385</u> <u>\$4064</u> <u>67</u>	

		Large Companies	Small Business	Third Party
9.	For each Appeal (Permit, Banking, Title V)	<u>\$8,0499,2</u> 56 per hearing day	<u>\$4,0304,</u> 6354,635 per hearing day	<u>\$4,0304,6</u> 354,635 for entire appeal period
10.	For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6	<u>\$4,0304</u> <u>,6354,6</u> <u>35</u>	<u>\$8109</u> <u>32</u>	
11.	For each application to Modify or Terminate an abatement order.....	<u>\$8,0499,2</u> 56 per hearing day	<u>\$4,0304,</u> 6354,635 per hearing day	
12.	For each application for an interim variance in accordance with §42351	<u>\$4,0304</u> <u>,6354,6</u> <u>35</u>	<u>\$8109</u> <u>32</u>	
13.	For each application for an emergency variance in accordance with §42359.5	<u>\$2,0092</u> <u>,310</u>	<u>\$4064</u> <u>67</u>	
14.	For each application to rehear a Hearing Board decision in accordance with §40861.....	100% of previous fee charged	100% of previous fee charged	
15.	Excess emission fees	See Attachment I	See Attachment I	
16.	Miscellaneous filing fee for any hearing not covered above	<u>\$4,0304</u> <u>,6354,6</u> <u>35</u>	<u>\$1,204</u> <u>1,385</u>	<u>\$1,2041</u> <u>,385</u>
17.	For each published Notice of Public Hearing	Cost of Publication	\$0	\$0
18.	Court Reporter Fee (to be paid only if Court Reporter required for hearing).....	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket	\$0	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket

NOTE 1 Any applicant who believes they have a hardship for payment of fees may request a fee waiver from the Hearing Board pursuant to Hearing Board Rules.

(Amended 10/8/97, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

**SCHEDULE A
ATTACHMENT I
EXCESS EMISSION FEE**

A. General

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

B. Excess Visible Emission Fee

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

C. Applicability

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

D. Fee Determination

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

E. Small Businesses

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

F. Group, Class and Product Variance Fees

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

G. Adjustment of Fees

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

H. Fee Payment/Variance Invalidation

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I
SCHEDULE OF EXCESS EMISSIONS FEES**

Air Contaminants All at ~~\$6-707.71~~ per pound

Organic gases, except methane and those containing sulfur
Carbon Monoxide
Oxides of nitrogen (expressed as nitrogen dioxide)
Gaseous sulfur compounds (expressed as sulfur dioxide)
Particulate matter

Toxic Air Contaminants All at ~~\$33-3538.35~~ per pound

Asbestos
Benzene
Cadmium
Carbon tetrachloride
Chlorinated dioxins and dibenzofurans (15 species)
Diesel exhaust particulate matter
Ethylene dibromide
Ethylene dichloride
Ethylene oxide
Formaldehyde
Hexavalent chromium
Methylene chloride
Nickel
Perchloroethylene
1,3-Butadiene
Inorganic arsenic
Beryllium
Polynuclear aromatic hydrocarbons (PAH)
Vinyl chloride
Lead
1,4-Dioxane
Trichloroethylene

**TABLE II
SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity}^* \text{ equivalent} - 20) \times \text{number of days allowed in variance} \times \text{\$6-857.88}$$

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity}^* \text{ equivalent} - 40) \times \text{number of days allowed by variance} \times \text{\$6-857.88}$$

* Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

(Adopted 6/7/00; Amended 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21)

**SCHEDULE B
COMBUSTION OF FUEL
(Adopted June 18, 1980)**

For each source that burns fuel, which is not a flare and not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity (expressed as higher heating value, HHV) of the source.

1. INITIAL FEE: ~~\$78.94~~90.75 per MM BTU/HOUR
 - a. The minimum fee per source is: ~~\$421484~~
 - b. The maximum fee per source is: ~~\$147,210~~169,292

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$593630~~ plus
~~\$78.94~~90.75 per MM BTU/hr
 - b. Minimum RAF for first TAC source: ~~\$1,0141,166~~
 - c. RAF for each additional TAC source: ~~\$78.94~~90.75 per MM
BTU/hr*
 - d. Minimum RAF per additional TAC source: ~~\$421484~~*
 - e. Maximum RAF per source is: ~~\$169,292~~147,210

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: ~~\$39.45~~45.37 per MM BTU/HOUR
 - a. The minimum fee per source is: ~~\$299344~~
 - b. The maximum fee per source is: ~~\$73,605~~84,646

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

5. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.

6. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU of higher heat value
One MM BTU/HR = 1.06 gigajoules/HR

(Amended 6/5/85; 6/4/86, 3/4/87, 6/6/90, 7/3/91, 6/15/94, 10/8/97, 7/1/98, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

SCHEDULE C
STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

1. INITIAL FEE: 0.185 cents per gallon
 - a. The minimum fee per source is: \$204
 - b. The maximum fee per source is: \$27,858

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$593630~~ plus 0.185 cents per gallon
 - b. Minimum RAF for first TAC source: \$678
 - c. RAF for each additional TAC source: 0.185 cents per gallon *
 - d. Minimum RAF per additional TAC source: \$204 *
 - e. Maximum RAF per source is: \$27,858

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: 0.093 cents per gallon
 - a. The minimum fee per source is: \$147
 - b. The maximum fee per source is: \$13,928

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 2/20/85, 6/5/85, 6/4/86, 7/3/91, 6/15/94, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/20/09, 6/16/10, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

SCHEDULE D
GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES,
BULK PLANTS AND TERMINALS
(Adopted June 18, 1980)

- A. All gasoline dispensing facilities shall pay the following fees:
1. INITIAL FEE: \$356.05 per single product nozzle (spn)
\$356.05 per product for each multi-product nozzle (mpn)
 2. PERMIT TO OPERATE FEE: \$136.38 per single product nozzle (spn)
\$136.38 per product for each multi-product nozzle (mpn)
 3. Initial fees and permit to operate fees for hardware modifications at a currently permitted gasoline dispensing facility shall be consolidated into a single fee calculated according to the following formula:

$$\$492.42 \times \left\{ \frac{[(mpn_{\text{proposed}})(\text{products per nozzle}) + spn_{\text{proposed}}]}{[(mpn_{\text{existing}})(\text{products per nozzle}) + spn_{\text{existing}}]} \right\} -$$

mpn = multi-product nozzles
spn = single product nozzles

The above formula includes a toxic surcharge.

If the above formula yields zero or negative results, no initial fees or permit to operate fees shall be charged.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will not be subject to initial fees or permit to operate fees.

4. RISK ASSESSMENT FEE (RAF) if required pursuant to Regulation 3-329 or 3-342 (including increases in permitted throughput for which a health risk assessment is required.) of:
 - a. \$3,827 per application for a new gas dispensing facility
 - b. ~~\$672-773~~ per application for all other
 5. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.
- B. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:

1. INITIAL FEE: \$4,676.76 per single product loading arm
\$4,676.76 per product for multi-product arms
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$5,295
 - b. RAF for each additional TAC source: \$4,677 *

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$1,303 per single product loading arm
\$1,303 per product for multi-product arms
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

C. Fees in (A) above are in lieu of tank fees. Fees in (B) above are in addition to tank fees.

(Amended 2/20/85, 6/5/85, 6/4/86, 7/3/91, 6/15/94, 10/8/97, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

**SCHEDULE E
SOLVENT EVAPORATING SOURCES**

(Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
 - a. The fee per source is: \$2,1762,502 per 1,000 gallons
 - b. The minimum fee per source is: \$1,0831,245
 - c. The maximum fee per source is: \$86,45799,426

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$593630 plus initial fee
 - b. Minimum RAF for first TAC source: \$1,7842,052
 - c. RAF for each additional TAC source: equal to initial fee *
 - d. Minimum RAF per additional TAC source: \$1,0831,245 *
 - e. Maximum RAF per source is: \$86,45799,426
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:
 - a. The fee per source is: \$1,0831,245 per 1,000 gallons
 - b. The minimum fee per source is: \$784898
 - c. The maximum fee per source is: \$43,22549,709

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 5/19/82, 10/17/84, 6/5/85, 6/4/86, 10/8/87, 7/3/91, 6/15/94, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

**SCHEDULE F
MISCELLANEOUS SOURCES**

(Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, (except for those sources in the special classification lists, G-1 - G-5) the fees are:

1. INITIAL FEE: \$813,935
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first (toxic air contaminant) TAC source in application: \$1,5271,756
 - b. RAF for each additional TAC source: \$843,935*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$594,680
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1. List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, G-4, and G-5.

G-1 FEES FOR SCHEDULE G-1. For each source in a G-1 classification, fees are:

1. INITIAL FEE: \$6,6027,592
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$7,4928,616
 - b. RAF for each additional TAC source: \$6,6027,592*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$3,2963,790
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-2 FEES FOR SCHEDULE G-2. For each source in a G-2 classification, fees are:

1. INITIAL FEE: \$8,74610,023
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$9,60511,046
 - b. RAF for each additional TAC source: \$8,74610,023*
 - * RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$4,3355,008
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-3 FEES FOR SCHEDULE G-3. For each source in a G-3 classification, fees are:

1. INITIAL FEE: \$45,99252,891
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$46,74353,754
 - b. RAF for each additional TAC source: \$45,99252,891 *

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: \$22,99226,441
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-4 FEES FOR SCHEDULE G-4. For each source in a G-4 classification, fees are:

1. INITIAL FEE: \$115,238132,524
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$116,128133,547
 - b. RAF for each additional TAC source: \$115,238132,524*

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: \$57,61666,258
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-5 FEES FOR SCHEDULE G-5. For each source in a G-5 classification, fees are:

1. INITIAL FEE: \$51,73159,491
2. RISK ASSESSMENT FEE (RAF) is only applicable for new and modified sources of toxic air contaminants (TACs) for which a health risk assessment is required under Regulation 2-5-401.
 - a. RAF for first TAC source in application: \$52,19360,022
 - b. RAF for each additional TAC source: \$51,73159,491*

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: \$25,86529,745
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 5/19/82, 6/5/85, 6/4/86, 6/6/90, 7/3/91, 6/15/94, 10/8/97, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

SCHEDULE G-1
(Adopted June 18, 1980)

Equipment or Process Description	Materials Processed or Produced
Asphalt Roofing Manufacturing – Asphalt Dipping	Asphalt Roofing or Related Materials
Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns)	Any Materials except cement, lime, or coke
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more	Any Inorganic Materials
Chemical Manufacturing, Organic – Latex Dipping	Any latex materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more	Any Organic Materials
Compost Operations – Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods	Any waste materials such as yard waste, food waste, agricultural waste, mixed green waste, bio-solids, animal manures, etc.
Crushers	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Electroplating Equipment	Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome
Foil Manufacturing – Any Converting or Rolling Lines	Any Metal or Alloy Foils
Galvanizing Equipment	Any
Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators	Any Dry Materials
Glass Manufacturing – Mixers	Any Dry Materials
Glass Manufacturing – Molten Glass Holding Tanks	Any molten glass
Grinders	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Incinerators – Crematory	Human and/or animal remains
Incinerators – Flares	Any waste gases
Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)	Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste
Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)	Pathological waste only

Equipment or Process Description	Materials Processed or Produced
Loading and/or Unloading Operations – Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol)	Any Organic Materials except gasoline or gasohol
Refining – Alkylation Units	Any Hydrocarbons
Refining – Asphalt Oxidizers	Any Hydrocarbons
Refining – Benzene Saturation Units/Plants	Any Hydrocarbons
Refining – Catalytic Reforming Units	Any Hydrocarbons
Refining – Chemical Treating Units including alkane, naphthenic acid, and naphtha merox treating, or similar processes	Any Hydrocarbons
Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes	Any Hydrocarbons
Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)	Any Hydrocarbons
Refining – Hydrogen Manufacturing	Hydrogen or Any Hydrocarbons
Refining – Hydrotreating or Hydrofining	Any Hydrocarbons
Refining – Isomerization	Any Hydrocarbons
Refining – MTBE Process Units/Plants	Any Hydrocarbons
Refining – Sludge Converter	Any Waste Materials
Refining – Solvent Extraction	Any Hydrocarbons
Refining – Sour Water Stripping	Any Process or Wastewater
Refining – Storage (enclosed)	Coke or Coke Products
Refining – Waste Gas Flares(not subject to Regulation 12, Rule 11)	Any Refining Gases
Refining – Miscellaneous Other Process Units	Any Hydrocarbons
Remediation Operations, Groundwater – Strippers	Contaminated Groundwater
Remediation Operations, Soil – Any Equipment (excluding sub-slab depressurization equipment)	Contaminated Soil
Spray Dryers	Any Materials
Sterilization Equipment	Ethylene Oxide
Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at refineries (see G-2 for Refining - Oil-Water Separators)	Wastewater from any industrial facilities except refineries
Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at refineries (see G-2 for Refining – Strippers)	Wastewater from any industrial facilities except refineries
Wastewater Treatment, Industrial - Storage Ponds, excluding storage ponds at refineries (see G-2 for Refining – Storage Ponds)	Wastewater from any industrial facilities except refineries
Wastewater Treatment, Municipal – Preliminary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Primary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Digesters	Municipal Wastewater
Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)	Sewage Sludge

(Amended 6/4/86, 6/6/90, 5/19/99, 6/7/00, 6/2/04, 6/15/05, 6/6/18, 11/3/21)

SCHEDULE G-2
(Adopted June 6, 1990)

Equipment or Process Description	Materials Processed or Produced
Asphalt Roofing Manufacturing – Asphalt Blowing	Asphalt Roofing or Related Materials
Asphaltic Concrete Manufacturing – Aggregate Dryers	Any Dry Materials
Asphaltic Concrete Manufacturing – Batch Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Drum Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers	Any Dry Materials or Asphaltic Concrete Products
Concrete or Cement Batching Operations – Mixers	Any cement, concrete, or stone products or similar materials
Furnaces – Electric	Any Mineral or Mineral Product
Furnaces – Electric Induction	Any Mineral or Mineral Product
Furnaces – Glass Manufacturing	Soda Lime only
Furnaces – Reverberatory	Any Ores, Minerals, Metals, Alloys, or Related Materials
Incinerators – Hazardous Waste including any unit required to have a RCRA permit	Any Liquid or Solid Hazardous Wastes
Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators)	Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste)
Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)	Any Metals or Alloys
<u>Metal Shredding (maximum capacity of less than or equal to 150 tons per hour)</u>	<u>Any Metals or Alloys</u>
Refining – Stockpiles (open)	Coke or coke products only
Refining, Wastewater Treatment – Oil-Water Separators	Wastewater from refineries only
Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment	Wastewater from refineries only
Refining, Wastewater Treatment – Storage Ponds	Wastewater from refineries only
Pickling Lines or Tanks	Any Metals or Alloys
Sulfate Pulping Operations – All Units	Any
Sulfite Pulping Operations – All Units	Any

(Amended 6/7/00, 11/3/21)

SCHEDULE G-3
(Adopted June 18, 1980)

Equipment or Process Description	Materials Processed or Produced
Furnaces – Electric Arc	Any Metals or Alloys
Furnaces – Electric Induction	Any Metals or Alloys
Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)	Any Medical or Infectious Wastes
Loading and/or Unloading Operations – Marine Berths	Any Organic Materials
<u>Metal Shredding (maximum capacity greater than 150 tons per hour)</u>	<u>Any Metals or Alloys</u>
Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers)	Any Hydrocarbons
Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)	Any Crude Oils
Phosphoric Acid Manufacturing – All Units (by any process)	Phosphoric Acid

(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00, 6/15/05, 5/2/07, 11/3/21)

SCHEDULE G-4
(Adopted June 6, 1990)

Equipment or Process Description	Materials Processed or Produced
Acid Regeneration Units	Sulfuric or Hydrochloric Acid only
Annealing Lines (continuous only)	Metals and Alloys
Calcining Kilns (see G-1 for Calcining Kilns processing other materials)	Cement, Lime, or Coke only
Fluidized Bed Combustors	Solid Fuels only
Nitric Acid Manufacturing – Any Ammonia Oxidation Processes	Ammonia or Ammonia Compounds
Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns	Coke and Coke Products
Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units)	Any Hydrocarbons
Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants	Any Refining Gas
Sulfuric Acid Manufacturing – Any Chamber or Contact Process	Any Solid, Liquid or Gaseous Fuels Containing Sulfur

(Amended 6/7/00, 11/3/21)

SCHEDULE G-5

Equipment or Process Description	Materials Processed or Produced
Refinery Flares (subject to Regulation 12, Rule 11)	Any Vent Gas (as defined in section 12-11-210 and section 12-12-213)

(Adopted 5/2/07; Amended 11/3/21)

SCHEDULE H
SEMICONDUCTOR AND RELATED OPERATIONS
(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

- a. The minimum fee per source is: \$9441,086
- b. The maximum fee per source is: \$75,53586,865

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);
Solvent Spray Stations (as defined in Regulation 8-30-221);
Solvent Vapor Stations (as defined in Regulation 8-30-222); and
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

\$638-734 per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

\$1,8962,180 per 1,000 gallon

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.

- a. RAF for first toxic air contaminant (TAC) source in application: \$593630 plus initial fee
- b. Minimum RAF for first TAC source: \$1,6421,888
- c. RAF for each additional TAC source: equal to initial fee *
- d. Minimum RAF per additional TAC source: \$9441,086 *
- e. Maximum RAF per source is: \$75,53586,865

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:

- a. The minimum fee per source is: \$683785
- b. The maximum fee per source is: \$37,76143,425

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);

Solvent Spray Stations (as defined in Regulation 8-30-221);
Solvent Vapor Stations (as defined in Regulation 8-30-222); and
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$324-369~~ per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$944-1,086~~ per 1,000 gallon

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 1/9/85, 6/5/85, 6/4/86, 7/3/91, 6/15/94, 10/8/97, 7/1/98, 5/19/99, 10/20/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

**SCHEDULE I
 DRY CLEANERS**
 (Adopted July 6, 1983)

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
 - a. If the washing or drying capacity is no more than 100 pounds: \$700744
 - b. If the washing or drying capacity exceeds 100 pounds: \$700744 plus
 For that portion of the capacity exceeding 100 pounds: \$20.95 per pound

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$508-630 plus initial fee
 - b. Minimum RAF for first TAC source: \$1,2451,323
 - c. RAF for each additional TAC source: equal to initial fee*
 - d. Minimum RAF per additional TAC source: \$700744*

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
 - a. If the washing or drying capacity is no more than 100 pounds: \$511543
 - b. If the washing or drying capacity exceeds 100 pounds: \$511543 plus
 For that portion of the capacity exceeding 100 pounds: \$40-5211.00 per pound

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 10/17/84, 6/5/85, 6/4/86, 7/3/91, 6/15/94, 10/8/97, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/02/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/15/22)

**SCHEDULE K
SOLID WASTE DISPOSAL SITES**
(Adopted July 15, 1987)

1. INITIAL FEE:
 - a. Landfill (Decomposition Process) \$7,6848,833
 - b. Active Landfill (Waste and Cover Material Dumping Process) \$3,8394,415
 - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$3,8394,415

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
 - a. RAF for first toxic air contaminant (TAC) source in application: \$593630 plus initial fee
 - b. RAF for each additional TAC source: equal to initial fee*

* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:
 - a. Landfill (Decomposition Process) \$3,8394,415
 - b. Active Landfill (Waste and Cover Material Dumping Process) \$1,9492,207
 - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$1,9492,207

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

5. Evaluation of Reports and Questionnaires:
 - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) \$4,2324,867
 - b. Evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$2,1222,440
 - c. Evaluation of Solid Waste Air Assessment Test Report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$2,1222,440
 - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 \$1,5641,795
 - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34, Sections 406 or 407 \$4,4635,132
 - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 \$1,5641,795
 - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 \$3,9054,491

6. For the purposes of this fee schedule, landfill shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

(Amended 7/3/91, 6/15/94, 10/8/97, 7/1/98, 5/19/99, 10/6/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

SCHEDULE L
ASBESTOS OPERATIONS
(Adopted July 6, 1988)

1. Asbestos Operations conducted at single family dwellings are subject to the following fees:
 - a. OPERATION FEE: \$185 for amounts 100 to 500 square feet or linear feet.
 \$679 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.
 \$988 for amounts 1001 square feet or liner feet to 2000 square feet or linear feet.
 \$1,358 for amounts greater than 2000 square feet or linear feet.
 - b. Cancellation: \$90 of above amounts non-refundable for notification processing.
2. Asbestos Operations, other than those conducted at single family dwellings, are subject to the following fees:
 - a. OPERATION FEE: \$524 for amounts 100 to 159 square feet or 100 to 259 linear feet or 35 cubic feet
 \$754 for amounts 160 square feet or 260 linear feet to 500 square feet or linear feet or greater than 35 cubic feet.
 \$1,098 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.
 \$1,620 for amounts 1001 square feet or liner feet to 2500 square feet or linear feet.
 \$2,309 for amounts 2501 square feet or linear feet to 5000 square feet or linear feet.
 \$3,169 for amounts 5001 square feet or linear feet to 10000 square feet or linear feet.
 \$4,031 for amounts greater than 10000 square feet or linear feet.
 - b. Cancellation: \$248 of above amounts non-refundable for notification processing.
3. Demolitions (including zero asbestos demolitions) conducted at a single-family dwelling are subject to the following fee:
 - a. OPERATION FEE: \$90
 - b. Cancellation: \$90 (100% of fee) non-refundable, for notification processing.
4. Demolitions (including zero asbestos demolitions) other than those conducted at a single family dwelling are subject to the following fee:
 - a. OPERATION FEE: \$372
 - b. Cancellation: \$248 of above amount non-refundable for notification processing.
5. Asbestos operations with less than 10 days prior notice (excluding emergencies) are subject to the following additional fee:
 - a. OPERATION FEE: \$619
6. Asbestos demolition operations for the purpose of fire training are exempt from fees.

(Amended 9/5/90, 1/5/94, 8/20/97, 10/7/98, 7/19/00, 8/1/01, 6/5/02, 7/2/03, 6/2/04, 6/6/07, 5/21/08, 5/20/09, 6/16/10, 6/15/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/5/19)

SCHEDULE M
MAJOR STATIONARY SOURCE FEES
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM₁₀, the fee shall be based on the following:

	1.	Organic Compounds	\$ 145.34 <u>154.50</u> per ton
	2.	Sulfur Oxides	\$ 145.34 <u>154.50</u> per ton
	3.	Nitrogen Oxides	\$ 145.34 <u>154.50</u> per ton
	4.	PM ₁₀	\$ 145.34 <u>154.50</u> per ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM₁₀, if occurring in an amount less than 50 tons per year, shall not be counted.

(Amended 7/3/91, 6/15/94, 7/1/98, 5/9/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

SCHEDULE N
TOXIC INVENTORY FEES
(Adopted October 21, 1992)

For each stationary source emitting substances covered by California Health and Safety Code Section 44300 *et seq.*, the Air Toxics "Hot Spots" Information and Assessment Act of 1987, which have trigger levels listed in Table 2-5-1, a fee based on the weighted emissions of the facility shall be assessed based on the following formulas:

1. A fee of ~~\$77.44~~ for each gasoline product dispensing nozzle in a Gasoline Dispensing Facility;
or
2. A fee calculated by multiplying the facility's weighted toxic inventory (w_i) by the following factor:

Air Toxic Inventory Fee Factor ~~\$4061.13~~ per weighted pound per year

Using the last reported data, the facility's weighted toxic inventory (w_i) is calculated as a sum of the individual TAC emissions multiplied by either the inhalation cancer potency factor for the TAC (see Regulation 2, Rule 5, Table 2-5-1, column 10) times 28.6 if the emission is a carcinogen, or by the reciprocal of the chronic inhalation reference exposure level for the TAC (see Regulation 2, Rule 5, Table 2-5-1, column 8) if the emission is not a carcinogen.

(Amended 12/15/93, 6/15/05, 5/2/07, 6/16/10, 5/4/11, 6/4/14, 6/3/15, 6/15/16, 6/6/18, 6/5/19, 6/3/20, 6/16/21, 6/15/22)

SCHEDULE P
MAJOR FACILITY REVIEW FEES
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2, Rule 6, shall pay annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay the fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

- a. MFR SOURCE FEE ~~\$1,070~~1,137 per source
- b. MFR EMISSIONS FEE..... ~~\$42,084~~4,73 per ton of regulated air pollutants emitted

Each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

- c. MFR/SYNTHETIC MINOR MONITORING FEES ~~\$10,690~~11,363 per monitor per pollutant

2. SYNTHETIC MINOR APPLICATION FEES

Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit shall pay application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

- a. SYNTHETIC MINOR FILING FEE ~~\$1,489~~1,583 per application
- b. SYNTHETIC MINOR INITIAL PERMIT FEE ~~\$1,070~~1,137 per source
- c. SYNTHETIC MINOR REVISION FEE..... ~~\$1,070~~1,137 per source modified

3. MFR APPLICATION FEES

Each facility that applies for or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit shall pay, with the application and in addition to any other fees required by this regulation, the MFR filing fee and any applicable fees listed in 3b-h below. The fees in 3b apply to each source in the initial permit. The fees in 3g apply to each source in the renewal permit, The fees in 3d-f apply to each source affected by the revision or reopening.

- a. MFR FILING FEE ~~\$1,489~~1,583 per application
- b. MFR INITIAL PERMIT FEE ~~\$1,489~~1,583 per source
- c. MFR ADMINISTRATIVE AMENDMENT FEE ~~\$421~~448 per application
- d. MFR MINOR REVISION FEE ~~\$2,144~~2,247 per source modified
- e. MFR SIGNIFICANT REVISION FEE ~~\$3,944~~1,189 per source modified fluid
- f. MFR REOPENING FEE ~~\$1,293~~1,374 per source modified
- g. MFR RENEWAL FEE ~~\$628~~668 per source

Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.

- h. MFR PERMIT SHIELD FEE ~~\$2,226~~2,366 per shielded source or group of sources

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

MFR PUBLIC NOTICE FEE Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

a. MFR PUBLIC HEARING FEE Cost of Public Hearing not to exceed \$~~48,192~~19,338

b. NOTICE OF PUBLIC HEARING FEE Cost of distributing Notice of Public Hearing

6. POTENTIAL TO EMIT DEMONSTRATION FEE

Each facility that makes a potential to emit demonstration under Regulation 2-6-312 in order to avoid the requirement for an MFR permit shall pay the following fee:

a. PTE DEMONSTRATION FEE \$~~254~~270 per source, not to exceed \$~~25,008~~26,584

(Amended 6/15/94, 10/8/97, 7/1/98, 5/19/99, 6/7/00, 6/6/01, 5/1/02, 5/21/03, 6/2/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

**SCHEDULE Q
EXCAVATION OF CONTAMINATED SOIL AND
REMOVAL OF UNDERGROUND STORAGE TANKS
(ADOPTED JANUARY 5, 1994)**

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:
 - a. OPERATION FEE: \$168
(Amended 7/19/00, 8/1/01, 6/5/02, 7/2/03, 6/2/04, 6/6/07, 5/21/08, 5/20/09, 6/16/10, 6/15/11, 6/6/12, 6/4/14, 6/3/15, 6/15/16)

**SCHEDULE R
EQUIPMENT REGISTRATION FEES**

1. Persons operating commercial cooking equipment who are required to register equipment as required by District rules are subject to the following fees:
 - a. Conveyorized Charbroiler REGISTRATION FEE: \$744 per facility
 - b. Conveyorized Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
 - c. Under-fired Charbroiler REGISTRATION FEE: \$744 per facility
 - d. Under-fired Charbroiler ANNUAL RENEWAL FEE: \$209 per facility

2. Persons operating non-halogenated dry cleaning equipment who are required to register equipment as required by District rules are subject to the following fees:
 - a. Dry Cleaning Machine REGISTRATION FEE: \$371
 - b. Dry Cleaning Machine ANNUAL RENEWAL FEE: \$259

3. Persons operating diesel engines who are required to register equipment as required by District or State rules are subject to the following fees:
 - a. Diesel Engine REGISTRATION FEE: \$250
 - b. Diesel Engine ANNUAL RENEWAL FEE: \$166
 - c. Diesel Engine ALTERNATIVE COMPLIANCE PLAN FEE (for each plan submitted under District Regulation 11-17-402): \$250

4. Persons operating boilers, steam generators and process heaters who are required to register equipment by District Regulation 9-7-404 are subject to the following fees:
 - a. REGISTRATION FEE \$137 per device
 - b. ANNUAL RENEWAL FEE: \$115 per device

5. Persons owning or operating graphic arts operations who are required to register equipment by District Regulation 8-20-408 are subject to the following fees:
 - a. REGISTRATION FEE: \$446
 - b. ANNUAL RENEWAL FEE: \$278

6. Persons owning or operating mobile refinishing operations who are required to register by District Regulation 8-45-4 are subject to the following fees:
 - a. REGISTRATION FEE \$209
 - b. ANNUAL RENEWAL FEE \$123

(Adopted 7/6/07, Amended 12/5/07, 5/21/08, 7/30/08, 11/19/08, 12/3/08, 5/20/09, 6/16/10, 6/15/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18)

**SCHEDULE S
NATURALLY OCCURRING ASBESTOS OPERATIONS**

1. ASBESTOS DUST MITIGATION PLAN INITIAL REVIEW AND AMENDMENT FEES:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for initial review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): ~~\$840,966~~

Any person submitting a request to amend an existing ADMP shall pay the following fee: ~~\$430,495~~

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: ~~\$6,480,452~~

3. GEOLOGIC EVALUATION FEE:

Any person submitting a Geologic Evaluation for exemption from Section 93105 shall pay the following fee: ~~\$3,200,680~~

4. INSPECTION FEES:

a. The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: ~~\$179-206~~ per hour

b. The owner of any property for which Geologic Evaluation is required shall pay fees to cover the costs incurred by the District. Inspection fees shall be invoiced by the District, based on the actual time spent in conducting such inspections, and the following time and materials rate: ~~\$179-206~~ per hour

(Adopted 6/6/07; Amended 5/21/08, 5/20/09, 6/16/10, 6/15/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)

**SCHEDULE T
GREENHOUSE GAS FEES**

For each permitted facility emitting greenhouse gases, the fee shall be based on the following:

1. Carbon Dioxide Equivalent (CDE) Emissions \$~~0.154~~0.174 per metric ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. The annual emissions of each greenhouse gas (GHG) listed below shall be determined by the APCO for each permitted (i.e., non-exempt) source. For each emitted GHG, the CDE emissions shall be determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility shall be based on the sum of the CDE emissions for all GHGs emitted by the facility, except that no fee shall be assessed for emissions of biogenic carbon dioxide.

Global Warming Potential Relative to Carbon Dioxide*

GHG	CAS Registry Number	GWP**
Carbon Dioxide	124-38-9	1
Methane	74-82-8	34
Nitrous Oxide	10024-97-2	298
Nitrogen Trifluoride	7783-54-2	17,885
Sulfur Hexafluoride	2551-62-4	26,087
HCFC-22	75-45-6	2,106
HCFC-123	306-83-2	96
HCFC-124	2837-89-0	635
HCFC-141b	1717-00-6	938
HCFC-142b	75-68-3	2,345
HCFC-225ca	422-56-0	155
HCFC-225cb	507-55-1	633
HFC-23	75-46-7	13,856
HFC-32	75-10-5	817
HFC-125	354-33-6	3,691
HFC-134a	811-97-2	1,549
HFC-143a	420-46-2	5,508
HFC-152a	75-37-6	167
HFC-227ea	431-89-0	3,860
HFC-236fa	690-39-1	8,998
HFC-245fa	460-73-1	1,032
HFC-365mfc	406-58-6	966
HFC-43-10-mee	138495-42-8	1,952
PFC-14	75-73-0	7,349
PFC-116	76-16-4	12,340
PFC-218	76-19-7	9,878
PFC-318	115-25-3	10,592

* Source: Myhre, G., et al., 2013: Anthropogenic and Natural Radiative Forcing (and Supplementary Material). In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., et al. (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available from www.ipcc.ch.

** GWPs compare the integrated radiative forcing over a specified period (i.e.100 years) from a unit mass pulse emission to compare the potential climate change associated with emissions of different GHGs. GWPs listed include climate-carbon feedbacks.

(Adopted 5/21/08; Amended 5/20/09, 6/16/10, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18,6/5/19, 6/16/21, 6/15/22)

**SCHEDULE U
INDIRECT SOURCE REVIEW FEES**

The applicant for any project deemed an indirect source pursuant to District rules shall be subject to the following fees:

1. APPLICATION FILING FEE

When an applicant files an Air Quality Impact Assessment as required by District rules, the applicant shall pay a non-refundable Application Filing Fee as follows:

- a. Residential project: _____ \$615
- b. Non-residential or mixed use project: _____ \$918

APPLICATION EVALUATION FEE

Every applicant who files an Air Quality Impact Assessment as required by District rules shall pay an evaluation fee for the review of an air quality analysis and the determination of Offsite Emission Reduction Fees necessary for off-site emission reductions. The Application Evaluation fee will be calculated using the actual staff hours expended and the prevailing weighted labor rate. The Application Filing fee, which assumes eight hours of staff time for residential projects and twelve hours of staff time for non-residential and mixed use projects, shall be credited towards the actual Application Evaluation Fee.

2. OFFSITE EMISSION REDUCTION FEE

(To be determined)

(Adopted 5/20/09; Amended 6/16/10, 6/4/11, 6/3/15, 6/15/16, 6/21/17)

**SCHEDULE V
OPEN BURNING**

1. Any prior notification required by Regulation 5, Section 406 is subject to the following fee:

- a. OPERATION FEE: \$173199
- b. The operation fee paid as part of providing notification to the District prior to burning will be determined for each property, as defined in Regulation 5, Section 217, and will be valid for one year from the fee payment date when a given fire is allowed, as specified in Regulation 5, Section 401 for the following fires:

Regulation 5 Section – Fire	Burn Period
401.1 - Disease and Pest	January 1 – December 31
401.2 - Crop Replacement ¹	October 1 – April 30
401.3 - Orchard Pruning and Attrition ²	November 1 – April 30
401.4 - Double Cropping Stubble	June 1 – August 31
401.6 - Hazardous Material ¹	January 1 – December 31
401.7 - Fire Training	January 1 – December 31
401.8 - Flood Debris	October 1 – May 31
401.9 - Irrigation Ditches	January 1 – December 31
401.10 - Flood Control	January 1 – December 31
401.11 - Range Management ¹	July 1 – April 30
401.12 - Forest Management ¹	November 1 – April 30
401.14 - Contraband	January 1 – December 31

¹ Any Forest Management fire, Range Management fire, Hazardous Material fire not related to Public Resources Code 4291, or any Crop Replacement fire for the purpose of establishing an agricultural crop on previously uncultivated land, that is expected to exceed 10 acres in size or burn piled vegetation cleared or generated from more than 10 acres is defined in Regulation 5, Section 213 as a type of Prescribed Burning and, as such, is subject to the Prescribed Burning operation fee in Section 3 below.

² Upon the determination of the APCO that heavy winter rainfall has prevented this type of burning, the burn period may be extended to no later than June 30.

- c. Any person who provided notification required under Regulation 5, Section 406, who seeks to burn an amount of material greater than the amount listed in that initial notification, shall provide a subsequent notification to the District under Regulation 5, Section 406 and shall pay an additional open burning operation fee prior to burning.

2. Any Marsh Management fire conducted pursuant to Regulation 5, Section 401.13 is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:

- a. OPERATION FEE: \$624714 for 50 acres or less
\$844971 for more than 50 acres but less than or equal to 150 acres
\$1,0641,224 for more than 150 acres

- b. The operation fee paid for a Marsh Management fire will be valid for a Fall or Spring burning period, as specified in Regulation 5, Subsection 401.13. Any burning subsequent to either of these time periods shall be subject to an additional open burning operation fee.

3. Any Wildland Vegetation Management fire (Prescribed Burning) conducted pursuant to Regulation 5, Section 401.15 is subject to the following fee, which will be determined for each prescribed burning project by the proposed acreage to be burned:

- a. OPERATION FEE: \$692796 for 50 acres or less

~~\$938~~1,079

for more than 50 acres but less than or equal to 150 acres

~~\$1,224~~1,404

for more than 150 acres

- b. The operation fee paid for a prescribed burn project will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
4. Any Filmmaking fire conducted pursuant to Regulation 5, Section 401.16 and any Public Exhibition fire conducted pursuant to Regulation 5, Section 401.17 is subject to the following fee:
 - a. OPERATION FEE: ~~\$895~~1,029
 - b. The operation fee paid for a Filmmaking or Public Exhibition fire will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
5. Any Stubble fire conducted pursuant to Regulation 5, Section 401.5 that requires a person to receive an acreage burning allocation prior to ignition is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
 - a. OPERATION FEE: ~~\$443~~509 for 25 acres or less
~~\$624~~714 for more than 25 acres but less than or equal to 75 acres
~~\$754~~867 for more than 75 acres but less than or equal to 150 acres
~~\$888~~1,021 for more than 150 acres
 - b. The operation fee paid for a Stubble fire will be valid for one burn period, which is the time period beginning September 1 and ending December 31, each calendar year. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
6. All fees paid pursuant to Schedule V are non-refundable.
7. All fees required pursuant to Schedule V must be paid before conducting a fire.

(Adopted ~~June 19, 2016~~1913; Amended 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/3/20, 6/16/21, 6/15/22)

**SCHEDULE W
REFINING EMISSIONS TRACKING FEES**

1. ANNUAL EMISSIONS INVENTORIES:

Any Refinery owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: \$77,84289,518
- b. Each subsequent annual submittal: \$38,92244,760

Any Support Facility owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: \$4,7585,472
- b. Each subsequent annual submittal: \$2,3792,736

2. AIR MONITORING PLANS:

Any person required to submit an air monitoring plan in accordance with Regulation 12, Rule 15, Section 403 shall pay a one-time fee of \$10,81112,433.

(Adopted 6/15/16; Amended 6/5/19, 6/16/21, 11/3/21, 6/15/22)

**SCHEDULE X
MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES**

For each major stationary source, emitting 35 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide and/or PM₁₀ within the vicinity of a District proposed community air monitoring location, the fee shall be based on the following:

- | | | |
|----|-------------------|-----------------|
| 1. | Organic Compounds | \$60.61 per ton |
| 2. | Sulfur Oxides | \$60.61 per ton |
| 3. | Nitrogen Oxides | \$60.61 per ton |
| 4. | Carbon Monoxide | \$60.61 per ton |
| 5. | PM ₁₀ | \$60.61 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, or PM₁₀, if occurring in an amount less than 35 tons per year, shall not be counted.

(Adopted: 6/15/16; Amended: 6/21/17)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2023 – XXXX

A Resolution of the Board of Directors of the Bay Area Air Quality Management District Amending Regulation 3 (Fees) and Determining the Amendments Statutorily Exempt from the Requirements of the California Environmental Quality Act (“CEQA”)

WHEREAS, a public hearing has been properly noticed in accordance with the provisions of Health & Safety Code sections 40725;

WHEREAS, in 2005 the Bay Area Air Quality Management District (“District”) retained the accounting firm of Stonefield Josephson, Inc. to conduct a study of the District’s fee structure for permitted and non-permitted sources in order to determine whether or not fee revenue from these regulated sources was sufficient to pay for the costs of those regulatory activities and services;

WHEREAS, Stonefield Josephson, after a thorough analysis of the District’s fee structure, revenues, and associated costs, found that District fee revenue have not been sufficient to offset the costs of associated regulatory activities and reported this and other findings in *Bay Area Air Quality Management District Cost Recovery Study, Final Report; March 30, 2005* (“2005 Cost Recovery Study”);

WHEREAS, Stonefield Josephson also found that: (1) despite an across-the-board fee increase of 15 percent in fiscal year ending (FYE) 2000 and adjustments during the subsequent 5 years for inflation, a significant cost recovery gap still existed; and (2) for FYE 2004, fee revenue covered only about 60 percent of direct and indirect program activity costs, leaving a gap of approximately \$13 million to be filled with property tax revenue;

WHEREAS, Stonefield Josephson, based on its findings, recommended that, if the identified revenue gap was to be reduced, fees should be increased by more than annual cost of living adjustments over a period of time;

WHEREAS, in each year from 2005 through and including 2022, the Board approved amendments to Regulation 3 – Fees to increase fees to address this revenue gap and to move toward full alignment between permit fee revenues and associated District permit-related activities and services;

WHEREAS, in September 2010, the District contracted with Matrix Consulting Group to complete an updated Cost Recovery and Containment Study (“2011 Cost Recovery and Containment Study”) based on cost and revenue data for FYE 2010;

WHEREAS, the 2011 Cost Recovery and Containment Study indicated that a significant cost recovery gap continued to exist, with fee revenues for FYE 2010 covering only 62 percent of the direct and indirect costs of program costs;

WHEREAS, in the 2011 Cost Recovery and Containment Study, Matrix Consulting Group recommended that the District adopt a Cost Recovery Policy to guide future fee amendments;

WHEREAS, on March 7, 2012, the Board adopted a Cost Recovery Policy (“2012 Cost Recovery Policy”) that provides as a general policy that the District should fully recover the costs of regulatory program activities by assessing fees to regulated entities, that the District should amend Regulation 3 – Fees in order to increase the overall recovery of the District’s direct and indirect costs of program costs to 85 percent by the end of FYE 2016, and further, that the District should continue to amend specific fee schedules in consideration of cost recovery analyses conducted at the fee schedule level, with larger increases adopted for schedules with larger cost recovery gaps;

WHEREAS, in September 2017, the District contracted with Matrix Consulting Group to complete an updated Cost Recovery and Containment Study (“2018 Cost Recovery and Containment Study”) based on cost and revenue data for FYE 2017;

WHEREAS, a primary focus of the 2018 Cost Recovery and Containment Study was to improve the District’s accounting for indirect costs and overhead in its cost recovery efforts;

WHEREAS, in July 2021, the District contracted with Matrix Consulting Group to complete an updated Cost Recovery and Containment Study (“2022 Cost Recovery and Containment Study”) based on cost and revenue data for FYE 2021;

WHEREAS, 2022 Cost Recovery and Containment Study focused on the District’s accounting for indirect costs and overhead in its cost recovery efforts and options to reach 100 percent cost recovery of the District’s direct and indirect costs of fee-based program costs;

WHEREAS, in December 2022, the Board of Directors updated the Cost Recovery and Containment policy which included a 100 percent cost recovery of the District’s direct and indirect costs of fee-based program costs;

WHEREAS, the 2023 Cost Recovery Report indicates that a \$9.7 million cost recovery gap continues to exist with fee revenues for FYE 2020 to 2022 covering only 84 percent of the direct and indirect costs of program costs;

WHEREAS, the Board of Directors has determined for FYE 2024 there is a need to increase fees to further reduce the misalignment between permit fee revenues and associated District permit-related activities and services and to further reduce the misalignment between fee revenues for non-permitted sources and associated District activities and services related to those sources;

WHEREAS, District staff proposed to increase fee schedules with a cost recovery fee percentage greater than or equal to 100 percent but less than 110 percent by the annual Consumer Price Index for Bay Area Urban Wage Earners and Clerical Workers (CPI-W) and fee schedules with a cost recovery fee percentage less than 100 percent by 15 percent where the cost recovery fee percentage is based on the previous three-year average;

WHEREAS, District staff proposed to increase administrative fees by CPI-W;

WHEREAS, District staff proposed a new emission banking fees to clarify and, recover the costs associated with work not previously being charged a fee;

WHEREAS, District staff proposed a new fee for renewing an Authority to Construct to recover the costs associated with work not previously being charged a fee;

WHEREAS, District staff proposed new fees for the evaluation of plans, processing of petitions and review of reports to recover the costs associated with work not previously being charged a fee;

WHEREAS, District staff consolidated language for Industry Compliance School from rule sections and moved the language into a new section 400;

WHEREAS, District staff proposed the increase of the Risk Assessment fee for Stationary Containers for the Storage of Organic Liquids in Schedule C to align the calculation with the filing fee;

WHEREAS, District staff proposed the increase of the Risk Assessment fee for existing Gas Dispensing Facilities in Schedule D.A by 15 percent;

WHEREAS, District staff proposed reclassifying metal shredding operations with a capacity of less than or equal to 150 tons per hour to Schedule G2 and metal shredding operations with a capacity of greater than 150 tons per hour to Schedule G3;

WHEREAS, District staff proposed to delete Schedule U;

WHEREAS, District staff discussed the proposed amendments to Regulation 3 – Fees at a virtual public workshop on February 16, 2023;

WHEREAS, the Finance and Administration Committee of the Board of Directors held regularly scheduled public meeting on April 5, 2023, at which the proposed amendments to Regulation 3 were discussed, at which oral or written presentations could be made on the subject of the proposed amendments, and the proposal was decided upon for the public hearing;

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District held a public hearing on May 3, 2023, to consider the proposed amendments to Regulation 3 in accordance with all provisions of law;

WHEREAS, an additional public hearing is required by Health and Safety Code section 41512.5 for fees applicable to sources not included within the District's permit system, specifically, the proposed amendment of the following fee schedules: Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees and Schedule V: Open Burning;

WHEREAS, on May 4, 2023, District staff published in newspapers the notice of public hearings required by Health and Safety Code sections 40725 and also distributed and published on the District's website a request for public comments and input on the proposed amendments to Regulation 3;

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District held a second public hearing on June 7, 2023, to consider the proposed amendments to Regulation 3 related to non-permitted sources in accordance with all provisions of law;

WHEREAS, the Board of Directors obtains its authority to adopt, amend or repeal rules and regulations from sections 40702, 42311, 42311.2, 41512.7, 42364 and 40725 through 40728 of the Health & Safety Code and Title 40, Code of Federal Regulations, Part 70.9;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 are written or displayed so that its meaning can be understood by the persons directly affected by the regulation;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 do not impose the same requirements as any existing state or federal regulation and are necessary and proper to execute the power and duties granted to and imposed upon the District;

WHEREAS, the Board of Directors by adopting the proposed amendments to Regulation 3 is implementing, interpreting, and making specific the provisions of Health & Safety Code section 42311 (fee schedule for district programs), section 41512.7 (allowable increases to authority to construct and permit to operate fees), and section 42364 (fees schedule for hearing board review of permit appeals);

WHEREAS, District staff has evaluated the proposed amendments to Regulation 3 and has determined that the proposed rulemaking project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080, subparagraph (b)(8) (the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares or other charges by public agencies); and CEQA Guidelines section 15273 (statutory exemption for rates, tolls, fares and charges);

WHEREAS, District staff has determined that a socioeconomic analysis of the proposed amendments to Regulation 3 pursuant to Health & Safety Code section 40728.5 is not required because the amendments will not significantly affect air quality or emissions limitations within the meaning of that section;

WHEREAS, District staff has determined that an incremental cost-effectiveness analysis of the proposed amendments to Regulation 3 pursuant to Health & Safety Code section 40920.6 is not required because the amendments do not impose best available retrofit control requirements;

WHEREAS, District staff has prepared and presented to this Board, a detailed staff report relative to the subject matter of the proposed amendment which is incorporated by reference and attached hereto;

WHEREAS, District staff recommends adoption of the proposed amendments to Regulation 3 and its associated fee schedules; and

WHEREAS, this Board concurs with District staff's recommendations and desires to adopt the proposed amendments to Regulation 3 and associated schedules as described above and set forth in Attachment A hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District does hereby adopt, pursuant to the authority granted by law, the proposed amendments to Regulation 3 – Fees as set forth in Attachment A hereto and discussed in the staff report with instructions to staff to correct any typographical or formatting errors before final publication of the text of the proposed amended rule as adopted.

BE IT FURTHER RESOLVED that the effective date of the proposed amendments attached hereto shall be July 1, 2023.

BE IT FURTHER RESOLVED, that the Board of Directors of the Bay Area Air Quality Management District has determined that its approval of the proposed amendments to Regulation 3 – Fees is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080, subparagraph (b)(8) (the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares or other charges by public agencies), and CEQA Guidelines section 15273 (statutory exemption for rates, tolls, fares and charges). The fees addressed by Regulation 3 are imposed for the purpose of meeting operating expenses and purchasing and leasing supplies, equipment, and materials.

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 _____, 2023 by the following vote of the Board:

AYES:

NOES:

ABSENT:

John J. Bauters
Chairperson of the Board of Directors

ATTEST:

Teresa Barrett
Secretary of the Board of Directors

ATTACHMENT A

[PROPOSED AMENDED RULE]

Regulation 3: Fees

DRAFT

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Final Public Hearing to Consider Adoption of the Fiscal Year 2023-2024 Proposed
Air District's Budget

RECOMMENDED ACTION

Recommend the Board of Directors conduct its second and final public hearing and consider the adoption of a resolution to approve the Budget for the Fiscal Year Ending (FYE) 2024 and various budget-related actions.

BACKGROUND

Pursuant to Health and Safety Code Section 40131, the Executive Officer/APCO will present the FYE 2024 proposed budget to the Board of Directors for adoption by resolution. At the May 17, 2023, Board of Directors meeting, the Board conducted the first of two required public hearings on the proposed budget. Copies of the proposed budget are available on the Air District's website at <http://www.baaqmd.gov/publications/annual-budget> and will also be available with the posted June 7, 2023, Board agenda.

DISCUSSION

The Proposed Consolidated Budget Expenditure for FY 2023-2024 is \$266.8 million; an increase of \$19.8 million, or 8% over the current year. Of the \$266.8 million, \$129 million is classified as Special Revenue Funds for various grant-related incentive programs and \$137.8 million for General Fund programs.

The total FY 2023-2024 Proposed General Fund Budget is expected to increase by \$5.6 million or 4.2% over the current year. The following actions were taken to develop the FY 2023-2024 Proposed Budget:

- Continuation of fee increases to the District's Existing Fee Schedules pursuant to the cost recovery policy.
- Funding 465 Full Time Equivalent (FTE) current authorized positions; approximately 425 are funded from the General Fund and the remaining 40 from the Special Revenue Fund using various grant sources. No new positions are being requested.

- Assumes an average of 6.9% vacancy savings to account for recruitment timelines to fill vacant positions and attrition due to retirements.
- \$5 million towards pre-funding pension and other post-employment benefits liabilities pursuant to the funding policy approved by the Board in December 2022.
- An estimated 3.5% cost of living increase for air district employees
- \$5.3 million transfer from the General Fund’s undesignated reserves for capital project/equipment and one-time contracts.

The attached proposed budget resolution includes a number of budget-related actions for consideration and approval by the Board of Directors as follows:

- A. Transfer Funds from Encumbered Balance of Appropriations to the Next Fiscal Year for the Continuation of Projects/Programs
- B. Transfer Funds from Unencumbered Balance of Appropriations to the General Reserve;
- C. Continue to fund the General Reserve from year to year, with modification to Name and Purpose of certain Designated Reserve Funds;
- D. Authorize Disposal of Surplus Government Property;
- E. Approve Salary Ranges for District Employees; and
- F. Approve Proposed District Budget for FY 2023-2024.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed consolidated budget for Fiscal Year 2023-2024 is \$266,781,595 which includes the General Fund Budget of \$137,744,538.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Stephanie Osaze
Reviewed by: John Chiladakis

ATTACHMENTS:

1. FY 2023-2024 Proposed Budget Resolution
2. FY 2023-2024 BAAQMD Proposed Salary Schedule
3. FY 2023-2024 BAAQMD Proposed Budget Book

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Resolution No. 2023 -

A Resolution of the Board of Directors of the Bay Area Air Quality Management District to Approve the Budget for the Fiscal Year Ending June 30, 2024 (FY 2023-2024) and Various Budget-Related Actions

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District (Air District) has the statutory authority and direction to adopt the Air District's financial budget pursuant to Health & Safety Code Sections 40130-40131 and 40270-40276;

WHEREAS, by Resolution No. 2022-15, the Board of Directors adopted the Air District Budget for Fiscal Year (FY) 2022-2023 on June 15, 2022, pursuant to the above-mentioned statutory authority;

WHEREAS, the Board of Directors, in connection with that action, approved the following budget related actions:

- A. Transfer Funds from Encumbered Balance of Appropriations to the Next Fiscal Year for Continuation of Projects/Programs
- B. Transfer Funds from Unencumbered Balance of Appropriations to the General Reserve;
- C. Fund the General Reserve from Year to Year;
- D. Authorize Disposal of Surplus Government Property;
- E. Approve Salary Ranges for District Employees;
- F. Approve Funding for CalPERS Pension Benefits and Other Post-Employment Benefits for FY 2022-2023; and
- G. Adopt Air District Budget for FY 2022-2023.

WHEREAS, Air District staff has determined through its annual budget review and analysis that similar actions are necessary in connection with the adoption of a budget for FY 2023-2024 and that all of these actions be incorporated into a single resolution;

WHEREAS, the Finance and Administration Committee of the Board of Directors reviewed the proposed FY 2023-2024 Air District Budget at public meetings held on April 5, 2023, and May 3, 2023, and recommended that the Board of Directors approve as submitted;

WHEREAS, an initial public hearing was duly noticed and held on May 17, 2023, at a Special Meeting of the Board of Directors held pursuant to Health & Safety Code Section 40131, for the purpose of reviewing the Air District's proposed FY 2023-2024 Budget and of providing the public with an opportunity to comment upon the proposed District Budget;

WHEREAS, at the May 17, 2023, Special Meeting of the Board of Directors, the Proposed FY 2023-2024 Air District Budget was set for a further hearing and proposed adoption at the Regular Meeting of the Board of Directors to be held on June 7, 2023;

WHEREAS, in connection with the public hearing and consideration of the Proposed FY 2023-2024 Air District Budget on June 7, 2023, the Board of Directors takes the following actions and adopts the following resolutions related to the FY 2023-2024 District Budget:

A. CARRY FORWARD ENCUMBERED BALANCE OF APPROPRIATIONS TO THE NEXT FISCAL YEAR FOR CONTINUATION OF PROJECTS/PROGRAMS NOT COMPLETED IN THE CURRENT FISCAL YEAR

WHEREAS, the Air District Budget for FY 2022-2023 has appropriated funds committed for projects/programs not completed in the current fiscal year that will carry over to the next fiscal year;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby directs Air District staff, that in the event there is encumbered balance of appropriations from FY 2022-2023 for continuation of projects/programs, to transfer such appropriations to the FY 2023-2024 budget as needed for completion of such projects/programs;

B. TRANSFER FUNDS FROM UNENCUMBERED BALANCE OF APPROPRIATIONS TO THE GENERAL RESERVE

WHEREAS, the Proposed Air District Budget provides sufficient funds for the operation of the Air District for FY 2023-2024;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby directs Air District staff, that in the event there is an unencumbered balance of appropriations from FY 2022-2023, to transfer such excess balance to the General Reserve.

C. CONTINUE TO FUND THE GENERAL RESERVE FROM YEAR TO YEAR, WITH MODIFICATIONS TO THE NAME AND PURPOSE OF CERTAIN DESIGNATED RESERVE FUNDS

WHEREAS, the Board of Directors on June 12, 1958, created a General Reserve in the Air District's budget and transferred certain funds into it;

WHEREAS, the Air District has operated for much of its existence with a General Reserve in its fiscal year budget;

WHEREAS, the Board of Directors finds that maintaining a healthy and properly funded General Reserve in the Air District's budget is a prudent and financially sound decision;

WHEREAS, the Board of Directors has an Economic Contingency Reserve Policy of 20% of the General Fund Budget, which it adopted in connection with the FY 2015-16 Budget;

WHEREAS, in addition to the Economic Contingency Designation, the proposed FY 2023-2024 Budget includes modifications to the name and purpose of certain Designated Reserve Funds;

NOW THEREFORE, BE IT FURTHER RESOLVED that the General Reserve be continued for FY 2023-2024, with the modifications to Designated Reserve Funds as specified in the proposed FY 2023-2024 Budget, and that it be continued thereafter until discontinued by resolution of the Board of Directors.

D. AUTHORIZE DISPOSAL OF SURPLUS GOVERNMENT PROPERTY

WHEREAS, the Air District Budget for FY 2023-2024 provides for the replacement of certain equipment and other property that has either become obsolete and surplus or will become obsolete and surplus;

WHEREAS, Air District staff has determined that certain equipment or other property will no longer be economically feasible to maintain or repair, and that some equipment will become obsolete and not useful for Air District purposes;

WHEREAS, from time to time during the course of the coming fiscal year it may be advantageous to the Air District to sell or dispose of such equipment or other property;

WHEREAS, the Board of Directors desires to authorize the Executive Officer/APCO, or their designee, to sell or dispose of such surplus or obsolete equipment or other property pursuant the requirements and guidelines of Government Code Sections 25363 and 25504;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Executive Officer/APCO, or their designee, to sell or dispose of surplus or obsolete equipment or other property during FY 2023-2024.

E. ADOPT SALARY RANGES FOR AIR DISTRICT EMPLOYEES

WHEREAS, the Board of Directors established Salary Ranges and Classifications on June 10, 1962, pursuant to Resolution No. 270, and has from time to time amended those Salary Ranges and Classifications;

WHEREAS, the current Memorandum of Understanding (“MOU”) with the Bay Area Air Quality Management District Employees’ Association, Inc. (“EA”), the recognized employee organization of the Air District, is set to expire on June 30, 2023, and a successor MOU is being negotiated and is expected to be approved and become effective for the FY 2023-2024 period;

WHEREAS, the MOU applicable for the FY 2023-2024 period is expected to cover salary ranges for represented employees, among other elements with a budgetary impact such as fringe benefits;

WHEREAS, the Air District Budget for FY 2023-2024 includes funds for Board of Directors discretionary use in adjusting salaries and fringe benefits for Air District employees;

WHEREAS, since negotiations with the EA regarding the MOU have not been completed and no MOU has been approved for the FY 2023-2024 period, the FY 2023-2024 salary schedule attached hereto reflects no changes to the salary ranges now in effect for FY 2023-2024 (except where required by contracts with individual employees), in anticipation that negotiated salary adjustments will be approved by the Board of Directors in conjunction with the MOU covering FY 2023-2024;

WHEREAS, the FY 2023-2024 salary schedule attached hereto reflects salary changes for the Counsel position, effective July 1, 2023, as required under the separate, independent employment agreement between the Air District and its Counsel;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors adopts the attached FY 2023-2024 salary schedule.

F. APPROVE FUNDING FOR PENSION BENEFITS AND OTHER POST-EMPLOYMENT BENEFITS (OPEB) FOR FY 2023-2024

WHEREAS, in December 2022, the Board of Directors adopted a funding policy formalizing the Air District's current practice of prefunding its OPEB and Pension benefit plans by contributing up to \$5 million (\$4M to OPEB and \$1M to Pension) in discretionary funding annually towards achieving a minimum 90% funded target level;

WHEREAS, based on the most recent actuarial valuations, the OPEB plan reached its target funded level at 103% and the pension plan was below the target funded level at 82%;

WHEREAS, the funding policy also states that the Board of Directors can redirect the \$4 million discretionary funds from OPEB upon reaching its funded target to the 115 Pension Trust with California Employers' Pension Prefunding Trust (CEPPT);

NOW, THEREFORE, BE IT FURTHER RESOLVED that as a part of the FY 2023-2024 Proposed Budget, the Board of Directors hereby authorizes and directs staff to redirect the \$4 million in OPEB discretionary funding to the CEPPT pension trust for a total of \$5 million for the continuation of prefunding the Air District's Pension plan.

G. ADOPT AIR DISTRICT BUDGET FOR FY 2023-2024

WHEREAS, on May 17, 2023, and June 7, 2023, public proceedings have been held in the manner and form required by Health & Safety Code Section 40131 for the adoption of the FY 2023-2024 Budget of the Bay Area Air Quality Management District;

WHEREAS, the Board of Directors has considered the Proposed FY 2023-2024 Air District Budget, as well as the recommendation to adopt this Proposed Budget from the Finance and Administration Committee of the Board of Directors, which considered the Proposed Budget at its meetings of April 5, 2023, and May 3, 2023;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Proposed Air District Budget for Fiscal Year 2023-2024, in the total consolidated amount of Two Hundred Sixty-Six Million, Seven Hundred Eighty-One Thousand, Five Hundred and Ninety Five Dollars (\$266,781,595), specifying by appropriation classification funding levels for personnel, services and supplies, capital outlay, program distributions and transfers, is hereby adopted by the Board of Directors of the Bay Area Air Quality Management District to become effective as of July 1, 2023.

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 _____ day of _____ 2023, by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

JOHN J. BAUTERS
Chairperson of the Board of Directors

LYNDA HOPKINS
Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
SALARY SCHEDULE FOR MANAGEMENT AND CONFIDENTIAL CLASSES
 Annually/Monthly/Bi-weekly/Hourly effective July 1, 2023

ID-JDE MANAGEMENT

Per Employment Agreement

1B101 Executive Officer/Air Pollution Control Officer	388500.00 <u>370000.00</u>
	32375.00 <u>30833.34</u>
	14942.31 <u>14230.77</u>
	186.78 <u>177.88</u>

1B103 Chief Operating Officer	337748.00
	28145.67
	12990.31
	162.38

1B102 Counsel	322845.48
	26903.79
	12417.13
	155.21

ID-JDE MANAGEMENT

	Range	Step A	Step B	Step C	Step D	Step E
3M101 Air Monitoring Manager	148M	150578.21	158107.12	166012.47	174313.10	183028.75
		12548.18	13175.59	13834.37	14526.09	15252.40
		5791.47	6081.04	6385.10	6704.35	7039.57
		72.39	76.01	79.81	83.80	87.99
3M102 Air Quality Engineering Manager	148M	150578.21	158107.12	166012.47	174313.10	183028.75
		12548.18	13175.59	13834.37	14526.09	15252.40
		5791.47	6081.04	6385.10	6704.35	7039.57
		72.39	76.01	79.81	83.80	87.99
3M103 Air Quality Planning Manager	148M	150578.21	158107.12	166012.47	174313.10	183028.75
		12548.18	13175.59	13834.37	14526.09	15252.40
		5791.47	6081.04	6385.10	6704.35	7039.57
		72.39	76.01	79.81	83.80	87.99
3M104 Air Quality Program Manager	148M	150578.21	158107.12	166012.47	174313.10	183028.75
		12548.18	13175.59	13834.37	14526.09	15252.40
		5791.47	6081.04	6385.10	6704.35	7039.57
		72.39	76.01	79.81	83.80	87.99
8M101 Assistant Counsel I	149M	151660.22	159243.23	167205.39	175565.66	184343.94
		12638.35	13270.27	13933.78	14630.47	15362.00
		5833.09	6124.74	6430.98	6752.53	7090.15
		72.91	76.56	80.39	84.41	88.63
7M101 Assistant Counsel II	153M	170112.16	178617.77	187548.66	196926.09	206772.40
		14176.01	14884.81	15629.05	16410.51	17231.03
		6542.78	6869.91	7213.41	7574.08	7952.78
		81.78	85.87	90.17	94.68	99.41
3M121 Assistant Manager	147M	146949.28	154296.75	162011.58	170112.16	178617.77
		12245.77	12858.06	13500.97	14176.01	14884.81
		5651.90	5934.49	6231.21	6542.78	6869.91
		70.65	74.18	77.89	81.78	85.87

ID-JDE MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M117 Audit & Special Projects Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M105 Business Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
2M111 Communications Officer	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
1M101 Deputy Air Pollution Control Officer	160M	201789.20 16815.77 7761.12 97.01	211878.66 17656.55 8149.18 101.86	222472.59 18539.38 8556.64 106.96	233596.22 19466.35 8984.47 112.31	245276.03 20439.67 9433.69 117.9212
1M102 Deputy Executive Officer	169M	251333.14 20944.43 9666.66 120.83	263899.80 21991.65 10149.99 126.87	277094.79 23091.23 10657.49 133.22	290949.53 24245.79 11190.37 139.88	305497.00 25458.08 11749.88 146.87
2M110 Director/Officer	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
2M101 Director of Administration	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
2M102 Director of Enforcement	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
2M103 Director of Engineering	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
2M108 Director of Strategic Incentives	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
2M104 Director of Information Services	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25

ID-JDE MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
2M105 Director of Planning and Research	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
2M107 Director of Technical Services	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
3M119 Engineering Project Processing Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M113 Executive Operations Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M107 Finance Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M106 Fleet and Facilities Manager	134M	107013.12 8917.76 4115.89 51.45	112363.78 9363.65 4321.68 54.02	117981.96 9831.83 4537.77 56.72	123881.06 10323.42 4764.66 59.56	130075.12 10839.59 5002.89 62.54
2M111 Health Officer	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
3M118 Human Resources Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M108 Human Resources Officer	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25
3M109 Information Systems Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
2M109 Information Technology Officer	156M	181820.40 15151.70 6993.09 87.41	190911.42 15909.29 7342.75 91.78	200457.00 16704.75 7709.88 96.37	210479.85 17539.99 8095.38 101.19	221003.84 18416.99 8500.15 106.25

ID-JDE MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M110 Manager (Laboratory)	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M120 Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M115 Manager of Executive Operations	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M111 Meteorology and Data Analysis Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M112 Research and Modeling Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
6M101 Senior Assistant Counsel	157M	187548.66 15629.05 7213.41 90.17	196926.09 16410.51 7574.08 94.68	206772.40 17231.03 7952.78 99.41	217111.02 18092.58 8350.42 104.38	227966.57 18997.21 8767.94 109.60
6M102 Senior Policy Advisor	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99
3M116 Strategic Facilities Planning Manager	148M	150578.21 12548.18 5791.47 72.39	158107.12 13175.59 6081.04 76.01	166012.47 13834.37 6385.10 79.81	174313.10 14526.09 6704.35 83.80	183028.75 15252.40 7039.57 87.99

ID-JDE CONFIDENTIAL	Range	Step A	Step B	Step C	Step D	Step E
8C006 Administrative Assistant I (Confidential)	114	63783.27	66972.44	70321.06	73837.11	77528.97
		5315.27	5581.04	5860.09	6153.09	6460.75
		2453.20	2575.86	2704.66	2839.89	2981.88
		30.67	32.20	33.81	35.50	37.27
7C009 Administrative Assistant II (Confidential)	118	70321.06	73837.11	77528.97	81405.42	85475.69
		5860.09	6153.09	6460.75	6783.78	7122.97
		2704.66	2839.89	2981.88	3130.98	3287.53
		33.81	35.50	37.27	39.14	41.09
7C007 Administrative Secretary (Confidential)	118	70321.06	73837.11	77528.97	81405.42	85475.69
		5860.09	6153.09	6460.75	6783.78	7122.97
		2704.66	2839.89	2981.88	3130.98	3287.53
		33.81	35.50	37.27	39.14	41.09
5C101 Clerk of the Boards	132	98948.79	103896.23	109091.04	114545.60	120272.88
		8245.73	8658.02	9090.92	9545.47	10022.74
		3805.72	3996.01	4195.81	4405.60	4625.88
		47.57	49.95	52.45	55.07	57.82
8C005 Executive Assistant I	128	89749.47	94236.95	98948.79	103896.23	109091.04
		7479.12	7853.08	8245.73	8658.02	9090.92
		3451.90	3624.50	3805.72	3996.01	4195.81
		43.15	45.31	47.57	49.95	52.45
7C008 Executive Assistant II	132	98948.79	103896.23	109091.04	114545.60	120272.88
		8245.73	8658.02	9090.92	9545.47	10022.74
		3805.72	3996.01	4195.81	4405.60	4625.88
		47.57	49.95	52.45	55.07	57.82
8C004 Executive Secretary I	128	89749.47	94236.95	98948.79	103896.23	109091.04
		7479.12	7853.08	8245.73	8658.02	9090.92
		3451.90	3624.50	3805.72	3996.01	4195.81
		43.15	45.31	47.57	49.95	52.45
7C001 Executive Secretary II	132	98948.79	103896.23	109091.04	114545.60	120272.88
		8245.73	8658.02	9090.92	9545.47	10022.74
		3805.72	3996.01	4195.81	4405.60	4625.88
		47.57	49.95	52.45	55.07	57.82
8C101 Human Resources Analyst I	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
7C103 Human Resources Analyst II	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
8C001 Human Resources Technician I	122	77528.97	81405.42	85475.69	89749.47	94236.95
		6460.75	6783.78	7122.97	7479.12	7853.08
		2981.88	3130.98	3287.53	3451.90	3624.50
		37.27	39.14	41.09	43.15	45.31

ID-JDE CONFIDENTIAL(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
7C002 Human Resources Technician II	126	85475.69	89749.47	94236.95	98948.79	103896.23
		7122.97	7479.12	7853.08	8245.73	8658.02
		3287.53	3451.90	3624.50	3805.72	3996.01
		41.09	43.15	45.31	47.57	49.95
7C003 Legal Office Services Specialist	124	81405.42	85475.69	89749.47	94236.95	98948.79
		6783.78	7122.97	7479.12	7853.08	8245.73
		3130.98	3287.53	3451.90	3624.50	3805.72
		39.14	41.09	43.15	45.31	47.57
8C002 Legal Secretary I	116	66972.44	70321.06	73837.11	77528.97	81405.42
		5581.04	5860.09	6153.09	6460.75	6783.78
		2575.86	2704.66	2839.89	2981.88	3130.98
		32.20	33.81	35.50	37.27	39.14
7C004 Legal Secretary II	120	73837.11	77528.97	81405.42	85475.69	89749.47
		6153.09	6460.75	6783.78	7122.97	7479.12
		2839.89	2981.88	3130.98	3287.53	3451.90
		35.50	37.27	39.14	41.09	43.15
8C003 Office Assistant I (HR)	104	49975.86	52474.66	55098.39	57853.31	60745.98
		4164.66	4372.89	4591.53	4821.11	5062.16
		1922.15	2018.26	2119.17	2225.13	2336.38
		24.03	25.23	26.49	27.81	29.20
7C005 Office Assistant II (HR)	108	55098.39	57853.31	60745.98	63783.27	66972.44
		4591.53	4821.11	5062.16	5315.27	5581.04
		2119.17	2225.13	2336.38	2453.20	2575.86
		26.49	27.81	29.20	30.67	32.20
7C102 Paralegal	124	81405.42	85475.69	89749.47	94236.95	98948.79
		6783.78	7122.97	7479.12	7853.08	8245.73
		3130.98	3287.53	3451.90	3624.50	3805.72
		39.14	41.09	43.15	45.31	47.57
4C101 Principal Human Resources Analyst	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
6C002 Senior Executive Assistant	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
6C001 Senior Executive Secretary	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
6C102 Senior Human Resources Analyst	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
SALARY SCHEDULE FOR TECHNICAL/GENERAL AND PROFESSIONAL EMPLOYEES
Effective July 3, 2022 per Memorandum of Understanding effective July 1, 2021

ID-JDE PROFESSIONAL	Range	Step A	Step B	Step C	Step D	Step E
7P001 Accountant I	130	94236.95 7853.08 3624.50 45.31	98948.79 8245.73 3805.72 47.57	103896.23 8658.02 3996.01 49.95	109091.04 9090.92 4195.81 52.45	114545.60 9545.47 4405.60 55.07
7P014 Accountant II	134	103896.23 8658.02 3996.01 49.95	109091.04 9090.92 4195.81 52.45	114545.60 9545.47 4405.60 55.07	120272.88 10022.74 4625.88 57.82	126286.52 10523.88 4857.17 60.71
7P002 Advanced Projects Advisor	144	132600.85 11050.07 5100.03 63.75	139230.89 11602.57 5355.03 66.94	146192.43 12182.70 5622.79 70.28	153502.05 12791.84 5903.93 73.80	161177.16 13431.43 6199.12 77.49
8P001 Air Quality Chemist I	130	94236.95 7853.08 3624.50 45.31	98948.79 8245.73 3805.72 47.57	103896.23 8658.02 3996.01 49.95	109091.04 9090.92 4195.81 52.45	114545.60 9545.47 4405.60 55.07
7P003 Air Quality Chemist II	134	103896.23 8658.02 3996.01 49.95	109091.04 9090.92 4195.81 52.45	114545.60 9545.47 4405.60 55.07	120272.88 10022.74 4625.88 57.82	126286.52 10523.88 4857.17 60.71
8P002 Air Quality Engineer I	132	98948.79 8245.73 3805.72 47.57	103896.23 8658.02 3996.01 49.95	109091.04 9090.92 4195.81 52.45	114545.60 9545.47 4405.60 55.07	120272.88 10022.74 4625.88 57.82
7P004 Air Quality Engineer II	136	109091.04 9090.92 4195.81 52.45	114545.60 9545.47 4405.60 55.07	120272.88 10022.74 4625.88 57.82	126286.52 10523.88 4857.17 60.71	132600.85 11050.07 5100.03 63.75
8P003 Air Quality Meteorologist I	131	96564.13 8047.01 3714.01 46.43	101392.34 8449.36 3899.71 48.75	106461.96 8871.83 4094.69 51.18	111785.06 9315.42 4299.43 53.74	117374.31 9781.19 4514.40 56.43
7P005 Air Quality Meteorologist II	135	106461.96 8871.83 4094.69 51.18	111785.06 9315.42 4299.43 53.74	117374.31 9781.19 4514.40 56.43	123243.02 10270.25 4740.12 59.25	129405.18 10783.76 4977.12 62.21
7P006 Atmospheric Modeler	140	120272.88 10022.74 4625.88 57.82	126286.52 10523.88 4857.17 60.71	132600.85 11050.07 5100.03 63.75	139230.89 11602.57 5355.03 66.94	146192.43 12182.70 5622.79 70.28

ID-JDE PROFESSIONAL(continued)	Range	Step A	Step B	Step C	Step D	Step E
8P004 Environmental Planner I	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
7P007 Environmental Planner II	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
7P008 Legislative Analyst	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94
7P009 Librarian	128	89749.47	94236.95	98948.79	103896.23	109091.04
		7479.12	7853.08	8245.73	8658.02	9090.92
		3451.90	3624.50	3805.72	3996.01	4195.81
		43.15	45.31	47.57	49.95	52.45
4P001 Principal Accountant	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
4P002 Principal Air and Meteorological Monitoring Specialist	143	129405.18	135875.43	142669.21	149802.67	157292.80
		10783.76	11322.95	11889.10	12483.56	13107.73
		4977.12	5225.98	5487.28	5761.64	6049.72
		62.21	65.32	68.59	72.02	75.62
4P005 Principal Air Quality Chemist	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
4P003 Principal Air Quality Engineer	144	132600.85	139230.89	146192.43	153502.05	161177.16
		11050.07	11602.57	12182.70	12791.84	13431.43
		5100.03	5355.03	5622.79	5903.93	6199.12
		63.75	66.94	70.28	73.80	77.49
4P006 Principal Air Quality Meteorologist	143	129405.18	135875.43	142669.21	149802.67	157292.80
		10783.76	11322.95	11889.10	12483.56	13107.73
		4977.12	5225.98	5487.28	5761.64	6049.72
		62.21	65.32	68.59	72.02	75.62
4P004 Principal Environmental Planner	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80

ID-JDE PROFESSIONAL(continued)	Range	Step A	Step B	Step C	Step D	Step E
7P010 Research Analyst	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
6P007 Senior Accountant	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94
6P001 Senior Advanced Projects Advisor	148	146192.43	153502.05	161177.16	169236.01	177697.82
		12182.70	12791.84	13431.43	14103.00	14808.15
		5622.79	5903.93	6199.12	6509.08	6834.53
		70.28	73.80	77.49	81.36	85.43
6P002 Senior Air Quality Chemist	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94
6P003 Senior Air Quality Engineer	140	120272.88	126286.52	132600.85	139230.89	146192.43
		10022.74	10523.88	11050.07	11602.57	12182.70
		4625.88	4857.17	5100.03	5355.03	5622.79
		57.82	60.71	63.75	66.94	70.28
6P004 Senior Air Quality Meteorologist	139	117374.31	123243.02	129405.18	135875.43	142669.21
		9781.19	10270.25	10783.76	11322.95	11889.10
		4514.40	4740.12	4977.12	5225.98	5487.28
		56.43	59.25	62.21	65.32	68.59
6P005 Senior Atmospheric Modeler	144	132600.85	139230.89	146192.43	153502.05	161177.16
		11050.07	11602.57	12182.70	12791.84	13431.43
		5100.03	5355.03	5622.79	5903.93	6199.12
		63.75	66.94	70.28	73.80	77.49
6P006 Senior Environmental Planner	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94
7P011 Statistician	137	111785.06	117374.31	123243.02	129405.18	135875.43
		9315.42	9781.19	10270.25	10783.76	11322.95
		4299.43	4514.40	4740.12	4977.12	5225.98
		53.74	56.43	59.25	62.21	65.32
5P001 Supervising Air Quality Engineer	144	132600.85	139230.89	146192.43	153502.05	161177.16
		11050.07	11602.57	12182.70	12791.84	13431.43
		5100.03	5355.03	5622.79	5903.93	6199.12
		63.75	66.94	70.28	73.80	77.49
5P002 Supervising Air Quality Meteorologist	143	129405.18	135875.43	142669.21	149802.67	157292.80
		10783.76	11322.95	11889.10	12483.56	13107.73
		4977.12	5225.98	5487.28	5761.64	6049.72
		62.21	65.32	68.59	72.02	75.62
5P003 Supervising Environmental Planner	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80

ID-JDE PROFESSIONAL(continued)	Range	Step A	Step B	Step C	Step D	Step E
7P012 Toxicologist	144	132600.85 11050.07 5100.03 63.75	139230.89 11602.57 5355.03 66.94	146192.43 12182.70 5622.79 70.28	153502.05 12791.84 5903.93 73.80	161177.16 13431.43 6199.12 77.49
ID-JDE TECHNICAL/GENERAL	Range	Step A	Step B	Step C	Step D	Step E
8T001 Accounting Assistant I	122	77528.97 6460.75 2981.88 37.27	81405.42 6783.78 3130.98 39.14	85475.69 7122.97 3287.53 41.09	89749.47 7479.12 3451.90 43.15	94236.95 7853.08 3624.50 45.31
7T001 Accounting Assistant II	126	85475.69 7122.97 3287.53 41.09	89749.47 7479.12 3451.90 43.15	94236.95 7853.08 3624.50 45.31	98948.79 8245.73 3805.72 47.57	103896.23 8658.02 3996.01 49.95
7T002 Administrative Analyst	131	96564.13 8047.01 3714.01 46.43	101392.34 8449.36 3899.71 48.75	106461.96 8871.83 4094.69 51.18	111785.06 9315.42 4299.43 53.74	117374.31 9781.19 4514.40 56.43
8T015 Administrative Assistant I	114	63783.27 5315.27 2453.20 30.67	66972.44 5581.04 2575.86 32.20	70321.06 5860.09 2704.66 33.81	73837.11 6153.09 2839.89 35.50	77528.97 6460.75 2981.88 37.27
7T034 Administrative Assistant II	118	70321.06 5860.09 2704.66 33.81	73837.11 6153.09 2839.89 35.50	77528.97 6460.75 2981.88 37.27	81405.42 6783.78 3130.98 39.14	85475.69 7122.97 3287.53 41.09
7T003 Administrative Secretary	118	70321.06 5860.09 2704.66 33.81	73837.11 6153.09 2839.89 35.50	77528.97 6460.75 2981.88 37.27	81405.42 6783.78 3130.98 39.14	85475.69 7122.97 3287.53 41.09
8T002 Air Quality Case Settlement Specialist I	126	85475.69 7122.97 3287.53 41.09	89749.47 7479.12 3451.90 43.15	94236.95 7853.08 3624.50 45.31	98948.79 8245.73 3805.72 47.57	103896.23 8658.02 3996.01 49.95
7T004 Air Quality Case Settlement Specialist II	130	94236.95 7853.08 3624.50 45.31	98948.79 8245.73 3805.72 47.57	103896.23 8658.02 3996.01 49.95	109091.04 9090.92 4195.81 52.45	114545.60 9545.47 4405.60 55.07
8T003 Air Quality Inspector I	124	81405.42 6783.78 3130.98 39.14	85475.69 7122.97 3287.53 41.09	89749.47 7479.12 3451.90 43.15	94236.95 7853.08 3624.50 45.31	98948.79 8245.73 3805.72 47.57

ID-JDE TECHNICAL/GENERAL(cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T005 Air Quality Inspector II	128	89749.47	94236.95	98948.79	103896.23	109091.04
		7479.12	7853.08	8245.73	8658.02	9090.92
		3451.90	3624.50	3805.72	3996.01	4195.81
		43.15	45.31	47.57	49.95	52.45
8T004 Air Quality Instrument Specialist I	124	81405.42	85475.69	89749.47	94236.95	98948.79
		6783.78	7122.97	7479.12	7853.08	8245.73
		3130.98	3287.53	3451.90	3624.50	3805.72
		39.14	41.09	43.15	45.31	47.57
7T006 Air Quality Instrument Specialist II	128	89749.47	94236.95	98948.79	103896.23	109091.04
		7479.12	7853.08	8245.73	8658.02	9090.92
		3451.90	3624.50	3805.72	3996.01	4195.81
		43.15	45.31	47.57	49.95	52.45
8T005 Air Quality Laboratory Technician I	122	77528.97	81405.42	85475.69	89749.47	94236.95
		6460.75	6783.78	7122.97	7479.12	7853.08
		2981.88	3130.98	3287.53	3451.90	3624.50
		37.27	39.14	41.09	43.15	45.31
7T007 Air Quality Laboratory Technician II	126	85475.69	89749.47	94236.95	98948.79	103896.23
		7122.97	7479.12	7853.08	8245.73	8658.02
		3287.53	3451.90	3624.50	3805.72	3996.01
		41.09	43.15	45.31	47.57	49.95
8T006 Air Quality Permit Technician I	122	77528.97	81405.42	85475.69	89749.47	94236.95
		6460.75	6783.78	7122.97	7479.12	7853.08
		2981.88	3130.98	3287.53	3451.90	3624.50
		37.27	39.14	41.09	43.15	45.31
7T008 Air Quality Permit Technician II	126	85475.69	89749.47	94236.95	98948.79	103896.23
		7122.97	7479.12	7853.08	8245.73	8658.02
		3287.53	3451.90	3624.50	3805.72	3996.01
		41.09	43.15	45.31	47.57	49.95
8T007 Air Quality Specialist I	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
7T009 Air Quality Specialist II	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
7T010 Air Quality Technical Assistant	118	70321.06	73837.11	77528.97	81405.42	85475.69
		5860.09	6153.09	6460.75	6783.78	7122.97
		2704.66	2839.89	2981.88	3130.98	3287.53
		33.81	35.50	37.27	39.14	41.09
8T008 Air Quality Technician I	122	77528.97	81405.42	85475.69	89749.47	94236.95
		6460.75	6783.78	7122.97	7479.12	7853.08
		2981.88	3130.98	3287.53	3451.90	3624.50
		37.27	39.14	41.09	43.15	45.31

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T011 Air Quality Technician II	126	85475.69	89749.47	94236.95	98948.79	103896.23
		7122.97	7479.12	7853.08	8245.73	8658.02
		3287.53	3451.90	3624.50	3805.72	3996.01
		41.09	43.15	45.31	47.57	49.95
8T016 Assistant Air Quality Specialist I	122	77528.97	81405.42	85475.69	89749.47	94236.95
		6460.75	6783.78	7122.97	7479.12	7853.08
		2981.88	3130.98	3287.53	3451.90	3624.50
		37.27	39.14	41.09	43.15	45.31
7T035 Assistant Air Quality Specialist II	126	85475.69	89749.47	94236.95	98948.79	103896.23
		7122.97	7479.12	7853.08	8245.73	8658.02
		3287.53	3451.90	3624.50	3805.72	3996.01
		41.09	43.15	45.31	47.57	49.95
8T014 Assistant Staff Specialist I	122	77528.97	81405.42	85475.69	89749.47	94236.95
		6460.75	6783.78	7122.97	7479.12	7853.08
		2981.88	3130.98	3287.53	3451.90	3624.50
		37.27	39.14	41.09	43.15	45.31
7T033 Assistant Staff Specialist II	126	85475.69	89749.47	94236.95	98948.79	103896.23
		7122.97	7479.12	7853.08	8245.73	8658.02
		3287.53	3451.90	3624.50	3805.72	3996.01
		41.09	43.15	45.31	47.57	49.95
7T012 Building Maintenance Mechanic	114	63783.27	66972.44	70321.06	73837.11	77528.97
		5315.27	5581.04	5860.09	6153.09	6460.75
		2453.20	2575.86	2704.66	2839.89	2981.88
		30.67	32.20	33.81	35.50	37.27
7T013 Data Entry Operator	111	59282.00	62246.10	65358.41	68626.33	72057.64
		4940.17	5187.18	5446.53	5718.86	6004.80
		2280.08	2394.08	2513.78	2639.47	2771.45
		28.50	29.93	31.42	32.99	34.64
5T010 Data Support Supervisor	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
7T014 Database Specialist	135	106461.96	111785.06	117374.31	123243.02	129405.18
		8871.83	9315.42	9781.19	10270.25	10783.76
		4094.69	4299.43	4514.40	4740.12	4977.12
		51.18	53.74	56.43	59.25	62.21
7T015 Deputy Clerk of the Boards	123	79443.55	83415.73	87586.52	91965.84	96564.13
		6620.30	6951.31	7298.88	7663.82	8047.01
		3055.52	3208.30	3368.71	3537.15	3714.01
		38.19	40.10	42.11	44.21	46.43
7T028 Facilities Maintenance Worker	108	55098.39	57853.31	60745.98	63783.27	66972.44
		4591.53	4821.11	5062.16	5315.27	5581.04
		2119.17	2225.13	2336.38	2453.20	2575.86
		26.49	27.81	29.20	30.67	32.20

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T008 Facilities Services Supervisor	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
7T031 Fiscal Services Supervisor	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
8T009 Mechanic I	121	75660.53	79443.55	83415.73	87586.52	91965.84
		6305.04	6620.30	6951.31	7298.88	7663.82
		2910.02	3055.52	3208.30	3368.71	3537.15
		36.38	38.19	40.10	42.11	44.21
7T016 Mechanic II	125	83415.73	87586.52	91965.84	96564.13	101392.34
		6951.31	7298.88	7663.82	8047.01	8449.36
		3208.30	3368.71	3537.15	3714.01	3899.71
		40.10	42.11	44.21	46.43	48.75
8T010 Office Assistant I	104	49975.86	52474.66	55098.39	57853.31	60745.98
		4164.66	4372.89	4591.53	4821.11	5062.16
		1922.15	2018.26	2119.17	2225.13	2336.38
		24.03	25.23	26.49	27.81	29.20
7T017 Office Assistant II	108	55098.39	57853.31	60745.98	63783.27	66972.44
		4591.53	4821.11	5062.16	5315.27	5581.04
		2119.17	2225.13	2336.38	2453.20	2575.86
		26.49	27.81	29.20	30.67	32.20
5T001 Office Services Supervisor	116	66972.44	70321.06	73837.11	77528.97	81405.42
		5581.04	5860.09	6153.09	6460.75	6783.78
		2575.86	2704.66	2839.89	2981.88	3130.98
		32.20	33.81	35.50	37.27	39.14
7T018 Permit Coordinator	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
6T009 Principal Air Quality Instrument Specialist	136	109091.04	114545.60	120272.88	126286.52	132600.85
		9090.92	9545.47	10022.74	10523.88	11050.07
		4195.81	4405.60	4625.88	4857.17	5100.03
		52.45	55.07	57.82	60.71	63.75
4T001 Principal Air Quality Specialist	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
4T002 Principal Staff Specialist	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
8T011 Programmer Analyst I	127	87586.52	91965.84	96564.13	101392.34	106461.96
		7298.88	7663.82	8047.01	8449.36	8871.83
		3368.71	3537.15	3714.01	3899.71	4094.69
		42.11	44.21	46.43	48.75	51.18
7T019 Programmer Analyst II	131	96564.13	101392.34	106461.96	111785.06	117374.31
		8047.01	8449.36	8871.83	9315.42	9781.19
		3714.01	3899.71	4094.69	4299.43	4514.40
		46.43	48.75	51.18	53.74	56.43
8T012 Public Information Officer I	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
7T020 Public Information Officer II	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
7T027 Purchasing Agent	122	77528.97	81405.42	85475.69	89749.47	94236.95
		6460.75	6783.78	7122.97	7479.12	7853.08
		2981.88	3130.98	3287.53	3451.90	3624.50
		37.27	39.14	41.09	43.15	45.31
7T021 Radio/Telephone Operator	113	62246.10	65358.41	68626.33	72057.64	75660.53
		5187.18	5446.53	5718.86	6004.80	6305.04
		2394.08	2513.78	2639.47	2771.45	2910.02
		29.93	31.42	32.99	34.64	36.38
5T002 Radio/Telephone Operator Supervisor	119	72057.64	75660.53	79443.55	83415.73	87586.52
		6004.80	6305.04	6620.30	6951.31	7298.88
		2771.45	2910.02	3055.52	3208.30	3368.71
		34.64	36.38	38.19	40.10	42.11
7T022 Receptionist	104	49975.86	52474.66	55098.39	57853.31	60745.98
		4164.66	4372.89	4591.53	4821.11	5062.16
		1922.15	2018.26	2119.17	2225.13	2336.38
		24.03	25.23	26.49	27.81	29.20
7T023 Secretary	112	60745.98	63783.27	66972.44	70321.06	73837.11
		5062.16	5315.27	5581.04	5860.09	6153.09
		2336.38	2453.20	2575.86	2704.66	2839.89
		29.20	30.67	32.20	33.81	35.50
6T001 Senior Accounting Assistant	120	73837.11	77528.97	81405.42	85475.69	89749.47
		6153.09	6460.75	6783.78	7122.97	7479.12
		2839.89	2981.88	3130.98	3287.53	3451.90
		35.50	37.27	39.14	41.09	43.15
6T002 Senior Air Quality Inspector	132	98948.79	103896.23	109091.04	114545.60	120272.88
		8245.73	8658.02	9090.92	9545.47	10022.74
		3805.72	3996.01	4195.81	4405.60	4625.88
		47.57	49.95	52.45	55.07	57.82

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
6T003 Senior Air Quality Instrument Specialist	132	98948.79	103896.23	109091.04	114545.60	120272.88
		8245.73	8658.02	9090.92	9545.47	10022.74
		3805.72	3996.01	4195.81	4405.60	4625.88
		47.57	49.95	52.45	55.07	57.82
6T007 Senior Air Quality Permit Technician	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
6T004 Senior Air Quality Specialist	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94
6T006 Senior Air Quality Technician	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
6T005 Senior Public Information Officer	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94
6T008 Senior Staff Specialist	138	114545.60	120272.88	126286.52	132600.85	139230.89
		9545.47	10022.74	10523.88	11050.07	11602.57
		4405.60	4625.88	4857.17	5100.03	5355.03
		55.07	57.82	60.71	63.75	66.94
8T013 Staff Specialist I	130	94236.95	98948.79	103896.23	109091.04	114545.60
		7853.08	8245.73	8658.02	9090.92	9545.47
		3624.50	3805.72	3996.01	4195.81	4405.60
		45.31	47.57	49.95	52.45	55.07
7T032 Staff Specialist II	134	103896.23	109091.04	114545.60	120272.88	126286.52
		8658.02	9090.92	9545.47	10022.74	10523.88
		3996.01	4195.81	4405.60	4625.88	4857.17
		49.95	52.45	55.07	57.82	60.71
5T003 Supervising Air Quality Inspector	136	109091.04	114545.60	120272.88	126286.52	132600.85
		9090.92	9545.47	10022.74	10523.88	11050.07
		4195.81	4405.60	4625.88	4857.17	5100.03
		52.45	55.07	57.82	60.71	63.75
5T004 Supervising Air Quality Instrument Special	136	109091.04	114545.60	120272.88	126286.52	132600.85
		9090.92	9545.47	10022.74	10523.88	11050.07
		4195.81	4405.60	4625.88	4857.17	5100.03
		52.45	55.07	57.82	60.71	63.75

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T005 Supervising Air Quality Specialist	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
5T006 Supervising Public Information Officer	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
5T009 Supervising Staff Specialist	142	126286.52	132600.85	139230.89	146192.43	153502.05
		10523.88	11050.07	11602.57	12182.70	12791.84
		4857.17	5100.03	5355.03	5622.79	5903.93
		60.71	63.75	66.94	70.28	73.80
5T007 Supervising Systems Analyst	139	117374.31	123243.02	129405.18	135875.43	142669.21
		9781.19	10270.25	10783.76	11322.95	11889.10
		4514.40	4740.12	4977.12	5225.98	5487.28
		56.43	59.25	62.21	65.32	68.59
7T024 Systems Analyst	135	106461.96	111785.06	117374.31	123243.02	129405.18
		8871.83	9315.42	9781.19	10270.25	10783.76
		4094.69	4299.43	4514.40	4740.12	4977.12
		51.18	53.74	56.43	59.25	62.21
7T025 Systems Quality Assurance Specialist	135	106461.96	111785.06	117374.31	123243.02	129405.18
		8871.83	9315.42	9781.19	10270.25	10783.76
		4094.69	4299.43	4514.40	4740.12	4977.12
		51.18	53.74	56.43	59.25	62.21
7T026 Web Master	135	106461.96	111785.06	117374.31	123243.02	129405.18
		8871.83	9315.42	9781.19	10270.25	10783.76
		4094.69	4299.43	4514.40	4740.12	4977.12
		51.18	53.74	56.43	59.25	62.21



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

**PROPOSED BUDGET
FOR
FISCAL YEAR ENDING 2024**

The Bay Area Air Quality Management District
is committed to
PROTECT AND IMPROVE PUBLIC HEALTH, AIR QUALITY, AND
THE GLOBAL CLIMATE

CORE VALUES

- Excellence*** Air District programs and policies are founded on science, developed with technical expertise, and executed with quality.
- Leadership*** The Air District will be at the forefront of air quality improvement and will pioneer new strategies to achieve healthy air and protect the climate.
- Collaboration*** Involving, listening, and engaging all stakeholders, including partner agencies, to create broad acceptance for healthy air solutions.
- Dedication*** Committed staff that live and believe the Air District's mission.
- Equity*** All Bay Area residents have the right to breathe clean air.

Bay Area Air Quality Management District

For Fiscal Year Ending June 30, 2024

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BUDGET MESSAGE

Philip M. Fine, Executive Officer/APCO

EXECUTIVE SUMMARY

This document presents the proposed budget for the Bay Area Air Quality Management District (Air District) for Fiscal Year 2023 - 2024 (FY 2024). The Air District continues its commitment to fulfill its mission, goals, and objectives, through activities which focus on core and mandated programs, fiscally conservative internal controls, long range financial planning and the development of short and long-term sustainable approaches toward creating a healthy breathing environment for every Bay Area resident, engaging and protecting overburdened communities, and improving public health, air quality, and the global climate.

The proposed budget for FY 2024 reflects the priorities established by the Board of Directors (Board), which includes maintenance and enhancement of Air District core functions as well as work on the following key policy initiatives:

Assembly Bill 617 Implementation (AB 617)

The Air District will expand the AB 617 program by partnering with the Bayview Hunters Point community organizations, Marie Harrison Community Foundation and Bayview Hunters Point Community Advocates, in San Francisco to launch a new community Steering Committee and co-develop a community emissions reduction plan. The Air District will also finalize, adopt, and begin to implement a community emissions reduction plan with the Richmond-North Richmond-San Pablo Steering Committee; continue implementation of the West Oakland Community Action Plan in partnership with West Oakland Environmental Indicators Project and the Steering Committee; continue to co-develop the East Oakland Community Emissions Reduction Plan in partnership with Communities for a Better Environment; and continue to engage and provide support to other AB 617 communities. Assembly Bill (AB) 617, passed by the Legislature and signed by the Governor in 2017, establishes new, comprehensive air quality planning requirements for the California Air Resources Board (CARB) and local air districts, including identifying impacted communities, engaging communities to co-develop action plans to analyze and reduce localized cumulative exposure to air pollution to improve health in the most disproportionately impacted communities. AB 617 implementation activities cut across all divisions and represent a major priority for the agency in FY 2024.

Environmental Justice Policy

The Air District will deepen the Agency's progress towards Environmental Justice goals. To operationalize these goals, the Deputy Executive Officer of Equity and Community Programs and the Environmental Justice & Community Engagement Officer will spearhead an Environmental Justice Policy in consultation with the Community Advisory Council to bring to the Board of Directors. The policy will jumpstart efforts between the Community Engagement Office and other divisions/ programs and create a plan by which every division develops environmental justice strategies that support more transparency and accountability, support communities to speak for themselves, support community-led and decision-making, build partnerships with environmental justice communities, and provide environmental justice training for staff and participatory budgeting and funding, among other equity-driven objectives. The elements of the Environmental Justice Policy will be integrated into the Air District's 5-year Strategic Plan

Agency Wide Strategic Planning

The Air District will be undertaking a comprehensive strategic planning effort this budget year aimed at guiding district priorities, improving effectiveness, and strengthening community engagement given limited resources. The Strategic Plan will be a five-year actionable plan used by staff and the Board together to

prioritize work taking into account current staffing and anticipated financial trends. The Strategic Plan is anticipated to guide the development of the Air District budgets and financial plans beginning in FY 2024. An ad hoc committee of the Board will guide the Development of the Strategic Plan.

Modernize the Administrative Code to Implement Best Governmental Practices

The Air District's current Administrative Code has not been comprehensively reviewed in many years, with some provisions dating back as far as the 1990s. This has led to many Administrative Code provisions being out of alignment with the Air District's current practices and with best practices for government agency management. To address this, the Air District is planning to engage a legal firm with experience developing government agency administrative procedures to overhaul and modernize the Administrative Code and put it on a sound footing to support the Air District's work.

Community Focused Policy Agenda

The policy agenda for FY 2024 is driven by the need to reduce disproportionate impacts of air pollution in low-income communities and communities of color. For example, in FY2023, the Board approved amendments regulation 9 Rule 4 and Rule 6 which phase out emissions of NOx from sources that disproportionately impact these communities. The Air District is currently focusing on an enhanced incident response program to protect impacted communities. FY2024 will continue this work to embed and prioritize environmental justice and community-focused considerations into the Air District's policy agenda.

James Cary Smith Community Grant Program

The Air District's community grant program seeks to uplift local efforts that address air quality disparities in environmental justice communities in the Bay Area. For the 2023 grant cycle, the program will support 24 local organizations in assessing community needs, mobilizing the community to action, leveraging community power, and authentically engaging community in air pollution reduction efforts and policy decisions.

Diversity, Equity, and Inclusion

The Air District's Office of Diversity, Equity & Inclusion (Office) is responsible for ensuring an equity lens is applied to all programs, policies, practices, and procedures across the agency. Examples of specific Office responsibilities include providing staff equity related trainings, creating and executing cultural awareness events and activities, guiding employee resource groups, developing and implementing equitable recruitment and retention strategies, and working on projects and initiatives as related to language access, procurement, contracting, grants, community engagement, communications, rule development, planning, climate and protection, and technology implementation, whereby ensuring equity is included in decision making, where applicable. In addition, the Office specifically supports the Community Equity, Health, and Justice Committee and the Community Advisory Council. The Office will continue to ensure the contributions of all employees and community members are valued and respected with a goal to achieve equitable outcomes.

Facility Risk Reductions

The Air District will continue to prioritize implementation of Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18). Under this rule, staff is updating toxic emission inventories and conducting health risk assessments (HRAs) for facilities that have a high potential for elevated health risks. Sites with elevated health risks will be required to implement risk reduction measures for stationary sources with significant impacts. The Air District is prioritizing HRAs for facilities impacting AB 617 communities and is taking steps to expedite the implementation of risk reductions for facilities of highest concern.

Spare the Air Program

The Air District's 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 region wide and is a trusted source of air quality information in the Bay Area. Spare the Air Alerts are issued when ozone or fine particle pollution is forecast to reach unhealthy levels. Bay Area residents are encouraged to reduce their driving, take public transit, and limit their outdoor activities during the afternoon hours. On days when a Spare the Air Alert is in effect due to high levels of fine particle pollution, it is illegal to burn wood, fire logs, pellets, or other solid fuels in fireplaces, wood stoves, outdoor fire pits, and other wood-burning devices.

Climate Tech Finance Loan Program

The Air District's first loan and loan guarantee program supports the development and adoption of climate technologies for small businesses in California. In FY 2024, the Air District will continue to leverage partnerships with the California Infrastructure and Economic Development Bank (IBank) and private lenders to identify and fund climate projects through outreach, matchmaking, and technical support.

Clean Cars for All Program

The Air District has continued to support the Clean Cars for All program to provide grants for low-income residents in the Bay Area to access clean transportation options, including plug-in hybrid vehicles, battery electric vehicles, or transit. In FY 2024, this program and other electric vehicle incentive programs, will be complemented by expanded public outreach and partnership activities and include a focus on providing incentives in disadvantaged communities.

Other Grants to Incentivize Surplus Emissions Reductions

The Air District administers several funding sources that are used to accelerate voluntary emissions reductions by incentivizing the replacement of older dirtier equipment that primarily targets mobile sources. In FY 2024, the Air District will be awarding approximately \$105 million to owners of eligible projects to scrap and replace trucks, buses, and off-road equipment including marine vessels, locomotives, cargo-handling equipment, agricultural, and construction equipment, with newer and cleaner alternatives, including zero-and near-zero emissions technologies. Funding from these sources is also used to incentivize the installation of alternative fuel charging infrastructure and to support the Air District's Vehicle Buy-Back Program that pays Bay Area residents to turn in their 1998 and older cars and light-duty trucks for early-retirement. As funding allows, other types of eligible programs may also be implemented.

Funding is prioritized for projects that provide benefits to the region's most disproportionately impacted communities and that result in permanent reductions in emissions reductions through the adoption of zero-and new-zero emissions technologies.

Funding may be awarded to both public and private businesses through a combination of the following funding sources: Carl Moyer Program, Community Air Protection – Incentive Program, Transportation Fund for Clean Air Regional Fund, Mobile Source Incentive Fund, Funding Agricultural Replacement Measures for Emission Reductions (FARMER), Environmental Protection Agency Targeted Airshed Program (EPA TAG), settlement funds, Air District General Funds, and monies that are received from the Bay Area Clean Air Foundation.

INCENTIVE REVENUES

Transportation Fund for Clean Air (TFCA)

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its nine-county jurisdiction to fund projects that reduce on-road motor vehicle emissions. There is no sunset date for this funding. These funds accrue monthly, and the Air District allocates funds to eligible projects through the Transportation Fund for Clean Air (TFCA) program. The

statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242. Eligible projects and programs include the replacement of on-road passenger vehicles, trucks, and buses with zero-emissions, and implementation of single-occupancy vehicle trip reduction strategies, such as the creation of new bicycle paths and lanes and the installation of secure bike parking (i.e., lockers and racks).

Up to 60% of TFCA funds received are awarded directly by the Air District to a program referred to as the TFCA Regional Fund and to eligible District sponsored programs (e.g., Spare the Air). The remaining 40% is forwarded to the designated county transportation agency within each Bay Area County to be distributed locally through the designated transportation agency through the County Program Manager Fund. Funding for administrative costs is provided by this funding source and revenue is separate from the General Fund budget for accounting purposes.

Mobile Source Incentive Fund (MSIF)

Assembly Bill 923 (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 by an additional \$2 per vehicle. The revenue from the additional surcharge accrues monthly and is deposited in the Air District's Mobile Source Incentive Fund (MSIF). The Health & Safety Code stipulates that air districts may use these monies for projects that are eligible under the Carl Moyer Program Guidelines, including the scrap and replacement of eligible on-road, off-road, marine, locomotive, infrastructure, and light duty early retirement projects (Vehicle Buy-Back Program). Funding for administrative costs is provided by this funding source and the sunset date for this fund was extended (by the State legislature in 2022) through December 31, 2033. Revenues from this funding source are separate from the General Fund budget for accounting purposes

Carl Moyer Program (CMP)

The Air District has participated in the Carl Moyer Program, in cooperation with the California Air Resources Board, since the program began in 1999. This program provides funding for 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. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, forklifts, and charging and refueling infrastructure that supports zero-emissions vehicles. The Carl Moyer Program includes funding from the regular Moyer program and a companion program referred to as the Carl Moyer State Reserve Program. Funding for administrative costs is provided by this funding source and the sunset date for this fund was extended (by the State legislature in 2022) through December 31, 2033. Revenues from this funding source are separate from the General Fund budget for accounting purposes.

California Goods Movement Bond (CGMB)

In November 2006, California voters authorized the Legislature to appropriate \$1 billion in bond funding to quickly reduce air pollution emissions and health risk from freight movement along California's priority trade corridors. On February 28, 2008, The California Air Resources Board approved an allocation of \$140 million from projected bond sales for emission reduction projects in the Bay Area trade corridor. To date, this program has funded projects to reduce emissions from over 2,000 diesel trucks and install shore power infrastructure at 12 berths at the Port of Oakland. The Air District is currently administering the final round of CGMB funding, totaling approximately \$20 million. Revenue from this funding source is separate from the General Fund budget for accounting purposes.

Community Air Protection (CAP) – CAP Incentive Program (AB 617)

In 2017, AB 617 directed the California Air Resources Board, in conjunction with local air districts, to establish the Community Air Protection Program (CAP). To date, the Air District has been awarded five cycles of CAP incentive funding totaling over \$190 million. Revenue primarily comes from the State's Greenhouse Gas Reduction Fund (GGRF), which is used to reduce criteria pollutants, toxic air

contaminants, and greenhouse gases, and more recently a small portion of the annual funding allocation has come for the State's General Fund. This funding is designed to primarily target hyperlocal reductions in emissions from and exposure to diesel particulate and toxic air contaminants.

These funds may be used to fund projects that are eligible under the Carl Moyer Program Guidelines and on-road truck replacement projects following the Goods Movement Bond Program Guidelines. Staff has also begun working with the California Air Resources Board to explore opportunities for expanding eligibility to include stationary source projects and projects that are identified as priorities by communities with a State-approved Community Emissions Reduction Program, pursuant to HSC Section 44391.2. Revenue from this funding source is separate from the General Fund budget for accounting purposes.

Volkswagen Environmental Mitigation Trust (VW Trust)

The VW Trust was established after a settlement with Volkswagen and other parties for their use of illegal defeat devices and is intended to fully mitigate the lifetime excess oxides of nitrogen (NOx) emissions caused by their actions. The California Air Resources Board is the designated Lead Agency acting on the State's behalf as beneficiary to implement California's share of VW Trust funds for eligible project categories. In 2018, the Air District was selected by the California Air Resources Board to administer VW Trust funding on a statewide-basis for the zero-emission freight and marine category totaling \$70 million and the light-duty zero emission vehicle infrastructure category totaling \$10 million. To date, all \$10 million from the light-duty zero emission vehicle infrastructure category and approximately \$13.5 million from the zero-emission freight and marine category has been awarded to eligible projects. The remaining VW Trust funds will be awarded and managed by the Air District throughout the contract term, ending in 2028. Revenue from this funding source is separate from the General Fund budget for accounting purposes.

Funding Agricultural Replacement Measures for Emission Reductions (FARMER)

In 2018, the California Air Resources Board established the FARMER Program that provides grant funding for eligible projects that reduce criteria, toxic, and greenhouse gas emissions from the agricultural sector. The FARMER program targets the voluntary early replacement of older, dirtier equipment used in agricultural operations, such as harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment. Since the program's inception in 2018, the State has allocated approximately \$2.2 million annually to the Bay Area Air District for its participation in the FARMER program. Revenue from this funding source is separate from the General Fund budget for accounting purposes.

Clean Cars for All Program (CCFA)

The Air District has participated in the Clean Cars for All Program since 2018. The program is a partnership between the California Air Resources Board and local air districts that provides incentives for low-income households to retire older, high-polluting vehicles and replace them with a newer, cleaner vehicle or with mobility options. The CCFA Program reduces criteria pollutants and greenhouse gas emissions throughout the Bay Area and supports the goal of equitable access to electric vehicles and clean transportation. State funding for this program has come from the California Climate Investments (CCI) initiative that puts Cap-and-Trade dollars to work reducing greenhouse gas emissions, the Volkswagen settlement fund, and the Air Quality Improvement Program.

Environmental Protection Agency -- Targeted Airshed Grant (TAG)

In 2021, the EPA awarded the Bay Area Air District \$2.2 million in TAG funding to expedite reductions emissions of particulate matter through projects that will replace approximately 300 wood-burning stoves and wood inserts with electric heat pumps. This new program, which is scheduled to launch in 2023, will prioritize emissions reductions in the Bay Area's most disproportionately impacted communities. Funding is matched by the Air District's General Fund and EPA revenue is maintained separate from the General Fund budget for accounting purposes.

FINANCIAL SUMMARY

The Proposed Consolidated Budget Expenditure for FY 2024 is \$266.8 million; an increase of \$19.8, or 8% over the current year. Of the \$266.8 million, \$129 million is classified as Special Revenue Funds for various grant related incentive programs and \$137.8 million for General Fund programs.

General Fund Summary

Total FY 2024 Proposed General Fund Budget is expected to increase by \$5.6 million or 4.2% over the current year. The following actions were taken to develop the FY 2024 Proposed Budget:

- Continuation of fee increases to the District's Existing Fee Schedules pursuant to the cost recovery policy.
- Funding 465 Full Time Equivalent (FTE) current authorized positions; approximately 425 are funded from the General Fund and remaining 40 from the Special Revenue Fund using various grant sources. No new positions being requested.
- Assumes an average 6.9% vacancy savings to account for recruitment timeline to fill vacant positions and attrition due to retirements.
- \$5 million towards pre-funding pension and other post-employment benefits liabilities pursuant to the funding policy approved by the Board in December 2022.
- An estimated 3.5% cost of living increase for air district employees
- \$5.3 million transfer from the General Fund's undesignated reserves for capital project/equipment and one-time contracts.

The proposed budget includes an economic contingency reserve policy of 20% of the operating budget. This policy allows for a sound financial footing and provides the Air District the ability to operate for a minimum of three months in the event of a total loss of projected revenue. See Appendix C for further details on the District's General Fund reserves including proposed designations.

GENERAL FUND REVENUES AND EXPENDITURES

Details of the FY 2024 General Fund Revenues and Expenditures by major categories are displayed in Appendix D, Figure I and Figure 2, including 3 years of prior year actuals and the approved budget for FY 2023.

Fee Revenue

Increases in permit related fees reflects the Board's adoption of a cost recovery policy in accordance with the recommendations of the cost recovery study undertaken in 2022. An independent review of the Air District's cost recovery and containment process was completed in April 2022. This study addressed options for 100% cost recovery target and identified options for shortening this timeline. The proposed fee increases are consistent with the new cost recovery policy adopted by the Board in December 2022. Although the proposed fee increases are included in this budget, total projected fee revenue remains approximately constant at \$63.2 million primarily due to decreases in emissions-based permitting fees. If proposed fee increases are approved, the proposed fee schedule will become effective on July 1, 2023.

County Revenue

The County revenue budget is based on property values in the nine Bay Area counties. The FY 2024 Proposed Budget projects a \$2.7 million or 6.3% increase in property tax receipts over the FY 2023 Approved Budget primarily due to Bay Area's annual growth in assessed values attributed to multiple factors such as the annual statutory increases limited to 2 percent, changes in ownership and new constructions.

Other Sources of General Fund Revenue

Federal grants from the Environmental Protection Agency (EPA) and other state/federal agencies are estimated to decrease by \$1.3 million or 10.4% below the current year budget. We anticipate continued funding from the State of \$9.0 million for AB 617 implementation efforts. This funding source is not guaranteed and may be in jeopardy for future years. The State Subvention grant for FY 2024 is budgeted at \$1.7 million based on actual collections in prior years. Penalties and Settlements fluctuate from time to time; and the FY 2024 projection is \$3.0 million. Transfer from various grant sources of \$1.3 million will support indirect costs and other eligible activities supporting these grant programs.

Services and Supplies Expenditures

The FY 2024 General Fund proposed services and supplies Budget (net personnel & capital) of \$41 million increased by \$2.8 million over the FY 2023 Approved Budget primarily due to necessary increase in one-time contract services to improve administrative policies and procedures of the Air District. A summary of the General Fund Expenditures by Division from FY 2022 (actual expenditures) through FY 2024 (projected expenditures) is displayed in Table XI. In addition, the General Fund Expenditures by major categories from FY 2020 (actuals) through FY 2024 (projected expenditures) are displayed in Appendix E, Figure 2.

Personnel Expenditures

The authorized staffing level remains at 465 FTE for the FYE 2024 proposed budget. No new positions are being proposed in the budget. The proposed budget also assumes a 6.9% vacancy savings of \$7.2 million to account for recruitment timeline to fill vacant positions and attrition due to retirements. The 6.9% vacancy saving is consistent with the Air District's historical actual vacancy rate. Appendix G provides details of all positions.

Capital Expenditures

The Proposed Budget for FY 2024 funds capital expenditures of \$6.8 million. The capital budget is distributed across various General Fund programs. The capital budget consists of capital and network equipment for the Air District's billing system, monitoring equipment, and Richmond facility improvements. Table XIII provides details of the individual capital items.

PLANNING FOR THE FUTURE AND COST CONTAINMENT

The Air District's Five-year projections anticipate revenue is sufficient to meet projected expenditures within the accuracy level of the projections. Appendix F provides a General Fund Five-Year Projection. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets. If the economic slowdown remains stable, the forecast assumes the Air District will be well above its 20% reserve policy, with the assumption that AB617 funding from the State of California persists. If the AB617 funding does not persist, severe strain will be placed on the Air District's ability to maintain current staffing levels. While there is a healthy reserve to address potential fiscal challenges over the next five years of the financial plan, the Air District must be fiscally prudent with its reserves to weather any potential long-term economic slowdown.

The Air District's annual obligation, premiums in employee health benefits, pension costs and Other Post-Employment Benefits (OPEB) obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2022, actuarial valuation study for OPEB, the Air District's plan is approximately 103% funded: having no outstanding unfunded liabilities. The actuarial valuation is performed every 2 years and the plan's funded level is subject to change based on various actuarial assumptions. In December 2022, the Board adopted a minimum OPEB funding target policy of 90%, requiring no additional contribution for the FY 2024 fiscal year.

The Air District's pension obligation has been growing over the past several years, except for FY 2021; where California Public Employers' Retirement System (CalPERS) investment returns were 21.3%. The Air District anticipates the pension obligation will increase as CalPERS experiences negative investment returns in FY 2022 of -6.1% and possibly similar results for FY 2023 from current economic conditions. As a result, CalPERS anticipates increased employer rates over the next few years. Based on the June 30, 2021, CalPERS actuarial valuation study, the Air District is funded at approximately 82%, leaving an unfunded liability of 18% or approximately \$68.0 million.

In May 2022, the Board authorized the Air District to participate in the California Employers' Pension Prefunding Trust (CEPPT) Program administered by the CalPERS to pre-fund pension obligations. In December 2022, the Board approved a total of \$10 Million to be invested into the CEPPT program to be sent to the trust in two tranches; \$5 million from the designated pension funds in the General Fund reserves to be sent in following approval and another \$5 million at the end of the FY 2023 fiscal year. All funds placed into the irrevocable trust fund can only be used to pay for retirement obligation. In December 2022, the Board adopted a minimum Pension funding target policy of 90%, requiring continuation of \$5.0 million in discretionary contributions to the trust for the FY 2024 fiscal year.

District-Wide Revenue and Expenditure Budgets

TABLE I: Consolidated Expenditures and Revenues by Major Categories

	AUDITED ACTUALS FYE 2022			APPROVED BUDGET FYE 2023			PROPOSED BUDGET FYE 2024		
	GENERAL FUND	SPECIAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	SPECIAL FUNDS	TOTAL FUNDS	GENERAL FUND	SPECIAL FUNDS	TOTAL FUNDS
REVENUES									
County Revenues	41,502,971		41,502,971	42,197,180		42,197,180	44,876,500		44,876,500
Permits / Fees	57,138,039		57,138,039	63,259,929		63,259,929	63,192,045		63,192,045
Grant Revenues	11,360,892	55,145,018	66,505,910	12,189,755	114,766,988	126,956,743	13,459,045	129,037,057	142,496,102
Other Revenues	8,448,791		8,448,791	6,273,876		6,273,876	7,100,000		7,100,000
Revenues Before Reimb & Tsfr	118,450,693	55,145,018	173,595,711	123,920,740	114,766,988	238,687,728	128,627,590	129,037,057	257,664,647
Reimbursements Programs	2,231,369		2,231,369	2,516,418		2,516,418	2,539,276		2,539,276
Transfer In	934,033		934,033	1,066,545		1,066,545	1,302,772		1,302,772
Transfer from / (to) Reserves	(12,665,036)		(12,665,036)	4,670,000		4,670,000	5,274,900		5,274,900
Total REVENUES	108,951,059	55,145,018	164,096,077	132,173,703	114,766,988	246,940,691	137,744,538	129,037,057	266,781,595
EXPENDITURES									
Personnel & Benefits	77,771,705	6,185,953	83,957,658	86,419,733	7,987,249	94,406,982	88,460,177	8,146,194	96,606,371
Services & Supplies	25,990,305	3,984,731	29,975,036	38,191,792	10,720,089	48,911,881	41,006,096	10,814,978	51,821,074
Capital Expenditures	3,367,282		3,367,282	6,562,177		6,562,177	6,789,376		6,789,376
Other Financing Uses	400,000		400,000						
Expenditures Before Dist & Tsfr	107,529,292	10,170,684	117,699,976	131,173,702	18,707,338	149,881,040	136,255,649	18,961,172	155,216,821
Program Distributions	1,421,767	44,040,300	45,462,067	1,000,000	94,993,105	95,993,105	1,300,000	108,962,000	110,262,000
Transfer Out		934,034	934,034		1,066,545	1,066,545	188,889	1,113,885	1,302,774
Total EXPENDITURES	108,951,059	55,145,018	164,096,077	132,173,702	114,766,988	246,940,690	137,744,538	129,037,057	266,781,595

TABLE II: Consolidated Revenues

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
County Revenues					
Alameda	7,579,745	7,452,947	8,099,800	646,853	8.7%
Contra Costa	4,526,457	4,693,206	4,985,700	292,494	6.2%
Marin	1,832,245	1,845,270	1,992,900	147,630	8.0%
Napa	1,303,205	1,306,277	1,397,700	91,423	7.0%
San Francisco	6,412,802	6,775,407	7,046,400	270,993	4.0%
San Mateo	5,651,662	5,730,760	6,053,300	322,540	5.6%
Santa Clara	11,431,986	11,624,285	12,263,600	639,315	5.5%
Solano	951,500	1,009,361	1,088,300	78,939	7.8%
Sonoma	1,813,369	1,759,667	1,948,800	189,133	10.7%
Total County Revenues	41,502,971	42,197,180	44,876,500	2,679,320	6.3%
Permits / Fees					
Permit Renewal & Application Fees	38,269,455	43,531,573	44,068,250	536,677	1.2%
Community Health Impact	1,241,041	1,108,600	1,093,388	(15,212)	(1.4)%
Criteria Toxics Reporting	1,288,653	1,219,460	1,527,575	308,115	25.3%
Title V Fees	7,239,898	8,065,278	6,997,590	(1,067,688)	(13.2)%
Asbestos Fees	4,318,637	4,000,000	4,000,000		
Toxics Inventory Fees	1,512,441	1,659,680	1,421,513	(238,167)	(14.4)%
Registration Fees	220,247	318,870	300,570	(18,300)	(5.7)%
Hearing Board Fees	353	25,000	25,000		
Greenhouse Gas Fees	3,047,314	3,331,468	3,758,159	426,691	12.8%
Total Permit Fees	57,138,039	63,259,929	63,192,045	(67,884)	(0.1)%
Grant Revenues					
Federal Grant	2,594,273	3,189,755	4,459,045	1,269,290	39.8%
Other Grants	8,766,619	9,000,000	9,000,000		
Total Grant Revenue	11,360,892	12,189,755	13,459,045	1,269,290	10.4%
Other Revenues					
Penalties & Settlements	4,828,032	2,750,000	3,000,000	250,000	9.1%
State Subvention	1,747,288	1,748,876	1,750,000	1,124	0.1%
PERP (Portable Equip Prog)	734,466	475,000	700,000	225,000	47.4%
Interest Income	838,360	1,000,000	1,350,000	350,000	35.0%
Miscellaneous Income	300,645	300,000	300,000		
Total Other Revenues	8,448,791	6,273,876	7,100,000	826,124	13.2%
Reimbursement Programs					
CMAQ Funding	977,853	1,000,000	1,000,000		
DHS Biowatch Funding	1,253,516	1,516,418	1,539,276	22,858	1.5%
Total Reimbursement Programs	2,231,369	2,516,418	2,539,276	22,858	0.9%
Transfer from / (to) Reserves	(12,665,036)	4,670,000	5,274,900	604,900	13.0%
Transfer In	934,033	1,066,545	1,302,772	236,227	22.1%
Total General Fund Revenues	108,951,059	132,173,703	137,744,538	5,570,835	4.2%
Special Revenue Funds					
Grant Programs					
Carl Moyer Fund	20,341,785	55,058,440	38,612,576	(16,445,864)	(29.9)%
Mobile Source Incentive Fund (MSIF)	3,116,034	12,350,000	11,052,723	(1,297,277)	(10.5)%
Transportation Fund for Clean Air (TFCA)	21,010,081	20,400,000	29,241,640	8,841,640	43.3%
Clean Cars for All (CCFA)	8,428,715	7,190,000	33,135,752	25,945,752	360.9%
California Goods Movement Bond (CGMB)	342,978	5,100,000	2,186,517	(2,913,483)	(57.1)%
Vehicle Mitigation (VM)	1,650,528	13,668,548	13,863,377	194,829	1.4%
Other Grants Revenues	254,897	1,000,000	944,472	(55,528)	(5.6)%
Total Special Revenue Funds	55,145,018	114,766,988	129,037,057	14,270,069	12.4%
Total Revenues District Wide	164,096,077	246,940,691	266,781,595	19,840,904	8.0%

TABLE III: Consolidated Expenditures

	Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2022	2023	2024	\$	%
Number of Positions (FTE)	388.00	465.00	465.00		
Personnel Expenditures					
Permanent Salaries	54,445,750	64,780,041	67,705,383	2,925,342	4.5%
Overtime Salaries	392,370	370,830	391,865	21,035	5.7%
Temporary Salaries	448,858	273,006	607,243	334,237	122.4%
Payroll Taxes	1,092,517	930,175	969,831	39,656	4.3%
Pension Benefits	11,786,249	13,744,838	13,795,119	50,281	0.4%
FICA Replacement Benefits	794,100	901,513	948,930	47,417	5.3%
Group Insurance Benefits	10,088,663	12,539,198	12,633,390	94,192	0.8%
Employee Transportation Subsidy	460,970	685,237	666,751	(18,486)	(2.7)%
Workers' Compensation	335,555	230,000	230,000		
Discretionary Contribution (Pension/OPEB)	3,999,996	5,000,000	5,000,000		
Board Stipends	112,630	118,000	241,800	123,800	104.9%
Vacancy Savings		(5,165,856)	(6,583,940)	(1,418,084)	27.5%
Total Personnel Expenditures	83,957,658	94,406,982	96,606,372	2,199,390	2.3%
Services & Supplies Expenditures					
Travel In-State	58,057	311,043	335,902	24,859	8.0%
Travel Out-of-State	55,278	234,700	290,025	55,325	23.6%
Training & Education	372,030	1,085,923	1,093,110	7,187	0.7%
Repair & Maintenance (Equipment)	888,667	1,243,491	2,041,538	798,047	64.2%
Communications	728,275	868,072	901,427	33,355	3.8%
Building Maintenance	163,819	828,794	824,920	(3,874)	(0.5)%
Utilities	226,982	272,416	271,765	(651)	(0.2)%
Postage	59,157	127,260	123,490	(3,770)	(3.0)%
Printing & Reproduction	75,995	484,138	424,700	(59,438)	(12.3)%
Equipment Rental	63,225	107,000	107,000		
Rents & Leases	2,541,675	3,428,751	3,317,749	(111,002)	(3.2)%
Professional Services & Contracts	22,814,770	36,324,960	38,396,349	2,071,389	5.7%
General Insurance	580,237	847,500	839,740	(7,760)	(0.9)%
Shop & Field Supplies	217,853	600,256	606,281	6,025	1.0%
Laboratory Supplies	101,805	198,215	209,920	11,705	5.9%
Gasoline & Variable Fuel	180,979	350,000	376,579	26,579	7.6%
Computer Hardware & Software	615,139	1,391,546	1,476,953	85,407	6.1%
Stationery & Office Supplies	21,656	98,000	64,950	(33,050)	(33.7)%
Books & Journals	50,211	58,813	87,223	28,410	48.3%
Minor Office Equipment	8,069	50,003	30,453	(19,550)	(39.1)%
Non-Capital Assets	151,157	1,000	1,000		
Total Services & Supplies Expenditures	29,975,036	48,911,881	51,821,074	2,909,193	5.9%
Capital Expenditures					
Building & Grounds	108,562	500,000	500,000		
Office Equipment	26,471		100,000	100,000	
Computer & Network Equipment	3,055,172	3,947,660	4,518,613	570,953	14.5%
Motorized Equipment		150,000	100,000	(50,000)	(33.3)%
Lab & Monitoring Equipment	156,606	1,764,517	1,420,763	(343,754)	(19.5)%
Communications Equipment		200,000	150,000	(50,000)	(25.0)%
PM 2.5 Equipment	20,471				
Total Capital Expenditures	3,367,282	6,562,177	6,789,376	227,199	3.5%
Total Expenditures	117,299,976	149,881,040	155,216,822	5,335,782	3.6%
Transfer In/Out	934,034	1,066,545	1,302,774	236,229	22.1%
Program Distribution	45,462,067	95,993,105	110,262,000	14,268,895	14.9%
"Total Expenditures - District Wide"	163,696,077	246,940,690	266,781,595	19,840,906	8.0%

TABLE IV: General Fund

	Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2022	2023	2024	\$	%
Number of Positions (FTE)	353.39	423.86	424.84	0.98	0.2%
Revenues					
Revenues	120,682,062	126,437,158	131,166,866	4,729,708	3.7%
Transfer from / (to) Reserves	(12,665,036)	4,670,000	5,274,900	604,900	13.0%
Transfer In	934,033	1,066,545	1,302,772	236,227	22.1%
Total Revenues - General Fund	108,951,059	132,173,703	137,744,538	5,570,835	4.2%
Personnel Expenditures					
Permanent Salaries	50,174,269	59,379,416	62,288,842	2,909,426	4.9%
Overtime Salaries	356,755	365,830	351,865	(13,965)	(3.8)%
Temporary Salaries	443,529	258,006	407,243	149,237	57.8%
Payroll Taxes	1,029,442	853,700	892,809	39,109	4.6%
Pension Benefits	10,911,672	12,580,533	12,701,686	121,153	1.0%
FICA Replacement Benefits	749,521	821,109	866,959	45,850	5.6%
Group Insurance Benefits	9,534,972	11,808,044	11,899,000	90,956	0.8%
Employee Transportation Subsidy	425,678	624,123	609,155	(14,968)	(2.4)%
Workers' Compensation	322,028	208,737	210,131	1,394	0.7%
Discretionary Contribution (Pension/OPEB)	3,711,209	4,568,091	4,574,627	6,536	0.1%
Board Stipends	112,630	118,000	241,800	123,800	104.9%
Vacancy Savings		(5,165,856)	(6,583,940)	(1,418,084)	27.5%
Total Personnel Expenditures	77,771,705	86,419,733	88,460,177	2,040,444	2.4%
Services & Supplies Expenditures					
Travel In-State	55,847	247,743	269,102	21,359	8.6%
Travel Out-of-State	55,278	212,200	267,525	55,325	26.1%
Training & Education	372,030	1,019,923	1,041,110	21,187	2.1%
Repair & Maintenance (Equipment)	888,667	1,243,491	2,041,538	798,047	64.2%
Communications	721,273	852,572	886,427	33,855	4.0%
Building Maintenance	163,819	828,794	824,920	(3,874)	(0.5)%
Utilities	226,844	272,416	271,765	(651)	(0.2)%
Postage	57,442	113,260	114,490	1,230	1.1%
Printing & Reproduction	68,300	453,138	408,200	(44,938)	(9.9)%
Equipment Rental	63,225	107,000	107,000		
Rents & Leases	2,541,675	3,428,751	3,317,749	(111,002)	(3.2)%
Professional Services & Contracts	18,850,473	25,915,611	27,821,621	1,906,010	7.4%
General Insurance	580,237	847,500	839,740	(7,760)	(0.9)%
Shop & Field Supplies	217,647	595,756	602,781	7,025	1.2%
Laboratory Supplies	101,805	198,215	209,920	11,705	5.9%
Gasoline & Variable Fuel	180,979	350,000	376,579	26,579	7.6%
Computer Hardware & Software	614,414	1,316,546	1,437,953	121,407	9.2%
Stationery & Office Supplies	20,913	95,200	62,650	(32,550)	(34.2)%
Books & Journals	50,211	57,673	86,073	28,400	49.2%
Minor Office Equipment	8,069	35,003	17,953	(17,050)	(48.7)%
Non-Capital Assets	151,157	1,000	1,000		
Total Services & Supplies Expenditures	25,990,305	38,191,792	41,006,096	2,814,304	7.4%
Capital Expenditures					
Leasehold Improvements					
Building & Grounds	108,562	500,000	500,000		
Office Equipment	26,471		100,000	100,000	
Computer & Network Equipment	3,055,172	3,947,660	4,518,613	570,953	14.5%
Motorized Equipment		150,000	100,000	(50,000)	(33.3)%
Lab & Monitoring Equipment	156,606	1,764,517	1,420,763	(343,754)	(19.5)%
Communications Equipment		200,000	150,000	(50,000)	(25.0)%
PM 2.5 Equipment	20,471				
Total Capital Expenditures	3,367,282	6,562,177	6,789,376	227,199	3.5%
Transfer In/Out			188,889	188,889	
Total Expenditures	107,129,292	131,173,702	136,444,538	5,270,836	4.0%
Program Distribution	1,421,767	1,000,000	1,300,000	300,000	30.0%
Total Expenditures - General Fund	108,551,059	132,173,702	137,744,538	5,570,836	4.2%

TABLE V: Carl Moyer Fund

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)	14.81	16.62	16.21	(0.41)	(2.5)%
Revenues					
Admin Revenue	2,662,629	3,681,826	3,612,576	(69,250)	(1.9)%
Program Income	17,679,156	51,376,614	35,000,000	(16,376,614)	(31.9)%
Total Revenue - Carl Moyer	20,341,785	55,058,440	38,612,576	(16,445,864)	(29.9)%
Personnel Expenditures					
Permanent Salaries	1,830,738	2,172,379	2,176,518	4,139	0.2%
Overtime Salaries	103				
Temporary Salaries					
Payroll Taxes	26,942	30,677	30,845	168	0.5%
Pension Benefits	330,086	492,245	437,689	(54,556)	(11.1)%
FICA Replacement Benefits	19,001	32,486	33,065	579	1.8%
Group Insurance Benefits	235,945	290,841	299,753	8,912	3.1%
Employee Transportation Subsidy	15,063	24,692	23,233	(1,459)	(5.9)%
Workers' Compensation	5,769	8,591	8,014	(577)	(6.7)%
Discretionary Contribution (Pension/OPEB)	100,155	149,415	171,459	22,044	14.8%
Board Stipends					
Total Personnel Expenditures	2,563,802	3,201,326	3,180,576	(20,750)	(0.6)%
Services & Supplies Expenditures					
Travel In-State		12,500	12,500		
Travel Out-of-State		7,500	7,500		
Training & Education		22,000	17,000	(5,000)	(22.7)%
Repair & Maintenance (Equipment)					
Communications		5,000	5,000		
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction		3,000	3,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	98,621	400,000	365,500	(34,500)	(8.6)%
General Insurance					
Shop & Field Supplies	206	2,000	2,000		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software		22,000	13,000	(9,000)	(40.9)%
Stationery & Office Supplies		1,000	1,000		
Books & Journals		500	500		
Minor Office Equipment		5,000	5,000		
Total Services & Supplies Expenditures	98,827	480,500	432,000	(48,500)	(10.1)%
Capital Expenditures					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
Total Capital Expenditures					
Transfer In/Out					
Total Expenditures	2,662,629	3,681,826	3,612,576	(69,250)	(1.9)%
Program Distribution	17,679,156	51,376,614	35,000,000	(16,376,614)	(31.9)%
Total Expenditures - Carl Moyer	20,341,785	55,058,440	38,612,576	(16,445,864)	(29.9)%

TABLE VI: Mobile Source Incentive Fund (MSIF)

	Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2022	2023	2024	\$	%
Number of Positions (FTE)	1.45	3.72	2.37	(1.35)	(36.3)%
Revenues					
Admin Revenue	2,460,441	1,235,821	8,052,723	6,816,902	551.6%
Program Income	655,593	11,114,179	3,000,000	(8,114,179)	(73.0)%
Total Revenues - MSIF	3,116,034	12,350,000	11,052,723	(1,297,277)	(10.5)%
Personnel Expenditures					
Permanent Salaries	182,188	474,241	309,443	(164,798)	(34.7)%
Overtime Salaries	18				
Temporary Salaries					
Payroll Taxes	2,611	6,700	4,385	(2,315)	(34.6)%
Pension Benefits	66,736	107,666	61,876	(45,790)	(42.5)%
FICA Replacement Benefits	1,856	7,268	4,843	(2,425)	(33.4)%
Group Insurance Benefits	23,202	67,711	42,661	(25,050)	(37.0)%
Employee Transportation Subsidy	1,439	5,524	3,403	(2,121)	(38.4)%
Workers' Compensation	572	1,921	1,174	(747)	(38.9)%
Discretionary Contribution (Pension/OPEB)	28,154	33,425	24,971	(8,454)	(25.3)%
Board Stipends					
Total Personnel Expenditures	306,776	704,456	452,756	(251,700)	(35.7)%
Services & Supplies Expenditures					
Travel In-State	230	8,000	8,000		
Travel Out-of-State		2,500	2,500		
Training & Education		23,500	18,500	(5,000)	(21.3)%
Repair & Maintenance (Equipment)					
Communications	902	2,000	2,000		
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction		3,000	3,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	1,994,117	7,350,000	7,460,000	110,000	1.5%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	150	30,000	17,000	(13,000)	(43.3)%
Stationery & Office Supplies		800	800		
Books & Journals		200	200		
Minor Office Equipment		5,000	5,000		
Total Services & Supplies Expenditures	1,995,399	7,425,000	7,517,000	92,000	1.2%
Capital Expenditures					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
Total Capital Expenditures					
Transfer In/Out	158,266	306,365	82,967	(223,398)	(72.9)%
Total Expenditures	2,460,441	8,435,821	8,052,723	(383,098)	(4.5)%
Program Distribution	655,593	3,914,179	3,000,000	(914,179)	(23.4)%
Total Expenditures - MSIF	3,116,034	12,350,000	11,052,723	(1,297,277)	(10.5)%

TABLE VII: Transportation Fund for Clean Air (TFCA)

	Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2022	2023	2024	\$	%
Number of Positions (FTE)	5.73	8.34	8.62	0.28	3.4%
Revenues					
Admin Revenue	2,900,976	3,936,342	4,241,640	305,298	7.8%
Program Income	18,109,105	16,463,658	25,000,000	8,536,342	51.8%
Total Revenues - TFCA	21,010,081	20,400,000	29,241,640	8,841,640	43.3%
Personnel Expenditures					
Permanent Salaries	777,329	1,128,978	1,155,122	26,144	2.3%
Overtime Salaries	31,624		30,000	30,000	
Temporary Salaries	5,329				
Payroll Taxes	11,645	16,000	16,419	419	2.6%
Pension Benefits	182,281	258,106	234,536	(23,570)	(9.1)%
FICA Replacement Benefits	8,184	16,294	17,595	1,301	8.0%
Group Insurance Benefits	101,525	156,912	159,653	2,741	1.7%
Employee Transportation Subsidy	6,491	12,385	12,362	(23)	(0.2)%
Workers' Compensation	2,460	4,309	4,265	(44)	(1.0)%
Discretionary Contribution (Pension/OPEB)	64,367	74,941	91,189	16,248	21.7%
Board Stipends					
Total Personnel Expenditures	1,191,235	1,667,925	1,721,141	53,216	3.2%
Services & Supplies Expenditures					
Travel In-State	1,928	14,000	14,500	500	3.6%
Travel Out-of-State		8,000	6,500	(1,500)	(18.8)%
Training & Education		11,000	7,000	(4,000)	(36.4)%
Repair & Maintenance (Equipment)					
Communications	3,879	6,000	5,500	(500)	(8.3)%
Building Maintenance					
Utilities					
Postage	1,715	14,000	9,000	(5,000)	(35.7)%
Printing & Reproduction	7,695	24,000	9,500	(14,500)	(60.4)%
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	1,079,537	1,714,349	1,736,999	22,650	1.3%
General Insurance					
Shop & Field Supplies		1,500	500	(1,000)	(66.7)%
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	150	20,000	6,000	(14,000)	(70.0)%
Stationery & Office Supplies	743	1,000	500	(500)	(50.0)%
Books & Journals		440	450	10	2.3%
Minor Office Equipment		5,000	2,500	(2,500)	(50.0)%
Total Services & Supplies Expenditures	1,095,647	1,819,289	1,798,949	(20,340)	(1.1)%
Capital Expenditures					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
Total Capital Expenditures					
Transfer In/Out	614,094	449,128	721,550	272,422	60.7%
Total Expenditures	2,900,976	3,936,342	4,241,640	305,298	7.8%
Program Distribution	18,109,105	16,463,658	25,000,000	8,536,342	51.8%
Total Expenditures - TFCA	21,010,081	20,400,000	29,241,640	8,841,640	43.3%

TABLE VIII: Clean Cars for All (CCFA)

	Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2022	2023	2024	\$	%
Number of Positions (FTE)	7.52	7.85	7.99	0.14	1.8%
Revenues					
Admin Revenue	2,379,261	2,323,404	2,935,752	612,348	26.4%
Program Income	6,049,454	4,866,596	30,200,000	25,333,404	520.6%
Total Revenues - CCFA	8,428,715	7,190,000	33,135,752	25,945,752	360.9%
Personnel Expenditures					
Permanent Salaries	882,189	1,001,684	1,068,282	66,598	6.6%
Overtime Salaries	3,741	5,000	10,000	5,000	100.0%
Temporary Salaries		15,000	200,000	185,000	1,233.3%
Payroll Taxes	12,926	14,282	15,341	1,059	7.4%
Pension Benefits	171,978	227,454	214,562	(12,892)	(5.7)%
FICA Replacement Benefits	9,197	15,347	16,313	966	6.3%
Group Insurance Benefits	114,336	134,829	143,185	8,356	6.2%
Employee Transportation Subsidy	7,262	11,665	11,463	(202)	(1.7)%
Workers' Compensation	2,795	4,059	3,954	(105)	(2.6)%
Discretionary Contribution (Pension/OPEB)	55,082	70,584	84,510	13,926	19.7%
Board Stipends					
Total Personnel Expenditures	1,259,506	1,499,904	1,767,610	267,706	17.8%
Services & Supplies Expenditures					
Travel In-State	52	7,500	10,500	3,000	40.0%
Travel Out-of-State		4,500	6,000	1,500	33.3%
Training & Education		6,000	6,000		
Repair & Maintenance (Equipment)					
Communications	2,221	2,500	2,500		
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction					
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	489,877	800,000	875,000	75,000	9.4%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	425	3,000	3,000		
Stationery & Office Supplies					
Books & Journals					
Minor Office Equipment					
Total Services & Supplies Expenditures	492,575	823,500	903,000	79,500	9.7%
Capital Expenditures					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
Total Capital Expenditures					
Transfer In/Out	372,283		265,142	265,142	
Total Expenditures	2,124,364	2,323,404	2,935,752	612,348	26.4%
Program Distribution	6,304,351	4,866,596	30,200,000	25,333,404	520.6%
Total Expenditures - CCFA	8,428,715	7,190,000	33,135,752	25,945,752	360.9%

TABLE IX California Goods Movement Bond (CGMB)

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)	1.26	1.11	1.63	0.52	46.85%
Revenues					
Admin Revenue	12,978	272,911	186,517	86,394	31.66%
Program Income	330,000	4,827,089	2,000,000	2,827,089	58.57%
Total Revenues - CGMB	342,978	5,100,000	2,186,517	2,913,483	57.13%
Personnel Expenditures					
Permanent Salaries	160,876	153,527	228,014	74,487	48.52%
Overtime Salaries					
Temporary Salaries					
Payroll Taxes	2,373	2,171	3,228	1,057	48.69%
Pension Benefits	29,021	34,970	47,124	12,154	34.76%
FICA Replacement Benefits	1,674	2,169	3,332	1,163	53.62%
Group Insurance Benefits	20,833	17,373	27,650	10,277	59.16%
Employee Transportation Subsidy	1,321	1,649	2,341	692	41.96%
Workers' Compensation	543	574	808	234	40.77%
Discretionary Contribution (Pension/OPEB)	8,759	9,978	17,409	7,431	74.47%
Board Stipends					
Total Personnel Expenditures	225,400	222,411	329,906	107,495	48.33%
Services & Supplies Expenditures					
Travel In-State		2,000	2,000		
Travel Out-of-State					
Training & Education		1,500	1,500		
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities	138				
Postage					
Printing & Reproduction		1,000	1,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	10,730	45,000	40,000	(5,000)	(11.11)%
General Insurance					
Shop & Field Supplies		1,000	1,000		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software					
Stationery & Office Supplies					
Books & Journals					
Minor Office Equipment					
Non-Capital Assets					
Total Services & Supplies Expenditures	10,868	50,500	45,500	(5,000)	(9.90)%
Capital Expenditures					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
General Equipment					
PM 2.5 Equipment					
Total Capital Expenditures					
Transfer In/Out	(223,290)		(188,889)	(188,889)	
Total Expenditures	12,978	272,911	186,517	(86,394)	(31.66)%
Program Distribution	330,000	4,827,089	2,000,000	(2,827,089)	(58.57)%
Total Expenditures - CGMB	342,978	5,100,000	2,186,517	(2,913,483)	(57.13)%

TABLE X: Vehicle Mitigation (VM)

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)	3.31	3.50	2.47	(1.03)	(29.4)%
Revenues					
Admin Revenue	688,433	1,117,279	863,377	(253,902)	(22.7)%
Program Income	962,095	12,551,269	13,000,000	448,731	3.6%
Total Revenues - VM	1,650,528	13,668,548	13,863,377	194,829	1.4%
Personnel Expenditures					
Permanent Salaries	417,716	469,816	357,170	(112,646)	(24.0)%
Overtime Salaries	129				
Temporary Salaries					
Payroll Taxes	6,260	6,645	5,064	(1,581)	(23.8)%
Pension Benefits	86,337	105,969	73,058	(32,911)	(31.1)%
FICA Replacement Benefits	4,446	6,840	5,048	(1,792)	(26.2)%
Group Insurance Benefits	55,110	63,488	46,372	(17,116)	(27.0)%
Employee Transportation Subsidy	3,543	5,199	3,547	(1,652)	(31.8)%
Workers' Compensation	1,323	1,809	1,223	(586)	(32.4)%
Discretionary Contribution (Pension/OPEB)	28,774	31,461	26,551	(4,910)	(15.6)%
Board Stipends					
Total Personnel Expenditures	603,638	691,227	518,033	(173,194)	(25.1)%
Services & Supplies Expenditures					
Travel In-State		13,000	13,000		
Travel Out-of-State					
Training & Education		2,000	2,000		
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction					
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	36,518	100,000	97,229	(2,771)	(2.8)%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software					
Stationery & Office Supplies					
Books & Journals					
Minor Office Equipment					
Total Services & Supplies Expenditures	36,518	115,000	112,229	(2,771)	(2.4)%
Capital Expenditures					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
General Equipment					
PM 2.5 Equipment					
Total Capital Expenditures					
Transfer In/Out	48,277	311,052	233,115	(77,937)	(25.1)%
Total Expenditures	688,433	1,117,279	863,377	(253,902)	(22.7)%
Program Distribution	962,095	12,551,269	13,000,000	448,731	3.6%
Total Expenditures - VM	1,650,528	13,668,548	13,863,377	194,829	1.4%

TABLE XI: Other Grants Revenues

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)	0.18		0.87	0.87	
Revenues					
Admin Revenue		6,300	182,472	176,172	2,796.4%
Program Income	254,897	993,700	762,000	(231,700)	(23.3)%
Total Revenues - Other Grants	254,897	1,000,000	944,472	(55,528)	(5.6)%
Personnel Expenditures					
Permanent Salaries	20,445		121,992	121,992	
Overtime Salaries					
Temporary Salaries					
Payroll Taxes	318		1,740	1,740	
Pension Benefits	8,138		24,588	24,588	
FICA Replacement Benefits	221		1,775	1,775	
Group Insurance Benefits	2,740		15,116	15,116	
Employee Transportation Subsidy	173		1,247	1,247	
Workers' Compensation	65		430	430	
Discretionary Contribution (Pension/OPEB)	3,496		9,284	9,284	
Board Stipends					
Total Personnel Expenditures	35,596		176,172	176,172	
Services & Supplies Expenditures					
Travel In-State		6,300	6,300		
Travel Out-of-State					
Training & Education					
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction					
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	254,897				
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software					
Stationery & Office Supplies					
Books & Journals					
Minor Office Equipment					
Total Services & Supplies Expenditures	254,897	6,300	6,300		
Capital Expenditures					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
General Equipment					
PM 2.5 Equipment					
Total Capital Expenditures					
Transfer In/Out	(35,596)				
Total Expenditures	254,897	6,300	182,472	176,172	2,796.4%
Program Distribution		993,700	762,000	(231,700)	(23.3)%
Total Expenditures - Other Grants	254,897	1,000,000	944,472	(55,528)	(5.6)%

TABLE XII: General Fund Expenditures by Division

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Executive Office					
Executive Office	7,753,047	8,867,174	8,966,878	99,704	1.1%
Bay Area Regional Collaborative (BARC)	312,608				
Board of Directors	452,910	469,186	516,793	47,607	10.1%
Hearing Board	30,533	56,974	95,350	38,376	67.4%
Advisory Council & Community Advisory Council	26,110	448,792	557,111	108,319	24.1%
External Affairs	167,584	672,859	1,145,095	472,236	70.2%
Total Executive Office	8,742,792	10,514,985	11,281,227	766,242	7.3%
Diversity, Equity and Inclusion Division					
Office of Diversity Equity & Inclusion	596,072	972,885	904,413	(68,472)	(7.0)%
Total Diversity, Equity and Inclusion Division	596,072	972,885	904,413	(68,472)	(7.0)%
Finance Office					
Accounting and Budgeting	3,000,168	3,744,665	4,418,389	673,724	18.0%
Payroll	824,173	660,525	675,575	15,050	2.3%
Total Finance Office	3,824,341	4,405,190	5,093,964	688,774	20.3%
Human Resources Office					
Benefits Administration	4,027,901	3,887,680	3,879,897	(7,783)	(0.2)%
Organizational Development	575,196	666,644	1,296,057	629,413	94.4%
Employment Relations	883,664	1,109,416	1,331,537	222,121	20.0%
Recruitment & Testing	806,077	817,309	978,028	160,719	19.7%
Total Human Resources Office	6,292,838	6,481,049	7,485,519	1,004,470	133.9%
Administrative Resources Division					
Facilities	1,388,775	1,990,716	1,873,890	(116,826)	(5.9)%
Mail and Reproduction	904,107	1,153,373	999,178	(154,195)	(13.4)%
Headquarters East (Richmond)	133,655	813,000	813,000		
Purchasing	916,670	1,314,829	1,937,224	622,395	47.3%
Headquarters West (Beale Street)	3,119,760	4,210,000	5,075,792	865,792	20.6%
Fleet Services	1,300,212	1,952,518	1,930,207	(22,311)	(1.1)%
Total Administrative Resources Division	7,763,179	11,434,436	12,629,291	1,194,855	47.5%
Legislative Office					
Legislative Program	482,469	623,159	657,164	34,005	5.5%
Total Legislative Office	482,469	623,159	657,164	34,005	5.5%
Legal Services Division					
Legal Counsel	3,049,644	2,910,984	2,914,726	3,742	0.1%
Hearing Board Proceedings	11,312	34,434	194,487	160,053	464.8%
Penalties Enforcement & Settlement	766,289	1,174,823	1,731,640	556,817	47.4%
Litigation	352,950	374,227	334,132	(40,095)	(10.7)%
Total Legal Services Division	4,180,195	4,494,468	5,174,985	680,517	501.6%
Communications Office					
Media Relations	1,782,045	1,919,880	1,797,245	(122,635)	(6.4)%
Intermittent Control	1,164,067	1,275,457	1,416,607	141,150	11.1%
Spare The Air (CMAQ)	967,343	1,000,000	1,000,000		
Total Communications Office	3,913,455	4,195,337	4,213,852	18,515	0.4%
Technology Implementation Office					
Greenhouse Gas Technologies	1,747,092	1,018,977	1,063,166	44,189	4.3%
Total Technology Implementation Office	1,747,092	1,018,977	1,063,166	44,189	4.3%
Strategic Incentives					
Non-Mobile Source Grant Programs	72,539	138,492	379,017	240,525	173.7%
Grant Program Development	90,495	260,372	155,217	(105,155)	(40.4)%
Total Strategic Incentives	163,034	398,864	534,234	135,370	33.9%
Compliance & Enforcement					
Enforcement	5,431,810	6,944,654	7,987,846	1,043,192	15.0%
Compliance Assistance & Operations	3,150,929	3,714,328	3,472,773	(241,555)	(6.5)%
Compliance Assurance	5,499,422	7,113,062	6,235,227	(877,835)	(12.3)%

TABLE XI: General Fund Expenditures by Division

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Total Compliance & Enforcement	14,082,161	17,772,044	17,695,846	(76,198)	(0.4)%
Engineering					
Permit Evaluation	7,554,549	8,741,400	8,543,400	(198,000)	(2.3)%
Air Toxics	1,492,469	1,811,164	2,080,600	269,436	14.9%
Permit Operations	885,175	1,018,692	1,570,623	551,931	54.2%
Title V	351,299	1,001,787	1,094,099	92,312	9.2%
Engineering Special Projects	1,278,399	1,681,586	2,003,778	322,192	19.2%
Total Engineering	11,561,891	14,254,629	15,292,500	1,037,871	7.3%
Assessment, Inventory & Model					
Source Inventories	1,612,176	1,736,608	1,633,465	(103,143)	(5.9)%
Air Quality Modeling Support	1,324,225	1,183,162	900,007	(283,155)	(23.9)%
Air Quality Modeling & Research	727,214	841,676	520,441	(321,235)	(38.2)%
Community Air Risk Evaluation	1,000,792	1,301,746	753,152	(548,594)	(42.1)%
Total Assessment, Inventory & Model	4,664,407	5,063,192	3,807,065	(1,256,127)	(24.8)%
Planning & Climate Protection					
Air Quality Plans	1,779,117	2,183,721	1,306,277	(877,444)	(40.2)%
Implement Plans, Policies and Measures	1,205,850	1,363,472	1,109,950	(253,522)	(18.6)%
Climate Protection	1,817,086	1,852,820	2,051,475	198,655	10.7%
Total Planning & Climate Protection	4,802,053	5,400,013	4,467,702	(932,311)	(17.3)%
Rules Division					
Rule Development	2,686,951	2,957,742	2,507,760	(449,982)	(15.2)%
Total Rules Division	2,686,951	2,957,742	2,507,760	(449,982)	(15.2)%
Community Engagement					
Environmental Justice & Community Engagement AB617	5,236,872	8,732,937	5,705,218	(3,027,719)	(34.7)%
			9,251,090	9,251,090	
Total Community Engagement	5,236,872	8,732,937	14,956,308	6,223,371	(34.7)%
Information Services					
Information Management Records & Content	480,128	1,134,316	776,316	(358,000)	(31.6)%
IT Engineering & Operations	3,016,545	4,923,201	5,429,991	506,790	10.3%
User Support Desk		460,181	1,351,433	891,252	193.7%
Total Information Services	3,496,673	6,517,698	7,557,740	1,040,042	172.4%
My Air Online					
Online Permit Billing System	4,514,198	4,792,733	4,921,179	128,446	2.7%
Online Services	1,646,863	1,606,838	1,637,827	30,989	1.9%
Legacy Systems Support	1,136,094	1,311,775	1,482,843	171,068	13.0%
Total My Air Online	7,297,155	7,711,346	8,041,849	330,503	17.6%
Meteorology, Measurement & Rules					
Air Monitoring – Operations	4,240,015	6,794,452	6,403,127	(391,325)	(5.8)%
Laboratory	1,630,293	2,082,770	2,212,486	129,716	6.2%
Source Test	3,207,654	3,534,372	4,056,103	521,731	14.8%
Meteorology	957,218	948,802	923,854	(24,948)	(2.6)%
Air Monitoring Instrument Performance Evaluation	649,190	863,942	717,072	(146,870)	(17.0)%
BioWatch Monitoring	1,253,501	1,516,419	1,538,805	22,386	1.5%
Air Monitoring - Projects & Technology	1,490,275	2,622,879	1,873,341	(749,538)	(28.6)%
Ambient Air Quality Analysis	989,825	1,736,586	1,750,215	13,629	0.8%
Total Meteorology, Measurement & Rules	14,417,971	20,100,222	19,475,003	(625,219)	(3.1)%
Others					
Vacancy Savings		(5,165,856)	(6,583,940)	(1,418,084)	27.5%
Program Distribution	1,421,767	1,000,000	1,300,000	300,000	30.0%
Transfer In/Out	934,033		188,889	188,889	
Total Expenditures - General Fund Divisions	108,307,401	128,883,317	137,744,537	8,861,220	(835.0)%

TABLE XIII: Special Revenue Funds Expenditures by Division

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Communication Office					
Intermittent Control (TFCA)	1,597,855	2,260,343	2,509,695	249,352	11.0%
Total Communication Office	1,597,855	2,260,343	2,509,695	249,352	11.0%
Strategic Incentives Division					
Carl Moyer Program Administration (CMP)	20,341,785	55,058,440	38,612,576	(16,445,864)	(29.9)%
Transportation Fund for Clean Air Administration (TFCA)	19,401,671	18,113,657	26,705,445	8,591,788	47.4%
Mobile Source Incentive Fund (MSIF)	1,076,499	5,013,501	3,588,170	(1,425,331)	(28.4)%
Vehicle Buy Back (MSIF)	2,039,535	7,336,499	7,464,553	128,054	1.7%
Miscellaneous Incentive Program (Other Grant)		1,000,000	944,472	(55,528)	(5.6)%
CA GMB - Grants Administration (CGMB)	342,978	5,100,000	2,186,517	(2,913,483)	(57.1)%
Volkswagen NOx Mitigation (VW Trust)	1,650,528	13,668,548	13,863,377	194,829	1.4%
Total Strategic Incentives Division	44,852,996	105,290,645	93,365,110	(11,925,535)	(11.3)%
Technology Implementation Office					
Light Duty Electric Vehicle Program (Other Grant)	8,428,715	7,190,000	33,135,752	25,945,752	360.9%
Total Technology Implementation Office	8,428,715	7,190,000	33,135,752	25,945,752	360.9%
Compliance and Enforcement Division					
Enhanced Mobile Source Inspections (TFCA)	8,841	15,000	15,500	500	3.3%
Commuter Benefits Program (TFCA)	1,714	11,000	11,000		
Total Compliance and Enforcement Division	10,555	26,000	26,500	500	1.9%
Communication Engagement					
Community Engagement - Special Project (Other Grant)	254,897				
Total Communication Engagement	254,897				
Others					
Total Expenditures - Special Revenue Fund Divisions	55,145,018	114,766,988	129,037,057	14,270,069	12.4%

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Capital Expenditure

**TABLE XIV
CAPITAL EXPENDITURE SUMMARY**

The list below includes all capital expenditures budgeted for FYE 2024

	<u>Description</u>	<u>PGM</u>	<u>Capital Type</u>	<u>Amount</u>	<u>Program Total</u>	<u>Division Total</u>
1	One (1) Replacement and upgrades for aging air monitoring equipment	802	Lab & Monitoring	182,427		
2	One (1) New equipment purchase for Schedule X equipment only	802	Lab & Monitoring	757,837	940,263	
3	One (1) OC/EC with autosampler	803	Lab & Monitoring	115,000		
4	One (1) Ion Chromatograph with autosampler	803	Lab & Monitoring	165,000	280,000	
5	Three (3) Source Test Analyzers	804	Lab & Monitoring	55,500		
6	One (1) Multy Program Van Custom Equipment and Build Out	804	Motorized Equipment	100,000	155,500	
7	One (1) Model T703U UV PHOTOMETRIC 03 CALIBRATOR	807	Lab & Monitoring	45,000	45,000	<u>1,420,763</u>
8	One (1) Termo TVA 2020s or other similar equipment	403	Lab & Monitoring	100,000	100,000	<u>100,000</u>
9	Phase 2 HQE build out for Meterology & Measurement staff	707	Building and Grounds	500,000	500,000	
10	375 Beale Street network upgrade	709	Network Equipments	500,000	500,000	<u>1,000,000</u>
11	Pilot Program and Prototyping for IT Infrastructure Datacenter Refres	726	Computer & Network Equipment	400,000		
12	Replacement of End-of-Life Network Components	726	Computer & Network Equipment	500,000		
13	Communication Equipment	726	Communications Equipment	150,000	1,050,000	
14	Proposed records management room HQE	712	Information Management Recorc	100,000		
15	Scanning station for Records Management Section	712	Information Management Recorc	10,000	110,000	<u>1,160,000</u>
16	Online Permit Billing Systems	125	Computer & Network Equipment	3,108,613	3,108,613	<u>3,108,613</u>
Total Capital Expenditures						6,789,377

**TABLE XV
CAPITAL EXPENDITURE DETAILS**

The list below includes all capital expenditures budgeted for FYE 2024		
Item Description	Cost	Program/ Capital Type
1 <u>One (1) Upgrades for aging air monitoring equipment</u> Replacements / upgrades for aging air monitoring equipment.	\$182,427	802/Lab & Monitoring
2 <u>One (1) New equipment purchase for Schedule X equipment only</u> New equipment purchases and maintenance costs for Schedule X	\$757,837	802/Lab & Monitoring
3 <u>One (1) OC/EC with autosampler</u> This instrument is used to analyze some of the speciation data collected as part of mandated programs. The data produced by this instrument is part of the suite of data frequently requested via public records requests. The current instrument used for this analysis was an early generation and is frequently under repair, and resulting in a significant backlog.	\$115,000	803/Lab & Monitoring
4 <u>One (1) Ion Chromatograph with autosampler</u> This instrument is used to analyze some of the speciation data collected as part of mandated programs. The data produced by this instrument is part of the suite of data frequently requested via public records requests. The current instrument used for this analysis was an early generation and is frequently under repair, and resulting in a significant backlog.	\$165,000	803/Lab & Monitoring
5 <u>Three (3) Source Test Analyzers</u> Replacements for current equipment that reached the end of its useful life. The current equipment will be installed in field testing vans to reduce calibration gas inventory.	\$55,500	804/Lab & Monitoring
6 <u>One (1) Multy Program Van Custom Equipment and Build Out</u> Field testing new multi program van custom equipment and build out to include instrument racks, plumbing, cylinder storage, and work areas.	\$100,000	804/Motorized Equipment
7 <u>One (1) Model T703U UV PHOTOMETRIC O3 CALIBRATOR</u> To replace 2 older Teledyne API 703U Ozone. Photometers/Calibrators that are used in conducting EPA-mandated gas analyzer performance evaluations (audits) of the Air District's network of ozone analyzers. The photometers/calibrators have been repaired too many times and need to be replaced to ensure accurate ozone data	\$45,000	807/Lab & Monitoring
8 <u>One (1) Termo TVA 2020s or other similar equipment</u> To perform routine monitoring at regulated facilities to determine compliance with applicable regulations	\$100,000	403/Lab & Monitoring
9 <u>Phase 2 HQE build out for Meterology & Measurement staff</u> Continue with Phase 2 HQE build out for Measure and Meteorology staff.	\$500,000	707/Building and Grounds
10 <u>375 Beale Street network upgrade</u> Network upgrade pertaining to pertaining to the Shared Services Organization, via BAHA	\$500,000	709/Building and Grounds
11 <u>Pilot Program and Prototyping for IT Infrastructure Datacenter Refres</u> The District modernizes its information technology infrastructure every 6 - 8 years. Design of a new IT data center infrastructure began in FYE2023. This project encompasses the proof of concept, pilot deployment, and prototyping	\$400,000	726/Computer & Network Equipment
12 <u>Replacement of End-of-Life Network Components</u> Replace key end of life computer networking components. Several of the District's key computer networking components will reach end of life and will not be supported in FYE24. This project is to replace key components with newer like components before they are no longer supported by their	\$500,000	726/Computer & Network Equipment
13 <u>Communication Equipment</u> The District's phone systems and associated equipment telecommunications equipment is approaching fifteen years old, and is reaching the end of its useful life. Additionally, key functionality required to support distributed/remote work is either not supported or supported insufficiently in the current system.	\$150,000	726/Communications Equipment
14 <u>Records management room HQE</u> Equip the record's management room at Head Quarter East	\$100,000	712/Information Management
15 <u>Scanning Station for Records Management Section</u> Purchase one scanning station for Record Management	\$10,000	712/Information Management
16 <u>Online Permit Billing Systems</u> Development and implementation of permitting and enforcement software functionality for medium and complex facilities, including data cleanup and consolidation activities.	\$3,108,613	125/Computer & Network Equipment
Total Capital Expenditures	\$6,789,377	

General Fund Program Narratives and Expenditure Details

Note: Definitions are provided on pages 242-244
And are an integral part of this budget document.

Executive Division

Despite the continuing challenges of the pandemic, the Air District furthered our vision of providing a healthy breathing environment for all Bay Area residents. We continued to address disparities in air quality and health protections by expanding partnerships in historically disadvantaged communities. At the same time, our climate protection work progressed to accelerate electrification and incentivize greenhouse gas reductions by funding cutting-edge technologies.

Under the leadership and direction of the Executive Officer/APCO and the Board of Directors, the Executive Office guides the Bay Area Air Quality Management District (Air District) in meeting its mission of protecting and improving public health, air quality, and the global climate. To fulfill this mission, the Air District builds its programs and policies on sound science, develops them with technical expertise and rigor, and executes them with quality. Air District programs and policies include both traditional air quality management approaches and new strategies for achieving clean air.

In FYE 2024, the Air District will continue to implement State and Federal regulations and directives, and will also continue to implement and develop the following key initiatives:

- Clean Air Plan Implementation
- Climate Action Work Program
- Assembly Bill (AB) 617 Implementation
- Wildfire Air Quality Response Program
- Diesel Free by '33 Campaign
- Technology Implementation Office
- Wood Smoke Program and Rule Amendments
- My Air Online Program
- Clean Air Foundation
- Spare the Air Everyday Campaign
- Public Participation Plan Implementation
- Diversity, Equity, and Inclusion Office

The Executive Office is responsible for developing and maintaining strategic partnerships to achieve clean air. These partnerships include but are not limited to collaboration with: community groups, non-profits, peer regional agencies (Metropolitan Transportation Commission, Association of Bay Area Governments & Bay Conservation and Development Commission), regulatory agencies (U.S. Environmental Protection Agency and California Air Resources Board), and associations (California Air Pollution Control Officers Association, Air and Waste Management Association & National Association of Clean Air Agencies), as well as the State Legislature. In FYE 2023, these key partnerships will also address regional coordination of climate protection activities, and implementation of State initiatives at the regional level.

Managing Division:	
Executive Division	
Contact Person:	
Vanessa Johnson	
Program Purpose:	
Administration and Direction of Air District Programs.	
Description of Program:	
This budget program is responsible for providing overall administration and direction to Air District staff. Through this budget program, the Executive Officer/APCO interprets and oversees implementation of Board directives and policies and administers the business of the Air District.	
Justification of Change Request:	
Not Applicable	
Activities	
Implement and develop key initiatives to meet Air District goals and objectives.	
Coordinate development of Air District's legislative agenda and implement strategy for achieving Air District's legislative goals.	
Coordinate Air District activities with staff, stakeholders, and community groups.	
Help sponsor stakeholder events in support of Air District Initiatives.	
Monitor actions of and serve as liaison to regional governmental agencies (e.g. MTC, ABAG, BCDC), federal and statewide governmental organizations (e.g. U.S. EPA, CARB, CAPCOA), as well as the state legislature, and representatives of the regulated community.	
Compliance and enforcement actions.	
Administer and manage the Bay Area Clean Air Foundation.	
Major Objectives	Delivery Date
Rule Development and Amendments.	Ongoing
Issue all non-Title V permits on a timely basis.	Ongoing
Production System Implementation.	Ongoing
Clean Air Plan Implementation.	Ongoing
Assembly Bill (AB) 617 Implementation.	Ongoing
Public Participation Plan Implementation	Ongoing
Adopt District Budget for FYE 2024.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		19.55	22.41	22.79	0.38	1.7%
Personnel Expenditures						
Permanent Salaries	51100	4,127,888	4,290,537	4,571,429	280,892	6.5%
Overtime Salaries	51150	11,113	10,000	12,000	2,000	20.0%
Temporary Salaries	51200	56,755				
Payroll Taxes	51300	61,426	65,737	70,892	5,155	7.8%
Pension Benefits	51400	922,877	993,880	932,874	(61,006)	(6.1)%
FICA Replacement Benefits	51500	43,385	43,803	46,530	2,727	6.2%
Group Insurance Benefits	51600	539,253	422,067	437,921	15,854	3.8%
Employee Transportation Subsidy	51700	34,469	33,295	32,693	(602)	(1.8)%
Workers' Compensation	51800	13,072	11,585	11,278	(307)	(2.6)%
Discretionary Contribution (Pension/OPEB)	51850	296,539	201,470	264,110	62,640	31.1%
Board Stipends	51900					
Total Personnel Expenditures		6,106,777	6,072,374	6,379,727	307,353	5.1%
Services & Supplies Expenditures						
Travel In-State	52200	5,240	18,000	19,000	1,000	5.6%
Travel Out-of-State	52220	41,782	45,000	69,500	24,500	54.4%
Training & Education	52300	22,825	36,000	34,500	(1,500)	(4.2)%
Repair & Maintenance (Equipment)	52400					
Communications	52500	15,033	5,000	5,000		
Building Maintenance	52600	82				
Utilities	52700					
Postage	52800	35	200	200		
Printing & Reproduction	52900	3,323	4,000	5,000	1,000	25.0%
Equipment Rental	53100					
Rents & Leases	53200	33,624	50,000		(50,000)	(100.0)%
Professional Services & Contracts	53300	1,674,303	2,630,000	2,438,251	(191,749)	(7.3)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	4,979	4,000	6,200	2,200	55.0%
Stationery & Office Supplies	53900	2,392	1,100	3,500	2,400	218.2%
Books & Journals	54100	5,070	1,500	6,000	4,500	300.0%
Minor Office Equipment	54200	1,865				
Total Services & Supplies Expenditures		1,810,553	2,794,800	2,587,151	(207,649)	(7.4)%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		(164,283)				
Total Expenditures		7,753,047	8,867,174	8,966,878	99,704	1.1%

Managing Division:	
Executive Division	
Contact Person:	
Vanessa Johnson	
Program Purpose:	
Not Applicable	
Description of Program:	
Not Applicable	
Justification of Change Request:	
Program 105 now merged with program 104	
Activities	
Major Objectives	Delivery Date

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)					
Personnel Expenditures					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Discretionary Contribution (Pension/OPEB)	51850				
Board Stipends	51900				
Total Personnel Expenditures					
Services & Supplies Expenditures					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	312,608			
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
Total Services & Supplies Expenditures		312,608			
Capital Expenditures					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Total Capital Expenditures					
Transfer In/Out					
Total Expenditures		312,608			

Managing Division:	
Executive Division	
Contact Person:	
Vanessa Johnson	
Program Purpose:	
Oversee Activities of the Board of Directors.	
Description of Program:	
Administration of activities of the Board of Directors.	
Justification of Change Request:	
Not Applicable	
Activities	
Prepare and distribute all meeting materials, including agendas, minutes and correspondence for Board of Directors regular and special meetings, approximately 20 per year.	
Prepare all logistics for Board of Directors regular and special meetings, including scheduling, polling, providing refreshments, preparation of facilities, and legal noticing requirements, approximately 20 per year.	
Prepare and distribute all agenda materials and logistics for Board of Directors Committee meetings, approximately 25 per year. Receive, route, and appropriately address all correspondence directed to the Board.	
Receive, route, and appropriately address all correspondence directed to the Board.	
Track, process and issue monthly travel reimbursement and per diem payments for each member of the Board of Directors.	
Prepare all travel logistics for Board of Directors participation at the Annual Air & Waste Management Association (A&WMA) Conference.	
Maintain archive of Board materials, including minutes, agendas, correspondence and adopted resolutions.	
Maintain the Air District's website as it relates to the Board of Directors membership, calendar, meeting materials and minutes.	
Assure timely filing of Statement of Economic Interests with the California Fair Political Practices Commission.	
Major Objectives	Delivery Date
Coordinate all Board and Committee meetings.	Ongoing
Coordinate Board Ethics Training and Unconscious Bias Training.	Ongoing
Coordinate New Board Member Orientation.	Ongoing
Coordinate transition to new Chair of the Board of Directors.	Annually
Coordinate Board of Directors Annual Retreat.	Annually
Update of Board Committee assignments.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.77	1.78	1.70	(0.08)	(4.5)%
Personnel Expenditures						
Permanent Salaries	51100	209,380	204,192	207,694	3,502	1.7%
Overtime Salaries	51150	4,929				
Temporary Salaries	51200					
Payroll Taxes	51300	3,080	2,866	2,973	107	3.7%
Pension Benefits	51400	58,989	45,447	41,343	(4,104)	(9.0)%
FICA Replacement Benefits	51500	2,170	3,480	3,470	(10)	(0.3)%
Group Insurance Benefits	51600	27,036	31,132	31,354	222	0.7%
Employee Transportation Subsidy	51700	1,934	2,645	2,438	(207)	(7.8)%
Workers' Compensation	51800	663	920	841	(79)	(8.6)%
Discretionary Contribution (Pension/OPEB)	51850	22,757	16,004	17,680	1,676	10.5%
Board Stipends	51900	107,280	78,000	115,000	37,000	47.4%
Total Personnel Expenditures		438,218	384,686	422,793	38,107	9.9%
Services & Supplies Expenditures						
Travel In-State	52200	3,319	19,500	19,500		
Travel Out-of-State	52220	5,040	13,500	22,000	8,500	63.0%
Training & Education	52300	240	28,000	30,000	2,000	7.1%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	6,093	23,500	22,000	(1,500)	(6.4)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900			500	500	
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		14,692	84,500	94,000	9,500	11.2%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		452,910	469,186	516,793	47,607	10.1%

Managing Division:	
Executive Division	
Contact Person:	
Vanessa Johnson	
Program Purpose:	
Records, documents, and maintains records of actions of the quasi-judicial Hearing Board.	
Description of Program:	
The Hearing Board is a quasi-judicial body that rules on particular cases that affect only individual facilities. It is authorized to hear requests for variance relief, permit revocation, abatement orders, and appeals by permit applicants, or by interested third parties, concerning the issuance or denial of permits.	
Justification of Change Request:	
Not Applicable	
Activities	
Prepare logistics for all Hearing Board meetings, including scheduling, polling, providing refreshments, preparation of facilities, and legal noticing requirements. Develop and maintain Hearing Board calendar and schedules.	
Develop and maintain Hearing Board calendar and schedules.	
Attend all hearings of the Hearing Board.	
Draft selected Orders for Hearing Board review and signature.	
Print and reproduce Hearing Board notices.	
Maintain Record of Actions (Docket Book).	
Prepare and maintain docket files for each hearing.	
Collect required fees from Applicants.	
Follow-up on actions resulting from Hearing Board Orders/decisions.	
Process incoming documents and inquiries.	
Make arrangements for all off-site and webinar hearings.	
Research, compile and prepare reports for presentation to the Board of Directors and others as requested by the Hearing Board.	
Arrange for Hearing Board members attendance at Hearing Board Conferences and CARB Trainings.	
Track, process and issue monthly travel reimbursement and per diem payments for each member of the Hearing Board.	
Archive Hearing Board Dockets and related documents.	
Maintain the Air District's website as it pertains to the Hearing Board membership, calendar, and decisions/orders.	
Coordinate recruitment and orientation of new Hearing Board members as necessary.	
Major Objectives	Delivery Date
Coordinate Hearing Board Activities.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.13	0.04	0.24	0.20	500.0%
Personnel Expenditures						
Permanent Salaries	51100	15,860	4,957	30,077	25,120	506.8%
Overtime Salaries	51150	1,038				
Temporary Salaries	51200					
Payroll Taxes	51300	222	70	424	354	505.7%
Pension Benefits	51400	3,848	1,097	5,784	4,687	427.3%
FICA Replacement Benefits	51500	152	78	493	415	532.1%
Group Insurance Benefits	51600	1,912	612	3,687	3,075	502.5%
Employee Transportation Subsidy	51700	158	59	346	287	486.4%
Workers' Compensation	51800	50	21	119	98	466.7%
Discretionary Contribution (Pension/OPEB)	51850	1,383	360	2,520	2,160	600.0%
Board Stipends	51900	5,350	40,000	35,000	(5,000)	(12.5)%
Total Personnel Expenditures		29,973	47,254	78,450	31,196	66.0%
Services & Supplies Expenditures						
Travel In-State	52200	10		7,100	7,100	
Travel Out-of-State	52220		1,000	1,500	500	50.0%
Training & Education	52300		1,000	2,000	1,000	100.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800	217	120	350	230	191.7%
Printing & Reproduction	52900		1,500	1,000	(500)	(33.3)%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	333	5,000	4,000	(1,000)	(20.0)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		250	250		
Books & Journals	54100		600	500	(100)	(16.7)%
Minor Office Equipment	54200		250	200	(50)	(20.0)%
Total Services & Supplies Expenditures		560	9,720	16,900	7,180	73.9%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		30,533	56,974	95,350	38,376	67.4%

Managing Division:	
Executive Division	
Contact Person:	
Vanessa Johnson	
Program Purpose:	
The Advisory Council studies and makes recommendations on specific matters referred from the Board of Directors or the Air Pollution Control Officer. Matters can include technical, social, economic and environmental aspects of air quality issues. The Community Advisory Council will advise the Board of Directors and the Executive Officer on technical, community, health, and policy matters.	
Description of Program:	
The Advisory Council is comprised of 7 members, appointed by the Board of Directors. SB1415 requires that the Advisory Council members be skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution. The Council advises and consults with the Board of Directors and Executive Officer and makes recommendations and reports on matters that affect both policy and the legislative agenda.	
The Community Advisory Council was created at the request of community advocates in the Bay Area. The CAC is a Brown Act Committee and consists of 17 community members. The Councilmembers reflect the diversity of the communities in the Bay Area, the lived experiences in communities heavily impacted by air pollution and are individuals with diverse skill sets and a range of relevant knowledge and technical experience.	
Justification of Change Request:	
Not Applicable	
Activities	
Prepare and distribute all meeting materials, including agendas and minutes for Advisory Council regular and special meetings, approximately 4 per year. Prepare logistics for all Advisory Council regular and special meetings, including scheduling, polling, providing refreshments, preparation of facilities, providing stenographer, and legal noticing requirements, approximately 4 per year.	
Make travel, registration and payment arrangements for Advisory Council participation at the annual Air and Waste Management Association Conference.	
Maintain archive of Advisory Council materials, including minutes, agendas, and presentations.	
Maintain the District's website as it relates to the Advisory Council membership, calendar, meeting materials and minutes. Attend all Regular and Committee meetings of the Advisory Council.	
Track, process and issue quarterly travel reimbursement for each member of the Advisory Council.	
Coordinate recruitment of new Advisory Council members as necessary.	
The Community Advisory Council, which is a Brown Act advisory committee of the Board, will choose its own areas of focus, and provide input on key Air District policies and programs. Potential activities include: Disbursing the Community Benefits Fund; EJ Policy and Community Engagement Guidelines; Racial Equity Framework.	
Major Objectives	Delivery Date
Coordinate activities of the Advisory Council.	Ongoing
Conduct approximately four (4) meetings, based on the topics selected by the Board of Directors and Executive Officer.	Ongoing
Discuss presentations, materials and recommendations received meetings, and prepare and present a report to the Board of Directors.	Ongoing
The CAC advises the Board of Directors and the Executive Officer on technical, community, health, and policy matters.	Ongoing
The Council also exercises its own initiative to select areas for exploration or develop air quality projects or programs that emerge from impacted communities.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.09	0.11	0.12	0.01	9.1%
Personnel Expenditures						
Permanent Salaries	51100	11,155	13,549	16,982	3,433	25.3%
Overtime Salaries	51150	1		10,000	10,000	
Temporary Salaries	51200					
Payroll Taxes	51300	165	191	257	66	34.6%
Pension Benefits	51400	1,917	3,010	3,477	467	15.5%
FICA Replacement Benefits	51500	115	213	236	23	10.8%
Group Insurance Benefits	51600	1,420	1,631	1,895	264	16.2%
Employee Transportation Subsidy	51700	100	162	165	3	1.9%
Workers' Compensation	51800	35	56	57	1	1.8%
Discretionary Contribution (Pension/OPEB)	51850	587	980	1,242	262	26.7%
Board Stipends	51900			91,800	91,800	
Total Personnel Expenditures		15,495	19,792	126,111	106,319	537.2%
Services & Supplies Expenditures						
Travel In-State	52200	2,192	22,000	23,000	1,000	4.5%
Travel Out-of-State	52220		20,500	22,500	2,000	9.8%
Training & Education	52300		10,500	10,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		1,000	1,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	8,274	375,000	373,500	(1,500)	(0.4)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100	149		500	500	
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		10,615	429,000	431,000	2,000	0.5%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		26,110	448,792	557,111	108,319	24.1%

Managing Division:	
Executive Division	
Contact Person:	
Lisa Fasano	
Program Purpose:	
The External Affairs Office manages the Commuter Benefits Program, advances partnerships, and messaging programs to further solutions to reduce air pollution from commuting. The program works at building partnerships between employers, municipalities, and transit agencies. Manage Air District sponsorship program.	
Description of Program:	
<p>Directs the programming of initiatives to help reduce drive-alone commuting through the employer program, Flex Your Commute, and the Commuter Benefits Program. Flex Your Commute is targeted to employers and employees which will encourage commuting partnerships. Survey and focus group data will be used to develop messaging campaigns and partnership strategies. Flex Your Commute will optimize the experiences employees and employers have learned during the pandemic to help Bay Area companies develop strong commuter partnerships and messaging programs to reduce daily solo commuting.</p> <p>To facilitate and grow Air District partnerships, External Affairs manages and allocates funding for Air District-sponsored activities, conferences, and events. Sponsorships help the Air District reach new and diverse audiences to convey our messages and position the Air District as an air quality leader. Event partnerships help shape, engage and drive action toward air pollution and greenhouse gas reduction goals.</p> <p>Air District liaison to local, statewide and national organizations. Directs event planning and coordination for Air District events and conferences as well as track and optimize the agency's presence at sponsored events. Messaging and programs will be tailored by county based on several factors including availability and access to transit, vanpool and carpool options, multi-county commutes and established localized commute requirements. Video production of Air District initiatives and new programming as well as internal training and messaging campaigns.</p>	
Justification of Change Request:	
N/A	
Activities	
Major Objectives	Delivery Date
Increase awareness and adoption of the benefits of commuting options.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.68	1.00	2.77	1.77	177.00%
Personnel Expenditures						
Permanent Salaries	51100	117,386	224,663	486,101	261,438	116.37%
Overtime Salaries	51150					
Temporary Salaries	51200	14,022		94,237	94,237	
Payroll Taxes	51300	1,608	3,394	7,163	3,769	111.0%
Pension Benefits	51400	10,670	53,971	100,893	46,922	86.9%
FICA Replacement Benefits	51500	1,174	1,954	5,643	3,689	188.8%
Group Insurance Benefits	51600	14,822	27,886	64,726	36,840	132.1%
Employee Transportation Subsidy	51700	875	1,485	3,965	2,480	167.0%
Workers' Compensation	51800	372	517	1,368	851	164.6%
Discretionary Contribution (Pension/OPEB)	51850		8,989	30,999	22,010	244.9%
Board Stipends	51900					
Total Personnel Expenditures		160,929	322,859	795,095	472,236	146.3%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	6,655	350,000	350,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		6,655	350,000	350,000		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		167,584	672,859	1,145,095	472,236	70.18%

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Diversity, Equity and Inclusion Division

The Air District's Office of Diversity, Equity & Inclusion (Office) is responsible for ensuring an equity lens is applied to all programs, policies, practices, and procedures across the agency. Examples of specific Office responsibilities include supporting the Community Equity, Health, and Justice Committee and the Community Advisory Council, providing staff equity related trainings, creating and executing cultural awareness events and activities, guiding employee resource groups, developing and implementing equitable recruitment and retention strategies, and working on projects and initiatives as related to language access, procurement, contracting, grants, community engagement, communications, rule development, planning, climate and protection, and technology implementation, whereby ensuring equity is included into decision making and accountability, where applicable. The Office will continue to ensure the contributions of all employees and community members are valued and respected with a goal to achieve equitable outcomes.

Managing Division:	
Diversity Equity & Inclusion Office	
Contact Person:	
Tim Williams	
Program Purpose:	
The Air District's Office of Diversity, Equity & Inclusion is responsible for developing initiatives applying an equity lens to programs, policies, practices and procedures. Responsibilities include capacity building related to staffing, recruitment, promotions, inclusive practices in the workplace, contracting for capital projects and services, and equity training. The Office recognizes the contributions of all employees and community members and works to sustain an environment where everyone is valued, respected, and included.	
Description of Program:	
The Office of Diversity, Equity & Inclusion (Office) is taking meaningful steps to build an inclusive environment. The efforts will be informed by working with the Senior Deputy Executive Officer of Policy & Equity, Board of Directors' Community Health, Equity and Justice Committee, Community Advisory Council and staff to shift long-standing environmental justice inequities throughout the region.	
Justification of Change Request:	
Not Applicable	
Activities	
Work with Board of Directors' Community Equity, Health and Justice Committee on its workplan, meeting agendas, speakers, and community convening meetings	
Manage Employee Resource Teams	
Provide Human Resources guidance on inclusive recruitment and retention strategies (e.g. equity language in job postings, job screenings, panel interviews, promotional opportunities for diverse candidates)	
Work cross-agency on policies, practices and initiatives to mitigate inequities. Review equity aspects within division documents and provide suggested amendment(s)	
Further development of an Equity Toolkit used to assist incorporate an equity lens into decision making across the agency, where applicable.	
Leverage Workforce Diversity and Empower Diverse Perspectives throughout Training & Leadership Development	
Major Objectives	Delivery Date
Board of Directors' Community Health, Equity and Justice Committee Support	Ongoing
Further development of an Equity Toolkit to assist the Agency utilize an equity lens in all decision making, where applicable.	Ongoing
Develop Strategies to Expand Diversity and Inclusion in Human Resources Practices and Processes Applying an Equity Lens	Ongoing
Continue Internal Capacity Building	Ongoing
Creation, Development, and Guidance of Employee Resource Teams	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		2.14	2.38	2.00	(0.38)	(16.0)%
Personnel Expenditures						
Permanent Salaries	51100	300,971	345,131	300,572	(44,559)	(12.9)%
Overtime Salaries	51150	1,338	4,000	4,000		
Temporary Salaries	51200					
Payroll Taxes	51300	4,543	4,878	4,257	(621)	(12.7)%
Pension Benefits	51400	77,185	80,402	62,871	(17,531)	(21.8)%
FICA Replacement Benefits	51500	3,224	4,652	4,081	(571)	(12.3)%
Group Insurance Benefits	51600	40,031	38,260	29,228	(9,032)	(23.6)%
Employee Transportation Subsidy	51700	2,557	3,536	2,868	(668)	(18.9)%
Workers' Compensation	51800	953	1,230	989	(241)	(19.6)%
Discretionary Contribution (Pension/OPEB)	51850	28,417	21,396	21,647	251	1.2%
Board Stipends	51900					
Total Personnel Expenditures		459,219	503,485	430,513	(72,972)	(14.5)%
Services & Supplies Expenditures						
Travel In-State	52200		3,100	3,100		
Travel Out-of-State	52220		6,600	6,600		
Training & Education	52300		48,000	51,500	3,500	7.3%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	384	6,000	6,500	500	8.3%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	156,681	405,000	405,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	100		500	500	
Stationery & Office Supplies	53900	639	700	700		
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		157,804	469,400	473,900	4,500	1.0%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		(20,951)				
Total Expenditures		596,072	972,885	904,413	(68,472)	(7.0)%

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Finance Office

The Finance Office provides services to internal and external customers and stakeholders, including fee payers, internal divisions, employees, the Clean Air Foundation, and the Richmond Hilltop Commercial Condominium Association.

The Finance Office is responsible for accounting, financial reporting, accounts payable, revenue posting, cost recovery analysis, budget development, budgetary reporting, payroll, and asset management.

Managing Division:	
Finance Office	
Contact Person:	
Stephanie Osaze	
Program Purpose:	
Administer payroll for District employees.	
Description of Program:	
The Payroll Program includes administering all aspects of the Air District's payroll, leave accruals, deductions, and other related areas dealing with payroll. It includes maintaining and utilizing the current Dayforce payroll system.	
Justification of Change Request:	
Increase funds to improve and add features to payroll system to allow for greater efficiency, and increase in professional service fees.	
Activities	
Process biweekly payroll.	
Maintain payroll and time keeping system.	
Monitor leave accruals.	
Audit payroll records.	
Customize payroll system to improve process and workflow.	
Submit required payroll reports.	
Respond to employment verifications and other external request for payroll information.	
Monitor and comply with federal, state, and local regulations related to payroll.	
Implement self-service features of payroll system.	
Major Objectives	Delivery Date
Administer and process biweekly payroll in an efficient and effective manner. Assists with problem solving on all aspects of payroll.	Ongoing
Implement new features of the payroll and timekeeping system and customize system to improve process and workflow. Expand and implement self service features.	Ongoing
Implement document management module in payroll system.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		2.44	1.62	1.55	(0.07)	(4.32)%
Personnel Expenditures						
Permanent Salaries	51100	409,602	242,961	224,426	(18,535)	(7.63)%
Overtime Salaries	51150	6,109				
Temporary Salaries	51200		40,000	40,000		
Payroll Taxes	51300	6,062	3,564	3,175	(389)	(10.91)%
Pension Benefits	51400	77,882	56,402	46,321	(10,081)	(17.87)%
FICA Replacement Benefits	51500	4,340	3,165	3,164	(1)	(0.03)%
Group Insurance Benefits	51600	53,819	31,850	31,451	(399)	(1.25)%
Employee Transportation Subsidy	51700	3,538	2,406	2,223	(183)	(7.61)%
Workers' Compensation	51800	1,297	834	767	(67)	(8.03)%
Discretionary Contribution (Pension/OPEB)	51850	24,488	14,543	16,648	2,105	14.47%
Board Stipends	51900					
Total Personnel Expenditures		587,137	395,725	368,175	(27,550)	(6.96)%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220	920	2,800	4,400	1,600	57.14%
Training & Education	52300	2,265	2,000	3,000	1,000	50.00%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	260,637	260,000	300,000	40,000	15.38%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		263,822	264,800	307,400	42,600	16.09%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(26,786)				
Total Expenditures		824,173	660,525	675,575	15,050	2.28%

Managing Division:	
Finance Office	
Contact Person:	
Stephanie Osaze	
Program Purpose:	
The Finance/Accounting Program is responsible for maintaining the fiscal stewardship and financial accountability of the District.	
Description of Program:	
The Finance Office is responsible for maintaining the fiscal stewardship and financial accountability of the District. These responsibilities include accounting activities, financial audits, and reporting, vendor payments, receipt of permit fees, asset management, and maintenance of the District's financial system. The office is also responsible for the development of the District's annual budget and annual cost recovery analysis, the fiscal maintenance, and financial reporting of all federal and state grants.	
Justification of Change Request:	
Not Applicable	
Activities	
Reconcile various grants and assist in preparation of reimbursement request reports.	
Reconcile receipts and disbursements with County Treasurer's Office Reports.	
Prepare quarterly comparison statements for the Finance and Administration Committee presentation.	
Prepare for the annual audit of the District's financial records.	
Analyze and Prepare the annual cost recovery analysis	
Process receipts (checks/credit card payments) on a daily basis.	
Prepare annual proposed budget book.	
Process vendor invoices on a daily basis	
Major Objectives	Delivery Date
Implement Concur State Travel Program	December 2023
Implement Government Accounting Statement Standards	Ongoing
Provide timely financial reports to Division Directors/Officer	Ongoing
Complete Annual Financial Report.	Annually
Ensure timely payment of accounts payable.	Daily
Record timely processing of check and credit card receipts.	Daily
Update and maintain Finance Procedures and Desk Manuals for Finance Office Staff	Ongoing
Update the Air District's Annual Financial Plan	Annually

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		12.18	16.92	18.96	2.04	12.1%
Personnel Expenditures						
Permanent Salaries	51100	1,467,719	2,079,226	2,420,897	341,671	16.4%
Overtime Salaries	51150	3,286	2,000	5,000	3,000	150.0%
Temporary Salaries	51200	1,718	20,000	50,000	30,000	150.0%
Payroll Taxes	51300	21,660	34,299	34,269	(30)	(0.1)%
Pension Benefits	51400	293,738	472,651	489,243	16,592	3.5%
FICA Replacement Benefits	51500	15,342	33,074	38,693	5,619	17.0%
Group Insurance Benefits	51600	190,708	360,093	418,376	58,283	16.2%
Employee Transportation Subsidy	51700	13,693	25,139	27,186	2,047	8.1%
Workers' Compensation	51800	4,647	8,747	9,378	631	7.2%
Discretionary Contribution (Pension/OPEB)	51850	95,612	152,120	198,727	46,607	30.6%
Board Stipends	51900					
Total Personnel Expenditures		2,108,123	3,187,349	3,691,769	504,420	15.8%
Services & Supplies Expenditures						
Travel In-State	52200	743	5,700	9,500	3,800	66.7%
Travel Out-of-State	52220	2,269	1,500	6,100	4,600	306.7%
Training & Education	52300	16,670	9,800	20,500	10,700	109.2%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800	101		1,000	1,000	
Printing & Reproduction	52900	4,760	7,000	6,500	(500)	(7.1)%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	946,707	527,316	677,020	149,704	28.4%
General Insurance	53400					
Shop & Field Supplies	53500	27				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	3,232	3,000	3,000		
Stationery & Office Supplies	53900	923	1,000	1,200	200	20.0%
Books & Journals	54100		1,000	800	(200)	(20.0)%
Minor Office Equipment	54200		1,000	1,000		
Total Services & Supplies Expenditures		975,432	557,316	726,620	169,304	30.4%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Transfer In/Out		(83,387)				
Total Expenditures		3,000,168	3,744,665	4,418,389	673,724	18.0%

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Human Resources Office

The Human Resources Office is responsible for personnel matters including payroll and benefits, labor and employee relations, recruitment and testing, employee engagement, processing personnel actions, employee performance appraisal and recognition programs, organizational development and training, health and safety compliance, workers compensation and special events coordination.

Vision

A work environment in which honesty, integrity, and trust enriches the employee experience.

Mission

Through strategic partnership and collaboration, we attract, retain, support and develop a diverse and inclusive workforce while fostering a fair, healthy and respectful work environment.

Managing Division:	
Contact Person: Judy Yu	
Program Purpose: Administer benefits, workers' compensation, and safety programs for District employees.	
Description of Program: The Benefits Administration Program includes administering all aspect of employee and retiree benefits, workers' compensation, safety, ergonomics and special events. It includes maintaining and utilizing the current Dayforce human resources information system.	
Justification of Change Request: None	
Activities	
Administer benefits for employees and retirees in compliance with policies and procedures.	
Administer health, dental, vision, life and long term disability plans.	
Administer retirement and pension plans.	
Administer flexible spending accounts, employee assistance program, and transit subsidy.	
Administer onboarding and separation.	
Maintain human resources information systems.	
Administer workers' compensation program.	
Administer safety and ergonomics program.	
Conduct a variety of benefits, safety, special trainings and events.	
Administer requirements for fitness medical examinations.	
Monitor and comply with federal, state, and local regulations related to benefits.	
Major Objectives	Delivery Date
Administer employee benefit program.	Ongoing
Develop and administer the worker's compensation, safety and ergonomic program.	Ongoing
Review and perform cost benefit analysis of existing benefit contracts and consider alternative plans.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.68	1.40	1.35	(0.05)	(3.6)%
Personnel Expenditures						
Permanent Salaries	51100	230,155	186,950	187,916	966	0.5%
Overtime Salaries	51150	12,093				
Temporary Salaries	51200	84,037	40,000	40,000		
Payroll Taxes	51300	285,289	2,636	2,656	20	0.8%
Pension Benefits	51400	70,683	42,235	37,148	(5,087)	(12.0)%
FICA Replacement Benefits	51500	222,258	2,736	2,755	19	0.7%
Group Insurance Benefits	51600	2,981,153	3,362,535	3,353,633	(8,902)	(0.3)%
Employee Transportation Subsidy	51700	2,964	2,080	1,936	(144)	(6.9)%
Workers' Compensation	51800	163,858	724	668	(56)	(7.7)%
Discretionary Contribution (Pension/OPEB)	51850	17,928	12,584	14,385	1,801	14.3%
Board Stipends	51900					
Total Personnel Expenditures		4,070,418	3,652,480	3,641,097	(11,383)	(0.3)%
Services & Supplies Expenditures						
Travel In-State	52200		2,800	4,400	1,600	57.1%
Travel Out-of-State	52220		1,400	4,400	3,000	214.3%
Training & Education	52300	47,920	56,000	55,000	(1,000)	(1.8)%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	83,561	140,000	140,000		
General Insurance	53400					
Shop & Field Supplies	53500	10,552	35,000	35,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		142,033	235,200	238,800	3,600	1.5%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		(184,550)				
Total Expenditures		4,027,901	3,887,680	3,879,897	(7,783)	(0.2)%

Managing Division:	
Contact Person: Judy Yu	
Program Purpose: Provide appropriate workplace learning and organization development to increase organizational effectiveness and results through training and development activities. Administer wellness events and activities to increase the well-being of the employees.	
Description of Program: The District's training and development program includes career developmental training for all non-management employees; and career developmental training, skills enhancement, safety, knowledge transfer, and succession planning for supervisory and management employees. It includes analysis of needs assessments and implementation of workforce development activities as part of an overall strategy to retain a top performing and motivated workforce. The program also includes the administration and coordination of wellness activities and events.	
Justification of Change Request: Increase in professional service fees and implementation of the HR Audit Corrective Action Plan.	
Activities	
Provide District-wide and Division-specific trainings.	
Develop leadership development program and mentorship program as part of overall succession planning.	
Provide Ethics, Harassment Prevention, and any required trainings.	
Provide coaching and development support to management and staff as needed.	
Administer the performance evaluation program.	
Administer the educational reimbursement and loan program.	
Coordinate and implement the various wellness activities and events.	
Coordinate the employee engagement program.	
Monitor and comply with federal, state, and local regulations related to training.	
Administer Form 700.	
Major Objectives	Delivery Date
Develop and administer the training programs for all staff level focusing in the changing needs and priorities of the Air District.	Ongoing
Administer Learning Management System and E-learning.	Ongoing
Coordinate the employee engagement program	Ongoing
Develop and administer the wellness program.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.93	1.40	1.44	0.04	2.9%
Personnel Expenditures						
Permanent Salaries	51100	263,309	205,052	223,661	18,609	9.1%
Overtime Salaries	51150	2,728				
Temporary Salaries	51200					
Payroll Taxes	51300	3,876	2,909	3,202	293	10.1%
Pension Benefits	51400	56,399	46,898	46,164	(734)	(1.6)%
FICA Replacement Benefits	51500	2,755	2,727	2,935	208	7.6%
Group Insurance Benefits	51600	34,183	30,920	32,239	1,319	4.3%
Employee Transportation Subsidy	51700	2,199	2,073	2,063	(10)	(0.5)%
Workers' Compensation	51800	834	721	711	(10)	(1.4)%
Discretionary Contribution (Pension/OPEB)	51850	19,236	12,544	15,682	3,138	25.0%
Board Stipends	51900					
Total Personnel Expenditures		385,519	303,844	326,657	22,813	7.5%
Services & Supplies Expenditures						
Travel In-State	52200		1,400	2,200	800	57.1%
Travel Out-of-State	52220		1,400	2,200	800	57.1%
Training & Education	52300	206,125	360,000	365,000	5,000	1.4%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	908		600,000	600,000	
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		207,033	362,800	969,400	606,600	167.2%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(17,356)				
Total Expenditures		575,196	666,644	1,296,057	629,413	94.4%

Managing Division:	
Human Resources Office	
Contact Person:	
Judy Yu	
Program Purpose:	
Provide management and staff support in the area of employment relations.	
Description of Program:	
The Employment Relations Program includes the following District activities: employee relations, labor relations, classification and compensation, Equal Employment Opportunity (EEO) programs, regulatory compliance, research and recordkeeping.	
Justification of Change Request:	
Increase in professional service fees and labor activities.	
Activities	
Administer, interpret, and implement the Memorandum of Understanding (MOU) and Personnel Policies and Procedures of the Administrative Code.	
Provide management and staff consultation.	
Meet with Employee Association on appropriate subjects.	
Administer EEO Policy.	
Provide support of grievance/arbitration processes.	
Maintain accurate employment records.	
Provide discipline counseling.	
Monitor and comply with federal, state, and local regulations related to labor.	
Major Objectives	Delivery Date
Administer, interpret, implement and comply with the MOU and Administrative Code.	Ongoing
Negotiate successor contract and continue positive relations with the Employees' Association.	Ongoing
Monitor and comply with federal, state, and local regulations.	Ongoing
Administer the Equal Employment Opportunity policy.	Ongoing
Ensure reliability of employment history and data.	Ongoing

Employment Relations

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		2.44	3.15	3.43	0.28	8.89%
Personnel Expenditures						
Permanent Salaries	51100	383,010	515,841	570,160	54,319	10.53%
Overtime Salaries	51150	2,498				
Temporary Salaries	51200					
Payroll Taxes	51300	5,650	7,342	8,219	877	11.9%
Pension Benefits	51400	76,013	119,573	118,474	(1,099)	(0.9)%
FICA Replacement Benefits	51500	4,003	6,160	6,993	833	13.5%
Group Insurance Benefits	51600	49,808	55,857	60,657	4,800	8.6%
Employee Transportation Subsidy	51700	3,177	4,682	4,914	232	5.0%
Workers' Compensation	51800	1,213	1,629	1,695	66	4.1%
Discretionary Contribution (Pension/OPEB)	51850	24,477	28,332	37,925	9,593	33.9%
Board Stipends	51900					
Total Personnel Expenditures		549,849	739,416	809,037	69,621	9.4%
Services & Supplies Expenditures						
Travel In-State	52200		6,000	8,000	2,000	33.3%
Travel Out-of-State	52220					
Training & Education	52300	11,152	11,000	12,500	1,500	13.6%
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,131				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	346,469	352,000	502,000	150,000	42.6%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		500		(500)	(100.0)%
Books & Journals	54100		500		(500)	(100.0)%
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		358,752	370,000	522,500	152,500	41.2%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(24,937)				
Total Expenditures		883,664	1,109,416	1,331,537	222,121	20.02%

Managing Division:	
Human Resources Office	
Contact Person:	
Judy Yu	
Program Purpose:	
Administer a merit based recruitment and selection process for external and internal candidates to fill vacant positions.	
Description of Program:	
The Recruitment and Testing Program includes the following activities: testing of internal and external candidates, outreaching and advertising the positions as a choice of employment, maintaining the recruiting online system, maintaining equal employment policy, including diversity, equity and inclusion as part of the recruiting process, and compliance with all laws, policies, and requirements.	
Justification of Change Request:	
Increase in outreach activities including career fairs and job postings	
Activities	
Conduct testing, including application screening, panel and hiring interviews, testing, etc.	
Advertise and outreach vacant positions in various mediums.	
Work with hiring managers to determine recruitment strategies.	
Perform background checks, reference checks, DMV checks and physical abilities checks.	
Participate in local, state and federal job fairs and similar outreach activities.	
Contract professional services for specialized executive management recruitments.	
Maintain online applicant tracking system.	
Monitor and comply with federal, state, and local regulations related to testing	
Major Objectives	Delivery Date
Conduct merit based testing for internal and external candidates.	Ongoing
Comply with all applicable recruitment policies, requirements and law.	Ongoing
Conduct regional, statewide and nationwide outreach to attract quality and diversity of candidates.	Ongoing
Maintain Air District's Equal Opportunity Policy for recruitment and testing.	Ongoing
Update classification specifications.	Ongoing

		Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2022	2023	2024	\$	%
Number of Positions (FTE)		2.52	3.10	3.45	0.35	11.29%
Personnel Expenditures						
Permanent Salaries	51100	381,228	428,786	531,424	102,638	23.94%
Overtime Salaries	51150	3,863				
Temporary Salaries	51200	66,081	40,000	40,000		
Payroll Taxes	51300	6,612	6,063	7,563	1,500	24.7%
Pension Benefits	51400	90,410	100,105	113,290	13,185	13.2%
FICA Replacement Benefits	51500	4,677	6,058	7,040	982	16.2%
Group Insurance Benefits	51600	58,084	53,625	62,721	9,096	17.0%
Employee Transportation Subsidy	51700	3,697	4,605	4,947	342	7.4%
Workers' Compensation	51800	1,207	1,602	1,706	104	6.5%
Discretionary Contribution (Pension/OPEB)	51850	29,661	27,865	37,537	9,672	34.7%
Board Stipends	51900					
Total Personnel Expenditures		645,520	668,709	806,228	137,519	20.6%
Services & Supplies Expenditures						
Travel In-State	52200	3,866	2,800	4,400	1,600	57.1%
Travel Out-of-State	52220	2,852	2,800	4,400	1,600	57.1%
Training & Education	52300	1,943	3,000	3,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	86,257	50,000	60,000	10,000	20.0%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	95,024	90,000	100,000	10,000	11.1%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		189,942	148,600	171,800	23,200	15.6%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(29,385)				
Total Expenditures		806,077	817,309	978,028	160,719	19.66%

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Administrative Resources Division

The Administrative Resources Division provides administrative and operational support functions for the Air District, and is comprised of the Executive Operations Office, Business Office, Fleet and Facilities Office, Finance Office and the Human Resources Office.

The Executive Operations Office is responsible for providing overall administration and direction to Air District staff. Through this office, the Executive Officer/APCO interprets and oversees implementation of Board directives and policies and administers the business of the Air District.

The Business Office is responsible for contracts, purchasing, non-workers compensation risk management, mailroom services, and office support services.

The Fleet Office is responsible for the acquisition and maintenance of Air District pool vehicles and fleet, management of vehicle accidents and procurement of new vehicles. The facilities office is responsible for the planning, maintenance, construction oversight and operations of all Air District facilities, and manage security and safety measures.

The Human Resources Office is responsible for personnel matters including payroll and benefits, labor and employee relations, recruitment and testing, processing personnel actions, employee performance appraisal and recognition programs, organizational development and training, health and safety compliance, workers compensation and special events coordination.

Managing Division:	
Administrative Resources Division	
Contact Person:	
Maricela Martinez	
Program Purpose:	
Facilities planning and maintenance of existing Air District owned facilities, leased satellite offices, equipment and supplies.	
Description of Program:	
The Facilities Office provides for the day-to-day operations of the Air District's offices at 375 Beale Street and 4114 Lakeside Drive and all (80+) leased satellite offices. The development of safety protocols is ongoing, security and maintenance of existing infrastructure and equipment is ongoing, which include satellite offices.	
Justification of Change Request:	
Not Applicable	
Activities	
Work with BAHA and consultants on facility related projects in reference to shared space and services at 375 Beale Street.	
Respond to emergency and non-emergency facility repair requests.	
Oversee general contractors for the construction of offices and cubicles. Procure furniture and reconfigure cubicle spaces. Oversee electricians and plumbers.	
Routine maintenance at offsite facilities: performing preventive and scheduled maintenance as well as maintenance performed in response to signs of wear and tear observed during planned maintenance activities.	
Special AD events and workshop logistics.	
Major Objectives	Delivery Date
Implement a fire, life and safety preventative maintenance program for all District offices	Ongoing
Work with BAHA and consultants on facility related projects in reference to shared space and services at 375 Beale Street.	Ongoing
Respond to emergency facility repair requests.	Ongoing
Oversee general contractors for the construction of offices and cubicles. Procure furniture and reconfigure cubicle spaces. Oversee electricians and plumbers.	Ongoing
Routine maintenance at offsite facilities: performing preventive and scheduled maintenance as well as maintenance performed in response to signs of wear and tear observed during planned maintenance activities.	Ongoing
Special Air District events and workshop logistics	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.98	4.00	3.49	(0.51)	(12.75)%
Personnel Expenditures						
Permanent Salaries	51100	466,019	464,145	400,165	(63,980)	(13.78)%
Overtime Salaries	51150	27,053				
Temporary Salaries	51200					
Payroll Taxes	51300	6,908	6,518	5,625	(893)	(13.7)%
Pension Benefits	51400	98,283	109,773	86,939	(22,834)	(20.8)%
FICA Replacement Benefits	51500	4,914	7,817	7,110	(707)	(9.0)%
Group Insurance Benefits	51600	60,983	84,149	73,789	(10,360)	(12.3)%
Employee Transportation Subsidy	51700	3,900	5,942	4,996	(946)	(15.9)%
Workers' Compensation	51800	1,476	2,067	1,723	(344)	(16.6)%
Discretionary Contribution (Pension/OPEB)	51850	33,127	35,955	35,843	(112)	(0.3)%
Board Stipends	51900					
Total Personnel Expenditures		702,663	716,366	616,190	(100,176)	(14.0)%
Services & Supplies Expenditures						
Travel In-State	52200	4,392				
Travel Out-of-State	52220					
Training & Education	52300	118	2,000	1,000	(1,000)	(50.0)%
Repair & Maintenance (Equipment)	52400					
Communications	52500	60,098				
Building Maintenance	52600	160,572	575,000	575,000		
Utilities	52700	718	50,250	50,250		
Postage	52800					
Printing & Reproduction	52900		200	200		
Equipment Rental	53100		2,000	2,000		
Rents & Leases	53200	95,772	65,000	65,000		
Professional Services & Contracts	53300	286,344	550,250	550,250		
General Insurance	53400					
Shop & Field Supplies	53500	1,449	3,650	3,000	(650)	(17.8)%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		1,000	1,000		
Books & Journals	54100					
Minor Office Equipment	54200	5,438	25,000	10,000	(15,000)	(60.0)%
Total Services & Supplies Expenditures		614,901	1,274,350	1,257,700	(16,650)	(1.3)%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105	103,268				
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures		103,268				
Transfer In/Out		(32,057)				
Total Expenditures		1,388,775	1,990,716	1,873,890	(116,826)	(5.87)%

Managing Division:	
Administrative Resources Division	
Contact Person:	
Satnam Hundel	
Program Purpose:	
Maintenance and administration of the day to day incoming/outgoing mail and reproduction operations of the Air District.	
Description of Program:	
The day-to-day administrative operations include: sorting and distribution of incoming and outgoing mail, and processing reproduction requests.	
Justification of Change Request:	
Not Applicable	
Activities	
Process incoming and outgoing mail.	
Process reproduction requests, including document binding and package preparation.	
Prepare, reproduce and mail board packets, asbestos reports, permits, permit invoices, data update forms, and other materials as requested.	
Receive and deliver incoming packages and deliveries.	
Major Objectives	Delivery Date
Process incoming and outgoing mail as well as packages.	Ongoing
Process reproduction requests.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.07	1.08	0.91	(0.17)	(15.74)%
Personnel Expenditures						
Permanent Salaries	51100	266,758	197,612	173,299	(24,313)	(12.30)%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	3,959	2,808	2,467	(341)	(12.1)%
Pension Benefits	51400	53,698	47,297	38,123	(9,174)	(19.4)%
FICA Replacement Benefits	51500	2,799	2,104	1,852	(252)	(12.0)%
Group Insurance Benefits	51600	34,747	23,751	21,305	(2,446)	(10.3)%
Employee Transportation Subsidy	51700	2,216	1,599	1,301	(298)	(18.6)%
Workers' Compensation	51800	845	556	449	(107)	(19.2)%
Discretionary Contribution (Pension/OPEB)	51850	17,601	9,676	10,382	706	7.3%
Board Stipends	51900					
Total Personnel Expenditures		382,623	285,403	249,178	(36,225)	(12.7)%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		2,500		(2,500)	(100.0)%
Repair & Maintenance (Equipment)	52400					
Communications	52500	252,639	295,470	280,000	(15,470)	(5.2)%
Building Maintenance	52600					
Utilities	52700					
Postage	52800	57,039	65,000	65,000		
Printing & Reproduction	52900					
Equipment Rental	53100	63,225	105,000	105,000		
Rents & Leases	53200					
Professional Services & Contracts	53300	139,566	400,000	300,000	(100,000)	(25.0)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		512,469	867,970	750,000	(117,970)	(13.6)%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110	26,471				
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures		26,471				
Transfer In/Out		(17,456)				
Total Expenditures		904,107	1,153,373	999,178	(154,195)	(13.37)%

Managing Division:	
Administrative Resources Division	
Contact Person:	
Maricela Martinez	
Program Purpose:	
This program will pay operating and maintenance costs associated with the Air District's office space located in Richmond, CA.	
Description of Program:	
This program will pay for the reconfiguring of the Headquarters East (Richmond) office and all costs associated with building maintenance of the facility, including shared costs associated with the Condominium Association. This year includes costs associated with building out Phase 2 and 3 of the Richmond Office.	
Justification of Change Request:	
Not Applicable	
Activities	
operating and maintenance costs associated with the Air District's office space located in Richmond, CA	
Major Objectives	Delivery Date
Reconfigure the Richmond Office (Headquarters East) with building out Phase 2 and 3 of the Richmond Office.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)						
Personnel Expenditures						
Permanent Salaries	51100					
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300					
Pension Benefits	51400					
FICA Replacement Benefits	51500					
Group Insurance Benefits	51600					
Employee Transportation Subsidy	51700					
Workers' Compensation	51800					
Discretionary Contribution (Pension/OPEB)	51850					
Board Stipends	51900					
Total Personnel Expenditures						
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600	148	6,000	6,000		
Utilities	52700	93,981	56,000	56,000		
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	34,905	250,000	250,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-Capital Assets	54600	(673)	1,000	1,000		
Total Services & Supplies Expenditures						
		128,361	313,000	313,000		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105	5,294	500,000	500,000		
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
		5,294	500,000	500,000		
Transfer In/Out						
Total Expenditures						
		133,655	813,000	813,000		

Managing Division:	
Administrative Resources Division	
Contact Person:	
Satnam Hundel	
Program Purpose:	
Provide for the purchasing of equipment and supplies and the negotiating of service contracts.	
Description of Program:	
The purchasing section is responsible for the procurement of services, equipment and supplies. The section facilitates the administration of limited access license agreements, lease agreements, professional service contracts, and request for proposals/qualifications. The section is also responsible for the property management administration of various insurance policies, and the coordination of the disposal of surplus equipment.	
Justification of Change Request:	
Not Applicable	
Activities	
Process purchase order requests.	
Approve the purchase of necessary office supplies as requested by District personnel.	
Administer District service contracts and negotiate lease renewals.	
Process service requests on equipment under maintenance.	
Deliver requested office supplies.	
Negotiate best price on sale of surplus equipment.	
Manage District insurance policies	
Major Objectives	Delivery Date
Process purchase order requests.	Daily
Approve the purchase of necessary office supplies as requested by District personnel.	Ongoing
Administer District service contracts, leases, and limited access license agreements.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.84	2.00	4.13	2.13	106.50%
Personnel Expenditures						
Permanent Salaries	51100	224,769	258,340	569,229	310,889	120.34%
Overtime Salaries	51150	10,961				
Temporary Salaries	51200					
Payroll Taxes	51300	3,312	3,640	8,044	4,404	121.0%
Pension Benefits	51400	49,552	59,490	113,520	54,030	90.8%
FICA Replacement Benefits	51500	2,369	3,909	8,433	4,524	115.7%
Group Insurance Benefits	51600	29,359	35,567	73,446	37,879	106.5%
Employee Transportation Subsidy	51700	1,890	2,971	5,925	2,954	99.4%
Workers' Compensation	51800	712	1,034	2,044	1,010	97.7%
Discretionary Contribution (Pension/OPEB)	51850	17,193	17,978	43,943	25,965	144.4%
Board Stipends	51900					
Total Personnel Expenditures		340,117	382,929	824,584	441,655	115.3%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		1,500		(1,500)	(100.0)%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	402	75,400	25,400	(50,000)	(66.3)%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300			250,000	250,000	
General Insurance	53400	580,237	790,000	807,240	17,240	2.2%
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	11,431	65,000	30,000	(35,000)	(53.8)%
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		592,070	931,900	1,112,640	180,740	19.4%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(15,517)				
Total Expenditures		916,670	1,314,829	1,937,224	622,395	47.34%

Managing Division:	
Administrative Resources Division	
Contact Person:	
Maricela Martinez	
Program Purpose:	
This program will pay for sharing of limited business operations and technology functions between the Air District, Metropolitan Transportation Commission, and the Association of Bay Area Governments at 375 Beale Street. This program will also pay for the lease payments associated with the Air District's financing ownership interest of its portion of the facility.	
Description of Program:	
Shared services between the Air District, Metropolitan Transportation Commission and the Association of Bay Area Governments, including personnel and shared business operations, IT license and maintenance agreements required for a shared services component for the agencies and payments related to its lease payments through the issuance of a private placement of Certificate of Participation Notes (COPS) with the Bay Area Housing Authority.	
Justification of Change Request:	
The shared services component includes general services and technology functions: personnel, conference room scheduling, conference room set-up, video conferencing, webcasting, copy/print/mail production and distribution, shared fleet management, wellness center; email, calendaring, telephone systems, wireless network, internet connectivity, printing, electronic file storage, server rooms maintenance. Beginning in FYE 2019, the lease payments associated with paying down the COPS are being paid through this program.	
Activities	
Maintain service level agreements with partner agencies	
Maintain communication plan for building protocols	
Maintain and develop training materials for new technologies and services available at 375 Beale Street	
Maintain Shared Services Budget and Responsibilities	
Major Objectives	Delivery Date
Maintain service level agreements with partner agencies	Ongoing
Maintain communication plan for building protocols	Ongoing
Maintain and develop training materials for new technologies and services available at 375 Beale Street	Ongoing
Maintain Shared Services Budget and Responsibilities	Ongoing

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)					
Personnel Expenditures					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Discretionary Contribution (Pension/OPEB)	51850				
Board Stipends	51900				
Total Personnel Expenditures					
Services & Supplies Expenditures					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700	3,728	5,000	5,000	
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200	658,479	1,200,000	1,200,000	
Professional Services & Contracts	53300	2,457,553	3,005,000	3,370,792	365,792 12.2%
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
Total Services & Supplies Expenditures	3,119,760	4,210,000	4,575,792	365,792	8.7%
Capital Expenditures					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115		500,000	500,000	
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
Total Capital Expenditures			500,000	500,000	
Transfer In/Out					
Total Expenditures	3,119,760	4,210,000	5,075,792	865,792	20.57%

Managing Division:	
Administrative Resources Division	
Contact Person:	
Maricela Martinez	
Program Purpose:	
Fleet leases/acquisition, maintenance and safety inspections.	
Description of Program:	
The vehicle maintenance section includes the maintenance of the District's 121-vehicle fleet, vehicle financing, tracking and diagnostics fuel records of District vehicles. All vehicle maintenance is outsourced for service. As of FY 2022/23, 110 vehicles are leased from Enterprise Fleet Services on a Full Maintenance Program and 11 are owned by the District which are included in the Enterprise Maintenance Management Program to assist the District with all scheduled and non-scheduled repairs. One (1) diesel vehicle is owned by the District.	
Justification of Change Request:	
Not Applicable	
Activities	
Perform factory-recommended preventive and routine vehicle maintenance.	
Maintain service support for response to emergency calls within one hour.	
Manage insurance contracts on District vehicles; process damage claims.	
Train staff in new technology in vehicle maintenance, evaluation and repairs.	
Modify and maintain up-to-date vehicle maintenance procedures.	
Oversee Enterprise-leased vehicles maintenance appointments.	
Perform yearly smog checks and reports on District vehicles.	
Quarterly Fuel Reporting.	
Vehicle disposal and purchasing.	
Cost management and billing.	
Plan and prepare annual budget, expenditures and analyze all financial objectives	
Create/update fleet policy and procedures, to include vehicle assignment, personal use, replacement policy, accident reporting process, and other procedures	
Major Objectives	Delivery Date
Implement Telematics vehicle management system	Ongoing
Completion of yearly maintenance on all District vehicles.	Annually
Completion of annual smog check for District vehicles.	Annually
Reduce the District vehicles carbon foot print with alternative fuel options such as Hybrid Vehicles, Electric Vehicles (EVs), and Hydrogen Fuel Cell	Ongoing

Fleet Services

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		2.41	2.76	2.54	(0.22)	(7.97)%
Personnel Expenditures						
Permanent Salaries	51100	271,549	349,875	339,910	(9,965)	(2.85)%
Overtime Salaries	51150	1,611				
Temporary Salaries	51200					
Payroll Taxes	51300	4,039	4,927	4,799	(128)	(2.6)%
Pension Benefits	51400	63,070	79,580	71,027	(8,553)	(10.7)%
FICA Replacement Benefits	51500	2,852	5,387	5,192	(195)	(3.6)%
Group Insurance Benefits	51600	35,393	45,754	51,198	5,444	11.9%
Employee Transportation Subsidy	51700	2,265	4,094	3,648	(446)	(10.9)%
Workers' Compensation	51800	860	1,425	1,258	(167)	(11.7)%
Discretionary Contribution (Pension/OPEB)	51850	22,428	24,776	26,896	2,120	8.6%
Board Stipends	51900					
Total Personnel Expenditures		404,067	515,818	503,928	(11,890)	(2.3)%
Services & Supplies Expenditures						
Travel In-State	52200	3,305				
Travel Out-of-State	52220					
Training & Education	52300		3,000	1,000	(2,000)	(66.7)%
Repair & Maintenance (Equipment)	52400	3,652	25,000	15,000	(10,000)	(40.0)%
Communications	52500	1,266	1,000	1,000		
Building Maintenance	52600	545				
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	671,969	900,000	950,000	50,000	5.6%
Professional Services & Contracts	53300	52,926	50,000	50,000		
General Insurance	53400		57,500	32,500	(25,000)	(43.5)%
Shop & Field Supplies	53500		200	200		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700	180,852	350,000	376,579	26,579	7.6%
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		914,515	1,386,700	1,426,279	39,579	2.9%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120		50,000		(50,000)	(100.0)%
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures			50,000		(50,000)	(100.0)%
Transfer In/Out		(18,370)				
Total Expenditures		1,300,212	1,952,518	1,930,207	(22,311)	(1.14)%

Legislative Office

The Legislative Office mission is to advocate for Air District policy and budget priorities at both the state and federal levels. The Legislative Office is responsible for tracking and developing positions on state and federal legislation and budget proposals, meeting with legislators and legislative staff about policy proposals and updating them on Air District activities, representing the Air District at legislative hearings, and interacting with stakeholder groups, state and local agencies, and members of the public. The Legislative Office works closely with other divisions within the Air District to help achieve the Air District's commitment to reducing air pollution in California and the Bay Area region by sharing information on current legislative policy and budget proposals that affect Air District programs and policies.

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Managing Division:	
Legislative Office	
Contact Person:	
Alan Abbs	
Program Purpose:	
State and Federal legislative advocacy.	
Description of Program:	
The Legislative Office advocates for Air District policy and budget priorities at the state and federal level. The Legislative Office interacts with legislators and staff, advocate and opposition stakeholders, state and local agencies, and members of the public.	
Justification of Change Request:	
Activities	
Legislative Advocacy	
Information sharing with Air District staff	
Outreach to Legislature on Air District activities	
Major Objectives	Delivery Date
Track and develop positions on state and federal legislation.	Bi-weekly
Meet with legislators and legislative staff about policy proposals.	Ongoing
Update legislators and staff on Air District activities.	Ongoing
Track and develop positions on state and federal budget proposals.	Ongoing
Attend legislative hearings.	Ongoing
Staff Air District Legislative Committee meetings.	Monthly
Represent Air District at meetings with stakeholder groups.	Monthly
Staff other Air District Board and Committee meetings, as necessary.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.95	2.00	2.00		
Personnel Expenditures						
Permanent Salaries	51100	310,804	334,811	354,279	19,468	5.81%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	4,557	4,938	5,294	356	7.2%
Pension Benefits	51400	24,516	74,671	71,417	(3,254)	(4.4)%
FICA Replacement Benefits	51500	3,225	3,909	4,081	172	4.4%
Group Insurance Benefits	51600	40,068	49,297	52,526	3,229	6.6%
Employee Transportation Subsidy	51700	2,551	2,971	2,868	(103)	(3.5)%
Workers' Compensation	51800	984	1,034	989	(45)	(4.4)%
Discretionary Contribution (Pension/OPEB)	51850	21,081	17,978	22,460	4,482	24.9%
Board Stipends	51900					
Total Personnel Expenditures		407,786	489,609	513,914	24,305	5.0%
Services & Supplies Expenditures						
Travel In-State	52200	1,624	3,250	4,000	750	23.1%
Travel Out-of-State	52220	875	3,750	4,500	750	20.0%
Training & Education	52300	425	2,500	4,000	1,500	60.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500		2,000	1,000	(1,000)	(50.0)%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	90,120	121,200	128,900	7,700	6.4%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		250	250		
Books & Journals	54100	243	600	600		
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		93,287	133,550	143,250	9,700	7.3%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(18,604)				
Total Expenditures		482,469	623,159	657,164	34,005	5.46%

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Legal Services Division

The District Counsel provides legal advice, counseling and representation to the Board of Directors and its Committees, the Executive Officer/APCO, District staff, and the Advisory Council and Community Advisory Council in the execution of their respective statutory mandates and responsibilities. The District Counsel also represents the District, or manages outside counsel representing the District, in all litigation involving the District and in matters before the District's Hearing Board. The District Counsel primarily practices in the areas of general civil law, Federal, State and local air pollution control law, administrative law, Federal and State civil litigation, government law, and the California Environmental Quality Act.

This fiscal year, the District Counsel will continue to prosecute enforcement cases referred to it by the Compliance and Enforcement Division. These enforcement cases will include civil penalty prosecutions, which most often result in a settlement where the violator agrees to pay an appropriate civil penalty but can also proceed to litigation if a violator will not agree to an appropriate penalty. They will also include abatement order cases before the Air District's Hearing Board in situations where there is ongoing non-compliance that needs to be addressed, and may include court cases as well to the extent that Hearing Board action is insufficient or otherwise inappropriate. These enforcement efforts to be undertaken this fiscal year are once again designed to provide an appropriate enforcement response to violations of District regulations to ensure compliance, deter future violations, impose civil penalties commensurate with the nature of the air quality violation involved, remove the economic benefit of violations, promote equity, and encourage proactive measures to maintain compliance by the regulated community. This fiscal year, the District Counsel will also continue to implement the Mutual Settlement Program, which prosecutes violations by small businesses and similar entities through small claims court, which is a more efficient and effective way to address violations for which a large penalty would not be appropriate. The District Counsel will also continue to coordinate with, and provide training for, Compliance and Enforcement Division staff regarding case development. These efforts will ensure that effective enforcement cases are built from the beginning of investigations and will result in more effective settlements and prosecutions. The District Counsel's attorneys will continue their focus on civil penalty enforcement investigations and actions, including civil litigation and, where appropriate, Hearing Board enforcement proceedings.

The District Counsel's attorneys will continue to advise District staff on rulemaking, permitting and air quality planning activities. In this regard, the District Counsel's office will continue its efforts to coordinate closely with the District's staff on these issues to minimize challenges to District decision-making. The District Counsel will also continue to represent the Executive Officer/APCO before the Hearing Board, counsel the Board of Directors and its Committees as to their legal authority and duties, and interact with EPA, CARB, other Air Districts and private attorneys on various matters. The District Counsel will continue to use outside labor/employment law firms to handle the specialized practice of labor and employment law counseling, negotiations and litigation. In addition to continuing to provide pre-litigation counseling, and to handle litigation matters internally, the District Counsel will continue to manage the efforts of outside counsel as appropriate in litigation, employment, and specialized counseling matters. This work will include several major items of litigation that are currently pending in Superior Court, as well as any additional litigation that may arise.

The District Counsel will also continue to advise the Community Advisory Council and Air District staff regarding the District's enhanced focus on environmental justice, equitable outcomes, and addressing disparate air pollution and public health impacts in overburdened communities. This work will include an assigned attorney to support the Community Advisory Council, as well as support for the AB 617 program and the Community Steering Committees developing Community Emission Reduction Plans under that program. It will also include supporting Community Engagement staff and other staff within the agency as they develop these programs.

Finally, in FYE 2024 the District Counsel will embark on a capacity building and development effort after a period of transition in the Legal Division. The District Counsel will develop new, more robust and formal policies and procedures to govern the Division's work and, with the help of an outside consultant, will develop and implement new, more formal management practices. The District Counsel will also oversee the training and development of new attorneys in all aspects of the Air District's work. The District Counsel will also formalize its relationships with outside counsel, including retaining outside counsel to provide additional litigation firepower where needed and to provide specialized expertise in niche subject areas.

Managing Division:	
Legal Services Division	
Contact Person:	
Alexander Crockett	
Program Purpose:	
To advise, counsel and assist the Board of Directors, the Executive Officer/APCO, and District staff on all legal matters related to the Air District's clean air mission and operations.	
Description of Program:	
The District Counsel provides a wide variety of legal services to the Board of Directors, the Executive Officer/APCO, the Advisory Council and Community Advisory Council, and District staff. Those services include advising and counseling on issues arising under Federal and State air pollution laws, the Brown Act, the California Environmental Quality Act (CEQA), the Public Records Act, and conflict of interest laws. Attorneys in the District Counsel's office prepare and review complex contracts and provide legal opinions and advice on rule development and governmental and general law issues, including enforcement, permitting and air quality planning matters. Work in the District Counsel's office also includes the development and implementation of legal policy documents for the District.	
Justification of Change Request:	
Not Applicable	
Activities	
Staff all Board of Director and Board Committee meetings and provide legal advice and direction, as necessary, at such meetings.	
Draft all necessary resolutions for adoption by the Board of Directors.	
Staff all meetings of the Community Advisory Council and meetings of AB 617 Community Emission Reduction Plan steering committees as necessary.	
Provide all legal opinions, reports and correspondence requested by the Board of Directors, the Advisory Council, the Community Advisory Council, and the Executive Officer/APCO.	
Review and comment on all legislative proposals affecting the District.	
Provide legal advice and review of all rule adoptions and amendments, including CEQA analyses.	
Staff all meetings with District staff, members of the public, representatives of other public agencies, environmental groups, industry, the press, and legislative representatives involving District permitting, rule development and enforcement.	
Provide legal advice, direction and contract drafting for administration of grants and incentive funds.	
Advise and assist the Executive Officer/APCO and District staff in legal matters involving contracts, the Public Records Act, conflicts of interest, leases, and copyrights.	
Provide all staff support functions associated with the above activities.	
Advise Air District staff and the Board of Directors on all issues related to the Federal Clean Air Act, California Clean Air Act and associated State and Federal regulations.	
Major Objectives	Delivery Date
Develop policies and procedures for the management of Legal Division staff and work functions.	June 2024
Incorporate equity and Environmental Justice principles into Legal Division policies and decision-making.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		7.00	10.00	8.00	(2.00)	(20.0)%
Personnel Expenditures						
Permanent Salaries	51100	2,179,591	1,964,311	1,583,480	(380,831)	(19.4)%
Overtime Salaries	51150	125		500	500	
Temporary Salaries	51200					
Payroll Taxes	51300	32,445	29,557	24,229	(5,328)	(18.0)%
Pension Benefits	51400	411,379	460,191	324,908	(135,283)	(29.4)%
FICA Replacement Benefits	51500	23,047	19,178	15,921	(3,257)	(17.0)%
Group Insurance Benefits	51600	284,839	207,390	163,982	(43,408)	(20.9)%
Employee Transportation Subsidy	51700	18,466	14,577	11,186	(3,391)	(23.3)%
Workers' Compensation	51800	6,903	5,072	3,859	(1,213)	(23.9)%
Discretionary Contribution (Pension/OPEB)	51850	129,412	88,208	90,661	2,453	2.8%
Board Stipends	51900					
Total Personnel Expenditures		3,086,207	2,788,484	2,218,726	(569,758)	(20.4)%
Services & Supplies Expenditures						
Travel In-State	52200	188	3,000	1,500	(1,500)	(50.0)%
Travel Out-of-State	52220		4,000	2,000	(2,000)	(50.0)%
Training & Education	52300	6,100	6,500	10,500	4,000	61.5%
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,976	5,000	5,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800	15				
Printing & Reproduction	52900		4,000	3,000	(1,000)	(25.0)%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	42,966	54,000	608,000	554,000	1,025.9%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	438	1,000	1,000		
Books & Journals	54100	38,853	45,000	65,000	20,000	44.4%
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		91,536	122,500	696,000	573,500	468.2%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		(128,099)				
Total Expenditures		3,049,644	2,910,984	2,914,726	3,742	0.1%

Managing Division:	
Legal Services Division	
Contact Person:	
Alexander Crockett	
Program Purpose:	
To represent the APCO in all proceedings involving variances, orders of abatement, permit appeals and permit revocations before the Air District's Hearing Board.	
Description of Program:	
The District Counsel provides all necessary legal representation and counsel for the APCO in variance, abatement order, permit appeal, and permit revocation actions before the Air District's Hearing Board. Permit holders may seek variance relief from the Hearing Board when they are unable to meet a District rule or permit requirement, as long as state law requirements are met. The APCO may seek orders of abatement against facilities for on-going violations, or seek to revoke those facilities' permits. The District Counsel also represents the APCO in appeals by applicants or third parties to permit, emission reduction credit, and interchangeable emission reduction credit decisions made by the APCO. In addition, the District Counsel works with the Hearing Board's members and staff to improve the Hearing Board's rules and procedures.	
Justification of Change Request:	
Not Applicable	
Activities	
Review and advise Air District staff regarding the legal and factual sufficiency of variance requests.	
Prepare and/or review all required written correspondence, pleadings and orders.	
Represent the APCO in all Hearing Board matters, including preparing all written submissions for these cases.	
Prepare District witnesses for hearings.	
Provide staff support functions associated with the above activities.	
Major Objectives	Delivery Date
Under direction from the Hearing Board Chair and members, rework the Hearing Board rules of procedure	December 2024
Work with the Clerk of the Boards to provide additional accessibility to Hearing Board documents on the Air District's website.	December 2024

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.02	0.15	0.70	0.55	366.7%
Personnel Expenditures						
Permanent Salaries	51100	3,843	24,059	140,632	116,573	484.5%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	44	341	2,030	1,689	495.3%
Pension Benefits	51400	4,627	5,361	27,597	22,236	414.8%
FICA Replacement Benefits	51500	31	293	1,428	1,135	387.4%
Group Insurance Benefits	51600	391	2,731	13,337	10,606	388.4%
Employee Transportation Subsidy	51700	25	223	1,004	781	350.2%
Workers' Compensation	51800	12	78	346	268	343.6%
Discretionary Contribution (Pension/OPEB)	51850	2,339	1,348	8,113	6,765	501.9%
Board Stipends	51900					
Total Personnel Expenditures		11,312	34,434	194,487	160,053	464.8%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		11,312	34,434	194,487	160,053	464.8%

Managing Division:	
Legal Services Division	
Contact Person:	
Alexander Crockett	
Program Purpose:	
To remove the economic benefit from, and provide an effective deterrence to, violations of Air District rules by assessing monetary penalties as provided for in the California Health and Safety Code and by pursuing injunctive relief to address any ongoing non-compliance with air pollution regulations.	
Description of Program:	
The District Counsel enforces the Air District's rules by assessing penalties against violators, either through settlement or in court if violators refuse to pay an appropriate penalty voluntarily; by pursuing administrative enforcement actions (orders of abatement and revocation of permits) before the Air District's Hearing Board; and by referring cases to other agencies for consideration of civil or criminal enforcement actions within those agencies' jurisdiction. The District Counsel also oversees the Mutual Settlement program, which resolves more minor violations through a small claims court process, which is more efficient and cost-effective than resolution by an attorney where a large penalty would not appropriate (e.g., for administrative violations by small businesses with a limited ability to pay).	
Justification of Change Request:	
Not Applicable	
Activities	
Administer Mutual Settlement Program.	
Pursue Small Claims Court actions to collect civil penalties.	
Provide full time clerical staff support for this program.	
Prepare witnesses and documentary evidence for administrative hearings and civil litigation associated with actions to recover civil penalties.	
Meet and confer with District staff and defendants to discuss settlement or to advance litigation.	
Represent the District in all court hearings, settlement conferences and civil discovery.	
Coordinate the referral of cases for civil and criminal prosecution to District Attorney offices and other agencies with jurisdiction over air quality issues.	
Prepare all correspondence and prepare and file all pleadings in civil and administrative actions.	
Pursue enforcement actions on all Notices of Violation (NOVs).	
Major Objectives	Delivery Date
Increase penalty amounts obtained through settlements.	Ongoing
Develop penalty policies to formalize the assessment of penalties and ensure consistency and transparency in how penalty amounts are calculated.	June 2024
Reduce the amount of time it takes to resolve NOVs referred from the Enforcement Division.	Ongoing
Work with the Engineering and Enforcement Divisions to develop a policy on how the Air District prioritizes enforcement in cases where a facility is operating equipment without a permit.	December 2024
Retain outside litigation counsel for assistance and representation on major penalty cases that may require litigation resources beyond the capacity of the District Counsel's office.	Ongoing

Penalties Enforcement & Settlement

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.44	5.18	7.05	1.87	36.1%
Personnel Expenditures						
Permanent Salaries	51100	501,793	814,158	1,212,924	398,766	49.0%
Overtime Salaries	51150	19		100	100	
Temporary Salaries	51200					
Payroll Taxes	51300	7,393	11,562	17,424	5,862	50.7%
Pension Benefits	51400	131,371	186,992	247,689	60,697	32.5%
FICA Replacement Benefits	51500	5,251	10,114	14,384	4,270	42.2%
Group Insurance Benefits	51600	65,268	89,315	141,111	51,796	58.0%
Employee Transportation Subsidy	51700	4,160	7,688	10,107	2,419	31.5%
Workers' Compensation	51800	1,590	2,675	3,486	811	30.3%
Discretionary Contribution (Pension/OPEB)	51850	49,444	46,519	78,615	32,096	69.0%
Board Stipends	51900					
Total Personnel Expenditures		766,289	1,169,023	1,725,840	556,817	47.6%
Services & Supplies Expenditures						
Travel In-State	52200		2,800	2,800		
Travel Out-of-State	52220					
Training & Education	52300		2,000	2,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100		1,000	1,000		
Minor Office Equipment	54200					
Total Services & Supplies Expenditures			5,800	5,800		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		766,289	1,174,823	1,731,640	556,817	47.4%

Managing Division:	
Legal Services Division	
Contact Person:	
Alexander Crockett	
Program Purpose:	
To represent and oversee Air District representation in litigation in State and Federal courts.	
Description of Program:	
The District Counsel represents the Air District in all litigation matters in State and Federal court and in administrative proceedings. In some cases, the attorneys in the District Counsel's office handle such litigation in-house. In other cases, the District Counsel manages and oversees outside counsel handling such litigation. Such cases include situations where the size or complexity requires additional litigation resources beyond the capacity of the District Counsel's office, and litigation involving specialized legal areas such as labor law, employment law and tort actions. The District Counsel keeps the Board of Directors informed about the status of all litigation through periodic written updates and closed-session updates and written briefings.	
Justification of Change Request:	
Not Applicable	
Activities	
Represent Air District in State court actions.	
Represent Air District in Federal court actions.	
Provide litigation status reports to Air District Board of Directors.	
Legal research for litigation matters.	
Monitor and direct activities of outside counsel in general litigation and specialized legal areas such as labor law, employment law and tort actions.	
Provide clerical support for litigation matters.	
Major Objectives	Delivery Date
Formalize the Air District's relationships with outside counsel by conducting competitive procurement processes to identify qualified counsel at the lowest cost and retaining such outside counsel to provide specialized legal services as needed. Such services may include litigation (both defensive in defending agency decisions and offensive in pursuing enforcement action) and in specialized areas of law such as labor and employment, civil rights, taxation, or land use law.	October 2023

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.45	0.46	0.30	(0.16)	(34.8)%
Personnel Expenditures						
Permanent Salaries	51100	91,259	88,490	61,536	(26,954)	(30.5)%
Overtime Salaries	51150	207		500	500	
Temporary Salaries	51200					
Payroll Taxes	51300	1,341	1,278	891	(387)	(30.3)%
Pension Benefits	51400	20,687	20,760	11,861	(8,899)	(42.9)%
FICA Replacement Benefits	51500	957	905	613	(292)	(32.3)%
Group Insurance Benefits	51600	11,891	10,704	6,557	(4,147)	(38.7)%
Employee Transportation Subsidy	51700	743	688	430	(258)	(37.5)%
Workers' Compensation	51800	289	239	148	(91)	(38.1)%
Discretionary Contribution (Pension/OPEB)	51850	7,340	4,163	3,496	(667)	(16.0)%
Board Stipends	51900					
Total Personnel Expenditures		134,714	127,227	86,032	(41,195)	(32.4)%
Services & Supplies Expenditures						
Travel In-State	52200	66		100	100	
Travel Out-of-State	52220					
Training & Education	52300		3,000	3,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		2,000	2,000		
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	212,324	235,000	235,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100	5,846	4,000	7,000	3,000	75.0%
Minor Office Equipment	54200		3,000	1,000	(2,000)	(66.7)%
Total Services & Supplies Expenditures		218,236	247,000	248,100	1,100	0.4%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		352,950	374,227	334,132	(40,095)	(10.7)%

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Communications Office

The Communications Office coordinates all agency media outreach, Air District messaging, crisis communications, media relations as well as print, digital and social media outreach for the Air District. The Office provides media and public outreach about the Air District's programs, operations and emergency response.

The Office manages advertising and outreach for Spare the Air, the Employer Program, and the Commuter Benefits Program. The Office oversees the Air District and Spare the Air social media sites, strategies and programs. The Office maintains the Spare the Air website and related sites and the Spare the Air mobile apps. The Office represents the Air District at community events for Spare the Air throughout the region.

Office functions include production of publications and digital collateral for the general public and target audiences. This includes publishing newsletters, the annual report, videos and collateral materials. The Office also provides and oversees graphic design services, social media content creation, translation services and videography. The Office also provides Air District presentations and tours for international delegations, organizations and school groups.

Managing Division:	
Communications Office	
Contact Person:	
Kristine Roselius	
Program Purpose:	
Act as the Air District's main point of contact to the public through media and social media. Increase public awareness and understanding of the roles that the public and the Air District have in creating behavior change and reducing air pollution and the impacts of climate change.	
Description of Program:	
Provide proactive media outreach about air quality issues, Air District programs and the purpose and functions of the agency through printed materials, media events, promotional materials, baaqmd.gov website, press releases, publications, videos, podcasts and social media. Develop graphically appealing and compelling images and infographics to better message Air District efforts on social media, presentations and displays.	
Justification of Change Request:	
Budget increase due to ongoing AB617 support, increased videography and website accessibility needs.	
Activities	
Maintain up-to-date and relevant air quality information on the Air District website.	
Develop video and audio podcasts about air quality issues and the Air District's programs and rules.	
Develop wildfire messaging, procedures, graphics, printed and web materials.	
Produce publications including plans, brochures, booklets and other Air District documents.	
Issue press releases and host media events highlighting Air District accomplishments.	
Coordinate the Air District presence at events and fairs throughout the region.	
Develop and implement media, social media and communication strategies around major Air District policies and issues.	
Develop and maintain effective working relationships with members of the media and social media influencers.	
Track and analyze print, internet, radio, social media and television coverage of the Air District.	
Provide development opportunities for staff related to activities and objectives of the Air District.	
Develop emergency response internal, media and social media outreach procedures	
Develop crisis communications internal, media and social media outreach procedures	
Development and management of Air District social media sites	
Support for AB617 efforts.	
Major Objectives	Delivery Date
Develop media response / operating procedures, Air District media policy, and social media policy.	Ongoing
Produce Air District Annual Report.	June 2023
Publish quarterly Air Currents newsletter.	Quarterly
Conduct media training for public information officers and other Air District staff.	Ongoing
Develop videos, news releases / statements, infographics and display graphics for Air District programs / events.	Ongoing
Develop and manage Air District social media posts.	Ongoing
Crisis communications and emergency response for air quality incidents.	Ongoing
Develop and maintain media relations.	Ongoing
Host media events to promote Air District programs and initiatives.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		6.96	6.48	5.29	(1.19)	(18.4)%
Personnel Expenditures						
Permanent Salaries	51100	944,462	863,334	789,359	(73,975)	(8.6)%
Overtime Salaries	51150	5,581	7,000	7,000		
Temporary Salaries	51200	12,988				
Payroll Taxes	51300	14,574	12,210	11,361	(849)	(7.0)%
Pension Benefits	51400	207,310	200,888	166,788	(34,100)	(17.0)%
FICA Replacement Benefits	51500	10,340	12,668	10,804	(1,864)	(14.7)%
Group Insurance Benefits	51600	128,337	118,290	103,265	(15,025)	(12.7)%
Employee Transportation Subsidy	51700	8,201	9,628	7,591	(2,037)	(21.2)%
Workers' Compensation	51800	2,991	3,350	2,619	(731)	(21.8)%
Discretionary Contribution (Pension/OPEB)	51850	69,851	58,262	57,208	(1,054)	(1.8)%
Board Stipends	51900					
Total Personnel Expenditures		1,404,635	1,285,630	1,155,995	(129,635)	(10.1)%
Services & Supplies Expenditures						
Travel In-State	52200	1,179	14,000	14,000		
Travel Out-of-State	52220		6,000	6,000		
Training & Education	52300	2,778	21,500	21,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500	10,525	47,000	47,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800		4,000	4,000		
Printing & Reproduction	52900	17,353	42,500	42,500		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	387,236	482,750	500,750	18,000	3.7%
General Insurance	53400					
Shop & Field Supplies	53500	293	500	500		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	325	11,000		(11,000)	(100.0)%
Stationery & Office Supplies	53900	59	4,000	4,000		
Books & Journals	54100					
Minor Office Equipment	54200		1,000	1,000		
Total Services & Supplies Expenditures		419,748	634,250	641,250	7,000	1.1%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(42,338)				
Total Expenditures		1,782,045	1,919,880	1,797,245	(122,635)	(6.4)%

Managing Division:	
Communications Office	
Contact Person:	
Kristina Chu	
Program Purpose:	
The Spare the Air winter program informs the public about the Wood Burning Rule, the health impacts of wood smoke pollution and alternative, cleaner forms of heat and change-out incentives.	
Description of Program:	
The Wood Burning Rule was passed in 2008 and wood burning is banned when a Spare the Air Alert is called for fine particulate pollution. The Spare the Air winter campaign informs the public about the health impacts of wood smoke both inside and outside the home. A seasonal messaging/advertising campaign is developed and delivered to the public through regional advertising, media outreach, neighborhood events and through seasonal door-to-door outreach and survey campaign.	
Justification of Change Request:	
No change.	
Activities	
Develop and disseminate a Spare the Air winter campaign to inform the public about the health impacts of wood smoke.	
Prepare and issue media releases, respond to media inquiries and plan media events/deskside & editorial board visits.	
Conduct public opinion surveys to evaluate program and measure behavior change.	
Manage and update the baaqmd.gov and sparetheairnow.org websites as well as social media sites including Twitter, Linked In, Pinterest and Facebook.	
Manage notification methods for Spare the Air Alerts, including automated phone alerts, text and email alerts, online banners, iPhone/Android app and widget.	
Deliver public outreach, advertising and media relations campaigns.	
Provide public outreach at community events throughout the Bay Area.	
Door to door outreach/surveys	
Provide overview of campaign to Executive Committee and Board of Directors.	
Provide outreach to local government leaders and community organizations and the general public about the Spare the Air winter program.	
Promote cleaner heating options and available incentives.	
Major Objectives	Delivery Date
Media outreach for Spare the Air winter.	Ongoing
Launch Spare the Air winter season.	November 2022
Execute and evaluate Spare the Air winter season public outreach campaign.	June 2023
Develop video podcasts, video news releases / statements, displays and infographics for Spare the Air winter programs / events.	Ongoing
Respond to public inquiries, provide informational speeches and presentations.	Ongoing
Update website alerts and Spare the Air app.	Ongoing
Monitor and measure campaign effectiveness via public opinion surveys.	March 2023
Develop Spare the Air winter season summary.	April 2023
Issue Alert advisories when air quality is forecast to reach unhealthy levels.	Ongoing
Provide information about the health impacts of wood smoke to the public, community organizations and local government leaders.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.08	0.80	1.38	0.58	72.5%
Personnel Expenditures						
Permanent Salaries	51100	124,266	100,716	198,103	97,387	96.7%
Overtime Salaries	51150	2,717		2,000	2,000	
Temporary Salaries	51200					
Payroll Taxes	51300	1,834	1,418	2,820	1,402	98.9%
Pension Benefits	51400	22,044	23,415	41,591	18,176	77.6%
FICA Replacement Benefits	51500	1,398	1,569	2,831	1,262	80.4%
Group Insurance Benefits	51600	17,406	14,513	26,728	12,215	84.2%
Employee Transportation Subsidy	51700	1,098	1,193	1,989	796	66.7%
Workers' Compensation	51800	394	415	686	271	65.3%
Discretionary Contribution (Pension/OPEB)	51850	6,651	7,218	14,859	7,641	105.9%
Board Stipends	51900					
Total Personnel Expenditures		177,808	150,457	291,607	141,150	93.8%
Services & Supplies Expenditures						
Travel In-State	52200	217				
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	986,042	1,125,000	1,125,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		986,259	1,125,000	1,125,000		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,164,067	1,275,457	1,416,607	141,150	11.1%

Managing Division:	
Communications Office	
Contact Person:	
Kristina Chu	
Program Purpose:	
The Spare the Air program encourages the public to reduce their driving, a major source of Bay Area air pollution, and promotes the use of public transit, biking, walking, carpooling, trip reduction and other behavior changes that reduce pollution from transportation sources.	
Description of Program:	
The Spare the Air Program provides health alerts and informs Bay Area residents about air pollution and encourages them to reduce single occupancy driving, especially during their commute to and from work, to improve air quality. The Spare the Air program will also help to promote the Commuter Benefits Program which supports the overall goal of reducing the number of vehicles on Bay Area roads.	
When air quality is forecast to be unhealthy, the Air District issues Spare the Air Alerts. Outreach to the public is conducted through an advertising and media relations campaign as well as through social media sites such as Twitter and Facebook.	
Justification of Change Request:	
No change.	
Activities	
Conduct campaign to educate the public about individual choices to reduce air pollution.	
Prepare and issue media releases, respond to media inquiries and plan media events.	
Conduct public opinion surveys to evaluate program and measure behavior change.	
Manage, re-design and update website landing pages and provide regular updates, measurements and responses for social media sites such as Twitter, Pinterest and Facebook.	
Provide public outreach at community events throughout the Bay Area.	
Notify the public of Spare the Air Alerts through AirAlerts, text alerts, the media, sparetheair.org, baaqmd.gov, the iPhone/Android app and social media sites.	
Manage public outreach campaigns for advertising, social media and media relations.	
Provide overview of campaign to Administrative Committee and Board of Directors.	
Major Objectives	Delivery Date
Develop the Spare the Air campaign.	Ongoing
Launch Spare the Air summer season.	Ongoing
Monitor and measure campaign effectiveness via public opinion surveys.	October 2022
Manage the Spare the Air advertising, media relations and social media campaign.	Ongoing
Promote Spare the Air at public events.	Ongoing
Develop videos, news releases / statements, displays and infographics for Spare the Air program / events.	Ongoing

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)					
Personnel Expenditures					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Discretionary Contribution (Pension/OPEB)	51850				
Board Stipends	51900				
Services & Supplies Expenditures					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	967,343	1,000,000	1,000,000	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
Total Services & Supplies Expenditures	967,343	1,000,000	1,000,000		
Capital Expenditures					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
Total Capital Expenditures					
Transfer In/Out					
Total Expenditures	967,343	1,000,000	1,000,000		

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Technology Implementation Office

The Technology Implementation Office (TIO) mission is to advance emerging, cost-effective solutions to achieve greenhouse gas emissions reductions for the transportation and industrial source sectors. TIO will connect climate technologies and customers by providing financial incentives (through grants and loans) as well as technical and matchmaking support. Climate technology areas include zero emissions vehicles and infrastructure, zero emissions energy storage and backup systems, composting, and waste-to-energy projects (co-digestion, waste treatment, anaerobic digestion, combined heat and power). By supporting the scale-up of climate technologies, TIO can help achieve state and regional greenhouse gas emissions targets, reduce emissions in impacted communities, while also making technologies cost-effective even in regions without strong climate policies.

Managing Division:	
Technology Implementation Office	
Contact Person:	
Anthony Fournier	
Program Purpose:	
The Air District's Climate Investments program advances emerging and cost-effective solutions to achieve greenhouse gas emissions reduction. The program's goal is to support the 2017 Clean Air Plan goal of a carbon-free Bay Area by 2050 and mainstream technologies so they can be scaled up throughout and beyond the Bay Area.	
Description of Program:	
The Climate Tech Finance program increases access to capital for entrepreneurs and public agencies to develop and adopt technologies that reduce greenhouse gases. The Clean Air Centers program establishes a network of publicly accessible facilities with high-end air filtration for use during smoke events in communities most impacted by those events.	
Justification of Change Request:	
Not Applicable	
Activities	
Oversee loan and loan guarantee partnership and projects.	
Perform evaluations of climate technologies.	
Identify technologies and customers and provide technical support and financing to implement technologies.	
Convene stakeholders for technology matchmaking and peer-to-peer information exchanges.	
Implement grant program to fund the purchase of air filtration units for publicly accessible Clean Air Centers.	
Major Objectives	Delivery Date
1. Provide loans and loan guarantees for implementing new technologies.	Ongoing
2. Implement enhanced climate loan services statewide.	Ongoing
3. Maintain Clean Air Centers grant program.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		2.88	3.12	3.00	(0.12)	(3.8)%
Personnel Expenditures						
Permanent Salaries	51100	421,307	441,447	460,493	19,046	4.3%
Overtime Salaries	51150		25,000	25,000		
Temporary Salaries	51200		75,000	100,000	25,000	33.3%
Payroll Taxes	51300	6,119	6,250	6,526	276	4.4%
Pension Benefits	51400	85,383	98,326	88,279	(10,047)	(10.2)%
FICA Replacement Benefits	51500	4,321	6,101	6,116	15	0.2%
Group Insurance Benefits	51600	53,629	66,341	66,884	543	0.8%
Employee Transportation Subsidy	51700	3,433	4,637	4,297	(340)	(7.3)%
Workers' Compensation	51800	1,334	1,614	1,482	(132)	(8.2)%
Discretionary Contribution (Pension/OPEB)	51850	28,474	28,061	32,589	4,528	16.1%
Board Stipends	51900					
Total Personnel Expenditures		604,000	752,777	791,666	38,889	5.2%
Services & Supplies Expenditures						
Travel In-State	52200		2,300	6,500	4,200	182.6%
Travel Out-of-State	52220		3,000	3,000		
Training & Education	52300	1,689	6,000	6,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,217	1,500	1,500		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,139,788	250,000	250,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	398	3,000	4,000	1,000	33.3%
Stationery & Office Supplies	53900		400	500	100	25.0%
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		1,143,092	266,200	271,500	5,300	2.0%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,747,092	1,018,977	1,063,166	44,189	4.3%

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Strategic Incentives Division

General Fund

The Strategic Incentives Division mainly administers Special Revenue funds that are used to accelerate voluntary emissions reductions by incentivizing the replacement of older dirtier equipment that primarily targets mobile sources that total approximately \$100 million for project funds and \$8 million for Air District administrative costs. Strategic Incentives staff conducts outreach and solicits grant applications, evaluates grant applications according to established criteria, recommends allocation of the funding, prepares contracts with grantees, monitors progress in implementing funded projects, and reports on the use of funds.

In addition to this work, the Division also oversees programs and activities that are paid for at least in part by the General Fund (historically approximately \$570,000 annually) as match and to pay for projects and activities performed by staff that cannot be fully reimbursed by Special Revenue sources, such as development of applications for new sources of funding (i.e., federal or state), oversight of air district sponsored projects that are not eligible for funding from other sources, and activities that are also not eligible for reimbursement by other sources. Additional information on Strategic Incentive Division Budget can be found in the Special Revenue Fund section of the budget.

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Adam Shapiro	
Program Purpose:	
Administer funding for grant programs related to non-mobile sources.	
Description of Program:	
In 2023, the Air District will implement a program that will provide incentive funding to reduce particulate matter from wood-burning devices in residential homes. The program is funded by a US Environmental Protection Agency (EPA) Targeted Airshed Grant award and funding from the Air District's General Fund as match. On January 20, 2021, the Air District Board of Directors, authorized the District to accept, obligate, and expend up to \$2,120,345 in funding from the US EPA and allocated up to \$500,000 of General Fund from Designated Reserves as match funding. The District will review all completed applications until program funds have been exhausted.	
Justification of Change Request:	
Not Applicable	
Activities	
Update program policies and procedures, guidance materials, and administrative operating procedures; conduct program development; and conduct outreach.	
Review and evaluate project applications to determine eligibility and prepare recommendations for award of eligible projects for approval by the Board of Directors.	
Prepare contracts, vouchers, amendments, and correspondence; monitor projects, inspect, and audit programs and projects to assure compliance with EPA and District guidelines, policies, and statutory and regulatory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare technical, financial, and staff reports; attend meetings; and participate in external audits.	
Coordinate with IT contractors to develop, enhance, and maintain data management systems.	
Major Objectives	Delivery Date
Submit quarterly reports and other required reports to funding source (EPA).	Ongoing
Meet funding source disbursement and liquidation deadlines.	June 2024
Meet funding source requirements to fund projects benefitting priority areas.	June 2024
Issue funding contracts and vouchers for grants awarded.	June 2024

Non-Mobile Source Grant Programs

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		Audited Program	Approved	Proposed	FTE/Dollar	Percent
		Actual	Program Budget	Program Budget	Change	Change
		2022	2023	2024	\$	%
Number of Positions (FTE)		0.23	0.43	1.65	1.22	283.72%
Personnel Expenditures						
Permanent Salaries	51100	33,028	60,073	210,110	150,037	249.76%
Overtime Salaries	51150	2				
Temporary Salaries	51200					
Payroll Taxes	51300	470	854	2,970	2,116	247.8%
Pension Benefits	51400	4,602	13,594	40,987	27,393	201.5%
FICA Replacement Benefits	51500	326	840	3,367	2,527	300.8%
Group Insurance Benefits	51600	4,089	8,405	26,115	17,710	210.7%
Employee Transportation Subsidy	51700	254	639	2,366	1,727	270.3%
Workers' Compensation	51800	105	222	816	594	267.6%
Discretionary Contribution (Pension/OPEB)	51850		3,865	17,286	13,421	347.2%
Board Stipends	51900					
Total Personnel Expenditures		42,876	88,492	304,017	215,525	243.6%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	29,663	50,000	75,000	25,000	50.0%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		29,663	50,000	75,000	25,000	50.0%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		72,539	138,492	379,017	240,525	173.67%

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Chengfeng Wang	
Program Purpose:	
Expand availability of funding for emission reduction projects in the Bay Area by identifying and securing new sources of funding. Also manage small pilot and demonstration projects funded by Air District general funds.	
Description of Program:	
This program, established in 2010, is focused on identifying and securing new sources of funding for the Bay Area region. Staff identifies and secures funding from Federal, State, local governments and other funding sources. Over time, this program aims to expand the availability of grant funding in the region in order to create additional opportunities for Bay Area businesses and residents to implement projects that reduce criteria pollutants, greenhouse gases, and toxic air contaminants from mobile and stationary sources. This program is also used to conduct activities to support pilot and demonstration projects that are not funded by non-Air District funding sources.	
Justification of Change Request:	
Not Applicable	
Activities	
Identify new sources of funding and prepare grant applications to secure new funding sources.	
Form partnerships to leverage Air District funding resources.	
Review, execute, and manage grant agreements with funding agencies.	
Manage Air District funded programs: conduct outreach, evaluate applications and award funding to eligible recipients, and process reimbursement requests.	
Major Objectives	Delivery Date
Form partnerships to leverage Air District funding sources.	Ongoing
Secure new sources of funding	Ongoing

Grant Program Development

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.26	0.54	0.26	(0.28)	(51.9)%
Personnel Expenditures						
Permanent Salaries	51100	37,833	79,177	45,799	(33,378)	(42.2)%
Overtime Salaries	51150	5				
Temporary Salaries	51200					
Payroll Taxes	51300	583	1,138	664	(474)	(41.7)%
Pension Benefits	51400	12,749	18,132	9,757	(8,375)	(46.2)%
FICA Replacement Benefits	51500	415	1,055	530	(525)	(49.8)%
Group Insurance Benefits	51600	5,116	10,235	5,349	(4,886)	(47.7)%
Employee Transportation Subsidy	51700	337	802	373	(429)	(53.5)%
Workers' Compensation	51800	120	279	129	(150)	(53.8)%
Discretionary Contribution (Pension/OPEB)	51850	6,312	4,854	2,916	(1,938)	(39.9)%
Board Stipends	51900					
Total Personnel Expenditures		63,470	115,672	65,517	(50,155)	(43.4)%
Services & Supplies Expenditures						
Travel In-State	52200		13,200	13,200		
Travel Out-of-State	52220		8,000	8,000		
Training & Education	52300		7,500	7,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	27,025	95,000	45,000	(50,000)	(52.6)%
General Insurance	53400					
Shop & Field Supplies	53500		1,000	1,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		20,000	15,000	(5,000)	(25.0)%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		27,025	144,700	89,700	(55,000)	(38.0)%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		90,495	260,372	155,217	(105,155)	(40.4)%

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Compliance & Enforcement Division

The Compliance & Enforcement Division ensures the Air District will realize the emission reductions achieved by the air quality regulations adopted by the Board of Directors, and permit conditions issued by the Executive Officer/APCO. Compliance with Air District, state, and federal regulations is achieved through a robust Compliance Assurance and Enforcement Program that includes comprehensive inspections and investigations and a complementary Compliance Assistance Program that supports compliance objectives of the Division by maintaining operations and assisting industry with air quality regulations and requirements. The Division works closely with local and state regulatory agencies, regulated industry and members of the community to provide the highest level of service to protect air quality and public health. The Division implements Air District strategies and enforces regulations that pertain to stationary sources, and has some mobile source enforcement authority in collaboration with the California Air Resources Board. Division priorities include conducting Title V and Synthetic Minor facility inspections, locating unpermitted sources of operations, resolving violations at facilities with ongoing non-compliance and responding to and investigating air quality complaints. Staff work collaboratively across Divisions to achieve the Air District's mission and apply the appropriate level of enforcement proportional to the level of non-compliance. The Division vigorously pursues violators who show a disregard for the law and well-being of the public and ensures corrective actions and measures to resolve violations are taken.

The Compliance and Enforcement Division continues to focus on activities that support the Air District's commitment to achieve clean air to protect public health and the environment as follows:

The Compliance Assurance and Enforcement Programs focus on announced and unannounced inspections of air pollution sources to ensure compliance. Targeted strategies are used to guide inspections to identify non-compliance and reduce excess emissions. Sources include: Title V and Synthetic Minors facilities, petroleum refineries, chemical plants, dry cleaners, gasoline dispensing facilities, autobody shops, asbestos renovations and demolitions, agricultural and prescribed burning, and other permitted sources. Other facets of the program requiring Division resources include investigations of Title V deviation reporting, Reportable Compliance Activities, and other inspections pertaining to the Portable Equipment Registration Program (PERP), Asbestos projects (renovations, demolitions and naturally occurring asbestos – NOA), compliance determinations for State Air Toxics Control Measures (ATCMs) and Federal Maximum Available Control Technology (MACTs) for air toxics. Air pollution complaints and incident response and investigations are a high priority in the Division that aim to address and resolve air quality concerns of local communities.

The Compliance Assistance Program develops outreach materials, advisories, policies and procedures and guidance information and implements compliance strategies that complement a wide range of enforcement efforts. The program aims to enhance industry and public understanding of compliance and enforcement programs and regulatory requirements, address compliance concerns and assist in resolving air quality violations. Key programs and projects in Compliance Assistance and Operations include the Air District's Wood Smoke Reduction Program, Air Quality Complaint Program, AB617 Community Health Protection Program in West Oakland and Richmond/San Pablo, Wildfire Air Quality Response Program, Commuter Benefits, Title V, Open Burning, Flare Monitoring, Naturally Occurring Asbestos, Inspector Training, Green Business Certifications, Variance and Hearing Board Activities, and many others involving state, federal and Air District regulations and requirements. The program also maintains online web information, the dispatch operating system and the compliance assistance and complaint phone lines which are all integral interfaces with the public.

Managing Division:	
Compliance & Enforcement Division	
Contact Person:	
John Marvin	
Program Purpose:	
Enforce applicable Federal, State, and District air pollution regulations and permit conditions.	
Description of Program:	
<p>The Enforcement Program consists of activities designed to respond when sources are found in violation of applicable Federal, State and Air District regulations and permit conditions. A strong, technically-based enforcement program provides both an essential deterrent to continued or future non-compliance as well as consistency in enforcement practices throughout the regulated community. This program includes all Division activities necessary to address non-compliance, including issuing Notices of Violation (NOV) and Notices to Comply (NTC), identifying causes and solutions for non-compliance, developing enforcement cases for legal action, and providing testimony during hearings and court cases. Other elements of the program include responding to the public's air pollution complaints, returning sources to compliance, and supporting enforcement of the variance and abatement order process. In addition, the toxic air contaminant activities, such as mobile source enforcement of diesel particulate matter ATCMs and asbestos demolition/renovation enforcement, ensure compliance with Federal, State and District regulations to protect the public from exposure to known carcinogens. Oversight of the Division's Safety Program is coordinated with the training functions in Program 402.</p>	
Justification of Change Request:	
Not Applicable	
Activities	
Investigate and enforce air quality violations; issue and process NOVs and NTCs; re-inspect sources to verify compliance status after issuance. Work with Legal Division to procure penalty settlement and/or successful prosecution.	
Receive and investigate citizen inquiries and general air pollution complaints. Respond to these complaints as soon as possible where highest priority response is given to ongoing complaints alleged against potential nuisance sites.	
Prepare enforcement cases in coordination with Legal Division; conduct/coordinate investigations to support their development for legal actions.	
Provide technical analysis and support for variances, abatement orders, and permit appeals to the Hearing Board. Prepare a weekly District position report on all matters before the Hearing Board. Ensure that increments of progress are met.	
Refinery Flares: review, comment, approve and enforce provisions in Regulation 12, Rules 11 and 12.	
Provide staff at community meetings to present information on the complaint process, enforcement activities, etc.	
Participate in interagency environmental task force programs to coordinate District enforcement activities with other County/State/Federal governmental agencies.	
Major Objectives	Delivery Date
Participate in bi-monthly community meetings in AB617 like areas to learn and understand local community air pollution concerns. First meeting to be with BVHP community around mid-March.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		30.94	34.55	39.45	4.90	14.2%
Personnel Expenditures						
Permanent Salaries	51100	3,563,768	4,164,545	4,918,765	754,220	18.1%
Overtime Salaries	51150	37,610	117,000	117,000		
Temporary Salaries	51200		10,000	10,000		
Payroll Taxes	51300	52,822	58,651	69,510	10,859	18.5%
Pension Benefits	51400	762,665	952,894	997,319	44,425	4.7%
FICA Replacement Benefits	51500	37,562	67,519	80,528	13,009	19.3%
Group Insurance Benefits	51600	466,393	709,341	818,909	109,568	15.4%
Employee Transportation Subsidy	51700	29,752	51,321	56,582	5,261	10.3%
Workers' Compensation	51800	11,286	17,856	19,518	1,662	9.3%
Discretionary Contribution (Pension/OPEB)	51850	258,701	310,547	411,795	101,248	32.6%
Board Stipends	51900					
Total Personnel Expenditures		5,220,559	6,459,674	7,499,926	1,040,252	16.1%
Services & Supplies Expenditures						
Travel In-State	52200	4,477	18,800	18,800		
Travel Out-of-State	52220		1,450	1,450		
Training & Education	52300	1,360	6,790	6,790		
Repair & Maintenance (Equipment)	52400	110,208	191,250	191,250		
Communications	52500	13,833	137,000	137,000		
Building Maintenance	52600		2,500	2,500		
Utilities	52700	1,598	4,000	4,000		
Postage	52800					
Printing & Reproduction	52900	142	2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200	65,473	77,100	80,040	2,940	3.8%
Professional Services & Contracts	53300	3,346	23,000	23,000		
General Insurance	53400					
Shop & Field Supplies	53500	10,768	18,090	18,090		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		2,000	2,000		
Stationery & Office Supplies	53900	46				
Books & Journals	54100					
Minor Office Equipment	54200		1,000	1,000		
Total Services & Supplies Expenditures		211,251	484,980	487,920	2,940	0.6%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		5,431,810	6,944,654	7,987,846	1,043,192	15.0%

Managing Division:	
Compliance & Enforcement Division	
Contact Person:	
Tracy Lee	
Program Purpose:	
Promote compliance with Air District regulations through program development and industry/source education.	
Description of Program:	
<p>The Compliance Assistance and Operations Program is an essential part of the Compliance & Enforcement Division. This program focuses on the development of outreach materials, advisories, policies and procedures and guidance information and the implementation of compliance strategies that complement a wide range of enforcement efforts. Staff conduct comprehensive program reviews, analyze and process petitions, plans, reportable compliance activities and other notifications received, maintain compliance and enforcement data tracking systems, and coordinate within the division and across other Air District teams to develop program strategies that address compliance concerns. The program also maintains online web information, the dispatch operating system and compliance assistance and complaint phone lines which are all integral interfaces with the public. The Compliance Assistance and Operations Program provides administrative support to enforcement activities, programs and projects and strives to improve consistency and efficiency of the division through staff training, program and policy development and enhancements.</p>	
Justification of Change Request:	
Not Applicable	
Activities	
<p>Provide industry and members of the public with specialized educational and technical assistance to achieve and maintain compliance. Develop Compliance Assistance materials for specific business sectors and the public (woodsmoke). Provide compliance assistance during routine inspections and following enforcement action. Compliance assistance is also provided for all air quality complaints for the public through dispatch or other 1-800 or 1-877 telephone line systems. Outreach is conducted for compliance assistance for several programs, including mass-mailings of woodsmoke reduction program brochures and educational materials in sensitive wood smoke areas. Division staff identify and translate Compliance Assistance materials for small businesses and other industry sectors where non-English speaking operators need additional assistance.</p>	
<p>Develop and maintain Division Policies and Procedures, compliance advisories, and other documents/processes to ensure consistent application of enforcement activities. Build partnerships with other public and community organizations to strengthen compliance assistance activities. Conduct compliance assistance and enforcement activities for the woodsmoke reduction and other stationary sources. Maintain compliance assistance phone lines and dispatch operating system during core business hours.</p>	
<p>Training and Safety: provide staff with pertinent classes, educational materials and a robust safety curriculum to support core activities. Maintain ongoing Safety Training and implement new OSHA requirements as needed.</p>	
<p>Operations: develop and maintain air programs to support Air District and California Air Resources Board (CARB) rule requirements, including but not limited to woodsmoke, flare monitoring, asbestos demolition/renovation, naturally occurring asbestos, boilers, open burning, reportable compliance activities. soil aeration and mobile source(s) compliance. Provide equipment and capital management for communication, computers and related devices. Provide multilingual services to access all Division programs. Review, analyze and process petitions, plans, complaints, Reportable Compliance Activities (RCAs - e.g., breakdowns, Ground-level monitor (GLM) releases, non-operational monitors, pressure relief valve releases) and other notifications received.</p>	
Major Objectives	Delivery Date
Participate in bi-monthly community meetings in AB617 like areas and provide detailed enforcement statistics and C&E overview to specific community. First meeting tentatively scheduled for mid-March.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		17.44	18.32	17.31	(1.01)	(5.5)%
Personnel Expenditures						
Permanent Salaries	51100	2,162,555	2,317,396	2,159,326	(158,070)	(6.8)%
Overtime Salaries	51150	10,946	5,000	7,000	2,000	40.0%
Temporary Salaries	51200	2,780	25,000	25,000		
Payroll Taxes	51300	31,958	32,629	30,430	(2,199)	(6.7)%
Pension Benefits	51400	420,496	534,721	441,054	(93,667)	(17.5)%
FICA Replacement Benefits	51500	22,596	35,803	35,327	(476)	(1.3)%
Group Insurance Benefits	51600	280,757	350,221	346,126	(4,095)	(1.2)%
Employee Transportation Subsidy	51700	17,874	27,214	24,822	(2,392)	(8.8)%
Workers' Compensation	51800	6,849	9,469	8,563	(906)	(9.6)%
Discretionary Contribution (Pension/OPEB)	51850	134,419	164,675	180,675	16,000	9.7%
Board Stipends	51900					
Total Personnel Expenditures		3,091,230	3,502,128	3,258,323	(243,805)	(7.0)%
Services & Supplies Expenditures						
Travel In-State	52200	599	9,200	9,200		
Travel Out-of-State	52220		7,000	7,000		
Training & Education	52300	13,538	17,000	18,500	1,500	8.8%
Repair & Maintenance (Equipment)	52400		4,000	4,000		
Communications	52500	28,212	128,000	128,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800		2,000	2,000		
Printing & Reproduction	52900	4,706	8,000	8,500	500	6.3%
Equipment Rental	53100					
Rents & Leases	53200		500	500		
Professional Services & Contracts	53300	9,510	30,000	30,000		
General Insurance	53400					
Shop & Field Supplies	53500	97				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		1,000	1,000		
Stationery & Office Supplies	53900	2,329	4,000	4,250	250	6.3%
Books & Journals	54100					
Minor Office Equipment	54200	708	1,500	1,500		
Total Services & Supplies Expenditures		59,699	212,200	214,450	2,250	1.1%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		3,150,929	3,714,328	3,472,773	(241,555)	(6.5)%

Managing Division:	
Compliance & Enforcement Division	
Contact Person:	
Juan Ortellado	
Program Purpose:	
A robust inspection program aimed to ensure facilities operating in the Bay Area comply with all applicable Air District, State and Federal regulations to protect air quality and public health.	
Description of Program:	
The program involves conducting comprehensive compliance inspections and investigations of stationary sources ranging from large industrial facilities, such as refineries, chemical plants, wastewater treatment, landfills, power plants and metal facilities, to smaller businesses, such as gasoline stations, auto body shops and dry cleaners. The program also includes enforcement of State Airborne Toxic Control Measures for sources that generate asbestos and diesel particulate matter. Beyond routine inspections to ensure that equipment, emissions monitoring, abatement and controls operate in compliance with regulatory requirements, the program involves responding to major incidents and potential air emission releases of hazardous chemicals and pollutants. Facilities discovered to be in violation are required to initiate timely corrective actions, minimize offsite community impacts and take steps to resolve air quality violations. Enforcement actions may require enhanced communications and coordination with other local agencies and first responders that result in joint investigations and enforcement case development.	
Justification of Change Request:	
Not Applicable	
Activities	
Refinery Inspection Program for Regulatory and Title 5 Permit Compliance.	
Title V Inspections Program / EPA Grant / Aerometric Information Retrieval System (AIRS) and audits.	
Synthetic Minor Inspection Program.	
Initiate response to major air pollution incidents as soon as possible, and within minutes of notification, provide technical assistance and support to first response agencies during and after incidents; prepare incident reports.	
Asbestos, Grant, diesel PM, and Refrigeration Management Inspections Program.	
Conduct targeted auto body painting facility inspections.	
State Portable Equipment Inspection Program.	
Gasoline Dispensing Facilities (GDFs) Inspections Program.	
Inspection Communications / Computer Programs.	
Conduct targeted prescribed burns Title 17/ Regulation 5 Open Burning inspections.	
Perform analysis as required to track and analyze existing process safety management (PSM) programs, Federal and State risk management programs (RMP/RMPP); work with other agencies to improve programs.	
Participate in interagency activities, such as County environmental task forces, incident response teams, and other activities relating to prevention, preparedness and emergency response.	
Conduct targeted inspections at refinery/chemical plants and general facilities.	
Staff air quality related community meetings to provide information on District Programs	
Major Objectives	Delivery Date
Refinery Inspection Program: Conduct compliance inspections and program audits of refineries and determine if Title V Permit Compliance are being met.	Annually
Prepare and submit required reports to EPA, Negotiation of EPA 105 Grant Program Outputs.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		28.85	35.31	30.79	(4.52)	(12.8)%
Personnel Expenditures						
Permanent Salaries	51100	3,508,519	4,470,612	3,918,593	(552,019)	(12.3)%
Overtime Salaries	51150	13,332	8,000	8,000		
Temporary Salaries	51200					
Payroll Taxes	51300	52,045	63,138	55,307	(7,831)	(12.4)%
Pension Benefits	51400	840,016	1,029,185	802,846	(226,339)	(22.0)%
FICA Replacement Benefits	51500	36,790	69,005	62,789	(6,216)	(9.0)%
Group Insurance Benefits	51600	456,927	709,917	630,891	(79,026)	(11.1)%
Employee Transportation Subsidy	51700	29,185	52,451	44,118	(8,333)	(15.9)%
Workers' Compensation	51800	11,111	18,250	15,219	(3,031)	(16.6)%
Discretionary Contribution (Pension/OPEB)	51850	302,878	317,386	322,346	4,960	1.6%
Board Stipends	51900					
Total Personnel Expenditures		5,250,803	6,737,944	5,860,109	(877,835)	(13.0)%
Services & Supplies Expenditures						
Travel In-State	52200	6,649	10,000	10,000		
Travel Out-of-State	52220		2,550	2,550		
Training & Education	52300	1,192	5,168	5,168		
Repair & Maintenance (Equipment)	52400	4,713	60,000	60,000		
Communications	52500	98,496	33,500	33,500		
Building Maintenance	52600		4,000	4,000		
Utilities	52700	9,162	3,000	3,000		
Postage	52800	35				
Printing & Reproduction	52900	279	1,000	1,000		
Equipment Rental	53100					
Rents & Leases	53200	102,694	89,100	89,100		
Professional Services & Contracts	53300	593	15,500	15,500		
General Insurance	53400					
Shop & Field Supplies	53500	16,866	26,000	26,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	5,750	23,000	23,000		
Stationery & Office Supplies	53900	2,132	2,300	2,300		
Books & Journals	54100					
Minor Office Equipment	54200	58				
Total Services & Supplies Expenditures		248,619	275,118	275,118		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125		100,000	100,000		
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures			100,000	100,000		
Transfer In/Out						
Total Expenditures		5,499,422	7,113,062	6,235,227	(877,835)	(12.3)%

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Engineering Division

Engineering Division (Division) gives high priority to the timely review of permit applications and permit renewals. The typical application evaluation includes analyzing emissions impacts and determining compliance with applicable air quality requirements, including Best Available Control Technology (BACT), 'No Net Increase' emission offset requirements, New Source Review (NSR) of Toxic Air Contaminants (TAC) and California Environmental Quality Act (CEQA). There are about 10,000 facilities with about 26,000 devices and operations that have Air District permits. The Division processes, reviews, issues, and renews Title V (Major Facility Review) permits for about 79 facilities.

The Division is working on projects associated with the petroleum refineries, including developing improved emission factors for fugitive emission leaks from heavy liquid service components and implementing Regulation 12, Rule 15.

The Division implements Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities. The Division expects to refine TAC emissions and prioritization scores for approximately 290 facilities and expects to conduct refined site-wide health risk assessments (HRAs) for about 200 facilities. HRA results will determine if the facilities are subject to the risk reduction requirements of this rule. Risk reduction plans will be reviewed, approved, and tracked. The toxics programs also support Community Health Protection Program goals to eliminate health disparities in overburdened communities.

The Division implements the State Air Toxics "Hot Spots" Program, which applies to existing facilities that emit TACs. Based on the annual TAC emissions inventory, the Division calculates prioritization scores for facilities, conducts HRAs for high priority facilities, and reports HRA results to CARB.

The Division is implementing the permit reforms adopted on December 15, 2021. Regulations 2-1 and 2-5 were amended to increase health protections in overburdened communities by: (1) defining overburdened communities, (2) establishing a more stringent cancer risk limit in overburdened communities, (3) enhancing public notifications in the overburdened communities, (4) updating gasoline station health risk screening guidelines, and (5) amending permit review timelines.

The Division continues to implement the Criteria Air Pollutants and Toxic Air Contaminants Reporting (CTR) Regulation, a state regulation establishing a uniform system of annual reporting of emissions of criteria air pollutants and TACs for permitted facilities. The Division has been actively working with other agencies and CAPCOA in the development of uniform emissions inventory guidelines for different source categories.

Due to power outages and PG&E Public Safety Power Shutoffs (PSPS), there continues to be a large number of applications for backup generators.

The Division is participating in the Air District's Assembly Bill 617 (AB 617) implementation, which includes a Community Health Protection Program to benefit communities most directly affected by air pollution. The Division participates in the workgroups for the CARB BARCT/BACT Technology Clearinghouse, CARB Permitting FAQs for environmental justice workgroup, Technical Assessment Coordination, Emissions Inventory with CARB and other air districts, and the community workgroups.

The Division continues to help develop and to transition to the Production System, which includes an online system for the regulated community. These tools will increase consistency, efficiency, and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and renew permits through an online interface.

The Division provides technical support to other divisions, agencies, and programs, including rule development, emissions inventory, compliance and enforcement, planning, monitoring and measurement, the Technology Implementation Office, and the Air District's Regional Climate Action Plan. Key rule development efforts include amendments to Regulation 3 (Fees), and amendments to rules to implement Expedited Best Available Retrofit Control Technology for AB 617.

Managing Division:	
Engineering Division	
Contact Person:	
Nicolas Maiden & Gregory Solomon	
Program Purpose:	
Evaluate all Non-Title V permit applications. Review and process data updates and permit renewals.	
Description of Program:	
<p>The Permit Evaluation Program involves activities related to the evaluation of permit applications submitted to the District (except Title V permit applications, which are covered under Program 506). This includes applications for: (1) new/modified sources subject to District New Source Review requirements, (2) emissions banking, (3) Interchangeable Emission Reduction Credits (IERCs), and (4) Prevention of Significant Deterioration (PSD) & Acid Rain permits. Staff calculates emissions, evaluates compliance with regulatory requirements, including case-by-case Best Available Control Technology (BACT) and emissions offset determinations, and establishes enforceable permit conditions. The program includes California Environmental Quality Act (CEQA) review and Climate Protection activities related to permitted sources.</p> <p>The Permit Renewal Program involves activities related to the annual renewal of District permits. The permit renewal process involves collection of data needed to update the Air District's emissions inventory, review of permit conditions, preparation of permit fee invoices, reconciliation of discrepancies and issuance of permit documents. Information gathered during this process is used for planning and rule development and may also result in enforcement action or additional permitting.</p>	
Justification of Change Request:	
Not Applicable	
Activities	
Evaluate all non-Title V permit applications (1,500 estimated).	
Complete CEQA-review functions.	
Provide technical support to all divisions including estimating emissions, rule/condition interpretations and rule development.	
Assist other agencies, industry and the public.	
Participate in cross-agency committees such as California Air Pollution Controls Officers Association (CAPCOA). Engineering Managers' Subcommittee and National Association of Clean Air Agencies (NACAA).	
Support implementation of rules (e.g., Refinery Regulations, GHG Regulations).	
Request, enter and review annual data update requests. Review and maintain permit conditions. Review permit renewal invoice program.	
Major Objectives	Delivery Date
Ensure the timely workflow of the permit renewal program	Ongoing
Implement Regulation 12-15 Petroleum Refining Emissions Tracking Emission Inventory Guidelines	June 2024

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		37.30	42.42	38.99	(3.43)	(8.1)%
Personnel Expenditures						
Permanent Salaries	51100	4,856,361	5,593,547	5,551,412	(42,135)	(0.8)%
Overtime Salaries	51150	89,078	40,000	40,000		
Temporary Salaries	51200	64,328				
Payroll Taxes	51300	72,865	78,920	78,615	(305)	(0.4)%
Pension Benefits	51400	1,125,845	1,283,358	1,135,819	(147,539)	(11.5)%
FICA Replacement Benefits	51500	51,773	82,886	79,555	(3,331)	(4.0)%
Group Insurance Benefits	51600	648,833	777,335	746,324	(31,011)	(4.0)%
Employee Transportation Subsidy	51700	41,430	63,002	55,898	(7,104)	(11.3)%
Workers' Compensation	51800	15,380	21,921	19,282	(2,639)	(12.0)%
Discretionary Contribution (Pension/OPEB)	51850	395,960	381,230	417,294	36,064	9.5%
Board Stipends	51900					
Total Personnel Expenditures		7,361,853	8,322,199	8,124,199	(198,000)	(2.4)%
Services & Supplies Expenditures						
Travel In-State	52200	28	13,000	13,000		
Travel Out-of-State	52220					
Training & Education	52300	165	2,464	2,464		
Repair & Maintenance (Equipment)	52400					
Communications	52500		110	110		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	192,503	401,059	401,059		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100		200	200		
Minor Office Equipment	54200		368	368		
Total Services & Supplies Expenditures		192,696	419,201	419,201		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		7,554,549	8,741,400	8,543,400	(198,000)	(2.3)%

Managing Division:	
Engineering Division	
Contact Person:	
Carol Allen	
Program Purpose:	
To develop and implement an effective air toxics control strategy that integrates Federal, State, and local requirements.	
Description of Program:	
The Air Toxics Program involves the integration of Federal and State air toxics mandates with local goals established by the Air District's Board of Directors. The program includes air toxics new source review (NSR), reduction of risk from existing facilities (Regulation 11, Rule 18), air toxics control measures, and the Air Toxics "Hot Spots" Program (AB2588). The Air Toxics Program also provides support to other Community Health Protection programs that seek to eliminate air quality disparities in overburden communities. Staff provides guidance on toxic emission calculations, controls, and impacts, maintains the toxic emission inventory, assists with incident and compliance evaluation, conducts health risk assessments (HRAs) for stationary sources, and approves risk reduction plans for existing facilities.	
Justification of Change Request:	
Not applicable.	
Activities	
Perform HRAs for permit applications involving new or modified sources (estimated 300 HRAs per year).	
Prepare facility-wide HRAs for facilities subject to Rule 11-18 (about 185 HRAs over 4 years). Conduct HRAs for alternative scenarios and proposed revisions to support implementation and verification of risk reduction measures.	
Support implementation of amendments to Rule 2-1 and 2-5. Update health effects values and add new TACs to databases. Develop updated procedures for gas dispensing facility (GDF) HRAs.	
Maintain and improve air toxics emissions inventory. Support implementation of new CARB toxics emissions reporting requirements. Support District and TARMAC efforts to improve toxic emission factors for various source categories.	
Complete annual air toxics prioritization for Hot Spots Program and conduct or review new HRAs required for high-priority sites that are exempt from Rule 11-18. Coordinate public notification and risk reduction audits.	
Review HRAs and Prevention of Significant Deterioration (PSD) modeling analyses for major permit applications.	
Support rule development efforts for reducing PM2.5 once health effect values for PM2.5 become available from Office of Environmental Health Hazard Assessment (OEHHA).	
Review and approve Rule 11-18 risk reduction plans and TBARCT determinations and support emission reduction permitting activities.	
Major Objectives	Delivery Date
Conduct HRAs and other modeling analyses for NSR projects that trigger Rule 2-5 or PSD.	Ongoing
Conduct preliminary, draft, and final HRAs for Phase 1 Rule 11-18 facilities.	Ongoing
Create and implement updated HRA procedures for GDFs based on approved Rule 2-5 amendments.	July 2023
Continue updating Toxic Emission Factor Guidelines including 1-hour guidance.	December 2023
Support AIM's preparation of annual stationary source toxic inventories and HRA results for CARB and EPA.	October 2023
Publish periodic Air Toxic Emissions and Air Toxics Control Program reports.	Ongoing
Develop procedures for review and approval of Rule 11-18 risk reduction plans.	August 2023

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		7.04	7.86	8.91	1.05	13.4%
Personnel Expenditures						
Permanent Salaries	51100	1,001,405	1,186,479	1,384,441	197,962	16.7%
Overtime Salaries	51150	1,032	8,000	8,000		
Temporary Salaries	51200	273				
Payroll Taxes	51300	14,902	16,815	19,635	2,820	16.8%
Pension Benefits	51400	225,755	277,930	288,898	10,968	3.9%
FICA Replacement Benefits	51500	10,529	15,351	18,180	2,829	18.4%
Group Insurance Benefits	51600	130,905	160,961	187,865	26,904	16.7%
Employee Transportation Subsidy	51700	8,308	11,669	12,774	1,105	9.5%
Workers' Compensation	51800	3,171	4,060	4,406	346	8.5%
Discretionary Contribution (Pension/OPEB)	51850	78,542	70,609	97,111	26,502	37.5%
Board Stipends	51900					
Total Personnel Expenditures		1,474,822	1,751,874	2,021,310	269,436	15.4%
Services & Supplies Expenditures						
Travel In-State	52200	75	1,300	1,300		
Travel Out-of-State	52220		750	750		
Training & Education	52300		4,600	4,600		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		39,940	39,940		
Printing & Reproduction	52900	2,849	7,000	7,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	14,723	1,000	1,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		4,000	4,000		
Stationery & Office Supplies	53900		300	300		
Books & Journals	54100					
Minor Office Equipment	54200		400	400		
Total Services & Supplies Expenditures		17,647	59,290	59,290		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,492,469	1,811,164	2,080,600	269,436	14.9%

Managing Division:	
Engineering Division	
Contact Person:	
Fred Tanaka	
Program Purpose:	
Develop and maintain permit systems & provide administrative services	
Description of Program:	
The Permit Operations program involves the collection, updating and maintenance of data from permitted sources of air pollution, and the development and maintenance of systems to manage these data. Data include source/device locations, operational data, emission factors, emissions inventory, emissions banking and "no net increase" tracking. Additional program activities include maintaining procedures, coordination & tracking of permit-related activities, general administrative activities and customer support.	
Justification of Change Request:	
Not applicable	
Activities	
Process and maintain data from permitted facilities.	
Update and correct data from permitted facilities.	
Maintain and update database systems.	
Maintain program forms.	
Manage and improve data quality.	
Provide administrative support.	
Maintain permit tracking and management programs.	
Maintain emissions bank and small facility bank.	
Maintain division pages on website.	
Manage division records including metadata and documents.	
Provide customer support.	
Major Objectives	Delivery Date
Produce annual stationary source emissions inventory to California Air Resources Board (CARB) and EPA	October 2023

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		4.01	4.61	8.13	3.52	76.4%
Personnel Expenditures						
Permanent Salaries	51100	598,265	610,417	975,153	364,736	59.8%
Overtime Salaries	51150	193	5,000	5,000		
Temporary Salaries	51200	568				
Payroll Taxes	51300	8,896	8,616	13,729	5,113	59.3%
Pension Benefits	51400	133,654	142,723	204,129	61,406	43.0%
FICA Replacement Benefits	51500	6,320	9,014	16,592	7,578	84.1%
Group Insurance Benefits	51600	78,340	99,638	163,479	63,841	64.1%
Employee Transportation Subsidy	51700	5,044	6,851	11,658	4,807	70.2%
Workers' Compensation	51800	1,895	2,384	4,022	1,638	68.7%
Discretionary Contribution (Pension/OPEB)	51850	46,569	41,456	84,268	42,812	103.3%
Board Stipends	51900					
Total Personnel Expenditures		879,744	926,099	1,478,030	551,931	59.6%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1,872	75,166	75,166		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,764	12,255	12,255		
General Insurance	53400					
Shop & Field Supplies	53500	1,795	4,151	4,151		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		1,021	1,021		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		5,431	92,593	92,593		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		885,175	1,018,692	1,570,623	551,931	54.2%

Managing Division:	
Engineering Division	
Contact Person:	
Sanjeev Kamboj	
Program Purpose:	
Implementation of Federal Operating Permit Program for Major Facilities.	
Description of Program:	
The Title V program involves activities related to Title V of the Federal Clean Air Act (CAA), which requires the Air District to issue federally enforceable permits to major and other designated facilities. The program is intended to enhance compliance with the CAA via permits that explicitly include all Federal, State, and Air District requirements applicable to sources of air pollution at subject facilities.	
Justification of Change Request:	
Not applicable.	
Activities	
Evaluate and process Title V applications (initial, renewal, revision, administrative amendment and reopening).	
Conduct Title V outreach activities and public hearings, as needed.	
Provide Title V training to the Air District staff.	
Track EPA rulemaking related to Title V, Section 112, compliance monitoring and acid rain.	
Major Objectives	Delivery Date
Implement streamlining measures and ensure timely issuance of the Title V applications.	Ongoing
Work with EPA on Title V program evaluation (audit)	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.91	2.51	3.22	0.71	28.3%
Personnel Expenditures						
Permanent Salaries	51100	231,350	334,681	446,907	112,226	33.5%
Overtime Salaries	51150	1,158	66,330		(66,330)	(100.0)%
Temporary Salaries	51200		8,006	8,006		
Payroll Taxes	51300	3,392	4,738	6,329	1,591	33.6%
Pension Benefits	51400	57,376	78,142	93,834	15,692	20.1%
FICA Replacement Benefits	51500	2,407	4,905	6,572	1,667	34.0%
Group Insurance Benefits	51600	29,929	42,269	56,818	14,549	34.4%
Employee Transportation Subsidy	51700	1,901	3,729	4,618	889	23.8%
Workers' Compensation	51800	733	1,297	1,593	296	22.8%
Discretionary Contribution (Pension/OPEB)	51850	21,093	22,562	34,294	11,732	52.0%
Board Stipends	51900					
Total Personnel Expenditures		349,339	566,659	658,971	92,312	16.3%
Services & Supplies Expenditures						
Travel In-State	52200	32	378	378		
Travel Out-of-State	52220					
Training & Education	52300		907	907		
Repair & Maintenance (Equipment)	52400					
Communications	52500		530	530		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1,928	28,873	28,873		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300		402,723	402,723		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		919	919		
Stationery & Office Supplies	53900					
Books & Journals	54100		613	613		
Minor Office Equipment	54200		185	185		
Total Services & Supplies Expenditures		1,960	435,128	435,128		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		351,299	1,001,787	1,094,099	92,312	9.2%

Managing Division:	
Engineering Division	
Contact Person:	
Fred Tanaka	
Program Purpose:	
Develop the infrastructure for consistent and efficient permit evaluation and processing, and complete projects intended to develop and improve programs within the Engineering Division.	
Description of Program:	
<p>The Engineering Special Projects program involves activities that are intended to ensure consistent, efficient, and high-quality, permit evaluation and processing. This includes the development of permit rules, policies, procedures, training and tools within the division. The program involves the deployment of the Production System and other tools including an online portal for customer to submit information electronically. Goals of the program include the reduction of time and effort needed to evaluate and issue permit applications, and the improvement of the quality of permit services provided such as training and tools for internal and external customers. In addition, new programs or changes to existing programs are developed and implemented.</p> <p>The program also implements public noticing, public records fulfillment and other projects not specified in other Division programs. Planning and implementation of AB 617 activities for permitted facilities are also handled in this program, including Criteria Air Pollutants and Toxic Air Contaminants Reporting (CTR).</p>	
Justification of Change Request:	
Not Applicable	
Activities	
Develop and maintain District permit rules, policies and procedures.	
Update permitting tools such as Permit Handbook, Best Available Control Technology (BACT) and Toxic Best Available Control Technology (TBACT) Workbook documents.	
Review and improve the point source emissions inventory.	
Manage training program.	
Coordinate Public Noticing activities.	
Process Public Records Requests for division records.	
Develop/update permitting programs including emissions factors, standard permit conditions, permit handbook chapters, BACT workbook and other manuals to streamline permitting and increase consistency.	
Develop and implement AB 617 work including inventory, rule development, reporting, technology clearinghouse development, community risk reduction and re-envisioning of permitting in impacted communities.	
Major Objectives	Delivery Date
Complete and submit Interchangeable Emission Reduction Credit (IERC) report to California Air Resources Board (CARB).	March 2024
Complete and submit Offset Equivalence report for EPA.	March 2024

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		6.15	6.66	8.13	1.47	22.1%
Personnel Expenditures						
Permanent Salaries	51100	845,344	969,272	1,206,674	237,402	24.5%
Overtime Salaries	51150	1,511	5,000	5,000		
Temporary Salaries	51200	27,626				
Payroll Taxes	51300	12,849	13,767	17,184	3,417	24.8%
Pension Benefits	51400	171,861	226,253	251,450	25,197	11.1%
FICA Replacement Benefits	51500	9,114	13,019	16,600	3,581	27.5%
Group Insurance Benefits	51600	113,201	133,959	156,282	22,323	16.7%
Employee Transportation Subsidy	51700	7,346	9,895	11,663	1,768	17.9%
Workers' Compensation	51800	2,677	3,443	4,023	580	16.8%
Discretionary Contribution (Pension/OPEB)	51850	55,692	59,878	87,802	27,924	46.6%
Board Stipends	51900					
Total Personnel Expenditures		1,247,221	1,434,486	1,756,678	322,192	22.5%
Services & Supplies Expenditures						
Travel In-State	52200	4,797	5,000	5,000		
Travel Out-of-State	52220					
Training & Education	52300		65,000	65,000		
Repair & Maintenance (Equipment)	52400	190				
Communications	52500	4,492	5,000	5,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	6,851	52,100	52,100		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	465	50,000	50,000		
General Insurance	53400					
Shop & Field Supplies	53500	5,001	10,000	10,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	9,382	60,000	60,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		31,178	247,100	247,100		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,278,399	1,681,586	2,003,778	322,192	19.2%

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Assessment, Inventory & Model Division

The Assessment, Inventory, and Modeling (AIM) Division prepares comprehensive source emission inventories for the Bay Area and conducts air quality modeling at both regional and community scales. AIM prepares technical assessments that evaluate equity in air pollution exposures and health impacts in support of District programs. AIM coordinates and implements programs to improve and report estimates of emissions of criteria pollutants, toxic air contaminants, and climate forcing pollutants. AIM assesses emissions, concentrations, and exposures of toxic air contaminants, particulate matter, ozone and their precursors, to support targeted strategies that reduce impacts of air pollution both regionally and within communities, especially where Assembly Bill (AB) 617 community action plans are being developed. AIM reviews and provides guidance on environmental health risk assessments within environmental review documents prepared pursuant to California Environmental Quality Act (CEQA).

In FYE 2024, AIM will continue to implement the multi-pollutant Bay Area 2017 Clean Air Plan (2017 Plan), which addresses ozone, particulate matter, toxic air contaminants and greenhouse gases (GHGs). The 2017 Plan includes goals to attain all ambient air quality standards, eliminate disparities in health risk from air pollution, and reduce regional GHG emissions 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. To meet the requirements of AB 617, AIM will work to produce technical assessments to support community air quality action plans, including: identifying and prioritizing impacted communities, coordinating with community co-leads Steering Committees to reduce emissions and exposures, and providing tools and products that inform local strategies.

In FYE 2024, in partnership with other Divisions, AIM will analyze aerometric data, conduct regional modeling, and apply statistical analyses to support the District's grant programs, rule development, permitting, climate protection, and planning activities. AIM will conduct source apportionment analyses and hybrid photochemical and dispersion modeling, characterize emissions and air quality, and assess air quality health impacts to support AB 617. AIM will conduct equity assessments in support of AB 617 and rule develop activities. AIM will continue to work with CARB, U.S. EPA, NOAA, NASA, Northern California air districts, and other stakeholders on the regional modeling, focused mainly on ozone, air toxics and PM. These studies emissions inventory development, modeling, and analysis of air quality and pollutant transport in North Central California. AIM will further improve modeling emissions estimates and continue conducting data analysis and modeling to better understand formation of fine PM, ozone and air toxics, and their health impacts in the Bay Area. AIM will investigate transport of pollutants between the Bay Area and neighboring regions and intercontinental transport of pollutants.

In FYE 2024, AIM will continue work with other Divisions on the technical analysis, outreach, and risk reduction components of the CARE Program. AB 617 will require an expansion of the CARE program's technical work, including: updates to regional-scale air toxics emissions estimates and modeling; an expanded program focused on local-scale emissions inventory development and modeling of air toxics and fine particulate matter; assessment via measurements and analyses in impacted communities of fine particulate matter and air toxic emissions and modeling; identifying impacted communities; and working with State agencies, cities, counties, local stakeholders and others to develop and implement community action plans. AIM supports the work of other Divisions in reviewing health risk assessments within CEQA documents to provide comments where assessments are inconsistent with Air District guidance.

Many District programs are supported by updating and reporting inventories of air pollutant emissions. In FYE 2024, AIM will work with other Divisions to review emissions inventory products and develop a quality assurance plan for them. Updated emissions methods and databases are needed for assessing impacts of pollution sources and to meet reporting and rule development requirements of the District. New requirements from CARB, posed by AB 617 and the Criteria and Toxic Report Rule, require annual emissions reports for toxics and criteria pollutants for major emitters and improved consistency in methods for estimating emissions across California's air districts. In FYE 2024, AIM will conduct modeling studies to evaluate the impacts of sources of fine particulate matter on air quality and health.

Managing Division:	
Assessment, Inventory & Model Division	
Contact Person:	
Song Bai	
Program Purpose:	
Compile source inventories for criteria air pollutants (CAPs), toxic air contaminants (TACs) and greenhouse gases (GHGs) for planning, rule development, modeling and exposure assessments, and public information; assess emissions estimates to support programs to reduce health risks from air pollution and to reduce levels of climate-forcing pollutants.	
Description of Program:	
Staff assigned to this program compiles inventories of air pollution emissions (CAPs, TACs, and GHGs) from industrial sources, motor vehicles, commercial and agricultural activities, consumer products, and natural sources, which are used for air quality planning, rules development, and air quality progress tracking. To meet State requirements, the Source Inventories Program reports permitted source emissions to the California Air Resources Board (CARB) annually; CARB's newly adopted Criteria and Toxics Reporting (CTR) Regulation requires additional staff time and resources to report emissions from permitted facilities using methods standardized across California air districts. Staff also prepares and maintains GHG emission inventories and forecasts for the region, with near-term focus on particulate matter (PM), volatile organic compounds (VOC), and methane emissions from permitted facilities.	
Justification of Change Request:	
Emissions inventories are fundamental for air quality source apportionment analysis, as well as planning, rule development, modeling and exposure assessments, and public information sharing. Staff resources are needed to develop, maintain, and update emissions inventory to be used for the Air District's annual report, regional modeling inputs, and required data reporting to CARB.	
Activities	
Develop and update emissions inventories and improve the District's ability to assess emissions estimates.	
Evaluate and refine emissions estimates to support Air District programs, rules development, and local air quality Action Plans, with emphasis on fine particulate matter, TAC, and methane and incorporation of new measurement and analysis techniques.	
Prepare and improve emissions estimates to report to CARB; coordinate with Engineering Division to ensure consistent reporting under state requirements and the new CTR regulation.	
Provide inventory information and emissions estimates under public record request.	
Major Objectives	Delivery Date
Improve emissions methods and consolidate inventory estimates for criteria air pollutants and GHG emissions.	June 2024
Prepare and transmit source emissions estimates to meet State annual reporting requirements.	June 2024

Source Inventories

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		6.76	6.82	6.20	(0.62)	(9.1)%
Personnel Expenditures						
Permanent Salaries	51100	1,006,904	1,051,250	992,216	(59,034)	(5.6)%
Overtime Salaries	51150		5,000	5,000		
Temporary Salaries	51200					
Payroll Taxes	51300	14,953	14,905	14,124	(781)	(5.2)%
Pension Benefits	51400	214,318	240,664	201,591	(39,073)	(16.2)%
FICA Replacement Benefits	51500	10,587	13,338	12,652	(686)	(5.1)%
Group Insurance Benefits	51600	131,383	163,643	154,904	(8,739)	(5.3)%
Employee Transportation Subsidy	51700	9,388	10,138	8,890	(1,248)	(12.3)%
Workers' Compensation	51800	3,189	3,527	3,067	(460)	(13.0)%
Discretionary Contribution (Pension/OPEB)	51850	72,322	61,343	68,021	6,678	10.9%
Board Stipends	51900					
Total Personnel Expenditures		1,463,044	1,563,808	1,460,465	(103,343)	(6.6)%
Services & Supplies Expenditures						
Travel In-State	52200	27	2,400	2,400		
Travel Out-of-State	52220		2,600	2,800	200	7.7%
Training & Education	52300	276	23,000	23,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	140,667	121,000	121,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	8,145	22,000	22,000		
Stationery & Office Supplies	53900	17	200	200		
Books & Journals	54100		600	600		
Minor Office Equipment	54200		1,000	1,000		
Total Services & Supplies Expenditures		149,132	172,800	173,000	200	0.1%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,612,176	1,736,608	1,633,465	(103,143)	(5.9)%

Managing Division:	
Assessment, Inventory & Model Division	
Contact Person:	
Saffet Tanrikulu	
Program Purpose:	
Provide technical support to the District's initiatives and collaborative activities through modeling and air quality analyses.	
Description of Program:	
This program provides technical support to various District activities, including: Assembly Bill 617 related programs, the Air Quality Planning Program, Strategic Incentives Division programs, the Climate Protection Program, the Spare the Air Program, the ambient data Quality Assurance (QA)/Quality Control (QC) Program, the Central California Air Quality Studies (CCAQS), and the California Baseline Ozone Transport Study (CABOTS). It also manages the District's modeling- and data analysis-related contracts; participates in the District's rule development, permit modeling, air monitoring and emissions inventory/exposure assessment activities; and responds to requests from District staff and the public for ambient data. It also collaborates with federal and state agencies to assess pollutant exposure, health impacts and international pollutant transport.	
Justification of Change Request:	
Not Applicable	
Activities	
Support Assembly Bill 617: perform PM and air toxics modeling; assess air quality and health impacts.	
Perform air quality modeling and data analysis to support the District's rulemaking activities.	
Support District's Air Quality Planning Program: conduct data analysis and modeling.	
Support permitting activities: Prepare meteorological inputs for AERMOD to support permit modeling.	
Support the Strategic Incentives Division: create and update pollutant concentration maps.	
Perform quality assurance and quality control on District's meteorological data.	
Manage the District's data analysis and modeling-related contracts.	
Participate in CARB's Central California Air Quality Study programs.	
Participate in NASA's effort to estimate wildfire ambient and health impacts.	
Major Objectives	Delivery Date
Perform air quality dispersion modeling for selected AB 617 communities.	Ongoing
Perform regional and local air quality modeling and analyses to support the District's rule development efforts.	Ongoing
Perform regional PM and air toxics modeling and analyses to assess pollutant formation in the Bay Area.	Ongoing
Perform source apportionment analyses to quantify the contribution of various emission sources.	Ongoing
Update emissions modeling data, e.g., conduct modeling with improved condensable PM emissions estimates.	Ongoing
Update health impact analyses of ozone and PM; update health risk analyses for air toxics and other pollutants.	Ongoing
Update assessment of regional and local pollutant transport and impacts of primary vs secondary PM.	Ongoing
Assess contribution of locally generated vs transported as well as primary vs secondary PM exposure.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.96	3.71	2.60	(1.11)	(29.9)%
Personnel Expenditures						
Permanent Salaries	51100	582,543	577,183	387,436	(189,747)	(32.9)%
Overtime Salaries	51150					
Temporary Salaries	51200	2,862				
Payroll Taxes	51300	8,763	8,212	5,537	(2,675)	(32.6)%
Pension Benefits	51400	129,255	133,122	80,911	(52,211)	(39.2)%
FICA Replacement Benefits	51500	6,203	7,251	5,306	(1,945)	(26.8)%
Group Insurance Benefits	51600	76,970	76,317	47,412	(28,905)	(37.9)%
Employee Transportation Subsidy	51700	4,930	5,511	3,728	(1,783)	(32.4)%
Workers' Compensation	51800	1,844	1,918	1,286	(632)	(33.0)%
Discretionary Contribution (Pension/OPEB)	51850	44,482	33,348	28,091	(5,257)	(15.8)%
Board Stipends	51900					
Total Personnel Expenditures		857,852	842,862	559,707	(283,155)	(33.6)%
Services & Supplies Expenditures						
Travel In-State	52200		1,400	1,400		
Travel Out-of-State	52220		3,900	3,900		
Training & Education	52300		6,500	6,500		
Repair & Maintenance (Equipment)	52400		8,000	8,000		
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	457,942	320,000	320,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	56	500	500		
Books & Journals	54100					
Minor Office Equipment	54200					
Non-Capital Assets	54600	1,341				
Total Services & Supplies Expenditures		459,339	340,300	340,300		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115	7,034				
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures		7,034				
Transfer In/Out						
Total Expenditures		1,324,225	1,183,162	900,007	(283,155)	(23.9)%

Managing Division:	
Assessment, Inventory & Model Division	
Contact Person:	
Saffet Tanrikulu	
Program Purpose:	
Perform air quality modeling and data analyses to evaluate emission control strategies to attain and maintain air quality standards.	
Description of Program:	
This program maintains and applies state-of-the-science meteorological, emissions inventory and air quality models to investigate the formation of ozone, fine and ultrafine particulate matter (PM2.5 and PM0.1), and toxic air contaminants in the Bay Area; assesses the attainment status of the Bay Area with respect to Federal and State standards; supports Federal and State air quality plan development activities; quantifies the transport of ozone, PM and toxic air contaminants and their precursors within the Bay Area as well as between the Bay Area and neighboring districts; and quantifies the health impacts of ozone, PM, and toxic air contaminants. This program also includes analyses of ambient data, preparation of model inputs, monetary valuation of air pollution impacts in the Bay Area, maintenance of the District's cluster computer system, development of graphics and statistical programs to evaluate model inputs and outputs, and collaboration with modeling and air quality planning staff of CARB, U.S. EPA, NOAA, NASA, neighboring districts, industry, academia and other stakeholders.	
Justification of Change Request:	
Not applicable.	
Activities	
Analyze the Bay Area's status relative to national and state ambient air quality standards.	
Conduct ambient data analyses for ozone, PM2.5, PM0.1 and toxic air contaminants.	
Evaluate and improve model performance for multi-pollutant applications.	
Maintain and apply air pollution health impacts and monetary valuation models.	
Maintain and apply emissions inventory models to prepare inputs to air quality models.	
Conduct source apportionment studies and trend analyses.	
Prepare ambient data for model inputs and evaluation of model outputs.	
Maintain the District's cluster computer system on which models are run.	
Develop in-house staff expertise related to modeling and air quality analysis.	
Major Objectives	Delivery Date
Evaluate and improve regional air quality model performance.	Ongoing
Maintain and evaluate air quality dispersion models.	Ongoing
Evaluate and improve WRF meteorological model performance.	Ongoing
Evaluate and update BenMAP for assessing health impacts of pollutants.	Ongoing
Maintain the meteorological and air quality database for modeling.	Ongoing
Update analysis of regional air quality model sensitivity to emission reductions for ozone, PM and toxics.	Ongoing
Update and improve emissions estimates for modeling.	Ongoing
Maintain modeling computers, update modeling software and computer libraries.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.28	3.50	2.10	(1.40)	(40.0)%
Personnel Expenditures						
Permanent Salaries	51100	487,179	543,478	328,260	(215,218)	(39.6)%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	7,209	7,695	4,653	(3,042)	(39.5)%
Pension Benefits	51400	109,288	125,667	68,227	(57,440)	(45.7)%
FICA Replacement Benefits	51500	5,110	6,840	4,285	(2,555)	(37.4)%
Group Insurance Benefits	51600	63,502	79,827	48,345	(31,482)	(39.4)%
Employee Transportation Subsidy	51700	4,040	5,199	3,011	(2,188)	(42.1)%
Workers' Compensation	51800	1,543	1,809	1,039	(770)	(42.6)%
Discretionary Contribution (Pension/OPEB)	51850	38,083	31,461	22,921	(8,540)	(27.1)%
Board Stipends	51900					
Total Personnel Expenditures		715,954	801,976	480,741	(321,235)	(40.1)%
Services & Supplies Expenditures						
Travel In-State	52200		1,600	1,600		
Travel Out-of-State	52220		2,100	2,100		
Training & Education	52300	300	2,000	2,000		
Repair & Maintenance (Equipment)	52400	5,918	12,000	12,000		
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		4,000	4,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	4,457	10,000	10,000		
General Insurance	53400					
Shop & Field Supplies	53500	585				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		8,000	8,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		11,260	39,700	39,700		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		727,214	841,676	520,441	(321,235)	(38.2)%

Managing Division:	
Assessment, Inventory & Model Division	
Contact Person:	
Song Bai	
Program Purpose:	
Evaluate community health risks from ambient fine particulate matter (PM), toxic air contaminants (TACs), and other pollutants. Develop mitigation strategies and measures for local sources and locations with higher exposures and risk levels and vulnerable populations.	
Description of Program:	
The District's CARE program coordinates emissions estimation, air modeling and monitoring, analysis of health records and socio-economic datasets, and exposure and health assessments to identify areas with vulnerable populations and relatively high air pollution. Information derived from these activities is used for risk reduction activities, such as rulemaking, grant and incentive programs, local air quality plans, collaboration with public health professionals, advocacy of State and local regulatory programs, and community engagement processes.	
Justification of Change Request:	
Community-scale air quality regulation and control continue to impose major new requirements, which demand additional products and resources from the CARE Program on a specified timeline to assess community-scale air quality, engage with communities, and provide technical support to local action plans.	
Activities	
Develop and improve modeling methods to identify emission sources affecting impacted communities and improve data analysis.	
Develop mitigation strategies for development near busy roadways and other air pollution sources.	
Improve collection and management of demographic, business, and activity data; enhance data visualization/analysis for community partnerships and local planning guidance.	
Participate in outreach and assist in evaluating community risks and hazards, through measurement and modeling programs.	
Major Objectives	Delivery Date
Develop and document improved methodology/tools for community-scale air quality modeling and assessment.	June 2024
Work collaboratively across Air District Divisions to build Technical Assessments Teams and perform community-level technical assessment work.	June 2024

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.90	3.92	1.70	(2.22)	(56.6)%
Personnel Expenditures						
Permanent Salaries	51100	671,823	701,171	317,859	(383,312)	(54.7)%
Overtime Salaries	51150		5,000	5,000		
Temporary Salaries	51200					
Payroll Taxes	51300	9,891	10,084	4,600	(5,484)	(54.4)%
Pension Benefits	51400	135,662	159,217	65,886	(93,331)	(58.6)%
FICA Replacement Benefits	51500	7,034	7,652	3,469	(4,183)	(54.7)%
Group Insurance Benefits	51600	87,366	81,886	39,715	(42,171)	(51.5)%
Employee Transportation Subsidy	51700	5,564	5,816	2,438	(3,378)	(58.1)%
Workers' Compensation	51800	2,127	2,024	841	(1,183)	(58.4)%
Discretionary Contribution (Pension/OPEB)	51850	44,542	35,196	19,344	(15,852)	(45.0)%
Board Stipends	51900					
Total Personnel Expenditures		964,009	1,008,046	459,152	(548,894)	(54.5)%
Services & Supplies Expenditures						
Travel In-State	52200		2,300	2,400	100	4.3%
Travel Out-of-State	52220		2,600	2,800	200	7.7%
Training & Education	52300		8,500	8,500		
Repair & Maintenance (Equipment)	52400		5,000	5,000		
Communications	52500	1,850	3,000	3,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	32,400	250,500	250,500		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,533	19,000	19,000		
Stationery & Office Supplies	53900		200	200		
Books & Journals	54100		500	500		
Minor Office Equipment	54200		100	100		
Total Services & Supplies Expenditures		36,783	293,700	294,000	300	0.1%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,000,792	1,301,746	753,152	(548,594)	(42.1)%

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Planning & Climate Protection Division

The Planning and Climate Protection Division develops and implements local community emissions reduction plans per AB 617, prepares plans to meet State and Federal air quality standards, and coordinates and implements climate protection activities. Staff partner with other Divisions to analyze ambient conditions and local and regional toxic air contaminants, particulate matter, ozone and their precursors, and greenhouse gas emissions to develop and implement programs to reduce impacts on people and the planet. Division staff works with cities, counties, and other agencies to encourage transportation and land use plan and policy decisions and infrastructure investments that improve air quality and protect the climate, including guidance and activities related to the California Environmental Quality Act (CEQA).

In FYE 2024, staff will continue to implement the Bay Area 2017 Clean Air Plan (2017 Plan), which addresses ozone, particulate matter, toxic air contaminants and greenhouse gases (GHGs). To meet the requirements of AB 617, staff will work closely with community partners and steering committees in West Oakland, Richmond-North Richmond-San Pablo, East Oakland and Bayview Hunter's Point to identify and prioritize pollution and exposure reduction strategies, implement measures to reduce emissions and exposure, and provide land use guidance. Staff will continue supporting local lead agencies, regional agencies, and others in applying the CEQA Thresholds and Guidelines to ensure plans and projects are protective of local health and reduce climate impacts. Staff will provide technical assistance to cities and counties on improving local plans to address air quality, climate protection, health and environmental justice through general plan updates (per SB 1000), climate action plans and other plan and policy actions. Staff will actively track the development of new national ambient air quality standards (NAAQS) for particulate matter and will coordinate District-wide activities to respond to a new NAAQS, including attainment designations and State Implementation Plan (SIP) development, as needed. Staff will track and serve as an internal resource on California Air Resources Board (CARB) mobile source plans and rulemaking, and transportation policies and programs developed by other State agencies. Staff will provide technical and policy support to other Air District staff regarding emissions reduction strategies at Bay Area seaports, work with Federal, State, regional and local agencies to reduce emissions associated with ports and goods movement and implement other mobile source programs, including the Protecting Blue Whales and Blue Skies program and related sustainable shipping efforts.

In FYE 2024, staff will implement GHG emission reduction measures identified in the 2017 Plan, including: implement the Bay Area Healthy Home Initiative in Contra Costa and Alameda counties and explore opportunities for expansion to additional counties; continue to lead and expand a regional Building Decarbonization Program; coordinate the Implementation Working Group in support of implementing the Indoor Appliance Rules; focus the Diesel Free initiative on AB617 communities and their Community Emission Reduction Plans (CERPs); promote and support the use of the updated CEQA Climate Impact Thresholds; support the development of rules and rule amendments to reduce GHGs, including improving the GHG emissions inventory; work with CARB to implement the 2022 Scoping Plan, including participating in CARB-led working groups; assist local governments with the development and implementation of local GHG reduction strategies, including integrating equity into community-wide strategies; develop model ordinances and best practices to accelerate local policy adoption for reducing GHGs; provide technical and policy expertise on transportation, goods movement, and other mobile source strategies in support of Air District programs such as AB 617, CEQA, Air Quality Plans, SB1000; collaborate with regional agency partners to implement Plan Bay Area 2050; work with partner agencies to implement regional GHG reduction strategies through the Bay Area Regional Collaborative.

Managing Division:	
Planning & Climate Protection Division	
Contact Person:	
Wendy Goodfriend	
Program Purpose:	
Prepare and track regional plans to attain and maintain State and National ambient air quality standards in coordination with the development of community emission reduction plans per AB 617.	
Description of Program:	
This program focuses on preparing regional air quality plans to attain or maintain State and National air quality standards. This work includes preparation and submission of State Triennial Updates (i.e., Clean Air Plan) and State Implementation Plan (SIP) related documents. Preparing regional and local air quality plan requires collaboration across the Air District, and trusted partnerships with local, regional and State agencies, community groups and community members. As part of this program, District staff prepare and obtain certification of CEQA documents as necessary; track the effectiveness of air quality plans; track, comment and ensure compliance with State and National air quality planning requirements; and report to CARB and EPA on status and progress. This program aligns with implementing Assembly Bill 617 through the Air District's Community Health Protection Program by working with the most overburdened communities and impacted neighborhoods across the region, including community co-leads, Community Steering Committees, community members, and local governments to develop community emission reduction plans that address local emissions and exposures to improve community health.	
Justification of Change Request:	
Not Applicable	
Activities	
Track development of new or amended State or Federal ambient air quality standards and prepare documents or analyses to meet new or amended standards.	
Lead updates of the regional Clean Air Plan in collaboration with all Divisions, track progress, adjust implementation as necessary.	
Support the development of Community Emission Reduction Plans (CERPs) in AB 617 communities in partnership with community co-leads, community steering committee, community members and state, local and regional agencies.	
Create and disseminate accessible and relevant information on air quality planning, CEQA Thresholds and Guidelines, and planning to achieve State and Federal ambient air quality standards.	
Support local government planning and policy development efforts to improve air quality in overburdened communities, including SB1000 support.	
Major Objectives	Delivery Date
Coordinate internal and external efforts to prepare documents or analyses to meet new or amended State or Federal ambient air quality standards and.	Ongoing
Support the development of a CERP for the Path to Clean Air Richmond-North Richmond-San Pablo AB617 community.	October 2023
Support the development of a CERP for the East Oakland AB617 community.	Ongoing
Support the development of a CERP for the Bayview Hunter's Point AB617 community.	Ongoing
Develop an easy to use virtual repository of air quality planning, CEQA, local land use policy tools, and information to support local and community action.	Ongoing
Work with cities and counties to implement SB 1000, incorporate EJ and health equity into plans and programs.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		7.80	9.30	4.88	(4.42)	(47.5)%
Personnel Expenditures						
Permanent Salaries	51100	1,148,025	1,349,150	748,496	(600,654)	(44.5)%
Overtime Salaries	51150	907				
Temporary Salaries	51200	8,096				
Payroll Taxes	51300	16,829	19,173	10,670	(8,503)	(44.3)%
Pension Benefits	51400	253,351	312,469	159,619	(152,850)	(48.9)%
FICA Replacement Benefits	51500	11,936	18,166	9,959	(8,207)	(45.2)%
Group Insurance Benefits	51600	148,179	163,998	96,474	(67,524)	(41.2)%
Employee Transportation Subsidy	51700	9,472	13,808	6,997	(6,811)	(49.3)%
Workers' Compensation	51800	3,636	4,804	2,414	(2,390)	(49.8)%
Discretionary Contribution (Pension/OPEB)	51850	88,076	83,553	53,048	(30,505)	(36.5)%
Board Stipends	51900					
Total Personnel Expenditures		1,688,507	1,965,121	1,087,677	(877,444)	(44.7)%
Services & Supplies Expenditures						
Travel In-State	52200	206	2,100	2,100		
Travel Out-of-State	52220		2,000	2,000		
Training & Education	52300	1,695	3,000	3,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	6,526				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	472	11,000	11,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	81,661	200,000	200,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		500	500		
Books & Journals	54100	50				
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		90,610	218,600	218,600		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,779,117	2,183,721	1,306,277	(877,444)	(40.2)%

Managing Division:	
Planning & Climate Protection Division	
Contact Person:	
Wendy Goodfriend	
Program Purpose:	
Implement regional and local air quality, land use, mobile source and transportation plans, policies and measures.	
Description of Program:	
This program focuses on working with state, regional and local agencies and community partners to facilitate implementation of land use and transportation measures to attain and maintain ambient air quality standards and reduce emissions and exposure to fine particulate matter and toxic air contaminants in overburdened communities. On an ongoing basis, potential air quality and greenhouse gas impacts of land use and transportation plans and projects disclosed through CEQA are reviewed and comments provided to lead agencies. The program works closely with community partners, state, regional and local agencies, and the private sector to reduce emissions and exposure through implementation of clean air plans and projects, including AB617 Community Emissions Reductions Plans, projects to address ports and goods movement operations, relevant CARB rulemaking, guidelines, plans and programs.	
Justification of Change Request:	
Not Applicable	
Activities	
Support the implementation of adopted AB617 Community Emissions Reductions Plans (CERPs) in partnership with community co-leads, community steering committee, community members and state, local and regional agencies.	
Update CEQA Thresholds of Significance and maintain easy to use Guidelines with current best practice methods and mitigation measures.	
Track and review priority CEQA projects, provide comments to lead agencies, support lead agencies with tools, data and methods.	
Implement transportation, building and energy measures in the 2017 Clean Air Plan in collaboration with MTC, ABAG, BARC and other regional and local entities.	
Work with EPA, CARB, and Federal, State, regional and local agencies to reduce impacts from mobile sources, e.g., ports, goods movement, railroads, shipping.	
Collaborate with MTC to implement Plan Bay Area 2050 to encourage TDM, TOD and smart growth strategies that have air quality improvement co-benefits.	
Participate in Transportation Conformity and provide consultation to Federal agencies regarding general conformity review of non-transportation projects.	
Major Objectives	Delivery Date
Update the Air District's CEQA Thresholds of Significance and Guidelines, disseminate and support lead agencies in their use.	June 2024
Continue to provide technical support and assistance to lead agencies and local governments on air quality and greenhouse gas analysis and mitigation.	Ongoing
Support the implementation of the West Oakland CERP, Owning our Air: The West Oakland Community Action Plan.	Ongoing
Support the implementation of the Path to Clean Air Richmond-North Richmond-San Pablo CERP once adopted.	Ongoing
Continue to track and prioritize CEQA projects for review and provide outcome oriented comments to lead agencies.	Ongoing

Implement Plans, Policies and Measures

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		4.91	5.36	3.98	(1.38)	(25.7)%
Personnel Expenditures						
Permanent Salaries	51100	705,443	795,518	624,718	(170,800)	(21.5)%
Overtime Salaries	51150	3,183	4,000	4,000		
Temporary Salaries	51200	4,712				
Payroll Taxes	51300	10,571	11,271	8,921	(2,350)	(20.8)%
Pension Benefits	51400	183,750	183,761	133,079	(50,682)	(27.6)%
FICA Replacement Benefits	51500	7,520	10,484	8,122	(2,362)	(22.5)%
Group Insurance Benefits	51600	93,338	103,575	84,054	(19,521)	(18.8)%
Employee Transportation Subsidy	51700	5,965	7,969	5,707	(2,262)	(28.4)%
Workers' Compensation	51800	2,234	2,773	1,969	(804)	(29.0)%
Discretionary Contribution (Pension/OPEB)	51850	68,635	48,221	43,480	(4,741)	(9.8)%
Board Stipends	51900					
Total Personnel Expenditures		1,085,351	1,167,572	914,050	(253,522)	(21.7)%
Services & Supplies Expenditures						
Travel In-State	52200		2,100	2,100		
Travel Out-of-State	52220		1,700	1,700		
Training & Education	52300	7,925	5,000	5,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	243				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		600	600		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	111,888	185,000	185,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	443	1,000	1,000		
Stationery & Office Supplies	53900		500	500		
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		120,499	195,900	195,900		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,205,850	1,363,472	1,109,950	(253,522)	(18.6)%

Managing Division:	
Planning & Climate Protection Division	
Contact Person:	
Abby Young	
Program Purpose:	
Set the strategic direction for and coordinate agency-wide efforts to accelerate the reduction of climate pollutants and integrate climate protection into Air District programs to reduce criteria and toxic air pollutants.	
Description of Program:	
Air District climate protection activities for FYE 2024 coordinated by the Climate Protection Section will include: supporting the development of proposed rules to reduce GHGs, including coordinating a Working Group to support the implementation of indoor appliance rules; implementing and continuing to expand the Bay Area Healthy Homes Initiative supporting the use of the CEQA Climate Impact Thresholds of Significance; continuing to lead and expand a regional campaign to decarbonize new and existing buildings, including supporting local initiatives, building upon Climate Protection Grant projects; supporting local implementation of GHG reductions by developing model policies, best practices and toolkits through efforts such as the Building Decarbonization program and the Diesel Free By '33 initiative; defining and integrating equity into climate programs and projects; implementing priority actions to reduce F-gas emissions; supporting the CA Air Resources Board and other State agencies on the implementation of the 2022 Scoping Plan; collaborating with MTC to implement Plan Bay Area; continued collaboration with local, regional, state, and national agencies on climate protection efforts; and continued integration of climate protection strategies in existing Air District programs, such as AB 617.	
Justification of Change Request:	
Not Applicable	
Activities	
Coordinate the integration of climate protection strategies into existing Air District programs.	
Collaborate with divisions to support rulemaking, including coordinating an Indoor Appliance Rule Working Group.	
Provide local governments with policy resources to accelerate local building decarbonization efforts.	
Support partner implementation of the Bay Area Healthy Homes Initiative in Contra Costa and Alameda counties.	
Lead the implementation of the Diesel Free By '33 initiative.	
Provide outreach and support for local government implementation of CEQA Climate Impacts Thresholds.	
Support CARB and other State agencies on the implementation of the 2022 Scoping Plan.	
Provide leadership through convening events, providing networking and information-sharing for local governments and stakeholders.	
Participate in Statewide and regional climate protection programs with BARC, MTC, ABAG, and BCDC.	
Major Objectives	Delivery Date
Implement GHG reduction strategies identified in the 2017 Clean Air Plan.	June 2024
Expand the Building Decarbonization Program by focusing regional action on vulnerable communities.	June 2024
Support rulemaking by coordinating an Indoor Appliance Rule Working Group.	June 2024
Promote and support the use of the updated CEQA Climate Impact Thresholds	June 2024
Redesign and strengthen approach to delivering support to local climate planning and implementation efforts.	June 2024
Work with state agencies to strengthen GHG reduction from the Scoping Plan and other key policies.	June 2024
Explore opportunities to reduce diesel particulate pollution in AB617 communities.	June 2024
Support all divisions by tracking and assessing the latest GHG science and studies.	June 2024
Develop methods to evaluate the efficacy of Air District climate programs.	June 2024

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		5.57	6.37	6.69	0.32	5.0%
Personnel Expenditures						
Permanent Salaries	51100	917,621	1,025,049	1,112,208	87,159	8.5%
Overtime Salaries	51150					
Temporary Salaries	51200	10,956				
Payroll Taxes	51300	13,974	14,589	15,890	1,301	8.9%
Pension Benefits	51400	211,132	232,573	221,214	(11,359)	(4.9)%
FICA Replacement Benefits	51500	9,902	12,447	13,652	1,205	9.7%
Group Insurance Benefits	51600	122,905	138,850	136,273	(2,577)	(1.9)%
Employee Transportation Subsidy	51700	7,962	9,461	9,593	132	1.4%
Workers' Compensation	51800	2,906	3,292	3,309	17	0.5%
Discretionary Contribution (Pension/OPEB)	51850	73,509	57,249	74,026	16,777	29.3%
Board Stipends	51900					
Total Personnel Expenditures		1,370,867	1,493,510	1,586,165	92,655	6.2%
Services & Supplies Expenditures						
Travel In-State	52200	614	3,660	3,660		
Travel Out-of-State	52220	1,540	6,750	6,750		
Training & Education	52300	7,855	6,900	6,900		
Repair & Maintenance (Equipment)	52400					
Communications	52500	988				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1	1,200	1,200		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	435,062	340,000	446,000	106,000	31.2%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	85				
Stationery & Office Supplies	53900	74	500	500		
Books & Journals	54100		100	100		
Minor Office Equipment	54200		200	200		
Total Services & Supplies Expenditures		446,219	359,310	465,310	106,000	29.5%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,817,086	1,852,820	2,051,475	198,655	10.7%

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Rules Division

The Rules Division is responsible for the development of regulations to implement Air District plans to attain federal and State air quality standards, and to protect public health. In addition to development of rules derived from planning documents, staff assists with the preparation of air quality plans. Other measures are developed under the direction of the Board of Directors to further protect public health and safety and reduce emissions of greenhouse gases. In addition, staff reviews existing regulations and develops revisions to improve clarity, efficiency and effectiveness. For each control measure, staff assesses potential emission reductions, technological feasibility, socioeconomic impacts, cost-effectiveness, and environmental impacts under CEQA. Staff conducts public workshops and other public involvement processes, prepares staff reports, and makes presentations and recommendations to the Board of Directors at public hearings and committee meetings. Staff also manages and coordinates the rule development process for other Divisions.

Managing Division:	
Rules Division	
Contact Person:	
Victor Douglas	
Program Purpose:	
The primary purpose of this program is to develop and propose emissions reductions strategies to reduce air pollutant emissions in the Bay Area.	
Description of Program:	
The Rule Development Program is responsible for evaluating sources for potential emissions control strategies and the development of regulations to attain Federal and State air quality standards, and to protect public health. In addition, staff reviews existing regulations and develops revisions to improve clarity, efficiency and effectiveness.	
Justification of Change Request:	
Not Applicable	
Activities	
Continue to develop amendments to Rule 9-4 and 9-6 Building Appliances to reduce NOx emissions and support the development of a multiple stakeholder working group to support implementation of the amended rules if they are adopted by the Board	
Continue to develop amendments to Rule 8-8: Wastewater Collection and Separation Systems to reduce organic compounds	
Continue to develop amendments to 8-18: Equipment Leaks to reduce organic compounds	
Begin evaluating Rule 11-18: Reduction of Risk from Air Toxic Emissions at Existing Facilities for potential amendments to streamline and expedite regulatory implementation	
Continue supporting AB 617 communities as they develop Community Emission Reduction Plans by providing staff resources to help the Steering Committee develop and prioritize emissions reduction measures	
Develop a white paper on fugitive dust	
Develop a white paper on metal recycling and shredding operations	
Perform new source evaluations (white papers) as resources allow	
Major Objectives	Delivery Date
Finalize amendments to Rule 9-4 and 9-6 Building Appliances to reduce NOx emissions	March 2023
Finalize amendments to Rule 8-8: Wastewater Collection and Separation Systems to reduce organic compounds	December 2023
Finalize amendments to 8-18: Equipment Leaks to reduce organic compounds	December 2023
Complete development of a white paper on fugitive dust	April 2024
Complete development of a white paper on metal recycling and shredding operations	September 2023

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		10.26	10.99	8.78	(2.21)	(20.1)%
Personnel Expenditures						
Permanent Salaries	51100	1,666,244	1,711,544	1,439,257	(272,287)	(15.9)%
Overtime Salaries	51150	9,081	5,000		(5,000)	(100.0)%
Temporary Salaries	51200	16,701				
Payroll Taxes	51300	25,107	24,423	20,656	(3,767)	(15.4)%
Pension Benefits	51400	345,120	394,186	292,132	(102,054)	(25.9)%
FICA Replacement Benefits	51500	17,722	21,485	17,917	(3,568)	(16.6)%
Group Insurance Benefits	51600	219,941	200,275	173,523	(26,752)	(13.4)%
Employee Transportation Subsidy	51700	14,043	16,330	12,589	(3,741)	(22.9)%
Workers' Compensation	51800	5,277	5,682	4,343	(1,339)	(23.6)%
Discretionary Contribution (Pension/OPEB)	51850	114,114	98,817	96,843	(1,974)	(2.0)%
Board Stipends	51900					
Total Personnel Expenditures		2,433,350	2,477,742	2,057,260	(420,482)	(17.0)%
Services & Supplies Expenditures						
Travel In-State	52200		4,000	6,000	2,000	50.0%
Travel Out-of-State	52220			7,000	7,000	
Training & Education	52300	620	8,700	10,000	1,300	14.9%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	7,958	22,000	22,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	245,023	441,000	401,000	(40,000)	(9.1)%
General Insurance	53400					
Shop & Field Supplies	53500		500	500		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		3,000	3,000		
Stationery & Office Supplies	53900		500	500		
Books & Journals	54100		300	500	200	66.7%
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		253,601	480,000	450,500	(29,500)	(6.1)%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		2,686,951	2,957,742	2,507,760	(449,982)	(15.2)%

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Community Engagement Division

The Community Engagement Division supports the agency's mission by collaborating with impacted communities and other partners in the Bay Area to advance public health, equity, and environmental justice. The Division works with community members and other partners to increase community awareness and transparency of air quality issues, build capacity, increase opportunities for impacted communities to participate in Air District decision-making, and support implementation of community-identified solutions. Key program areas to support these efforts are the AB 617 community partnerships program, the Community Advisory Council, the development of the agency Environmental Justice Policy, the James Cary Smith Community Grant Program, and implementation of state and federal civil rights laws.

Managing Division:	
Community Engagement Division	
Contact Person:	
Anna Lee & Diana Ruiz	
Program Purpose:	
The Environmental Justice (EJ) and Community Engagement (CE) program is committed to providing meaningful engagement, reducing disparities in air quality impacts, and improving air quality for all Bay Area communities. Those who staff this program are the Air District’s main point of contact with the public. We connect with community members to increase awareness, develop and maintain lasting partnerships to understand community needs and desired solutions, and work alongside communities to guide planning and develop equitable air quality policy.	
Description of Program:	
The program involves coordination among agency departments and across communities to ensure we meet our shared mission to create a healthy breathing environment for every Bay Area resident. Staff in this program seek and create opportunities for those that have been historically excluded, discriminated against, under-represented, or under-resourced to participate in and shape Air District decisions. The Office co-leads efforts with impacted communities to work towards policy solutions that bolster community power, promote public health and equity, and improve regional conditions. The Division coordinates and facilitates community engagement in programs; supports the Community Advisory Council; leads the development and implementation of agency-wide Environmental Justice policy; plays a key role in convening Community-Agency partnerships; develops and deploys community engagement best practices; implements programmatic state and federal civil rights requirements; and, administers various equity-focused grant programs that support community-led initiatives to improve air quality in impacted communities.	
Justification of Change Request:	
The Board recently expanded the James Cary Smith Community Grant Program. The CE Division is supporting the Community Advisory Council, including its agency-wide Environmental Justice Policy and has been tasked with providing expanded capacity-building support for pollution-burdened communities. In addition, this program now includes primary responsibility for ensuring compliance with state and federal civil rights laws. Expanded engagement and responsibility requires increased language access and increased staff overtime for new staff.	
Activities	
Environmental Justice Policy: Launch an agency-wide environmental justice policy.	
Community Advisory Council: Provide staffing support to Council to increase community leadership in District decisions.	
Community Grant Program: Administer grants to build community capacity and foster community participation.	
Administer Title VI of the Civil Rights Act of 1964 and state law analog.	
Air Filtration: Administer air filtration programs to impacted communities.	
Spare the Air: Provide support to the Spare the Air engagement work.	
Youth Engagement: Develop youth engagement strategies.	
General Engagement: Support community workshops, meetings and events.	
Major Objectives	Delivery Date
Support agency-wide Environmental Justice Policy development.	Ongoing
Support Community Advisory Council.	Ongoing
Support community capacity building through James Cary Smith Community Grant Program.	Ongoing
Support compliance with Title VI of the Civil Rights Act of 1964 and state law analog.	Ongoing
Support ongoing engagement of impacted communities in Air District activities.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		11.16	16.05	12.60	(3.45)	(21.5)%
Personnel Expenditures						
Permanent Salaries	51100	1,523,264	2,200,979	1,873,472	(327,507)	(14.9)%
Overtime Salaries	51150	39,795	22,500	27,000	4,500	20.0%
Temporary Salaries	51200	69,026				
Payroll Taxes	51300	23,326	31,130	26,719	(4,411)	(14.2)%
Pension Benefits	51400	285,387	494,251	362,416	(131,835)	(26.7)%
FICA Replacement Benefits	51500	16,303	31,360	25,713	(5,647)	(18.0)%
Group Insurance Benefits	51600	202,849	287,848	219,123	(68,725)	(23.9)%
Employee Transportation Subsidy	51700	12,884	23,837	18,067	(5,770)	(24.2)%
Workers' Compensation	51800	4,825	8,294	6,232	(2,062)	(24.9)%
Discretionary Contribution (Pension/OPEB)	51850	86,346	144,238	136,072	(8,166)	(5.7)%
Board Stipends	51900					
Total Personnel Expenditures		2,264,005	3,244,437	2,694,814	(549,623)	(16.9)%
Services & Supplies Expenditures						
Travel In-State	52200	525	5,500	5,500		
Travel Out-of-State	52220		4,800	4,800		
Training & Education	52300	6,250	16,700	20,000	3,300	19.8%
Repair & Maintenance (Equipment)	52400					
Communications	52500	13,732	13,000	15,000	2,000	15.4%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	384	3,500	3,500		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	2,950,896	5,441,500	2,958,104	(2,483,396)	(45.6)%
General Insurance	53400					
Shop & Field Supplies	53500	703	2,000	2,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	377	1,500	1,500		
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		2,972,867	5,488,500	3,010,404	(2,478,096)	(45.2)%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		5,236,872	8,732,937	5,705,218	(3,027,719)	(34.7)%

Managing Division:	
Community Engagement Division	
Contact Person:	
Suma Peesapati	
Program Purpose:	
To implement AB 617 by working with selected environmental justice communities in the Bay Area to prepare community-led plans to reduce emissions of toxic air contaminants and criteria pollutants or air monitoring plans. The District also performs local-scale emissions estimation and exposure assessments to support the development of the Community Emissions Reduction Program and Action Plans.	
Description of Program:	
The District partners closely with AB 617 communities to set up Community Steering Committees that co-lead the development of emissions reductions and monitoring plans. Staff works to ensure a community-led, data-informed, equitable, and transparent process. In partnership with West Oakland Environmental Indicators Project, the staff are working to implement the West Oakland Community Action Plan. In Richmond-North Richmond – San Pablo, staff are working with the community to implement the Path to Clean Air Monitoring Plan and develop an Emissions Reduction Plan. In partnership with Communities for a Better Environment, staff are working with Community Steering Committee members to develop the Emissions Reduction Plan in East Oakland. Staff are also working with Bayview Hunters Point Community Advocates and Marie Harrison Community Foundation to begin the Emissions Reduction Plan process in Bayview Hunters Point. Technical staff assigned to this program develop community-scale inventories of air pollution emissions (criteria pollutants and TAC) from various sources, which are used for air quality modeling and exposure assessment of AB 617 communities. Staff also compile and report detailed emissions data for permitted sources to meet the CARB’s newly adopted Criteria and Toxics Reporting (CTR) Regulation under AB 617.	
Justification of Change Request:	
AB 617 expenditures have now shifted into its own new program.	
Activities	
Support Community Steering Committee, Co-Lead partnership contract and consultant needs in West Oakland.	
Support Community Steering Committee, policy consultant needs and plan writing in the Richmond-North Richmond-San Pablo area.	
Support Community Steering Committee, Co-Lead partnership contract and consultant needs in East Oakland.	
Support Community Steering Committee, Co-Lead partnership contracts, and consultant needs in Bayview Hunters Point.	
Develop emissions inventory to support source apportionment and emissions reduction strategies in AB 617 communities.	
Perform local-scale modeling and exposure analyses to support development of action plans in AB 617 communities.	
Major Objectives	Delivery Date
Support Community Steering Committees in designated communities.	Ongoing
Support implementation and outreach of the West Oakland Community Action Plan and Path to Clean Air Monitoring Plan.	Ongoing
Support development of the Richmond-North Richmond-San Pablo and East Oakland Community Emissions Reduction Plan	Ongoing
Launch Bayview Hunters Point Community Emissions Reduction Plan process.	Ongoing
Conduct community-scale assessments in Richmond-North Richmond-San Pablo, East Oakland, Bayview Hunters Point (BVHP), and other communities; collaborate with other District Divisions to develop community prioritization methods.	Ongoing
Develop and document improved methodology/tools for community-scale modeling to support AB 617 Community Emission Reduction Plan (CERP) development.	Ongoing

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)			31.59	31.59	
Personnel Expenditures					
Permanent Salaries	51100		4,735,302	4,735,302	
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300		67,428	67,428	
Pension Benefits	51400		953,897	953,897	
FICA Replacement Benefits	51500		64,466	64,466	
Group Insurance Benefits	51600		622,845	622,845	
Employee Transportation Subsidy	51700		45,296	45,296	
Workers' Compensation	51800		15,625	15,625	
Discretionary Contribution (Pension/OPEB)	51850		341,731	341,731	
Board Stipends	51900				
Total Personnel Expenditures			6,846,590	6,846,590	
Services & Supplies Expenditures					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300		2,404,500	2,404,500	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
Total Services & Supplies Expenditures			2,404,500	2,404,500	
Capital Expenditures					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
Total Capital Expenditures					
Transfer In/Out					
Total Expenditures			9,251,090	9,251,090	

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Information Services Division

The Information Services Division focuses on Information technology operations, engineering, user support and the management of District records.

Under this Division, Engineering and Operations Program staff provide design, implementation, security and maintenance of all computer server infrastructures including but not limited to email, telecommunications, network, file storage, business continuity/disaster recovery, and remote connectivity. The support team in this program provides user support to District staff for all technologies and user support to outside members of the regulated community that utilize on-line District technologies.

Records Management Program Staff (RM) are responsible for storing, maintaining, securing, and providing copies of Air District official documents. These documents are made available for public, regulated community and internal request in accordance with Policy and Procedures.

The RM program procured Hyland OnBase software and is working to implement and deploy the system to meet the needs and requirements of the District. RM provides assistance for staff from each Division individually as official records are migrated to OnBase. RM digitizes paper documents as needed for all Divisions.

Managing Division:	
Information Services Division	
Contact Person:	
Magen Holloway	
Program Purpose:	
To provide archival and retrieval services for the District's records produced by various Divisions.	
Description of Program:	
The Records Management Program (RM) is responsible for maintaining the Air District official records for each Division. These documents are made available for public, industry and internal request in accordance to the APCO Policy and Procedures.	
Justification of Change Request:	
Not Applicable	
Activities	
Manage and Support of Physical and Electronic Storage of District Records.	
RM is configuring and implementing the new OB software with the assistance of consultants from Xerox. The Xerox is contracted to configure Air District records and corresponding Record Retention in OB. Xerox will also migrate historic records from AppXtender software and the Air District shared drives.	
Train Division Records Custodians on new OB software.	
Major Objectives	Delivery Date
Configure new OB software.	June 2024
Train staff on use of OB software.	June 2024
Migrate records from shared drives to OB software	June 2024

		Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2022	2023	2024	\$	%
Number of Positions (FTE)		2.00	2.00	1.00	(1.00)	(50.0)%
Personnel Expenditures						
Permanent Salaries	51100	267,980	299,098	188,366	(110,732)	(37.0)%
Overtime Salaries	51150	86				
Temporary Salaries	51200					
Payroll Taxes	51300	3,948	4,231	2,680	(1,551)	(36.7)%
Pension Benefits	51400	59,745	66,528	41,427	(25,101)	(37.7)%
FICA Replacement Benefits	51500	2,790	3,909	2,041	(1,868)	(47.8)%
Group Insurance Benefits	51600	34,631	35,567	23,473	(12,094)	(34.0)%
Employee Transportation Subsidy	51700	2,213	2,971	1,434	(1,537)	(51.7)%
Workers' Compensation	51800	849	1,034	495	(539)	(52.1)%
Discretionary Contribution (Pension/OPEB)	51850	20,838	17,978	11,400	(6,578)	(36.6)%
Board Stipends	51900					
Total Personnel Expenditures		393,080	431,316	271,316	(160,000)	(37.1)%
Services & Supplies Expenditures						
Travel In-State	52200		3,000		(3,000)	(100.0)%
Travel Out-of-State	52220					
Training & Education	52300	3,397	10,000	10,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	9,084	4,000	4,000		
Building Maintenance	52600					
Utilities	52700	972				
Postage	52800					
Printing & Reproduction	52900	12,112	90,000	95,000	5,000	5.6%
Equipment Rental	53100					
Rents & Leases	53200	18,245	245,000		(245,000)	(100.0)%
Professional Services & Contracts	53300	(1,213)	270,000	200,000	(70,000)	(25.9)%
General Insurance	53400					
Shop & Field Supplies	53500	765	10,000	10,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,970	65,000	70,000	5,000	7.7%
Stationery & Office Supplies	53900		6,000	6,000		
Books & Journals	54100					
Minor Office Equipment	54200					
Non-Capital Assets	54600	62,542				
Total Services & Supplies Expenditures		108,874	703,000	395,000	(308,000)	(43.8)%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110			100,000	100,000	
Computer & Network Equipment	60115	(9,244)		10,000	10,000	
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures		(9,244)		110,000	110,000	
Transfer In/Out		(12,582)				
Total Expenditures		480,128	1,134,316	776,316	(358,000)	(31.6)%

Managing Division:	
Information Services Division	
Contact Person:	
Derek Klein	
Program Purpose:	
Provide computer, networking and telecommunications infrastructure. Provide second tier service and support for escalated user support issues.	
Description of Program:	
Operate, engineer, purchase, install, upgrade, secure, monitor, maintain, and repair new software systems, computer networks, network servers, telephone systems, voicemail systems, firewalls, personal computers, workstations, file and database server hardware, and operating system and application software.	
Justification of Change Request:	
Not applicable.	
Activities	
Operation and system administration of HP-3000 servers.	
Administration of Cisco telephone and voice mail system.	
Administration of Simplivity and other VMWare servers.	
Configuration and administration of network routers, switches, firewalls and internet access.	
Operation and system administration of HP-9000 servers.	
Support and administer DNS servers.	
Administration of desktop operating system and applications software.	
Administration of Windows Active Directory and servers.	
Administration of NetApp SAN storage system.	
Purchase, installation, upgrade, maintenance, and repair of desktop workstations and printers.	
Administration of MS Exchange-Online, Internet and remote access systems.	
Administration of Multi-Agency Shared Services Printing and Scanning systems	
Major Objectives	Delivery Date
Maintain computer operations availability for 10 hours/day, 5 days/week.	Daily
Provide communications availability for 10 hours/day, 5 days/week.	Daily
Maintain LAN operations availability for 10 hours/day, 5 days/week.	Daily
Maintain network routers and firewall.	Weekly
Provide system connectivity support for JD Edwards.	Monthly
Support, troubleshoot and maintain desktop workstations.	Weekly
Support and upgrade remote access capabilities.	Monthly
Maintain voice messaging system, including menus and changes for field staff.	Monthly

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		7.97	9.00	7.00	(2.00)	(22.2)%
Personnel Expenditures						
Permanent Salaries	51100	1,151,662	1,296,285	1,145,895	(150,390)	(11.6)%
Overtime Salaries	51150	13,536				
Temporary Salaries	51200					
Payroll Taxes	51300	17,112	18,507	16,518	(1,989)	(10.7)%
Pension Benefits	51400	234,282	303,004	238,534	(64,470)	(21.3)%
FICA Replacement Benefits	51500	12,110	17,589	14,285	(3,304)	(18.8)%
Group Insurance Benefits	51600	150,367	175,796	157,174	(18,622)	(10.6)%
Employee Transportation Subsidy	51700	9,604	13,369	10,037	(3,332)	(24.9)%
Workers' Compensation	51800	3,647	4,652	3,462	(1,190)	(25.6)%
Discretionary Contribution (Pension/OPEB)	51850	76,886	80,899	77,186	(3,713)	(4.6)%
Board Stipends	51900					
Total Personnel Expenditures		1,669,206	1,910,101	1,663,091	(247,010)	(12.9)%
Services & Supplies Expenditures						
Travel In-State	52200		11,700	11,200	(500)	(4.3)%
Travel Out-of-State	52220					
Training & Education	52300		60,000	60,000		
Repair & Maintenance (Equipment)	52400	678,409	735,000	1,530,000	795,000	108.2%
Communications	52500	24,515	21,600	21,600		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	143,321	575,000	580,000	5,000	0.9%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	535,520	509,800	514,100	4,300	0.8%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-Capital Assets	54600					
		32,483				
Total Services & Supplies Expenditures		1,414,248	1,913,100	2,716,900	803,800	42.0%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115	9,244	900,000	900,000		
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130		200,000	150,000	(50,000)	(25.0)%
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures		9,244	1,100,000	1,050,000	(50,000)	(4.5)%
Transfer In/Out		(76,153)				
Total Expenditures		3,016,545	4,923,201	5,429,991	506,790	10.3%

Managing Division:	
Information Services Division	
Contact Person:	
Duane Vazquez	
Program Purpose:	
Provide end user support and manage the procurement of computer workstations and telecommunications systems.	
Description of Program:	
Operate, engineer, procure, install, configure, upgrade, maintain, repair and manage inventory for software and hardware computers, telephone systems, voicemail systems, wireless/cellular, printers and misc. peripheral devices . Provide technical assistance for computer systems, telephone systems, voicemail systems, hardware, and software. Assist in developing user training curriculum. Track and optimize user support metrics.	
Justification of Change Request:	
Activities	
Administration of desktop operating system and applications software.	
Administration of Cisco telephone and voice mail system.	
Configuration and administration of MFC printers, voip handsets, cellular devices, misc handheld & peripheral devices	
Purchase, installation, upgrade, maintenance, and repair of desktop workstations and printers.	
Major Objectives	Delivery Date
Maintain computer operations availability for 10 hours/day, 5 days/week.	Daily
Support, troubleshoot and maintain desktop workstations.	Weekly
Maintain voice messaging system, including menus and changes for field staff.	Monthly

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)			1.00	5.00	4.00	400.00%
Personnel Expenditures						
Permanent Salaries	51100		159,285	677,059	517,774	325.06%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300		2,257	9,563	7,306	323.7%
Pension Benefits	51400		35,484	137,745	102,261	288.2%
FICA Replacement Benefits	51500		1,954	10,204	8,250	422.2%
Group Insurance Benefits	51600		18,210	83,228	65,018	357.0%
Employee Transportation Subsidy	51700		1,485	7,169	5,684	382.8%
Workers' Compensation	51800		517	2,473	1,956	378.3%
Discretionary Contribution (Pension/OPEB)	51850		8,989	52,992	44,003	489.5%
Board Stipends	51900					
Total Personnel Expenditures			228,181	980,433	752,252	329.7%
Services & Supplies Expenditures						
Travel In-State	52200		2,000	2,000		
Travel Out-of-State	52220					
Training & Education	52300		35,000	35,000		
Repair & Maintenance (Equipment)	52400		10,000	10,000		
Communications	52500			20,000	20,000	
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		185,000	304,000	119,000	64.3%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures			232,000	371,000	139,000	59.9%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures			460,181	1,351,433	891,252	193.67%

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My Air Online

The Office of My Air Online supports the Air District's enterprise systems via three key objectives. First, modernization and operations of the Online Permit Billing System. Second, operations and maintenance of the Air District's public web presence. Third, operations and maintenance of the online digital payment process.

Managing Division:	
My Air Online	
Contact Person:	
Joy Chen	
Program Purpose:	
This program provides software development, maintenance, and operational support for the Air District's Online Permit Billing System and associated cloud infrastructure.	
Description of Program:	
Design and construction of online applications for: permitting, compliance and enforcement, invoicing, and online payments for approximately 50 million dollars of revenue.	
Justification of Change Request:	
Coordination of enterprise collaborative process for custom permit software development as well as system integration endpoints. Primary stakeholders include: Engineering, Compliance & Enforcement, Finance, Legal, and Information Systems Services.	
Activities	
Key Result 1.1.1: Cloud Infrastructure Cost Tracking and Budget Forecasting	
Key Result 1.1.2: Online Usage Metrics (Pageviews, Sessions, Users)	
Key Result 1.1.3: System Uptime Monitoring	
Key Result 1.2.1: Source Code Version Control Repository Management	
Key Result 1.2.2: Production Release Management Coordination	
Key Result 1.2.3: Business Continuity Coordination	
Key Result 1.3.1: Triple Bottom Line Metrics (Facilities, Revenue, Emissions)	
Key Result 1.3.2: Quality Control Process Coordination	
Major Objectives	Delivery Date
Objective 1.1: Permit System Availability	Daily
Objective 1.2: Software Development Process Coordination	Daily
Objective 1.3: Legacy Permit System Transition Coordination	Daily

		Audited Program Actual	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2022	2023	2024	\$	%
Number of Positions (FTE)		6.01	6.00	6.00		
Personnel Expenditures						
Permanent Salaries	51100	1,002,745	1,027,255	1,076,224	48,969	4.8%
Overtime Salaries	51150	13,026		13,287	13,287	
Temporary Salaries	51200					
Payroll Taxes	51300	14,939	14,766	15,559	793	5.4%
Pension Benefits	51400	207,921	231,907	211,973	(19,934)	(8.6)%
FICA Replacement Benefits	51500	10,579	11,726	12,244	518	4.4%
Group Insurance Benefits	51600	131,286	107,755	112,696	4,941	4.6%
Employee Transportation Subsidy	51700	8,391	8,913	8,603	(310)	(3.5)%
Workers' Compensation	51800	3,176	3,101	2,968	(133)	(4.3)%
Discretionary Contribution (Pension/OPEB)	51850	69,057	53,933	67,582	13,649	25.3%
Board Stipends	51900					
Total Personnel Expenditures		1,461,120	1,459,356	1,521,136	61,780	4.2%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300	135	16,022	16,342	320	2.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,357	2,670	2,723	53	2.0%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300		160,215	163,419	3,204	2.0%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,448	106,810	108,946	2,136	2.0%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		4,940	285,717	291,430	5,713	2.0%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115	3,048,138	3,047,660	3,108,613	60,953	2.0%
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures		3,048,138	3,047,660	3,108,613	60,953	2.0%
Transfer In/Out						
Total Expenditures		4,514,198	4,792,733	4,921,179	128,446	2.7%

Managing Division:	
My Air Online	
Contact Person:	
Anja Page	
Program Purpose:	
This program provides software development, maintenance, and operational support for the Air District's online services and associated cloud infrastructure.	
Description of Program:	
Design and construction of online services for: air quality alerts, air quality data, technical information, registrations, permits, Board proceedings, regulations and other publicly relevant 508 compliant information provided in five languages: English, Spanish, Tagalog, Vietnamese, and Chinese.	
Justification of Change Request:	
Coordination of enterprise collaborative process for public website content management. Stakeholders include all Divisions, primary stakeholders include: Communications, Executive Administration, Meteorology & Measurement, and Information Systems Services.	
Activities	
Key Result 1.1.1: Cloud Infrastructure Cost Tracking and Budget Forecasting	
Key Result 1.1.2: Online Usage Metrics (Pageviews, Sessions, Users)	
Key Result 1.2.3: System Uptime Monitoring	
Key Result 1.2.1: Source Code Version Control Repository Management	
Key Result 1.2.2: Production Release Management Coordination	
Key Result 1.2.3: Business Continuity Coordination	
Key Result 2.3.1: Content Publication Process Coordination	
Key Result 2.3.2: Language Translation Process Coordination	
Key Result 2.3.3: Content Quality Control Process Coordination	
Major Objectives	Delivery Date
	Daily
Objective 2.1: Online Services Availability	Daily
Objective 2.2: Software Development Process Coordination	Daily
Objective 2.3: Transparency and Accessibility Coordination	Daily

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		2.04	2.04	2.00	(0.04)	(2.0)%
Personnel Expenditures						
Permanent Salaries	51100	321,215	320,907	325,797	4,890	1.5%
Overtime Salaries	51150	547				
Temporary Salaries	51200					
Payroll Taxes	51300	4,760	4,545	4,622	77	1.7%
Pension Benefits	51400	71,023	74,446	67,689	(6,757)	(9.1)%
FICA Replacement Benefits	51500	3,370	3,992	4,081	89	2.2%
Group Insurance Benefits	51600	41,817	43,900	45,008	1,108	2.5%
Employee Transportation Subsidy	51700	2,671	3,035	2,868	(167)	(5.5)%
Workers' Compensation	51800	1,017	1,056	989	(67)	(6.3)%
Discretionary Contribution (Pension/OPEB)	51850	24,613	18,363	22,029	3,666	20.0%
Board Stipends	51900					
Total Personnel Expenditures		471,033	470,244	473,083	2,839	0.6%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300			5,447	5,447	
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,393	1,757	1,792	35	2.0%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	2,524	3,099	3,161	62	2.0%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,158,603	980,068	999,670	19,602	2.0%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	34,532	151,670	154,674	3,004	2.0%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		1,197,052	1,136,594	1,164,744	28,150	2.5%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out		(21,222)				
Total Expenditures		1,646,863	1,606,838	1,637,827	30,989	1.9%

Managing Division:	
My Air Online	
Contact Person:	
Blair Adams	
Program Purpose:	
This program provides enterprise subject matter expert support for Online Permit Billing System implementation as well as legacy system integration and administration.	
Description of Program:	
Enterprise collaboration and coordination includes: software design, data transfer, quality assurance, and integration required to ensure a seamless transition from legacy to online system.	
Justification of Change Request:	
Coordination of enterprise collaborative process for online integration of legacy systems. Stakeholders include: Compliance & Enforcement, Engineering, Finance, Legal, and Information Systems Services.	
Activities	
Key Result 3.1.1: Infrastructure Cost Tracking and Budget Forecasting	
Key Result 3.1.2: Online Usage Metrics (Online Credit Card, eCheck, Manual)	
Key Result 3.2.1: Source Code Version Control Repository Management	
Key Result 3.2.2: Production Release Management Coordination	
Key Result 3.3.1: Payment Tracking and Adoption Strategies	
Key Result 3.3.2: Content Quality Control Process Coordination	
Major Objectives	Delivery Date
Objective 3.1: Payment System Availability	Daily
Objective 3.2: Software Development Process Coordination	Daily
Objective 3.3: Invoice Payment Reconciliation Process	Daily

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		4.94	5.81	6.11	0.30	5.2%
Personnel Expenditures						
Permanent Salaries	51100	701,638	868,253	933,965	65,712	7.6%
Overtime Salaries	51150	15,959		16,278	16,278	
Temporary Salaries	51200					
Payroll Taxes	51300	10,414	12,281	13,235	954	7.8%
Pension Benefits	51400	166,815	204,318	197,503	(6,815)	(3.3)%
FICA Replacement Benefits	51500	7,369	11,358	12,450	1,092	9.6%
Group Insurance Benefits	51600	91,431	122,314	126,272	3,958	3.2%
Employee Transportation Subsidy	51700	6,543	8,633	8,748	115	1.3%
Workers' Compensation	51800	2,222	3,004	3,018	14	0.5%
Discretionary Contribution (Pension/OPEB)	51850	60,055	52,241	66,292	14,051	26.9%
Board Stipends	51900					
Total Personnel Expenditures		1,062,446	1,282,402	1,377,761	95,359	7.4%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		16,022	16,342	320	2.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500	182		186	186	
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	73,466		74,936	74,936	
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		13,351	13,618	267	2.0%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		73,648	29,373	105,082	75,709	257.8%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,136,094	1,311,775	1,482,843	171,068	13.0%

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Meteorology & Measurement Division

The Meteorology and Measurement Division (M&M) provides emissions, air quality, and meteorological data; chemical analysis; and forecasting to support the activities of the Compliance & Enforcement, Engineering, Planning, Legal, Rules, Assessment, Inventory & Modeling, Communications, and Community Engagement Divisions. In addition to operating monitoring instruments and conducting testing and analysis, the M&M Division staff develop rigorous monitoring and testing plans, develop and maintain instruments and systems, conduct quality assurance and quality control, and analyze and communicate data. The resulting data is used to:

- determine if the Bay Area is in attainment with state and federal standards, in accordance with the Clean Air Act,
- determine if facilities are in compliance with Air District regulations,
- provide a scientific basis for Air District rule-making and programmatic decisions,
- identify areas with higher levels of pollutants of concern and community-level disparities in air pollution, and
- communicate about air quality with the public, including through air quality advisories and Spare the Air alerts.

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Ila perkins	
Program Purpose:	
Provide the data required to determine and measure progress towards the Bay Area's attainment of National and State ambient air quality standards, assess trends in Bay Area communities and locations over time, provide data to the public, and support strategies to improve air quality.	
Description of Program:	
The primary function of the Air Monitoring - Operations Section is to operate and maintain a network of ambient air quality and meteorological measurement sites that provide data required to determine attainment status of both National and State ambient air quality standards, new and modified regulations, National and State sampling strategies, and to support vulnerable and disadvantaged communities. Additionally, a network of toxics gaseous and particulate monitors collect data to develop trends and help define risk, and for National and State programs. Air monitoring and meteorological data, as well as sampling projects such as the Photochemical Assessment Monitoring Stations (PAMS) and PM2.5 speciation sampling, are also used for Air Quality Index (AQI) forecasts, Clean Air Plan (CAP) modeling, Refinery Community Monitoring, the AB 617 program, and Environmental Impact Reports (EIRs).	
Justification of Change Request:	
Program Code 802 was previously for all Air Monitoring activities. Effective FYE 2022, Air Monitoring is separated into Operations (Program Code 802) and Projects & Technology (Program Code 810).	
Activities	
Operate and maintain the air monitoring network to provide a minimum of 90% valid data each quarter to determine the attainment status for National and State ambient air quality standards.	
Operate and maintain non-criteria pollutant monitors to provide data on ozone precursors, data for ozone forecasting, and data for fine particulate forecasting.	
Operate a Photochemical Assessment Monitoring Station (PAMS) network that meets EPA requirements.	
Operate a gaseous toxics network to provide data for State and Air District programs.	
Operate a network of fine particulate (PM2.5), black carbon, and particulate matter speciation samplers and analyzers in support of the determination of compliance with the National Ambient Air Quality Standards for PM2.5, wood smoke trends, and other area wide particulate matter studies.	
Operate two Near Road monitoring stations as mandated by EPA; two in the San Francisco-Oakland-Fremont CBSA, and one in the San Jose-Sunnyvale-Santa Clara CBSA; Operate an additional near road site positioned along the Interstate 580 corridor.	
Aid in the development and evaluation of existing technologies for air quality measurements.	
Implement community level air quality monitoring in support of AB617 and Schedule X (communities near refineries)	
Major Objectives	Delivery Date
Collect and process data that has been subjected to rigorous Quality Control (QC) as part of National, State and Air District programs.	Ongoing
Implementation of monitoring in communities near major stationary sources (Schedule X)	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		18.00	20.00	19.00	(1.00)	(5.00)
Personnel Expenditures						
Permanent Salaries	51100	2,137,034	2,421,787	2,368,618	(53,169)	(2.2)
Overtime Salaries	51150	88				
Temporary Salaries	51200					
Payroll Taxes	51300	31,646	34,087	33,393	(694)	(2.0)
Pension Benefits	51400	590,299	548,458	473,171	(75,287)	(13.7)
FICA Replacement Benefits	51500	22,428	39,255	39,770	515	1.3
Group Insurance Benefits	51600	278,770	387,599	398,832	11,233	2.9
Employee Transportation Subsidy	51700	17,713	29,837	27,944	(1,893)	(6.3)
Workers' Compensation	51800	6,768	10,382	9,639	(743)	(7.2)
Discretionary Contribution (Pension/OPEB)	51850	226,751	180,548	202,454	21,906	12.1
Board Stipends	51900					
Total Personnel Expenditures		3,311,497	3,651,953	3,553,821	(98,132)	(2.7)
Services & Supplies Expenditures						
Travel In-State	52200	10,611	22,700	15,000	(7,700)	(33.9)
Travel Out-of-State	52220		20,000	10,000	(10,000)	(50.0)
Training & Education	52300		34,500	42,800	8,300	24.1
Repair & Maintenance (Equipment)	52400	40,768	81,841	94,688	12,847	15.7
Communications	52500	25,113	73,685	72,486	(1,199)	(1.6)
Building Maintenance	52600	1,656	221,244	220,370	(874)	(0.4)
Utilities	52700	89,281	132,166	131,515	(651)	(0.5)
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	502,847	507,051	563,109	56,058	11.1
Professional Services & Contracts	53300	43,673	415,000	367,000	(48,000)	(11.6)
General Insurance	53400					
Shop & Field Supplies	53500	105,982	311,980	289,655	(22,325)	(7.2)
Laboratory Supplies	53600	18,845	87,815	102,420	14,605	16.6
Gasoline & Variable Fuel	53700	127				
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-Capital Assets	54600	41,849				
Total Services & Supplies Expenditures		880,752	1,907,982	1,909,043	1,061	0.1
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	27,295	1,234,517	940,263	(294,254)	(23.8)
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140	20,471				
Total Capital Expenditures		47,766	1,234,517	940,263	(294,254)	(23.8)
Transfer In/Out						
Total Expenditures		4,240,015	6,794,452	6,403,127	(391,325)	(5.8)

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Mairi Beacon	
Program Purpose:	
Provide laboratory, analytical, and technical services and support to other Meteorology and Measurement Division Sections and other Air District Divisions.	
Description of Program:	
The primary function of the Laboratory Program is to provide media preparation and analysis for the District's fixed site air monitoring network. The lab also provides technical support to other Divisions, Sections and programs in completing their objectives. The Laboratory Program maintains laboratory safety and laboratory quality assurance programs and evaluates new instrumentation and evolving analytical methods as needed.	
Justification of Change Request:	
Not Applicable	
Activities	
Perform preparation, analysis, and L1 review for fixed site ambient air monitoring network samples.	
Provide analytical support of Source Test and Compliance and Enforcement actions.	
Perform gravimetric analyses on various filter media for BAAQMD and other agencies.	
Develop digital solutions for more efficient generation, processing, review, and storage of laboratory data.	
Maintain laboratory instrumentation and supplies to support analyses.	
Maintain laboratory quality and safety programs.	
Evaluate existing laboratory methods for opportunities to improve and execute improvements.	
Provide technical expertise and advice to other Air District divisions regarding internal and external laboratory methods and capabilities.	
Major Objectives	Delivery Date
Provide laboratory support for Ambient Air Monitoring.	Ongoing
Provide laboratory support for Source Test, Compliance and Enforcement, and other District programs.	Ongoing
Evaluate and acquire instrumentation to replace two retiring instruments.	Annually
Perform cross-training, focusing on methods the fewest staff are familiar with.	Ongoing
Engage in internal and external Quality Assurance and Safety education and audits.	Ongoing
Continue evaluation and improvement of existing methods.	Ongoing
Continue integrating programs into Laboratory Information Management System.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		8.00	9.00	8.00	(1.00)	(11.10)
Personnel Expenditures						
Permanent Salaries	51100	1,022,981	1,242,489	1,168,501	(73,988)	(6.0)
Overtime Salaries	51150		5,000	5,000		
Temporary Salaries	51200					
Payroll Taxes	51300	15,099	17,551	16,578	(973)	(5.5)
Pension Benefits	51400	221,538	287,527	245,986	(41,541)	(14.4)
FICA Replacement Benefits	51500	10,706	18,004	16,242	(1,762)	(9.8)
Group Insurance Benefits	51600	133,035	180,345	148,502	(31,843)	(17.7)
Employee Transportation Subsidy	51700	9,037	13,685	11,412	(2,273)	(16.6)
Workers' Compensation	51800	3,240	4,761	3,937	(824)	(17.3)
Discretionary Contribution (Pension/OPEB)	51850	75,637	82,808	85,728	2,920	3.5
Board Stipends	51900					
Total Personnel Expenditures		1,491,273	1,852,170	1,701,886	(150,284)	(8.1)
Services & Supplies Expenditures						
Travel In-State	52200		200	200		
Travel Out-of-State	52220		5,000	5,000		
Training & Education	52300	795	7,000	7,000		
Repair & Maintenance (Equipment)	52400	41,009	90,000	90,000		
Communications	52500	381				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	26,327	26,400	26,400		
General Insurance	53400					
Shop & Field Supplies	53500	964				
Laboratory Supplies	53600	68,264	100,000	100,000		
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	1,280	2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		139,020	230,600	230,600		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125			280,000	280,000	
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures				280,000	280,000	
Transfer In/Out						
Total Expenditures		1,630,293	2,082,770	2,212,486	129,716	6.2

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Jerry Bovee	
Program Purpose:	
Provide source testing and technical expertise to Air District Divisions.	
Description of Program:	
The primary functions of the Source Test Section are to: conduct analytical source tests; conduct performance audits on Continuous Emissions Monitors (CEMs); review third party source tests; research and develop new analytical source test procedures; oversee refinery fence-line monitoring programs; and, provide technical expertise and advice to other Divisions. These data are used to produce engineering studies to determine compliance status for specific source categories, determine whether to issue Permits to Operate, update the emissions inventory, determine actual abatement control effectiveness, provide data & technical assistance for Air District studies including AB 617, and develop applicable standards and produce emissions data for new or revised regulations.	
Justification of Change Request:	
Not Applicable	
Activities	
Evaluate up to 400 facility submitted source test reports	
Conduct up to 45 particulate or gaseous toxics source tests.	
Conduct at least 90 instrumental gaseous source tests.	
Conduct up to 24 source tests at gasoline bulk terminals and bulk plants.	
Conduct up to 400 source tests on gasoline cargo tanks.	
Conduct up to 30 Enhanced Vapor Recovery source tests at Gasoline Distribution Facilities (GDF)	
Conduct up to 150 Field Accuracy Tests (FATs) on CEM systems.	
Evaluate up to 450 indicated excesses and other CEM-related call-ins.	
Maintain an electronic list of all source tests conducted at Title V facilities.	
Provide source testing to support rule development and implementation efforts.	
Manage South Bay Odor Study contracts and deliverables	
Provide Rule 12-15 refinery fence line monitoring program oversight	
Major Objectives	Delivery Date
Prepare reports on emissions from various source categories.	Ongoing
Prepare reports on particulate/gaseous toxic emissions from specific sources.	Ongoing
Prepare quarterly and annual summary of CEM data from specific sources.	Ongoing
Prepare reports on VOC emissions from gasoline bulk terminals and plants.	Ongoing
Prepare reports on VOC emissions from gasoline cargo tanks.	Ongoing
Provide monthly reports on indicated excesses from CEM systems.	Ongoing
Prepare reports on compliance rates and emissions, based on outside contractor tests.	Ongoing
Participate in source attribution studies associated with AB 617	Ongoing
Implement new emission testing methods and technologies	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		12.21	14.19	16.31	2.12	14.9%
Personnel Expenditures						
Permanent Salaries	51100	1,607,034	1,936,627	2,308,006	371,379	19.2%
Overtime Salaries	51150	232	6,000	6,000		
Temporary Salaries	51200					
Payroll Taxes	51300	23,805	27,365	32,676	5,311	19.4%
Pension Benefits	51400	361,922	444,035	471,949	27,914	6.3%
FICA Replacement Benefits	51500	16,861	27,737	33,284	5,547	20.0%
Group Insurance Benefits	51600	209,421	322,614	372,368	49,754	15.4%
Employee Transportation Subsidy	51700	13,351	21,083	23,387	2,304	10.9%
Workers' Compensation	51800	5,090	7,336	8,067	731	10.0%
Discretionary Contribution (Pension/OPEB)	51850	126,429	127,575	174,366	46,791	36.7%
Board Stipends	51900					
Total Personnel Expenditures		2,364,145	2,920,372	3,430,103	509,731	17.5%
Services & Supplies Expenditures						
Travel In-State	52200	795	3,000	2,000	(1,000)	(33.3)%
Travel Out-of-State	52220		4,000	3,000	(1,000)	(25.0)%
Training & Education	52300	4,778	10,850	6,850	(4,000)	(36.9)%
Repair & Maintenance (Equipment)	52400	2,725	3,000	3,200	200	6.7%
Communications	52500	5,520	1,800	10,000	8,200	455.6%
Building Maintenance	52600	816	8,800	5,800	(3,000)	(34.1)%
Utilities	52700	27,095	22,000	22,000		
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	307,703	295,000	320,000	25,000	8.5%
Professional Services & Contracts	53300	391,101	45,500	40,500	(5,000)	(11.0)%
General Insurance	53400					
Shop & Field Supplies	53500	23,396	49,650	49,650		
Laboratory Supplies	53600	14,696	10,400	7,500	(2,900)	(27.9)%
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-Capital Assets	54600					
Total Services & Supplies Expenditures		792,240	454,000	470,500	16,500	3.6%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120		100,000	100,000		
Lab & Monitoring Equipment	60125	51,269	60,000	55,500	(4,500)	(7.5)%
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures		51,269	160,000	155,500	(4,500)	(2.8)%
Transfer In/Out						
Total Expenditures		3,207,654	3,534,372	4,056,103	521,731	14.8%

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Charles Knoderer	
Program Purpose:	
Provide air quality and open burning forecasts, support for wildfire impacts, and collect, validate, analyze, and disseminate aerometric and meteorological data.	
Description of Program:	
The primary function of the Meteorological Section is to provide air quality forecasts, including open burn, and mandated Air Quality Index (AQI) forecasts, special forecasts for programs such as mandatory curtailment of wood burning, forecasts for wildfire smoke impacts, and episode/alert forecasts. Data review objectives include the validation, compilation and interpretation of meteorological and air quality data, and distribution of data to various data systems, including EPA's AQS database. Other objectives include evaluation of meteorological data for legal actions.	
Justification of Change Request:	
The Overtime Budget (51155) was increased to account for inflation and includes additional meetings to coordinate open burning with other agencies (such as CalFire and ARB) as well as additional forecast responsibilities due to increased wildfire impacts on local air quality.	
Activities	
Provide reliable and timely Air Quality forecasts to the Air District and the public on weekdays, weekends and holidays.	
Provide support for tracking and forecasting smoke plume impacts during wildfire events.	
Review prescribed and marsh burn plans. Issue the daily open burn decision to Regional, State, and National Fire Agencies and the public. Allocate and distribute burn acreage for prescribed, marsh, and Sonoma County stubble burning.	
Quality assure EPA mandated air quality data and provide to EPA within 90 days of the end of a quarter.	
Develop forecasting techniques for winter particulate and summer ozone seasons, including statistical regression equations and develop and maintain the databases these methods are based upon.	
Review air quality and meteorological data from the five oil refinery Ground Level Monitoring (GLM) Networks and evaluate Excess Reports for the Compliance & Enforcement Division regarding compliance with Air District Regulations 1 & 9.	
Respond to record requests for information on air quality and meteorological data from the public. Provide presentations for Air District functions including Board and Committee meetings, and community outreach and public information meetings.	
Major Objectives	Delivery Date
Provide daily air quality forecasts and burn acreage allocations to meet Air District needs. Provide additional support during wildfire impacts.	Ongoing
Submit quality assured air quality data to EPA's AQS Database.	Quarterly
Provide air quality, meteorological, and GLM data in electronic format to requestors.	Monthly
Review and approve smoke management plans submitted to the state's Smoke Management Program Software (PFIRS)	Ongoing
Continue improvements to databases for air quality and meteorological data.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		4.12	3.98	3.69	(0.29)	(7.3)%
Personnel Expenditures						
Permanent Salaries	51100	624,344	586,338	574,540	(11,798)	(2.0)%
Overtime Salaries	51150	6,049	5,000	7,500	2,500	50.0%
Temporary Salaries	51200					
Payroll Taxes	51300	9,421	8,311	8,156	(155)	(1.9)%
Pension Benefits	51400	147,216	132,495	113,784	(18,711)	(14.1)%
FICA Replacement Benefits	51500	6,700	7,786	7,523	(263)	(3.4)%
Group Insurance Benefits	51600	83,165	74,486	74,428	(58)	(0.1)%
Employee Transportation Subsidy	51700	5,310	5,918	5,286	(632)	(10.7)%
Workers' Compensation	51800	1,977	2,059	1,824	(235)	(11.4)%
Discretionary Contribution (Pension/OPEB)	51850	52,059	35,809	40,213	4,404	12.3%
Board Stipends	51900					
Total Personnel Expenditures		936,241	858,202	833,254	(24,948)	(2.9)%
Services & Supplies Expenditures						
Travel In-State	52200	71	2,100	2,100		
Travel Out-of-State	52220		15,000	15,000		
Training & Education	52300					
Repair & Maintenance (Equipment)	52400		12,000	12,000		
Communications	52500	1,803	3,500	3,500		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	3,081				
Professional Services & Contracts	53300	13,839	34,000	34,000		
General Insurance	53400					
Shop & Field Supplies	53500		4,000	4,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,183	20,000	20,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		20,977	90,600	90,600		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		957,218	948,802	923,854	(24,948)	(2.6)%

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Charles Knoderer	
Program Purpose:	
Provide independent performance evaluation services for the Air Monitoring Operations Section and evaluate equipment and siting for air quality monitoring performed by industry and/or their consultants within the Air District's boundaries.	
Description of Program:	
The primary function of the Performance Evaluation (PE) Group is to ensure the accuracy of data collected throughout the Air District's air monitoring network. The PE Group is also responsible for audits and data evaluation of the H2S and SO2 ground level monitors (GLMs). When the primary responsibilities for auditing are met, the PE Group can operate H2S and SO2 portable sampling units for odor complaint investigations and episodic sampling.	
Justification of Change Request:	
Not Applicable	
Activities	
Conduct performance evaluation audits on ambient air monitoring equipment as required by EPA and California Air Resources Board (CARB) regulations, and create accuracy records for reporting to EPA.	
Conduct performance evaluation audits on industry SO2 and H2S GLMs and prepare summary reports of the audits.	
Conduct performance evaluation audits on non-criteria pollutant monitors and prepare summary reports of the audits.	
Participate in inter-agency performance evaluation program conducted by EPA and CARB at Air District sites.	
Participate in interdivisional teams working on improving Air District regulations and the Manual of Procedures, special studies and customer service.	
Perform source-oriented sampling and mobile monitoring during complaint, odor, and episode conditions to provide data required for enforcement action. Between incidents, maintain the instruments and vehicles, as needed.	
Major Objectives	Delivery Date
Maintain the directory of information on network drives for Air District access to all Quality Assurance (QA) data and activities.	Ongoing
Maintain criteria pollutant calibration standards and calibrators to meet EPA requirements.	Ongoing
Revise Standard Operating Procedures (SOPs) to reflect changes in procedures.	Ongoing

Air Monitoring Instrument Performance Evaluation

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.00	4.00	3.00	(1.00)	(25.00)
Personnel Expenditures						
Permanent Salaries	51100	408,671	495,178	422,961	(72,217)	(14.6)
Overtime Salaries	51150	1,871		1,500	1,500	
Temporary Salaries	51200					
Payroll Taxes	51300	6,073	7,010	5,988	(1,022)	(14.6)
Pension Benefits	51400	85,397	114,540	88,702	(25,838)	(22.6)
FICA Replacement Benefits	51500	4,299	6,964	6,346	(618)	(8.9)
Group Insurance Benefits	51600	53,343	69,987	64,905	(5,082)	(7.3)
Employee Transportation Subsidy	51700	3,414	5,293	4,459	(834)	(15.8)
Workers' Compensation	51800	1,294	1,842	1,538	(304)	(16.5)
Discretionary Contribution (Pension/OPEB)	51850	28,590	32,028	32,989	961	3.0
Board Stipends	51900					
Total Personnel Expenditures		592,952	732,842	629,388	(103,454)	(14.1)
Services & Supplies Expenditures						
Travel In-State	52200		455	464	9	2.0
Travel Out-of-State	52220		3,750	3,825	75	2.0
Training & Education	52300					
Repair & Maintenance (Equipment)	52400	1,075	6,400	6,400		
Communications	52500	1,353		1,500	1,500	
Building Maintenance	52600		11,250	11,250		
Utilities	52700	309				
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300		2,550	2,550		
General Insurance	53400					
Shop & Field Supplies	53500	17,831	16,535	16,535		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100		160	160		
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		20,568	41,100	42,684	1,584	3.9
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	35,670	90,000	45,000	(45,000)	(50.0)
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures		35,670	90,000	45,000	(45,000)	(50.0)
Transfer In/Out						
Total Expenditures		649,190	863,942	717,072	(146,870)	(17.0)

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Charles Knoderer	
Program Purpose:	
Operate and maintain the Bay Area BioWatch network for the Federal Department of Homeland Security (DHS).	
Description of Program:	
The BioWatch Monitoring Program consists of a network of sample collection units located throughout the Bay Area. Filter media are collected and replaced on a daily basis. Exposed filter housing are delivered to an outside laboratory for analysis. The network operates 24-hours a day, 365 days a year. This program is fully funded by a Department of Homeland Security grant and any budgetary changes were made to more accurately reflect the grant request.	
Justification of Change Request:	
All funding changes are covered by the DHS grant award.	
Activities	
Operate and maintain BioWatch collection sites to provide exposed filter media for laboratory analysis.	
Provide training and contract oversight for the BioWatch program.	
Implement Consequence Management Plan for the BioWatch program.	
Major Objectives	Delivery Date
Provide oversight of facilities and equipment.	Ongoing
Assure program requirements for computer entry, sampling, and filter delivery are met.	Ongoing
Assure impacted Air Monitoring and contractor staff are notified in the event of positive results.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.08	0.10	0.07	(0.03)	(30.0)%
Personnel Expenditures						
Permanent Salaries	51100	8,394	12,548	7,455	(5,093)	(40.6)%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	131	177	105	(72)	(40.7)%
Pension Benefits	51400	1,860	2,859	1,562	(1,297)	(45.4)%
FICA Replacement Benefits	51500	89	189	143	(46)	(24.3)%
Group Insurance Benefits	51600	1,111	1,755	1,151	(604)	(34.4)%
Employee Transportation Subsidy	51700	70	144	100	(44)	(30.6)%
Workers' Compensation	51800	27	50	35	(15)	(30.0)%
Discretionary Contribution (Pension/OPEB)	51850	617	872	712	(160)	(18.3)%
Board Stipends	51900					
Total Personnel Expenditures		12,299	18,594	11,263	(7,331)	(39.4)%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	39,685		50,000	50,000	
Professional Services & Contracts	53300	1,201,517	1,485,825	1,465,542	(20,283)	(1.4)%
General Insurance	53400					
Shop & Field Supplies	53500		10,000	10,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		1,241,202	1,497,825	1,527,542	29,717	2.0%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,253,501	1,516,419	1,538,805	22,386	1.5%

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Jonathan P. Bower	
Program Purpose:	
Provide mobile, portable, and short-term air monitoring, develop and manage the Division's quality and data systems, and support the development of required analytical and operational tools.	
Description of Program:	
The Air Monitoring - Projects & Technology (AMPT) Section performs mobile, portable, and short-term air monitoring and sampling in support of various air monitoring projects. The section researches and develops tools, protocols, and procedures for testing and implementing air monitoring approaches to address a dynamic and growing list of uses cases, particularly at the community scale. AMPT is also responsible for oversight, maintenance, and development of regulatory data quality assurance and air monitoring data management. Major expenditures include air monitoring equipment and infrastructure, software development, hardware purchases and support, and telecommunications for remote air monitoring.	
Justification of Change Request:	
Activities	
Required oversight and development of data quality systems: Includes heavy technical review, development, and implementation of QA documents and processes	
Required QA review and certification of air monitoring data	
Coordination with EPA, CARB, other PQAQs, and across multiple sections in M&M	
Maintenance of regulatory air monitoring data management system (DMS), including support for streaming semi-real time air monitoring data to the District website and other public datastores	
Collect ambient air quality data in focus communities using mobile or portable measurement platforms, providing high-quality, defensible data to data end users	
Mobile system (Monitoring platforms) upgrades/repairs	
Research, develop, and maintain systems for efficient and robust data collection; including hardware, software, communications, and documentation	
Provide technical input and project management for external air monitoring projects as needed	
Continue to develop and document new monitoring approaches to achieve monitoring objectives	
Develop onboarding documentation for prioritizing new community monitoring projects	
Major Objectives	Delivery Date
Tracking, coordinating, and implementing resolutions and projects proposed for M&M response to TSA, many of which include numerous subtasks, which are set to begin Q1 2023	Ongoing
Design and implement monitoring plan and associated materials in E. Oakland	Ongoing
Work with contractor on development of a new system to ingest and store flow rate verification information for air monitoring	Ongoing
Scope air monitoring data system consolidation project for AMSP: Develop integrated data system for data collection, management, and review of mobile and portable data	Ongoing
Portable platform development (e.g., portable lab, self-sustained systems): Coordination, method development, design and build out, data systems, deployment, and QA/QC	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		8.05	9.35	5.70	(3.65)	(39.0)%
Personnel Expenditures						
Permanent Salaries	51100	975,112	1,278,107	854,342	(423,765)	(33.2)%
Overtime Salaries	51150	258	5,000	5,000		
Temporary Salaries	51200					
Payroll Taxes	51300	14,212	18,059	12,137	(5,922)	(32.8)%
Pension Benefits	51400	98,702	283,615	164,010	(119,605)	(42.2)%
FICA Replacement Benefits	51500	10,058	18,278	11,641	(6,637)	(36.3)%
Group Insurance Benefits	51600	125,204	165,598	116,540	(49,058)	(29.6)%
Employee Transportation Subsidy	51700	7,911	13,893	8,179	(5,714)	(41.1)%
Workers' Compensation	51800	3,088	4,834	2,821	(2,013)	(41.6)%
Discretionary Contribution (Pension/OPEB)	51850	11,488	84,070	61,696	(22,374)	(26.6)%
Board Stipends	51900					
Total Personnel Expenditures		1,246,033	1,871,454	1,236,366	(635,088)	(33.9)%
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220		5,000	8,000	3,000	60.0%
Training & Education	52300	929	5,000	8,000	3,000	60.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500	48,055	14,950	24,500	9,550	63.9%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	42,103				
Professional Services & Contracts	53300	90,101	300,500	420,500	120,000	39.9%
General Insurance	53400					
Shop & Field Supplies	53500	20,573	92,500	122,500	30,000	32.4%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	109	52,975	52,975		
Stationery & Office Supplies	53900		500	500		
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		201,870	471,425	636,975	165,550	35.1%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	42,372	280,000		(280,000)	(100.0)%
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures		42,372	280,000		(280,000)	(100.0)%
Transfer In/Out						
Total Expenditures		1,490,275	2,622,879	1,873,341	(749,538)	(28.6)%

Managing Division:	
Meteorology & Measurement Division	
Contact Person:	
Katherine Hoag	
Program Purpose:	
Summarize, analyze, and interpret air monitoring data, design air monitoring studies and evaluate monitoring networks, and provide technical support to Air District programs and the public.	
Description of Program:	
The Air Quality Analysis Section's primary objective is to characterize regional and local air quality using observed meteorological and air quality data, including preparing air quality summaries, determining compliance with National or State ambient air quality standards, and analyzing long-term trends to assess progress. District air monitoring program support includes developing an annual summary of the Air District's fixed-site air monitoring network, and a long-term assessment of the network's effectiveness every five years. This section is also responsible for reviewing or designing studies to characterize community-scale air quality, impacts of specific sources, and providing analyses to assist developing air quality improvement strategies. This section also provides technical support to community-led air monitoring and data analysis projects.	
Justification of Change Request:	
Contract funds for Bay Air Center moved from 302 to 811 in FYE 2020	
Activities	
Analyze measurement data to improve understanding of regional and local-scale air quality to determine compliance with the NAAQS and for routine reports or in support of Air District programs and the public.	
Evaluate regulatory ambient air monitoring network with respect to meeting Federal and State requirements or other Air District priorities, coordinate with US EPA on monitoring network modifications.	
Develop or review internal and external monitoring plans and/or air quality reports.	
Provide technical support for community projects, including providing context to monitoring data and assisting community-based participatory research projects using air sensors.	
Air District coordinator for the Bay Air Center.	
Major Objectives	Delivery Date
Prepare Air Quality Data reports summarizing regional compliance with standards long-term trends, and community-level air quality assessments.	Ongoing
Prepare and submit Annual Air Monitoring Network Plan to EPA, CARB and the public.	Annually
Evaluate ambient monitoring network and seek EPA approval for changes as needed.	Ongoing
Complete exceptional event notifications or justification packages as needed, in coordination with CARB and EPA.	Ongoing
Oversight of Bay Air Center's technical support for community-led monitoring or data analysis projects	Ongoing
Work with CBE to implement EPA ARP Grant to design and implement source-oriented community monitoring in East Oakland; perform contract management for EPA grant	Ongoing

Ambient Air Quality Analysis

811

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		4.44	5.15	5.06	(0.09)	(1.75)%
Personnel Expenditures						
Permanent Salaries	51100	673,902	796,906	805,961	9,055	1.14%
Overtime Salaries	51150		1,000	200	(800)	(80.00)%
Temporary Salaries	51200					
Payroll Taxes	51300	9,759	11,310	11,468	158	1.40%
Pension Benefits	51400	130,139	177,407	154,965	(22,442)	(12.65)%
FICA Replacement Benefits	51500	6,914	10,059	10,326	267	2.65%
Group Insurance Benefits	51600	85,928	88,332	91,581	3,249	3.68%
Employee Transportation Subsidy	51700	5,462	7,646	7,255	(391)	(5.11)%
Workers' Compensation	51800	2,134	2,660	2,503	(157)	(5.90)%
Discretionary Contribution (Pension/OPEB)	51850	41,888	46,266	55,456	9,190	19.86%
Board Stipends	51900					
Total Personnel Expenditures		956,126	1,141,586	1,139,715	(1,871)	(0.16)%
Services & Supplies Expenditures						
Travel In-State	52200			9,000	9,000	
Travel Out-of-State	52220			10,000	10,000	
Training & Education	52300	570	20,000	1,000	(19,000)	(95.00)%
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,003	1,500	1,500		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	31,126	550,000	565,000	15,000	2.73%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		20,000	20,000		
Stationery & Office Supplies	53900		2,500	2,000	(500)	(20.00)%
Books & Journals	54100		1,000	2,000	1,000	100.00%
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		33,699	595,000	610,500	15,500	2.61%
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		989,825	1,736,586	1,750,215	13,629	0.78%

Special Revenue Fund

Program Narratives and Expenditure Details

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SPECIAL REVENUE FUND

The Air District's Special Revenue also works to support the Air District's mission of improving air quality, protecting public health, and protecting the global climate. The Special Fund revenue is principally derived from state and federal agency grants (e.g., from the California Air Resources Board and US Environmental Protection Agency), Department of Motor Vehicle Registration fees, settlement agreements, environmental mitigation fees, bond-sales, and the Bay Area Clean Air Foundation.

The Air District uses monies from these revenue sources to fund a variety of programs and projects that complement its regulatory and enforcement activities: grant and incentive programs for public agencies businesses, community groups, and residents, community outreach and engagement efforts, air quality monitoring and analysis, commuter benefits and Spare the Air programs, mobile source and anti-idling enforcement activities, and others. Air District staff administrative costs related to the implementation of Air District sponsored projects and programs are mainly provided for by the revenue source. A list of the main sources of revenue is listed below and a description of the programs funded by these sources is found in the section that follows:

- Transportation Fund for Clean Air (TFCA)
- Mobile Source Incentive Fund (MSIF)
- Carl Moyer Program (CMP)
- Community Air Protection Program (CAPP)
- Volkswagen Environmental Mitigation Trust (VW Trust)
- Funding Agricultural Replacement Measures for Emission Reductions (FARMER)
- US Environmental Protection Agency
- California Air Resources Board
- CALTRANS/ Congestion Mitigation and Air Quality Improvement (CMAQ)
- California Goods Movement I-Bond (CGMB)

Special Revenue Fund

Communications Office

The Communications Office coordinates all agency media outreach, Air District messaging, crisis communications, media relations as well as print, digital and social media outreach for the Air District. The Office provides media and public outreach about the Air District's programs, operations and emergency response.

The Office manages advertising and outreach for Spare the Air, the Employer Program, and the Commuter Benefits Program. The Office oversees the Air District and Spare the Air social media sites, strategies and programs. The Office maintains the Spare the Air website and related sites and the Spare the Air mobile apps. The Office represents the Air District at community events for Spare the Air throughout the region.

Office functions include production of publications and digital collateral for the general public and target audiences. This includes publishing newsletters, the annual report, videos and collateral materials. The Office also provides and oversees graphic design services, social media content creation, translation services and videography. The Office also provides Air District presentations and tours for international delegations, organizations and school groups.

Managing Division:	
Communications Office	
Contact Person:	
Kristina Chu	
Program Purpose:	
The Spare the Air program encourages the public to reduce their driving, a major source of Bay Area air pollution, and promotes the use of remote work, public transit, biking, walking, carpooling, trip reduction and other behavior changes that reduce pollution from automobiles. The program provides outreach to employers/employees for the Spare the Air Employer and Commuter Benefits Programs. Employers are targeted specifically due to their significant influence on the commute behaviors of their employees.	
Description of Program:	
The Spare the Air program works with the public to reduce air pollution by promoting employer commute programs and making clean air choices including remote work, taking public transportation, using electric vehicles, ridesharing and trip linking; this program complements Program 305. Funds will be used for electronic notification systems, employer outreach, partnerships and Commuter Benefits Program outreach, as well as staff time associated with the Spare the Air programs and grass roots education.	
Justification of Change Request:	
Budget increase to cover costs of streamlining Spare the Air program, app re-design and website updates.	
Activities	
Prepare and issue media releases, respond to media inquiries and plan employer workshops and events.	
Promote employer transportation programs to reduce the number of single occupancy vehicles commuting to work.	
Support Resource Team activities, projects and promotions.	
Manage and update program websites as well as social media sites such as Twitter, Pinterest and Facebook.	
Provide public outreach at employer events throughout the Bay Area.	
Notify the media and employers of Spare the Air Alerts through AirAlerts, press releases, websites, apps and social media sites.	
Manage employer outreach & advertising campaign.	
Provide outreach to employers, in concert with MTC, for the Commuter Benefits Program.	
Conduct employer opinion surveys to evaluate Spare the Air program and measure behavior change.	
Inform employees about commuter incentive programs and individual choices to reduce air pollution.	
Provide overview of campaign to the Administrative Committee and Board of Directors.	
Major Objectives	Delivery Date
Coordinate Air District presence at public events and employer events, including community events and fairs.	Ongoing
Develop video podcasts, video news releases / statements, displays and infographics for Employer Program and Commuter Benefits Program / events.	Ongoing
Add new visualization, app integration and other features to improve user experience on sparetheair.org website	Ongoing
Manage Spare the Air Employer Program.	Ongoing
Conduct employer workshops and develop employer outreach materials, webinars and website information for new employer commute incentives rule.	Ongoing
Support Air Quality Resource Teams.	Ongoing

Intermittent Control (TFCA)

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.99	3.26	3.90	0.64	19.63
Personnel Expenditures						
Permanent Salaries	51100	246,703	418,044	531,696	113,652	27.19
Overtime Salaries	51150	30,911		30,000	30,000	
Temporary Salaries	51200	5,329				
Payroll Taxes	51300	3,658	5,901	7,568	1,667	28.25
Pension Benefits	51400	63,478	96,155	109,602	13,447	13.98
FICA Replacement Benefits	51500	2,494	6,368	7,962	1,594	25.03
Group Insurance Benefits	51600	30,987	61,344	72,311	10,967	17.88
Employee Transportation Subsidy	51700	1,975	4,840	5,594	754	15.58
Workers' Compensation	51800	781	1,684	1,930	246	14.61
Discretionary Contribution (Pension/OPEB)	51850	23,416	29,288	41,402	12,114	41.36
Board Stipends	51900					
Total Personnel Expenditures		409,732	623,624	808,065	184,441	29.58
Services & Supplies Expenditures						
Travel In-State	52200	1,928				
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		5,000		(5,000)	(100.00)
Printing & Reproduction	52900		15,000		(15,000)	(100.00)
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	975,753	1,338,000	1,338,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		977,681	1,358,000	1,338,000	(20,000)	(1.47)
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		210,442	278,719	363,630	84,911	30.46
Total Expenditures		1,597,855	2,260,343	2,509,695	249,352	11.03

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Special Revenue Fund

- Strategic Incentive Division

The Strategic Incentives Division administers Special Revenue Fund sources that are used to accelerate voluntary emissions reductions by incentivizing the replacement of older dirtier equipment that primarily targets mobile sources.

In FY 2024, the Air District will be awarding approximately \$105 million in Special Revenue Funds in project funds to owners of eligible projects that will mainly scrap older trucks, school buses, transit buses, and off-road equipment including marine vessels, locomotives, cargo-handling equipment, agricultural, and construction equipment, and replace these with newer and cleaner alternatives, including zero-and near-zero emissions technologies. Funding from these sources is also used to incentivize the installation of zero-emissions infrastructure and to support the Air District's Vehicle Buy-Back Program that pays Bay Area residents to turn in their 1998 and older cars and light-duty trucks for early-retirement. As funding allows, other types of eligible programs may also be implemented.

Funding is prioritized for projects that provide benefits to the region's most disproportionately impacted communities and that result in permanent reductions in emissions reductions through the adoption of zero- and new-zero emissions technologies.

Special Revenue Fund sources are used to pay for direct project costs (grant awards) and associated Air District administrative costs. These revenue sources include the Carl Moyer Program, Community Air Protection – Incentive Program, Transportation Fund for Clean Air Fund, Mobile Source Incentive Fund, Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program, Environmental Protection Agency Targeted Airshed Program (EPA TAG), settlement funds, monies that are received from the Bay Area Clean Air Foundation, and other miscellaneous sources.

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Alona Davis	
Program Purpose:	
Administration of the Carl Moyer Program (CMP) and other State funds, which provide grants to businesses and public agencies for projects that reduce emissions from primarily heavy-duty engines.	
Description of Program:	
<p>The Air District has participated in the CMP, in cooperation with the California Air Resources Board (CARB), since the program began in 1999. The CMP 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. Eligible projects include trucks, buses, agricultural equipment, marine vessels, locomotives, off-road construction and industrial equipment, and infrastructure that supports clean technologies. The program prioritizes projects that benefit the most impacted communities. Air District staff conducts outreach and solicits grant applications, evaluates grant applications according to established criteria, recommends allocation of the funding, prepares contracts with grantees, monitors progress in implementing funded projects, and reports on the use of funds.</p> <p>This program is funded by State sources including the CMP, the Community Air Protection (CAP) Program, and the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program. Annually, this program receives multiple new sources of funding that are each managed over 4 years. In addition, all incentive projects generated through each year of funding are monitored, tracked, and reported on for up to an additional 10 years.</p>	
Justification of Change Request:	
Not applicable.	
Activities	
Update program policies and procedures, guidance materials, and administrative operating procedures; and develop solicitation packages and conduct outreach.	
Review and evaluate project applications to determine eligibility and prepare recommendations for award of eligible projects for approval by the Board of Directors.	
Prepare contracts, amendments, and correspondence; monitor projects, inspect, and audit programs and projects to assure compliance with State and District guidelines, policies, and statutory and regulatory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare and submit reports to CARB; liaise with CARB on contract and guideline requirements.	
Prepare technical, financial, and staff reports, attend meetings, and participate in external audits.	
Coordinate with IT contractors to develop, enhance, and maintain data management systems.	
Major Objectives	Delivery Date
Finalize policies and procedures for the new CMP funding cycle, consistent with CARB guidelines.	July 2023
Open a solicitation for a new CMP/FARMER/CAP funding cycle.	August 2023
Conduct RFP, bring recommendation to Board, execute a contract with selected contractor to start work on a new data management system.	January 2024
Submit reports to CARB on the District's implementation of the CMP (annually) and CAP and FARMER (semi-annually).	Annually
Meet funding source disbursement and liquidation deadlines.	June 2024
Meet funding source requirements to fund projects benefitting priority areas.	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		14.81	16.62	16.21	(0.41)	(2.5)
Personnel Expenditures						
Permanent Salaries	51100	1,830,738	2,172,379	2,176,518	4,139	0.19
Overtime Salaries	51150	103				
Temporary Salaries	51200					
Payroll Taxes	51300	26,942	30,677	30,845	168	0.55
Pension Benefits	51400	330,086	492,245	437,689	(54,556)	(11.08)
FICA Replacement Benefits	51500	19,001	32,486	33,065	579	1.78
Group Insurance Benefits	51600	235,945	290,841	299,753	8,912	3.06
Employee Transportation Subsidy	51700	15,063	24,692	23,233	(1,459)	(5.91)
Workers' Compensation	51800	5,769	8,591	8,014	(577)	(6.72)
Discretionary Contribution (Pension/OPEB)	51850	100,155	149,415	171,459	22,044	14.75
Board Stipends	51900					
Total Personnel Expenditures		2,563,802	3,201,326	3,180,576	(20,750)	(0.65)
Services & Supplies Expenditures						
Travel In-State	52200		12,500	12,500		
Travel Out-of-State	52220		7,500	7,500		
Training & Education	52300		22,000	17,000	(5,000)	(22.73)
Repair & Maintenance (Equipment)	52400					
Communications	52500		5,000	5,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		3,000	3,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	98,621	400,000	365,500	(34,500)	(8.63)
General Insurance	53400					
Shop & Field Supplies	53500	206	2,000	2,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		22,000	13,000	(9,000)	(40.91)
Stationery & Office Supplies	53900		1,000	1,000		
Books & Journals	54100		500	500		
Minor Office Equipment	54200		5,000	5,000		
Total Services & Supplies Expenditures		98,827	480,500	432,000	(48,500)	(10.09)
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out	70005					
Total Expenditures		2,662,629	3,681,826	3,612,576	(69,250)	(1.88)

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Minda Berbeco	
Program Purpose:	
Administer motor vehicle registration fee surcharge revenues to reduce on-road vehicle emissions.	
Description of Program:	
<p>In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its jurisdiction to fund projects that reduce on-road motor vehicle emissions. The Air District allocates these funds to eligible projects through its Transportation Fund for Clean Air (TFCA) program and a portion of the funds collected are expended for administrative purposes. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242. Sixty percent of the funds are awarded directly by the Air District for eligible Air District programs (e.g., Spare the Air) and through the TFCA Regional Fund program. The remaining 40% are forwarded to the nine designated Bay Area county transportation agencies and distributed through the County Program Manager Fund program.</p> <p>The TFCA provides grants to reduce emissions of criteria pollutants through trip reduction projects and clean-air vehicle-based projects.</p>	
Justification of Change Request:	
Not applicable.	
Activities	
Prepare recommendations for updates to program policies and funding allocation for consideration by the Board of Directors; update program guidance and administrative operating procedures; and develop solicitation packages and conduct outreach.	
Review and evaluate project applications to determine their eligibility, and prepare recommendations for award of eligible projects for approval by the Board of Directors.	
Prepare contracts, amendments, and correspondence; review progress reports and monitor projects, inspect, and audit programs and projects to assure compliance with District policies and statutory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare technical, financial, and staff reports and attend meetings.	
Major Objectives	Delivery Date
Conduct outreach, review applications, and obtain Board of Directors approval for eligible projects; and execute agreements with grantees for FYE 24 funding.	Ongoing
Complete updates to the FYE 2025 County Program Manager policies for Board of Directors consideration and distribute guidance and application package to Program Managers	December 2023
Prepare FYE 2023 TFCA Report on Regional Fund Expenditures and Effectiveness.	December 2023
Conduct audit of TFCA funded projects and programs completed by 6/30/22	December 2023
Obtain Board of Director approval of proposed FYE 2024 expenditure reports and execute funding agreements with the nine County Program Managers.	June 2023

Transportation Fund for Clean Air Administration (TFCA)

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.74	5.08	4.72	(0.36)	(7.1)
Personnel Expenditures						
Permanent Salaries	51100	530,626	710,934	623,426	(87,508)	(12.31)
Overtime Salaries	51150	713				
Temporary Salaries	51200					
Payroll Taxes	51300	7,987	10,099	8,851	(1,248)	(12.36)
Pension Benefits	51400	118,803	161,951	124,934	(37,017)	(22.86)
FICA Replacement Benefits	51500	5,690	9,926	9,633	(293)	(2.95)
Group Insurance Benefits	51600	70,538	95,568	87,342	(8,226)	(8.61)
Employee Transportation Subsidy	51700	4,516	7,545	6,768	(777)	(10.30)
Workers' Compensation	51800	1,679	2,625	2,335	(290)	(11.05)
Discretionary Contribution (Pension/OPEB)	51850	40,951	45,653	49,787	4,134	9.06
Board Stipends	51900					
Total Personnel Expenditures		781,503	1,044,301	913,076	(131,225)	(12.57)
Services & Supplies Expenditures						
Travel In-State	52200		8,000	8,500	500	6.25
Travel Out-of-State	52220		8,000	6,500	(1,500)	(18.75)
Training & Education	52300		11,000	7,000	(4,000)	(36.36)
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,293	3,000	2,500	(500)	(16.67)
Building Maintenance	52600					
Utilities	52700					
Postage	52800	1				
Printing & Reproduction	52900	1,440	1,000	1,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	103,784	376,349	398,999	22,650	6.02
General Insurance	53400					
Shop & Field Supplies	53500		1,500	500	(1,000)	(66.67)
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	150	20,000	6,000	(14,000)	(70.00)
Stationery & Office Supplies	53900	743	1,000	500	(500)	(50.00)
Books & Journals	54100		440	450	10	2.27
Minor Office Equipment	54200		5,000	2,500	(2,500)	(50.00)
Total Services & Supplies Expenditures		107,411	435,289	434,449	(840)	(0.19)
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out	70005	403,652	170,409	357,920	187,511	110.04
Total Expenditures		1,292,566	1,649,999	1,705,445	55,446	3.36

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Minda Berbeco	
Program Purpose:	
Administer funding from motor vehicle surcharge revenues, authorized by AB 923, for emission reduction projects.	
Description of Program:	
<p>Assembly Bill 923 (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 for motor vehicles within the Air District's jurisdiction up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF).</p> <p>MSIF funds can be allocated to the following eligible projects and programs, according to established criteria: the Lower-Emission School Bus Program, a passenger vehicle retirement program, projects eligible for Carl Moyer Program funds, and eligible agricultural projects. Staff recommends funding allocations to eligible projects and programs for approval by the Board of Directors, monitors progress in implementing funded projects, reports on the use of the funds, and coordinates verification of requirements compliance. This program also includes assessment of mobile source and transportation technologies and programs in support of the grant-making function.</p>	
Justification of Change Request:	
Not applicable.	
Activities	
Recommend funding allocations to the Board of Directors.	
Update policies and guidance, conduct outreach, and provide application assistance.	
Review and evaluate project applications to determine eligibility and prepare recommendations for award of eligible projects for approval by the Board of Directors.	
Prepare contracts, amendments, and correspondence; monitor projects, inspect, and audit programs and projects to assure compliance with State and District guidelines, policies, and statutory and regulatory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare and submit reports to the California Air Resources Board (CARB) on the expenditure of MSIF funds.	
Prepare technical, financial, and staff reports, attend meetings, and participate in external audits.	
Coordinate with IT contractors to develop, enhance, and maintain data management systems.	
Major Objectives	Delivery Date
Report MSIF expenditures and project data to CARB.	August 2023
Liquidate matching funds in support of the Carl Moyer Program.	Annually
Conduct RFP, bring recommendation to Board, execute a contract with selected contractor to start work on a new data management system.	January 2024

Mobile Source Incentive Fund (MSIF)

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.14	3.16	1.64	(1.52)	(48.1)
Personnel Expenditures						
Permanent Salaries	51100	142,512	407,980	219,132	(188,848)	(46.29)
Overtime Salaries	51150	5				
Temporary Salaries	51200					
Payroll Taxes	51300	2,062	5,767	3,107	(2,660)	(46.12)
Pension Benefits	51400	63,072	92,400	43,940	(48,460)	(52.45)
FICA Replacement Benefits	51500	1,465	6,173	3,353	(2,820)	(45.68)
Group Insurance Benefits	51600	18,281	55,946	29,360	(26,586)	(47.52)
Employee Transportation Subsidy	51700	1,145	4,692	2,356	(2,336)	(49.79)
Workers' Compensation	51800	446	1,632	813	(819)	(50.18)
Discretionary Contribution (Pension/OPEB)	51850	27,909	28,391	17,363	(11,028)	(38.84)
Board Stipends	51900					
Total Personnel Expenditures		256,897	602,981	319,424	(283,557)	(47.03)
Services & Supplies Expenditures						
Travel In-State	52200	230	8,000	8,000		
Travel Out-of-State	52220		2,500	2,500		
Training & Education	52300		23,500	18,500	(5,000)	(21.28)
Repair & Maintenance (Equipment)	52400					
Communications	52500	902	2,000	2,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		3,000	3,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	30,194	150,000	160,000	10,000	6.67
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	150	30,000	17,000	(13,000)	(43.33)
Stationery & Office Supplies	53900		800	800		
Books & Journals	54100		200	200		
Minor Office Equipment	54200		5,000	5,000		
Total Services & Supplies Expenditures		31,476	225,000	217,000	(8,000)	(3.56)
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		132,533	271,341	51,746	(219,595)	(80.93)
Total Expenditures		420,906	1,099,322	588,170	(511,152)	(46.50)

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Minda Berbeco	
Program Purpose:	
Accelerate the removal of high-emitting vehicles from the on-road motor vehicle fleet within the District's jurisdiction.	
Description of Program:	
The program removes high-emitting motor vehicles from the region's roadways by purchasing and scrapping eligible vehicles from registered owners on a voluntary basis.	
Justification of Change Request:	
No change.	
Activities	
Implement procurement process for vehicle scrapping services.	
Oversee contractor's purchase and scrapping of vehicles.	
Respond to inquiries regarding Vehicle Buy-Back Program.	
Implement procurement process for direct mail campaign services.	
Oversee contractor's direct mailings.	
Acquire and update Department of Motor Vehicles (DMV) database used for direct mail annually.	
Develop and update Vehicle Buy-Back outreach materials.	
Conduct site visits of dismantling yards and dismantler offices.	
Manage suppression list and update DMV database.	
Review and approve scrapping contractor invoices.	
Review and approve direct mail contractor invoices.	
Major Objectives	Delivery Date
Implement the Vehicle Buy-Back program, monitor contractor performance, review/ pay program invoices.	Ongoing
Report program expenditures to the California Air Resources Board (CARB)	June 2023

Vehicle Buy Back (MSIF)

312

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.31	0.56	0.73	0.17	30.4
Personnel Expenditures						
Permanent Salaries	51100	39,676	66,261	90,311	24,050	36.30
Overtime Salaries	51150	13				
Temporary Salaries	51200					
Payroll Taxes	51300	549	933	1,278	345	36.98
Pension Benefits	51400	3,664	15,266	17,936	2,670	17.49
FICA Replacement Benefits	51500	391	1,095	1,490	395	36.07
Group Insurance Benefits	51600	4,921	11,765	13,301	1,536	13.06
Employee Transportation Subsidy	51700	294	832	1,047	215	25.84
Workers' Compensation	51800	126	289	361	72	24.91
Discretionary Contribution (Pension/OPEB)	51850	245	5,034	7,608	2,574	51.13
Board Stipends	51900					
Total Personnel Expenditures		49,879	101,475	133,332	31,857	31.39
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,963,923	7,200,000	7,300,000	100,000	1.39
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		1,963,923	7,200,000	7,300,000	100,000	1.39
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		25,733	35,024	31,221	(3,803)	(10.86)
Total Expenditures		2,039,535	7,336,499	7,464,553	128,054	1.75

Miscellaneous Incentive Program (Other Grant)

316

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Chengfeng Wang	
Program Purpose:	
Administer one-time pass through funding to implement emissions reductions projects	
Description of Program:	
<p>This program is used to manage grant revenues the Air District receives from sources such as the Bay Area Clean Air Foundation, State of California, Federal government, and settlement agreements. Grant funding from these sources is used to administer "one-off" or single-cycle of funding for projects and programs that have a limited duration, e.g., 1 to 5 years.</p> <p>These funding sources may also be used to augment and complement funding from other Air District sources of funding.</p>	
Justification of Change Request:	
None.	
Activities	
Review and evaluate project applications to determine eligibility and prepare recommendations for award of eligible projects for approval by the Board of Directors.	
Prepare contracts, amendments, and correspondence; monitor projects, inspect, and audit programs and projects to assure compliance with grant agreements, Program guidelines, policies, and statutory and regulatory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare and submit reports and funding disbursement requests to funding agencies; liaise with funding agencies on contract and guideline requirements.	
Prepare technical, financial, and staff reports, attend meetings, and participate in external audits.	
Major Objectives	Delivery Date
Meet all funding source requirements including project obligation/encumbrance and liquidation deadlines	Ongoing
Submit required reports to funding source agencies	Ongoing

Miscellaneous Incentive Program (Other Grant)

316

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		0.18		0.87	0.87	
Personnel Expenditures						
Permanent Salaries	51100	20,445		121,992	121,992	
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	318		1,740	1,740	
Pension Benefits	51400	8,138		24,588	24,588	
FICA Replacement Benefits	51500	221		1,775	1,775	
Group Insurance Benefits	51600	2,740		15,116	15,116	
Employee Transportation Subsidy	51700	173		1,247	1,247	
Workers' Compensation	51800	65		430	430	
Discretionary Contribution (Pension/OPEB)	51850	3,496		9,284	9,284	
Board Stipends	51900					
Total Personnel Expenditures		35,596		176,172	176,172	
Services & Supplies Expenditures						
Travel In-State	52200		6,300	6,300		
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures			6,300	6,300		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		(35,596)				
Total Expenditures			6,300	182,472	176,172	2,796.38

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Minda Berbeco	
Program Purpose:	
Administration of the Proposition 1B: Goods Movement Emission Reduction Program to reduce air pollution by replacing diesel equipment associated with goods movement activities.	
Description of Program:	
<p>In 2007, the California State Legislature enacted Senate Bill 88 authorizing \$1 billion in bond funding for projects to protect public health from emissions associated with goods movement activities along California trade corridors. The Proposition 1B: Goods Movement Emission Reduction Program is a partnership between the California Air Resources Board and local agencies and Air District administers this Program for the Bay Area.</p> <p>The Program funds replacement of old diesel on- and off-road vehicles, equipment, and locomotives with near- and zero-emission technologies. The Program also provides funding for shorepower electrification project for ocean-going vessel at berth.</p> <p>Air District staff conducts outreach and solicits grant applications, evaluates grant applications according to established criteria, recommends allocation of the funding, prepares contracts with grantees, monitors progress in implementing funded projects, and reports on the use of funds.</p>	
Justification of Change Request:	
Not applicable.	
Activities	
Develop/update policies and procedures for the administration of the Goods Movement Bond Program (GMP).	
Conduct outreach to interested parties and provide application assistance.	
Evaluate grant applications for eligibility with GMP guidelines.	
Conduct inspections of the baseline and funded project equipment.	
Prepare grant award recommendations and coordinate the execution of funding agreements for the selected projects.	
Administer and monitor projects that have been awarded GMP grants.	
Prepare and submit reports to the California Air Resources Board (CARB) on the implementation of the GMP.	
Monitor, inspect, and audit current and previously funded programs and projects to assure compliance with State and Air District guidelines, policies, and statutory and regulatory requirements.	
Prepare technical, financial, and staff reports.	
Major Objectives	Delivery Date
Meet all funding source requirements including project obligation/encumbrance and liquidation deadlines	Ongoing
Submit required reports to funding source agencies	Ongoing

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		1.26	1.11	1.63	0.52	46.8
Personnel Expenditures						
Permanent Salaries	51100	160,876	153,527	228,014	74,487	48.52
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	2,373	2,171	3,228	1,057	48.69
Pension Benefits	51400	29,021	34,970	47,124	12,154	34.76
FICA Replacement Benefits	51500	1,674	2,169	3,332	1,163	53.62
Group Insurance Benefits	51600	20,833	17,373	27,650	10,277	59.16
Employee Transportation Subsidy	51700	1,321	1,649	2,341	692	41.96
Workers' Compensation	51800	543	574	808	234	40.77
Discretionary Contribution (Pension/OPEB)	51850	8,759	9,978	17,409	7,431	74.47
Board Stipends	51900					
Total Personnel Expenditures		225,400	222,411	329,906	107,495	48.33
Services & Supplies Expenditures						
Travel In-State	52200		2,000	2,000		
Travel Out-of-State	52220					
Training & Education	52300		1,500	1,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700	138				
Postage	52800					
Printing & Reproduction	52900		1,000	1,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	10,730	45,000	40,000	(5,000)	(11.11)
General Insurance	53400					
Shop & Field Supplies	53500		1,000	1,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		10,868	50,500	45,500	(5,000)	(9.90)
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		(223,290)		(188,889)	(188,889)	
Total Expenditures		12,978	272,911	186,517	(86,394)	(31.66)

Managing Division:	
Strategic Incentives Division	
Contact Person:	
Chengfeng Wang	
Program Purpose:	
The purpose of this program is to administer the Volkswagen Environmental Mitigation Trust funds to mitigate the lifetime excess oxides of nitrogen (NOx) emissions caused by VW's use of an illegal defeat device in the State of California.	
Description of Program:	
California Air Resources Board (CARB) is the designated Lead Agency acting on the State's behalf as beneficiary to implement California's \$423 million in VW Trust funds for eligible project categories. On May 25, 2018, CARB approved the Volkswagen Environmental Mitigation Trust (VW Trust) Beneficiary Mitigation Plan and approved the selection of the Bay Area Air District to administer Trust funding on a statewide-basis for two of the five project categories: 1) zero-emission freight and marine (ZEFM), and 2) light-duty zero emission vehicle infrastructure (LDI).	
The ZEFM program will award \$70 million to eligible zero-emission freight and marine projects, such as replacement of forklifts and port cargo handling equipment, airport ground support equipment, repower of ferry, tugboat, and towboats, and installation of oceangoing vessel shore power. The LDI program administers \$10 million to eligible light-duty electric vehicle charging and hydrogen fueling infrastructure projects.	
Air District staff works with CARB and other air districts to update the Implementation Manual, issue project solicitations, evaluate project applications, recommend award for funding, execute contracts with grantees, monitor project progress, and report the use of funds, conduct public outreach, maintain a Program website and a grants management system.	
Justification of Change Request:	
Activities	
Review and evaluate project applications to determine eligibility and prepare recommendations for award of eligible projects for approval.	
Prepare contracts, amendments, and correspondence; monitor projects, inspect, and audit programs and projects to assure compliance with grant agreements, Program guidelines, policies, and statutory and regulatory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare and submit reports and funding disbursement requests to funding agencies; liaise with funding agencies on contract and guideline requirements.	
Maintain program website and program hotline.	
Prepare technical, financial, and staff reports, attend meetings, and participate in external audits.	
Coordinate with IT contractors to develop, enhance, and maintain data management systems.	
Major Objectives	Delivery Date
Award the remaining of the funds	Ongoing
Maintain grants management system, program website and hotline	Ongoing
Evaluate project applications, recommend award for funding, execute contracts with grantees, monitor project progress, review reimbursement request and process payments	Ongoing
Submit required reports and funding disbursement requests to CARB	Ongoing
Work with CARB to improve the Program	Ongoing

Volkswagen NOx Mitigation (VW Trust)

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		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		3.31	3.50	2.47	(1.03)	(29.4)
Personnel Expenditures						
Permanent Salaries	51100	417,716	469,816	357,170	(112,646)	(23.98)
Overtime Salaries	51150	129				
Temporary Salaries	51200					
Payroll Taxes	51300	6,260	6,645	5,064	(1,581)	(23.79)
Pension Benefits	51400	86,337	105,969	73,058	(32,911)	(31.06)
FICA Replacement Benefits	51500	4,446	6,840	5,048	(1,792)	(26.20)
Group Insurance Benefits	51600	55,110	63,488	46,372	(17,116)	(26.96)
Employee Transportation Subsidy	51700	3,543	5,199	3,547	(1,652)	(31.78)
Workers' Compensation	51800	1,323	1,809	1,223	(586)	(32.39)
Discretionary Contribution (Pension/OPEB)	51850	28,774	31,461	26,551	(4,910)	(15.61)
Board Stipends	51900					
Total Personnel Expenditures		603,638	691,227	518,033	(173,194)	(25.06)
Services & Supplies Expenditures						
Travel In-State	52200		13,000	13,000		
Travel Out-of-State	52220					
Training & Education	52300		2,000	2,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	36,518	100,000	97,229	(2,771)	(2.77)
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		36,518	115,000	112,229	(2,771)	(2.41)
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		48,277	311,052	233,115	(77,937)	(25.06)
Total Expenditures		688,433	1,117,279	863,377	(253,902)	(22.73)

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Special Revenue Fund

Technology Implementation Office (TIO)

The Technology Implementation Office (TIO) mission is to advance emerging, cost-effective solutions to achieve greenhouse gas emissions reductions for the transportation and industrial source sectors. TIO will connect climate technologies and customers by providing financial incentives (through grants and loans) as well as technical and matchmaking support. Climate technology areas include zero emissions vehicles and infrastructure, zero emissions energy storage and backup systems, composting, and waste-to-energy projects (co-digestion, waste treatment, anaerobic digestion, combined heat and power). By supporting the scale-up of climate technologies, TIO can help achieve state and regional greenhouse gas emissions targets, reduce emissions in impacted communities, while also making technologies cost-effective even in regions without strong climate policies.

Managing Division:	
Technology Implementation Office	
Contact Person:	
Anthony Fournier	
Program Purpose:	
Administer funding, outreach, and planning to accelerate the adoption of light-duty (passenger) electric vehicles (EVs) and EV infrastructure in the Bay Area.	
Description of Program:	
The Air District's 2017 Clean Air Plan established a goal of 90% of Bay Area vehicles being zero emissions by 2050. To support this goal, this program incentives publicly available charging infrastructure, vehicle fleets, and electric vehicles for low-income consumers. This program primarily includes the Charge! program for EV infrastructure and the Clean Cars For All program for income-eligible residents in impacted communities. To complement and increase utilization of the incentives programs, this program also includes outreach, regional coordination, and planning to remove potential barriers and accelerate EV deployment throughout the Bay Area.	
Justification of Change Request:	
Grant funding from the California Air Resources Board and Federal Highway Administration to expand incentives for income-eligible consumers (ARB) and support outreach, partnerships, and planning (FHWA).	
Activities	
Administer grant programs, including updating policies and guidelines, conducting outreach, preparing program documents and communications, processing reimbursement requests, tracking project status, and conducting audits, for Charge!, Clean Fleets, and Clean Cars For All.	
Organize and participate in workgroups and events to increase awareness about EVs, support deployment, sharing best practices, and regional coordination.	
Conduct analyses and planning to inform Air District strategy and programs.	
Prepare technical, financial, and staff reports.	
Major Objectives	Delivery Date
Complete awards for the Clean Cars For All program, including outreach to eligible communities and residents.	Ongoing
Complete cycle of Charge! Program on online grant management system.	Ongoing
Develop implementation tools based on Bay Area EV Acceleration Plan	Ongoing
Organize quarterly Bay Area EV Coordinating Council meetings	Ongoing

Light Duty Electric Vehicle Program (Other Grant)

317

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)		7.52	7.85	7.99	0.14	1.8
Personnel Expenditures						
Permanent Salaries	51100	882,189	1,001,684	1,068,282	66,598	6.65
Overtime Salaries	51150	3,741	5,000	10,000	5,000	100.00
Temporary Salaries	51200		15,000	200,000	185,000	1,233.33
Payroll Taxes	51300	12,926	14,282	15,341	1,059	7.41
Pension Benefits	51400	171,978	227,454	214,562	(12,892)	(5.67)
FICA Replacement Benefits	51500	9,197	15,347	16,313	966	6.29
Group Insurance Benefits	51600	114,336	134,829	143,185	8,356	6.20
Employee Transportation Subsidy	51700	7,262	11,665	11,463	(202)	(1.73)
Workers' Compensation	51800	2,795	4,059	3,954	(105)	(2.59)
Discretionary Contribution (Pension/OPEB)	51850	55,082	70,584	84,510	13,926	19.73
Board Stipends	51900					
Total Personnel Expenditures		1,259,506	1,499,904	1,767,610	267,706	17.85
Services & Supplies Expenditures						
Travel In-State	52200	52	7,500	10,500	3,000	40.00
Travel Out-of-State	52220		4,500	6,000	1,500	33.33
Training & Education	52300		6,000	6,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,221	2,500	2,500		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	489,877	800,000	875,000	75,000	9.38
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	425	3,000	3,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		492,575	823,500	903,000	79,500	9.65
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out		372,283		265,142	265,142	
Total Expenditures		2,124,364	2,323,404	2,935,752	612,348	26.36

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Special Revenue Fund

Compliance and Enforcement

The Compliance & Enforcement Division ensures the Air District realizes the emission reductions achieved by the air quality regulations adopted by the Board of Directors, and permit conditions issued by the Executive Officer/APCO. Compliance with Air District, state, and federal regulations is achieved through a robust Compliance Assurance and Enforcement Program that includes comprehensive inspections and investigations and a complementary Compliance Assistance Program that supports compliance objectives of the Division by maintaining operations and assisting industry with air quality regulations and requirements. The Division works closely with local and state regulatory agencies, regulated industry and members of the community to provide the highest level of service to protect air quality and public health. The Division implements Air District strategies and enforces regulations that pertain to stationary sources and has some mobile source enforcement authority in collaboration with the California Air Resources Board. Division priorities include conducting Title V and Synthetic Minor facility inspections, locating unpermitted sources of operations, resolving violations at facilities with ongoing non-compliance and responding to and investigating air quality complaints. Staff work collaboratively across Divisions to achieve the Air District's mission and apply the appropriate level of enforcement proportional to the level of non-compliance. The Division vigorously pursues violators who show a disregard for the law and well-being of the public and ensures corrective actions and measures to resolve violations are taken.

The Compliance and Enforcement Division continues to focus on activities that support the Air District's commitment to achieve clean air to protect public health and the environment as follows:

The Compliance Assurance and Enforcement Programs focus on announced and unannounced inspections of air pollution sources to ensure compliance. Targeted strategies are used to guide inspections to identify non-compliance and reduce excess emissions. Sources include Title V and Synthetic Minor facilities, petroleum refineries, chemical plants, dry cleaners, gasoline dispensing facilities, autobody shops, asbestos renovations and demolitions, agricultural and prescribed burning, and other permitted sources. Other facets of the program requiring Division resources include investigations of Title V deviation reporting, Reportable Compliance Activities, and other inspections pertaining to the Portable Equipment Registration Program (PERP), Asbestos projects (renovations, demolitions and naturally occurring asbestos – NOA), compliance determinations for State Air Toxics Control Measures (ATCMs) and Federal Maximum Available Control Technology (MACTs) for air toxics. Air pollution complaints and incident response investigations are a high priority in the Division that aim to address and resolve air quality concerns of local communities.

The Compliance Assistance Program develops outreach materials, advisories, policies and procedures and guidance information and implements compliance strategies that complement a wide range of enforcement efforts. The program aims to enhance industry and public understanding of compliance and enforcement programs and regulatory requirements, address compliance concerns and assist in resolving air quality violations. Key programs and projects in Compliance Assistance and Operations include the Air District's Wood Smoke Reduction Program, Air Quality Complaint Program, AB617 Community Health Protection Program in West Oakland, Richmond/San Pablo, East Oakland and Bay View Hunters Point, Wildfire Air Quality Response Program, Commuter Benefits, Title V, Open Burning, Flare Monitoring, Naturally Occurring Asbestos, Inspector Training, Green Business Certifications, Variance and Hearing Board Activities, and many others involving state, federal and Air District regulations and requirements. The program also maintains online web information, the dispatch operating system and the compliance assistance and complaint phone lines which are all integral interfaces with the public.

Managing Division:	
Compliance & Enforcement Division	
Contact Person:	
Tracy Lee	
Program Purpose:	
Conduct enhanced inspection patrols to report smoking vehicles and to promote repair or retirement of these vehicles for the protection of public health. Conduct enhanced inspections to enforce drayage truck and related truck/mobile source regulations at, and adjacent to, the Port of Oakland.	
Description of Program:	
The enhanced mobile source inspection program is conducted to reduce particulate matter (PM) emissions throughout the Bay Area, and of PM and other emissions specifically at, and adjacent to, the Port of Oakland. Enhanced enforcement patrols are conducted for smoking vehicles. All Air District inspectors patrol for smoking vehicles on the road, between performing inspections and answering complaints. Smoking vehicles are reported to Air District dispatchers; owner information is extracted from Department of Motor Vehicles (DMV) records. Letters are sent to owners to request that they repair or retire the respective vehicles; compliance assistance materials are included. Enhanced enforcement of the State drayage truck regulation (DTR) and related truck/mobile source regulations is conducted at, and adjacent to, the Port of Oakland. Targeted enforcement includes ensuring compliance with required upgrades and modifications to engine model year 2010 and newer for drayage trucks. Enhanced patrols and enforcement are conducted to ensure that illegal dray-off activities and excess idling are not performed. Compliance checks of mobile source equipment and vehicles are conducted to verify adherence to State regulations. Compliance assistance materials are developed; outreach is conducted with truckers and other mobile source operators regarding regulation(s) requirements, compliance deadlines and the availability of Air District grants and incentives.	
Justification of Change Request:	
None.	
Activities	
Smoking Vehicles: Conduct inspection patrols for smoking vehicles. Vehicle owners are identified using DMV records. Notification letters are sent to vehicle owners to inform them of the vehicle's excess emissions and to request that they repair the vehicle or contact assistance programs to retire the vehicle.	
Port Trucks Compliance Assurance: Conduct enhanced mobile source inspections at and adjacent to the Port of Oakland for compliance with the State DTR and related truck/mobile source regulations. Additional inspections are conducted and targeted at ensuring upgrades and modifications to engine model year 2010 and newer trucks in compliance with the requirements of Phase 1 and Phase 2 of the California Air Resources Board's DTR. Additional focused inspections are conducted for compliance with dray-off provisions of the regulation and to ensure that non-compliant trucks do not enter the Port. Air District staff also verify compliance with State mobile source regulations pursuant to the Air District's Mobile Source Compliance Plan.	
Port Trucks Enforcement: Conduct investigations and inspections, issue and process Notice of Violations for trucks and other mobile sources found in non-compliance.	
Port Trucks Compliance Assistance: Develop fact sheets, posters and other outreach materials to provide to Port operators and truckers on regulatory requirements, upcoming compliance dates and the availability of Air District grants. Develop compliance assistance materials for related mobile source regulatory requirements. Provide compliance assistance during inspections and following enforcement actions; provide bilingual assistance where needed. Identify and translate compliance assistance materials. Participate in Trucker Workgroup meetings at the Port, as needed.	
Major Objectives	Delivery Date
Not applicable.	Ongoing

Enhanced Mobile Source Inspections (TFCA)

318

		Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)						
Personnel Expenditures						
Permanent Salaries	51100					
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300					
Pension Benefits	51400					
FICA Replacement Benefits	51500					
Group Insurance Benefits	51600					
Employee Transportation Subsidy	51700					
Workers' Compensation	51800					
Discretionary Contribution (Pension/OPEB)	51850					
Board Stipends	51900					
Services & Supplies Expenditures						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,586	3,000	3,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800		4,000	4,000		
Printing & Reproduction	52900	6,255	8,000	8,500	500	6.25
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		8,841	15,000	15,500	500	3.33
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		8,841	15,000	15,500	500	3.33

Commuter Benefits Program (TFCA)

319

Managing Division:	
Compliance & Enforcement Division	
Contact Person:	
Tracy Lee	
Program Purpose:	
Implementation of the Commuter Benefits Program, per the requirements of Air District Regulation 14-1.	
Description of Program:	
As part of the implementation of the Commuter Benefits Program, staff plans to continue performing education, outreach, monitoring and tracking of approximately 10,000 Bay Area employers subject to the Program. Enforcement actions will be taken as appropriate.	
Justification of Change Request:	
None.	
Activities	
Perform outreach to affected employers.	
Continue education campaign for affected employers.	
Perform tracking and monitoring of program.	
Facilitate data reporting and storage for affected employers.	
Coordinate activities with Metropolitan Transportation Commission's 511.org.	
Prepare and implement a compliance and enforcement system.	
Major Objectives	Delivery Date
Conduct outreach and education.	Ongoing
Prepare and implement a compliance and enforcement system.	Ongoing

Commuter Benefits Program (TFCA)

319

		Audited	Approved	Proposed	FTE/Dollar	Percent
		Program Actual	Program Budget	Program Budget	Change	Change
		2022	2023	2024	\$	%
Number of Positions (FTE)						
Personnel Expenditures						
Permanent Salaries	51100					
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300					
Pension Benefits	51400					
FICA Replacement Benefits	51500					
Group Insurance Benefits	51600					
Employee Transportation Subsidy	51700					
Workers' Compensation	51800					
Discretionary Contribution (Pension/OPEB)	51850					
Board Stipends	51900					
Services & Supplies Expenditures						
Travel In-State	52200		6,000	6,000		
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800	1,714	5,000	5,000		
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Total Services & Supplies Expenditures		1,714	11,000	11,000		
Capital Expenditures						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Total Capital Expenditures						
Transfer In/Out						
Total Expenditures		1,714	11,000	11,000		

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Special Revenue Fund

Community Engagement

The Community Engagement Office is the Air District's main point of contact with the public and engages the public in Air District programs and policies. Community Engagement staff collaborate with diverse communities and other partners to advance public health, equity, and environmental justice in the Bay Area. To that end, staff work with community members and other partners to increase community awareness and transparency of air quality issues, build capacity, implement community-identified solutions, and increase opportunities for the public to participate in Air District decision-making. Community Engagement staff particularly seek opportunities for communities that have been historically excluded, discriminated against, under-represented, or under-resourced to participate and shape Air District decisions.

Managing Division:	
Community Engagement Division	
Contact Person:	
Anna Lee & Diana Ruiz	
Program Purpose:	
This program will implement a Supplemental Environmental Project (SEP) funded by the California Air Resources Board (CARB). The goal of the program is to provide high efficiency indoor air filtration systems in some of the most impacted communities in the Bay Area.	
Description of Program:	
In 2018 the Air District applied for a Supplemental Environmental Project grant from CARB and received \$2,000,000 to provide air filtration systems at sensitive receptor facilities in disproportionately impacted and disadvantaged communities in the Bay Area. The program will focus on providing filtration to public elementary schools in priority communities identified through AB 617. The Air District will manage a contract to support installation and maintenance of air filtration systems.	
Justification of Change Request:	
Program not continued	
Activities	
Major Objectives	Delivery Date

Community Engagement - Special Project (Other Grant)

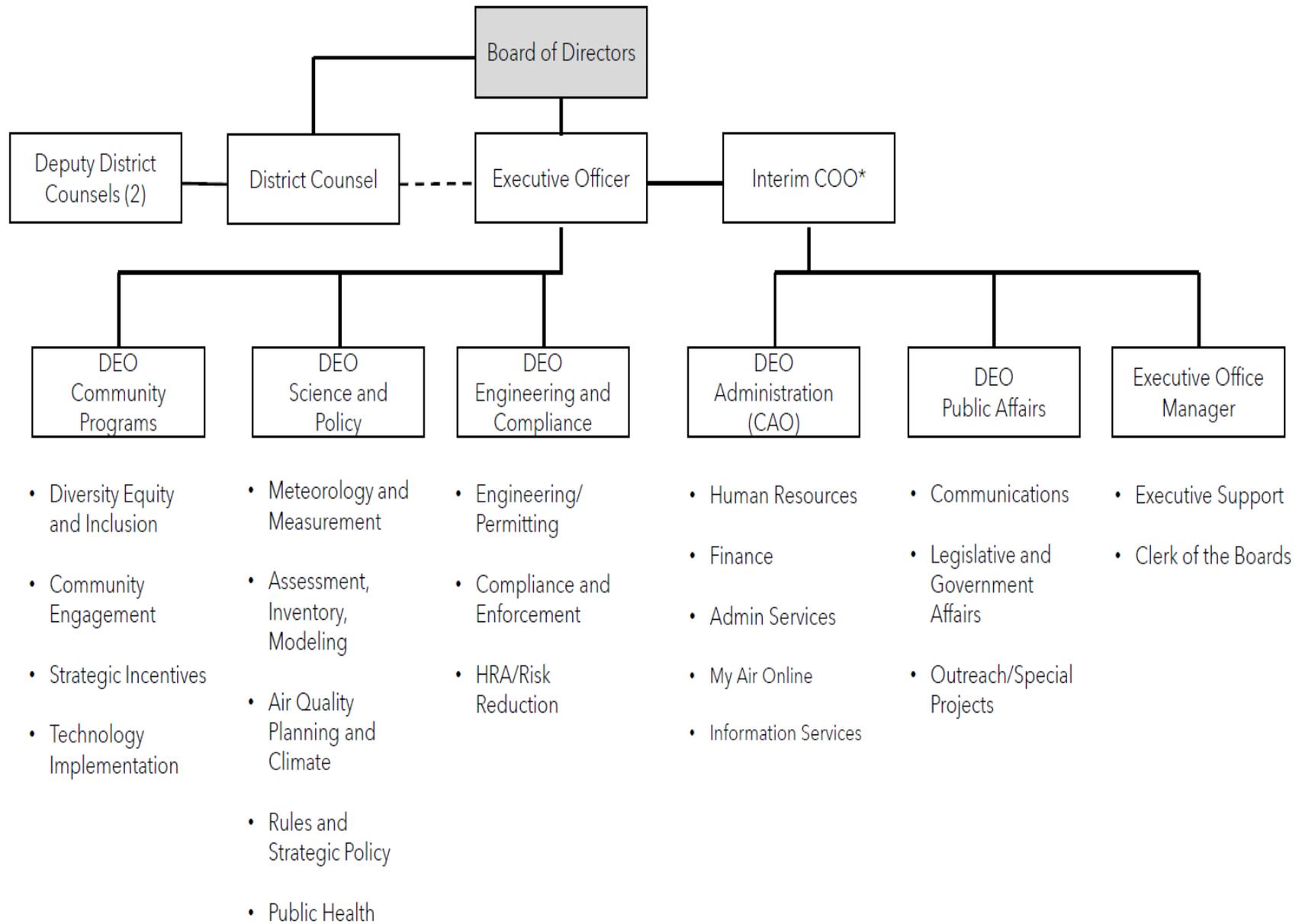
325

	Audited Program Actual 2022	Approved Program Budget 2023	Proposed Program Budget 2024	FTE/Dollar Change \$	Percent Change %
Number of Positions (FTE)					
Personnel Expenditures					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Discretionary Contribution (Pension/OPEB)	51850				
Board Stipends	51900				
Total Personnel Expenditures					
Services & Supplies Expenditures					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	254,897			
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
Total Services & Supplies Expenditures		254,897			
Capital Expenditures					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
Total Capital Expenditures					
Transfer In/Out					
Total Expenditures		254,897			

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Appendices

APPENDIX A



APPENDIX B

SELECTED LEGAL REQUIREMENTS

The following highlights selected major legal requirements regarding the use and collection of funds that are considered when developing and reviewing the Air District's budget:

1. Federal law requires that the Air District collect fees from affected facilities to fund the implementation of Title V of the Federal Clean Air Act (42 U.S.C. Section 7401, et seq. and implementing regulations in 40 CFR Parts 60 and 70). Implementation of Title V includes all activities involved in the review, issuance, and enforcement of Title V Permits. "Affected facilities" include all major stationary sources as defined in the Federal Clean Air Act.
2. Revenue received by the Air District pursuant to *California Health and Safety Code* Section 44220, et seq. (Transportation Fund for Clean Air (TFCA)) may only be used to fund approved projects, and certain expenditures incurred for administration of the TFCA program, including audits. The expenditures for the administration of TFCA grants are contained in the Transportation Fund for Clean Air Administration.
3. Permit fee revenue may only be used to fund activities associated with the permitting, monitoring, and enforcement of regulations affecting permitted stationary sources. Past audits of District activities have shown that the Air District's programs meet this test.
4. Funding from several sources, including grants, is restricted, and thus may only be used to fund certain activities. Air District accounts are periodically audited to ensure that such funds are used appropriately.
5. *California Health and Safety Code* Section 40131(a)(3) requires that two public hearings be held regarding the adoption of the District budget. The first hearing is for the exclusive purpose of reviewing the budget and providing the public with the opportunity to comment upon the proposed budget. This hearing must be separate from the hearing at which the District adopts its budget. The adoption hearing may not be held any sooner than two weeks after the first hearing. Thirty (30) days public notice must be given before the first public hearing.
6. The Maintenance of Effort (MOE) level refers to a Federal EPA Section 105 grant condition. This condition states that, "No agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year unless the Administrator, after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of Government." Depending on the expenditures reported on the Federal Status Report (FSR) at the conclusion of the federal FYE 2022, receipt of the Federal grant funds for FYE 2023 could be delayed or jeopardized because of this MOE requirement.

APPENDIX C

GENERAL FUND RESERVES AND LIABILITIES

GF FUND RESERVES	6/30/2022 Audited	6/30/2023 Projected	6/30/2024 Projected
Available Balance	80,615,454	80,615,454	68,525,454
Approved Board Transfers		(7,420,000)	
Use of Reserves for Budget		(4,670,000)	(5,274,900)
	80,615,454	68,525,454	63,250,554
DESIGNATED: *			
AB617 Staffing Contingency	7,679,746	7,679,746	7,700,000
Community Benefits	3,000,000	3,000,000	3,000,000
Economic Contingency	23,303,025	25,500,741	26,490,000
Incident Monitoring Program			1,000,000
Outside Counsel Litigation Support	3,000,000	1,880,000	6,880,000
Limited Term Staffing Contingency			1,000,000
Pandemic Contingency	4,000,000	4,000,000	2,000,000
Pension Liability	5,000,000		
Richmond Improvements (HQE)	5,000,000	5,000,000	5,000,000
Spare the Air Program			2,000,000
Technology Implementation Office	3,350,000	3,350,000	3,350,000
Wildfire Mitigation	2,000,000	1,000,000	1,000,000
	\$56,332,771	\$51,410,487	\$59,420,000
UNDESIGNATED	24,282,683	17,114,967	3,830,554
* Designated Reserve Balances are subject to change at Board's discretion.			
ESTIMATED OUTSTANDING LIABILITIES			
CalPERS Pension Retirement			68,298,398
Certificate of Participation Notes			22,770,330
TOTAL ESTIMATED OUTSTANDING LIABILITIES			91,068,728

APPENDIX C

GENERAL FUND RESERVES AND LIABILITIES

APPENDIX C depicts the actual unrestricted funds at the end of FY 2022, as well as the projected amount for FY 2023 and FY 2024. For FY 2023, a recommendation of \$4.7 million transfer from General Fund reserves; of which \$3.7 million will go towards funding the James Carey Smith grants program and \$1.0 million for information technology improvements and build-out of space for Meteorology and Measurement staff at the Richmond Office. For FY 2024, a recommendation of \$5.3 million transfer from General Fund reserves to be used for capital projects/equipment and other one-time costs. To remain fiscally prudent, the Air District established an economic contingency reserve policy (greater than 20% of General Fund operating expense) to ensure the stability of services for a period of time and the ability to set aside fund for anticipated projects and future obligations. Over the years, staff recommends reserve designations to be set aside for a specific purpose. The following is a brief description summarizing designated categories as shown in the table on the previous page. Any designated and undesignated funds is subject to change at Board's discretion.

- AB617 Staffing Contingency established in FY 2022 to allow staffing continuity for the AB617 program.
- Community Benefits established in FY 2022 to provide community benefits.
- Economic Contingency established in FY 2008 at the request of the Board for unplanned expenditures and/or unanticipated loss in revenues. In FY 2016, the Board approved a 20% reserve policy as a funding target.
- Outside Counsel Litigation Support established in FY 2023 to address potential litigations.
- Incident Monitoring Program established in FY 2024 to increase capacity to characterize air quality impacts from large incidents at facilities.
- Limited Term Staffing Contingency established in FY 2024 to support temporary staffing for unanticipated project work.
- Pandemic Contingency established in FY 2022 to address potential operating revenue shortfall due to the COVID-19 pandemic.
- Pension Liability established in FY 2018 to reduce future rate increases to pension benefits over time.
- Richmond Improvements (HDE) established in FY 2023 to continue office space improvements.
- Spare the Air Program Contingency established in FY 2024 to allow for continued operations in the event of unanticipated single year shortfall in the Spare the Air Program.
- Technology Implementation Office established in FY 2019 to fund projects using a revolving loan arrangement to leverage funding.
- Wildfire Mitigation established in FY 2022 to fund the wildfire air quality response program.
- Undesignated is any remaining reserves not designated. These funds can be designated at any time.

Appendix C also includes a list of the Air District's Outstanding Liabilities:

- Pension Retirement – The Air District provides a retirement pension benefit plan through California Public Employee Retirement System (CalPERS). As of most recent valuation of the plan, that Air District's unfunded liability for the plan was \$68.3 million.
- Other Post-Employment Benefits – The Air District provides continuation of medical, dental, vision and life insurance coverage to its retired employees through California Employers Retirement Benefit Trust (CERBT). As of the 2021 valuation of the plan, that Air District's has no funded unfunded liability, and the plan is fully funded.
- Certificate of Participation Notes (COP) – The Air District issued COPs to finance its headquarters at 375 Beale. As of June 2022, the estimated principal and interest outstanding were \$22.8 million.

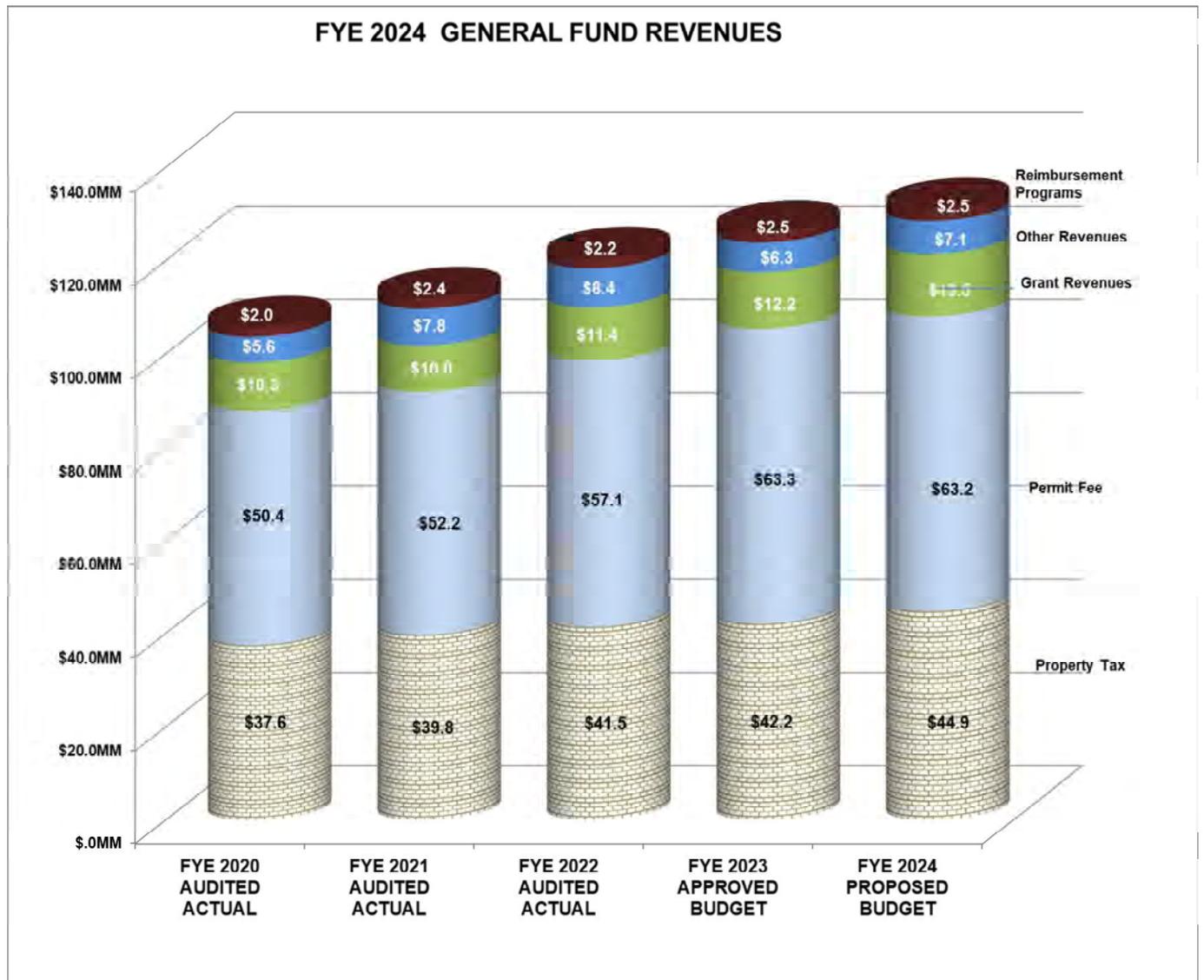
APPENDIX D

Figure 1

General Fund Revenue Trends

Figure 1 below graphically displays the trends in the sources of actual revenues used to fund actual expenditures each year from FYE 2020 through FYE 2022 along with the approved and proposed budget for FYE 2023 and FYE 2024, respectively.

As seen from Figure 1, permit fees are the Air District’s largest source of revenue. Actual permit revenues fluctuate from FYE 2020 through FYE 2022 because of fee increases to each individual fee schedule based on the cost recovery policy and new fees implemented during this period. In FYE 2024 projected permit revenues are expected to be at the same level as in FY 2023 due to decreases in emissions-based permitting fees. Actual property tax revenues maintained an increasing trend over the past three years attributed to multiple factors such as the annual statutory increases limited to 2 percent, changes in ownership and new constructions in the Bay Area. This revenue source is expected to continue to increase in FYE 2024. Other General Fund sources of revenue have experienced small fluctuations over the years.

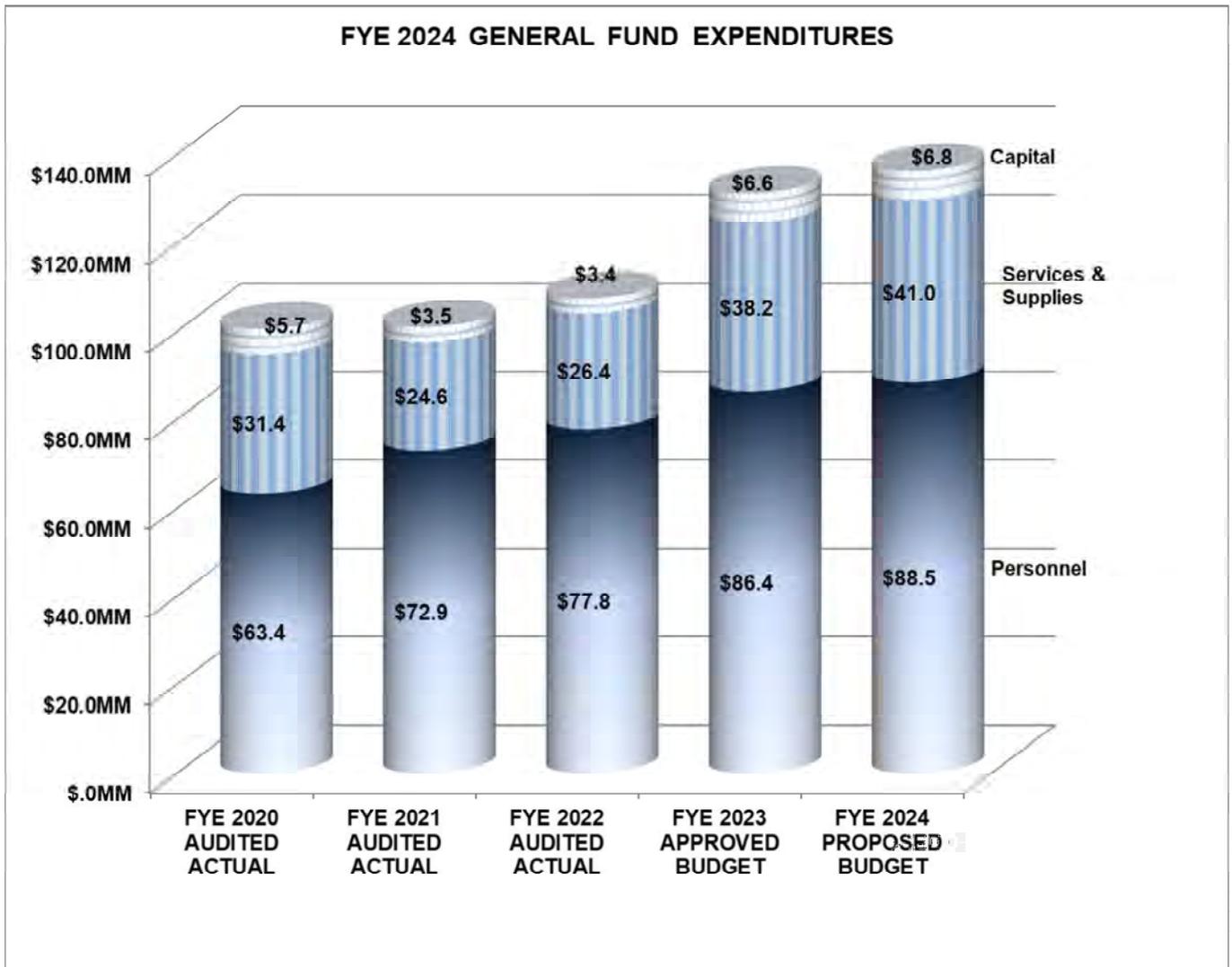


APPENDIX E

Figure 2

General Fund Expenditure Trends

Below Figure 2 shows the trends in actual expenditures from FYE 2020 through FYE 2022 along with the approved and proposed expenditure budgets for FYE 2023 and FYE 2024, respectively. From FYE 2020 through FYE 2024, the total General Fund has risen at an average rate of 7.9% per year from \$100.6 million to \$136.3 million due to increased Personnel Costs, Services, and Capital Programs expenditures. The FYE 2024 General Fund Proposed Budget shows a projected \$5.1 million increase in expenditures over FYE 2023. This increase is mainly due to Salaries and benefits, capital expenditures, and services and supplies increased in FYE 2024.



APPENDIX F

General Fund 5 Year Projection

Five Year Forecast - General Fund REVENUE	FYE 2024 Budget	FYE 2025 Projected	FYE 2026 Projected	FYE 2027 Projected	FYE 2028 Projected
Property Tax	\$44,876,500	\$46,671,560	\$48,538,422	\$50,479,959	\$52,499,158
Permits/Fees	\$63,192,045	\$68,846,904	\$75,340,739	\$82,905,433	\$87,300,334
Grant Revenues	\$6,998,321	\$6,648,405	\$6,714,889	\$6,782,038	\$6,849,858
AB617 Funding	\$9,000,000	\$9,000,000	\$9,000,000	\$9,000,000	\$9,000,000
Other Revenue	\$7,100,000	\$7,171,000	\$7,242,710	\$7,315,137	\$7,388,288
Transfer from Special Funds	\$1,302,772	\$1,328,827	\$1,355,404	\$1,382,512	\$1,410,162
TOTAL REVENUE	\$132,469,638	\$139,666,697	\$148,192,164	\$157,865,079	\$164,447,801
(Use of)/Transfer to Fund Balance	(\$5,274,900)	(\$608,925)	\$4,507,473	\$9,585,790	\$12,300,264
EXPENDITURES					
Personnel Expenditures	\$88,460,177	\$91,835,054	\$94,269,091	\$97,868,875	\$100,584,912
Services and Supplies	\$42,494,075	\$41,573,450	\$42,404,919	\$43,253,018	\$44,118,078
Capital Expenditures	\$6,789,377	\$6,863,342	\$7,000,609	\$7,140,621	\$7,283,434
TOTAL EXPENDITURE	\$137,744,538	\$140,271,847	\$143,674,619	\$148,262,514	\$151,986,424
General Fund Reserves					
	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028
Beginning Balance	68,525,454	63,250,554	62,641,629	67,149,101	76,734,891
(Use of)/Transfer to Fund Balance	(\$5,274,900)	(\$608,925)	\$4,507,473	\$9,585,790	\$12,300,264
Ending Balance	63,250,554	62,641,629	67,149,101	76,734,891	89,035,155
20% Minimum Reserve Policy	\$ 26,490,000	\$ 28,000,000	\$ 28,734,000	\$ 29,652,000	\$ 30,400,000

APPENDIX F

Figure 3 and Budget Assumptions

Revenue Assumptions

- a. **Property Tax** shows increases across the Bay Area much higher than the 2% average increase given the rising real estate prices in the housing markets. The five-year forecast assumes revenues will increase for year 2023; thereafter, only a 3-4% inflationary growth in years 2024 through 2026.
- b. **Permit Fee** revenues are expected to increase by approximately 17% in year 2023 as the Air District increase fees to recover more of its permit related costs and implement a new fee for overburdened communities. In year 2024 through 2026, the annual forecasted average increase is approximately 4-5%. The Air District's Cost Recovery policy, which allows the Air District to increase its fee schedule to recover costs for permit related activities. The current cost recovery level of 84% remains stable in year 2023 as the proposed budget includes higher fee increases to all its eligible regulation fee schedule, as well as a new fee for overburdened communities. These increases are expected to cover proposed staffing increases as the Air District continues to address staffing needs for core programs associated with permit related activities. Projections suggest cost recovery attainment of 85% level during the five-year forecast, however, these projections could change based on the results of the management audit and cost recovery study recommendations.
- c. **Grant Revenues** are expected to drop slightly in 2023 to reflect adjustment of one-time grant funding and remains stable through 2026.
- d. **Assembly Bill 617** funding of \$9.0 million from the State continues for year 2023 and drops to \$8.0 million through year 2026 as future funding is expected to decrease.
- e. **Other Revenues** mainly account for penalties, State subvention, and interest income. These revenues are expected to remain stable through year 2026.

Expenditure Assumptions

- a. **Personnel** costs are projected to increase for the five-year period with projected annual cost of living adjustment, a slight increase in health premiums, and the funding and filling of 403 of the 445 authorized positions being funded by the General Fund, remaining 42 positions are funded from Special Revenue Funds. An additional 20 positions are projected in year 2023 to address growing demands on core programs; taking staffing levels of 445 to 465 positions is anticipated for the next 5 years. The projection assumes a 6% vacancy rate in 2023, declining by 3% in year 2024 remains stable at 3% through year 2026.
- b. **Retirement Pension** costs are rising due to recent discount rate reduction by CalPERS and escalating unfunded liability payments. The forecast assumes implementation of the Air District's approved policy to make discretionary payments to CalPERS to reduce the unfunded actuarial liability (UAL).
- c. **Other Post-Employment Benefits (OPEB)** for retiree medical benefits are projected to reach 90% funding level by year 2024. After that, the \$4.0 million in discretionary funding will shift towards the CalPERS Pension Plan to reduce the UAL.
- d. **Services and Supplies** overall costs are projected to increase in year 2023, assuming only an inflationary increase of approximately 2-4% for the five-year forecast.
- e. **Capital Expenditures** assumes ongoing capital equipment and one-time funding in FYE 2023 to pay for continued office improvement to Headquarters East in Richmond, equipment purchases and information technology improvements, etc. FYE 2024-2026 assumes normal capital equipment replacement only with an inflationary increase.

General Fund Reserves are used to fund one-time costs, and to cover temporary revenue shortfalls. The Air District plan to use approximately \$5.3 million in reserves for FYE 2024 for continued capital improvements to the Richmond Office building, lab equipment, and information technology improvements. The forecast projects use of reserves in the year 2024 and 2025 to cover the temporary revenue shortfall. Based on current assumptions, reserves are expected to stay above the minimum policy level through the year 2026 due to a healthy reserve balance. Approximately \$59 million in reserves have been designated. Please see Appendix C for a detailed list of proposed designations.

FYE 2024 Authorized Staffing

Table 1: The positions listed in Table 1, below, constitute the entirety of authorized permanent full-time positions and division assignments at the designated classifications for Fiscal Year Ending (FYE) 2023 as shown in the first column. **The FYE 2023 Authorized Staffing is presented below for comparison with the FYE 2024 Proposed Staffing.** The (FYE) 2024 column represents proposed changes to the designated classifications and/or division assignments (if any) which is reflected in the “difference” column. The total authorized staffing remains at 465 FTEs in FYE 2024 with no additional positions being proposed at this time.

Classification	2023	FYE 24	Difference
Administrative Resources			
Director/Officer	156	1	0
Facilities Maintenance Worker	108	1	0
Manager	148	2	0
Senior Advanced Projects Advisor	148	0	0
Senior Executive Assistant	134	1	0
Senior Staff Specialist	138	0	0
Staff Specialist I/II	130/134	6	0
Supervising Staff Specialist	142	3	0
Principal Staff Specialist	142	0	0
Administrative Resources Total		14	0
Environment, Inventory & Modeling			
Advanced Projects Advisor	144	2	0
Air Quality Engineer I/II	132/136	2	0
Air Quality Meteorologist I/II	131/135	1	0
Atmospheric Modeler	140	1	0
Director/Officer	156	1	0
Manager	148	2	0
Principal Air Quality Engineer	144	3	0
Research Analyst	130	1	0
Senior Advanced Projects Advisor	148	2	0
Senior Air Quality Engineer	140	1	0
Senior Atmospheric Modeler	144	1	0
Statistician	137	1	0
Environment, Inventory & Modeling Total		18	0
Public Information			
Assistant Staff Specialist I/II	122/126	2	0
Director/Officer	156	1	0
Manager	148	1	0
Public Information Officer I/II	130/134	5	0
Senior Public Information Officer	138	1	0
Public Information Total		10	0
Engagement			
Administrative Assistant I/II	114/118	1	0
Assistant Manager	147	1	0
Assistant Staff Specialist I/II	122/126	1	0
Director/Officer	156	1	0
Manager	148	2	0
Public Information Officer I/II	130/134	1	0
Senior Air Quality Engineer	140	1	0
Senior Staff Specialist	138	5	0

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'LYLVLRQ	3RVLWRQClassiilFDWQR	6DODURange ID)< E 23	FYE 24	'LIIHUHQFH
	Staff Specialist I/II	130/134	4	4	0
&RPPXQLWEngagement Total			17	17	0
&RPSQLDQF& EnforcementHQW					
	Administrative Assistant I/II	114/118	2	2	0
	Air Quality Engineer I/II	132/136	1	1	0
	Air Quality Specialist I/II	130/134	44	44	0
	Air Quality Technician I/II	122/126	6	6	0
	Assistant Air Quality Specialist I/II	122/126	2	2	0
	Director/Officer	156	1	1	0
	Manager	148	5	5	0
	Principal Air Quality Specialist	142	1	1	0
	Radio/Telephone Operator	113	4	4	0
	Radio/Telephone Operator Supervisor	119	0	0	0
	Senior Advanced Projects Advisor	148	1	1	0
	Senior Air Quality Engineer	140	3	3	0
	Senior Air Quality Specialist	138	11	11	0
	Senior Air Quality Technician	130	2	2	0
	Supervising Air Quality Specialist	142	10	10	0
&RPSQLDQF& Enforcement Total			93	93	0
'LYHMLWEquity & Inclusion					
	Manager	148	1	1	0
	Staff Specialist I/II	130/134	1	1	0
'LYHMLWEquity & Inclusion TRWDO			2	2	0
(QJLQHHLQJ					
	Administrative Assistant I/II	114/118	4	4	0
	Air Quality Engineer I/II	132/136	21	21	0
	Air Quality Permit Technician I/II	122/126	2	2	0
	Air Quality Specialist I/II	130/134	3	3	0
	Air Quality Technician I/II	122/126	5	5	0
	Assistant Manager	147	1	1	0
	Director/Officer	156	1	1	0
	Manager	148	5	5	0
	Principal Air Quality Engineer	144	4	4	0
	Senior Advanced Projects Advisor	148	1	1	0
	Senior Air Quality Engineer	140	9	9	0
	Senior Air Quality Technician	130	2	2	0
	Supervising Air Quality Engineer	144	12	12	0
	Supervising Air Quality Specialist	142	1	1	0
	Supervising Systems Analyst	139	1	1	0
	Toxicologist	144	1	1	0
Engineering Total			73	73	4
([HF XWLYH					
	Administrative Assistant I/II	114/118	1	1	0
	Air Quality Technician I/II	122/126	1	1	0
	Assistant Manager	147	1	1	0
	Clerk of the Boards	132	1	1	0
	Deputy Air Pollution Control Officer	160	2	2	0
	Deputy Executive Officer	169	5	5	0
	Director/Officer	156	4	4	0
	Executive Assistant I/II	128/132	2	2	0
	Executive Officer/Air Pollution Control Offi	Contract	1	1	0

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'LYLVLRQ	3RVLWRQClassiilFDWQR	6DODURange ID	< E 23	FYE 24	'LIIHUHQFH
	Manager	296	3	3	0
	Principal Environmental Planner	142	1	1	0
	Senior Advanced Projects Advisor	148	2	2	0
	Senior Executive Assistant	134	3	3	0
(HF utive TRWDO			27	27	0
)Lnance Office					
	Accountant I/II	130/134	6	6	0
	Accounting Assistant I/II	122/126	3	3	0
	Assistant Manager	147	0	0	0
	Director/Officer	156	1	1	0
	Fiscal Services Supervisor	142	1	1	0
	Manager	148	3	3	0
	*Senior Accountant	138	0	0	0
	*Senior Payroll Analyst	138	1	1	0
	Senior Staff Specialist	138	1	1	0
	Staff Specialist I/II	130/134	1	1	0
	Supervising Staff Specialist	142	1	1	0
	Systems Analyst	135	1	1	0
)Lnance Office TRWDO			19	19	0
Human Resources Office					
	Assistant Manager	147	0	0	0
	Director/Officer	156	1	1	0
	Human Resources Analyst I/II	130/134	1	1	0
	Manager	148	2	2	0
	Principal Human Resources Analyst	142	1	1	0
	Senior Human Resources Analyst	138	5	5	0
Human Resources Office Total			10	10	0
,QIRURation SerYLFHV					
	Air Quality Specialist I/II	130/134	1	1	0
	Assistant Air Quality Specialist I/II	122/126	1	1	0
	Assistant Manager	147	1	1	0
	Director/Officer	156	1	1	0
	Manager	148	3	3	0
	Programmer Analyst I/II	127/131	1	1	0
	Staff Specialist I/II	130/134	0	0	0
	Supervising Systems Analyst	139	2	2	0
	Systems Analyst	135	3	3	0
,QIRURation SerYLFHVTRWDO			13	13	0
Legal ServLFHV					
	Assistant Counsel I/II	149/153	8	8	0
	Counsel	0	1	1	0
	Legal Office Services Specialist	124	1	1	0
	Senior Assistant Counsel	157	2	2	0
	Staff Specialist I/II	130/134	4	4	0
Legal ServLFHVTRWDO			16	16	0
/HJLVODWLY					
	Director/Officer	156	1	1	0
	Staff Specialist I	130/134	1	1	0
/HJLVODWLYTotal			2	2	0
OHWHRUROR&JMHDVXUHPHQW					

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'LYLVLRQ	3RVLWRQClassiILFDWQR	6DODURange ID)< E 23	FYE 24	'LIIHUHQFH	
	Administrative Assistant I/II	114/118	0	0	
	Advanced Projects Advisor	144	1	1	
	Air Quality Engineer I/II	132/136	3	3	
	Air Quality Laboratory Technician I/II	122/126	1	1	
	Air Quality Meteorologist I/II	131/135	2	2	
	Air Quality Specialist I/II	130/134	15	15	
	Air Quality Technical Assistant	118	0	0	
	Assistant Air Quality Specialist I/II	122/126	4	4	
	Assistant Manager	147	2	2	
	Assistant Staff Specialist I/II	122/126	3	3	
	Director/Officer	156	1	1	
	Manager	148	5	5	
	Principal Air and Meteorological Monitorin	143	1	1	
	Principal Air Quality Chemist	142	3	3	
	Principal Air Quality Engineer	144	1	1	
	Principal Air Quality Meteorologist	143	1	1	
	Principal Air Quality Specialist	142	5	5	
	Senior Air Quality Chemist	138	2	2	
	Senior Air Quality Engineer	140	2	2	
	Senior Air Quality Specialist	138	10	10	
	Staff Specialist I/II	130/134	1	1	
	Supervising Air Quality Engineer	144	1	1	
	Supervising Air Quality Specialist	142	4	4	
	Systems Analyst	135	2	2	
0HWHRUOR&J	Measurement Total		70	70	0
0\ Air Online					
	Assistant Manager	147	4	4	
	Director/Officer	156	1	1	
	Supervising Systems Analyst	139	1	1	
	Systems Analyst	135	1	1	
	Web Master	135	1	1	
0\ Air Online Total			8	8	0
Planning & Climate Protection					
	Administrative Assistant I/II	114/118	0	0	
	Advanced Projects Advisor	144	1	1	
	Assistant Manager	147	2	2	
	Assistant Staff Specialist	126	1	1	
	Director/Officer	156	1	1	
	Environmental Planner I/II	130/134	3	3	
	Manager	148	2	2	
	Principal Environmental Planner	142	2	2	
	Senior Advanced Projects Advisor	148	1	1	
	Senior Air Quality Engineer	140	1	1	
	Senior Air Quality Specialist	138	1	1	
	Senior Environmental Planner	138	4	4	
	Senior Policy Advisor	148	1	1	
Planning & Climate Protection Total			20	20	0
5X0IV					
	Assistant Manager	147	1	1	
	Director/Officer	156	1	1	
	Manager	148	1	1	
	Senior Air Quality Engineer	140	5	5	

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'LYLVLRQ	3RVLWRQClassiILFDWQR	6DODURange ID)< E 23	FYE 24	'LIIHUHQFH
	Senior Air Quality Specialist	138	3	3	0
5XQs Total			11	11	0
Strategic Incentives					
	Administrative Assistant I/II	114/118	1	1	0
	Assistant Staff Specialist I/II	122/126	4	4	0
	Director/Officer	156	1	1	0
	Manager	148	4	4	0
	Senior Staff Specialist	138	5	5	0
	Staff Specialist I/II	130/134	12	12	0
	Supervising Staff Specialist	142	4	4	0
Strategic Incentives TRWDO			31	31	0
7HFKRORJImplementation					
	Assistant Staff Specialist I/II	122/126	2	2	0
	Director/Officer	156	1	1	0
	Manager	148	1	1	0
	Senior Staff Specialist	138	2	2	0
	Staff Specialist I/II	130/134	4	4	0
	Supervising Staff Specialist	142	1	1	0
7HFKRORJImplementation Total			11	11	0
Grand 7RWDO			465	465	0

*A Single asterisk in any column identifies an individual item that is pending Board approval

APPENDIX H

Definitions

AB 434 (Assembly Bill 434) ± This enacted bill resulted in *California Health and Safety Code* Section 44241 which authorizes the District to levy a fee on motor vehicles registered in the District. The revenue must be used to fund specified programs aimed at the reduction of air pollution from motor vehicles. The bill allows the District to allocate not more than five percent (5%) of the fees distributed for administrative costs. See TFCFA (Transportation Fund for Clean Air).

AB 617 (Assembly Bill 617) This enacted bill requires the state board to develop a uniform statewide system of annually reporting of emissions of criteria air pollutants and toxic air contaminants for use by certain categories of stationary sources.

AB 923 (Assembly Bill 923) ± This enacted bill allows an additional \$2 surcharge on Motor Vehicle Registration fees for MSIF (Mobile Source Incentive Fund).

AHM (Acutely Hazardous Material) ± Those materials that have been defined as such by either State or Federal regulations as being hazardous to human health.

AIRS (Aerometric Information Retrieval System) ± Computerized information system as delineated by the EPA (Environmental Protection Agency).

APCO – Air Pollution Control Officer – Appointed by the Board of Directors.

Appropriation – A legal authorization to incur obligations and to make expenditures for specific purposes.

Association of Bay Area Governments (ABAG) – Regional agency covering the nine counties of the Bay Area, responsible for population projections, various services for local agencies, and co-lead agency for federal air quality planning.

A&WMA (Air & Waste Management Association) – The international nonprofit organization of regulatory, business, academic and research communities for air and waste management professionals.

BACT (Best Available Control Technology) ± The lowest achievable emission rate to be applied to new and modified stationary sources pursuant to the District's New Source Review permitting program.

Board ± Board of Directors and also Hearing Board. The Board of Directors is the governing body of the District. The Hearing Board is appointed by the Board of Directors. (See Programs 121 and 122).

California Clean Air Act 1988 ± Statutory scheme to reduce air pollution from stationary and mobile sources as set forth in *California Health and Safety Code* Section 39600 et seq.

Capital Expenditures ± An amount spent to acquire land, building, equipment, vehicles etc. in order to increase capacity or efficiency by the District for more than 1 year. Such purchases are capitalized or depreciated over the useful life, except for land.

Carl Moyer Program ± Provides grants to public and private entities to reduce emissions of oxides of nitrogen, reactive organic gases and particulate matter from existing heavy-duty engines by either replacing or retrofitting them.

CAPCOA (California Air Pollution Control Officers Association) ± Organization comprised of local air pollution control officials; human resource and fiscal staff are also members.

CARB or ARB (California Air Resources Board) – The State agency responsible for setting California Ambient Air Quality Standards (CAAQS) and motor vehicle emission standards, and for overseeing implementation of the California Clean Air Act.

CEC (California Energy Commission) ± The state agency responsible for energy policy and planning.

CEMS ± (Continuous Emissions Monitoring Systems) ± Technology that allows the District to measure certain emissions on a continuous basis.

CEQA (California Environmental Quality Act) ± State law that requires public agencies to analyze environmental impacts of proposed projects and plans. (*California Public Resources Code* Section 21000 et seq.)

CFC (Chlorofluorocarbon) ± Any of a group of compounds that contain carbon, chlorine, fluorine and sometimes hydrogen and are used as refrigerants, cleaning solvents, and aerosol propellants and in the manufacture of plastic foams.

Clean Air Act Amendments of 1990 ± Revisions to the Federal legislation governing air quality planning and control programs to meet National ambient air quality standards.

CMA (Congestion Management Agency) ± Countywide agency responsible for preparing and implementing congestion management programs.

CMAQ ± (Congestion Mitigation and Air Quality) - The District receives funding under this grant to fund the Spare the Air campaign.

Contractual Services ± Services rendered to a government by private firms, individuals, or other governmental agencies.

COLA (Cost of Living Adjustment) ± An adjustment to salaries based on the increased cost of living as defined by the percent change in the U.S. Department of Labor's Consumer Price Index.

DAPCO (Deputy Air Pollution Control Officer) ± Deputy Officer to the APCO.

Environmental Justice ± The fair treatment of people of all races and incomes with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment implies that no person or group of people should shoulder a disproportionate share of negative environmental and economic impacts resulting from the execution of environmental programs.

EPA (Environmental Protection Agency) ± Federal agency that oversees air, water and waste management. An assistance grant is provided to various agencies in their efforts to reduce air pollution.

EPA 103 Grant – Provides funding for all aspects of operating the PM_{2.5} fine particulate monitoring program as well as BioWatch, the National Air Toxic Trends Study (NATTS) Program and other supplemental study programs awarded by the EPA.

EPA 105 Grant – Grant pursuant to federal Clean Air Act Section 105.

Fiscal Year ± A twelve-month period designated as the operating year for accounting and budgeting purposes in an organization; July 1 through June 30 is the fiscal year for the District.

FICA (Federal Insurance Corporation Act) Replacement Benefits ± In 1981, District employees elected to terminate participation in Social Security. FICA costs listed in the budget reflect the replacement benefit premiums paid in lieu of Social Security.

Fixed Assets ± Assets of long-term character that are intended to continue to be held or used, such as land, buildings, machinery, furniture and other equipment.

FTE (Full-time Equivalent Position) ± A position converted to the decimal equivalent of a full-time position based on 2,080 hours of work per year.

Fund ± A fiscal entity with revenues and expenditures that are segregated for the purpose of carrying out a specific purpose or activity.

Fund Reserves ± Designated ± That portion of the fund reserve designated by the governing body to indicate tentative plans for financial resource utilization in a future period.

Fund Reserves ± Reserved – That portion of the fund reserve obligated by the issuance of purchase orders or contracts (encumbrances), or otherwise obligated and unavailable to meet the District's operating expenditures.

Fund Reserves ± Undesignated ± That portion of the unreserved fund reserve that represents the accumulated surplus which, as specified in the *California Government Code*, is restricted to the following uses: to meet cash requirements before the proceeds from revenues are available, to meet emergency expenditures, and at the end of each fiscal year to meet current year operating or subsequent year budget deficits.

Fund Reserves ± The equity accounts for the governmental fund types.

Group Insurance Benefits – benefits provided to BAAQMD employees, including medical, dental, vision, and life insurance as well as State Disability Insurance, Section 125 cafeteria plan, Long Term Care and Long Term Disability, Section 457 deferred compensation plan, and COBRA program.

IRIS (Integrated Reporting Information System) ± The name of the District's database conversion project.

MACT (Maximum Achievable Control Technology) ± EPA standards mandated by the 1990 amendments to the Federal Clean Air Act for control of toxic air contaminants.

Metropolitan Transportation Commission (MTC) ± Bay Area regional agency responsible for transportation planning, financing and coordination; co-lead agency for Federal air quality planning.

MSIF (Mobile Source Incentive Fund) – The Air District’s grant program for allocating revenues from an additional motor vehicle registration fee surcharge for implementation of eligible projects.

NOV (Notice of Violation) – A written citation informing a facility, or individual, that it has violated a specific air quality regulation or rule.

OVA (Organic Vapor Analyzer) ± Hand-held analyzer used to detect organic vapor leaks from valves and other chemical and refinery equipment.

PERP (Portable Equipment Registration Program) – a program established by CARB allowing the operation of portable equipment in any air district throughout the state without individual local district permits.

PERS (Public Employees Retirement System) – The retirement system contracted by the District to provide retirement benefits to employees

Program Budget ± A budget that allocates financial resources to functions or activities of government, rather than to specific types of expenditure, or to specific departments.

PSM (Process Safety Management) ± Federal OSHA regulation that requires industrial safety audits.

Request for Proposals (RFP) ± A document requesting bids to provide specified services or supplies.

RMPP (Risk Management and Prevention Plan) ± State Program that the District monitors to prevent accidental releases of hazardous materials.

SIP (State Implementation Plan) ± Bay Area portion of California plan to attain and maintain national ambient air quality standards.

State Subvention Revenue ± Pursuant to Part 2, Chapter 5 of the *California Health and Safety Code*, the California Air Resources Board must subvene and distribute funds to Districts engaged in the reduction of air contaminants. The distribution is based on a per-capita basis of population contained in the District.

T-BACT (Toxic Best Available Control Technology) ± The lowest achievable emission rate for toxic air contaminants at new or modified stationary sources.

TCM (Transportation Control Measure) ± A strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions.

TFCA (Transportation Fund for Clean Air) ± The District’s grant program for allocating revenues from a motor vehicle registration fee surcharge to public agencies for implementation of eligible projects that reduce motor vehicle emissions.

UNIX ± A computer operating system.

UTM – A coordinate system for geographical locations.

Vehicle Buy Back – The District’s sponsored incentive program for the scrapping of 1985 and older models funded under TFCA. The program will pay eligible owners \$650 to contract with a specific auto dismantler to have their vehicle dismantled.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: Resolution Urging Responsible Leadership and Climate Justice at COP28

RECOMMENDED ACTION

Recommend the Board of Directors adopt a Resolution Urging Responsible Leadership and Climate Justice at COP28 due to concerns on the selection of Sultan Al Jaber as president of the COP28 climate summit.

BACKGROUND

The 2023 United Nations Climate Change Conference of Parties, known as COP28, will be held from November 30, 2023, through December 12, 2023, in Dubai, United Arab Emirates. COP28 will bring together 190 countries and is the 28th meeting of the Conference of Parties. Recently, COP28 selected Sultan Al Jaber as president of the COP28 climate summit.

DISCUSSION

Staff recommends the adoption of the Resolution Urging Responsible Leadership and Climate Justice at COP28. This resolution formally recognizes the Air District's deep concerns on the selection of Sultan Al Jaber as president of the COP28 climate summit. Staff seeks authority to submit the Resolution Urging Responsible Leadership and Climate Justice at COP28 to the UN COP committee and express the Board's decision to explore alternative climate forums if the necessary changes in COP28 leadership are not implemented.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Kristina Chu
Reviewed by: Kristine Roselius

ATTACHMENTS:

1. Draft Resolution for COP28 Leadership

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2023 - XX

**A Resolution of the Board of Directors of the Bay Area Air Quality Management District
Urging Responsible Leadership and Climate Justice at COP28**

WHEREAS, the Bay Area Air Quality Management District is dedicated to addressing climate change and protecting the well-being of our communities, guided by principles of diversity, equity, access, and inclusion; and

WHEREAS, the recent selection of Sultan Al Jaber, an oil executive, as the president of the COP28 climate summit raises concerns about responsible leadership and the elevation of marginalized voices; and

WHEREAS, the Air District acknowledges the importance of leadership that reflects the values of authenticity, honesty, and sincerity, and recognizes the urgent need to take meaningful action to combat climate change; and

WHEREAS, the Air District recognizes that COP28, as a pinnacle global climate conference, must not risk being perceived as having been co-opted by those whose actions have contributed to climate harm; and

WHEREAS, the Air District acknowledges the invaluable contributions of climate activists, scientists, and individuals who have dedicated themselves to the cause of climate justice, and recognizes their rightful expectation that COP28 should be a platform that honors their efforts;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of the Bay Area Air Quality Management District urges the organizers of COP28 to reconsider their decision and select a leader who embodies the values of climate justice, inclusivity, and collaboration among nations and communities.

BE IT FURTHER RESOLVED THAT the Air District will not participate in COP28, and will consider alternative climate forums and conferences, if the necessary changes in COP28 leadership are not implemented to align with the principles of climate justice and responsible stewardship.

BE IT FURTHER RESOLVED THAT this Resolution shall be distributed to the organizers of COP28, relevant government agencies, and other stakeholders to emphasize the importance of responsible leadership and climate justice.

* * * * *

The foregoing resolution was duly and regularly introduced, passed and adopted at a meeting of the Board of Directors of the Bay Area Air Quality Management District on the motion of _____, seconded by _____, on the 7th day of June, 2023, by the following vote of the board:

AYES:

NOES:

ABSENT:

ABSTAIN:

John J. Bauters
Chairperson of the Board of Directors

ATTEST:

Lynda Hopkins
Secretary of the Board of Directors

DRAFT

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Board of Directors

From: Philip M. Fine
Executive Officer/APCO

Date: June 7, 2023

Re: State Implementation Plan: Rules and Regulations

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Clean Air Act (CAA) requires the United States Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for each of the six criteria pollutants – carbon monoxide (CO), lead (Pb), particulate matter (PM), ozone (O₃), nitrogen dioxide (NO_x) and sulfur dioxide (SO_x). After a new NAAQS or a revision to an existing NAAQS has been set, EPA is required to determine and designate areas of the country for attainment (meeting the standard) or nonattainment (not meeting the standard).

Nonattainment areas are regions that do not meet the NAAQS. The CAA requires states to develop a plan to attain and maintain the standards for each area that is designated nonattainment. These plans are known as State Implementation Plans (SIP) and are developed by state and local air quality agencies. In general, elements of a SIP may include:

- Air quality monitoring
- Air quality modeling
- Emission inventories
- Emission control strategies
- Policies and rules implemented to attain and maintain the NAAQS

The California Air Resources Board (CARB) is the state agency with primary responsibility for coordinating and submitting the state's SIP to EPA. The Air District is responsible for developing the regional level elements of the SIP for the San Francisco Bay Area for any designated nonattainment pollutant. Such elements include emissions inventories, stationary source measures (including rules and regulations), mobile source measures and transportation control measures that will control the nonattainment pollutant and ensure the region attains the standard at a future date.

In 2001, the Air District developed and submitted the San Francisco Bay Area 2001 Ozone Attainment Plan as a result of nonattainment designations for the ozone NAAQS. Later, the region was designated nonattainment for the 24-hour PM_{2.5} standard and in 2012 the Air District Board of Directors adopted additional PM-specific elements that were submitted to the SIP. It is also important to note that elements included into the SIP are pollutant specific – meaning measures included into the SIP must be focused on reducing that specific pollutant’s emissions over time to meet attainment of the standards at a future date. For this reason, Air District measures that are not specific to ozone or PM emissions reductions are generally not submitted to the SIP. Current ozone and PM attainment designations are illustrated in Table 1 below.

Table 1: Current Ozone and PM_{2.5}National Ambient Air Quality Standards and Attainment Status

Pollutant	Averaging Time	National Concentration	Standard Attainment Status	SIP
Ozone	8 Hour	0.070 ppm	Nonattainment	Yes
PM_{2.5}	Annual	12 µg/m ³	Attainment	No
	24 Hour	35 µg/m ³	Nonattainment	Yes

Staff consider and determine whether new or amended Air District rules and regulations should be included in the SIP based on attainment designation. Should newly adopted or amended rules and regulations control nonattainment pollutants, staff work with CARB and EPA to ensure these are submitted for inclusion into the SIP. Once an Air District rule is included in the SIP, it becomes federally enforceable.

On January 6, 2023, EPA proposed revisions to the primary annual PM_{2.5} NAAQS. Specifically, EPA proposed reducing the primary annual PM_{2.5} NAAQS from 12 µg/m³ to a range between 9 µg/m³ and 10 µg/m³. With the expected reduction to the PM_{2.5} NAAQS, Staff recommends that the Air District submit all new and revised regulations that reduce PM emissions or exposure into the SIP.

DISCUSSION

As a result of nonattainment designations as illustrated in Table 1 above, the Air District is required to implement the SIP, which demonstrates the measures the Air District has implemented to meet the NAAQS at a future date. In order to assist with this attainment demonstration, staff recommend submitting newly and recently adopted rules and rule amendments that control nonattainment pollutants or precursors to EPA for inclusion into the SIP.

As rules submitted to the SIP are federally enforceable, future amendments to these rules will require additional analysis to demonstrate the proposed amendments do not delay or change emissions reductions to achieve attainment of the NAAQS (also called ‘backsliding’). Should the Board of Directors seek to amend rules included in the SIP in a fashion that would lessen or

delay emissions reductions, the Air District would be required to demonstrate that the delay or change in emissions reductions will not interfere with the attainment of the standards or other applicable requirements. Existing measures already incorporated into the SIP may be replaced by updated versions if they do not backslide.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Mark Tang
Reviewed by: Wendy Goodfriend, Randi Wallach, and Elizabeth Yura

ATTACHMENTS:

None