

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

Board of Directors Regular Meeting
Wednesday, March 5, 2025

APPROVED 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, Lynda Hopkins, called the meeting to order at 10:07 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, 1st Floor Board Room, San Francisco, CA, 94105): Chairperson Lynda Hopkins; Vice Chairperson Vicki Veenker; and Directors Monica Brown, Brian Colbert, Juan González III, Tyrone Jue, Sergio Lopez, Bilal Mahmood, Gabe Quinto, and Shamann Walton.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor Ken Carlson, 2255 Contra Costa Blvd., Suite 202, Pleasant Hill, CA 94523): Director Dionne Adams.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor John Gioia, Conference Room, 11780 San Pablo Ave., Suite D, El Cerrito, CA 94530): Director John Gioia.

Present, In-Person Satellite Location: (San Mateo County Board of Supervisors Offices, 500 County Center - 5th Floor, Redwood City, CA 94063): Directors Noelia Corzo and Rico Medina.

Present, In-Person Satellite Location: (Sacramento Area Council of Governments, El Dorado Room, 1415 L Street, Suite 300, Sacramento, CA 95814): Director Steve Young.

Present, In-Person Satellite Location: (Scott Haggerty Heritage House, 4501 Pleasanton Ave., Pleasanton, CA 94566): Director David Haubert.

Present, In-Person Satellite Location: (Alameda County Board of Supervisors District 3, Office of Supervisor Lena Tam, 101 Callan Avenue, Suite #103, San Leandro, CA 94577): Director Lena Tam.

Absent: Directors Margaret Abe-Koga, Brian Barnacle, Ken Carlson, Joelle Gallagher, Otto Lee, Ray Mueller, and Mark Salinas.

2. **PLEDGE OF ALLEGIANCE**

3. **SPECIAL ORDERS OF THE DAY**

Chair Hopkins welcomed the following new employees: Qais Ahmadyaar, Assistant Staff Specialist I in the Information Systems Development Division; Erick Macario, Air Quality Specialist II in the Compliance and Enforcement Division; Anabel Salazar, Air Quality Specialist II in the Compliance and Enforcement Division; Swati Gupta, Systems Analyst in the Information Systems Development Division; and Shayla Elliot, Human Resource Technician II in the Human Resource Office. Chair Hopkins also announced that Dr. Julia Luongo was promoted to the role of Principal Air Quality Specialist in the Rules and Strategic Policy Division; Betty Kwan was promoted to the role of Senior Air Quality Specialist in the Compliance and Enforcement Division; Daniel Langmaid was promoted to the role of Supervising Staff Specialist in the Strategic Incentives Division.

CONSENT CALENDAR (ITEMS 4 – 19)

4. Approval of the Draft Minutes of the Board of Directors Special Meeting/Retreat of January 29, 2025
5. Approval of the Draft Minutes of the Board of Directors Meeting of February 5, 2025
6. Board Communications Received from February 5, 2025, through March 4, 2025
7. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of January 2025
8. Personnel Out-of-State Business Travel Report for January 2025
9. Amendments to Section 9.4 of the Administrative Code Regarding Procurement
10. Authorization to Execute a Memorandum of Understanding with the California Air Pollution Control Officers Association for the Prescribed Burn Reporting and Monitoring Support Program
11. Authorization to Execute Lease Amendments for Office, Shop, Lab, and Garage Space for Meteorology and Measurement Division in Richmond
12. Public Hearing to Adopt Determination of Effectiveness of Transportation Fund for Clean Air Project Expenditures for Fiscal Year (FY) 2023-2024 and Authorize Cost-Effectiveness Criteria for Air District-Sponsored Programs commencing FY 2025-2026
13. Financial Update for the Second Quarter of FY 2024-2025, Ending December 31, 2024
14. FY 2024-2025 Second Quarter Reporting of Payments for Routine and Recurring Goods/Services Expenses and Contracts Executed under Delegated Authority
15. Position Qualifications for Members of the Advisory Council
16. Report of the Stationary Source Special Committee Meeting of February 19, 2025
17. Report of the Community Equity, Health, and Justice Special Committee Meeting of February 19, 2025

18. Report of the Finance and Administration Special Committee Meeting of February 26, 2025
19. Report of the Policy, Grants, and Technology Special Committee Meeting of February 26, 2025

Public Comments

No requests received.

Board Comments

None.

Board Action

Director González made a motion, seconded by Director Brown, to **approve** Consent Calendar Items 4-19, inclusive; and the motion **carried** by the following vote of the Board:

AYES:	Adams, Brown, Colbert, Corzo, Gioia, González, Haubert, Hopkins, Jue, Lopez, Mahmood, Medina, Quinto, Tam, Veenker, Walton, Young.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Abe-Koga, Barnacle, Carlson, Gallagher, Lee, Mueller, Salinas.

ACTION ITEMS

20. CONSIDERATION OF FEDERAL AND STATE LEGISLATION

Alan Abbs, Legislative Officer, gave the staff presentation *Consideration of State and Federal Legislation*, including: action requested; federal legislation (Cleaner Air Spaces Act); state legislation (Assembly Bill (AB) 546 (Caloza)); and recap of requested action.

Public Comments

Public comments were given by Patrick Messac, member of the Air District's Community Advisory Council.

Board Comments

The Board and staff discussed concern of potential claw backs on funding would impact Air District programs; and reauthorization of the State's Cap and Trade program and recent auction activity.

Board Action

Vice Chair Veenker made a motion, seconded by Director Quinto, to do the following:

1. Adopt a position of **SUPPORT** for United States House of Representatives Bill 566 (Peters, Scott H. [D-CA-50]) – Cleaner Air Spaces Act.
2. Adopt a position of **SUPPORT** for United States Senate Bill 147 (Bennet, Michael F. [D-CO]) – Cleaner Air Spaces Act
3. Adopt a position of **SUPPORT** for AB 546 (Caloza) – Health care coverage: portable high efficiency particulate air (HEPA) purifiers and filters.

The motion **carried** by the following vote of the Board:

AYES: Adams, Brown, Colbert, Corzo, Gioia, González, Haubert, Hopkins, Jue, Lopez, Mahmood, Medina, Quinto, Tam, Veenker, Walton, Young.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Barnacle, Carlson, Gallagher, Lee, Mueller, Salinas.

INFORMATIONAL ITEMS

21. OVERVIEW OF THE AIR DISTRICT LEGAL DIVISION

Alexander Crockett, General Counsel, gave the staff presentation *Overview of Air District Legal Division*, including: outline; Legal Division organization; enforcement overview, penalty collection history, and lessons for further improvement; enforcement case studies (Valero Refinery and Green Sage); litigation; other Air District program areas; public agency legal requirements; Air District business functions; and what's coming in 2025.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the Board's belief that the Air District's Legal Division has been demonstrating a more health-protective approach, yielding significant results; whether the Air District anticipates more or fewer violations and penalties, and historical violation and penalty trends; what prompted the 2019 inspection of the Valero Refining Company refinery in Benicia that resulted in a \$82 million penalty; reorganizational challenges within the Legal Division and opportunities in recruiting (whether additional resources are needed); appreciation for the new internship and fellowship opportunities within the Legal Division; what prompts the Air District to partner with other regulatory agencies when investigating a violation; and concerns about the ongoing issue of the permitting backlog at the Air District.

Board Action

No action taken.

22. UPDATE ON UNITED STATES ENVIRONMENTAL PROTECTION AGENCY’S (US EPA) INITIAL AREA DESIGNATIONS FOR THE FEDERAL ANNUAL FINE PARTICULATE MATTER (PM) STANDARD

Michael Flagg, Principal Air Quality Specialist, gave the staff presentation *Update on US EPA’s Initial Area Designations for the Federal Annual Fine PM Standard*, including: National Ambient Air Quality Standards; preliminary 2025 PM_{2.5} Design Values (DV); preliminary 2022-2024 PM_{2.5} data; and designations timeline.

Public Comments

Public comments were given by Michael Randall, Environmental Justice League (EJL).

Board Comments

The Board and staff discussed how the US EPA is anticipated to act to the new revised primary annual standard for PM_{2.5} of 9 micrograms per cubic meter, in the midst of rolling back many rules, including air pollution regulations; the 2024 PM_{2.5} annual DV for the San Jose - Jackson Street monitoring station; invalid DV; and whether the PM_{2.5} levels of the Bay Area’s individual monitoring stations will be required to be at or below 9 micrograms per cubic meter.

Board Action

No action taken.

OTHER BUSINESS

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

Public comments were given by Mark Williams, Jr., EJL; Mark Williams, Sr., EJL; Yvonne Eashman, ELJ; Jared Butler; Josiah Butler; Lacoyia Johnson, EJL; Stacey, EJL; and Michael Randall, EJL.

24. BOARD MEMBER COMMENTS

- Vice Chair Veenker asked how the anticipated rollback of US EPA rules and prior litigation on Clean Air Act waivers may affect the Air District.
- Director Mahmood introduced himself as a new Board member.

25. REPORT OF THE EXECUTIVE OFFICER/AIR POLLUTION CONTROL OFFICER (APCO)

Dr. Philip M. Fine, Executive Officer/APCO, welcomed the 2025 Board officers, new Board members, and responded to Vice Chair Veenker’s inquiry on the Clean Air Act waivers, committing to including a report on this item at the Board’s April Policy, Grants, and Technology Committee meeting.

26. CHAIRPERSON'S REPORT

Chair Hopkins made the following announcements:

- On February 12, 2025, the Alameda County Mayors' Conference reappointed Juan González III to the Air District's Board for another two-year term from February 12, 2025, to February 12, 2027.
- On February 11, 2025, the San Francisco County Board of Supervisors appointed Supervisor Bilal Mahmood to the Air District's Board for a term from February 11, 2025, to February 1, 2029.
- On January 13, 2025, the San Mateo County City Selection Committee appointed San Bruno Mayor, Rico E. Medina, to serve on the Air District's Board for the remainder of Davina Hurt's term (March 1, 2025, to December 31, 2025).
- On February 20, 2025, the Governor Newsom appointed Lynda Hopkins to serve the remainder of Davina Hurt's term as a Board member of the California Air Resources Board.

27. TIME AND PLACE OF NEXT MEETING

Wednesday, April 2, 2025, at 10:00 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 (12:02 p.m.)

28. PUBLIC EMPLOYEE APPOINTMENT AND EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)

Title: General Counsel

Reportable Action: Chair Hopkins said that direction was given to staff but had nothing else to report.

29. 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

Hyacinth Hinojosa, Deputy Executive Officer of Finance and Administration

Lisa Baker, Director of Human Resources

Employee organization: Bay Area Air Quality Management District Employees' Association

Reportable Action: Alexander Crockett, General Counsel, had nothing to report.

OPEN SESSION (1:20 p.m.)

30. ADJOURNMENT

The meeting was adjourned at 1:21 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards