

Bay Area Air Quality Management District
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APPROVED MINUTES

Advisory Council Regular Meeting
Monday, September 13, 2021

An audio recording of the meeting is available on the website of the Bay Area Air Quality Management District at
<http://www.baaqmd.gov/about-the-air-district/advisory-council/agendasreports>

This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.

1. CALL TO ORDER

Greg Nudd, Deputy Air Pollution Control Officer (APCO) of Policy, acting as meeting facilitator, called the meeting to order at 8:33 a.m.

Roll Call:

Present: Members Dr. Danny Cullenward, Dr. Adrienne Hollis, Prof. Michael Kleinman, Dr. Pallavi Phartiyal, Garima Raheja, and Dr. Gina Solomon.

Absent: Dr. Linda Rudolph.

Also Present: None.

2. APPROVAL OF THE MINUTES OF DECEMBER 3, 2020

Public Comments

No requests received.

Council Comments

None.

Council Action

Prof. Kleinman made a motion, seconded by Dr. Solomon, to **approve** the Minutes of December 3, 2020; and the motion carried by the following vote of the Council:

AYES: Cullenward, Hollis, Kleinman, Phartiyal, Raheja, Solomon.
NOES: None.
ABSTAIN: None.
ABSENT: Rudolph.

3. COUNCIL INTRODUCTIONS

This was the first meeting for four new Advisory Council (Council) members (Cullenward, Hollis, Phartiyal, and Raheja); the other three members (Kleinman, Rudolph, and Solomon) had been reappointed from the previous Council configuration. All present Council members gave introductory remarks about their academic backgrounds, careers, and interest in wanting to serve on the Council.

Public Comments

Public comments were given by Jed Holtzman, San Francisco resident; Charles Davidson, Hercules resident.

Council Comments

The Council and staff discussed the difficulties of the Council members corresponding via group emails without violating the Ralph M. Brown Act's "Open Meeting" requirement, and what types of situations would warrant group emailing among Council members; the procedure that Council members should use to agendaize particular items at Council meetings; and whether Council members may give Air District staff input on issues discussed at Council meetings *in between* Council meetings.

Council Action

None; receive and file.

4. OVERVIEW OF THE RALPH M. BROWN ACT

Mr. Nudd introduced Joel Freid, Assistant Counsel, who gave the staff presentation *Overview of the Ralph M. Brown Act*, including: Brown Act fundamentals; relationship to parliamentary procedure; legislative bodies under the Brown Act; Brown Act meetings; virtual meetings under the Brown Act; voting; and public comment.

Public Comments

No requests received.

Council Comments

The Council members and staff discussed Assembly Bill (AB) 361 (Rivas), which would, until January 1, 2024, authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, when state or local health officials have imposed or recommended measures to promote social distancing, during a

proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided. This bill has been passed by both the Assembly and Senate and is awaiting the Governor's signature.

Council Action

None; receive and file.

5. INTRODUCTION OF THE AIR DISTRICT

Mr. Nudd gave the staff presentation *Introduction to the Air District*, including: requested action; mission statement; Air District background; overview; Advisory Council defined by California Health and Safety Code; role of the Council; Air District organizational chart; Senior Deputy Executive Officers; Deputy Air Pollution Control Officers; and accessing Council materials.

Public Comments

No requests received.

Council Comments

The Council and staff discussed whether there are typical products (work plans, reports, etc.) that the Council develops over the year.

Council Action

None; receive and file.

6. BAY AREA AIR QUALITY OVERVIEW

Mr. Nudd introduced Dr. Ranyee Chiang, Director of Meteorology and Measurements, who gave the staff presentation *Bay Area Air Quality Overview*, including: presentation goals; air pollutants; climate emissions; climate change impacts; air pollution; emissions; ambient concentrations; air quality impacts; exposure disparities; health impacts; health inequities; and health.

Public Comments

Public comments were given by Jed Holtzman, San Francisco resident; and Steve Nadel, Sunflower Alliance.

Council Comments

The Council and staff discussed concerns regarding the lack of emissions data during periods of startup, shutdown, and malfunction at facilities within the Air District's emissions inventories, and the request for a follow up presentation on this issue; area-wide measurement trends of 24-hour Particulate Matter (PM)_{2.5} and annual PM_{2.5}; and the suggestion that the Council analyzes

the potential health consequences of suspending air quality regulations that pertain to emergency backup generators.

Council Action

None; receive and file.

7. OVERVIEW OF AIR DISTRICT LEGAL AUTHORITIES

Adan Schwartz, Acting District Counsel, introduced Madeline Stone, Assistant Counsel, as the attorney that will be working with the Council and attending Council meetings. Mr. Schwartz then introduced Alexander Crockett, Acting Senior Assistant Counsel, who gave the staff presentation *Overview of Air District Legal Authorities*, including: conceptual framework; Air District authority; institutional roles within the Air District; regulation of Criteria Air Pollutants, Toxic Air Contaminants, and greenhouse gases; addressing other air quality problems; permit programs; California Environmental Quality Act; environmental justice.

Public Comments

Public comments were given by Jed Holtzman, San Francisco resident; and Steve Nadel, Sunflower Alliance.

Council Comments

The Council and staff discussed how the role of the Council relates to the three existing quasi governing branches of the Air District (Board, APCO, and Hearing Board); the audience on which the Council should be focused on informing; the desire of members of the Council to be apprised of regulating activities and penalties from the Air District's Compliance & Enforcement and Engineering (Permitting) Divisions; how AB 398 impacted the Air District's regulatory authority, specifically the Title V program of the Clean Air Act; and whether the Council should consult the United States Environmental Protection Agency's Environmental Benefits Mapping and Analysis Program, regarding the manner in which health benefits are currently calculated.

Council Action

None; receive and file.

8. OVERVIEW OF AIR DISTRICT PROGRAMS

Mr. Nudd introduced Henry Hilken, Director of Planning and Climate Protection, who gave the staff presentation *Overview of Air District Programs*, including: overview; focus on communities: collaborative relationships to support Air District mission; plans: 2017 Clean Air Plan and AB 617; AB 617 Bay Area Communities and a community-centered program; toolkit: Rule Development, permits, Compliance & Enforcement, collaborating statewide and regionally, collaborating with cities and counties, Climate Protection Program, incentives for clean air and climate solutions, incentives for electric vehicles, innovative financing for innovative technologies, and communications; and contact the Air District.

Public Comments

No requests received.

Council Comments

The Council and staff discussed whether the Council would want to provide the Board input on amendments to Air District Regulation 2-5 (Toxic New Source Review) and Regulations 9-4 and 9-6 (regarding furnaces and gas-fired water heaters); and whether incentives for clean air and climate solutions grants include replacement programs for small appliances such as leaf blowers and lawn mowers.

Council Action

None; receive and file.

9. REPORT OF THE EXECUTIVE OFFICER/APCO

Jack P. Broadbent, Executive Officer/APCO, introduced himself and said that he looked forward to the Council's future deliberations.

10. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

11. COUNCIL MEMBER COMMENTS/ OTHER BUSINESS

Dr. Hollis said that she looked forward to working with the other Council members and Air District staff.

12. TIME AND PLACE OF NEXT MEETING

Monday, October 25, 2021, at 8:30 a.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361.

13. ADJOURNMENT

The meeting adjourned at 11:52 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards