

Bay Area Air Quality Management District
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Advisory Council Meeting
Monday, February 14, 2022

APPROVED MINUTES

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

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

CALL TO ORDER

1. **Opening Comments:** Advisory Council (Council) Co-Chairperson, Dr. Gina Solomon, called the meeting to order at 8:33 a.m.

Roll Call:

Present: Council Co-Chairpersons Linda Rudolph and Gina Solomon; Vice Chairperson Michael Kleinman; Members Danny Cullenward, Adrienne Hollis, Pallavi Phartiyal, Garima Raheja; and Board Liaison David Haubert.

Absent: None.

2. **APPROVAL OF THE MINUTES OF DECEMBER 13, 2021 (OUT OF ORDER, ITEM 3)**

Public Comments

No requests submitted.

Council Comments

None.

Council Action

Co-Chair Rudolph made a motion, seconded by Vice Chair Kleinman, to **approve** Minutes of December 13, 2021; and the motion **carried** by the following vote of the Council:

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

3. **PUBLIC MEETING PROCEDURE (ITEM 2)**

4. **BUILDING APPLIANCE RULES: BENEFITS TO OUTDOOR AIR QUALITY AND HEALTH**

Dr. Phil Martien, Director of Assessment, Inventory & Modeling, gave the staff presentation *Building Appliance Rules: Benefits to Outdoor Air Quality and Health*, including: overview; study purpose; scope – what is included; this study – Bay Area; prior studies – United States and California; methods overview; model inputs - nitrogen oxide (NOx) emissions; modeled impact (nitrogen oxide concentrations and secondary and total Particulate Matter [PM]_{2.5}); estimated health impacts and valuations; summary; and next steps.

Public Comments

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

Council Comments

The Council and staff discussed whether the Air District plans to focus on reducing methane emissions from natural gas residential appliances; the suggestion of disaggregating modeled exposures by building type and socioeconomic status (besides race/ethnicity); Assembly Bill (AB) 617 (Community Air Protection Program); the amount of emissions from natural gas consumption (residential and commercial) from outdoor appliances, such as firepits and outdoor space heaters; the types of work products that are anticipated to be produced by the Council; concerns about how staffing limitations have been affecting the Air District's strategy to address combustion sources, and the suggestion of accelerating the proposed timeline of this strategy; whether the Air District gathers ancillary measurements on ozone reduction; the need for more accurate and detailed asthma metric/valuations that include as many costs projections as possible (including people's lived experiences); whether the Air District will conduct *cost* modeling, in addition to benefit modeling; whether it would still be beneficial for the Air District to pursue reducing building NOx emissions if the State was to pursue aggressive emission reductions in all categories (on road and off road sources); the amount of NOx emissions produced by appliances in multi-unit housing, and whether the Air District would be interested pursuing rulemaking on that issue; whether the Air District includes emissions from natural gas fireplaces and firepits when conducting modeling-based evaluations; the anticipated timeline of the Regulation 9-4 and 9-6 rulemakings, and whether the Air District plans to study the benefits of those regulations after they are adopted, over time; whether the Regulation 9-4 and 9-6 low and zero-NOx requirements will apply to new construction only, and whether the benefits analysis accounts for replacements in existing buildings; the anticipated timeline of the phasing out of gas-powered appliances in the Bay Area, the projected amount of time it will take to phase them out completely, and whether the Air District's valuations are based on the current Bay Area population (versus projections); whether the Air District assumes that benefit changes will occur in the areas that currently have high levels of emissions; whether Regulations 9-4 and 9-6 rules contain incentive components that might

influence consumers' behavior; and the financial challenges of replacing appliances for low-income households.

Council Action

None; receive and file.

5. **REGULATORY TOOLBOX AND PM HEALTH IMPACTS METHODOLOGY**

Greg Nudd, Deputy Air Pollution Control Officer of Policy, and David Holstius, Senior Advanced Projects Advisor, gave the staff presentation *Regulatory Toolbox and PM Health Impacts Methodology*, including: PM_{2.5} and health risk; tools for regulating stationary sources; New Source Review permitting; regulations for existing sources; point-of-sale rules; criteria for using regulatory "tools"; regulatory criteria examples; considerations for new or strengthened rules; PM_{2.5} local risk methodology; and initial key questions about the PM_{2.5} local risk methodology.

Public Comments

Public comments were given by Jed Holtzman, San Francisco resident; Dr. Stephen Rosenblum, Palo Alto resident; and Tony Fisher, Coalition for Clean Air.

Council Comments

The Council and staff discussed whether the Air District's definition of "risk difference" refers to attributable or absolute risk; whether the Air District tracks associations between Covid mortality and PM_{2.5}; why the Air District deems "health and equity impacts of a rule" an *optional* consideration when attempting to strengthen its regulations; the fact that baselines for various health endpoints in impacted communities may be higher than those in a larger regional area, and how this consideration might impact cost effectiveness; the Air District's definition of "undifferentiated PM" and the suggestion of identifying a more nuanced definition; the desire to see adverse reproductive outcomes, impacts on cognitive development in children, cognitive decline, and health impacts of climate change be incorporated into the analysis of PM risk; support in favor of quantifying the localized health impacts of PM_{2.5} at neighborhood levels; and the difference between "relative risk" and "risk difference."

Council Action

None; receive and file.

6. **2022 ADVISORY COUNCIL WORK PLAN DISCUSSION**

Co-Chair Rudolph introduced Mr. Nudd, who gave the staff presentation *2022 Advisory Council Work Plan Review*, including: Work Plan components; and 2022 AC Work Plan.

Public Comments

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

Council Comments

The Council and staff discussed the desire to learn more about the Board’s involvement with Assembly Bill (AB) 617 (Community Air Protection Program); the amount of emissions from natural gas consumption (residential and commercial) from outdoor appliances, such as firepits and outdoor space heaters; the types of work products that are anticipated to be produced by the Council; concerns about how staffing limitations from the have been affecting the Air District’s strategy to address combustion sources, and the suggestion of accelerating the proposed timeline of this strategy; the benefits of regulating short- lived climate pollutants, such as methane; ways in which the Council can interact with the Air District’s new Community Advisory Committee; the opinion that the proposed Work Plan is not consistent with the findings from the Council’s *Particulate Matter Reduction Strategy Report* from 2020, and the suggestion of basing the Air District’s combustion strategy on that report; and whether the Air District plans to pursue legislation to combat the provision of AB 398 (E. Garcia, 2017) that prohibits air districts from adopting or implementing emission reduction rules for carbon dioxide from stationary sources that are also subject to a specified market-based compliance mechanism (until January 1, 2031).

Council Action

None; receive and file.

OTHER BUSINESS

7. REPORT OF THE EXECUTIVE OFFICER/AIR POLLUTION CONTROL OFFICER

Veronica Eady, Senior Deputy Executive Officer of Policy & Equity, made this report, which included:

- The Board appointed new officers for 2022, and Director David Haubert was appointed Advisory Council Liaison to the Board.
- The Air District’s Community Advisory Council had its first mtg on January 13, 2022. There are 17 members. The next meeting will be in March and officers, or co-chairs will be selected by the members.
- On February 10, 2022, the California Air Resources Board’s Governing Board selected the community of East Oakland to be the next Bay Area community to develop a community emissions reduction program.
- The Air District will be requesting approval of an abatement order with the agency’s independent Hearing Board to end a significant excess emissions violation by Valero Refining Co. at its Benicia refinery. The hearing is scheduled for March 15 at 9:30 a.m., via Zoom. Prior to the hearing, the Air District will be giving a virtual community briefing on Air District actions regarding the Valero enforcement case at 6:00 p.m., and a presentation at the Benicia City Council meeting of March 1, 2022.

8. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

9. **COUNCIL MEMBER COMMENTS/OTHER BUSINESS**

None.

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

The time and place of the next meeting was originally at the Call of the Chair. After the meeting adjourned, the next meeting was scheduled for Monday, April 11, 2022, at 8:30 a.m., under procedures in accordance with Assembly Bill 361.

11. **Adjournment**

The meeting adjourned at 11:28 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards