



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 4

Vote on the Revisions to the Community Advisory Council Charter

Community Advisory Council Meeting
May 18, 2023

William Goodwin
Community Advisory Council Member

Requested Action



- Action Item: Vote to approve revisions to the Community Advisory Council (CAC) Charter and to Recommend the Charter to the Community, Equity, Health and Justice Committee and the Board of Directors for Approval.

Revisions to the CAC Charter



- Sections revised and/or added during the March 16, 2023 CAC meeting:
 - 1.3 Leadership
 - 1.3.2 / 1.3.3 Leadership (Co-Chairs) Terms of Office

Proposed Revisions to the CAC Charter



- Proposed revisions submitted after the March 16, 2023 CAC meeting (revisions in track changes in attachment):
 - 1.2.1 Goals
 - 1.3 Leadership
 - 1.4.1 Composition of the CAC
 - 1.4.3.1 Appointment of Members
 - 1.7.6 Meeting of CAC Members with the Air District
 - 1.7.7 Meeting of the Ad Hocs
 - 1.8.2.1 Current Agenda Setting Process
 - Minor grammar revisions in other sections

Next Steps



- Community Advisory Council Vote on Revisions and to Recommend CAC Charter to the Community, Equity, Health and Justice Committee for approval.
- The Community, Equity, Health and Justice Committee will consider recommending the CAC Charter to the Air District Board of Directors for approval.
- The Air District Board of Directors will consider approving the CAC Charter.



PUBLIC COMMENT



QUESTIONS?



COUNCIL VOTE



RESULTS



BAY AREA
AIR QUALITY
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AGENDA: 5

Transportation Fund for Clean Air County Program Manager Fund

**Community Advisory Council Meeting
May 18, 2023**

Alona Davis
Manager, Strategic Incentives
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Karen Messina Schkolnick
Director of Strategic Incentives
kschkolnick@baaqmd.gov

Presentation Outcome



- Informational item
 - Provides an overview of the Air District's Transportation Fund for Clean Air (TFCA) County Program Manager Fund
 - Explains the role of local county agencies, County Program Managers (CPMs), designated under this program
 - Seeks guidance from CAC on how to better meet the needs of communities through this program

Presentation Outline



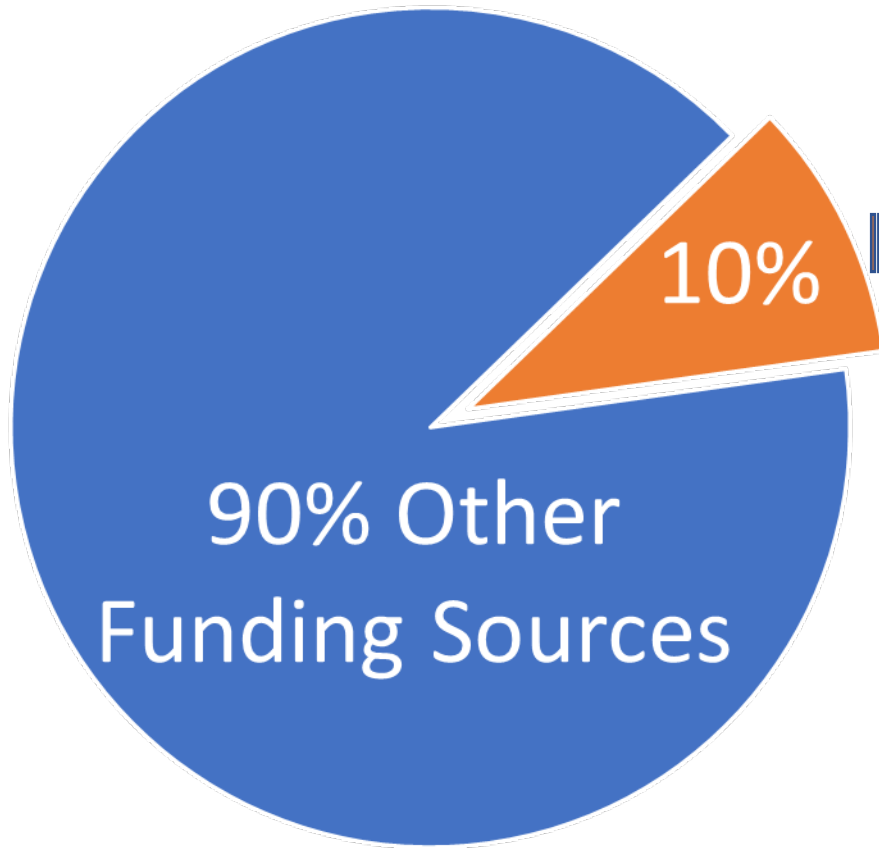
- Background on TFCA County Program Manager Fund
- County Agencies and Allocation
- Eligible Project Types
- Program Timeline
- Example projects and budgets
- Questions for CAC member guidance

Bay Area AQMD Mobile Sources Grants



~\$100 million in funding in 2023

- 8-12 different funding sources annually
- \$9 million = TFCA County Program Manager (CPM) Fund



Other (non-mobile source) grant programs:

- James Cary Smith Grant Program
- Community Benefits Grant Program
- Clean Air Centers
- Climate Protection Grants

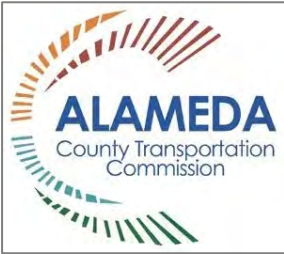
TFCA County Program Manager Fund Background



Purpose: Use DMV registration fees to reduce air pollution from cars and trucks

- Since 1991, every car registered in the Bay Area has paid \$4 motor vehicle registration fee into the TFCA
- Legislative requirements on how funds can be used
 - Specifies eligible project categories
 - Projects must reduce car and truck air pollution
- Air District and CPMs add their own requirements

TFCA County Program Manager Fund Background



TFCA County Program Manager Allocation

July 2022- June 2023



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

Eligible Project Categories & Applicants



Clean Air Vehicles



- Upgrade to electric & hydrogen cars, trucks, and buses



- Electric charging & hydrogen fueling infrastructure

Trip Reduction (public agencies only)



- Bikeways & Bike parking



- Shuttles & Rideshare

Key Eligibility Requirements



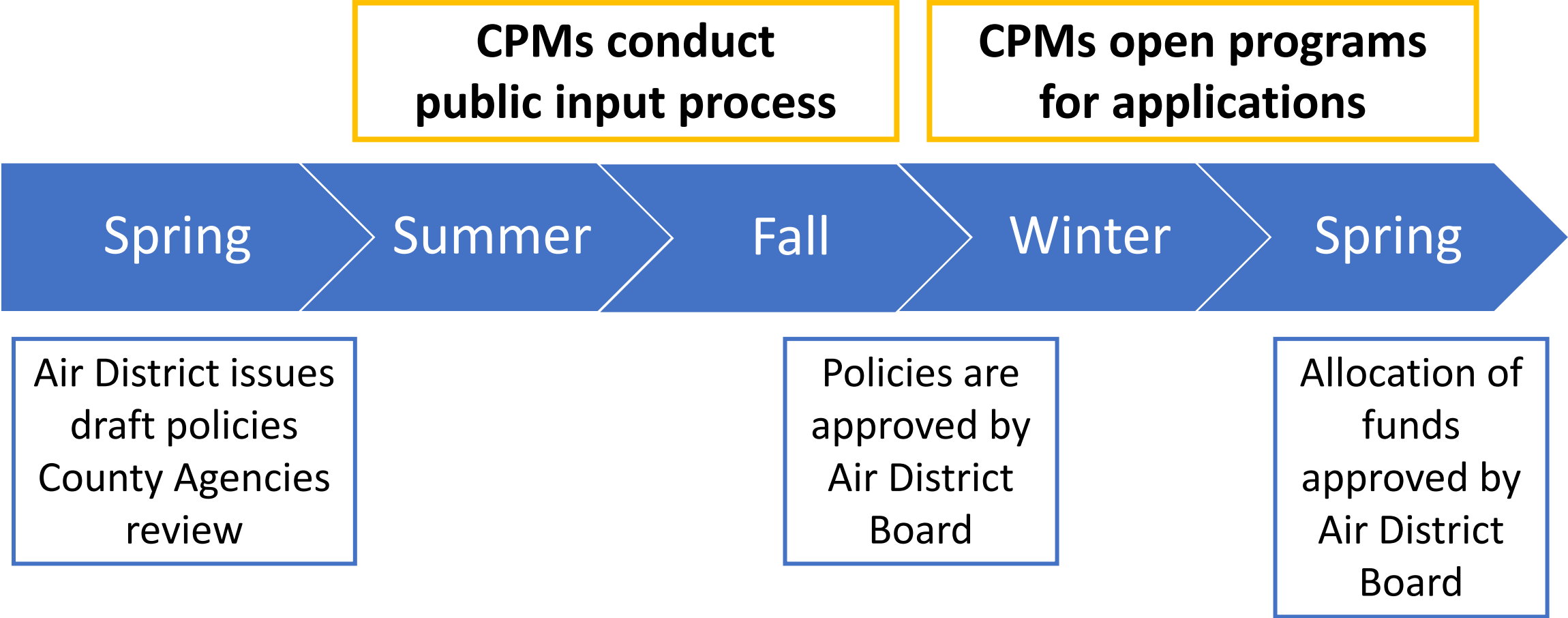
Eligible Applicants

- **Public agencies** may apply for **all** project categories
- **All others** can **only** apply for clean air vehicle projects

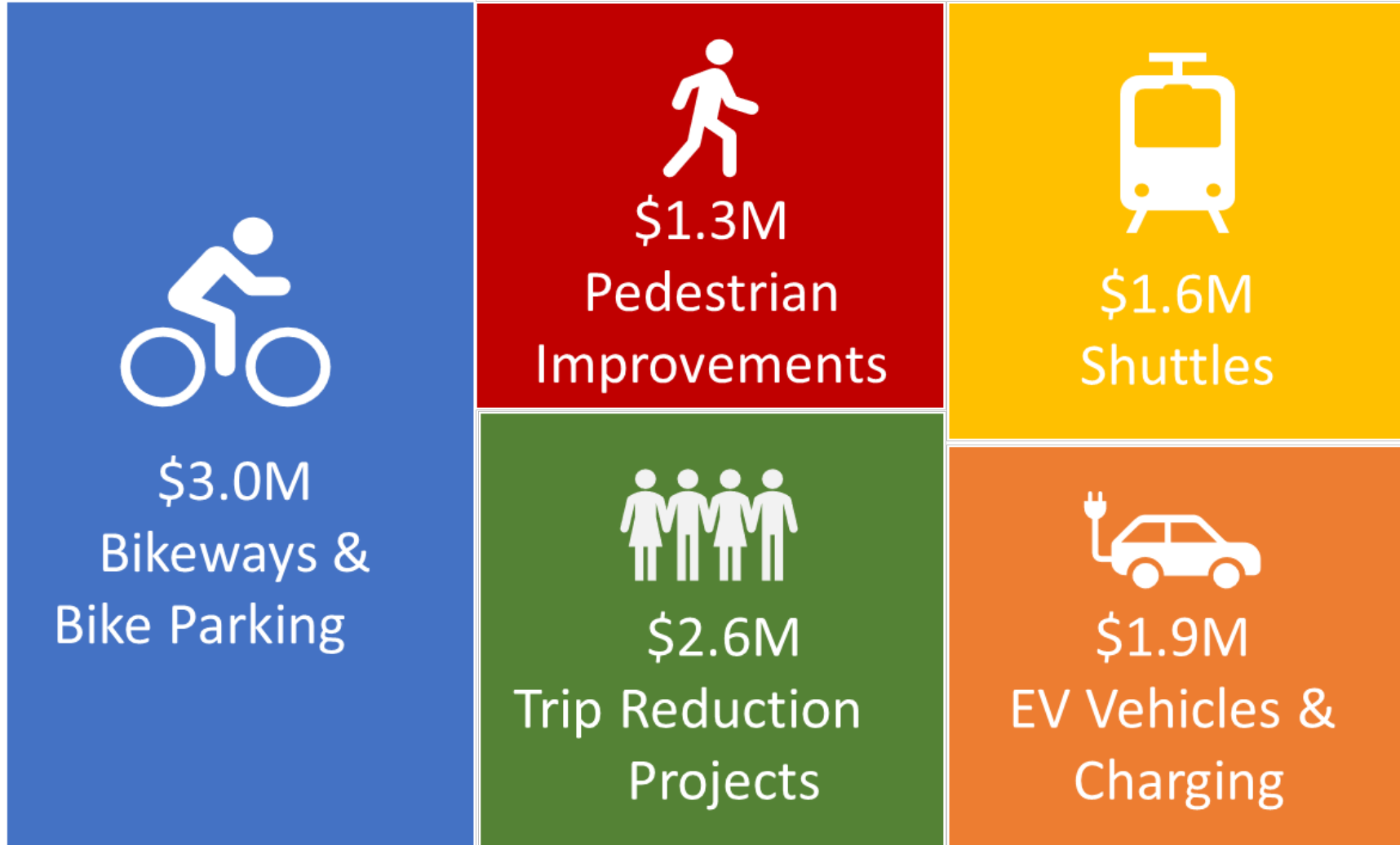
CPMs Conduct Project Evaluations

- Each project is evaluated to ensure it reduces a minimum required amount of pollution per dollar invested
- Must meet legislative, Air District, and local CPM requirements

Program Timeline



How Agencies Used Funding in 2022



Examples of Recent Projects



Location	Year	Project type	Description	Awarded	Total Project Cost	Grantee
Alameda County	2021	Rideshare	Guaranteed Ride Home program	\$678,000	\$836,171	Alameda County Transportation Commission
Oakland	2020	Bike parking	Installation of 40 new bike lockers at West Oakland BART Station	\$100,000	\$160,000	Bay Area Rapid Transit
West Contra Costa	2022	Rideshare	511 commuter rideshare program	\$354,359	\$562,064	West Contra Costa Transportation Advisory Committee
San Francisco	2022	Bike parking	Installation of 1,800 bicycle parking racks	\$643,829	\$1,484,046	San Francisco Municipal Transportation Agency

Examples of Recent Projects (cont'd)



Location	Year	Project type	Description	Awarded	Total Project Cost	Grantee
Sonoma County	2022	Vehicle Purchase	1 All-Electric Bus Purchase	\$124,958	\$702,510	Sonoma County Transit
San Jose	2022	Shuttle	Santa Clara Medical Center Shuttle	\$331,000	\$586,242	Santa Clara Valley Transportation Authority
San Bruno	2022	Bikeway	18.2 miles of bikeways	\$246,760	\$615,000	City of San Bruno
Napa	2022	Smart-Growth	Westwood Avenue Sidewalk Improvements	\$40,360	\$640,360	City of Napa

Questions



1. How can the Air District help to provide further understanding of the local county programs and how the county agencies engage with their communities?
2. How can the Air District better meet the needs of communities through the TFCA County Program Manager Fund?



PUBLIC COMMENT



QUESTIONS?



BAY AREA
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AGENDA: 6

Introduction to Air District Rule Development

Community Advisory Council Meeting
May 18, 2023

Elizabeth Yura
Director, Rules & Strategic Policy
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Presentation for Information Only



- No action required.

Presentation Outcome



- Provide an overview of the rulemaking process at the Air District

Presentation Outline



- What is an air quality regulation?
- Who writes these regulations?
- What is the Air District's role?
- Purpose of the Rules and Strategic Policy Division
- Overview of rule development process
- Where to find current regulations and regulations under development



What are Air Quality Regulations?

- Requirements that limit air emissions from stationary and mobile sources



**REGULATION 1
GENERAL PROVISIONS AND DEFINITIONS
INDEX**

1-100	GENERAL
1-101	Description
1-102	More Than One Emission Standard
1-103	Violations Not Authorized
1-104	Circumvention Not Permitted
1-105	Regulations Not Intended to Apply to Workroom Atmosphere
1-106	Separation of Emissions
1-107	Combination of Emissions
1-108	Metric Governs
1-109	Severability
1-110	Exclusions
1-111	Deleted, October 7, 1998
1-112	Breakdown
1-113	Discretionary Enforcement, Breakdown
1-114	Exemption, Uncombined Water
1-115	Exemption, Modification To Meet Emission Standards
1-200	DEFINITIONS
1-201	Air Contaminant or Air Pollutant
1-202	Air Pollution Control Equipment
1-203	APCD

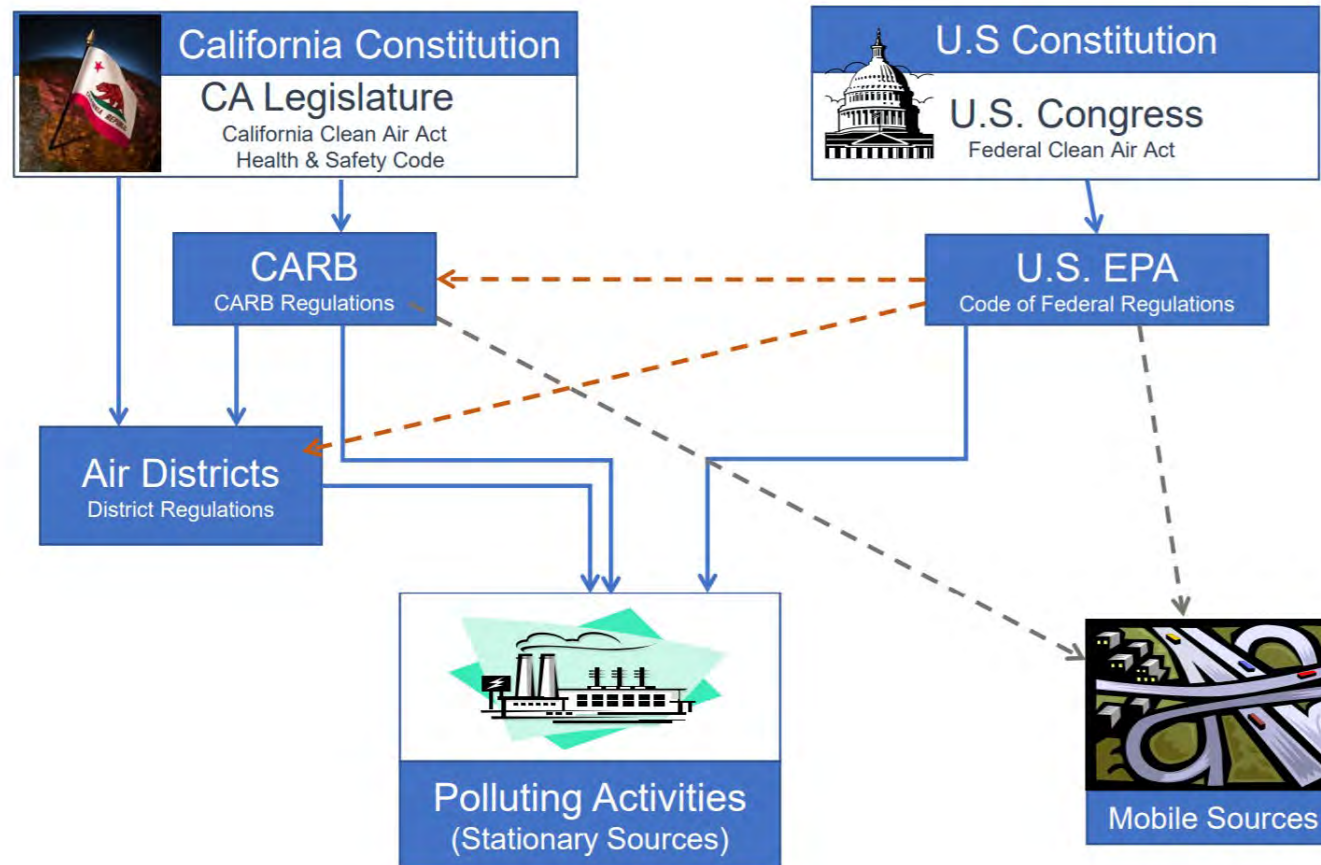
Stationary vs. Mobile Sources



Who Writes Air Quality Regulations?



- Governing authorities:



Air District Authority



- **Primary responsibility:** control of air pollution from stationary sources within the Bay Area
- 1st meeting of the Air District's Board of Directors = 1955
- 1st regulation = adopted in 1957
 - Banning open burning at dumps and wrecking yards
- California Health and Safety Code
 - Sections 40725-40731 specify how Air Districts create regulations

Regulatory Example: Refineries



- Air District Regulates:
 - Nitrogen Oxides (NO_x), toxics, particulate matter, and methane emissions from individual stationary sources (e.g., hydrogen plant, boilers, cooling towers)
- California Air Resources Board Regulates:
 - Carbon dioxide (CO₂) from the facility (Cap-and-Trade)
 - Mobile sources (e.g., forklifts, tankers)



When are Regulations Created or Amended?



- Historically
 - Clean Air Plans
 - Statutory mandates
 - Identified Issues (Metal Rules and Odors Issues)
- Newer Statutory Mandates and Strengthened Community Partnerships
 - AB 617 Expedited BARCT Schedule
 - Community Emissions Reduction Plans (e.g., WOCAP)
 - Community Knowledge and Concerns (e.g., Permit Reform)

Case Study: Impacts of Community on Regulations

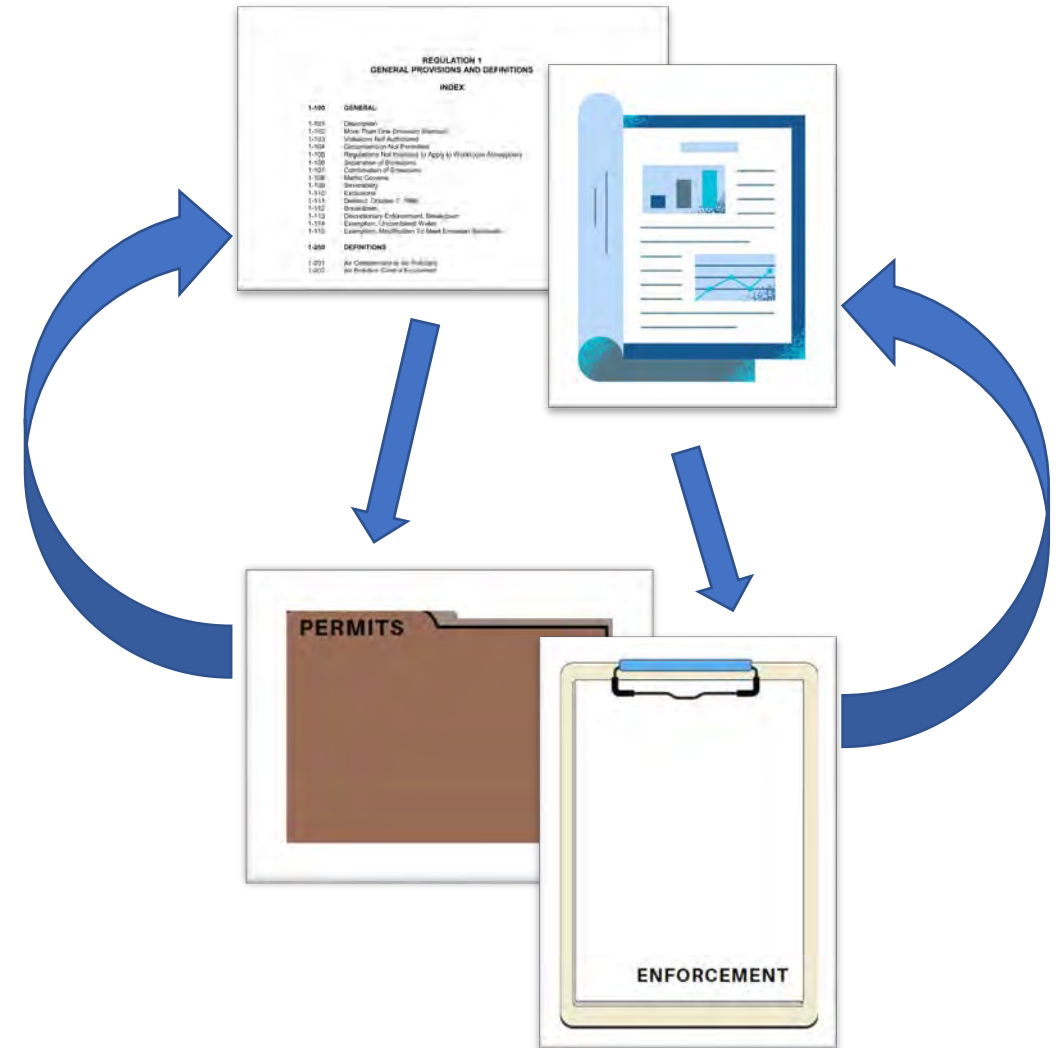


- Community voice made a huge impact!
- Rule 6-5: Refinery Fluidized Catalytic Cracking Units
 - Air District Regulation that limits emissions from fluidized catalytic cracking units (FCCUs) at petroleum refineries
 - FCCUs are the largest single source of particulate matter emissions at petroleum refineries in the Bay Area
 - Identified as part of the AB 617 Expedited BARCT Schedule in 2018
- Staff proposed to amend the rule to require more stringent, but more costly, controls for FCCUs
- Strong pushback from the refineries on staff's proposal
- Air District Board adopted amendments; community advocacy was key in making this happen

What is the Purpose of the Rules and Strategic Policy Division?



- One of many divisions within the Air District
- We propose new and amended regulations and bring them before the Air District Board of Directors for adoption
- Once adopted, new/amended regulations are passed along to other divisions within the Air District to be implemented and enforced (e.g., permit and inspections programs)
- Other divisions give feedback to Rules divisions on how the rules are working (expectations vs. reality?)



Case Study: Expectations vs. Reality



- Rule 12-12: Flares at Refineries
- On paper: the purpose of this rule is to reduce emissions from flares at refineries by minimizing the frequency and magnitude of flaring.
- In reality:
 - The rule is not controlling flaring at all refineries to the extent expected by District staff
 - Lots of concerns expressed by the Richmond-North Richmond-San Pablo AB 617 Community Steering Committee (CSC)
- Next Steps: Rules Division staff working with the CSC and other Air District Divisions (e.g., Compliance & Enforcement, Legal, Engineering, Meteorology & Measurements) to brainstorm potential regulatory amendments

Case Study: Expectations vs. Reality

Part 2



- Rules 6-1 and 6-6: Fugitive Dust
- On paper: the purpose of these rules is to limit fugitive dust from large sites (e.g., bulk material, construction sites)
- In reality:
 - Feedback from Compliance & Enforcement Division that rule can be challenging to enforce
 - Lots of concerns expressed by many communities including West Oakland and Bayview Hunters Point
 - West Oakland included a measure for fugitive dust in their AB 617 West Oakland Community Action Plan
- Next steps: Rules Division staff evaluated gaps in the Air District's current rules, now moving forward with regulatory amendments

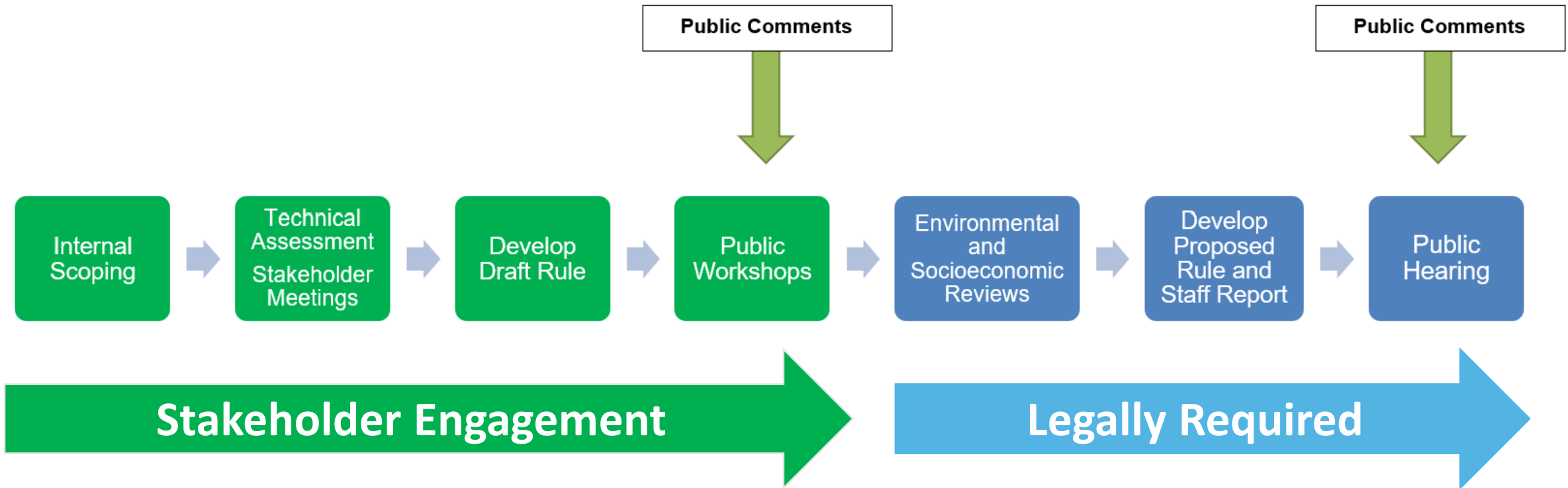
Current Rule Development Priorities



- Rule 8-8: Refinery Wastewater (AB 617 BARCT Schedule)
- Rule 8-18: Refinery Heavy Liquid Leaks (AB 617 BARCT Schedule)
- Rule 11-18: Reduction or Risk from Air Toxics Emissions at Existing Facilities
- Rules 6-1 and 6-6: Fugitive Dust*
- Rule 6-4: Metal Recycling and Shredding Operations*

*West Oakland Community Action Plan measure

Overview of Rule Development Process



Additional Analyses: Health Impacts and Benefits



- Staff now presenting exposure and health equity assessments for most proposed regulations
- Not legally required, but...
- Allows for a more informed decision by Air District Board
- Better understanding of benefits by public

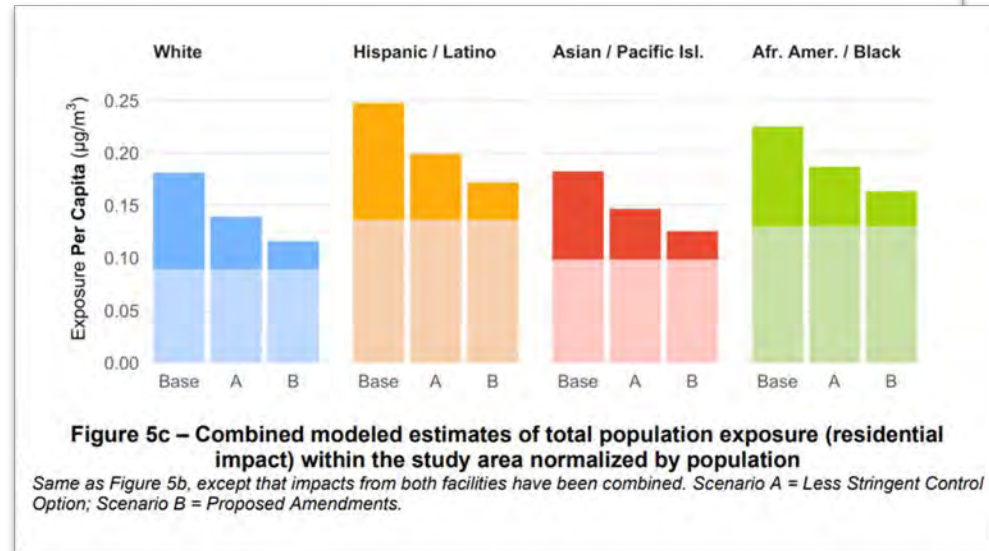


Table 11 – Estimated Annual Baseline Health Impacts, Reductions, and Valuations (Annual, All Modeled Sources at Chevron Products Richmond Alone)

Under Baseline Conditions			Potential Benefits	
Health Impact		Valuation ¹	Scenario A (Less Stringent Control Option)	Scenario B (Proposed Amendments)
Cardiovascular	0.5–4.3 heart attacks	\$63k–600k	-13%	-22%
	1.0 hospital admissions	\$47k	-13%	-22%
Restricted Activity	4,800 days	\$360k	-12%	-21%
Lost Work	820 days	\$190k	-12%	-21%
Asthma	200 exacerbations ³	\$12k	-12%	-21%
	4 emergency room visits	\$2k	-12%	-21%
	0.1 hospital admissions	\$1k	-12%	-20%
Respiratory Illness²	140 upper tract ³	\$5k	-12%	-20%
	100 lower tract ³	\$2k	-12%	-20%
	8 bronchitis ³	\$4k	-12%	-20%
	0.2 chronic lung disease	\$5k	-12%	-21%
Mortality	5.1–11.6 deaths ⁴	\$52.5 MM to \$118 MM	-13%	-23%
			\$6.8 MM to \$15.2 MM/yr	\$12.2 MM to \$27.4 MM/yr

¹ Conventional EPA valuations, in 2015 US dollars
² Other than asthma
³ Subset of pediatric (<18 years)
⁴ Including infant mortality

Where Can I Find the Air District's Regulations?



- <https://www.baaqmd.gov/rules-and-compliance/current-rules>

+	Rule #	Rule Name	Adopted	Amended
-	Regulation 1	General Provisions & Definitions	9/4/1979	5/4/2011
Rule Status Adopted				
Rule Language General Provisions and Definitions (76 Kb PDF, 12 pgs, revised 4/24/2018)				
Contact Compliance & Enforcement General Compliance Information 415.749.4795 compliance@baaqmd.gov				
Description The provisions and definitions in this Regulation are applicable to all District Regulations and are in addition to the provisions and definitions in individual Rules and Regulations. Regulation 1 includes sections on exclusions, breakdown procedures, definition of terms, registration, right of access, sampling facilities, record maintenance, and many other provisions.				
+	Regulation 1, Rule 2	Notice to Comply	2/3/1999	N/A
+	Regulation 2	Permits Adopted	N/A	N/A
+	Regulation 2, Rule 1	General Requirements	12/31/1979	12/5/2017
+	Regulation 2, Rule 2	New Source Review	7/16/1991	12/5/2017
+	Regulation 2, Rule 3	Power Plants	N/A	N/A
+	Regulation 2, Rule 4	Emissions Banking	3/6/1984	12/6/2017
+	Regulation 2, Rule 5	New Source Review of Toxic Air Contaminants	6/14/2005	12/6/2016

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PUBLIC COMMENT



QUESTIONS?