



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT



**COMMUNITY  
ADVISORY COUNCIL**  
**CLEAN AIR FOR ALL**

BOARD OF DIRECTORS  
COMMUNITY ADVISORY COUNCIL

September 19, 2024

COUNCIL MEMBERS

DR. JUAN AGUILERA  
SEJAL BABARIA  
FERNANDO CAMPOS  
WILLIAM GOODWIN  
MS. MARGARET GORDON  
ARIEANN HARRISON  
JOHN KEVIN JEFFERSON  
PATRICK MESSAC

RIO MOLINA  
MAYRA PELAGIO  
DOMINICK RAMIREZ  
DR. JEFF RITTERMAN  
KEVIN RUANO HERNANDEZ  
FAGAMALAMA VIOLET SAENA  
KEN SZUTU  
LATASHA WASHINGTON

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

California State University East Bay  
1000 Broadway, Suite 109  
Oakland, CA 94607

**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 Community Advisory Council 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/about-the-air-district/community-advisory-council/agendasreports](http://www.baaqmd.gov/about-the-air-district/community-advisory-council/agendasreports).**

**Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/87156667179>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. Para Español, marque: (888) 688-2099. Esta línea telefónica es solo para escuchar, no hay moderador.**

**The Webinar ID for this meeting is: 871 5666 7179**

**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 three minutes each to address the Council on that agenda item, unless a different time limit is established by the Co-Chairs. No speaker who has already spoken on an item will be entitled to speak to that item again.

The Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Council meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Council meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

# COMMUNITY ADVISORY COUNCIL MEETING AGENDA

**THURSDAY, SEPTEMBER 19, 2024**

**6:00 PM**

## ***Land Acknowledgement Statement***

*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 acknowledgement 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.*

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

*The Facilitator, on behalf of the Council Co-Chairs, shall call the meeting to order and the Clerk of the Boards shall take roll of the Council Members.*

### **2. 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 Council. Members of the public will have three minutes each to address the Council, unless a different time limit is established by the Chair. The Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Council meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Council meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.*

### **CONSENT CALENDAR (Items 3 - 4)**

*The Consent Calendar consists of routine items that may be approved together as a group by one action of the Board. Any Board member or member of the public may request that an item be removed and considered separately.*

3. Approval of the Draft Minutes of the Community Advisory Council Meeting of July 25, 2024

*The Council will consider approving the Draft Minutes of the Community Advisory Council Meeting of July 25, 2024.*

4. Selection of Additional Members to the Compliance and Enforcement Ad Hoc Committee

*The Council will select additional members interested in joining the Compliance and Enforcement Ad Hoc Committee, to collaborate with Air District staff and community stakeholders in developing an agenda of compliance and enforcement topics to be discussed during the 2025 Community Advisory Council meetings.*

### **ACTION ITEM(S)**

5. Community Advisory Council (CAC) Recommendation for New CAC Member

*The Council will vote to recommend the Community Equity, Health, and Justice Committee consider recommending the Board of Directors approve the appointment of Cynthia Prieto-Diaz to the vacant Alameda County seat on the Community Advisory Council. This item will be presented by Council Member Kevin Ruano Hernandez of the Member Selection Ad Hoc Committee.*

### **INFORMATIONAL ITEM(S)**

6. Community Advisory Council's Environmental Justice Call to Action

*The Council will receive a presentation and discuss a draft of the Environmental Justice (EJ) Policy Ad Hoc Committee's work captured in: "A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District." This item will be presented by Vernice Miller-Travis of The Metropolitan Group and the Co-Chairs of the EJ Policy Ad Hoc Committee, Council Member Rio Molina and Council Member Latasha Washington.*

## **OTHER BUSINESS**

7. Community Benefit Fund Ad Hoc Update

*The Council and the public will receive an update from the CAC Community Benefit Fund Ad Hoc Committee.*

8. Compliance and Enforcement Ad Hoc Committee Update

*The Council and the public will receive an update from the Compliance and Enforcement Ad Hoc Committee.*

9. Report of the Executive Officer/APCO

10. Council Member Comments / Other Business

*Any member of the Council, 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.*

11. Time and Place of Next Meeting

*Thursday, November 21, 2024, at 6:00 p.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Community Advisory Council members and members of the public will be able to either join in-person or via webcast.*

12. Adjournment

*The Council meeting shall be adjourned by the facilitator.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://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](http://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 [speesapati@baaqmd.gov](mailto:speesapati@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

#### SEPTEMBER 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Finance and Administration Committee	Wednesday	18	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	18	1:00 p.m.	1 <sup>st</sup> Floor Board Room
Advisory Council Meeting	Thursday	19	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community Advisory Council Meeting	Thursday	19	6:00 p.m.	California State University East Bay Oakland Professional & Conference Center Trans Pacific Center 1000 Broadway, Suite 109 Oakland, CA 94607

#### OCTOBER 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	2	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	9	10:00 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	9	1:00 p.m.	1 <sup>st</sup> Floor, Yerba Buena Room
Board of Directors Finance and Administration Committee	Wednesday	16	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	16	1:00 p.m.	1 <sup>st</sup> Floor Board Room
Advisory Council Meeting	Wednesday	30	9:30 a.m.	1 <sup>st</sup> Floor Board Room

MV 9/9/2024 – 6:28 a.m.

G/Board/Executive Office/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons John Kevin Jefferson III, Mayra Pelagio, and Ken Szutu  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 19, 2024

Re: Approval of the Draft Minutes of the Community Advisory Council Meeting of July  
25, 2024

RECOMMENDED ACTION

Approve the Draft Minutes of the Community Advisory Council Meeting of July 25, 2024.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Community Advisory Council Meeting of July 25, 2024.

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 Community Advisory Council Meeting of July 25, 2024

EBay Area Air Quality Management District

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

**DRAFT MINUTES**

Community Advisory Council Special Meeting  
Thursday, July 25, 2024

**1. CALL TO ORDER - ROLL CALL**

The meeting Facilitator, Randolph Belle of Randolph Belle, Artist (RBA) Creative, called the Community Advisory Council (Council) in-person meeting to order at 6:12 p.m.

**Roll Call:**

Present, In Person: Council Co-Chairpersons John Kevin Jefferson, Mayra Pelagio, and Ken Szutu; and Council Members Dr. Juan Aguilera, William Goodwin, Joy Massey, Rio Molina, Dr. John Ritterman, Violet Saena, Latasha Washington.

Participated Remotely, via Zoom via Assembly Bill (AB) 2449 (remote presence does not count for quorum, but votes are counted for all action items): Council Members Arieann Harrison and Kevin G. Ruano Hernandez and (just cause).

Absent: Council Members Fernando Campos and Ms. Margaret Gordon.

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

No requests received.

**CONSENT CALENDAR**

**3. APPROVAL OF THE DRAFT MINUTES OF THE COMMUNITY ADVISORY COUNCIL MEETING OF MAY 16, 2024**

Public Comments

Public comments were given by Ms. Margaret Gordon.

Council Comments

None.

### Council Action

Dr. Ritterman made a motion, seconded by Council Member Harrison, to **approve** the Draft Minutes of the Community Advisory Council Meeting of May 16, 2024, and the motion **carried** by the following vote of the Council:

AYES: Aguilera, Goodwin, Harrison, Molina, Pelagio, Ritterman, Ruano Hernandez, Saena, Szutu.  
NOES: None.  
ABSTAIN: Massey, Washington.  
ABSENT: Campos, Gordon, Jefferson.

Motion Approved

### ACTION ITEMS

#### 4. **SELECTION OF A COMPLIANCE AND ENFORCEMENT AD HOC COMMITTEE**

Dr. Meredith Bauer, Deputy Executive Officer of Engineering and Compliance and Brian Butler, Senior Air Quality Engineer, gave the staff presentation *Selection of a Compliance and Enforcement Ad Hoc Committee*, including: outcome; requested action; outline; Air District Compliance and Enforcement leadership and programs; background on Council Compliance and Enforcement topics; and purpose and process of the Compliance and Enforcement Ad Hoc Committee.

NOTED PRESENT: Co-Chair Jefferson was noted present at 6:30 p.m.

### Public Comments

No requests received.

### Council Comments

The Council and staff discussed concerns about whether Environmental Justice (EJ) policy priorities that are being incorporated into the Strategic Plan and potential priorities of the Compliance and Enforcement Ad Hoc Committee may be duplicated; the desire for a more specific purpose of the Compliance and Enforcement Ad Hoc Committee than what was proposed; the desire to use the Compliance and Enforcement Ad Hoc Committee as a means to have Air District staff expeditiously address concerns and questions from impacted communities and get them to Air District staff; whether Compliance and Enforcement staff will report to just the Compliance and Enforcement Ad Hoc Committee or the full Council; whether the potentially incoming Council Members (who the Board will consider for appointment in September 2024) have expressed interest in serving on the Compliance and Enforcement Ad Hoc Committee; the anticipated installment of the Compliance and Enforcement Ad Hoc Committee, and its anticipated longevity (ad hoc committees aim to complete their tasks within six months of assignment, per the Council's Charter); whether the Compliance and Enforcement Ad Hoc Committee will have a role or influence during an air quality incident; whether the Compliance and Enforcement Ad Hoc

Committee will provide recommendations to the Council that will lead to Board recommendations that change policies and processes regarding settlements; and the anticipated meeting schedule of the Compliance and Enforcement Ad Hoc Committee.

### Council Actions

Co-Chairs Jefferson and Szutu, and Council Members Goodwin, Gordon, and Ritterman, expressed their interest to be on the Compliance and Enforcement Ad Hoc Committee.

Dr. Aguilera made a motion to form a Compliance and Enforcement Ad Hoc Committee consisting of the five forementioned Council Members (no one seconded the motion), but then Dr. Aguilera was asked if he wished to amend his motion to include Councilmembers Harrison and Ruano Hernandez, who also expressed their interest. Mr. Belle clarified that the addition of both Councilmembers Harrison and Ruano would exceed the maximum of members on the Compliance and Enforcement Ad Hoc Committee, and that one of them would need to withdraw their desire to be on the Compliance and Enforcement Ad Hoc Committee entirely. Subsequently, Council Member Harrison withdrew her name from the list.

Dr. Aguilera made amended his original motion, seconded by Co-Chair Jefferson, to **form** a Compliance and Enforcement Ad Hoc Committee consisting of:

Co-Chair Szutu  
Council Member Ms. Gordon  
Council Member Dr. Ritterman  
Council Member Ruano Hernandez  
Co-Chair Jefferson (as an alternate)  
Council Member Goodwin (as an alternate)

to collaborate with Air District staff and community stakeholders in developing an agenda of compliance and enforcement topics to be discussed during the 2025 Council meetings; and the motion **carried** by the following vote of the Council:

AYES: Aguilera, Goodwin, Harrison, Jefferson, Molina, Pelagio, Ritterman, Ruano Hernandez, Saena, Szutu.  
NOES: None.  
ABSTAIN: Massey, Washington.  
ABSENT: Campos, Gordon.

Motion Approved

**THE COUNCIL RECESSED AT 7:35 P.M., AND RESUMED AT 7:55 P.M.**

### **5. COUNCIL MEMBER COMMENTS (OUT OF ORDER, ITEM 8)**

Dr. Ritterman requested that the Air District arrange a presentation from the company QuitCarbon for the Council regarding just transition.

Council Member Massey announced her resignation from the Council, effective July 26, 2024. She thanked the Council and read an excerpt of her application to the Council that she had submitted, noting that her experience on the Council exceeded her expectations. The Council thanked her for her service.

## **INFORMATIONAL ITEM**

### **6. STRATEGIC PLAN UPDATE (ITEM 5)**

Dr. Philip M. Fine, Executive Officer / Air Pollution Control Officer (APCO) gave the staff presentation *Strategic Plan Update*, including: overview; Strategic Plan purpose and scope; a vision for change; EJ solutions and EJ priorities are the foundation of the Strategic Plan; partnership with the Council; EJ priorities and goals; partnership with the Council’s EJ Policy Ad Hoc Committee; reflections on the benefit of collaboration; accountability: resource alignment and progress and action plans; examples of actions already underway; next steps.

Dr. Fine then asked the EJ Ad Hoc Committee Co-Chair Molina and Dr. Bauer to reflect on their experiences during the EJ Ad Hoc meetings.

#### Public Comments

No requests received.

#### Council Comments

The Council and staff discussed the Council’s EJ goals of seeking appropriate legal remedies, collaborating and coordinating with EJ communities on those remedies, imposing high enough penalties, and reaching deterrence-based outcomes with violators; whether the Air District monitors reductions in carbon, methane, and nitrogen oxides; the suggestion of revising the language of the EJ goal, “Be an effective, accountable, and customer-oriented organization” to specify whether the “customers” are industry or the EJ community; the suggestion that Air District staff takes the Draft Strategic Plan to Bay Area overburdened communities (or at least each of the nine Bay Area Counties) to make sure they understand what is being proposed, to ensure those communities that the Air District is addressing their air quality-related concerns; the request that Strategic Plan-related items come to the full Council instead of the Council’s EJ Policy Ad Hoc Committee; and why the Air District is evaluating Purple Air’s monitoring data for location-specific information.

#### Council Actions

No action taken.

### **7. COMMUNITY BENEFIT FUND (CBF) AD HOC COMMITTEE UPDATE (ITEM 6)**

Council Member Goodwin provided this update, including:

- The CBF Ad Hoc Committee has selected participatory budgeting as its process for the allocation and distribution of the CBF, currently \$3M. A skeleton plan has been developed, including implementation, facilitation of the process, types of eligible projects that can be awarded, reporting process.)
- The CBF Ad Hoc Committee has met with Arsenio Mataka, Deputy Executive Officer of Equity & Community Programs, regarding the hiring of a consultant to assist with the participatory budgeting proposed recommendation.
- The CBF Ad Hoc Committee is developing the scope of work for the consultant. The Council will receive updates regarding this process at the Council’s next meeting.

Public Comments

No requests received.

Council Comments

None.

Council Action

No action taken.

**OTHER BUSINESS**

**8. (REPORT OF THE EXECUTIVE OFFICER / AIR POLLUTION CONTROL OFFICER (APCO) (ITEM 7)**

Dr. Philip M. Fine, Executive Officer / APCO, announced the following:

- Acknowledgement of Joy Massey’s contributions and two and a half years of service as a Council Member.
- The Assembly approved Senate Bill 674 to strengthen monitoring at and around refineries. The bill includes requirements for monitoring, notifications, third-party auditing, and root-cause analysis. The bill is heading to the Senate for a concurrence vote in August, and then to the Governor’s desk for approval.
- We’ve begun operating a new air monitoring station in Benicia, to improve the monitoring in communities near refineries.
- Other bills currently active include SB 1234 (Allen) and AB 2561 (Bonta) related to regulation of metal shredding operations, SB 1193 (Menjivar) relating to phasing out leaded aviation gas, District-sponsored AB 1465 (Wicks) related to refinery penalties, and District-sponsored AB 2298 (Hart) related to oceangoing vessel speed reductions.
- The Legislature returns from recess on August 5, and has until August 31 to send bills to the Governor.
- The Electric Charging Infrastructure Solicitation for Heavy-duty Vehicles & Equipment is currently open through noon on August 1 and aims to award \$35 million to help accelerate electrification in the heavy-duty sector, including trucks, buses, locomotives, marine vessels, commercial lawn and garden equipment, construction equipment, and

other off-road equipment. At least 80% of the funds will support projects benefiting air quality in Air District priority communities (DAC, LIC, and AB 617 communities).

- The Clean HEET Program is designed to reduce particulate matter being emitted from residential woodburning stoves and fireplace inserts. The current application cycle will close on July 18th, and we will immediately reopen this program and continue to accept applications through September 24th. At least 60% of the funds will support projects benefiting air quality in Air District priority communities (DAC, LIC, and AB 617 communities).
- On July 1st the incentive amount paid to participants in the Air District’s Vehicle Buy-Back program increased to \$1500 (up from \$1200). The Vehicle Buy-Back Program pays Bay Area owners of 1998 and older cars and light-duty trucks \$1,500 for selling their vehicle at a participating dismantler. We aim to award over \$7 million through this program to residents to help remove the oldest and dirtiest vehicles from our roads.
- Please join Air District staff who will be tabling at the Zero-Emissions Showcase + Ride & Drive on August 14th at the Oakland Coliseum. This event is hosted by the California Air Resources Board (CARB) and CALSTART and will feature zero-emissions medium- and heavy-duty trucks (Class 2b-8), heavy-duty off-road equipment, school and transit buses, and commercial vans. This is an opportunity to get behind the wheel of these vehicles and to learn about funding programs offered by the state and Air District. Registration is free. <https://zeroemissiontrucks.org/>

### Public Comments

No requests received.

### Council Comments

The Council and staff discussed a desire for the Council to host town hall meetings throughout the Air District’s nine-county jurisdiction; and the Air District’s lack of authority to grant permits to mobile sources, but financial incentives for projects that reduce criteria pollutants and greenhouse gases through mobile source and low- or zero-emission transportation projects.

## **9. TIME AND PLACE OF NEXT MEETING**

Thursday, September 19, 2024, at 6:00 p.m. at the California State University East Bay Oakland Professional Development and Conference Center, Trans Pacific Center, 1000 Broadway, Suite 109, Oakland, CA 94607. The meeting will be in-person for the Community Advisory Council members and members of the public will be able to either join in-person or via webcast.

## **10. ADJOURNMENT**

The meeting was adjourned at 9:06 p.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons John Kevin Jefferson III, Mayra Pelagio, and Ken Szutu  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 19, 2024

Re: Selection of Additional Members to the Compliance and Enforcement Ad Hoc  
Committee

RECOMMENDED ACTION

Select members to be added to the Community Advisory Council (CAC) Compliance and Enforcement ad hoc committee.

BACKGROUND

During the July 25, 2024 CAC meeting, the council formed a Compliance and Enforcement Ad Hoc Committee (CEAHC) to collaborate with Air District staff and community stakeholders in developing an agenda of compliance and enforcement topics to be discussed during the 2025 CAC meetings. The CEAHC will also develop a process to respond to and share real-time compliance and enforcement information on the set of priorities established by the ad hoc committee. The CEAHC currently consists of Co-Chair Ken Szutu, Council Member Ms. Margaret Gordon, Council Member Kevin Ruano Hernandez, and Council Member Dr. Jeff Ritterman. Due to existing membership in two other ad hoc committees, Co-Chair Jefferson will no longer serve as an alternate on this committee. Council Member William Goodwin is an alternate to the ad hoc committee.

During the September 4, 2024 Air District Board of Directors meeting, the Board approved the addition of the following three individuals to fill vacant CAC seats:

- Sejal Babaria
- Patrick Messac
- Dominick Ramirez

All three of the new members have requested to join the CEAHC now that they've been added to the CAC.



## DISCUSSION

Since its formation, the CAC has sought to improve community understanding, access, and utilization of the Air District's compliance and enforcement programs. The CEAHC was formed to further this objective in prioritizing the compliance and enforcement program areas that the CAC will explore.

The number of CAC members participating on the CEAHC must remain below the quorum of the CAC. Currently, the CAC comprises 16 members, which results in a quorum of 9 members. Accordingly, the CEAHC can have a maximum of 8 members. If the CAC approves adding the three new CAC members to the CEAHC, the ad hoc committee will be comprised as follows:

### Members

1. Co-Chair Ken Szutu
2. Council Member Ms. Margaret Gordon
3. Council Member Dr. Jeff Ritterman
4. Council Member Ruano Hernandez
5. Council Member Sejal Babaria
6. Council Member Patrick Messac
7. Council Member Dominick Ramirez

### Alternate

1. Council Member William Goodwin

## BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Stipends for the work of the Community Advisory Council members selected to participate in the ad hoc committee are included in the budget for fiscal year ending 2025.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Brian Butler  
Reviewed by: Arsenio Mataka

## ATTACHMENTS:

1. Selection of Additional members to the Compliance & Enforcement Ad Hoc Committee Presentation



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**AGENDA: 4**

# **Selection of Additional Members to the Compliance and Enforcement Ad Hoc Committee**

**Community Advisory Council Meeting  
September 19, 2024**

**Brian Butler**  
**Senior Air Quality Engineer**  
[\*\*bbutler@baaqmd.gov\*\*](mailto:bbutler@baaqmd.gov)

# Presentation Outcome

- Selection of members to be added to the Community Advisory Council (CAC) Compliance and Enforcement Ad Hoc Committee

# Requested Action

- Please select members to be added to the Compliance and Enforcement Ad Hoc Committee

# Presentation Outline

- Air District compliance and enforcement leadership
- Air District compliance and enforcement programs
- Background on CAC compliance and enforcement topics
- Purpose of compliance and enforcement ad hoc committee
- Process of compliance and enforcement ad hoc committee
- Ad hoc committee selection
- Council vote

# Air District Compliance and Enforcement Leadership

- Dr. Meredith Bauer, Deputy Executive Officer of Engineering and Compliance
  - Jeff Gove, Director of Compliance and Enforcement Division
- Greg Nudd, Deputy Executive Officer for Science and Policy
  - Dr. Ranyee Chiang, Director of Meteorology and Measurement (Monitoring and Source Test program)
- Alexander (Sandy) Crockett, General Counsel
  - Alexandra Kamel, Senior Assistant Counsel for Enforcement

# Air District Compliance and Enforcement Programs

Objective: ensure facilities comply with air quality rules and regulations, and hold violators accountable, leveraging cross-divisional input and collaboration.

- Compliance & Enforcement Division: Facility/source inspections and investigations; air quality complaint program
- Meteorology and Measurement Division: Conduct/review source tests and oversee compliance monitoring
- Legal: Take appropriate legal action to hold violators accountable

# Background

## CAC Compliance and Enforcement Topics

- Since its formation, the CAC has sought to improve community understanding, access, and utilization of the Air District's compliance and enforcement efforts
- The CAC Co-Chairs and some members have worked closely since 2022 with Air District staff on the development of seven (7) presentations covering topics related to the Air District's compliance and enforcement programs
- On March 21, 2024, the CAC adopted its 2024-2025 Work Plan, which reflects the CAC's priorities and guides the Co-Chairs in selecting agenda items for council meetings



# Background (cont.)

## CAC Compliance and Enforcement Topics

### Compliance and Enforcement Topics Covered in Previous CAC Meetings

Meeting Date	Item Title
June 30, 2022	<ul style="list-style-type: none"><li data-bbox="563 596 2339 701">• Air District’s Services to Address Community-Identified Air Quality Concerns – Overview of the Air Quality Complaint Program and Investigation Process (Part I)</li><li data-bbox="563 743 2142 848">• Update on Community Air Quality Concerns at the Alice Griffith Housing Development in Bayview Hunters Point, San Francisco (Part I)</li></ul>
September 8, 2022	<ul style="list-style-type: none"><li data-bbox="563 972 2354 1076">• Air District’s Services to Address Community-Identified Air Quality Concerns – Overview of the Air Quality Complaint Program and Investigation Process (Part II)</li><li data-bbox="563 1119 2142 1223">• Update on Community Air Quality Concerns at the Alice Griffith Housing Development in Bayview Hunters Point, San Francisco (Part II)</li></ul>

# Background (cont.)

## CAC Compliance and Enforcement Topics

### Compliance and Enforcement Topics Covered in Previous CAC Meetings

Meeting Date	Item Title
November 17, 2022	<ul style="list-style-type: none"><li data-bbox="563 662 1931 708">• Ideas For Community Engaged Incident Response and Enforcement</li></ul>
July 20, 2023	<ul style="list-style-type: none"><li data-bbox="563 896 2270 942">• Compliance &amp; Enforcement Update: Air Quality Complaint Data and Program Review</li></ul>
January 18, 2024	<ul style="list-style-type: none"><li data-bbox="563 1133 1786 1179">• Compliance &amp; Enforcement Update: Green Sage Case Study</li></ul>

# Purpose

## Compliance and Enforcement Ad Hoc Committee

- The CAC compliance and enforcement ad hoc committee was formed to collaborate with Air District staff and community stakeholders in developing an agenda of compliance and enforcement topics to be discussed during the 2025 CAC meetings
- Additionally, this ad hoc committee will develop a process to respond to and share real-time compliance and enforcement information on the set of priorities established by the ad hoc committee

## Process (cont.)

# Compliance and Enforcement Ad Hoc Committee

- The compliance and enforcement ad hoc committee is expected to meet biweekly
- Council members will be compensated for their time attending meetings, according to the CAC Compensation Policy
- The ad hoc committee can have a maximum of eight (8) CAC members
- Ad hoc committee members are allowed to miss three (3) meetings every two (2) consecutive months

# QUESTIONS?

# **Selection of Additional Members for Compliance and Enforcement Ad Hoc Committee**

# **PUBLIC COMMENT**

# **Proposed Motion**

**Add Council Member Sejal Babaria, Council Member Patrick Messac, and Council Member Dominick Ramirez to the Compliance and Enforcement Ad Hoc Committee**



# COUNCIL VOTE

# RESULTS

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons John Kevin Jefferson III, Mayra Pelagio, and Ken Szutu  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 19, 2024

Re: Community Advisory Council (CAC) Recommendation for New CAC Member

RECOMMENDED ACTION

Vote to recommend to the Community Equity, Health, and Justice Committee that it consider recommending to the Board of Directors the appointment of Cynthia Prieto-Diaz to the vacant Alameda County seat for 2 years.

BACKGROUND

The Council will vote to recommend the Community, Equity, Health, and Justice Committee to recommend to the Board of Directors the following individual for appointment to the Community Advisory Council: Cynthia Prieto-Diaz, Alameda County seat for 2 years. The Member Selection Ad Hoc Committee was created during the November 30, 2023 CAC meeting and tasked with selecting candidates for the Board to consider appointing them to the Community Advisory Council. The Ad Hoc held their first meeting on January 25, 2024 where they reviewed the timeline and provided feedback on the outreach plan.

The Member Selection Ad Hoc Committee selected a candidate for the Alameda County CAC seat vacated in July 2024. The Ad Hoc Committee utilized the criteria approved by the Board in the CAC Charter and Board Resolution No.2023-14 to score applicants. The criteria is: 1. Reflect the diverse demographics of the Bay Area; 2. Include generational history and experience living in communities heavily impacted by air pollution; 3. Demonstrate diversity of relevant experience – including environmental justice, technical expertise, health, and Air District functions or knowledge of the Air District; and 4. Have access to other people who have a range of relevant knowledge and technical experience that could help inform the CAC. The Ad Hoc Committee scored 25 applications for the Alameda County seat and met on 9/5/2024 to come to a consensus for the selection of a candidate to recommend for the vacant CAC seat.

DISCUSSION

The Council will vote to recommend to the Community, Equity, Health, and Justice Committee that it recommends to the Board of Directors to consider appointing Cynthia Prieto-Diaz for the Alameda County seat on the Community Advisory Council.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Lisa Flores  
Reviewed by: Miriam Torres

ATTACHMENTS:

1. CAC New Member Approval Presentation



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**AGENDA: 5**

# **Community Advisory Council (CAC) Recommendation for New CAC Member**

**Community Advisory Council Meeting**

**September 19, 2024**

**Kevin Ruano Hernandez  
CAC Council Member**



# Presentation Outcome

- The Community Advisory Council (CAC) will:
  - Vote to recommend to the Community Equity, Health, and Justice Committee that it recommends to the Board of Directors to consider appointing the following individual for appointment to the Community Advisory Council:
    - Cynthia Prieto-Diaz, Alameda County seat for 2 years

# Presentation Outline

- A. Creation of Member Selection Ad Hoc Committee
- B. Prior to First Meeting
- C. Timeline
- D. Outreach
- E. Applications
- F. Public Comment
- G. Questions
- H. Vote
- I. Results

# Requested Action

- Vote to recommend the Community Equity, Health, and Justice Committee consider recommending the Board of Directors approve the following individual for appointment to the Community Advisory Council:
  - Cynthia Prieto-Diaz, Alameda County seat for 2 years



# Creation

- The Member Selection Ad Hoc Committee was created during the November 30, 2023, CAC meeting
- The Ad Hoc consisted of Council Members Gordon, Pelagio, Ruano Hernandez, and Jefferson, as well as Board Chair Hurt
- The Ad Hoc worked to select candidates for the Board to consider their appointment to the Community Advisory Council

# Prior to First Meeting

- The Ad Hoc Committee scored the applicants based on the initial criteria approved by the Board of Directors:
  1. Reflect the diverse demographics of the Bay Area;
  2. Include generational history and experience living in communities heavily impacted by air pollution;
  3. Demonstrate diversity of relevant experience – including environmental justice, technical expertise, health, and Air District functions or knowledge of the Air District; and
  4. Have access to other people who have a range of relevant knowledge and technical experience that could help inform the Community Advisory Council

# Outreach

- The outreach consisted of:
  - Online efforts (LinkedIn, Instagram, Facebook, X [formerly Twitter], Threads)
  - Nextdoor
  - Air District's Currents Newsletter
  - Air District's Latest News post
  - Emails to James Cary Smith Grantees and Assembly Bill 617 partners
  - CAC members sending information to their networks

# Outreach

- The Member Selection Ad Hoc Committee scored 25 applications for the Alameda County seat
- The Member Selection Ad Hoc Committee selected a candidate on September 5, 2024, from the original recruitment for the CAC seat vacated in July 2024

# Selected Applicant

Cynthia Prieto-Diaz is from the San Francisco Bay Area. Cynthia has a science background and is inspired to use her knowledge to address social inequities in her community. She worked to secure portable air quality sensors and organized air quality and environmental justice workshops at her local library.

Cynthia Prieto-Diaz most recently served as an Alameda County Public Health Commissioner.

# Selected Applicant

- The Ad Hoc Committee is here to recommend the following candidate to be appointed to the CAC:
  - Cynthia Prieto-Diaz (Alameda County seat) for 2 years

# PUBLIC COMMENT

# QUESTIONS?



## **COUNCIL VOTE**

**Vote to recommend the Community Equity, Health, and Justice Committee consider recommending the Board of Directors approve the following individual for appointment to the Community Advisory Council:  
Cynthia Prieto-Diaz (Alameda County seat) for 2 years**

# RESULTS

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons John Kevin Jefferson III, Mayra Pelagio, and Ken Szutu  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 19, 2024

Re: Community Advisory Council's Environmental Justice Call to Action

RECOMMENDED ACTION

No action is requested at this time.

BACKGROUND

This is an informational item for the Community Advisory Council (CAC) and the public to review and provide comments on a document of the Environmental Justice (EJ) Policy Ad Hoc Committee - *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*. The EJ Policy Ad Hoc Committee engaged with the Air District in the co-creative work of centering environmental justice in the agency's Strategic Plan through the development of EJ specific recommendations and priorities.

The work of the EJ Policy Ad Hoc Committee is supported by The Metropolitan Group and Air District staff. The Metropolitan Group is a social change agency that crafts strategic and creative services to amplify the power of voice of change agents in building a just and sustainable world. The Metropolitan Group's Executive Vice President, Vernice Miller-Travis, provides EJ expertise in working with the CAC, staff, and the Board to develop EJ strategies and actions that are embedded in the Air District's 2024-2029 Strategic Plan, *A Call to Action*, and the Air District's draft implementation plans that are in development.

*A Call to Action* is an EJ visionary document with desired outcomes stemming from the nine EJ Priorities developed by the Community Advisory Council and how the Air District plans to respond to each of these EJ Priorities with concrete strategies and sample actions. In addition, more detailed, comprehensive, and measurable actions are being developed over the fall of 2024 to guide the implementation of the strategies in the Air District's 2024-2029 Strategic Plan. In 2023, the EJ Policy Ad Hoc Committee prioritized three key topic areas for the focus of their work on co-developing EJ strategies with Air District staff: (1) Data collection and usage, (2) Permitting, and (3) Enforcement. The EJ Ad Hoc will continue to meet with the Deputy Executive Officers (DEOs) who oversee these topic areas to provide input into the development of implementation actions.

## DISCUSSION

During the September CAC meeting, Vernice Miller-Travis of The Metropolitan Group, along with members of the CAC's EJ Policy Ad Hoc Committee, will present A *Call to Action* for feedback and discussion with the CAC and the public. Written comments may also be sent to [communityadvisorycouncil@baaqmd.gov](mailto:communityadvisorycouncil@baaqmd.gov) for consideration.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

Funds for the presentation by The Metropolitan Group are included in the budget within the Air District's professional services Contract No. 2021.073.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Amy Smith  
Reviewed by: Miriam Torres

## ATTACHMENTS:

1. A Call to Action Handout
2. A Call to Action Presentation

# **A Call to Action**

## **Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District**

*From the Community Advisory Council of the Bay Area Air Quality Management District*

WORKING DRAFT (UNPROOFED)  
August 30, 2024

Version for the Community Advisory Council's Review in September 2024  
(and for discussion at the 9/16/2024 EJ Policy Ad Hoc Committee meeting)

DRAFT

## Acknowledgements

It is with deep gratitude that we acknowledge the many contributors and the intensive collaboration process that informed the development of *A Call to Action*. While it is not possible to name all of the individuals who were involved, we wanted to be sure to lift up the following groups of key players. The below names are of those who made significant contributions to the content development of *A Call to Action*. In Appendix C we also acknowledge a longer list of people who attended collaborative meetings with Air District staff and council members and who were instrumental in the thinking that led to the development of the environmental justice strategies and actions highlighted in *A Call to Action*.

### ***2024 Members of the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee***

- Rio Molina, Ad Hoc Committee Co-Chair
- Latasha Washington, Ad Hoc Committee Co-Chair
- John Kevin Jefferson, III
- Joy Massey
- Fagamalama Violet Saena
- Ken Szutu

### ***2022-2024 Members of Community Advisory Council***

- John Kevin Jefferson, III, Co-Chair (re-elected in May 2024), representing “at large” \*
- Mayra Pelagio, Co-Chair (as of May 2024), representing Santa Clara County
- Ken Szutu, Co-Chair (as of January 2024), representing Solano County\*
- Juan Aguilera, representing San Mateo County
- Fernando Campos, representing Contra Costa County
- William Goodwin, representing Contra Costa County
- Ms. Margaret Gordon (former Co-Chair from March 2022 - September 2023), representing Alameda County
- Arieann Harrison, representing San Francisco County\*
- Joy Massey (appointment ended in July 2024), representing Alameda County\*
- Cecilia Mejia (appointment ended in September 2023), representing “youth”
- Hana Mendoza (appointment ended in April 2024), representing Alameda County
- Rio Molina, representing “at large” \*
- Charles Reed (appointment ended in December 2023), representing Alameda County\*
- Jeff Ritterman, representing Contra Costa County
- Kevin Ruano Hernandez, representing “youth” \*
- Fagamalama Violet Saena, representing Santa Clara County\*
- Latasha Washington (former CAC Co-Chair from March 2022 - 2024), representing Contra Costa County\*

\* Indicates Community Advisory Council members who served on the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee at any point between 2022-2024.

DRAFT

**WORKING DRAFT**

### ***The Air District's Environmental Justice Action Planning Project Team***

The following members of Air District Leadership and staff served on the staff project team for the Environmental Justice Action Planning Process and the development of *A Call to Action*:

- Veronica Eady, (former) Deputy Executive Officer of Equity and Community Programs
- Deborah Jordan, Consultant to the Air District's Executive Office
- Arsenio Mataka, Deputy Executive Officer of Equity and Community Programs
- Suma Peesapati, Environmental Justice and Community Engagement Officer
- Marcia Raymond, Assistant Counsel II, Legal Division
- Diana Ruiz, Manager, Community Engagement
- Amy Smith, Senior Staff Specialist, Community Engagement
- Miriam Torres, Senior Advanced Projects Advisor, Executive Office

### ***Air District Leadership***

- Philip Fine, Executive Officer / Air Pollution Control Officer
- Meredith Bauer, Deputy Executive Officer of Engineering and Compliance
- Alexander "Sandy" Crockett, General Counsel, Legal Division
- Hyacinth "Hy" Hinojosa, Deputy Executive Officer of Finance and Administration
- Arsenio Mataka, Deputy Executive Officer of Equity and Community Programs
- Greg Nudd, Deputy Executive Officer of Science and Policy
- Viet Tran, Deputy Executive Officer of Public Affairs

### ***Metropolitan Group***

Metropolitan Group is a social change agency that seeks to amplify the power of voice of change agents in building a just and sustainable world. The following Metropolitan Group staff members contributed significantly to *A Call to Action*:

- Cheryl Little, Executive Vice President
- Sarah Malpass, Senior Director
- Vernice Miller-Travis, Executive Vice President



## Welcome

On behalf of the Community Advisory Council and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee, we are pleased to present *A Call to Action*. The process of developing this Environmental Justice Action Plan began in 2022 when the Community Advisory Council formed the Environmental Justice Policy Ad Hoc Committee to strengthen relationships and collaboration between the Community Advisory Council and Bay Area Air Quality Management District (Air District) leadership, and to explore the development of a policy to center environmental justice at the Air District. In 2023, the Air District's newly appointed Executive Officer, Dr. Philip Fine, embarked on the development of a new five-year Strategic Plan. The new strategic planning process created an opportunity for the Environmental Justice Policy Ad Hoc Committee to move its work forward in coordination and alignment with the agency's strategic planning effort.

*A Call to Action* represents the collaborative and co-creative work of the Community Advisory Council and the Air District's leadership and staff over the course of nearly two years. The Environmental Justice Policy Ad Hoc Committee and the Air District's leadership and staff, who by now were working in close collaboration, decided to elevate Environmental Justice Priorities to the center of the strategic planning process. We are grateful for the contributions of the many individuals who gave generously of their time, expertise, and wisdom to this effort.

The extended and regular engagement with members of the community as part of this process has been called audacious—a powerful step to dissolving the silos between the agency and impacted communities. We hope this offers a blueprint for local agencies seeking to elevate the voices, lived experience, and leadership of environmental justice communities.

This Plan reflects a commitment to reinvest in frontline environmental justice communities who have been most affected by pollution, and offers a powerful vision for putting action behind words that reimagine the Air District's relationship with the community going forward.

We thank you for taking the time to read *A Call to Action*, and we invite you to join us in the work of improving air quality and overall environmental justice outcomes for frontline communities who are disproportionately and adversely affected by air pollution.

Sincerely,

[Add names and titles of the current co-chairs of the Community Advisory Council and Community Advisory Council's Environmental Justice Policy Ad Hoc Committee once language is reviewed and approved]

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## Executive Summary

*A Call to Action* summarizes the Community Advisory Council's vision to advance nine Environmental Justice Priorities and related actions at the Bay Area Air Quality Management District (Air District).

The Community Advisory Council is a standing advisory council of the Air District that makes recommendations to the Board of Directors and the Executive Officer/Air Pollution Control Officer on equity and environmental justice issues and concerns to improve air quality in the impacted communities within the surrounding counties in the Bay Area. The Community Advisory Council and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee also served as a formal advisor to the Air District's [2024-2029 Strategic Plan](#).

### ***The Challenge***

For seventy years, the Air District has been responsible for ensuring that people living in the Bay Area breathe clean air. Although regional air quality has significantly improved, not all communities have benefited equitably. These impacted communities are most often lower-income, communities of color. Often these communities have endured decades of exclusionary and discriminatory government policies and practices. These injustices have resulted in communities that experience the effects of environmental racism including lower air quality, poorer health outcomes, associated lower life expectancy, and a lower quality-of-life overall.

### ***The Call to Action***

Since January 2022, the Community Advisory Council has advised the Air District about how it must build trust with communities to better understand community concerns. The Environmental Justice Policy Ad Hoc Committee has worked with staff to prioritize solutions to achieve environmental justice.

The Community Advisory Council identified nine Environmental Justice Priorities that are intended to guide the agency as to how to better advance and address environmental justice within all aspects of the Air District's operations. The priorities identify the conditions needed for the Air District to be an effective partner with frontline environmental justice communities to improve air quality and overall community health and well-being.

### **The Community Advisory Council's Environmental Justice Priorities**

1. Advance Environmental Justice
2. Provide Meaningful Agency Support to Advance Environmental Justice
3. Integrate Environmental Justice Considerations in Core Functions
4. Implement Environmental Justice Best Practices and Innovation
5. Communicate with Clarity, Transparency, and Integrity
6. Grow Capacity of Air District Staff and Board Members to Integrate Environmental Justice
7. Grow Capacity of Environmental Justice Communities and Organizations
8. Seek Appropriate Legal Remedies and Coordinate with Environmental Justice Communities
9. Provide Technical Assistance to Local Governments

### ***The Air District's Response***

In the Air District's most recent Strategic Plan, 80 percent of the strategies address one or more of the Environmental Justice Priorities.<sup>1</sup> The centrality of environmental justice in the Strategic Plan and the strategies identified to advance environmental justice were directly informed by the discussions between Air District leadership, staff, and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee.

The strategies support a new vision focused on:

- Changing the Air District's primary approach to air quality from a regional focus to using more local data collection and analyses that support targeted environmental justice outcomes
- Prioritization of environmental justice communities (i.e. community benefits funds, penalty policy, cumulative health analyses, prioritization of permitting reviews in environmental justice communities, etc.)
- Engaging communities in more meaningful communications and partnerships. This includes community science (e.g. community monitoring and data collection), and public participation (e.g., regular community forums and new community feedback mechanisms) that recognizes their existing expertise, strengths, and assets
- Stronger enforcement (for example, deterrence-based penalties, community-focused injunctive relief, and consideration of repeat violations in determining enforcement response.)
- Better response to air quality complaints and incidents with improved coordination, communication and local data usage

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<sup>1</sup> For more information, see Appendix C.

- Continuous improvement on advancing environmental justice actions via collaboration with and input from the Community Advisory Council and environmental justice communities.

In collaboration with the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee, the Air District will also develop measurable implementation plans for actions related to three specific focus areas selected by the Ad Hoc committee: data collection and usage, permitting, and compliance and enforcement.

The Community Advisory Council's Call to Action and the Air District response will broaden the Air District's perspectives about how it can drive positive change by leveraging its existing rules, regulations and statutory authorities. Advancing environmental justice requires systemic change that is mindful of the many environmental, economic, and social factors affecting impacted communities. Systemic change requires continuous, two-way communication with impacted communities and interdisciplinary, intersectional and innovative solutions that address root causes of inequity.

As it moves forward, the Air District's investment in strategies that respond to the Community Advisory Council's Call to Action will result in a greater capacity for everyone – the Air District, local governments, elected officials, community-based organizations, and community members – to advance environmental justice.

# 1. Introduction

*A Call to Action* presents the Environmental Justice Priorities of the Bay Area Air Quality Management District's (Air District) Community Advisory Council and the Air District's agenda for action in response. This report contains the following chapters:

1. *Introduction*: Learn about the origins of the Community Advisory Council's call to action and how the Air District defines communities grappling with environmental injustice.
2. *Our Environmental Justice Priorities: A Call to Action from the Community Advisory Council*: Read the Community Advisory Council's full call to action to the Air District to achieve nine Environmental Justice Priorities.
3. *At A Glance: The Air District's Environmental Justice Commitments*: Learn about some of the new paths the Air District will take to advance environmental justice in the Bay Area.
4. *Charting the Course: Actions the Air District will Take to Advance Environmental Justice Priorities*: Learn about examples of how the Air District's strategies and actions will advance each of the Community Advisory Council's Environmental Justice Priorities.
5. *The Journey Ahead: Implementation and Accountability*: Learn how the Air District will be accountable to its commitments, how you can stay up to date on implementation activities, and how you can get involved.

## ***A Call to Prioritize Environmental Justice***

The Air District's Community Advisory Council is a standing advisory body at the Air District that makes recommendations to the Board of Directors and Executive Officer/Air Pollution Control Officer on equity and environmental justice matters to improve air quality in the impacted communities within the surrounding counties in the Bay Area. The Community Advisory Council and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee also served as a formal advisor to the Air District on the [2024-2029 Strategic Plan](#). In response to a request from the Air District's Executive Officer, they have identified a set of Environmental Justice Priorities for the Air District.

These Environmental Justice Priorities, which serve as a call to action for the Air District, are detailed in Chapter 2. The Environmental Justice Priorities are intended to guide the agency to advance and address Environmental Justice within all aspects of the Agency's operations. They identify the conditions needed for the Air District to be an effective partner with frontline Environmental Justice communities who are most affected by air pollution to improve air quality and overall Environmental Justice outcomes.

These priorities were developed based on a series of iterative and collaborative discussions, during which the Environmental Justice Policy Ad Hoc Committee engaged with each other, the full Community Advisory Council, and Directors and staff from certain Air District divisions. The Community Advisory Council's Environmental Justice Policy Ad Hoc Committee also reviewed and considered input from staff across the agency, Directors and DEOs. This collaborative, co-creative development process represents how the Environmental Justice Policy Ad Hoc

Committee would like the Air District to work with Environmental Justice communities in the future.

**CALL OUT BOX - Reflections from the Environmental Justice Policy Ad Hoc Committee Members**

- *"The way in which staff showed up in this planning process showed a level of commitment and gave me a level of assurance that they want to listen. I see that being an outcome that really contributed to where we are right now. One way to rebuild trust is presence, and I think that the mere presence of folks in the meetings has been a success. And as a result, we now have this beautiful working action plan that is now being folded into the Air District's Strategic Plan. I can't discount the way staff interacted, and also the way that the Community Advisory Council has interacted with staff. Because that's hard to do right." - Joy Massey*

## **2. Our Environmental Justice Priorities: A Call to Action from the Community Advisory Council**

This chapter shares the Community Advisory Council's call to action to the Air District to achieve environmental justice and equity through nine Environmental Justice Priorities.

### ***The Community Advisory Council's Environmental Justice Priorities***

The Air District's Community Advisory Council developed the following Environmental Justice Priorities that are intended to guide the Air District in advancing and addressing environmental justice within all aspects of its operations. They identify the conditions needed for the Air District to be an effective partner with frontline communities who are most affected by pollution, and to improve air quality and overall environmental justice and equity outcomes.

#### **1. Advance Environmental Justice**

To advance environmental justice effectively over the long-term, the Air District must practice restorative justice by creating agency-wide policies, practices, procedures, and norms that both recognize the trauma and adverse health impacts caused by environmental racism and honor the emotional work and investment of time that is required for staff and community leaders to work together effectively in advancing environmental justice.

The Air District must value the voices, lived experience, and leadership of environmental justice communities, develop respectful relationships and partnerships with these communities, hire from these communities, view these communities as a resource, provide compensation for their time and expertise, gather their input, use that input to directly inform decision-making, and establish formal participatory processes for addressing and implementing community input and increasing agency accountability to communities.

The field of Environmental Justice is inherently intersectional and interdisciplinary. Therefore, the Air District must dismantle internal silos by reorganizing and restructuring to build an agency structure and culture that supports cross-divisional work.

For staff to better enact environmental justice, the Air District must cultivate a culture of innovation, embrace learning by doing, and adopt clear definitions for environmental justice and equity (and related terms) that are grounded in community input.

#### **2. Provide Meaningful Agency Support to Advance Environmental Justice**

For staff and community leaders to have the meaningful agency support needed to advance Environmental Justice, Air District leadership must: Provide a strong vision and set a clear tone for achieving environmental justice and ensuring that communities of concern breathe clean air; lead the revision of internal policies, practices, and procedures with an equity lens; and lead the revision of mission-related policies, practices, and procedures with an environmental justice lens.

#### **3. Integrate Environmental Justice Considerations in Core Functions**

The Air District must prioritize incorporating into its core functions the following environmental justice considerations: community-based science and real-time air monitoring and data



collection, public health considerations, cumulative impact analysis, disparate impact analysis and civil rights compliance, and recognition of historical impacts and damages as well as the need for restorative steps.

#### **4. Implement Environmental Justice Best Practices and Innovation**

The Air District must create and implement a strategy for incorporating environmental justice best practices and innovation into its day-to-day operations and core functions -- including data collection and analysis, measurement, and monitoring, permitting, environmental analysis, inspections, enforcement, legal actions including litigation, mitigation, planning, rule-making, and incentives funding.

#### **5. Communicate with Clarity, Transparency, and Integrity**

The Air District must communicate with clarity, transparency, and integrity to environmental justice communities about the agency's role, responsibilities, and limitations, as well as where there is room to grow, improve, and bring about transformational change within the agency's regulatory charge.

#### **6. Grow the Capacity of Staff and Board Members to Integrate Environmental Justice**

The Air District must invest in growing the capacity of staff and Board members to integrate environmental justice into their day-to-day roles and responsibilities, developing communities and middle management level on new policies, practices, and procedures, establishing environmental justice as a core competency for staff, prioritizing hiring, retention and promotion of staff with lived experience living in and/or working in frontline environmental justice communities, and ensuring that staff and leadership at all levels of the agency reflect the diversity of the communities the agency serves.

#### **7. Grow the Capacity of Environmental Justice Communities and Organizations**

The Air District must invest in growing the capacity of environmental justice communities and organizations to work effectively with the Air District on systemic change, in creating economic benefits and workforce opportunities in these communities, and in enabling these communities to access and manage resources to address disparities.

#### **8. Seek Appropriate Legal Remedies and Coordinate with Environmental Justice Communities**

The Air District must seek appropriate legal remedies, collaborate, and coordinate with environmental justice communities on those remedies, impose high enough penalties, reach deterrence-based outcomes with violators, and ensure that environmental justice communities benefit from and have a say in the use of related funds.

#### **9. Provide Technical Assistance to Local Governments**

The Air District must provide technical assistance to local governments to enable them to more effectively incorporate environmental justice analysis into their local land use, planning and zoning decision-making and permitting practices, and must also weigh in on the environmental justice frameworks being developed by cities and counties in the nine Bay Area county jurisdictions as part of their general plan, to integrate environmental justice policy and help establish a plan for implementation and enforcement.

### **3. At A Glance: The Air District's Environmental Justice Commitments**

#### ***A Vision for Change: One Air District Working Toward Environmental Justice***

For nearly seventy years, the Bay Area Air Quality Management District has been responsible for ensuring that people living in the Bay Area breathe clean air. Although regional air quality has significantly improved, not everyone has benefited equitably. Communities located near freeways, busy roads, and industrial facilities continue to be exposed to higher levels of air pollution than most communities located further away from these sources. Impacted communities are most often lower-income, communities of color. This is no accident. Often these communities have endured decades of exclusionary and discriminatory government policies and practices. These injustices have resulted in communities that experience the effects of environmental racism including lower air quality, poorer health outcomes, associated lower life expectancy, and a lower quality-of-life overall. Many environmental justice communities also face inequities related to the impacts of climate change.

The Air District recognized that it needed new ways of thinking about air quality management and new approaches to address long-standing environmental injustices and inequities. The Air District engaged in an extended series of conversations with the Community Advisory Council and its Environmental Justice Policy Ad Hoc Committee members to better understand air quality from their perspectives as community members. Recognizing that communities are not monolithic, the Air District engaged in deep listening as members recounted the persistence of harms from the past and the accumulation of new harms afflicting their communities. These conversations required time and were sometimes uncomfortable but they were necessary for building trust and dialogue so that a new vision for how the Air District could manage air quality could emerge.

This new vision increases the Air District's focus on place-based solutions to manage air quality more effectively in impacted communities. This vision also broadens the Air District's perspectives about how it can drive positive change by leveraging its existing rules, regulations and statutory authorities. Advancing environmental justice requires systemic change that takes into consideration the many environmental, economic, and social factors affecting communities. Systemic change requires continuous, two-way communication with impacted communities and solutions that address root causes of inequity. As a result, the Air District's vision requires interdisciplinary, intersectional, and innovative approaches.

Investment and agreement in this vision will lead to greater capacity for all stakeholders— the Air District, local governments, community-based organizations, and community members – to advance environmental justice.

**CALL OUT BOX Reflections from the Environmental Justice Policy Ad Hoc Committee Members**

- *“One of the main benefits of this process is the extended and regular engagement with key leadership at the Air District. It has created an opportunity for us to learn about the institutional culture and how to go about the change we seek. It has forced them to hear a few things. They are starting to see that we are all humans, that we have a lot more in common than we have not in common.” - John Kevin Jefferson, III*
- *“Folks at the top tend to be rather insulated from the public and the day to day. The process we have been on has helped dismantle some of the silos that have existed for a long time within this agency. I think [this kind of approach] is audacious of the Air District! No other air district in the country is going through this process to dismantle the silos. It may not be perfect, but we need these regional, local agencies to step up, to be willing to actually level the playing field and give communities as much agency in the process [as the Air District].” - Rio Molina*

### ***Air District Response to the Call to Action***

A key role of the Community Advisory Council is to provide guidance to the Board of Directors on programs and policies that impact all communities, including overburdened communities, within the Air District’s jurisdiction. The nine Environmental Justice Priorities developed by the Air District’s Community Advisory Council help to inform and provide guidance to the agency and its staff about how it can advance and address environmental justice within all aspects of the Agency’s operations. The Community Advisory Council’s Environmental Justice Policy Ad Hoc Committee also identified three focus areas for near-term and sustained actions to advance environmental justice: Data Collection and Usage, Permitting, and Compliance and Enforcement.<sup>2</sup> These three priority areas are highlighted in Chapter 4 with icons by their related actions under the strategies.

The Air District is committed to addressing the Community Advisory Council’s Environmental Justice Priorities through its 2024-2029 Strategic Plan. This Strategic Plan represents a significant evolution of the agency’s mission and vision from a focus on improving regional air quality to a targeted approach that recognizes and addresses environmental inequities in air quality at the local level.

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<sup>2</sup> For more information on the Environmental Justice Action Planning Process and these three near-term implementation focus areas, see Appendix B.

The Community Advisory Council's advice on what environmental justice means and what the Air District should consider in shifting its focus to environmental justice laid the groundwork for its new strategic direction: **80% of the strategies identified in the Strategic Plan address one or more of the Environmental Justice Priorities.**<sup>3</sup> The centrality of environmental justice in the Strategic Plan and the strategies selected to advance environmental justice were directly informed by the many discussions had between Air District leadership, staff, and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee.

In consultation with the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee, the Air District will develop measurable implementation plans for actions related to three focus areas: data collection and usage, permitting, and compliance and enforcement.

*[Content forthcoming. An graphic (Figure X) will be developed to convey the following main actions the Air District will take:*

- Changing the Air District's primary approach to air quality from a regional focus to using more local data collection and analyses that support targeted environmental justice outcomes
- Prioritization of environmental justice communities (i.e., community benefits funds, penalty policy, cumulative health analyses, prioritization of permitting reviews in environmental justice communities, etc.)
- Engaging communities in more meaningful communications and partnerships. This includes community science (e.g., community monitoring and data collection), and public participation (e.g., regular community forums and new community feedback mechanisms) that recognizes their existing expertise, strengths, and assets
- Stronger enforcement (for example, deterrence-based penalties, community-focused injunctive relief, and consideration of repeat violations in determining enforcement response.)
- Better response to air quality complaints and incidents with improved coordination, communication and local data usage
- Continuous improvement on advancing environmental justice actions via collaboration with and input from the Community Advisory Council and environmental justice communities.

*Please note: This graphic will be developed in September, and may be reviewed at the September EJ Policy Ad Hoc Meeting, if timing allows.*

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<sup>3</sup> For more information, see Appendix C.

## 4. Charting the Course: Actions the Air District will Take to Advance Environmental Justice Priorities

This chapter presents how the Air District will advance each of the Community Advisory Council's nine Environmental Justice Priorities. The strategies are taken from the Air District's Strategic Plan. The strategies are overlapping and many of them advance multiple Environmental Justice Priorities. For brevity, this chapter highlights key strategies for each of the nine Environmental Justice Priorities without repeating throughout the chapter. The strategies reflect the language in the Strategic Plan posted in July 2024 but may differ from the final posted copy after public comment. Appendix C shows, in greater detail, how the strategies support multiple Environmental Justice Priorities.

In addition, the chapter presents sample actions the Air District will take for each strategy. The Air District will develop implementation plans with metrics or milestones for each action. Some implementation plans will be developed in collaboration with the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee, including those related to three priority focus areas: data collection and usage, permitting, and compliance and enforcement. The chapter designates these specific actions using symbols.

### Priority 1: Advance Environmental Justice

Reducing disparities in air pollution requires a different approach to air quality management with a shift in focus from the regional to the local. Community members understand air quality issues at the neighborhood level. Community members experience firsthand the odors, smoke, dust, particulates and other pollution stemming from a variety of commercial, industrial and mobile sources.

Community members also experience air quality within a system of broader concerns and chronic stressors such as environmental, income, health, housing, job security, and other socio-economic factors. As a result, air quality and health problems require interdisciplinary and intersectional approaches to arrive at solutions that address the root causes of problems, not just symptoms.

Residents are often the first to become aware of air pollution problems or incidents. Their lived observational experience is often at odds with inadequate air monitoring systems and stations. Moving forward meaningful participation by community members must help shape and inform the Air District's decision-making. Partnering with community members to include local experiences and solutions can make a critical difference in demonstrating the significance of the harm and can lead to more effective permitting, compliance and enforcement. By valuing community voices, expertise, and leadership, the Air District can cultivate innovative, place-based approaches that meet the critical needs of communities on the ground.

*Call Out Box:*

***"The community has to state what their wants and needs are. And then the Air District, on the other end, has to be transparent and actually say what's realistic." - Latasha Washington***

***“We need to take advantage of the strength of the community...they are always there. Include them in community-engaged monitoring and community engaged-enforcement.” - Ken Szutu***

***“As we go into the next phase of this work, I hope the District will include resources for leaders who are a part of the Community Advisory Council to take the proposed priorities and action steps back to their communities and get feedback.” - Fagamalama Violet Saena***

### **What Does it Mean to Advance Environmental Justice?**

#### **Value communities and their expertise:**

- Value the voices, lived experience, and leadership of Environmental Justice Communities
- Build trust with impacted communities
- Develop respectful relationships and partners
- Hire prospective staff from these communities
- View communities as a valued resource
- Provide compensation for community members’ time and expertise
- Gather input and use that input to directly inform decision-making
- Establish formal participatory-processes for addressing and implementing community input and increasing agency accountability

#### **Recognize that Environmental Justice is an intersectional and interdisciplinary field:**

- Dismantle internal silos by reorganizing and restructuring to build an agency structure and culture that supports and encourages cross-divisional work

#### **Cultivate a culture of innovation and action:**

- Embrace learning by doing
- Adopt clear definitions for Environmental Justice and Equity (and related terms) that are grounded in community input

## **What the Air District Will Do**

**Change Approach to Air Quality (Strategy 1.1):** The Air District will change its approach to reducing air pollution to include a targeted local approach so that it achieves meaningful improvements to air quality in communities, with a focus on communities overburdened by air pollution.

*A sample of Air District Actions:*

**WORKING DRAFT**

- ❖ Focus on the sources causing the greatest disparities in air pollution and the most harm to communities at the local level, as well as the sources driving up regional levels of air pollution.
- ❖ Use the information from detailed assessments of air quality and community vulnerability to prioritize actions that reduce pollution causing inequitable exposures to air toxics and particulate matter (PM 2.5).
- ❖ Prioritize actions such as updating sector-specific regulations and other actions including strengthening enforcement and implementing more incentive programs.

**Community Partnership (Strategy 2.1):** The Air District will develop partnerships with communities so they can directly participate in identifying the solutions to the air quality problems that impact them.

*A sample of Air District Actions:*

- ❖ Work with community leaders to develop and define what partnership looks like from their perspective.
- ❖ Partner with communities to better understand their experience with air pollution, the sources that concern them, and to identify and prioritize pollution reduction actions with a focus on inequitable exposure.

**Understand Local Air Pollution (Strategy 2.7):** The Air District will work with communities overburdened by air pollution to develop a more complete understanding of air pollution in their neighborhoods.

*A sample of Air District Actions:*

- ❖ Use communities' experience and knowledge to inform where the Air District does additional air monitoring, including mobile monitoring and short-term monitoring studies.
- ❖ Run air pollution data, including emissions and monitoring data, through computer modeling programs to get a more complete picture of air pollution within specific neighborhoods.

**Address Legal Barriers (Strategy 2.9):** The Air District will work to change laws that prevent the Air District from advancing environmental justice.

- ❖ Work to change state law limiting the amount of money in penalties the Air District can collect for air pollution violations.
- ❖ Talk with state legislators and their staff about the local health impacts of air pollution so they may be better positioned to champion legal changes.

## Priority 2: Provide Meaningful Agency Support to Advance Environmental Justice

The Air District can support the health and well-being of communities by re-envisioning its mission through the lens of Equity and Environmental Justice. A strong vision that is actively supported by leadership must focus on achieving fair and equitable outcomes of clean air for everyone as well as striving to eliminate disproportionate harm caused by current and long-standing legacy pollution.

Effective enforcement of stricter rules is a key area where the Air District can make great strides advancing environmental justice. Communities especially want more transparency and accountability in how the district holds violators accountable. Communities also want greater transparency in how the district works with other state and municipal agencies to enforce air quality regulations.

In order to provide meaningful support, the Air District will need to dedicate more resources and funding for air quality management approaches that recognize and reduce disparities in local air pollution. This investment to advance environmental justice will enable the Air District to become a more inclusive, accountable, effective, and community-oriented organization.

The Environmental Justice Policy Ad Hoc Committee emphasized budget allocations, meaningful community participation, enhanced enforcement and transparency around the permitting process as some of the critical ways the Air District could provide meaningful agency support.

### *Call Out Box*

***“We have asked for something in the past and we have been told the District doesn’t have resources. [The District] has to allocate resources to dedicate to this change or moving in this strategic direction.” - Ken Szutu***

***“With these [Air District] commitments the enforcement department is going to be stronger. That is where the rubber hits the road. Air monitoring protocols need to be more stringent, companies need to be more transparent, and the District should be more strict with enforcement....self reporting [by companies] doesn’t work.” - John Kevin Jefferson, III***

### **How Can the Air District Support and Advance Environmental Justice?**

- Provide a strong vision and set a clear tone so that impacted communities breathe cleaner air
- Use an Equity lens to revise internal policies, practices, and procedures
- Use an Environmental Justice lens to revise mission-related policies, practices, and procedures

## What the Air District Will Do

**Stronger Regulations (Strategy 1.2):** The District will develop stronger regulations, prioritizing those that can improve local air pollution.

**WORKING DRAFT**



*A sample of Air District Actions:*

- ❖ Ensure regulations are updated and that they reflect the agency's current understanding of the health burdens associated with air pollution and include the latest technological advancements in reducing emissions.
- ❖ Update an existing regulation when the agency finds that it does not provide adequate health protection, or that it includes inappropriate or outdated exemptions.
- ❖ If needed, develop new regulations to ensure the appropriate level of health protection for communities.

**New Enforcement Policy (Strategy 1.6):** The Air District will collaborate with communities to develop an enforcement policy to better prevent violations of air quality regulations.

*A sample of Air District Actions:*

- ❖ Develop an enforcement policy that considers environmental justice principles, community voices, experiences, and perspectives.
- ❖ Develop and include principles to guide how the Air District evaluates and applies penalties, as allowed by state law, community-focused legal remedies with consideration of repeat violations.

**Align Resources (Strategy 4.11):** The Air District will be intentional about ensuring that its resources and annual budgets are well-aligned with organization and community priorities.

*A sample of Air District Actions:*

- ❖ Align spending to achieve real impact by adopting new approaches to air quality management that focus on understanding and reducing disparities in local air pollution exposure.

### **Priority 3: Integrate Environmental Justice Considerations in Core Functions**

The Community Advisory Council identified seven areas where the Air District can incorporate environmental justice in its core functions. One area with great potential is building the capacity of community members to collect and interpret data to understand local air pollution, community health, and cumulative impacts. By evaluating disparate impacts and recognizing historic harms, the Air District can strengthen enforcement of existing regulations, seek appropriate permitting, and develop more health-protective actions.

It is vitally important that community members understand air quality in their neighborhoods. However, existing data is challenging to use, especially if it is used to understand and reduce environmental injustice. For example, most health data is available at a census tract, zip code, city, or county level, which can complicate assessment between different neighborhoods or parts of a community.

Understanding the connections between air quality and health is made especially difficult by cumulative impacts that occur when various government entities allow polluting activities, such as industry, to make

individual facility decisions that, when added together, can cause impacts that accumulate over time and increase environmental exposures in nearby communities. By incorporating environmental justice in its core functions, the Air District can address this and many other complex factors that affect people's health, well-being, and quality of life.

*Call Out Box*

***“The Air District needs to be honest with the community about what they are willing to accept when it comes to the monitoring and the data that's actually being collected. That's the huge barrier when it comes to the community and the Air District. They are not accepting what we're collecting.” - Latasha Washington***

***“I definitely hope in the future that we start looking at health risks with some of our decision-making. Health risk assessments [should be] a driver of enforcement and regulatory action.” - Latasha Washington***

***“[There needs to be] truthful information regarding the Air District's permitting process and an understanding of what's required for the data collection. I think the community is either misinformed or not informed at all when it comes to the requirements and processes and policy around the Air District.” - Latasha Washington***

**Seven Areas Where the Air District Should Incorporate Environmental Justice**

- Community-based science
- Real-time air monitoring and data collection
- Public health considerations
- Cumulative impact analysis
- Disparate impact analysis and civil rights compliance
- Recognition of historical impacts and damages
- Recognition of the need for restorative steps

**What the Air District Will Do**

**Collect Community Data (Strategy 2.2):** The Air District will build community capacity to collect air pollution data and utilize this data to reduce the pollution that most harms communities.

*A sample of Air District Actions:*

- ❖ Provide community members with air quality data collection tools.

- ❖ Work with communities to collect data (with appropriate quality assurance and quality control) that can help with improved enforcement, more stringent regulations, better targeted or new incentive programs, or other programs and policies to reduce pollution.

**Cumulative Health Impacts (Strategy 2.11):** The Air District will develop its understanding of the cumulative effects of air pollution and other stressors, and use this information to focus regulatory efforts in areas experiencing the most air pollution and related cumulative impacts.

*A sample of Air District Actions:*

- ❖ Develop a better understanding of where cumulative impacts exist and how they should be considered in Air District and local government decision-making.
- ❖ Explore how to further consider cumulative impacts in the Air District’s programs, including permitting, regulations, and compliance.

#### **Priority 4: Implement Environmental Justice Best Practices and Innovation**

The Community Advisory Council identified seven areas where the Air District can incorporate best practices to better serve people living in areas overburdened by air pollution.

Information through enhanced data collection and analysis is key for understanding which sources of pollution are most harmful to community members. For example, flaring is a major concern for people living near refineries since it can periodically release uncertain, and potentially unsafe, amounts of air pollution. With better information, the Air District can focus its inspection resources where they will have the greatest impact on compliance, and therefore, the greatest benefits to community air quality and health.

In September 2017, a new state law, Assembly Bill 617, fundamentally changed how local air districts approach air quality planning. The law requires all major air districts to partner with those communities selected by the State to develop plans to reduce air pollution in their neighborhoods. The Air District already maintains a comprehensive air quality monitoring network that includes over 30 monitoring stations across the Bay Area’s nine counties. Upgrading its network will allow for better access to a wider range of data by the public.

Through enhanced monitoring and increased knowledge and adopting best practices, the Air District can use its inspections, enforcement, permitting, and legal authority to ensure that all industries and businesses in the Bay Area are minimizing air pollution and complying with the law, especially those located in communities overburdened by air pollution.

*Call Out Boxes*

***“The community should be able to read the District’s air monitors at any time. We should be able to install a monitor to share the data we are seeing on the community level in real time, and the data***

*should feed into and speak to [the Air District's] system. Not two sets of data, but data that speaks to each other." - John Kevin Jefferson, III*

### **Seven Areas Where the Air District Should Implement Environmental Justice Best Practices**

- Data collection and analysis
- Measuring and monitoring
- Permitting
- California Environmental Quality Act (CEQA) analysis
- Inspections
- Enforcement
- Legal actions, including litigation, mitigation, planning, rulemaking, and incentives funding

### **What the Air District Will Do**

**Minimize Flaring (Strategy 1.3):** The Air District will minimize flaring at oil refineries to lessen the impact flaring has on nearby communities, including air pollution and odors.

*A sample of Air District Actions:*

- ❖ Increase public engagement on refinery flaring.
- ❖ Increase inspections and air pollution monitoring where flaring occurs.

**Consistent Permits (Strategy 4.3):** The Air District will ensure that its regulations and associated air quality permits issued are clear, consistent, and enforceable so that air pollution affecting communities is minimized.

*A sample of Air District Actions:*

- ❖ Ensure permits are written consistently and clearly and that they protect the public's health to the greatest extent that regulations allow.
- ❖ Ensure regulations are clear and enforceable when included in a permit.
- ❖ Review how the Air District issues permits to ensure that they are consistent with civil rights laws and regulations.

**Improve Air Monitoring (Strategy 4.4):** The Air District will update the design and operations of the air quality monitoring network to improve reliability, efficiency, data quality, and accessibility to better meet monitoring objectives and to support efforts to understand local exposure to air pollution.

*A sample of Air District Actions:*

- ❖ Evaluate the monitoring network for possible changes and improvements, based on community input.
- ❖ Consider the placement of monitors relative to the location of communities overburdened by air pollution.

**Improve Compliance Investigations (Strategy 4.5):** The Air District will increase the efficiency and effectiveness of inspection and investigation resources to improve compliance and increase the impact of its enforcement program.

*A sample of Air District Actions:*

- ❖ Target inspections in the areas where emissions are the highest and therefore most needed for determining compliance with permits and regulations.

## **Priority 5: Communicate with Clarity, Transparency, and Integrity**

Communities with a long history of being exposed to pollution, understandably, do not always trust government agencies. They have little faith that government agencies will protect them from pollution including air pollution. They want more transparency and information on how the Air District will protect them and hold industries, businesses, and others accountable for polluting their communities.

The complaint system is an important place to improve the Air District's responsiveness. Community members have become frustrated when the Air District cannot track down the source of the problem or does not follow up sufficiently with the person submitting the complaint to note how it was addressed. Another area of concern expressed by communities is their ability to remain informed and engaged throughout the permitting process. The criteria for publicly available information about the status of permit applications and approvals is often unclear to the community. Community members need timely information communicated in more accessible ways with transparent, understandable, less technical language.

Through clear and transparent communications, the Air District can build trust. Through the process of deep listening and accountability, the Air District can drive transformative change within its agency and how it carries out its regulatory charge.

*Call Out Box*

***"When the Air District revises its complaint policy, it can't be internal to the agency—they should invite the Community Advisory Council to engage. How is the plan going to allow for and invite more input [in practice?]" - Rio Molina***

### **How Can the Air District Enhance Clarity, Transparency, and Integrity in Communications?**

- Communicate the agency’s role, responsibilities, and limitations
- Identify where there is room to grow and improve
- Identify how the agency intends to bring about transformational change within the agency’s regulatory charge.

### **What the Air District Will Do**

**Make Data Accessible (Strategy 2.3):** The Air District will give communities the tools and data they need to access and understand air pollution data so they can be better informed of any potential air pollution problems.<sup>4</sup>

*A sample of Air District Actions:*

- ❖ Make air quality data more available, accessible, and understandable.
- ❖ Prepare an inventory of available data.
- ❖ Work with community members to better describe available data and understand how they want to access it.

**Air Quality Complaints (Strategy 2.5):** The Air District will improve the complaint process to ensure it is effective and transparent.

*A sample of Air District Actions:*

- ❖ Improve the transparency of complaint outcomes and follow up with community members on what the problem was and how it was resolved.
- ❖ Ensure better responsiveness, especially during off-hours, including nights, weekends, and holidays.
- ❖ Enhance air pollution incident response program, in collaboration with community partners, to better respond to and communicate about air quality during emergencies or unpermitted releases.

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<sup>4</sup> The Air District’s Notices of Violation (NOV) Web Tool allows the public to access enforcement information concerning NOV’s issued to facilities across the Bay Area.  
(<https://www.baaqmd.gov/en/rules-and-compliance/compliance-assistance/notices-of-violations/novs-issued>)

**Talk with Communities (Strategy 2.6):** The Air District will talk with communities about their air pollution concerns and how the agency is addressing them, and it will be responsive to the concerns community members raise.

*A sample of Air District Actions:*

- ❖ Develop a structured program to meet regularly with community members to talk about air pollution in their neighborhoods, including: compliance and enforcement activities, recent incidents or other air pollution violations, the Air District's enforcement response, the extent of public harm, and legal actions we may take.

**Customer Service (Strategy 4.7):** The Air District will strengthen its employees' organization-wide knowledge and communication skills, and change its organization as needed, so people experience the highest level of service from the Air District.

*A sample of Air District Actions:*

- ❖ Have employees serve as liaisons to community members, to ensure they receive timely, accurate responses to their concerns and questions.

**Transparent Permit Process (Strategy 4.2):** The Air District will improve its permitting process to be more transparent and accountable to applicants and the public.

*A sample of Air District Actions:*

- ❖ Build trust with the community and with permit applicants by providing more information throughout the process, which will promote more meaningful engagement for everyone.
- ❖ Improve how the Air District communicates information about permits and the permitting process to communities and applicants using more understandable, less technical language.

**Civil Rights Laws (Strategy 2.10):** The Air District will advance and prioritize compliance with civil rights laws, including the federal Civil Rights Act of 1964 and related California laws.

*A sample of Air District Actions:*

- ❖ Implement the Air District's Plan for Language Services to Limited English Proficient Populations to ensure compliance with civil rights laws.<sup>5</sup>

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<sup>5</sup> The Air District's Disability Access Plan, Language Access Plan, and Public Participation Plan can be found at: [Non-Discrimination \(https://www.baaqmd.gov/en/contact-us/non-discrimination\)](https://www.baaqmd.gov/en/contact-us/non-discrimination).

## Priority 6: Grow the Capacity of Air District Staff and Board Members to Integrate Environmental Justice

The Air District has air pollution expertise, vast amounts of regional air quality data, and knowledge of how various government agencies at the local, state, and federal level can help address community problems. However, prior to the development of the AB617 program, the agency did not have a reliable inventory of sources that can have air pollution impacts at the local or neighborhood level.

The Air District will need to build its capacity to advance environmental justice, including by focusing more attention at the local level. In recent years, the Air District's awareness of and acknowledgement of environmental justice has grown. However, it still has much to do. Environmental justice expertise in the agency is not diffused throughout the agency in a way that best serves communities who are overburdened by air and other pollution.

Capacity building also includes diversifying the Air District's staff. Having a diverse workforce means that the organization reflects the people and communities it serves. The San Francisco Bay Area is one of the most diverse places in the world. It is important that the Air District prioritizes being just as diverse. Over the years, diversity at the Air District has increased to better reflect our region, including the communities who have been long harmed by air pollution. It will be important that the agency continue to recruit, develop, and welcome people who have first-hand experience of the impacts of air pollution who know the challenges and are invested in solutions. When people work with government agency staff who are like them, who understand their day-to-day experiences, it instills trust.

### *Call Out Box*

***"I understand that all the staff have their normal daily operational [duties] they need to take care of. But in order to create any change, we have to allocate time and resources. For example, 5% or 10% of your effort is going to be dedicated to this change or strategic or moving direction...otherwise change is not going to happen." - Ken Szutu***

***"Staff should have community level experience so they can understand the problem better." - Ken Szutu***

### **How Must the Air District Grow the Capacity of Air District Staff and Board?**

- Integrate Environmental Justice in their day-to-day roles and responsibilities
- Develop buy-in at the middle management level
- Establish Environmental Justice as a core competency
- Prioritize hiring, retention and promotion of staff with lived experience living in and/or working with frontline communities



- Ensure that staff and leadership reflect the broad ethnic, racial, socio-economic and gender diversity of the communities the agency serves

## What the Air District Will Do

**Community Partnership (Strategy 2.1):** The Air District will develop partnerships with communities so they can directly participate in the development of solutions to air quality problems that impact them.

*A sample of Air District Actions:*

- ❖ Partner with communities to prioritize pollution reduction actions with a focus on inequitable exposure.
- ❖ Work with communities to develop a new enforcement policy and to talk about compliance and enforcement efforts, air quality data needs, new funding programs, and to reimagine our existing policies and programs.

**A Diverse Workforce (Strategy 3.1):** The Air District will build on its efforts to ensure its workforce is diverse and reflective of the communities it serves to instill community trust and develop better solutions to air quality problems.

*A sample of Air District Actions:*

- ❖ For all levels of the organization, establish recruitment, retention, and advancement policies and practices that promote diversity and inclusion.
- ❖ Implement targeted recruitment strategies, to attract candidates from diverse backgrounds and life experiences.
- ❖ Create professional development programs tailored to the needs of employees from diverse backgrounds.

**Environmental Justice Expertise (Strategy 3.4):** The Air District will increase the capacity and effectiveness of employees, Board members, and advisory bodies to advance environmental justice and to better integrate environmental justice into all aspects of its work.

*A sample of Air District Actions:*

- ❖ Train Board and Advisory Council members, and employees at all levels of the organization on environmental justice principles and issues.
- ❖ Include environmental justice training in new employee onboarding, and at regular intervals for existing staff.

- ❖ Add advancing environmental justice and equity as a core competency in all employees' performance plans and reviews.
- ❖ Develop environmental justice teams and have them review compliance with civil rights laws and regulations.

## **Priority 7: Grow the Capacity of Environmental Justice Communities and Organizations**

Community-based organizations and community members require resources in order to consistently be able to provide their expertise about air quality and health issues affecting their neighborhoods. It takes experience, time, and knowledge to engage effectively in participatory processes, such as serving on advisory groups, attending public meetings, providing public comments, and engaging in community science. It takes expertise, knowledge, tools, and skills to collect data and make sense of the data and offer analysis that informs the Air District's decision-making and priorities.

Community members have also expressed that the Air District's funding programs are not directly responsive to their needs or are difficult to access. Additionally, state and federal funding requirements significantly limit who can apply and the kinds of projects that can be funded. Often, the application and reporting requirements are cumbersome and stringent and not designed for neighborhood level organizations.

Communities would like more involvement in advising about possible types of neighborhood focused projects that could be funded by the Air District. They would also like to be directly involved in the implementation of some projects and have greater workforce and skills development opportunities.

Public participation and community coordination is especially important in directing funds to advance environmental justice and community benefits. In 2021, the Air District created a "Community Benefit Fund" of \$3 million for projects that will directly benefit communities. The Community Advisory Council's Community Benefit Fund Ad Hoc Committee is developing a plan for a participatory budgeting process to disseminate these funds with community input from the most impacted communities. In May 2024, the Air District also adopted a new policy that will direct a portion of the money generated through penalties back into communities where the violation occurred (i.e., Air District Penalty Policy). By seeking appropriate legal remedies, the Air District can not only protect communities, but provide the funding for much needed investment.

Community members are also interested in mitigation programs that have an immediate impact on improving health outcomes and overall quality of life. For example, the Air District currently distributes air cleaners and replacement filters to schools and community members through partnerships with community-based agencies in the most impacted areas. Through community-directed decisions on how penalty funds are distributed, air filter programs - as well as other immediate impact projects - could be chosen for continuation and expansion.

With greater resources that amplify their existing strengths and expertise, community-based organizations and residents can more effectively partner with the Air District to drive systemic change that can lead to more durable air quality improvements and health benefits for their communities.

*Call Out Box*

***“If we have five years, let's utilize all of those five years...let's try to get all of us on the same page. It starts with education. And it starts with real engagement. You can't walk into the room talking about a subject if no one is informed about what's going on. The first year should just be spent on education and informing the community.” - Latasha Washington***

***“There is such an opportunity to build more intentional partnerships with community and community leaders, especially with those on the ground. The district needs to build trust. This happens in part by investing in communities and deeply listening to community-based organizations and leaders who are doing the work.” - Fagamalama Violet Saena***

***“The strategic investment of dollars into our communities is so important. And it's also about providing community members resources to be able to manage those dollars right. So to not only create rebate programs that benefit cleaner air and things like that. But really resourcing communities so that they can benefit, so that they can apply for these funding opportunities that exist within the Air District.” - Joy Massey***

**How Can the Air District Grow the Capacity of  
Environmental Justice Communities and Organizations?**

- Create economic benefits and workforce opportunities in communities
- Enable communities to access and manage resources to address disparities
- Drive systemic change
- Ensure that environmental justice communities benefit from and have a say in the use of related funds

**What the Air District Will Do**

**Reimagine Funding (Strategy 1.4):** The Air District will reimagine funding programs so that they better benefit communities impacted by air pollution.

*A sample of Air District Actions:*

- ❖ Change funding programs to provide greater benefits at community, neighborhood, and household levels, including through input from community members and from what the agency learns about which sources of air pollution cause the most harm to communities.
- ❖ Where possible, reduce barriers to applying for funds and develop creative solutions to fund a wider variety of projects that respond to community needs.
- ❖ Work with communities to identify and access new, non-Air District funding sources, such as state, federal, or other grants, and consider submitting joint funding proposals.

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- ❖ Talk with communities about defining new project ideas, and in the funding application process. If possible, partner with communities on project implementation.

**Community-Directed Funds (Strategy 2.8):** The Air District will manage funds to benefit communities in partnership with those communities, including money that the Air District collects in penalties from air pollution violations affecting them.

*A sample of Air District Actions:*

- ❖ In collaboration with the Community Advisory Council and local community-based organizations, develop a community-led process where communities participate in decisions on how to spend the Community Benefit Fund.
- ❖ Establish a team within the Air District to administer the portion of penalty funds distributed to affected communities and the broader region, in consultation with the communities and region.

### **Priority 8: Seek Appropriate Legal Remedies and Coordinate with Communities**

Communities need stronger compliance with and enforcement of regulations that minimize pollution sources contributing most to local disparities. By working with community partners, the Air District can change its air quality approach to better understand which sources contribute the most to local air pollution and which actions can be most impactful in reducing pollution from those sources.

The Air District also has limited information on the public health consequences of a violation or potential cost savings to the violators from actions that led to the violations. Such additional information could be useful in building more stringent enforcement actions and related penalty assessments for violations. This, in turn, could better deter industries from violating regulations and improve future compliance.

It is especially important for the Air District to hear from community members on how an air quality violation impacted them. This requires that the agency’s public participation practices are inclusive and nondiscriminatory, with access to programs for people with limited English proficiency, and access for people with disabilities which are both elements of complying with civil rights laws.

*Call Out Box*

***“The backbone is in the legal process...this is the procedure for compliance and enforcement. In the past things were as bad as they have been because the agency wouldn’t litigate, and that is changing.” - Rio Molina***

***“The polluters need to know that not only are we trying to understand air pollution in a local, rather than regional [context]...we also want to put you on notice!” - Rio Molina***

***“The right to pollute is not divine. Just because they have the right to pollute doesn’t mean that every polluter should have a license to do it, or that they should be doing it at all.” - Rio Molina***

### What are Ways the Agency Must Seek Appropriate Legal Remedies?

- Collaborate and coordinate with environmental justice communities on remedies
- Impose high enough penalties that discourage repeated violations
- Reach deterrence-based outcomes with violators

## What the Air District Will Do

**Enhance Violation Investigations (Strategy 1.5):** The Air District will enhance its procedures for investigating violations of Air District regulations in communities overburdened by air pollution to better protect community health.

*A sample of Air District Actions:*

- ❖ Develop a way for community members to tell the Air District how the violation affected them.
- ❖ Better quantify the extent of emissions that violate regulations in overburdened communities and, where possible, analyze the public health impacts of violations (such as using health risk and health impact assessments).
- ❖ Investigate a violator's financial benefit and compliance avoidance costs that may have encouraged repeat violations in overburdened communities.

**Community-Directed Funds (Strategy 2.8):** The Air District will manage funds to benefit communities in partnership with those communities, including money that the Air District collects in penalties from air pollution violations affecting them. *A sample of BAAQMD Actions:*

- ❖ Establish a team within the Air District to administer the portion of penalty funds distributed to affected communities and the broader region, in consultation with the communities and region.

**Civil Rights Laws (Strategy 2.10):** The Air District will advance and prioritize compliance with civil rights laws, including the federal Civil Rights Act of 1964 and related California laws.

*A sample of Air District Actions:*

- ❖ Ensure the agency is complying with federal civil rights laws and regulations, possibly drawing from the United States Environmental Protection Agency's guidance that helps state and local governments comply with civil rights laws in their permitting programs.

## Priority 9: Provide Technical Assistance to Local Governments

The Air District does not have the sole responsibility to reduce health impacts of air quality and hold violators accountable. The policies and practices of local governments and state laws also drive decision-making and planning impacting air quality and public health in communities. Staff in local governments and legislators also need greater awareness, knowledge, and expertise to advance environmental justice to the fullest extent of their respective authorities.

Most actions the Air District can take to reduce pollution are authorized, and/or restricted, by state and federal laws. The sources the Air District can regulate, how it issues and enforces permits, and the penalties it can assess are all bound by law and regulation. Some of these laws can act as barriers to advancing environmental justice. For example, state law sets limits on penalties the Air District can collect for air quality violations of its permits and regulations.

Communities also rely on multiple government agencies to respond to air pollution incidents. These agencies include the fire department, the local public health department, hazardous materials response units, and specialized pollution control agencies like the Air District.

There are also decisions that are at the forefront of affecting air quality at the local level, but are outside the Air District's authority. Especially influential are local land use and zoning plans, policies and permitting decisions. They shape the built environment and can be instrumental in advancing environmental justice, building community resilience, and elevating local climate priorities.

Given the shared responsibility to support air quality and health in communities, the Air District can use its knowledge and resources to deliver technical assistance to build the capacity of local governments.

### *Call Out Box*

***"I really feel like people are listening. If we do this properly, this could go everywhere. It is my dream to implement this in the other two big air districts in the state. Together, the three big districts will have the influence to inform the other smaller districts, and the big three can influence each other. San Francisco is unique in that it is a city and county in and of itself – all of the power is in San Francisco – when we are able to implement something in San Francisco, it really takes wings!" - John Kevin Jefferson, III***

### How Can the Air District Provide Technical Assistance to Local Governments?

- Provide support to incorporate environmental justice analysis in local land use, planning and zoning decision-making
- Incorporate environmental justice analysis in Air District permitting practices
- Support Counties in the development of environmental justice elements in General Plans
- Provide technical assistance to local governments to integrate environmental justice policy and help establish a plan for implementation and enforcement of environmental regulations

### What the Air District Will Do

**Community Health Data (Strategy 2.4):** The Air District will provide communities with better health information, so they know the health implications of air pollution and are better able to participate in decision-making.

*A sample of Air District Actions:*

- ❖ Use Health Impact Assessment methodologies that consider input from community members and other agencies, to determine the potential effects of a proposed policy, program, or project on community health.
- ❖ Work with health care providers to gain access to better data and with community members to collect neighborhood, block-by-block level data.

**Air Quality Incidents (Strategy 4.8):** We will enhance our incident response program in collaboration with government partners

*A sample of Air District Actions:*

- ❖ Work with industry, community, and other local agencies to establish better systems to detect and assess emissions from incidents.
- ❖ Deliver short, understandable, actionable alerts during incidents, and more robust and transparent after-incident resolution and investigations.

**Land Use Impacts (Strategy 4.9):** The Air District will provide tools for local governments to consider environmental justice, air quality, and climate priorities in local land use plans, policies, projects, and permitting decisions.

*A sample of Air District Actions:*

- ❖ Develop, share and support the use of data, tools, and best practices to enable local governments to incorporate air quality, climate, and environmental justice analyses and

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solutions more effectively into local land use planning, policies, and permitting practices. Provide guidance on how to strategically use land use regulations to address and prevent incompatible land uses.

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## 5. The Journey Ahead: Implementation and Accountability

As the Air District moves forward, the Community Advisory Council will remain a steadfast advocate for implementation of the Environmental Justice Priorities and an active collaborator in cultivating the conditions needed for the Air District to be an effective partner with frontline communities who are most affected by pollution, and to improve air quality and overall environmental justice outcomes in those communities.

### CALL OUT BOX - Reflections from the Environmental Justice Policy Ad Hoc Committee Members

- *“I am hopeful [that there will be real change for Environmental Justice communities], but I also recognize we are still in the strategic planning development process. What would drive my hope up even more is seeing a timeline of prioritization of the actions for each of the EJ Priorities and understanding who is holding the Air District accountable and to what measures of accountability.” - Joy Massey*

### What the Air District Will Do

In the [2024-2029 Strategic Plan](#), the Air District has committed to accountability through action, including:

1. *Action Plans and Performance Metrics:* Develop action plans, initiatives and programs for actions advancing the strategies in the Strategic Plan, including performance timelines, milestones, metrics and targets.
2. *Resource Alignment:* Align resources and budget priorities with the goals of the Strategic Plan.
3. *Progress Reports:* Develop a website where the Air District’s commitments and progress against those commitments can be tracked, and provide an annual report on progress.
4. *Updating the Strategic Plan:* Conduct a full review and update of the Strategic Plan every five years.

Furthermore, Air District staff and leadership will be in continual conversation with the Community Advisory Council regarding progress updates on implementation. At its own discretion, the Community Advisory Council may also form new Ad Hoc Committees to engage in focused collaborative efforts with Air District staff and leadership on specific plans, initiatives or programs.

Finally and perhaps most significantly, in response to EJ Priority 5: Communicate with Clarity, Transparency, and Integrity, the Air District has committed to developing more regular opportunities for direct updates to and dialogue with environmental justice communities and residents. This will include:

- Development of “a structured program to meet regularly with community members to talk about air pollution in their neighborhoods, including: compliance and enforcement activities, recent incidents or other air pollution violations, the Air District’s enforcement response, the extent of public harm, and legal actions we may take.
- Having employees serve as liaisons to community members, to ensure they receive timely, accurate responses to their concerns and questions.

### ***How You Can Stay Up-to-Date and Get Involved***

The success of the Air District’s environmental justice efforts is dependent on our ability to effectively partner with frontline communities. We need your support, advocacy, and collaboration!

To stay up-to-date on the latest implementation updates:

1. Check the Air District’s [Strategic Plan](#) and website.
2. [Attend or view recordings](#) and materials from Board meetings and Community Advisory Council meetings.

For more information on the Community Advisory Council visit our [Community Advisory Council website](#) or to explore joining the Community Advisory Council when seats become available, contact the Community Advisory Council Staff at: [communityadvisorycouncil@baaqmd.gov](mailto:communityadvisorycouncil@baaqmd.gov). Community Advisory Council seats are on two-year and four-year cycles.

## Appendix A. The Principles of Environmental Justice

### Principles of Environmental Justice

The environmental justice movement was galvanized in 1987, when the United Church of Christ Commission for Racial Justice released a study demonstrating that across the country, toxic and hazardous waste facilities were overwhelmingly located in or nearby Black, Brown, and Indigenous communities. In 1991, delegates to the First National People of Color Environmental Leadership Summit drafted and adopted the *Principles of Environmental Justice*, and it has served as the defining document and central organizing principles for the burgeoning environmental justice movement.

- 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.
- 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 providing 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 multi-national 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 insure the health of the natural world for present and future generations.

## Appendix B. What is an Environmental Justice Community?

There is no single definition to define communities that are disproportionately affected by air pollution. And while the Air District believes that all communities will benefit from cleaner air across the Bay Area, it is still important to understand those communities which are intended to directly benefit from this *Call to Action*.

The Air District uses descriptive terms for these communities such as environmental justice, impacted, frontline, overburdened, and AB617. Some terms are codified in statute, others are defined for the purpose of delivering funding, and others are used for narrower purposes in Air District rules. As a starting point, The Environmental Justice [Chapter \(2\) of Air District's CEQA guidelines](#), contains the following definitions:

- **Overburdened Community** – This term refers to 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 located within 1,000 feet of any such census tract.
- **AB 617 Community** – An Assembly Bill (AB) 617 community is affected by a high cumulative exposure burden for toxic air contaminants and criteria air pollutants, selected by the California Air Resources Board (CARB) governing board, that works with the Bay Area Air Quality Management District (Air District) to develop and implement community air monitoring plans and emission reduction programs to reduce air pollution and the associated health impacts within the community.

As of summer 2024, the [AB 617 communities](#) in the Bay Area are West Oakland, Richmond/North Richmond/San Pablo, East Oakland, and BayView Hunters Point. In April 2024, the Path to Clean Air Community Steering Committee of their community representatives and the Air District co-wrote a report, [Path to Clean Air](#), which was adopted a month later by the Air District's Board of Directors.

- **Priority Community** – Additionally, the Community Advisory Council's Community Benefits Fund Ad Hoc Committee is working on a definition for "priority communities" that aligns with how the Air District's Investments team disburses funding according to State requirements. The California Environmental Protection Agency (CalEPA) has developed a [Priority Populations 2023 \(ca.gov\)](#) map. The map uses [CalEnviroScreen 4.0](#), which shows cumulative impacts in California communities by census tract and the American Indian Areas Related National Geodatabase.<sup>6</sup> You can find specific information about priority communities in 9 Bay Area Counties at [About & Resources | Priority Populations 2023 \(ca.gov\)](#)

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<sup>6</sup>As defined by the State, priority communities includes; Low-income communities and households are defined as the census tracts and households, respectively, that are either at or below 80 percent of the statewide median income, or at or below the threshold designated as low-income by the California Department of Housing and Community Development's (HCD) [Revised 2021 State Income Limits](#). Disadvantaged community designations per [Senate Bill \(SB\) 535](#) (De León, Chapter 830, Statutes of 2012). Low-income definitions per [Assembly Bill \(AB\) 1550](#) (Gomez, Chapter 369, Statutes of 2016).

## Appendix C. The Environmental Justice Action Planning Process

As the Community Advisory Council called the Air District to action on environmental justice, the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee was tasked with driving an Environmental Justice Action Planning process in collaboration with the Air District.

This appendix summarizes the Environmental Justice Action Planning Process, including how the Environmental Justice Policy Ad Hoc Committee informed the Air District's Strategic Planning efforts. While the Environmental Justice Policy Ad Hoc Committee's discussions with Air District leaders and staff were wide ranging and influenced the full breadth of strategies selected for the Strategic Plan (see Appendix C), the Committee chose to prioritize three focus areas for deeper conversation and Environmental Justice Action development:

- Data Collection and Usage
- Permitting
- Compliance and Enforcement

The Environmental Justice Actions developed through these conversations form the majority of the Environmental Justice Actions described in Chapter 4 of *A Call to Action*.

### **CALL OUT BOX - Reflections from the Environmental Justice Policy Ad Hoc Committee Members**

*"This has been monumental. I think this has been a once in a lifetime opportunity. And not even once in a lifetime, because I hope that this happens again. What's happening in this process is change, right? It's innovation. And this should be happening in other spaces. So how do we continue to foster this and replicate this?"*

*I want the process documented. So not only do I want the action plan and its outcomes documented, but also what was the process to get us to this point. There's so much learning from our process to get to the EJ Action Plan that should be told. Like the conversation around trust building and what was done there with staff. And what it took to even get those nine EJ Priorities. You know, just documenting the process because there's so much learning in that.*

*Sometimes folks are quick to tear down the process. But if people really knew what the process has been for the EJ Action Plan, there ain't much to tear down, in my opinion, if any at all." - Joy Massey*

### **Environmental Justice Action Planning: Dialogue, Collaboration in the Air District's Strategic Plan process, and Co-Creation of Environmental Justice Actions**

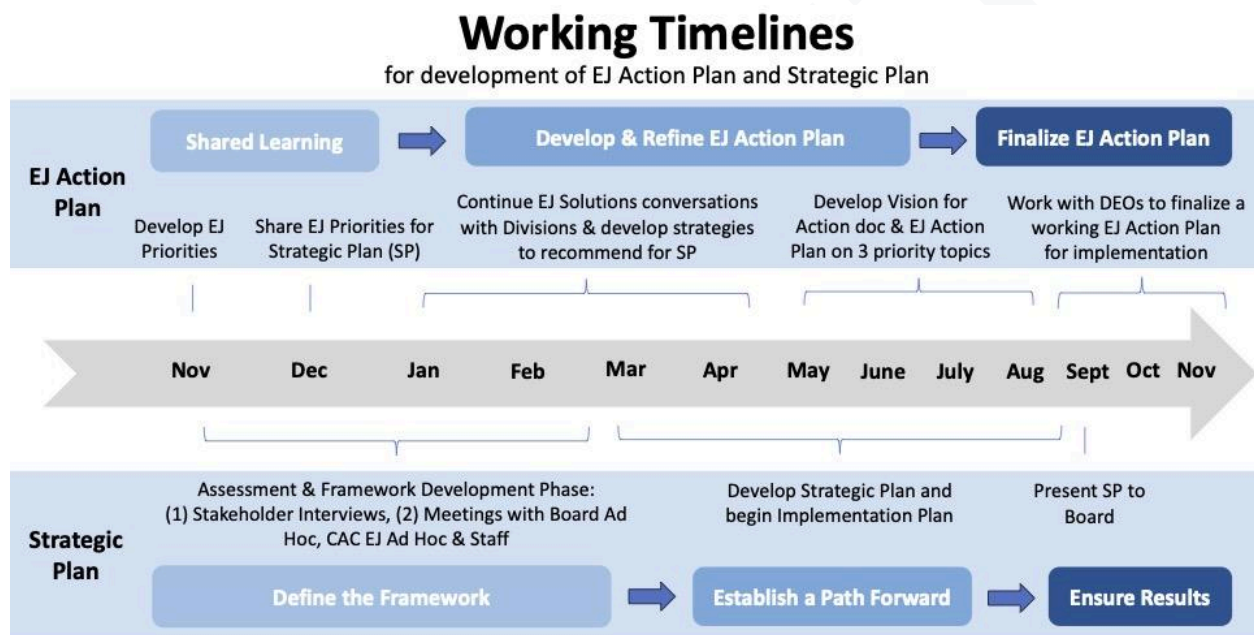
Over the course of the last two years, the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee has been meeting regularly with several of the Air District's senior leaders and their staff to discuss in more detail what the environmental justice challenges are,

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gain a better understanding of the tools available to meet those challenges, identify priority areas of concern, and discuss different approaches to begin to solve many long standing issues.

These conversations occurred in parallel with the Air District’s Strategic Plan process, which took place between September 2023 - Fall 2024. Figure X demonstrates the timeline of parallel activities in the Strategic Plan and Environmental Justice Action Plan processes. As described in more detail below the figure, the work of the Environmental Justice Action Plan process directly informed the outcomes of the Strategic Plan and its environmental justice-focused strategies.

Figure X. Working Timelines for development of the Environmental Justice Action Plan and Strategic Plan



To help drive and focus Environmental Justice Action Planning conversations as strategic planning progressed, the Environmental Justice Policy Ad Hoc Committee members identified three focus areas where they felt early and consistent implementation from the Air District could have a significant impact for environmental justice communities. The three initial focus areas identified by the Environmental Justice Policy Ad Hoc Committee are:

- Data Collection and Usage
- Permitting
- Compliance and Enforcement

Via multiple conversations in Environmental Justice Policy Ad Hoc Committee meetings between January - April 2024, the committee members, senior leaders from the Air District, and Air District staff delved deeper into these three focus areas - learning from each other about existing conditions, problem areas from the committee members’ perspectives, and constraints and opportunities from the Air District’s perspective. The collaborative and learning-oriented

spirit of these conversations naturally surfaced a large number of “Environmental Justice Solution Ideas” - a mix of potential strategies and actions for the Air District to evaluate.

As a result of these intensive conversations, the Air District’s senior leaders - who were also engaged in the Air District’s strategic planning process - proactively considered how the Environmental Justice Actions under discussion in the Environmental Justice Policy Ad Hoc Committee meetings could drive strategies in the Strategic Plan and which actions could be prioritized for near-term implementation.

In May 2024, the Environmental Justice Policy Ad Hoc Committee, several of the Air District’s senior leaders and other staff met in a full day working session to hear and discuss various approaches that the Air District’s leadership had identified to address the Environmental Justice concerns that the Environmental Justice Policy Ad Hoc Committee prioritized. Senior leadership gave presentations describing (1) the shift in the Air District’s thinking from a regional air quality approach to a localized approach that addresses environmental injustice and (2) potential actions the Air District could take under the Strategic Plan to address the Environmental Justice Policy Ad Hoc Committee’s three priority environmental justice concerns. Robust conversation, dialogue, and collaboration ensued between meeting participants. The insights resulted in further refinement of the Environmental Justice Actions proposed by the Air District.

Between June - November 2024, participants worked on developing two primary deliverables to capture the outcomes of this process:

1. *A Call to Action*: A public-facing report (this document) intended to share the major shifts in the Air District’s approach to advancing environmental justice and actions the Air District will take in support of each of the nine Environmental Justice Priorities.
2. *Implementation Plans*: Internal planning documents intended to capture specific next steps for implementation of the Environmental Justice Actions and facilitate ongoing dialogue and reporting between Air District leaders responsible for implementation, Air District staff engaged in implementation, and the Community Advisory Council’s Environmental Justice Policy Ad Hoc Committee.

For the most up to date information on implementation and outcomes, see the web links provided in Chapter 5 of *A Call to Action*.

### ***Additional Acknowledgements***

We would like to thank the following additional consultants and Air District staff who attended collaborative meetings between staff and council members and who were instrumental in the program logistics and the thinking behind the development of the environmental justice strategies and actions in the Air District’s 2024-2029 Strategic Plan that are highlighted in *A Call to Action*.

#### ***Air District Staff Who Attended Collaborative Meetings***

- Carol Allen, Manager, Engineering
- Song Bai, Director, Assessment, Inventory and Modeling



- Jerry Bovee, Manager, Meteorology and Measurement
- Brian Butler, Senior Air Quality Engineer, Community Engagement
- Jonathan Bower, Manager, Meteorology and Measurement
- Ranyee Chiang, Director, Meteorology and Measurement
- Simrun Dhoot, Supervising Air Quality Engineer, Engineering
- Lisa Flores, Staff Specialist II, Community Engagement
- Nina Garde, Staff Specialist I, Community Engagement
- Wendy Goodfriend, Director, Planning and Climate Protection
- Jeffery Gove, Director, Compliance and Enforcement
- Katherine “Kate” Hoag, Assistant Manager, Meteorology and Measurement
- David Holstius, Senior Advanced Projects Advisor, Assessment, Inventory and Modeling
- David Joe, Manager, Rules and Strategic Policy
- Alexandra Kamel, Senior Assistant Counsel, Legal Division
- Tracy Lee, Manager, Compliance and Enforcement
- Pamela “Pam” Leong, Director, Engineering
- LaKeisha Shurn, Administrative Assistant II, Community Engagement
- Stephen “Steve” Reid, Senior Advanced Projects Advisor, Assessment, Inventory and Modeling
- Almira Van, Supervising Air Quality Specialist, Compliance and Enforcement
- Idania Zamora, Assistant Manager, Planning and Climate Protection

***The Air District’s Strategic Planning Project Team***

- Leonid Bak, Senior Advanced Projects Advisor, Finance
- Deborah Jordan, Consultant to the Air District’s Executive Office
- Christy Riviere, Principal Environmental Planner, Executive Office
- Sonam Shah-Paul, Manager, Board Operations
- Idania Zamora, Assistant Manager, Planning and Climate Protection

***Metropolitan Group***

The following additional Metropolitan Group staff members served on the consultant project team for the Environmental Justice Action Planning Process:

- Kristin Gimbel, Executive Vice President
- Carlos Paz, Project Manager
- Thomas Price Lang, Project Manager

## Appendix D. Crosswalk of Strategies from the Air District's 2024-2029 Strategic Plan with the Environmental Justice Priorities and Focus Areas for Early Implementation

The Air District is committed to addressing the Community Advisory Council's Environmental Justice Priorities through the new Strategic Plan. A *Call to Action* lifts up a priority set of near-term actions that the Air District will take, with a focus on early implementation of actions related to Data Collection and Usage, Permitting, and Compliance and Enforcement. It was not possible to capture all actions the Air District will take in *A Call to Action*, and the Air District's commitment to action goes beyond these three areas. Additional information on how the Air District plans to advance Environmental Justice can be found in the Air District's [2024-2029 Strategic Plan](#).

Tables X-X in this appendix provide a crosswalk of both the Community Advisory Council's Environmental Justice Priorities and the Environmental Justice Policy Ad Hoc Committee's focus areas with all of the strategies from the Strategic Plan. These tables demonstrate that 80% of the strategies identified in the Air District's Strategic Plan address one or more Environmental Justice Priorities.

There are four tables, which align with the four Goals of the Strategic Plan. Tips for reading these tables include:

- The Strategies for each Goal from the Strategic Plan are listed in the first column.
- The Community Advisory Council's Environmental Justice Priorities and the Environmental Justice Policy Ad Hoc Committee's focus areas are listed across the top row.
  - A dot (●) indicates that a particular strategy addresses the corresponding Environmental Justice Priority.
  - An abbreviation indicates that a particular strategy addresses the corresponding focus area of the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee. The focus areas are:
    - Data Collection and Usage (DC & U)
    - Permitting (P)
    - Compliance and Enforcement (C & E)

For more details about particular strategies, see Chapter 3 of the Air District's 2024-2029 Strategic Plan. Strategies are organized there in numerical order by Goal.

Table X. Strategies for “Goal 1: Achieve Impact” crosswalked with the Community Advisory Council’s Environmental Justice Priorities and with the Environmental Justice Policy Ad Hoc Committee’s Focus Areas

Goal 1: Achieve Impact												
Strategies from Strategic Plan	Community Advisory Council’s Environmental Justice Priorities									EJ Policy Ad Hoc Committee’s Focus Areas		
	1. Advance Environmental Justice	2. Provide Meaningful Agency Support	3. Integrate EJ into Core Functions	4. Implement EJ Best Practices and Innovation	5. Communicate with Clarity, Transparency, and Integrity	6. Grow the Capacity of Staff and Board Members to Integrate EJ	7. Grow the Capacity of EJ Communities and Organizations	8. Seek Appropriate Legal Remedies and Coordinate with EJ Communities	9. Provide Technical Assistance to Local Governments	Data Collection & Usage (DC&U)	Permitting (P)	Compliance and Enforcement (C & E)
<i>Objective - Reduce Health Impacts of Air Pollution</i>												
Strategy 1.1 Change Approach to Air Quality.	☐	☐	☐	☐			☐			DC & U		
Strategy 1.2 Stronger Regulations		☐	☐	☐							P	
Strategy 1.3 Minimize Flaring	☐	☐	☐	☐	☐							
Strategy 1.4 Reimagine Funding	☐	☐		☐			☐			DC & U		
<i>Objective - Hold Violators Accountable</i>												
Strategy 1.5 Enhance Violation Investigations	☐			☐				☐		DC & U		C & E
Strategy 1.6 New Enforcement Policy	☐	☐	☐	☐	☐			☐				C & E
<i>Objective - Mitigate Climate Change and Its Impacts</i>												
Strategy 1.7 New Climate Solutions			☐									

Table X. Strategies for “Goal 2: Advance Environmental Justice” crosswalked with the Community Advisory Council’s Environmental Justice Priorities and with the Environmental Justice Policy Ad Hoc Committee’s Focus Areas

Goal 2: Advance Environmental Justice												
Strategies from Strategic Plan	Community Advisory Council’s Environmental Justice Priorities									EJ Policy Ad Hoc’s Focus Areas		
	1. Advance Environmental Justice	2. Provide Meaningful Agency Support	3. Integrate EJ into Core Functions	4. Implement EJ Best Practices and Innovation	5. Communicate with Clarity, Transparency, and Integrity	6. Grow the Capacity of Staff and Board Members to Integrate EJ	7. Grow the Capacity of EJ Communities and Organizations	8. Seek Appropriate Legal Remedies and Coordinate with EJ Communities	9. Provide Technical Assistance to Local Governments	Data Collection & Usage (DC&U)	Permitting (P)	Compliance and Enforcement (C & E)
<i>Objective - Build Partnerships and Community Capacity</i>												
Strategy 2.1 Community Partnership	☐	☐	☐	☐	☐	☐	☐			DC & U		C & E
Strategy 2.2 Collect Community Data			☐	☐			☐			DC & U		C & E
Strategy 2.3: Make Data Accessible	☐		☐	☐	☐					DC & U		
Strategy 2.4 Community Health Data		☐	☐				☐		☐	DC & U		
Strategy 2.5 Air Quality Complaints			☐	☐	☐							C & E
Strategy 2.6: Talk with Communities		☐	☐	☐	☐			☐				C & E
<i>Objective - Identify Disparities</i>												
Strategy 2.7 Understand Local Air Pollution	☐	☐	☐	☐	☐	☐	☐			DC & U		
<i>Objective - Reduce Disparities</i>												
Strategy 2.8 Community-Directed Funds		☐					☐	☐				C & E
Strategy 2.9 Address Legal Barriers	☐	☐					☐					C & E

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Goal 2: Advance Environmental Justice												
Strategies from Strategic Plan	Community Advisory Council's Environmental Justice Priorities									EJ Policy Ad Hoc's Focus Areas		
	1. Advance Environmental Justice	2. Provide Meaningful Agency Support	3. Integrate EJ into Core Functions	4. Implement EJ Best Practices and Innovation	5. Communicate with Clarity, Transparency, and Integrity	6. Grow the Capacity of Staff and Board Members to Integrate EJ	7. Grow the Capacity of EJ Communities and Organizations	8. Seek Appropriate Legal Remedies and Coordinate with EJ Communities	9. Provide Technical Assistance to Local Governments	Data Collection & Usage (DC&U)	Permitting (P)	Compliance and Enforcement (C & E)
Strategy 2.10 Civil Rights Laws			☐	☐	☐			☐			P	
Strategy 2.11 Cumulative Impacts			☐	☐	☐			☐			P	

Table X. Strategies for “Goal 3: Foster Cohesion and Inclusion” crosswalked with the Community Advisory Council’s Environmental Justice Priorities and with the Environmental Justice Policy Ad Hoc Committee’s Focus Areas

Goal 3: Foster Cohesion and Inclusion											
Strategies from Strategic Plan	Community Advisory Council’s Environmental Justice Priorities									EJ Policy Ad Hoc Committee’s Focus Areas	
	1. Advance Environmental Justice	2. Provide Meaningful Agency Support	3. Integrate EJ into Core Functions	4. Implement EJ Best Practices and Innovation	5. Communicate with Clarity, Transparency, and Integrity	6. Grow the Capacity of Staff and Board Members to Integrate EJ	7. Grow the Capacity of EJ Communities and Organizations	8. Seek Appropriate Legal Remedies and Coordinate with EJ Communities	9. Provide Technical Assistance to Local Governments	Data Collection & Usage (DC&U)	Permitting (P)
<i>Objective - Embody Diversity, Equity, Inclusion, and Belonging</i>											
Strategy 3.1 A Diverse Workforce	☐					☐					
Strategy 3.2 Be Welcoming and Inclusive	☐					☐					
<i>Objective - Become One Air District</i>											
Strategy 3.3 One Air District Community	☐	☐				☐					
Strategy 3.4 Environmental Justice Expertise	☐	☐				☐					
Strategy 3.5 Recognize Employees											
Strategy 3.6 Support Employee Success											

Table X. Strategies for “Goal 4: Be Effective, Accountable, and Customer-Oriented” crosswalked with the Community Advisory Council’s Environmental Justice Priorities and with the Environmental Justice Policy Ad Hoc Committee’s Focus Areas

Goal 4: Be Effective, Accountable, and Customer-Oriented												
Strategies from Strategic Plan	Community Advisory Council’s Environmental Justice Priorities									EJ Policy Ad Hoc Committee’s Focus Areas		
	1. Advance Environmental Justice	2. Provide Meaningful Agency Support	3. Integrate EJ into Core Functions	4. Implement EJ Best Practices and Innovation	5. Communicate with Clarity, Transparency, and Integrity	6. Grow the Capacity of Staff and Board Members to Integrate EJ	7. Grow the Capacity of EJ Communities and Organizations	8. Seek Appropriate Legal Remedies and Coordinate with EJ Communities	9. Provide Technical Assistance to Local Governments	Data Collection & Usage (DC&U)	Permitting (P)	Compliance and Enforcement (C & E)
<i>Objective - Improve Permitting, Monitoring, and Enforcement</i>												
Strategy 4.1 Timely Permits					☐						P	
Strategy 4.2 Transparent Permit Process			☐	☐	☐						P	
Strategy 4.3 Consistent Permits			☐	☐	☐						P	
Strategy 4.4 Improve Air Monitoring			☐	☐	☐					DC & U		
Strategy 4.5 Improve Compliance Investigations			☐	☐				☐				C & E
<i>Objective - Build Relationships and Enhance Communication</i>												
Strategy 4.6 Inspire Action					☐							
Strategy 4.7 Customer Service	☐	☐				☐						
Strategy 4.8 Air Quality Incidents			☐	☐	☐					DC & U		C & E
Strategy 4.9 Land Use Impacts								☐				
<i>Objective - Be Accountable</i>												
Strategy 4.10 Ensure Success												

**WORKING DRAFT**

Goal 4: Be Effective, Accountable, and Customer-Oriented											
Strategies from Strategic Plan	Community Advisory Council's Environmental Justice Priorities									EJ Policy Ad Hoc Committee's Focus Areas	
	1. Advance Environmental Justice	2. Provide Meaningful Agency Support	3. Integrate EJ into Core Functions	4. Implement EJ Best Practices and Innovation	5. Communicate with Clarity, Transparency, and Integrity	6. Grow the Capacity of Staff and Board Members to Integrate EJ	7. Grow the Capacity of EJ Communities and Organizations	8. Seek Appropriate Legal Remedies and Coordinate with EJ Communities	9. Provide Technical Assistance to Local Governments	Data Collection & Usage (DC&U)	Permitting (P)
Strategy 4.11 Align Resources	☐	☐			☐						
Strategy 4.12 Report Progress	☐				☐						

### Appendix E. Defining Equity

The CAC's forthcoming definition of equity will be added here when available.





BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

AGENDA 6

# Community Advisory Council's Environmental Justice Call To Action

Community Advisory Council Meeting  
September 19, 2024

**Vernice Miller-Travis, Executive Vice President, The Metropolitan Group**  
**Rio Molina, Environmental Justice (EJ) Policy Ad Hoc Committee Co-Chair**  
**Latasha Washington, EJ Policy Ad Hoc Committee Co-Chair**

# Presentation Outcome

- Receive an update from the Community Advisory Council (CAC)'s Environmental Justice (EJ) Policy Ad Hoc Committee on the development of *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*
- Discuss the CAC's *A Call to Action* input and how it connects to the upcoming implementation activities that support the Air District's 2024-2029 Strategic Plan

# Presentation Requested Action

- None – Informational Presentation

# Presentation Outline

- Review of CAC's EJ Priorities and their influence on the development of the Air District's 2024-2029 Strategic Plan
- Highlights from the EJ Ad Hoc Committee's document: *A Call to Action*
- Next steps in EJ action planning, including aligning with the implementation activities of the strategic planning process

# Background of *A Call to Action*

- CAC's 9 EJ Priorities presented to the Board of Directors in January 2024 served as foundational guide for development of Goals, Strategies and sample actions in Air District's 2024-2029 Strategic Plan
- 80% of the 36 strategies in the Strategic Plan have an EJ focus in responding to community concerns and priorities
- The CAC's EJ Priorities and the Air District's response in EJ strategies and actions were co-developed with staff and the EJ Policy Ad Hoc Committee over several collaborative meetings and are highlighted in *A Call to Action* in Chapter 4

# Summary of 9 CAC EJ Priorities

1. Advance Environmental Justice
2. Provide Meaningful Agency Support to Advance EJ
3. Integrate EJ Considerations in Core Functions
4. Implement EJ Best Practices and Innovation
5. Communicate with Clarity, Transparency, and Integrity
6. Grow Capacity of Air District Staff and Board Members to Integrate EJ
7. Grow Capacity of EJ Communities and Organizations
8. Seek Appropriate Legal Remedies and Coordinate with EJ Communities
9. Provide Technical Assistance to Local Governments

# Testimonials from EJ Policy Ad Hoc Members

*“The process we have been on has helped dismantle some of the silos that have existed for a long time within this agency...No other air district in the country is going through this process to dismantle the silos. It may not be perfect, but we need these regional, local agencies to step up, to be willing to actually level the playing field and give communities as much agency in the process [as the Air District].”*

- Rio Molina

# Testimonials from EJ Policy Ad Hoc Members

*"The way in which staff showed up in this planning process showed a level of commitment and gave me a level of assurance that they want to listen. I see that being an outcome that really contributed to where we are right now. One way to rebuild trust is presence, and I think that the mere presence of folks in the meetings has been a success. And as a result, we now have this beautiful working action plan that is now being folded into the Air District's Strategic Plan. I can't discount the way staff interacted, and also the way that the Community Advisory Council has interacted with staff. Because that's hard to do right."*

- Joy Massey



# Testimonials from EJ Policy Ad Hoc Members

*“I really feel like people are listening. If we do this properly, this could go everywhere. It is my dream to implement this in the other two big air districts in the state. Together, the three big districts will have the influence to inform the other smaller districts, and the big three can influence each other.”*

- John Kevin Jefferson, III

# ***A Call to Action Development***

- In partnership with The Metropolitan Group and District staff, the EJ Policy Ad Hoc Committee developed: *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*
- The full *A Call to Action* is a handout in today's meeting packet
- The Air District is also engaging the EJ Policy Ad Hoc Committee this fall to develop detailed, measurable Implementation Plans

# ***A Call to Action* Table of Contents**

- Executive Summary
- Chapter 1: Introduction
- Chapter 2: Our Environmental Justice Priorities: A Call to Action from the Community Advisory Council
- Chapter 3: At A Glance: The Air District's Environmental Justice Commitments
- Chapter 4: Charting the Course: Actions the Air District will Take to Advance Environmental Justice
- Chapter 5: The Journey Ahead: Implementation and Accountability

# ***A Call to Action* Table of Contents (cont.)**

## Appendices:

- A. The 17 Principles of Environmental Justice
- B. What is an Environmental Justice Community?  
(Definitions)
- C. The Environmental Justice Action Planning Process  
(in 2023-24)
- D. Crosswalk of Strategies from the Air District's 2024-  
2029 Strategic Plan with the Environmental Justice  
Priorities and Focus Areas for Early Implementation
- E. Defining Equity

# Chapter 3: At A Glance: The Air District's Environmental Justice Commitments

- Changing the Air District's primary approach to air quality from a regional focus to using more local data collection and analyses that support targeted environmental justice outcomes
- Prioritization of and reinvestments in environmental justice communities
- Engaging communities in more meaningful communications and partnerships. This includes community science and public participation (e.g., regular community forums and new community feedback mechanisms) that recognizes their existing expertise, strengths, and assets

# Chapter 3: At A Glance: The Air District's Environmental Justice Commitments (cont.)

- Stronger enforcement (for example, deterrence-based penalties, community-focused injunctive relief, and consideration of repeat violations in determining enforcement response.)
- Better response to air quality complaints and incidents with improved coordination, communication and local data usage
- Continuous improvement on advancing environmental justice actions via collaboration with and input from the CAC and EJ communities

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ

## Priority 1: Advance Environmental Justice

“Reducing disparities in air pollution requires a different approach to air quality management with a shift in focus from the regional to the local. Community members understand air quality issues at the neighborhood level...Partnering with community members to include local experiences and solutions can make a critical difference in demonstrating the significance of the harm and can lead to more effective permitting, compliance and enforcement.”

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 1

**Change Approach to Air Quality (Strategy 1.1):** The Air District will change its approach to reducing air pollution to include a targeted local approach so that it achieves meaningful improvements to air quality in communities, with a focus on communities overburdened by air pollution.

***Sample Action:*** Use the information from detailed assessments of air quality and community vulnerability to prioritize actions that reduce pollution causing inequitable exposures to air toxics and particulate matter (PM<sub>2.5</sub>).



# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 2: Provide Meaningful Agency Support to Advance Environmental Justice

“Effective enforcement of stricter rules is a key area where the Air District can make great strides toward advancing environmental justice. Communities especially want more transparency and accountability in how the Air District holds violators accountable. Communities also want greater transparency in how the Air District works with other state and municipal agencies to enforce air quality regulations.”

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 2

**Stronger Regulations (Strategy 1.2):** The District will develop stronger regulations, prioritizing those that can improve local air pollution.

**Sample Action:** Ensure regulations are updated and reflect the agency's current understanding of the health burdens associated with air pollution and include the latest technological advancements in reducing emissions.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 3: Integrate Environmental Justice Considerations in Core Functions

" One area with great potential is building the capacity of community members to collect and interpret data to understand local air pollution, community health, and cumulative impacts. By evaluating disparate impacts and recognizing historic harms, the Air District can strengthen enforcement of existing regulations, seek appropriate permitting, and develop more health-protective actions."

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 3

**Collect Community Data (Strategy 2.2):** The Air District will build community capacity to collect air pollution data and utilize this data to reduce the pollution that most harms communities.

**Sample Action:** Work with communities to collect data (with appropriate quality assurance and quality control) that can help with improved enforcement, more stringent regulations, better targeted or new incentive programs, or other programs and policies to reduce pollution.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 4: Implement Environmental Justice Best Practices and Innovation

"Information through enhanced data collection and analysis is key for understanding which sources of pollution are most harmful to community members. For example, flaring is a major concern for people living near refineries...With better information, the Air District can focus its inspection resources where they will have the greatest impact on compliance, and therefore, the greatest benefits to community air quality and health. "

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 4

**Minimize Flaring (Strategy 1.3):** The Air District will minimize flaring at oil refineries to lessen the impact flaring has on nearby communities, including air pollution and odors.

### ***Sample Actions:***

- Increase public engagement on refinery flaring
- Increase inspections and air pollution monitoring where flaring occurs

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 4 (cont.)

**Improve Air Monitoring (Strategy 4.4):** The Air District will update the design and operations of the air quality monitoring network to improve reliability, efficiency, data quality, and accessibility to better meet monitoring objectives and to support efforts to understand local exposure to air pollution.

**Sample Action:** Evaluate the monitoring network for possible changes and improvements, based on community input.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 5: Communicate with Clarity, Transparency, and Integrity

“The complaint system is an important place to improve the Air District’s responsiveness. Community members have become frustrated when the Air District cannot track down the source of the problem or does not follow up sufficiently with the person submitting the complaint to note how it was addressed...Community members need timely information communicated in more accessible ways with transparent, understandable, less technical language.”



# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 5

**Air Quality Complaints (Strategy 2.5):** The Air District will improve the complaint process to ensure it is effective and transparent.

**Sample Action:** Ensure responsiveness, including during nights, weekends, and holidays.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 5 (cont.)

**Customer Service (Strategy 4.7):** The Air District will strengthen its employees' organization-wide knowledge and communication skills, and change its organization as needed, so people experience the highest level of service from the Air District.

**Sample Action:** Have employees serve as liaisons to community members, to ensure they receive timely, accurate responses to their concerns and questions.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 6: Grow the Capacity of Air District Staff and Board Members to Integrate Environmental Justice

“The Air District will need to build its capacity to advance environmental justice, including by focusing more attention at the local level. In recent years, the Air District’s awareness of and acknowledgement of environmental justice has grown. However, it still has much to do. Environmental justice expertise in the agency is not diffused throughout the agency in a way that best serves communities who are overburdened by air and other pollution.”

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 6

**A Diverse Workforce (Strategy 3.1):** The Air District will build on its efforts to ensure its workforce is diverse and reflective of the communities it serves to instill community trust and develop better solutions to air quality problems.

**Sample Action:** Implement targeted recruitment strategies, to attract candidates from diverse backgrounds and life experiences.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 6 (cont.)

**Environmental Justice Expertise (Strategy 3.4):** The Air District will increase the capacity and effectiveness of employees, Board members, and advisory bodies to advance environmental justice and to better integrate environmental justice into all aspects of its work.

**Sample Action:** Train Board and Advisory Council members, and employees at all levels of the organization on environmental justice principles and issues.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 7: Grow the Capacity of Environmental Justice Communities and Organizations

"Communities would like more involvement in advising about possible types of neighborhood focused projects that could be funded by the Air District. They would also like to be directly involved in the implementation of some projects and have greater workforce and skills development opportunities."

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 7

**Reimagine Funding (Strategy 1.4):** The Air District will reimagine funding programs so that they better benefit communities impacted by air pollution.

**Community-Directed Funds (Strategy 2.8):** The Air District will manage funds to benefit communities in partnership with those communities, including money that the Air District collects in penalties from air pollution violations affecting them.

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 8: Seek Appropriate Legal Remedies and Coordinate with Communities

"The Air District...has limited information on the public health consequences of a violation or potential cost savings to the violators from actions that led to the violations. Such additional information could be useful in building more stringent enforcement actions and related penalty assessments for violations."



# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 8

**Enhance Violation Investigations (Strategy 1.5):** The Air District will enhance its procedures for investigating violations of Air District regulations in communities overburdened by air pollution to better protect community health.

**Sample Action:** Better quantify the extent of emissions that violate regulations in overburdened communities and, where possible, analyze the public health impacts of violations (such as using health risk and health impact assessments).

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## Priority 9: Provide Technical Assistance to Local Governments

"The Air District does not have the sole responsibility to reduce health impacts of air quality and hold violators accountable. The policies and practices of local governments and state laws also drive decision-making and planning impacting air quality and public health in communities. Staff in local governments and legislators also need greater awareness, knowledge, and expertise to advance environmental justice to the fullest extent of their respective authorities."

# Chapter 4 Highlights: Actions the Air District will Take to Advance EJ (cont.)

## What the Air District will do in response to Priority 9

**Community Health Data (Strategy 2.4):** The Air District will provide communities with better health information, so they know the health implications of air pollution and are better able to participate in decision-making.

**Sample Action:** Use Health Impact Assessment methodologies that consider input from community members and other agencies, to determine the potential effects of a proposed policy, program, or project on community health.

**Land Use Impacts (Strategy 4.9):** The Air District will provide tools for local governments to consider environmental justice, air quality, and climate priorities in local land use plans, policies, projects, and permitting decisions.

# Next Steps

- Suggestions for changes from the public and from the CAC will be considered for inclusion into the final version of *A Call to Action*. For written comments, send to: [communityadvisorycouncil@baaqmd.gov](mailto:communityadvisorycouncil@baaqmd.gov)
- A final version of *A Call to Action* will be presented to the CAC in November for a vote to consider its adoption as a CAC approved document
- EJ Policy Ad Hoc Committee members will continue to meet with Air District staff over Fall 2024 on the development of detailed and measurable implementation activities for 3 priority topic areas: Data collection and usage, Permitting and Enforcement

# Public Comment

# Discussion