



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT



**COMMUNITY
ADVISORY COUNCIL**
CLEAN AIR FOR ALL

BOARD OF DIRECTORS
COMMUNITY ADVISORY COUNCIL

November 21, 2024

COUNCIL MEMBERS

SEJAL BARBARIA
WILLIAM GOODWIN
MS. MARGARET GORDON
ARIEANN HARRISON
JOHN KEVIN JEFFERSON
PATRICK MESSAC
RIO MOLINA
MAYRA PELAGIO

CYNTHIA PRIETO-DIAZ
DOMINICK RAMIREZ
DR. JEFF RITTERMAN
KEVIN RUANO HERNANDEZ
FAGAMALAMA VIOLET SAENA
KEN SZUTU
LATASHA WASHINGTON
DR. JUAN AGUILERA

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

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

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.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/82360010039>, 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: 823 6001 0039

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, NOVEMBER 21, 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 (Item 3)

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 September 19, 2024

The Council will consider approving the Draft Minutes of the Community Advisory Council Meeting of September 19, 2024.

ACTION ITEM(S)

4. Vote to Adopt the Community Advisory Council Environmental Justice Policy Ad Hoc Committee's Call to Action

The Council will consider approving the final version of A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District, developed by the Environmental Justice (EJ) Policy Ad Hoc Committee and previously presented in draft form to the Community Advisory Council for input at the September 19th meeting. 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.

INFORMATIONAL ITEM(S)

5. Implementation Planning for Compliance & Enforcement-Related Strategic Plan Strategies

Dr. Meredith Bauer, Air District Deputy Executive Officer of Engineering and Compliance, and Alexander Crockett, Air District General Counsel, will provide an update on planning for implementation of six compliance and enforcement strategies within the Air District's 2024-2029 Strategic Plan. These strategies include a new enforcement policy, enhanced violation investigations, air quality complaints, and improved compliance investigations.

OTHER BUSINESS

6. Community Benefit Fund Ad Hoc Update

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

7. Report of the Executive Officer/APCO

8. 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.

9. Time and Place of Next Meeting

Thursday, January 16, 2025, 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.

10. Adjournment

The Council meeting shall be adjourned by the facilitator.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
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 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 spesapati@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

NOVEMBER 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Community Advisory Council Meeting	Thursday	21	6:00 p.m.	1 st Floor, Yerba Buena Room

DECEMBER 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Nominating Committee	Wednesday	4	9:00 a.m.	1 st Floor Board Room
Board of Directors Meeting	Wednesday	4	10:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	11	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	11	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Finance and Administration Committee	Wednesday	18	10:00 a.m.	1 st Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	18	1:00 p.m.	1 st Floor Board Room

AT 11/15/2024 – 1:10 p.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: November 21, 2024

Re: Approval of the Draft Minutes of the Community Advisory Council Meeting of
September 19, 2024

RECOMMENDED ACTION

Approve the Draft Minutes of the Community Advisory Council Meeting of September 19, 2024.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Community Advisory Council Meeting of September 19, 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 September 19, 2024

Bay Area Air Quality Management District

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

DRAFT MINUTES

Community Advisory Council Meeting
Thursday, September 19, 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 6:02 p.m.

Roll Call:

Present, In Person: Council Co-Chairperson Ken Szutu; and Council Members Dr. Juan Aguilera, Sejal Babaria, William Goodwin, Patrick Messac, Rio Molina, Dominick Ramirez, Dr. John Ritterman, Kevin G. Ruano Hernandez, Violet Saena, Latasha Washington.

Absent: Council Co-Chairpersons John Kevin Jefferson and Mayra Pelagio; and Council Members Ms. Margaret Gordon and Arieann Harrison.

2. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

CONSENT CALENDAR (ITEMS 3-4)

3. APPROVAL OF THE DRAFT MINUTES OF THE COMMUNITY ADVISORY COUNCIL MEETING OF JULY 25, 2024

The Council approved the Draft Minutes of the Community Advisory Council Special Meeting of July 25, 2024.

4. SELECTION OF ADDITIONAL MEMBERS TO THE COMPLIANCE AND ENFORCEMENT AD HOC COMMITTEE

At its Special meeting on July 25, 2024, the Council formed 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. The appointed Council members included: 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). Due to existing

membership in two other ad hoc committees, Co-Chair Jefferson will no longer serve as an alternate on this committee. With four seats open on the ad hoc committee, Council Member Goodwin will participate as a regular member and three seats become available for the new CAC members.

On September 19, 2024, the Council selected additional members who were interested in joining the Council’s Compliance and Enforcement Ad Hoc Committee, including: Sejal Babaria, Patrick Messac, and Dominick Ramirez.

Public Comments

No requests received.

Council Comments

None.

Council Action

Council Member Ruano Hernandez made a motion, seconded by Council Member Goodwin, to **approve** the Consent Calendar, Items 3 to 4, inclusive; and the motion **carried** by the following vote of the Council:

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

Motion Approved.

ACTION ITEM

5. COMMUNITY ADVISORY COUNCIL (CAC) RECOMMENDATION FOR THE NEW CAC MEMBER

Council Member Kevin Ruano Hernandez, representing the Council’s Member Selection Ad Hoc Committee, gave the presentation *Community Advisory Council (CAC) Recommendation for New CAC Member*, including: outcome; outline; requested action; creation; prior to first meeting; outreach; selected applicant.

Public Comments

No requests received.

Council Comments

The Council and staff discussed appreciation for the wide range of diverse and valuable candidates.

Council Actions

Council Member Ruano Hernandez made a motion, seconded by Co-Chair Szutu, to recommend the Board of Directors' Community Equity, Health, and Justice Committee recommend that the Board of Directors appoint Cynthia Prieto-Diaz to the vacant Alameda County seat on the Community Advisory Council; and the motion **carried** by the following vote of the Council:

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

Motion Approved

INFORMATIONAL ITEM

6. **COMMUNITY ADVISORY COUNCIL'S ENVIRONMENTAL JUSTICE (EJ) CALL TO ACTION**

Vernice Miller-Travis of The Metropolitan Group, and the Co-Chairs of the Council's EJ Policy Ad Hoc Committee, Council Member Rio Molina and Council Member Latasha Washington, gave the presentation *Community Advisory Council's Environmental Justice Call To Action*, including: outcome; requested action; outline; background of *A Call to Action*; summary of 9 CAC EJ priorities; testimonials from EJ Policy Ad Hoc Committee members; a *Call to Action* development; *A Call to Action* Table of Contents; Chapter 3: *At a Glance: The Air District's EJ Commitments*; Chapter 4 highlights: *Charting the Course: Actions in the Air District Will Take to Advance EJ*; and next steps.

NOTED PRESENT: Council Member Saena was noted present at 6:26 p.m., and Council Member Washington was noted present at 6:30 p.m.

Public Comments

No requests received.

Council Comments

The Council and staff discussed the suggestion of including national case studies regarding EJ issues; the suggestion of adding "resilience hubs", which are community-serving facilities augmented to support residents, coordinate communication, distribute resources, and reduce carbon pollution while enhancing quality of life, to Strategy 2.4 (Community Health Data); the need to establish authority over the quality of the polluters' data; appreciation for the focus on

prioritization of reinvestment in EJ communities; whether public comments that are received will be incorporated into the final version of *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*; whether the strategies listed in the Air District’s recently-approved *2024-2029 Strategic Plan* have already been implemented; the suggestion of using more specific language that will help track progress, regarding legislative action; the manner in which the Air District and Council will track the progress of the priorities listed in *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*; and whether the Air District has maps that show the overlay of low-income communities, their levels of pollution, and the locations of petroleum refineries that can be added to the appendices.

Council Action

No action taken.

THE COUNCIL RECESSED AT 7:23 P.M., AND RESUMED AT 7:33 P.M.

OTHER BUSINESS

7. COMMUNITY BENEFIT FUND (CBF) AD HOC UPDATE

Council Member Goodwin provided the Council with an update from its Community Benefit Fund Ad Hoc Committee, including:

- The CBF Ad Hoc Committee is developing a proposal to use participatory budgeting for the allocation and distribution of the CBF, currently \$3M. The CBF Ad Hoc Committee will provide an overview of other considered options, when the proposal of the preferred option is presented to the Council.
- A skeleton plan has been developed, including implementation, facilitation of the process, types of eligible projects that can be awarded, award amounts, reporting requirements, etc.
- The CBF Ad Hoc Committee is planning to work with a consultant to assist with the development of the CBF Ad Hoc Committee’s proposal. The Council will be updated regularly about this recruitment process.

Public Comments

No requests received.

Council Comments

None.

Council Action

No action taken.

8. COMPLIANCE AND ENFORCEMENT AD HOC COMMITTEE UPDATE

Co-Chair Szutu provided the Council with an update from its Compliance and Enforcement Ad Hoc Committee, including:

- The Compliance and Enforcement Ad Hoc Committee has met three times since its inception, and analyzed case study methods, what worked and what didn't work after air quality incidents have occurred, and the community's subsequent concerns.
- Cases are to be selected by data mining from the Air District's Air Quality Complaint program.

Public Comments

No requests received.

Council Comments

None.

Council Action

No action taken.

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

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

- Welcome to the three new Council Members who are serving at their first Council meeting today.
- The Air District observes Hispanic/Latin American Heritage Month from September 15 to October 15, recognizing the history, culture, and contributions of Hispanic and Latino Americans to society.
- On September 4, 2024, the Board of Directors approved the Air District's *2024-2029 Strategic Plan* for implementation. Thanks to the Council's EJ Policy Ad Hoc Committee and Council Members for their input and engagement in the process.
- On September 4, 2024, the Board of Directors heard a presentation on the new Diversity, Equity, and Inclusion Action Plan, which lists eight proposed actions to support diversity, equity, inclusion, and belonging.
- The Air District has announced its new Environmental Justice Law Fellowship Program. This is a two-year Fellowship program for new law school graduates to come work in the Air District's Legal Division working on equity and environmental justice issues. It will offer competitive pay, training, mentorship, and an opportunity to gain experience for a new lawyer looking to make a career doing this kind of work. The application deadline will be December 2, 2024, and there is more information available on the Air District's website at www.baaqmd.gov/ej-fellow.

- The Legislature returned from recess on August 5, 2024, and concluded its 2-year session on August 31, 2024. Bills that have passed have been sent to the Governor, who has until September 30, 2024, to take action.
- Senate Bill (SB) 674 would strengthen monitoring at and around refineries and was supported by the Air District. This bill passed by Legislature and was sent to the Governor for signature; however, it was then vetoed.
- Air District-sponsored bill, AB 2298 (Hart) related to voluntary vessel speed reduction programs. This bill unfortunately did not make it to the Senate Floor for a final vote.
- Other bills that have currently passed the Legislature and are awaiting action by the Governor include two Air District-sponsored bills; AB 1465 (Wicks) that would raise penalty ceilings at Title V facilities for violating air quality laws, and SB 382 (Becker) which would establish disclosure requirements by Realtors during a home transaction related to any future local or state decarbonization requirements.
- Other significant bills awaiting the Governor's signature include AB 2561 (Bonta) related to regulation of metal shredding operations, and SB 1193 (Menjivar) relating to phasing out leaded aviation gas.
- On September 30, 2024, the Air District will host a public workshop kicking off the process of creating a Regional Climate Action Plan for the Bay Area. Through a Climate Protection Planning Grant from the US EPA, the Air District has an unprecedented opportunity to work with many public agencies, stakeholders, and communities to develop practical and equitable strategies to reduce the region's contribution to climate change. The public workshop will be held virtually on September 30, 2024, from 5:30 pm – 7:00 pm.
- The Air District's (Technical) Advisory Council met this morning and continued discussions on cumulative impacts analysis within Air District policy development and programs. The Air District plans to hold joint meetings of the Council and the (Technical) Advisory Council in some fashion, as the (Technical) Advisory Council desires community input.
- On October 22, 2024, the Air District will host a virtual public forum to provide general education about the implementation of Air District Rules 9-6 and 9-4, our zero-NOx Building Appliance Rules. In the session, staff will provide an overview of the amended rules and their benefits, update attendees on the work of the Implementation Working Group, and answer questions from the public. The public learning session will be held virtually on October 22, 2024, from 6:00 pm – 7:30 pm.
- The Air District is working with Chair Hurt on Clean Air Talk events in non-AB617 cities and neighborhoods throughout the region. She has visited the City of San Carlos, San Jose in the Alum Rock neighborhood, and on October 5 will be at the Vallejo John F. Kenndy Library from noon to 1:00 p.m. to listen to resident's air quality ideas, questions or concerns in the Vallejo community. On November 2, 2024, she will be at the East Palo Alto Library and on December 7 she will be at the San Lorenzo Public Library.

Public Comments

Public comments were given by Alejandro Quintero.

Council Comments

The Council and staff discussed how the Air District plans to utilize the findings of the (Technical) Advisory Council, regarding cumulative impacts analysis within Air District policy development and programs; the goal of the Regional Climate Action Plan and what will be required of Bay Area local jurisdictions; whether Assemblymember Wicks or sponsors of AB 1465 have reached out to the Governor since the bill has gone to him for consideration; and EJ Fellowship program outreach.

10. COUNCIL MEMBER COMMENTS

Council Member Ruano Hernandez asked to speak with Air District staff offline regarding opportunities for Council Members to attend meetings with legislators at the State Capitol, as well as appropriate conferences.

Co-Chair Szutu recommended that the Council Members watch the recording of the (Technical) Advisory Council meeting from this morning (September 19, 2024).

Co-Chair Szutu mentioned a bi-weekly refinery community meeting that he attended several days ago, set up by the Air District's Deputy Executive Officer of Public Affairs, Viet Tran. Co-Chair Szutu appreciated the fact that the participants spent half of the meeting time in an open discussion, without speaking time restrictions.

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 meeting was adjourned at 8:16 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: November 21, 2024

Re: Vote to Adopt the Community Advisory Council Environmental Justice Policy Ad
Hoc Committee's Call to Action

RECOMMENDED ACTION

Vote to adopt *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District* as a Community Advisory Council document.

BACKGROUND

This is an action item for the Community Advisory Council (CAC) to vote to adopt *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*. The Environmental Justice (EJ) Policy Ad Hoc Committee has engaged with The Metropolitan Group and the Air District over the last two years in the co-creative work of centering environmental justice in the agency's *2024-2029 Strategic Plan* through the development of nine CAC EJ priorities and EJ specific recommendations for actions. A Call to Action is an EJ visionary document with desired outcomes stemming from the nine CAC EJ Priorities and how the Air District plans to respond to each of these EJ Priorities with concrete strategies and sample actions.

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 the voices 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 plans for implementation that are in development.

Since the informational presentation of a draft of *A Call to Action* at the September 19, 2024, CAC meeting, staff incorporated feedback received from CAC members and Air District leadership. This agenda item was publicized for public awareness weeks prior to the meeting through the CAC and Assembly Bill (AB) 617 email listservs, as well as five Air District social media posts on X, Thread, Facebook, LinkedIn and Instagram. There were no public comments on this item. In addition, throughout October, *A Call to Action* underwent proofing edits and

design edits in InDesign to add color, wayfinding and photos. Finally, the artist, Jose Solis, created a community-centered illustration to include in “Chapter 3: At a Glance” to represent the six overarching environmental justice efforts that the Air District is making in its *2024-2029 Strategic Plan*.

DISCUSSION

During the November 21, 2024, 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 final approval by the Council with a recommendation to adopt it as a CAC document.

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, Suma Peesapati, and Marcia Raymond

ATTACHMENTS:

1. Call to Action Design Handout
2. Vote on CAC Call to Action Presentation



A Call to Action

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



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

November 2024

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

2022 – 2024 Members of Community Advisory Council

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



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

Marcia Raymond, Assistant Counsel II, Legal Division

Deborah Jordan, Consultant to the Air District's Executive Office

Diana Ruiz, Manager, Community Engagement

Arsenio Mataka, Deputy Executive Officer of Equity and Community Programs

Amy Smith, Senior Staff Specialist, Community Engagement

Suma Peesapati, Environmental Justice and Community Engagement Officer

Miriam Torres, Senior Advanced Projects Advisor, Executive Office

Air District Leadership

Davina Hurt, Chair of the Board of Directors

Hyacinth "Hy" Hinojosa, Deputy Executive Officer of Finance and Administration

Philip Fine, Executive Officer/Air Pollution Control Officer

Arsenio Mataka, Deputy Executive Officer of Equity and Community Programs

Meredith Bauer, Deputy Executive Officer of Engineering and Compliance

Greg Nudd, Deputy Executive Officer of Science and Policy

Alexander "Sandy" Crockett, General Counsel

Viet Tran, Deputy Executive Officer of Public Affairs

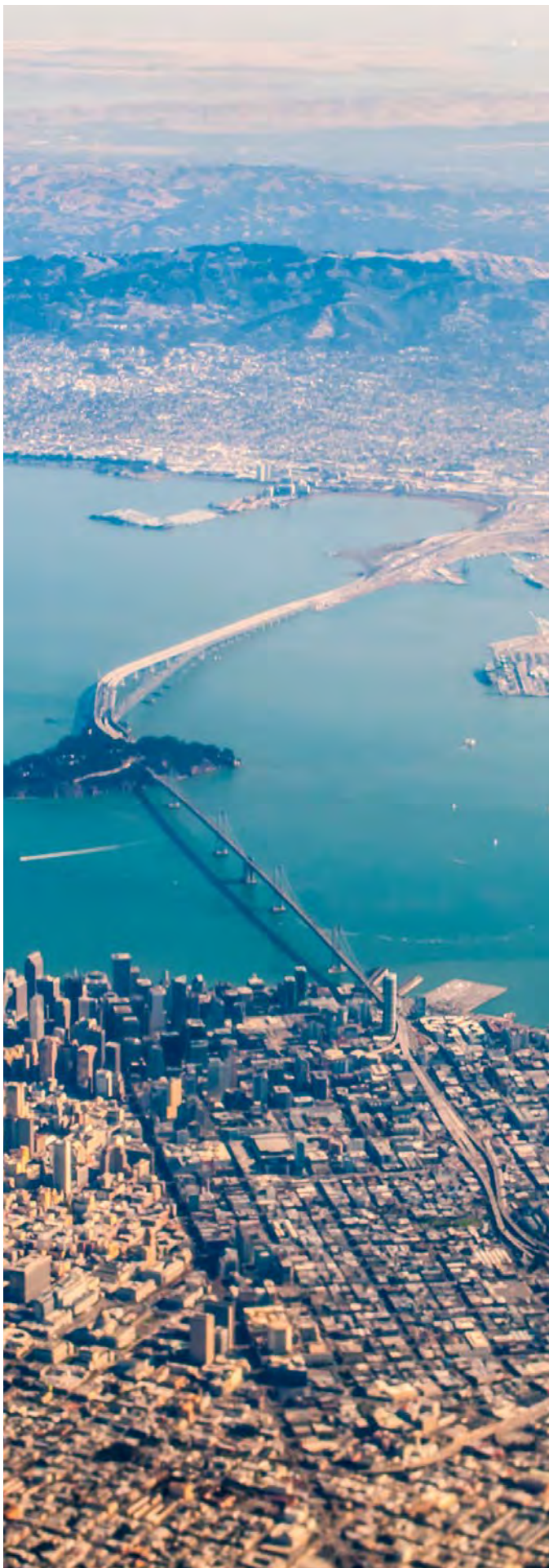
Metropolitan Group

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

Vernice Miller-Travis, Executive Vice President

Sarah Malpass, Senior Director



Welcome

On behalf of the Bay Area Air Quality Management District (Air District), its 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, staff, and Board of Directors leadership, and to explore the development of a policy to center environmental justice at the Air District. In 2023, the Air District's Board of Directors and newly appointed Executive Officer, Philip Fine, embarked on the development of a 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 goals, with a strong emphasis on environmental justice.

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. Building off the leadership of the Board of Directors and the Community Equity, Health, and Justice Committee, whose members have spearheaded the elevation of environmental justice at the Air District, the Environmental Justice Policy Ad Hoc Committee and the Air District's staff leadership and technical staff worked in close collaboration to center the Environmental Justice Priorities in 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, reinforcing our collective commitment to making environmental justice a central focus of the Air District's work.

This plan reflects a commitment to reinvest in frontline environmental justice communities who have been most affected by pollution...

The extended and regular engagement with members of the community as part of this process has been called audacious—a powerful step toward dismantling 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 reimagines 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,

A handwritten signature in white ink.

John Kevin Jefferson III, Co-Chair of the Community Advisory Council



A handwritten signature in white ink.

Mayra Pelagio, Co-Chair of the Community Advisory Council



A handwritten signature in white ink.

Ken Szutu, Co-Chair of the Community Advisory Council



A handwritten signature in white ink.

Rio Molina, Environmental Justice Policy Ad Hoc Committee Co-Chair



A handwritten signature in white ink.

Latasha Washington, Environmental Justice Policy Ad Hoc Committee Co-Chair

Acknowledging A Call to Action

With the advice of the Community Advisory Council and all the community members it represents, the Air District Board is leading the nation on several initiatives that directly benefit Bay Area communities most impacted by air pollution.

From the early days of the Community Air Risk Evaluation (CARE) program, which started in 2006, the Air District recognized the need for innovative approaches to air quality management—because let's face it, the traditional pathways just weren't cutting it when it came to tackling long-standing environmental injustices and inequities.

To further this commitment, the Air District Board of Directors (Board) established the Community Equity, Health, and Justice Committee of the Board, focusing on environmental justice policies and regulations. Understanding the importance of community involvement beyond traditional public comments, the Board formed the Community Advisory Council to amplify voices from local neighborhoods and offer the Board advice based on lived experiences in communities most impacted. With a strong commitment to environmental justice and support for the body's independence of thought, the Board allocated the necessary financial resources to support the development of Environmental Justice Priorities and action plans, culminating in the creation of *A Call to Action*.

“Remember to imagine and craft the worlds you cannot live without, just as you dismantle the worlds you cannot live within.”

—Ruha Benjamin

I am thrilled to hear the community's voice captured in the Community Advisory Council's *Call to Action* and acknowledge its importance to the Board's implementation planning of the recently adopted **2024 – 2029 Air District Strategic Plan**. The strategies outlined in the Strategic Plan underscore the significance of ongoing partnership with all communities, particularly those represented by the Community Advisory Council, to ensure that affected communities can breathe healthier, cleaner air.

Since I joined the Air District's Board of Directors for San Mateo County cities in 2019, our approach to community engagement has undergone a remarkable transformation. Back then, we had neither a Community Equity, Health, and Justice Committee nor a Community Advisory Council, and we only had one finalized Community Action Plan, in West Oakland under the **Assembly Bill 617 program**. Fast-forward nearly five years, and we now



have an ambitious Strategic Plan, a Community Equity, Health, and Justice Committee of the Board, a Community Advisory Council, and four active AB 617 Steering Committees, in West Oakland, Richmond–North Richmond–San Pablo, East Oakland, and Bayview–Hunters Point. This progress is not by chance; it is the result of the dedicated efforts of staff, community members, and the Board working collaboratively.

In the past year, I have already witnessed the implementation of changes recommended by the Community Advisory Council. For instance, we commend the Community Advisory Council members for their insightful recommendations regarding the allocation of penalty funds to support local and regional community benefits. The Board approved all of the Community Advisory Council's recommendations for this new penalty policy. To my knowledge, no other air district in the nation has intentionally set aside penalty funding at this level for community benefits. This is groundbreaking—transforming our policies and priorities while actively implementing environmental justice–focused strategies outlined in the Strategic Plan.

I am deeply appreciative of the Community Advisory Council members' selflessness and their genuine dedication to the communities they serve. I am equally inspired by the staff's unwavering commitment to advancing equity and embracing new approaches. Together, we are making strides toward cleaner air and a healthier climate. Collectively, we are crafting a future where everyone can thrive in cleaner air and healthier communities.

Sincerely,



Davina Hurt
Chair, Board of Directors



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Executive Summary



A Call to Action summarizes the Community Advisory Council's vision and recommendation to advance nine Environmental Justice Priorities and related actions at the Air District.

The Community Advisory Council was established by the Board of Directors in November 2021, representing different environmental justice communities throughout the Bay Area. This group of community leaders and environmental justice advocates assists the Board in developing Air District initiatives that benefit the community and advance environmental justice, while prioritizing engagement and partnership. The Community Advisory Council is a standing advisory council of the Air District that uses environmental justice principles to provide guidance to the Board of Directors and the Executive Officer/Air Pollution Control Officer on programs and policies that impact overburdened communities within the Air District's jurisdiction to ensure the fair treatment of all persons living in those communities. The Community Advisory Council and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee served as formal advisors to the [Air District's 2024 – 2029 Strategic Plan](#).

The Challenge

For 70 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, contributing to poorer health outcomes and associated lower life expectancy, and a lower quality of life overall. In response to these challenges, the Air District Board of Directors created the Community Advisory Council to advise on issues affecting these impacted communities and to ensure that their voices are heard in the decision-making process.



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. From December 2022 to December 2024, the Environmental Justice Policy Ad Hoc Committee has worked with staff, executive leadership, and the Board of Directors to prioritize solutions to achieve environmental justice.

The Community Advisory Council identified nine Environmental Justice Priorities that are intended to guide the agency in better advancing and addressing environmental justice across all aspects of the Air District's operations. These priorities outline the conditions necessary for the Air District to be an effective partner with frontline environmental justice communities, aiming to improve air quality and overall community health and well-being. By focusing on these priorities, the Air District seeks to embed environmental justice in its operations and decision-making processes, ultimately benefiting the communities most affected by environmental disparities.



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% of the strategies address one or more of the Environmental Justice Priorities.¹ The centrality of environmental justice in the Strategic Plan and the strategies identified to advance environmental justice reflect the Board of Directors' commitment to this issue since 2017. This discussion has evolved over time and was informed by discussions with the Board of Directors in January 2024, as well as by ongoing discussions between Air District staff leadership, technical staff, and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee from the fall of 2023 through 2024.

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 information and analyses that support targeted environmental justice outcomes
- Prioritization of environmental justice communities (e.g., through 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 communities' existing expertise, strengths, and assets
- Stronger enforcement (e.g., 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 equity and environmental justice actions via collaboration with, and input from, the Community Advisory Council and environmental justice communities

In the fall of 2024, the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee will provide input to Air District staff and the Board in the implementation of the Strategic Plan, including the development of specific actions, milestones, and metrics for the three priority areas chosen by the Ad Hoc Committee as topics of focus: 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, as well as 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's needs, as recommended in 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 For more information, see [Appendix D](#).

Introduction



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

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.

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.

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.

Charting the Course: Actions the Air District Will Take to Advance Environmental Justice Priorities:

Learn about how the Air District's strategies and actions will advance each of the Community Advisory Council's Environmental Justice Priorities.

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.

At the December 1, 2021, Board of Directors meeting, the Board discussed the historical connection between racial segregation and structural racism, and current-day environmental injustices in the Bay Area and across our nation. At this meeting, the Board also discussed the need for the Air District to engage in environmental justice action planning. In 2023, the Air District's Board of Directors and newly appointed Executive Officer, Philip Fine, embarked on the development of a 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 goals, with a strong emphasis on environmental justice.

The Community Advisory Council and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee served as formal advisors to the Air District on the **2024 – 2029 Strategic Plan**. In September 2023, the Community Advisory Council identified the first iteration of a set of Environmental Justice Priorities for the Air District Board of Directors during the Community Advisory Council's retreat to support the work of the Environmental Justice Policy Ad Hoc Committee. The nine Environmental Justice Priorities were further developed based on a series of iterative and collaborative discussions, during which the Ad Hoc Committee engaged with each other, the full Community Advisory Council, directors and staff from certain Air District divisions, executive leadership, and the Board of Directors. 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.

These Environmental Justice Priorities serve as a call to action for the Air District, and are detailed in the following chapter. 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.



“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. 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



Courtesy of Ken Szutu

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, intended to guide the Air District in advancing and addressing environmental justice across all aspects of its operations. They serve as critical recommendations 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 central to the Air District's mission.

1. Advance Environmental Justice

To advance environmental justice effectively over the long term, the Air District must practice restorative justice by creating agencywide 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 for 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; and 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; in developing capacity of communities and middle management on new policies, practices, and procedures; in establishing environmental justice as a core competency for staff; in prioritizing hiring, retention, and promotion of staff with lived experience living in and/or working with frontline environmental justice communities; and in 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.

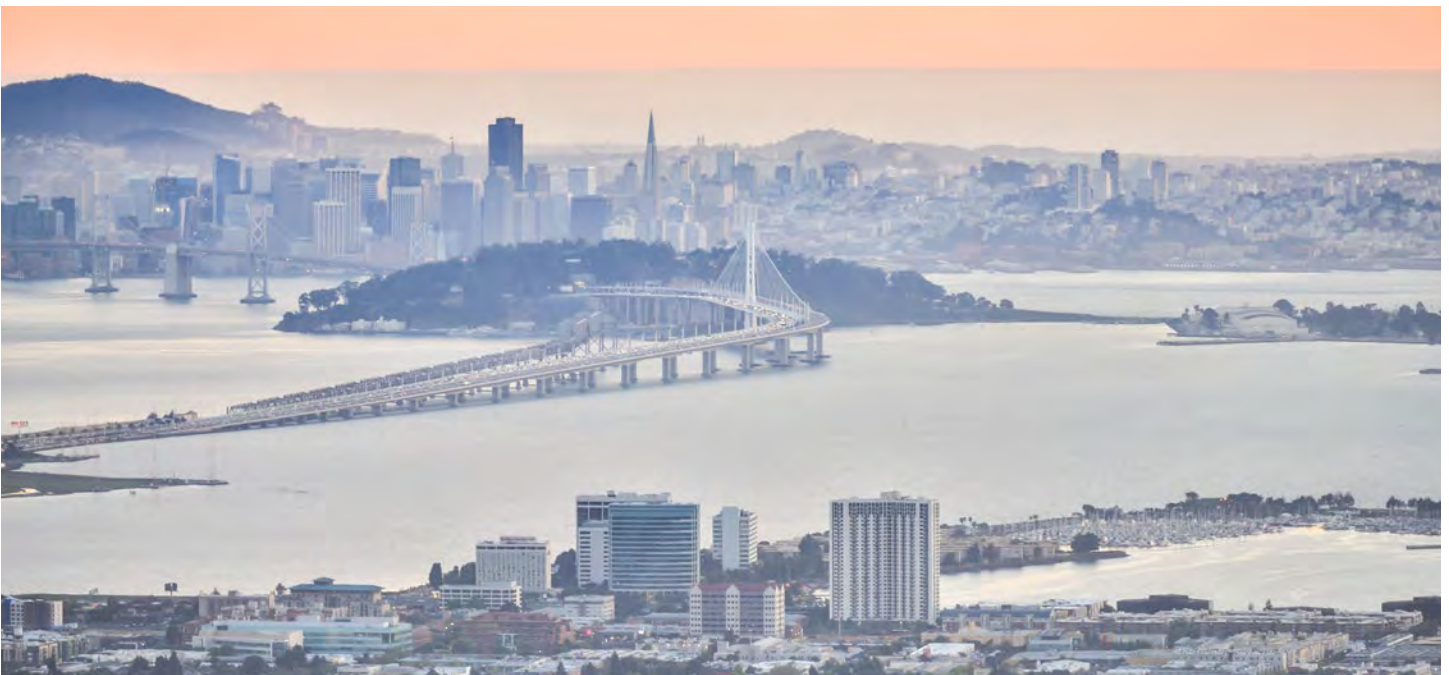
8. Seek Appropriate Legal Remedies and Coordinate with Environmental Justice Communities

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. It 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 plans, to integrate environmental justice policy and help establish a plan for implementation and enforcement.

At a Glance: The Air District's Environmental Justice Commitments



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

For nearly 70 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.²

The Air District staff 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.

“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

² For more information, see:

- Rothstein, R. (2018). *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation.
- United States Environmental Protection Agency. (2024). "Environmental Justice Research at the EPA." Retrieved from: www.epa.gov/ej-research.

Air District Response to the Call to Action

A key role of the Community Advisory Council is to provide advice to the Air District and 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 advice 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.³ These three priority areas are highlighted in the following chapter.

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.

With input from the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee, the Air District will develop measurable implementation plans for activities related to advancing environmental justice.

Big picture, there are six major areas where communities can expect to see changes at the Air District to advance environmental justice:

- **Localize Air Quality Approach:** Changing the Air District's primary approach to air quality from a regional focus to using more local information and analyses that support targeted environmental justice outcomes
- **Prioritize Environmental Justice Communities for Equity:** Prioritization of environmental justice communities (e.g., through community benefits funds, penalty policy, cumulative health analyses, prioritization of permitting reviews in environmental justice communities, etc.)
- **Engage Environmental Justice Communities:** 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 communities' existing expertise, strengths, and assets
- **Respond Quickly to Air Quality Complaints and Incidents:** Better response to air quality complaints and incidents with improved coordination, communication, and local data usage
- **Strengthen Enforcement Response:** Stronger enforcement (e.g., deterrence-based penalties, community-focused injunctive relief, and consideration of repeat violations in determining enforcement response)
- **Improve Continuously and Collaboratively:** Continuous improvement on advancing equity and environmental justice actions via collaboration with, and input from, the Community Advisory Council and environmental justice communities

These areas of change are represented in the illustration that follows.

³ For more information on the Environmental Justice Action Planning Process and these three near-term implementation focus areas, see [Appendix C](#).



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

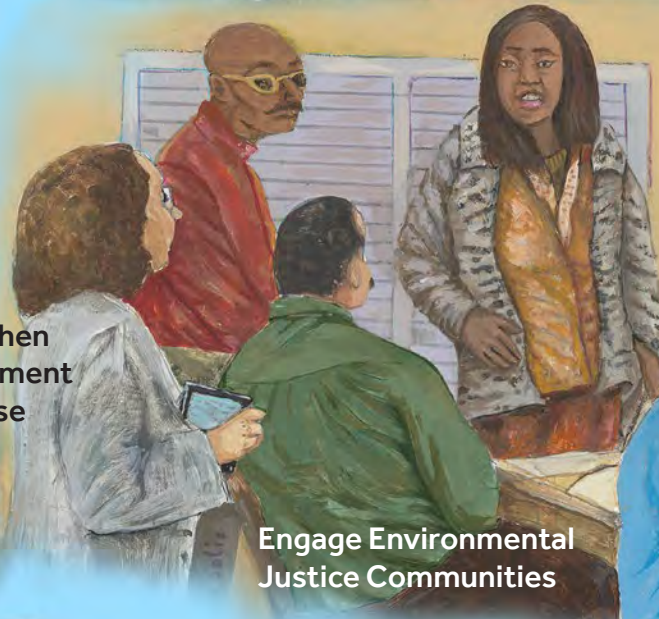


**Localize Air
Quality Approach**

**Respond Quickly to Air Quality
Complaints and Incidents**



**Strengthen
Enforcement
Response**



**Engage Environmental
Justice Communities**



**Improve
Continuously and
Collaboratively**



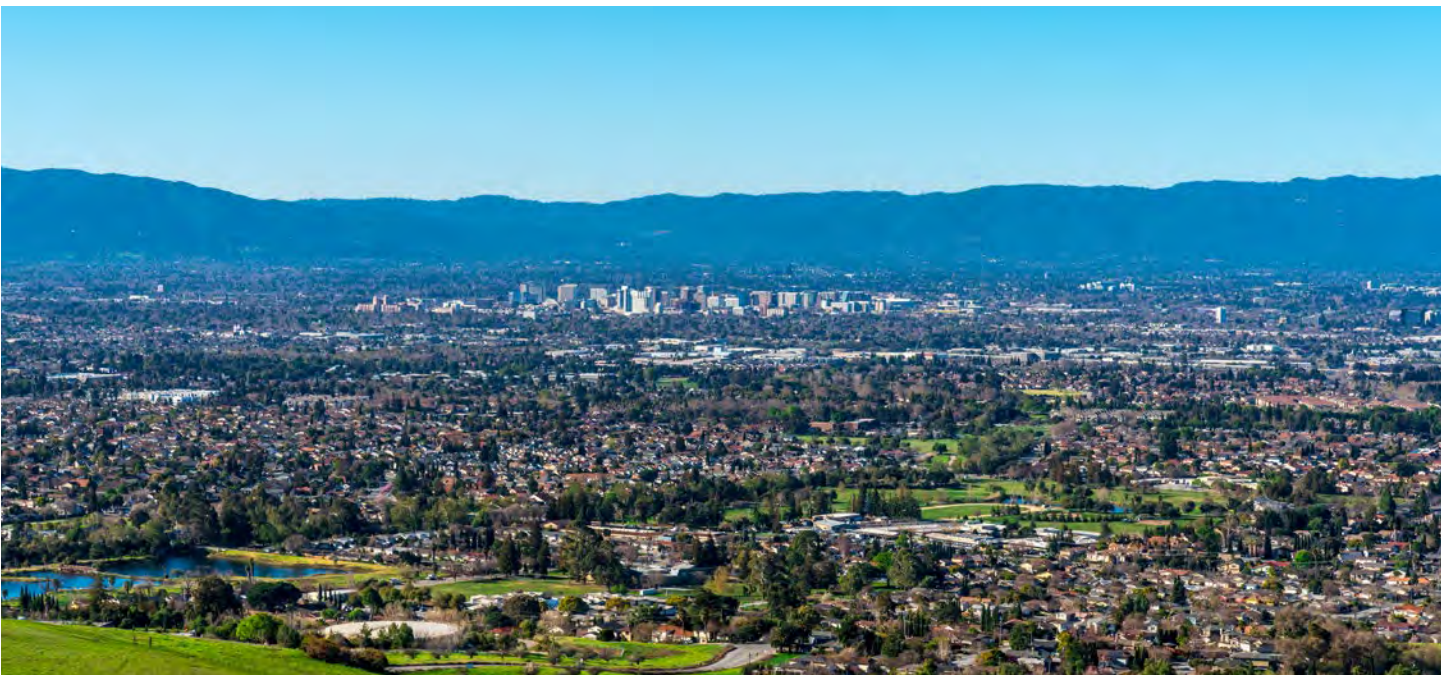
**Prioritize Environmental Justice
Communities for Equity**

Our Environmental Justice Commitments

The Community Advisory Council's advice on what environmental justice means and what the Air District should consider to advance environmental justice helped inform its new strategic direction: 80% of the strategies identified in the 2024 – 2029 Strategic Plan address one or more of the Environmental Justice Priorities.

Building on many discussions between the Air District's staff leadership, technical staff, and the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee, and with the leadership of the Board of Directors and the Community Equity, Health, and Justice Committee, the Air District will develop measurable implementation plans for actions to advance environmental justice in communities across the Bay Area.

Charting the Course: Actions the Air District Will Take to Advance Environmental Justice Priorities



This chapter presents how the Air District will advance 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. **Appendix D** 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. In the fall of 2024, the Community Advisory Council's Environmental Justice Policy Ad Hoc Committee will provide input to Air District staff and the Board of Directors in the implementation of the Strategic Plan, including the development of specific actions, milestones, and metrics for the three priority areas: data collection and usage, permitting, and compliance and enforcement.



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 socioeconomic 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 provides information beyond what is available from the limited air quality 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.

“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



What Does It Mean to Advance Environmental Justice?

Value communities and their expertise:

- Honor the voices, lived experience, and leadership of environmental justice communities
- Build trust with impacted communities
- Develop respectful relationships and partnerships
- 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
- Provide environmental justice communities with tools to help them address legal barriers to advancing environmental justice

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:

- 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 targeted 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 and 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.

A sample of Air District actions:

- Support state laws that increase the amount of penalties that 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.
- Share with federal and state representatives how the Air District and communities are partnering together to improve local air quality.

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 in 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 private entities and 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, and enhanced enforcement and transparency around the permitting process as some of the critical ways the Air District could provide meaningful agency support.



"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

Courtesy of Ken Szutu

How Can the Air District Support and Advance Environmental Justice?

- Provide a strong vision and set a clear tone of accountability 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.

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, and 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. It is important to collaborate with communities to prioritize pollution reduction efforts by considering cumulative impacts and focusing on addressing inequitable exposures. It would also be beneficial for the Air District to work in collaboration with communities to create new enforcement policies and plans to incorporate robust, legally admissible data from communities into enforcement efforts. By incorporating environmental justice in its core functions, the Air District can address these complex factors that affect people's health, well-being, and quality of life.



Courtesy of Ken Szutu

"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

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 adoption of 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.



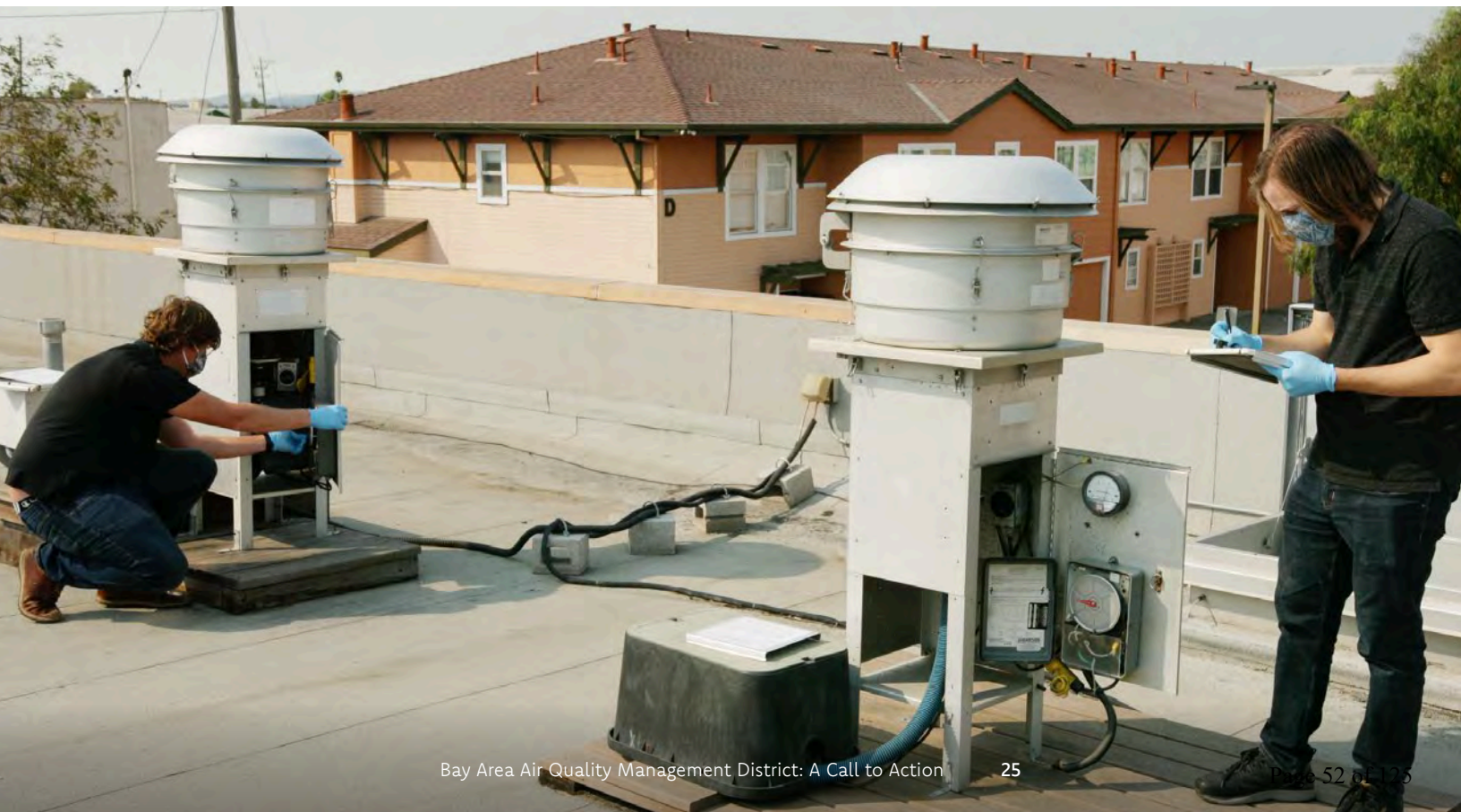
Courtesy of Ken Szutu

“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, considering 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 they are 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. Community members would like to see improvements to the complaint confirmation process, including more robust data collection, transparent communication with the complainant, and capacity-building support for how community members can better inform the Air District about complaints. 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 are 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.

“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



Courtesy of Ken Szutu

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

- Communicate the agency's role, responsibilities, and limitations
- Identify and share with communities where there is room to grow, and create plans for improvement
- 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.⁴

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 responsiveness, including during nights, weekends, and holidays.
- Enhance the air pollution incident response program, in collaboration with community partners, to better respond to and communicate about air quality during emergencies or unpermitted releases.

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.⁵

⁴ 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. (www.baaqmd.gov/en/rules-and-compliance/compliance-assistance/notices-of-violations/novs-issued).

⁵ The Air District's Disability Access Plan, Language Access Plan, and Public Participation Plan can be found at 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 air quality data, and knowledge of how various government agencies at the local, state, and federal levels can help address community problems. However, the agency still needs to improve its understanding 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. 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 firsthand 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 and who understand their day-to-day experiences, it instills trust.



Courtesy of Ken Szutu

“Staff should have community-level experience so they can understand the problem better. And in order to create any change, we have to allocate staff time and resources dedicated to this change. Otherwise change is not going to happen.”

—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, socioeconomic, 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, 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. Many communities nationally have implemented Resilience Hubs as a shared resource to address environmental justice, climate justice, and local quality-of-life priorities.⁶

Public participation and community coordination are 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 Air District Penalty Policy that will direct a portion of the money generated through penalties back into communities where the violation occurred. By seeking appropriate legal remedies, the Air District can not only protect communities but also provide the funding for much-needed investment.

⁶ For more information on Resilience Hubs, see:

- PSE Healthy Energy. 2024. "Exploring Potential Resilience Hubs in California." Retrieved from: www.psehealthyenergy.org/work/exploring-potential-resilience-hubs-in-california/.

- Urban Sustainability Directors Network. 2024. "Resilience Hubs." Retrieved from: resilience-hub.org.

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.



Courtesy of Ken Szutu

“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?

Drive systemic change by:

- Creating economic benefits and workforce opportunities in environmental justice communities
- Enabling communities to access and manage resources to address disparities
- Ensuring 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.

- 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 the 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 be inclusive and nondiscriminatory, with access to programs for people with limited English proficiency and for people with disabilities, which are both elements of complying with civil rights laws.



Courtesy of Ken Szutu

“The polluters need to know that not only are we trying to understand air pollution in a local context (rather than a regional context), we also want to put them on notice!”

—Rio Molina

What Are Ways the Agency Must Seek Appropriate Legal Remedies?

- Collaborate and coordinate with environmental justice communities on new policies and other remedies
- Impose high enough penalties to 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 avoided 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 Air District 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 city and county governments, 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 build relationships with local leadership and use its knowledge and resources to deliver technical assistance to build the capacity of local governments.



Courtesy of Ken Szutu

“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

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
- Build relationships with local leadership and collaborate on addressing air pollution



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): The Air District will enhance its 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 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.



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. It will also remain 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.

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 leadership, technical staff, and the Board of Directors will be in conversation with the Community Advisory Council regarding progress updates on implementation. 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 Environmental Justice 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.

"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 Environmental Justice Priorities and understanding who is holding the Air District accountable and to what measures of accountability."

—Joy Massey

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 informed on the latest implementation updates:

1. Check the Air District's Strategic Plan website: baaqmd.gov/strategicplan.
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 webpage](#). To explore joining the Community Advisory Council when seats become available, contact the Community Advisory Council staff at communityadvisorycouncil@baaqmd.gov.

Community Advisory Council seats are on two-year and four-year cycles.



Appendices



Appendix A. The 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 near 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 set of 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 ensure the health of the natural world for present and future generations.



Appendix B. What is an Environmental Justice Community?

There is no single definition for 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 that are intended to directly benefit from the Community Advisory Council's *Call to Action*.

The Air District uses descriptive terms for these communities such as "environmental justice," "impacted," "frontline," "overburdened," and "AB 617." 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 the 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.

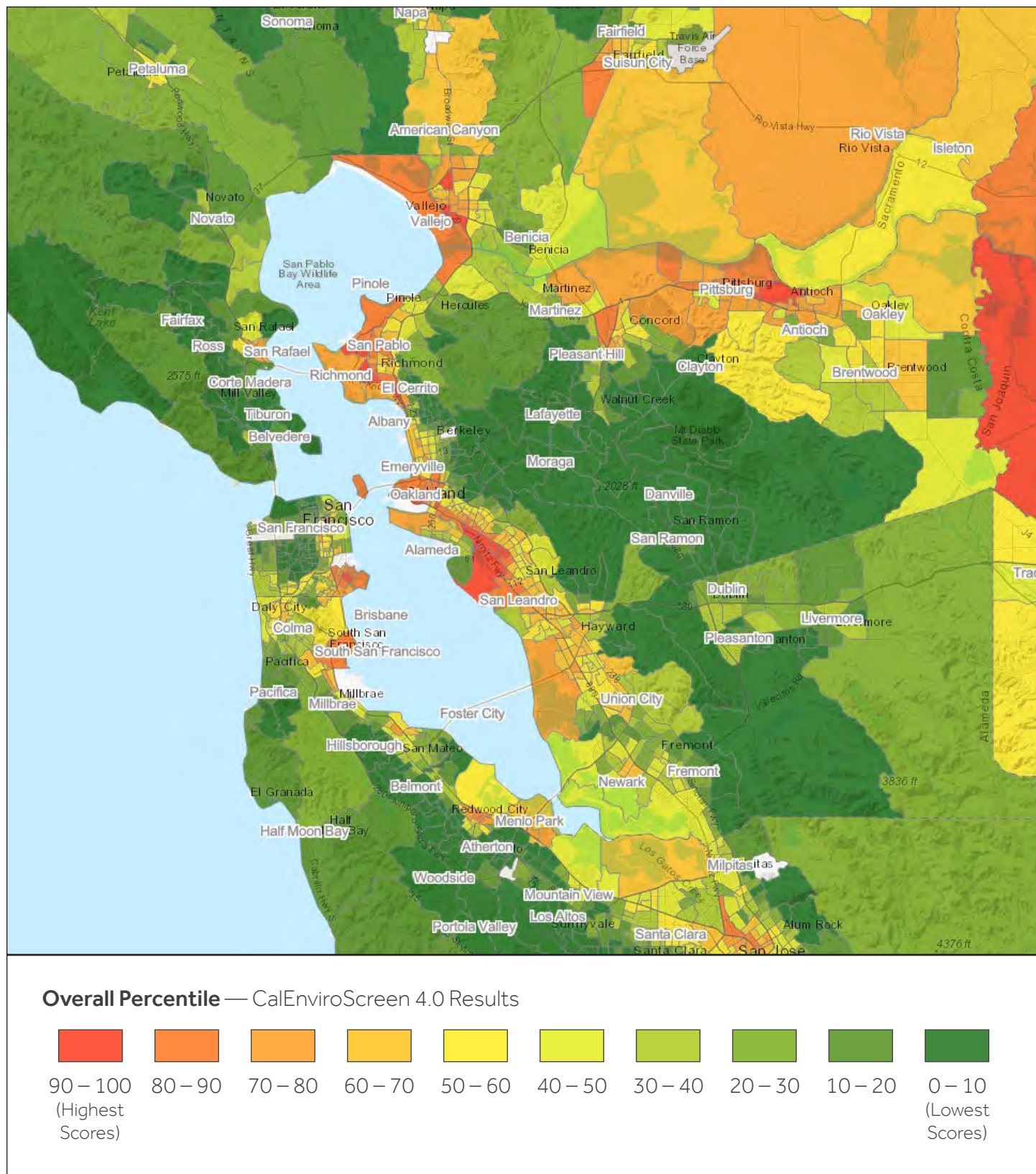
As of summer 2024, the **AB 617 communities** in the Bay Area are West Oakland, Richmond/North Richmond/San Pablo, East Oakland, and BayView Hunters Point. In April 2024, the Path to Clean Air Community Steering Committee of their community representatives and the Air District co-wrote a report, **Path 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.⁷ You can find specific information about priority communities in nine Bay Area counties at **Priority Populations 2023 (ca.gov)**

⁷ As defined by the state, priority communities include: Low-income communities and households are defined as the census tracts and households, respectively, that are either at or below 80% 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 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).

CalEnviroScreen Map of the Bay Area

The map below shows cumulative impact data from different levels of pollution and socioeconomic factors affecting Bay Area communities. The higher percentiles (in red) represent a higher burden of pollution from air, water, and land contaminants as well as poorer health outcomes, economic burdens, and other social inequities. Various indicator maps by census tract like this are available through [CalEnviroScreen](#).



Appendix C. The Environmental Justice Action Planning Process

As the Community Advisory Council called the Air District to action on environmental justice, the Environmental Justice Policy Ad Hoc Committee of the council was tasked with shaping a community-focused Environmental Justice Action Planning Process supported by the Board of Directors and in collaboration with Air District staff.

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, 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 actions described in the chapter "Charting the Course: Actions the Air District Will Take to Advance Environmental Justice Priorities" in *A Call to Action*.

"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 environmental justice 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 Environmental Justice 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 environmental justice 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, 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 and the fall of 2024. Figure 1 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 Planning Process directly informed the outcomes of the Strategic Plan and its environmental justice–focused strategies.

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 that early and consistent implementation from the Air District could have a significant impact for environmental justice communities.

Via multiple conversations in Environmental Justice Policy Ad Hoc Committee meetings between January and 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,

Working Timelines for Development of EJ Action Plan and Strategic Plan

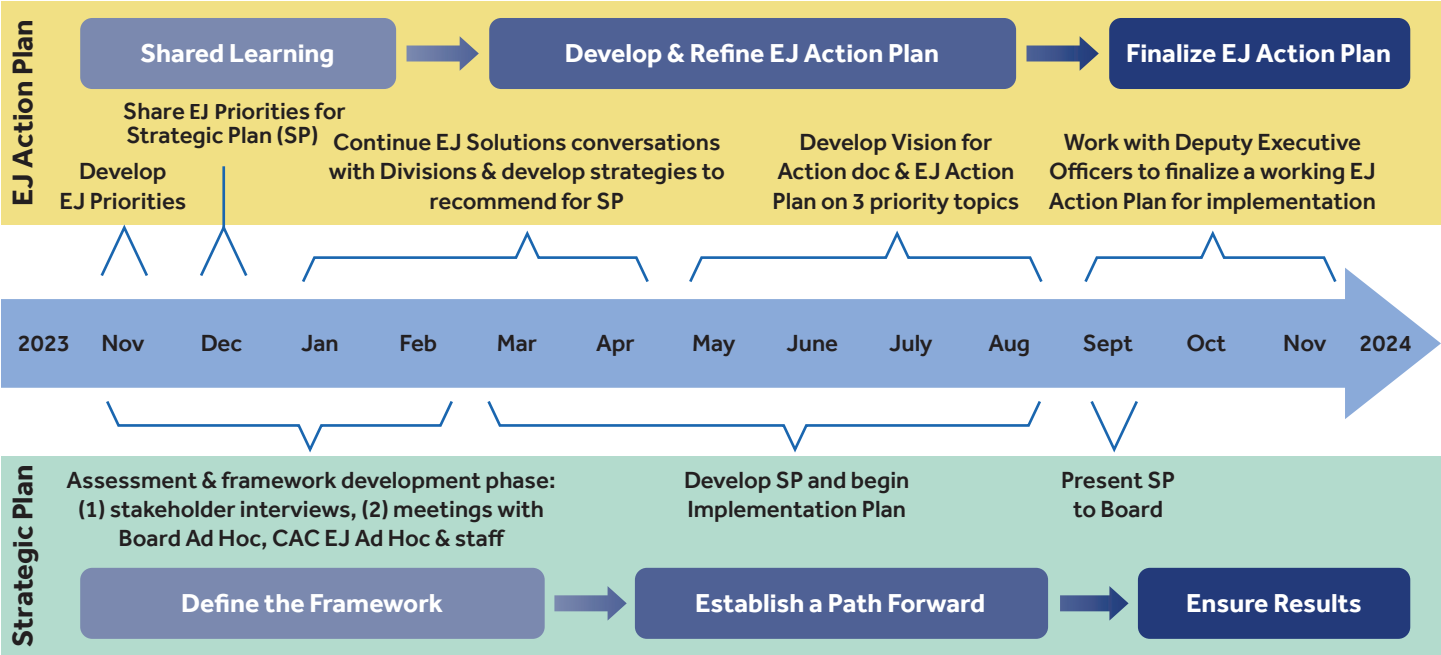


Figure 1. Working timelines for development of the Environmental Justice Action Plan and Strategic Plan

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 had 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 and 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, the Community Advisory Council, and the Board of Directors

For the most up-to-date information on implementation and outcomes, see the web links provided in the chapter "The Journey Ahead: Implementation and Accountability" in *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
- Jonathan Bower, Manager, Meteorology and Measurement
- Brian Butler, Senior Air Quality Engineer, Community Engagement
- 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
- Jeffrey 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
- Stephen "Steve" Reid, Senior Advanced Projects Advisor, Assessment, Inventory and Modeling
- LaKeisha Shurn, Administrative Assistant II, Community Engagement
- 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

Air District's Board of Directors

Alameda County

- Juan González III
- David Haubert
- Nate Miley
- Mark Salinas

Contra Costa County

- Ken Carlson
- John Gioia
- Gabe Quinto
- Mark Ross

Marin County

- Katie Rice

Napa County

- Joelle Gallagher

San Francisco City and County

- Tyrone Jue (Mayor's Appointee)
- Shamann Walton

San Mateo County

- Noelia Corzo
- Davina Hurt, Chair
- Ray Mueller

Santa Clara County

- Margaret Abe-Koga
- Otto Lee
- Sergio Lopez
- Vicki Veenker

Solano County

- Erin Hannigan
- Steve Young

Sonoma County

- Brian Barnacle
- Lynda Hopkins, Vice Chair

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 environmental injustices and ensuring clean air for all. The Community Advisory Council's Environmental Justice Priorities are aligned with the new Strategic Plan. A *Call to Action* highlights a set of near-term actions that the Air District should take, with a focus on early initiatives related to data collection and usage, permitting, and compliance and enforcement. While not all necessary actions can be included in this call to action, the Air District's commitment extends 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** and associated implementation plans designed to advance the strategies in the Plan. The four tables 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 or focus area.

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.

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 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	Data Collection and Usage	Permitting	Compliance and Enforcement
Objective: Reduce Health Impacts of Air Pollution												
Strategy 1.1 Change Approach to Air Quality	●	●	●	●		●				●		
Strategy 1.2 Stronger Regulations		●	●	●							●	
Strategy 1.3 Minimize Flaring	●	●	●	●	●			●	●			●
Strategy 1.4 Reimagine Funding	●			●		●	●			●		
Objective: Hold Violators Accountable												
Strategy 1.5 Enhance Violation Investigations	●			●				●		●		●
Strategy 1.6 New Enforcement Policy	●	●	●	●	●			●				●
Objective: Mitigate Climate Change and Its Impacts												
Strategy 1.7 New Climate Solutions			●						●			

Goal 2: Advance Environmental Justice

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 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	Data Collection and Usage	Permitting	Compliance and Enforcement
Objective: Build Partnerships and Community Capacity												
Strategy 2.1 Community Partnership	●	●	●	●	●	●	●			●		●
Strategy 2.2 Collect Community Data		●	●	●			●			●		●
Strategy 2.3 Make Data Accessible	●		●	●	●					●		
Strategy 2.4 Community Health Data		●	●				●		●	●		
Strategy 2.5 Air Quality Complaints			●	●	●							●
Strategy 2.6 Talk with Communities		●	●	●	●			●				●
Objective: Identify Disparities												
Strategy 2.7 Understand Local Air Pollution	●	●	●	●	●	●	●		●	●		
Objective: Reduce Disparities												
Strategy 2.8 Community-Directed Funds		●					●	●				●
Strategy 2.9 Address Legal Barriers	●	●										●
Strategy 2.10 Civil Rights Laws			●	●	●			●			●	
Strategy 2.11 Cumulative Health Impacts	●		●	●	●				●		●	

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 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	Data Collection and Usage	Permitting	Compliance and Enforcement
Objective: Embody Diversity, Equity, Inclusion, and Belonging												
Strategy 3.1 A Diverse Workforce	●					●						
Strategy 3.2 Be Welcoming and Inclusive	●					●						
Objective: Become One Air District												
Strategy 3.3 One Air District Community	●	●				●						
Strategy 3.4 Environmental Justice Expertise	●	●				●						
Strategy 3.5 Recognize Employees												
Strategy 3.6 Support Employee Success												

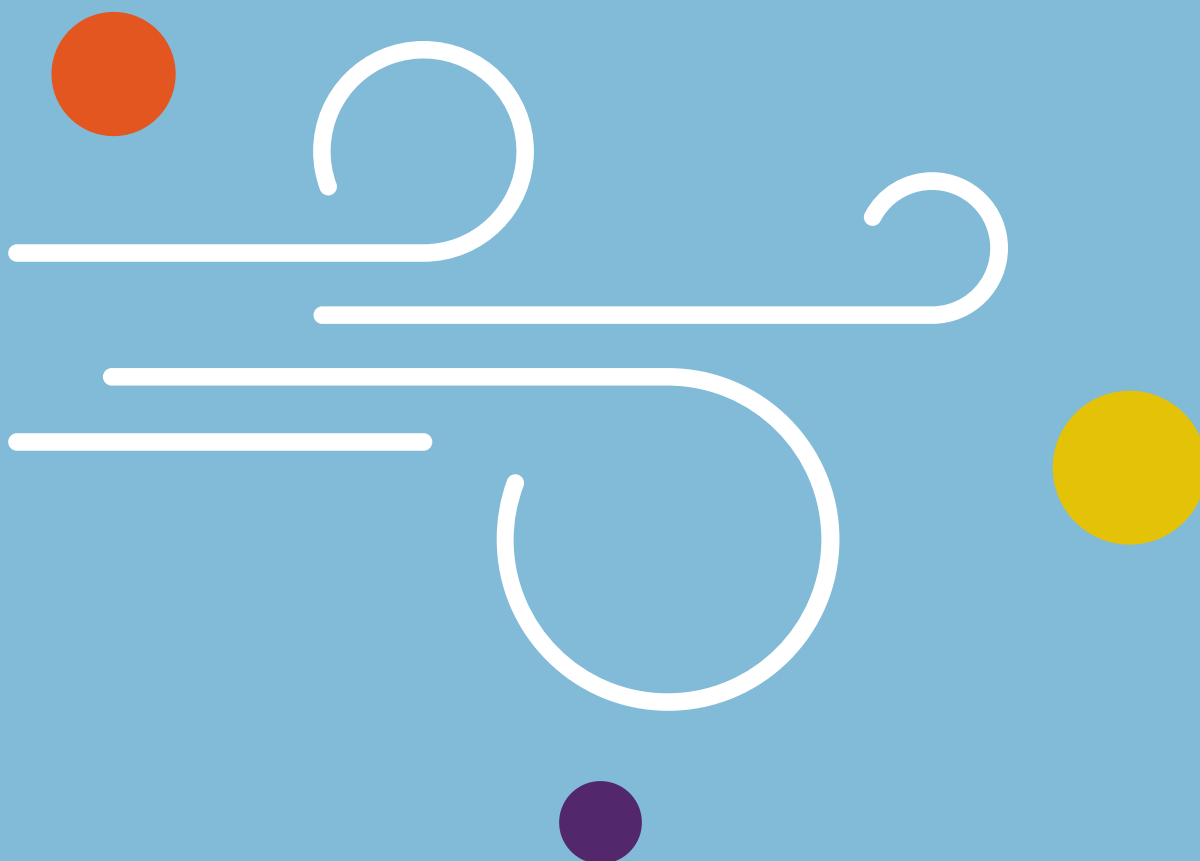
Goal 4: Be Effective, Accountable, and Customer-Oriented

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 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	Data Collection and Usage	Permitting	Compliance and Enforcement
Objective: Improve Permitting, Monitoring, and Enforcement												
Strategy 4.1 Timely Permits					●						●	
Strategy 4.2 Transparent Permit Process			●	●	●						●	
Strategy 4.3 Consistent Permits			●	●	●						●	
Strategy 4.4 Improve Air Monitoring			●	●	●					●		
Strategy 4.5 Improve Compliance Investigations			●	●				●				●
Objective: Build Relationships and Enhance Communication												
Strategy 4.6 Inspire Action					●		●					
Strategy 4.7 Customer Service	●	●	●	●	●	●						
Strategy 4.8 Air Quality Incidents			●	●	●					●		●
Strategy 4.9 Land Use Impacts	●		●	●					●			
Objective: Be Accountable												
Strategy 4.10 Ensure Success												
Strategy 4.11 Align Resources	●	●			●							
Strategy 4.12 Report Progress	●				●							

Appendix E. Federal, State, and Regional Air Quality Responsibilities

The following diagram illustrates the responsibilities of various federal, state, and regional agencies with regard to air quality.

Level	Federal (USA) 	State (California) 	Regional (Bay Area) 
Agency	US Environmental Protection Agency (est. 1970) 	California Air Resources Board (est. 1967) 	Bay Area Air Quality Management District (est. 1955) 
Key Powers	<ul style="list-style-type: none"> • declare pollutants • set air quality standards • regulate stationary sources • regulate trains, aircraft, ships • write national plans and guidance • oversee state plans 	<ul style="list-style-type: none"> • declare pollutants • set air quality standards • regulate cars, trucks, cargo handling • regulate emitting consumer products • write statewide plans and guidance • oversee regional plans 	<ul style="list-style-type: none"> • regulate stationary sources • issue operating permits • write regional plans and guidance • work with local governments
Key Law(s)	<ul style="list-style-type: none"> • US Clean Air Act (1970) 	<ul style="list-style-type: none"> • California Clean Air Act (1988) • Global Warming Solutions Act (2006) 	



baaqmd.gov

communityadvisorycouncil@baaqmd.gov

375 Beale Street, Suite 600
San Francisco, CA 94105
415.749.5000 | 1.800.HELP AIR

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**BAY AREA AIR QUALITY
MANAGEMENT DISTRICT**



**COMMUNITY
ADVISORY COUNCIL**
CLEAN AIR FOR ALL



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 4

Vote to Adopt the Community Advisory Council's Environmental Justice Call To Action

**Community Advisory Council Meeting
November 21, 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 Policy Ad Hoc Committee on the finalization of *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*
- Vote to adopt *A Call to Action* as a CAC document

Requested Action

- Vote to adopt the Community Advisory Council's *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*

Presentation Outline

- Review highlights from the content edits and formatting updates made since the September 19, 2024, CAC meeting draft presentation on *A Call to Action*
- Vote to adopt *A Call to Action* as a CAC document

Background of *A Call to Action*

- CAC's nine (9) Environmental Justice Priorities presented to the Board of Directors in January 2024 served as a foundational guide for development of Goals, Strategies and sample actions in the Air District's *2024-2029 Strategic Plan*
- 80% of the 36 strategies in the *Strategic Plan* have an environmental justice focus which responds to concerns and priorities identified by impacted communities, including CAC Members

Background of *A Call to Action* (cont.)

- EJ strategies and actions were developed in collaboration with the Air District and the EJ Policy Ad Hoc Committee over several collaborative meetings and are highlighted in *A Call to Action*
- Key milestones about how to use an environmental justice approach, building trust, and sharing expertise from community, staff, and leadership have been foundational in this process

Background of *A Call to Action* (cont.)

- Over two (2) years, the EJ Policy Ad Hoc Committee collaborated with The Metropolitan Group consultants and the Air District on co-learning sessions and the development of:
 - CAC's nine (9) EJ Priorities
 - *2024-2029 Strategic Plan*
 - *A Call to Action*
 - Preliminary reviews of implementation plan actions
- If adopted today by the CAC, *A Call to Action* will be presented as informational items to:
 - Community Equity, Health, and Justice Committee on December 11, 2024
 - Board of Directors in early 2025
- The final EJ Policy Ad Hoc Committee meeting is planned for December 9, 2024

***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. Federal, State and Regional Air Quality Responsibilities

Summary of nine (9) CAC EJ 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

Summary of nine (9) CAC EJ Priorities (cont.)

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

Input from the September 19, 2024, CAC Meeting

- The CAC's September 19, 2024, meeting was designed as an opportunity to provide feedback on the then draft of *A Call to Action*, which was publicized weeks prior to the meeting via:
 - CAC email list
 - Assembly Bill (AB) 617 Community Steering Committees
 - AB 617 Air District email listservs
 - Five (5) Air District social media posts on Facebook, X (Twitter), LinkedIn, Threads, and Instagram
- No public comments were received on *A Call to Action*
- All public comments made on the Air District's *2024-2029 Strategic Plan* that overlapped in content were incorporated into *A Call to Action*

Highlights of Content Edits Made Since Sept. 19

- Comments made by CAC Members and Air District staff and leadership both at and after the September 19, 2024, meeting were incorporated into this final version of *A Call to Action*, including:
 - Letter from Davina Hurt, Chair of the Board of Directors
 - Crosswalk with Strategic Plan edits from public comment period

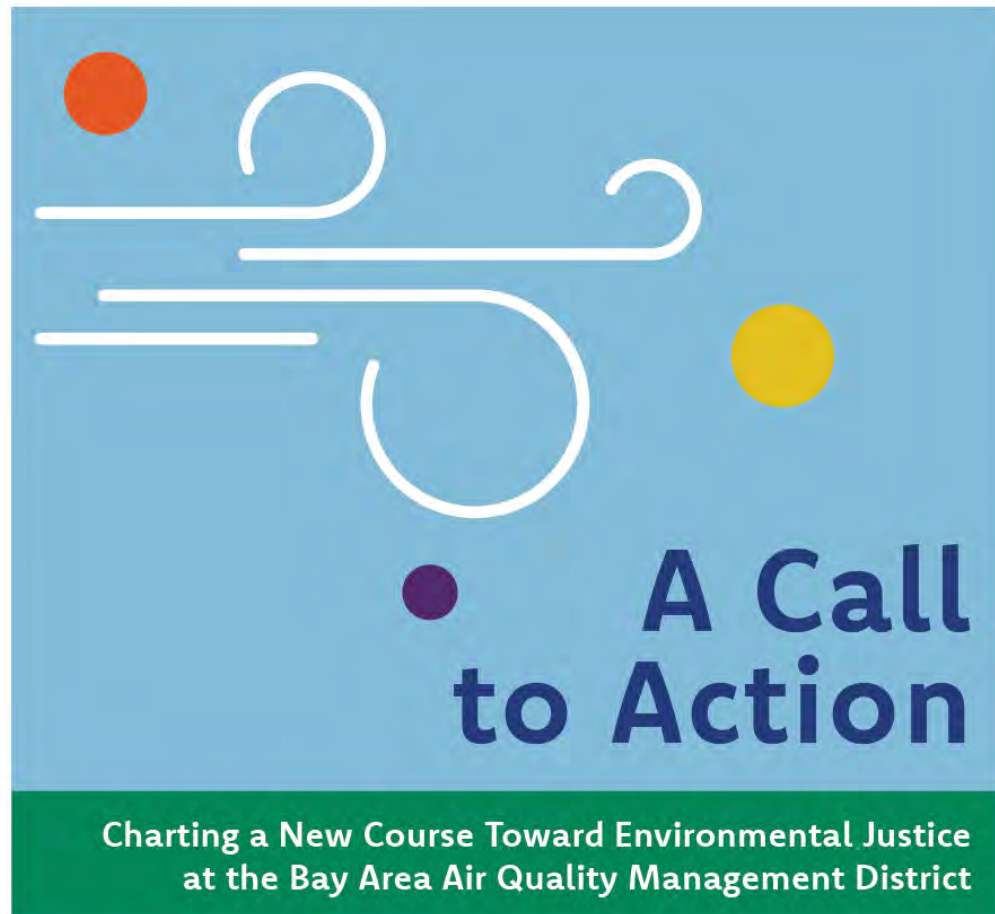
Highlights of Content Edits Made Since Sept. 19 (cont.)

CAC Member suggestions related to:

- Resilience Hubs as a community benefits model
- The Color of Law, by Richard Rothstein, listed as a historical reference for systemic racism
- The need to build meaningful, working relationships with counties, cities and mayors
- Incorporate robust, legally admissible data from communities into enforcement efforts
- Provide EJ communities with tools to help them address legal barriers to advancing EJ
- CalEnviroScreen 4.0 map of air pollution in the Bay Area

Highlights of Design Formatting Since Sept. 19

- Copy editing and proofing
- Colorful, In-Design software formatting and design
- Photos from CAC Members and the Air District
- Wayfinding colors and icons for each EJ Priority to guide readers
- Illustration by artist, Jose Solis, for Chapter 3: "At A Glance" representing the following six overarching EJ themes:
 - Localize air quality data approach
 - Respond quickly to air quality complaints and incidents
 - Engage environmental justice communities
 - Prioritize environmental justice communities for equity
 - Strengthen enforcement response
 - Improve continuously and collaboratively



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

November 2024



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 in 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 private entities and 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, and enhanced enforcement and transparency around the permitting process as some of the critical ways the Air District could provide meaningful agency support.



Courtesy of Ken Szutu

"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

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

These Environmental Justice Priorities serve as a call to action for the Air District, and 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.



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. 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



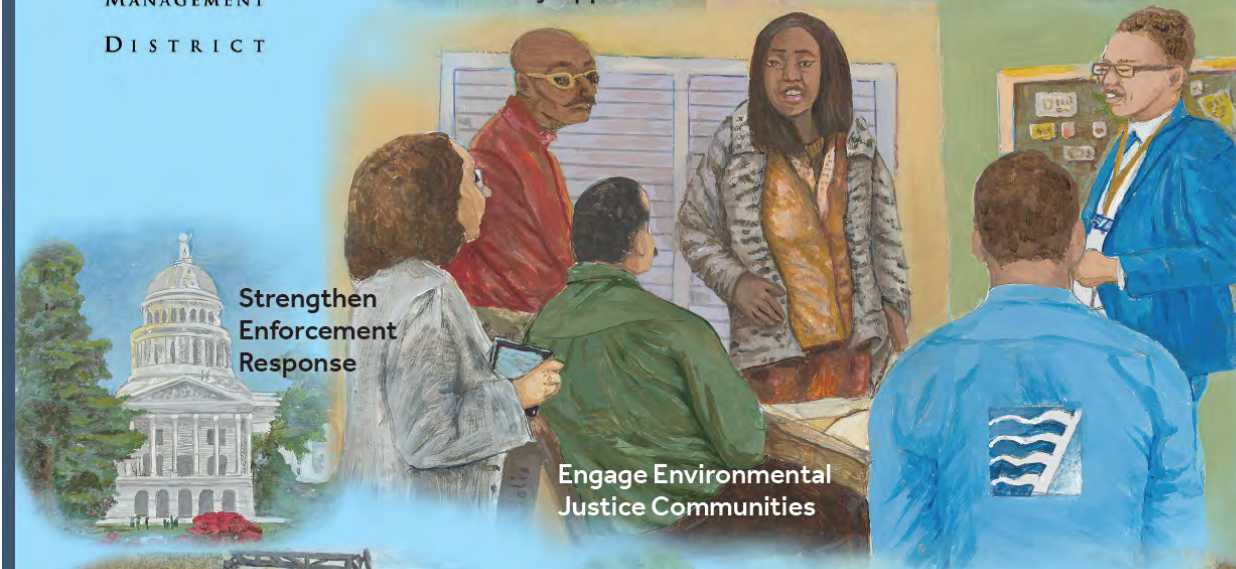
Credit: Ken Szutu



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT



Localize Air
Quality Approach



Strengthen
Enforcement
Response

Engage Environmental
Justice Communities



Improve
Continuously and
Collaboratively



Prioritize Environmental Justice
Communities for Equity

Public Comment

Questions?

COUNCIL VOTE

Vote to adopt the

***A Call to Action: Charting a New Course
Towards Environmental Justice at the Bay Area
Air Quality Management District***

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: November 21, 2024

Re: Implementation Planning for Compliance & Enforcement-Related Strategic Plan
Strategies

RECOMMENDED ACTION

None; the Council will discuss this item, but no action is requested at this time.

BACKGROUND

On September 4, 2024, the Air District's Board of Directors approved the *2024-2029 Strategic Plan* for implementation. The *2024-2029 Strategic Plan* is centered on four primary goals:

- Achieve Impact
- Advance Environmental Justice
- Foster Cohesion and Inclusion
- Be an Effective, Accountable, and Customer-Oriented Organization

These goals are designed to move the Air District closer to its long-term mission, and its near-term vision of organizational transformation. For each goal, there are strategies that describe how the Air District will advance the agency's goals and objectives.

This agenda item focuses on the compliance and enforcement strategies in the Air District's *2024-2029 Strategic Plan*. These strategies include improved compliance investigations, air quality complaints, air quality incidents, enhanced violation investigations, a new enforcement policy, and community engagement.

DISCUSSION

Within the Air District's *2024-2029 Strategic Plan* there are six principal strategies related to compliance and enforcement. Below is an overview of each of these six strategies:

Strategy 4.5 – Improving Compliance Investigations

The Air District reduces air pollution in communities by ensuring that a regulated industrial facility, business, or activity complies with the regulations and applicable permits. The Air

District performs regular inspections, air monitoring and testing of specific sources to determine compliance. The Air District also conducts inspections based on complaints it receives from the public.

Strategy 4.5 centers on the efficiency and effectiveness of the Air District's inspection and compliance processes and practices. Under this strategy, the Air District will undertake efforts to target inspections and other compliance activities where they are most needed for ensuring compliance with permits and regulations. The Air District will also streamline the process inspectors use to document violations they find and improve the agency's program of compliance assistance through better information technology tools and access to compliance resources.

Strategy 2.5 – Improving Air Quality Complaint Process

With limited air monitors and air quality inspectors to cover the entire Bay Area and its hundreds of thousands of possible sources of air pollution, members of the public are often the first to become aware of air pollution problems or incidents in their neighborhood. Odors, smoke, dust, and particulates from a variety of commercial, manufacturing, and industrial operations, portable equipment, cars and trucks, and residential activities can all generate air pollution. Sometimes, this pollution is visible or can be smelled, alerting people to a potential problem.

Under this strategy, the Air District will explore new ways to provide complaint information to the public. The Air District will also improve the transparency of complaint outcomes and follow up with community members on what the problem was and how it was resolved. The Air District will ensure better responsiveness, especially for off-hours, including nights, weekends, and holidays.

Strategy 4.8 – Enhancing Incident Response Program

When a business experiences an air pollution incident, or any non-routine release of air pollution, the surrounding community relies on multiple government agencies to coordinate a response. Government agencies that may respond include the fire department, the local public health department, hazardous materials response units, and specialized pollution control agencies like the Air District. Although Air District employees are not authorized or trained to play a role as first-responders, the Air District works closely and quickly with those on scene to evaluate potential air quality impacts and inform the public about how the incident may affect their health. The Air District also investigates the cause of the incident and whether any air quality regulations may have been violated.

Under this strategy, the Air District will work with industry, communities, and other local agencies to establish better systems to detect and assess emissions from incidents. The Air District will explore technology solutions that proactively notify communities of incidents including health information.

Strategy 1.5 – Enhancing Violation Investigations

The Air District is responsible for regulating emissions from stationary sources of air pollution, including oil refineries, power plants, wastewater treatment plants, gas stations, and many other commercial, manufacturing, and industrial activities. If an industry or business violates any Air District regulation, the agency has a process for identifying and investigating such violations.

Under this strategy, the Air District will develop an enhanced investigation procedure for violations, especially for violations that occur in communities overburdened by air pollution. The protocol will include a way for community members to tell us how the violation impacted them. The Air District will better quantify the extent of illegal emissions in communities and, where possible, analyze the health impacts of violations. The Air District will also investigate the duration of violations and the avoided costs that may have led to violations.

Strategy 1.6 – New Enforcement Policy

A big part of what the Air District does is enforce its air quality regulations. Effective enforcement is central to making sure Air District regulations have real and measurable impacts on air quality. Enforcement is done through regular inspections of oil refineries, power plants, wastewater treatment plants, and other industrial facilities and businesses that the Air District regulates. The Air District also responds to complaints, which can trigger investigations of potential regulation violations. The Air District also partners with the state to help enforce state regulations on trucks, port equipment, and other mobile sources of air pollution.

Under this strategy, the Air District will develop an enforcement policy that considers environmental justice principles, and community voices, experiences, and perspectives, to build community confidence and trust in agency efforts to enforce air quality regulations. The policy would also include a set of principles to guide how the Air District evaluates and applies penalties, as allowed by state law, community-focused legal remedies, consideration of repeat violations, as well as the types of enforcement actions the Air District would consider, such as an abatement order or coordinating with other enforcement agencies, like local district attorneys or the state Attorney General.

Strategy 2.6 – Talk with Communities

Communities with a long history of being exposed to pollution, understandably, do not always trust government agencies. They have little trust that they are being protected from pollution, including air pollution, and they want more transparency and information on what the Air District is doing to protect them. Communities want to know how the Air District is holding industries, businesses, and others accountable for polluting their communities. They also want more air pollution data from air monitoring and to be informed about any legal actions the Air District has taken against those who violate air quality regulations.

Under this strategy, the Air District will 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, our enforcement response, the extent of public harm, and legal actions the agency may take. The Air District will also share information about air monitoring activities and data in their neighborhoods.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Brian Butler

Reviewed by: Meredith Bauer, Alexander Crockett, Marcia Raymond, and Miriam
Torres

ATTACHMENTS:

1. Implementation Planning Presentation for Compliance & Enforcement-Related Strategies



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 5

Implementation Planning for Compliance & Enforcement-Related Strategic Plan Strategies

Community Advisory Council Meeting
November 21, 2024

Meredith Bauer, PhD
Deputy Executive Officer of Engineering and Compliance
mbauer@baaqmd.gov

Alexander “Sandy” Crockett
General Counsel
acrockett@baaqmd.gov

Presentation Outcome

- Provide an overview of the compliance and enforcement strategies in the 2024-2029 Air District's Strategic Plan
- Discuss opportunities for meaningful community engagement

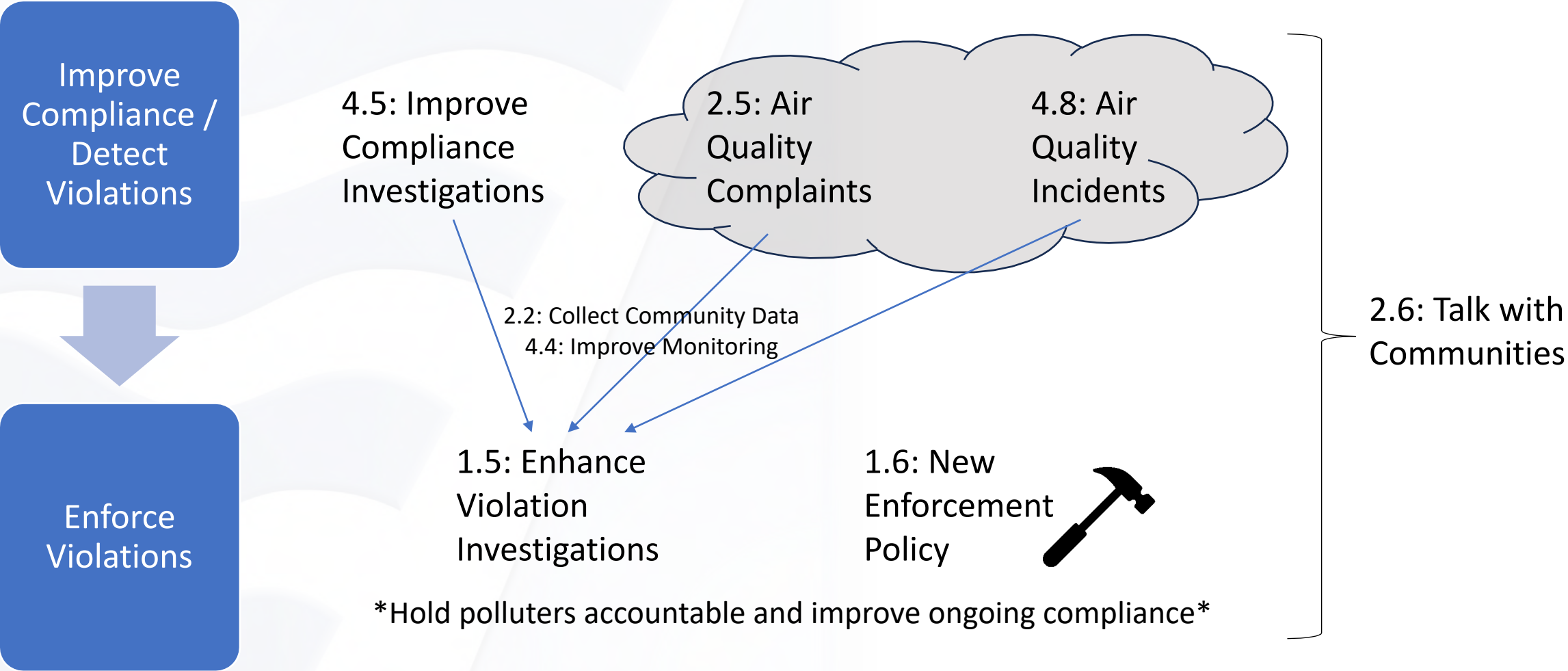
Requested Action

- None – Informational Presentation

Presentation Outline

- Compliance and Enforcement-Related Strategies and Commitments
- Compliance-Related Strategies and Commitments
- Enforcement-Related Strategies and Commitments
- Discussion and Feedback

Compliance and Enforcement-Related Strategies and Commitments



Compliance-Related Strategies and Commitments

- **Strategy 4.5 – Improve Compliance Investigations:** We will increase the efficiency and effectiveness of inspection and investigation resources to improve compliance and increase the impact of our enforcement program.
- **Strategy 2.5 – Air Quality Complaints:** We will improve the complaint process to ensure it is effective and transparent.
- **Strategy 4.8 – Air Quality Incidents:** We will enhance our incident response program in collaboration with government partners.

Implementation Process for Compliance Strategies

- Work with Compliance & Enforcement (C&E) Ad Hoc Committee to Identify Needs
 - Use case studies to assess what is working and what needs improvement in for inspections, complaints, and incident response
- Develop Content and Draft Policies/Plans/Documents
 - Targeted inspection policy and program based on priority sources and community input
 - Updated complaint system
 - Improved coordination and communication procedures during incidents
- Broad Public Comment Period & Review by Oversight Bodies
 - Full, formal public comment period on draft documents and policies
 - Presentation to Community Advisory Council (CAC), Assembly Bill (AB) 617 Community Steering Committees (CSCs), other external bodies
 - Presentation to Board of Directors / Board Committees

Preliminary Draft Implementation Timeline for Compliance Strategies

Work Begins Q4 2024	Project Scoping <ul style="list-style-type: none">• Select compliance-related case studies• Internal planning (set up staff teams, develop budget, etc.)• Convene C&E ad hoc committee meetings
Q1 2025	Phase I – Conceptual Development <ul style="list-style-type: none">• Collect and review case study information to identify process improvements• Draft and finalize implementation plans
Q3 2025	Phase II – Content Development and Drafting <ul style="list-style-type: none">• Draft documents: targeted inspection policy => updates to incident response program => improvement to complaint system
Q1 2026	Phase III – Public Comment and Finalization of Policies <ul style="list-style-type: none">• Formal public comment period• Presentation to relevant bodies (CAC, Board of Directors/Board Committees)
2026-2027	Implementation <ul style="list-style-type: none">• Begin implementing new plans & policies

Enforcement-Related Strategies and Commitments

- **Strategy 1.5 – Enhance Violation Investigations:** We will enhance our procedures for investigating violations of Air District regulations in communities overburdened by air pollution to better protect community health.
- **Strategy 1.6 – New Enforcement Policy:** We will collaborate with communities to develop an enforcement policy to better prevent violations of air quality regulations.
- **Strategy 2.6 – Talk with Communities:** We will meet with communities about air pollution problems in their neighborhoods, their concerns, how we are addressing them, and what more they need from us, so we are more responsive to communities.

Implementation Process for Enforcement Strategies

- Convene Implementation Working Group (IWG)
 - Broad community representation, but size must be manageable
 - Potential stakeholders: CAC, AB 617 CSCs, refinery corridor, industry
- Develop Content and Draft Policies/Plans/Documents
 - IWG initial input on conceptual design
 - Draft documents and present to IWG for review, discussion and feedback
 - Iterate as necessary to complete final drafts
- Broad Public Comment Period & Review by Oversight Bodies
 - Full, formal public comment period on draft documents
 - Presentation to CAC, AB 617 CSCs, other external bodies
 - Presentation to Board of Directors / Board Committees

Preliminary Draft Implementation Timeline for Enforcement Strategies

Q4 2024	Project Scoping <ul style="list-style-type: none">• Meet with external stakeholders (ad hoc committee, Richmond CSC, etc.)• Internal planning (set up staff teams, develop budget, etc.)• Draft and finalize implementation plans
Q1 2025	Phase I – Conceptual Development <ul style="list-style-type: none">• Set up Implementation Working Group• Initial meeting to discuss and gather input on policy content
Q2 2025	Phase II – Content Development and Drafting <ul style="list-style-type: none">• Draft documents• Circulate and discuss with Implementation Working Group• Iterate as necessary
Q3 2025	Phase III – Public Comment and Finalization of Policies <ul style="list-style-type: none">• Formal public comment period• Presentation to relevant bodies (CAC, Board of Directors/Board Committees)
Q4 2025	Implementation <ul style="list-style-type: none">• Begin implementing new plans & policies

PUBLIC COMMENT

Questions & Discussion

Some questions for consideration:

- How do we maximize community input, in the most effective way?
 - Want broad and diverse input
 - CAC; AB 617 CSCs (esp. PTCA*); Refinery Corridor Working Group; community-based organizations, etc.
 - Need to keep the group size manageable
 - What is the right place for input by regulated industry?
- How do we keep the CAC informed of our progress?
- Timeline considerations
 - Don't want to rush – need to provide for meaningful community engagement
 - Don't want to delay – important initiatives that need to be implemented

*Path to Clean Air

DISCUSSION