Bay Area Air District
Bay Area Metro Center
1st Floor Yerba Buena Room
375 Beale Street
San Francisco, CA 94105

Community Advisory Council Meeting
Thursday, July 16, 2026

APPROVED MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air District at
https://www.baaqmd.gov/en/about-the-air-district/community-advisory-council/agendasreports

1. CALL TO ORDER - ROLL CALL

The meeting Facilitator, Randolph Belle of Randolph Belle, Artist (RBA) Creative, called the Community Advisory Council in-person meeting to order at 6:03 p.m.

Roll Call:

Present, In Person: (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, CA, 94105): Co-Chairpersons Latasha Washington and Patrick Messac; and Council Members Sejal Babaria, Ms. Margaret Gordon, Arieann Harrison, Cynthia Prieto-Diaz, Saidy Reyes Mazariegos, Kevin G. Ruano Hernandez, Jeff Sanchez, Ken Szutu, and Azjargal Tsogtsaikhan.

Participated Remotely, via Zoom via Section 54953.8.3 of the Ralph M. Brown Act Open Meeting Act (Cal. Gov't Code § 54953.8.3). Remote presence does not count for quorum, but votes are counted for all action items): Co-Chairperson William Goodwin; and Council Member Dominique Brooks and Harsheet Subedi.

Absent: Council Members Adriana Fernandez-Arriaga, Dominick Ramirez, Violet Saena.

2. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by Colleen Fitzgerald, Earthjustice; Diana Curiel, Oakland resident; Soliana Samson, Sierra Club; and Ryan Backus, Earthjustice.

CONSENT CALENDAR

3. REPORT OF THE EXECUTIVE OFFICER/AIR POLLUTION CONTROL

Arsenio Mataka, Deputy Executive Officer of Equity & Community Programs, announced the following:

- Through the Bay REPAIR program (Reinvesting Penalties for Air Improvement and Resilience), applications for Round 1 of the Local Community Benefits Fund closed on May 9, 2026. Round 1 will distribute funds in Benicia, Richmond, and surrounding communities.
- On June 29, 2026, The "Right to Breathe: East Oakland Community Air Quality Justice Plan," which was adopted by the Board on April 1, 2026, received final approval from the California Air Resources Board.
- $150M was recently allocated to the California Air Protection Program (Assembly Bill (AB) 617) from California's General Fund. Historical AB 617 funding allocations, from inception through recent fiscal years, relied primarily on the Greenhouse Gas Reduction Fund.

Public Comments

No requests received.

Council Comments

The Council and staff discussed claims that the Board's Stationary Source Committee delayed the Air District's Indirect Source Rule community workshops until a staff recommendation could be presented to the full Board; the Council's desire for status updates on the Air District's fugitive dust studies and Indirect Source Rule rulemaking; and appreciation for the Air District staff who advocated for the additional $150M recently allocated to AB 617 from California's General Fund.

4. **APPROVAL OF THE DRAFT MINUTES OF THE COMMUNITY ADVISORY COUNCIL MEETING OF MAY 21, 2026**

Public Comments

No requests received.

Council Comments

None.

Council Action

Council Member Ruano Hernandez made a motion, seconded by Council Member Reyes Mazariegos, to **approve** the Draft Minutes of the Community Advisory Council Meeting of May 21, 2026; and the motion **carried** by the following vote of the Council:

AYES:	Babaria, Brooks, Goodwin, Gordon, Harrison, Messac, Reyes Mazariegos, Prieto-Diaz, Ruano Hernandez, Saena, Sanchez, Szutu, Tsogtsaikhan, Washington.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Fernandez-Arriaga, Ramirez, Subedi.

DISCUSSION ITEMS

5. AIR QUALITY COMPLAINT PROGRAM OVERVIEW AND DATA UPDATE

Almira Van, Supervising Air Quality Specialist, gave the staff presentation *Air Quality Complaint Program Overview and Data Update*, including: recommended action; outline; Air Quality Complaint Program goals and objectives; Air Quality Complaint Program; how to report an air quality complaint; complaint response time goals; complaint response and investigation; investigation at potential source of emissions; investigation findings and enforcement actions; factors that influence response and investigation; how communities can help; complaint data analysis; complaints by type; cities with the most complaints; emissions present and traceable to source; factors that influence response and investigations; complaints by month and season (2023-2025); complaint reporting trends 2023-2025; complaint response time 2023-2025; complaint response time goals 2023-2025; Complaints Resulting in Enforcement Action (2023 – 2025); Complaint Summary Across Nine Counties (2023 – 2025); Complaint Summary – Assembly Bill (AB) 617 Communities (2023 – 2025); Strategic Plan goals and upcoming complaint workplan; Council's ideas for improving the Complaint Program; Open Air – expanding public access to data and community-informed design; ideas to improve the Complaint Program; tentative timeline; and questions and discussion.

Public Comments

No requests received.

Council Comments

The Council and staff discussed tangible tools and resources that are used in the field by Air District inspectors; whether the Air District monitors whether the number of complaints related to an incident declines after enforcement actions are implemented; what happens if a permitted facility continues to be issued Notices of Violations (NOVs) or has a single ongoing violation; a request for an example of a case in which the Air District obtained a court injunction requiring a permitted facility in violation of air quality regulations to cease operations; whether there is there a maximum number of violations/fines before the Air District seeks an injunction requiring a permitted facility in violation of air quality regulations to cease operations; the number of complaints or violations that it took for the Air District to seek an injunction to shut down Green Sage's diesel generators for ongoing violations at their Oakland Tinnery and Oakland Cannery facilities in 2022; the Compliance and Enforcement Division's response time goals (during regular business hours) and how 30 minutes was determined; whether the Air District plans to hire additional inspectors, how the Council can advocate for the hiring of additional inspectors, and what funding would be used for adding new positions; the suggestion of addressing the accessibility of unsourced emissions, giving members of impacted communities the opportunities to identify and learn about those sources; concerns regarding discrepancies in the number of complaints submitted in 2024; whether improvements need to be made to the ways in which the Air District enforces its woodsmoke rules; the definition of "traceable to a source"; the number of NOVs from 2024 that are currently associated with financial penalties; the difficulty in maintaining community trust and engagement in the process when there is a perception that polluters are not being held accountable for violations; the Council's desire for action resulting from violations; which

months result in the most odor, dust, and asbestos complaints; which sources are the Air District's top polluters emitting; whether odors and unsourced complaints are related (what is the breakdown); whether odors are related to health impacts; the manner in which odor complaints are processed; whether a satisfaction survey (to complainants) is going to be implemented; the concern that, although 25 inspectors were deployed to investigate Crown Hill Materials, complainants claimed that they did not receive meaningful feedback regarding the findings or outcomes of those inspections; the number of current inspector vacancies, why those vacancies have not yet been filled, and the turnaround time to make the candidates offers; the consultants' contract amounts approved by the Board, and whether those resources could instead support the hiring of additional inspectors; what it would it take to increase the proportion of Notices of Violation that result in monetary penalties, given that currently fewer than 2% lead to fines; the request that Air District staff ensures that complainants receive follow-up communication regarding the status and outcomes of their concerns; whether complaints may enter their personal contact information when they register their complaints online; whether complaints that are submitted are made public; and contributing factors to the high number of complaints that do not result in Notices of Violation.

Council Actions

No action taken.

THE COUNCIL RECESSED AT 7:57 P.M, AND RESUMED AT 8:09 P.M.

6. AMENDMENTS TO THE COMMUNITY ADVISORY COUNCIL CHARTER

Council Members Kevin Ruano Hernandez and Jeff Sanchez, Co-Chairs of the Governance Ad Hoc Committee, presented the Ad Hoc Committee's draft amendments for discussion by the Council, and the Council considered and provided direction on finalization of the draft amendments. The presentation *Amendments to the Community Advisory Council Charter* included slides entitled: recommended action; process and timeline of Charter amendments; highlights of Charter amendments; and summary table review and discussion.

Public Comments

No requests received.

Council Comments

The Council and staff discussed whether discrimination complaints are covered under the Council's Charter, how the Air District defines "discrimination," and which entity (Air District staff or the Board of Directors) handles discrimination complaints lodged by Council Members; the differences between *Roberts Rules of Order* and *Rosenberg's Rules of Order*, and the request for a training for the Council on parliamentary procedure; whether the Council has ever published a biannual newsletter, per §6 of the Council's Charter (Community Engagement); concerns about the language in §7.6 of the Council's Charter (Meetings of CAC Members with the Air District) that states, "the CAC may designate one CAC member to participate as a non-voting CAC member in regular monthly Board meetings, *when feasible*"; the number of times that a Council Member has come before the Board of Directors to offer recommendations on behalf of the Council since the Council's inception; the request

that §16 of the Council's Charter (Compensation) be revisited; the request for the Air District's Legal Division to be involved in reviewing the civil rights and discrimination language of the Council's Charter; and the public comment period and approval timeline of the Council's Charter.

Council Actions

No action taken.

OTHER BUSINESS

7. PEOPLE'S AIR GRANT UPDATE

The Council received an update about the People's Air Grant, a program developed by the Council to distribute funding from a $3 million Community Benefit Fund. These funds are not derived from enforcement, penalty, or mitigation funds. The application period for the People's Air Grant Program opened on March 12, 2026, and closed on May 29, 2026. Grants will be awarded in Summer 2026 to support projects in impacted communities that improve air quality and reduce local air pollution disparities, equip impacted communities with tools and resources to reduce air pollution and improve public health outcomes, and support health care resources and services for people experiencing health impacts related to air pollution exposure. The maximum amount for an individual grant is $400,000 over two years.

Co-Chairs Goodwin and Washington reported that 64 applications were submitted across the Air District's nine-county jurisdiction. They thanked the Council for their outreach efforts to their local communities. The ten-member review panel, consisting of Council Members, Air District staff, and staff from community-based organizations and partner agencies, completed the scoring of the applications. Air District staff is now compiling the results and funding recommendations, which will be considered by the Air District's Board of Directors later in the calendar year.

Public Comments

No requests received.

Council Comments

The Council and staff discussed the importance of reviewing lessons learned after the first grant cycle has been completed; the anticipated timeline regarding Board action; and the hope that these grants will have a significant long-term impact in their communities.

Council Action

No action taken.

8. ACTION PLAN AD HOC COMMITTEE UPDATE

Action Plan Ad Hoc Committee Co-Chairs, Council Members Brooks and Szutu, reported that the Action Plan Ad Hoc Committee asked the Council Members to provide their local

community concerns and issues. The three general areas of feedback that the Action Plan Ad Hoc Committee hopes the Council will put time and resources towards are:

1) Community Response and Enforcement Accountability.
    a. When complaints are filed, how are they resolved, and in what amount of time?
2) Permitting and Facility Accountability.
    a. A Permitting Ad Hoc Committee that focuses on protecting human health, rather than speedy approval, will be created. This Permitting Ad Hoc Committee also wishes to review the performance evaluation process for the Air District's permitting staff.
    b. A case study pool will also be created, focusing on Radius Recycling in Oakland, Hanson Aggregates Marine in San Francisco, and the planned AVAIO Perseus Data Center in Pittsburg. The participation of one Council Member, and one community member who is directly affected by the presence of each facility, who are willing to champion each case, is required. Facilities may be added to this pool, if Council Members can identify additional air-polluting facilities that they do not believe should be allowed to operate.
3) Community Advisory Council Capacity.
    a. The Action Plan Ad Hoc Committee plans to create a tracking system to ensure that the Council recommendations adopted by the Board are actually implemented, and that progress is monitored and reported back to the Council. A level of Air District (subject matter) staff support and access, beyond what is currently provided to the Council, is requested for this to be successful.
    b. The Council desires improvements to the Council meeting agenda facilitation. Consider reviewing the Council meeting agenda process to ensure that it supports effective discussion and engagement. Some Council Members may perceive the current format as highly procedural and mechanical, with timed comments limiting opportunities for dialogue.

Public Comments

No requests received.

Council Comments

The Council and staff discussed the Permitting Efficiency Taskforce that was established at the direction of the Air District's Board of Directors (to support the transparent implementation of changes to permitting processes, rules, and policies as outlined in the Air District's Strategic Plan), and whether the work of the Permitting Efficiency Taskforce would overlap with the work of the proposed Permitting Ad Hoc Committee; next steps and whether the Council would be taking action on this item on July 16, 2026; ways in which the Council Members could support these proposed efforts; and the most recent instance in which the Air District required a facility to cease operations due to compliance violations.

Council Action

No action taken.

9. COMMUNITY ADVISORY COUNCIL RETREAT PLANNING UPDATE

The Council received an update about the planning for the Council's Fall special meeting retreat from Anyania Muse, Community Advisory Council Officer, announced that the Council's upcoming retreat will take place on Thursday, October 29, 2026, in either Petaluma or Oakland. The location has not yet been confirmed.

10. COUNCIL MEMBER COMMENTS

Council Member Ms. Margaret Gordon requested an enhanced level of Air District enforcement in West Oakland, due to multiple sources of air pollution (coal terminal fugitive dust, Port of Oakland turning basins, Radius Recycling.) She also asked how the Air District plans to utilize the recommendations that are being developed by the Air District's (Technical) Advisory Council's to address cumulative impacts in permitting, new and modified facilities, and community priorities. (These draft recommendations will be brought to the Board of Directors for consideration.) She asked that this issue be agenized at a future Council meeting.

Council Member Ruano Hernandez reported that during the C&H Sugar strike in Crockett, the company rerouted raw sugar shipments to the Levin Richmond Terminal in Richmond. Video footage showed piles of raw sugar stored near industrial bulk materials like coal and petroleum coke. The Levin Richmond Terminal in Richmond will cease exporting coal at the end of 2026. He also reported that Richmond city officials and community groups have pushed for a temporary halt and policy review on new data center developments in the Bay Area, as data centers are becoming an emerging topic. He also congratulated the Marie Harrison Community Foundation for the CLEAR Bayview project (Community-Led Environmental Air Research). The project designs and implements an air monitoring study that addresses the gaps in air monitoring data.

Co-Chair Messac encouraged people to visit https://nocoalinoakland.info to learn about the grassroots community group's efforts to stop the transport and export of coal through a proposed West Oakland bulk terminal. Chair Messac also expressed concerns regarding the Air District's response to the Center for Biodiversity's letter that contained recommendations on how to approach data centers. Finally, Co-Chair Messac said that he has been finding it difficult to fulfill the commitments that he made upon being elected as a Council Co-Chair, due to a lack of Air District staff engagement and responsiveness to the Council's inquiries and recommendations.

Co-Chair Goodwin reported that the City of Pittsburg will host a virtual community engagement workshop via Zoom on July 30, 2026, to educate residents on local data center development procedures, address the controversial AVAIO Digital Perseus project, and answer public questions regarding environmental and neighborhood impacts.

11. TIME AND PLACE OF NEXT MEETING

Note from the Clerk: The July 16, 2026 Community Advisory Council meeting agenda contained an error in Item 11. The time for the next meeting of September 17, 2026 was erroneously listed as "9:00 a.m." but should have been "6:00 p.m."

Thursday, September 17, 2026, at 6:00 p.m. The meeting will be held in-person at the Bay Area Metro Center and at satellite locations as may be specified on the meeting agenda using a remote teleconferencing link. Members of the Community Advisory Council and the public may attend at any of those in-person locations, and members of the public may also attend virtually via webcast.

12. **ADJOURNMENT**

The meeting was adjourned at 9:32 p.m.

/S/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards