

AGENDA

East Oakland AB 617 Community Steering Committee (CSC) Meeting #15

Date & Time: Thursday, December 14th, 2023, 6:00 pm to 8:00 pm PDT

Virtual Facilitators: Aiyahna Johnson, Mr. Charles Reed, Mykela Patton, CSC Co-Chairs

Note-taker: Angie Fike, Just Cities (JC)

Co-Chairs: Aiyahna Johnson, Charles Reed, and Mykela Patton

Co-Leads:

CBE: *Communities for a Better Environment (CBE)*

Air District: *Bay Area Air Quality Management District (BAAQMD)*

Location: *Virtual Zoom Meeting <https://zoom.us/j/98574358053>*

Website with Meeting Materials and Meeting Video Recording:

<https://www.baaqmd.gov/community-health/community-health-protection-program/east-oakland-community-emissions-reduction-plan>

Meeting Objectives:

- CSC members will hear and consider the results of the Air District’s Compliance and Enforcement Division’s East Oakland three-year report on enforcement findings for air quality complaints and notice of violations.
- CSC members will hear and respond to the proposed focus areas.
- CSC members leave with an understanding of what Focus Areas are and their purpose.

Time	Topic
6:02 PM	Welcome, Interpretation, Agenda <ul style="list-style-type: none">• Welcome and Interpretation• Initial Meeting Agreements
6:09 PM	Compliance & Enforcement Report: Findings with Q/A
6:58 PM	Break
7:03 PM	Proposed Focus Areas for Strategy Development
7:34 PM	East Oakland Environmental Justice (EJ) Announcements and Updates
7:44 PM	Next Steps and Close Out

MEETING NOTES

East Oakland AB 617 Community Steering Committee Meeting
 Thursday, December 14th, 6:00 pm to 8:00 pm PDT

Time	Topic	Transcribed Meeting Minutes/Summary
6:02 PM	<p>Welcome, Interpretation, Agenda (7 mins; 6:02-6:09 PM)</p> <ul style="list-style-type: none"> ● Interpretation (2 mins) ● Welcome (1 min) ● Agenda (1 mins) ● Initial Meeting Agreements (2 mins) ● Community Building (1 min) ● CERP Timeline (1 min) 	<ul style="list-style-type: none"> ● Steering Committee Members Present: <ul style="list-style-type: none"> ○ Aiyahna Johnson ○ Andrea Pineda ○ Andria Blackmon ○ Carol Corr ○ Mr. Charles Reed ○ Cynthia Gutierrez ○ Danny Scott ○ Erica Pascual ○ Gabrielle Sloane-Law ○ Jamaica Sowell ○ Jamie Schechter ○ Khalilha Haynes ○ Tram Nguyen ○ Marina Muñoz ○ Merika Goolsby ○ Ms. Cecilia Cunningham ○ Mykela Patton ○ Shamar Theus ○ Susan Goolsby ○ William Crotinger ○ Kimi Watkins-Tartt ● Mr. Charles Reed, CSC Co-Chair, facilitated the welcome. Carly Cabral (CBE), shared the meeting objectives. Mykela Patton, CSC Co-Chair, facilitated the agenda walkthrough. Aiyahna Johnson, CSC Co-Chair, shared meeting agreements and encouraged both CSC members and members of the public to include their name, pronouns, and affiliated organizations in the Zoom chat, as well as to use the chat as a space to ask questions and respond to slides. CSC members introduced themselves via chat. ● Alesia Hsiao (AD) walked through the CERP Timeline and the current stage of the CERP process, which is focused on continuing to create the draft plan, iterative development, and ongoing strategy development.

<p>6:09 PM</p>	<p>Compliance & Enforcement Report: Findings with Q/A (53 minutes; 6:09 - 7:02 PM)</p>	<ul style="list-style-type: none"> ● Janet Carrasco (AD) reviewed enforcement data from 1/1/2020 - 11/27/23, going over areas where there were concerns around compliance in East Oakland zip codes. <ul style="list-style-type: none"> ○ A CSC member asked for clarification around Title V. Janet responded that Title V is a program that allows monitoring of higher polluting facilities, where facilities that have higher standards for regulatory monitoring have to report to the Air District themselves. Paul Grazzini (AD) further clarified in the chat the criteria for Title V, which are 100 tons per year of criteria pollutants; 10 tons of any Hazardous Air Pollutant (HAP); and 25 tons of any combination of HAPS. ○ A CSC member asked about the density of gasoline dispensing facilities in the area versus other parts of Oakland. Janet replied that she would get back to them with that information. ○ A CSC member asked to define what is required for confirmation of complaints. Dennis Quach (AD) replied that complaints can be confirmed by direct observation by inspectors or traced to a specific facility or source. ○ A CSC member asked in the chat if mold is considered an emission. Almira Van (AD) replied that it does not fall under AD jurisdiction. Alesia Hsao (AD) followed up with information from EPA and OSHA that could be used regarding mold issues. Tram Nguyen (ACPHD) shared the Asthma Start program that helps patients reduce asthma triggers and work with city code enforcement programs to help fix issues. ● Janet covered the complaint locations heat map, comparing it to the map with AB&I complaints excluded, as it has since closed. She reviewed the Alleged Sites/Facilities map, as well as Community Concerns that go beyond the data, including facilities AD is aware of that have fewer documented complaints. She went over the complaint process for community members and how to get in contact if needed. <ul style="list-style-type: none"> ○ A CSC member asked why the AD is trying to permit facilities instead of shutting them down. Believing that the CSC member is speaking of Eagle Gas, Dennis Quach (AD) replied that the facility is not currently in operation due to lack of permit. Paul followed up by saying that in case a facility is operating without a permit, AD would show up and issue them a ticket, after which they are supposed to cease operations. For every day they are in operation without a permit, penalty fines escalate. For larger facilities, AD conducts a larger investigation, applying
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		<p>operation limits and abatement strategies. The Superior court has authority to shut a facility down.</p> <ul style="list-style-type: none">○ A CSC member asked why the facilities with permit issues seemed to be mostly gas facilities, and why there was no absolute cap on gas dispensing facilities. Paul responded that there is no cap, but new facilities do have to meet current emission control requirements and health risk screen requirements. He said that most likely gas stations have been pre-existing, and permits go unpaid or unrenewed.○ A CSC Member asked about the cost benefit analysis of the permitting process, and if someone who operates without a permit might have an easier path to operation than a facility that goes through the whole process. Janet responded that BAAQMD is looking into this and thinking about ways of improving the permitting and enforcement process.○ A CSC member mentioned smaller organizations that do not have as many resources, such as smaller restaurants, that are more easily shut down than larger facilities with more resources. They mentioned that CSC members need to mobilize to monitor and act against larger polluters, while protecting the ability of small businesses to receive permits and continue running. Janet responded that the larger businesses fit under Title V. The AD monitors those facilities more than those that are smaller, and do not usually have cases that allow them to take action to shut down. She said they are still looking into the case of the mentioned gas station that is still under operation, and trying to contact owners. She said she understands it can be very annoying for people who get their facilities closed, but that she has not seen this happen with any small businesses in this area. The AD is looking into areas where this is happening and trying to engage in more community dialogue.○ A CSC member asked why there are regulations if they are not going to be actively enforced. Janet replied that compliance takes due diligence and can be a lengthy process, and is enforced through the production of penalties.○ A CSC member asked if accumulated/retroactive fines were being considered as penalties for being unregulated. Dennis responded that fines are assessed on many factors, such as the length the facility has been operating out of compliance, how responsive they are to addressing the violation, and more. Janet also mentioned that she has in
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		<p>the past helped give abatement orders, compiling the entire history of a facility.</p> <ul style="list-style-type: none"> ■ Misha Nishiki, attorney with BAAQMD, replied that if they discover a facility that has been operating without a permit for years, they issue them a ticket and charge back fees for up to five years on the engineering end in order to get the permit. On the legal team, they figure out how long they have been out of compliance and assess significant penalties for future non-compliance, including pursuing a court order to shut down the facility. She encouraged community members to contact the AD. ○ A CSC member commented that it does not seem like the AD follows up with businesses in East Oakland. Almira Van replied that there are inspectors assigned throughout the Bay Area, including East Oakland, and that staff conduct routine inspections and investigations in their assigned areas. Another CSC member followed up by asking how many inspectors there are on staff and wondered about their capacity to investigate complaints. Almira and Paul replied that there is one inspector for East Oakland, but they are actively hiring more inspection staff. There are five inspectors assigned to the total region, with two in Oakland and three that can be called on. A CSC member replied that more inspectors from the community should be trained. ○ A CSC member commented that they are very concerned about commercial businesses not applying for permits. They wanted to know if BAAQMD is partnering with other resources to get this taken care of. Janet replied that when AD sees facilities that are not in compliance with them, they reach out to other agencies to try to make sure they are working to fit compliance across the board. She also said that these facilities are fined no matter what, even if they end up becoming permitted, and that these penalties help encourage operations to meet standards.
7:03 PM	<p>Proposed Focus Areas for Strategy Development (31 minutes; 7:03 - 7:34 PM)</p>	<ul style="list-style-type: none"> ● Kim Ryan (CBE) and Alesia Hsiao (AD), went over community concerns and priorities pulled from the community mapping project and facility focus list, and discussed proposed focus areas for strategy development. ● To organize strategy development efforts, Kim and Alesia proposed putting principles into five focus areas. The proposed ones are: <ul style="list-style-type: none"> ○ Illegal Dumping, Trash, and Odors ○ Public Health & Community Wellness

		<ul style="list-style-type: none"> ○ Commercial & Industrial Sources ○ Transportation & Mobile Sources ○ Built Environment & Land Use ● Kim presented two main questions for the CSC around the focus areas, such that the CSC’s thoughts and concerns can be recorded. <ul style="list-style-type: none"> ○ Are there any community concerns that resonate with you that aren’t represented in the proposed Focus Areas? ○ Which proposed Focus Area(s) are you most drawn to for strategy development? ● A CSC Member asked why there was no workforce development for community members included in the focus areas. They mentioned they would like to see the AD hire community members to install infiltration systems, track complaints, monitor air, among others. Another CSC member agreed that young people need to be included in the air monitoring process. ● A CSC member said they were interested in transition strategies for migrating employees from businesses that were shut down. Another CSC member agreed and said work developments need to be integrated into Just Transition programs. They also mentioned needing more transit options in deep East Oakland. <ul style="list-style-type: none"> ○ Brian Moore (CARB) shared a link to the San Joaquin Valley CSC Members' proposed plan for an Educational Training Program for EV Mechanics as an example of what workforce development could look like. Link here: AB 617 Community Emission Reduction Program Increased Educational Training for EV Mechanics Plan ● A CSC Member said they wanted to see potholes on the list of transportation priorities, as well as more safety measures for senior citizens. ● A CSC member asked about how much pollution is generated from friction on the roads from tires, asking if there is anything that can be done around reducing commercial friction. ● A CSC member mentioned that AC (Alameda County) Transit is cutting some of the bus lines. ● A CSC Member said that planting trees and creating green spaces is not represented in the focus areas. Kim replied that this would be elaborated upon in the next focus area meeting. ● Kim said that they will incorporate feedback and comments into developing focus areas that will inform strategies, to be shared in the February 2024 CSC meeting.
7:34 PM	East Oakland Environmental Justice (EJ) Announcements and	The following individuals shared announcements, detailed further in the EJ Announcements and Updates document :

	<p>Updates (10 minutes; 7:34 - 7:44 PM)</p>	<ul style="list-style-type: none"> ● Aiyhanna Johnson (CSC Co-Chair) on East Oakland Collective holiday assistance drive. ● Mr. Charles Reed (CSC Co-Chair) on a community air pollution monitoring grant. ● Carly Cabral (CBE) on new CSC member youth seats. ● Carly on the upcoming hybrid CSC meeting in February. ● Carly on the upcoming Argent facility tour. ● Kimi Watkins-Tart (ACPHD) on upcoming violence prevention Request for Proposals by the ACPHD.
<p>7:44 PM</p>	<p>Next Steps and Close Out (2 minutes; 7:44 - 7:46 PM)</p>	<p>Co-Chairs Mr. Charles Reed and Aiyhanna Johnson facilitated the closing, reminding everyone to fill out the feedback form.</p> <p>Next CSC meeting will be held on Thursday, February 8th, 2023 from 6 - 8 PM in person in Oakland, with a hybrid option on Zoom.</p>