

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105

## **DRAFT MINUTES**

Richmond – No. Richmond – San Pablo Community Emissions Reduction Plan Community Steering Committee

February 26, 2024, 5:30 P.M

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

The Richmond – No. Richmond – San Pablo Community Emissions Reduction Plan Community Steering Committee (CSC or Committee) Co-Chair Y’Anad Burrell called the meeting to order at 5:33 pm.

Present: Co-Chair Alfredo Rafael Angulo-Castro, Co-Chair Y’anad Burrell, Nancy Aguirre, Lucia Castello, Suzanne Coffee, Michelle Gomez Garcia, Lizbeth Ibarra, Jeffrey Kilbreth, Dr. Omoniyi Omotoso, Jessica Range, Simren Sandhu, Dave Severy, Heidi Swillinger, Franklin Ungo, Sandra Castañeda (non-voting), Hakim Johnson (non-voting), Michael Kent (non-voting), BK White (non-voting)

Absent: Marisol Cantó, Kevin Ruano Hernandez, Stephanie Wright, Roberta Feliciano (non-voting)

Also Present: Air District Staff, Alexander Crockett, Barry Young, Diana Ruiz, Eric Lara, Grace Leung, Greg Nudd, Janet Carrasco, Karissa White, Laura Cackette, Marcia Raymond, Meredith Bauer, Nina Garde, Rayne Chiang, Samuel Garcia, Stephen Reid, Stephen Low, Viet Tran, Wendy Goodfriend, and MIG staff, Joey Nielsen, Ramona McCabe; Interpreter Norma Herrera; Members of the Public Bill Weston, Emily Pimentel, Manuel Villa, VC

### **2. PUBLIC MEETING PROCEDURE**

#### Public Comments

None.

### **3. APPROVAL OF THE MINUTES OF December 4, 2023**

00:09:16

The Committee reviewed the meeting agenda and approved the December 4, 2023, Meeting Minutes with a show-of-hands vote.

Committee Comments

None

Staff Comments

None

Committee Action

Co-Chair Y'anad Burrell made a motion, seconded by Jessica Range, to approve the minutes of the December 4, 2023 meeting. The motion carried by the following vote of the Committee:

**AYES:** Co-Chair Alfredo Angulo and Y'anad Burrell, and Members Lucia Castello, Suzanne Coffee, Jessica Range, Franklin Ungo, Nancy Aguirre, Jeffrey Kilbreth, Lizbeth Ibarra, Dr. Omoniyi Omotoso, Dave Severy, and Simren Sandhu

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Marisol Cantó, Kevin Ruano Hernandez, Stephanie Wright

Public Comments

None.

4. **RULE 6-5 AGREEMENTS**

00:13:05

The Path to Clean Air Steering Committee and the public received a brief presentation from Sandy Crockett, General Counsel for the Air District, on Rule 6-5 Agreements.

Committee Comment

Committee Member BK White discussed the automation of the flare system and asked about manual pulls. He also asked what the Air District would do to ensure the automation system is implemented and enforced.

Air District Staff Sandy Crockett responded and mentioned that several violations were related to automated monitoring and for flare gas management. He mentioned that having automated systems would reduce the number of violations and there would be inspectors to ensure that the automations are implemented.

Committee Member Jeffrey Kilbreth thanked the Air District for their work on the agreements and asked about Chevron's causal analysis and flare mitigation plan implementation, and what the community can do to impact the goals that Chevron sets. He also asked about the information that Chevron will produce related to the number of emissions released during the flaring events.

Committee Member Kilbreth emphasized that the report that Chevron produces needs to include clearly presented information related to flaring events and the pollutants, and that the Air District should not “bet the ranch” on the reports that Chevron produces.

Air District Staff Sandy Crockett discussed how Chevron’s efforts to identify recurring problems was not the only way the Air District will be looking at reducing the flaring events and reviewed some of the other methods the Air District is taking. He shared that Chevron’s plan will engage with community members and serve as an additional way to increase awareness of the issues.

Committee Member Lucia Castello asked about the payments that Chevron would be making, where the payments would go, how they would be distributed, and what that process would look like.

Air District Staff Sandy Crockett responded by discussing the Community Air Quality fund and how it is earmarked. He shared that the Air District will be talking with the CSC more about payment distribution and what ideas the committee may have. He also discussed the penalty funds and how those were collected and spent

Committee Member Nancy Aguirre asked for clarification on the self-monitoring from Chevron and what that monitoring looks like in the settlement. She also emphasized that the Air District should be pro-workers and not accept the excuse Chevron provided that put the blame on the workers. Committee Member Aguirre also asked Air District staff if the settlement could be pulled back from the side of Chevron and if they could go back to their lawsuit.

Air District Staff Sandy Crockett let the CSC know that the settlement is binding, and Chevron will not be able to back out. He also discussed training for management and operators to ensure they have the understanding and training to reduce the flaring. Air District Staff Crockett also talked about self-monitoring and the rules in place from the Air District that involve inspections to ensure everything is working properly.

Committee Member Michael Kent asked in the chat if the Air District had ideas yet regarding the emission reduction measures that may be implemented.

Air District Staff Sandy Crockett responded by letting the CSC know the Air District will be seeking input from the committee on reducing PM emissions or exposures in the vicinity of the refinery.

Co-Chair Alfredo Angulo asked a follow-up question about the timing (when and where) for the conversations of the types of emissions reduction measures that may be implemented and if those conversations would be held with the CSC.

Air District Staff Sandy Crockett mentioned that it was still early in the process, but that the Air District would want to hold conversations with the CSC. He deferred to Air District Staff Wendy Goodfriend to provide more detail on the timing.

Air District Staff Wendy Goodfriend mentioned there was not a plan yet for timing, but that the Air District would want to hold a deeper dive conversation and breakout conversations around flaring, penalty policies, and air quality funds. She mentioned there would be follow up, but that the conversations would be independent from the CSC meetings.

Committee Member Jessica Range expressed gratitude for the Air District in getting to the settlement and speaking with the CSC and expressed support for the CSC's involvement in the discussion about the penalty and fines and how those would be distributed.

Co-Chair Y'anad Burrell asked if the \$20 million initial payment could be used to fund new projects or if it could only apply to existing projects. She expressed that a communications gap still exists, especially to organizations that may be under the radar of the Air District and CSC, but who may be the most impacted. She expressed the need for education and outreach to engage different groups that may not be involved in current projects.

Co-Chair Alfredo Angulo asked about the requirement of a communication medium from Chevron regarding incidents and if there was any oversight the Air District would have over that medium to ensure the information that Chevron distributes is accurate. He brought up the point that the community has distrust in Chevron, so there should be some oversight into what information they release. Alfredo also expressed gratitude on behalf of the CSC for all the work that has been done and how the Air District has stood up for the community through the years of litigation.

Air District Staff Sandy Crockett mentioned that the Air District wanted Chevron to get out into the community and host meetings to talk about what they have been doing and respond to community input. He mentioned that Chevron is required to partner with a community-based organization to ensure they conduct outreach in a meaningful way, but that this process was not designed to be the final step to ensure Chevron changes their practices.

Committee Member BK White mentioned in the chat that the conversation around the Rule 6-5 agreements is about treating the symptoms and not the disease. Committee Member Nancy Aguirre stated that the comments in the chat were important and needed to be included as part of the record.

Committee Member Jeffrey Kilbreth asked if Committee Member BK White could clarify his comment in the chat about treating the symptoms and not the disease. Committee Member BK White responded that his comment was related to the conversations of automation and how there was a lack of source control in the discussion. He mentioned that there needs to be conversations that prevent the source of the issues and prevent the flaring events from occurring.

Co-Chair Alfredo Angulo expressed agreement with Committee Members BK White and Jeffrey Kilbreth on how the Air District should be taking the lead on holding Chevron accountable and leading the studies on impacts.

#### Public Comment

None.

#### Committee Action

None; receive and file.

## 5. **AD HOC UPDATES**

01:00:21

The Path to Clean Air Steering Committee and the public received updates on the active Ad Hoc working groups.

#### Committee Comment

Committee Member Jessica Range reported an update on the Governance Ad Hoc. She discussed the completed tasks, including a survey sent to CSC members to review recommended changes to the Charter; review of the survey comments on suggested changes; and incorporation of comments into the revised Charter. She also provided details for next steps, which included leadership nomination once the Charter is approved.

Committee Member Dr. Omotoso expressed gratitude and appreciation for the work the Governance Ad Hoc has done to compile the feedback of the CSC and reach out to individual committee members to ensure their comments were captured.

#### Public Comment

None.

#### Committee Action

None; receive and file.

### **6. COMMUNITY ENGAGEMENT AND OUTREACH STANDING COMMITTEE UPDATE**

01:04:41

The Committee and the public received a presentation from Committee Member Dave Severy on updates from the Community Engagement and Outreach Standing Committee

#### Public Comments

None.

#### Committee Comments

Co-Chair Y'anad Burrell mentioned that, although the comment period was over, the Community Engagement and Outreach Standing Committee will continue to do outreach and asked for CSC members to continue to share information on groups and organizations that the committee could reach out to.

Committee Member Dave Severy emphasized Co-Chair Y'anad's comment and expressed his desire for CSC members to continue to provide input on groups to engage with even if they may have been mentioned already.

### **7. REVIEW REVISED PTCA CSC CHARTER**

01:17:58

The Committee and the public received a presentation from Committee Member Jessica Range on Revisions to the PTCA CSC Charter.

Public Comments

None.

Committee Comments

Co-Chair Y'anad Burrell expressed gratitude for all the work from the CSC and asked for members to keep in mind that the committee is a volunteer effort and that commitment expectations should be considered for anyone who may be interested in leadership positions once the Charter is adopted.

Committee Member Nancy Aguirre mentioned that the Governance Ad Hoc Committee was indebted to Committee Member Jessica Range for the work that she has done in compiling all the comments from the CSC and in clarifying those comments.

Committee Action

Committee Member Dr. Omotoso made a motion, seconded by Co-Chair Y'anad Burrell, to approve the revisions to the PTCA CSC Charter. The motion carried by the following vote of the Committee:

**AYES:** Co-Chair Alfredo Angulo and Y'anad Burrell, and Members Lucia Castello, Jessica Range, Dr. Omoniyi Omotoso, Heidi Swillinger, Nancy Aguirre, Dave Severy, Suzanne Coffee, Franklin Ungo, Michelle Gomez, Lucia Castello, Jeffrey Kilbreth, Simren Sandhu, Lizbeth Ibarra

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Marisol Cantó, Kevin Ruano Hernandez, Stephanie Wright

**8. REPORT OUT ON PUBLIC COMMENT**

01:34:20

The Committee and the public received a presentation from Air District Staff Wendy Goodfriend highlighting the summary of public comments.

Public Comments

None.

Committee Comments

Committee Member Nancy Aguirre asked if there were any public comments that made Air District staff consider changes to parts of the Plan.

Committee Member Lucia Castello mentioned that the commentary about warehouse development and mobile sources was also noted in the land-use section. She also asked about the comments regarding more public health education around air pollution and its impacts and stated that there didn't seem to be a substantial response to those requests and comments.

## 9. **RECOMMENDED CHANGES TO DRAFT PLAN**

01:45:47

The Committee and the public received the second presentation from Air District Staff Wendy Goodfriend on recommended changes to the Draft PTCA Plan.

### Public Comments

None.

### Committee Comments

Committee Member Heidi Swillinger asked if the Air District staff would highlight the non-substantive changes on the updated draft.

Air District Staff Wendy Goodfriend responded by letting the CSC know that the Air District will create a summary of changes, excluding grammar or formatting changes, as part of the final approval package. She mentioned that they will not publish a version to the public with track changes included, but that they will be keeping track of all changes that are more than just grammar changes.

Committee Member Sandra Castañeda asked in the chat if there would be any appeals period as part of the process.

Air District Staff Wendy Goodfriend responded by saying there was not an appeal process. Air District Staff Greg Nudd concurred.

Committee Member Dr. Omoniyi Omotoso mentioned in the chat that April 22<sup>nd</sup> is also the date of the CSC meeting, so there could be a possibility for the CSC to move their April meeting so it would not conflict with CEHJ meeting.

Committee Member Nancy Aguirre expressed the desire for the Plan's language to be strong and contain action-oriented language, not passive voice. Committee Member Aguirre stated that it would be helpful to see the changes that would be made to the Plan.

Air District Staff Wendy Goodfriend shared that changes would only be made where clarification was needed, and there would not be substantive changes made to avoid changing meaning, voice, or how the document reads. She also responded to Dr. Omotoso's comment regarding the scheduling conflict with the CEHJ meeting and suggested canceling the CSC meeting to allow members to join the CEHJ meeting instead.

Committee Member Jessica Range asked what would happen at the CEHJ and Board meeting if they chose to make substantive changes to the Plan and wanted to know if there would be a report back to the CSC of any substantive changes they recommend.

Air District Staff Wendy Goodfriend responded by saying that if there are any substantive changes that are needed, then they would postpone the board adoption process to consult with the CSC.

Committee Member Jeffrey Kilbreth expressed how the words “significant” and “insignificant” could be taken the wrong way by those who made the comments, and that Air District staff should consider the use of that language in the final Plan. Committee Member Kilbreth also mentioned that it could seem like some of the comments were disregarded, and it may be good to respond to some of those comments in a way that wouldn’t impact the schedule of the Plan adoption. Committee Member Kilbreth mentioned that the Rule 6-5 settlement had not happened when the Plan was written, so the fuel refining section is not reflective of what the CSC and Air District have to work with now that the settlement has been agreed upon.

Air District Staff Wendy Goodfriend clarified the use of the terms substantive and non-substantive, which refer to the level of change being suggested, not to the value of the comment. She also discussed how the public comments were being addressed and incorporated in the changes that were being made. She emphasized that no comments were being dismissed as insignificant.

#### Committee Action

Committee Member Jessica Range made a motion, seconded by Committee Member Nancy Aguirre, to approve the Air District staff to make non-substantive changes to the Draft PTCA Plan. The motion carried by the following vote of the Committee:

**AYES:** Co-Chair Alfredo Angulo and Y’anad Burrell, and Members Jessica Range, Dr. Omoniyi Omotoso, Heidi Swillinger, Nancy Aguirre, Dave Severy, Suzanne Coffee, Franklin Ungo, Michelle Gomez, Lucia Castello, Jeffrey Kilbreth, Simren Sandhu, and Lizbeth Ibarra

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Marisol Cantó, Kevin Ruano Hernandez, Stephanie Wright

## **10. ENVIRONMENTAL JUSTICE UPDATES**

02:20:50

The Path to Clean Air Steering Committee and the public will share and receive Environmental Justice updates.

#### Committee Comments



Committee Member Sandra Castañeda informed the CSC that the City of San Pablo is bringing forward its General Plan Housing Element and Environmental Justice Element to its Planning Commission for Recommendation for Adoption, and it includes Environmental Justice updates. She invited CSC members to attend the hybrid meeting and provided the link in the chat.

Co-Chair Alfredo Angulo reminded CSC members of the announcement that was made earlier by Air District staff on how they would be attending the Richmond City Council to talk about the settlement from Rule 6-5.

Public Comments

None.

**11. PUBLIC COMMENTS 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 for the meeting will have two minutes each to address the Committee.

Public Comment

None.

**12. COMMITTEE MEMBER COMMENTS**

Any member of the Committee, or its staff, on his or her 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 activities, and 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. (Government Code § 54954.2)

Committee Comments

None.

Public Comments

None.

Committee Action

None; receive and file.

**13. TIME AND PLACE OF NEXT MEETING**

Monday, March 25, 2024, at 5:30 p.m., Zoom Video Conferencing

Zoom Log In: <https://us06web.zoom.us/j/86200772111>

Webinar ID:  
862 0077 2111

14. **ADJOURNMENT**

The Committee meeting was adjourned by Co-Chair Y'anad Burrell at 8:00 pm.

Minutes prepared by MIG, Inc.