

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

March 25, 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 5:34 pm.

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

Absent: Franklin Ungo, Kevin Ruano Hernandez, Roberta Feliciano (non-voting), Michael Kent (non-voting)

Also Present: Air District Staff, Barry Young, Dan Alrick, Diana Ruiz, Eric Bissinger, Eric Lara, Greg Nudd, Jenn McGovern, Karissa White, Kate Hoag, Laura Cackette, Marcia Raymond, Nina Garde, Paul Hibset, Samuel Garcia, Song Bai, Stephen Low, Suma Peesapati, Wendy Goodfriend, and MIG staff, Joey Nielsen, Ramona McCabe; Interpreter Norma Herrera; Members of the Public Alison LaBonte, Banke Abioye, Craig, Jim McCarty, Peter Nguyen, T. Osterberg, Tony

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

#### Public Comments

None.

### **3. APPROVAL OF THE MINUTES OF February 26, 2024**

00:07:55

The Committee reviewed the meeting agenda and approved the February 26, 2024, Meeting Minutes with a show-of-hands vote.

Committee Comments

None

Staff Comments

None

Committee Action

Committee Member Heidi Swillinger made a motion, seconded by Lucia Castello, to approve the minutes of the February 26, 2024, meeting. The motion carried by the following vote of the Committee:

**AYES:** Co-Chair Alfredo Angulo and Y’anad Burrell, and Members Nancy Aguirre, Marisol Cantú, Lucia Castello, Sandra Castañeda, Suzanne Coffee, Michelle Gomez Garcia, Lizbeth Ibarra, Jeffrey Kilbreth, Jessica Range, Simren Sandhu, Dave Severy

**NOES:** None.

**ABSTAIN:** Dr. Omoniyi Omotoso, Heidi Swillinger

**ABSENT:** Franklin Ungo, Kevin Ruano Hernandez

Public Comments

None.

4. **AD HOC UPDATES**

00:11:08

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

Committee Comment

None.

Public Comment

None.

Committee Action

None; receive and file.

5. **COMMUNITY ENGAGEMENT AND OUTREACH STANDING COMMITTEE UPDATE**

00:12:51

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

Committee Comment

None.

Public Comment

None.

Committee Action

None; receive and file.

6. **DRAFT FINAL PTCA PLAN**

00:16:07

The Committee and the public received a presentation from Air District Staff Wendy Goodfriend on the Draft Final Path To Clean Air Plan.

Public Comments

None.

Committee Comments

Committee Member Heidi Swillinger expressed her thanks to the Air District staff for everything they did to help the committee get to the point of adoption. She also extended her gratitude to the CSC members.

Committee Member Marisol Cantú also thanked staff, CSC members, and community members, especially those who submitted public comments to help the committee formulate the plan. She expressed her excitement for the implementation phase, but also shared her wariness because many plans fail during this phase.

Co-Chair Alfredo Angulo echoed the sentiments of Committee Members Cantú and Swillinger and thanked the CSC members for their dedication over the previous 3 years. He also thanked the Air District staff for their commitment to working with the committee and helping to guide them through the process. He emphasized the importance of following through into the implementation, noting that the work does not stop once the Plan is adopted.

Co-Chair Y'anad Burrell reflected on the beginning of the process to start the committee and expressed her gratitude to all the Air District staff and CSC members for their work.

Committee Action

Co-Chair Alfredo Angulo made a motion, seconded by Committee Member Dr. Omoniyi Omotoso, to approve the Draft Final Path to Clean Air Plan. The motion carried by the following vote of the Committee:

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

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Franklin Ungo, Kevin Ruano Hernandez

## 7. **LEAD NOMINEES PANEL DISCUSSION AND CSC ELECTS THREE LEADS**

00:32:43

The Committee and the public received a presentation from Air District Staff Nina Garde on the lead nominee's panel. Each nominee was asked a series of questions related to their role as leads and they responded before the CSC voted for the three leads. The two questions asked of nominees were as follows:

1. What would you choose as your top three priorities for implementing our CERP in the coming year?
2. As a CSC Lead, please describe at least one proposal you would hope to implement to improve CSC engagement and collaboration with Air District Staff.

### Public Comments

None.

### Committee Comments

Committee Member Jessica Range thanked the 4 nominees for stepping up to take on the important role of Lead.

Committee Member Heidi Swillinger expressed her gratitude for the thoughtful answers the nominees had on engaging the steering committee members.

Committee Member Suzanne Coffee asked if it would be possible to have 4 Leads instead of 3.

Air District Staff Wendy Goodfriend responded to Suzanne letting her know the Charter had input from all the CSC members, and in the Charter, it called for 3 Leads and not 4.

Co-Chair Alfredo Angulo echoed his thanks to the nominees for stepping up to serve in leadership roles.

Committee Heidi Swillinger thanked Co-Chairs Alfredo Angulo and Y'Anad Burrell for their leadership over the past three years.

Committee Action

Committee Member Heidi Swillinger made a motion, seconded by Lucia Castello, to recommend the CSC vote to elect Marisol Cantú as one of the three Leads of the steering committee for the Path to Clean Air.

**AYES:** Co-Chair Alfredo Angulo, and Members Nancy Aguirre, Marisol Cantú, Lucia Castello, Suzanne Coffee, Michelle Gomez Garcia, Lizbeth Ibarra, Jeffrey Kilbreth, Dr. Omoniyi Omotoso, Jessica Range, Simren Sandhu, Dave Severy, Heidi Swillinger

**NOES:** None.

**ABSTAIN:** Co-Chair Y'Anad Burrell

**ABSENT:** Franklin Ungo, Kevin Ruano Hernandez

Committee Member Suzanne Coffee made a motion, seconded by Heidi Swillinger, to recommend the CSC vote to elect Nancy Aguirre as one of the three Leads of the steering committee for the Path to Clean Air.

**AYES:** Co-Chair Alfredo Angulo and Y'Anad Burrell, and Members Nancy Aguirre, Marisol Cantú, Lucia Castello, Suzanne Coffee, Michelle Gomez Garcia, Lizbeth Ibarra, Jeffrey Kilbreth, Jessica Range, Simren Sandhu, Dave Severy, Heidi Swillinger

**NOES:** None.

**ABSTAIN:** Members Dr. Omoniyi Omotoso

**ABSENT:** Franklin Ungo, Kevin Ruano Hernandez

Committee Member Jessica Range made a motion, seconded by Jeffrey Killbreth, to recommend the CSC vote to elect Dr. Omoniyi Omotoso as one of the three Leads of the steering committee for the Path to Clean Air.

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

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Franklin Ungo, Kevin Ruano Hernandez

Committee Member Nancy Aguirre made a motion, seconded by Heidi Swillinger, to recommend the CSC vote to elect Y'Anad Burrell as one of the three Leads of the steering committee for the Path to Clean Air.

**AYES:** Co-Chair Y'Anad Burrell, and Members Dr. Omoniyi Omotoso

**NOES:** None.

**ABSTAIN:** Co-Chair Alfredo Angulo, and Members Nancy Aguirre, Marisol Cantú, Lucia Castello, Suzanne Coffee, Michelle Gomez Garcia, Lizbeth Ibarra, Jeffrey Kilbreth, Jessica Range, Simren Sandhu, Dave Severy, Heidi Swillinger

**ABSENT:** Franklin Ungo, Kevin Ruano Hernandez

## 8. **FUNDING COMMUNITY BENEFITS FROM PENALTY FUNDS**

01:15:49

The Committee and the public received a presentation from Air District Staff Gregory Nudd on how penalty funds could be used to fund community benefits.

### Public Comments

None.

### Committee Comments

Committee Member Hakim Johnson asked if there would be an annual report made available to the public on how the money would be spent, similar to the current grant process.

Air District Staff Gregory Nudd responded saying that hadn't been decided yet, but that it would be a good idea.

Committee Member Marisol Cantú provided further details on how the Rule 6-5 funds were separate from the penalty policy that Air District Staff Gregory Nudd provided an overview of. She noted that the Air District decided that Chevron needed to pay a penalty fine of \$20 million from air quality violations and how this was the first penalty fine issued by any air district that would go back to the community. She also noted how the Community Advisory Council approved an annual review of how the money is spent, but that the committee is not talking about how the funds are spent, but instead how they are distributed. Marisol informed the CSC that the CAC agreed on an 80/20% split on the penalty fees.

Air District Staff Gregory Nudd emphasized that there are no environmental agencies or air districts in the country that have implemented a similar policy.

Committee Member Jeffery Killbreth expressed that he thought the penalty fine distribution program was great, but he asked about the benefits that the CSC would want to get out of the fine. He asked if public health research on the impact of pollutants would be possible if the fines were split between different communities.

Air District Staff Gregory Nudd responded letting the committee know the penalty money was not very restricted, so the Air District Board could direct the money to be spent in any way that would be within the purchasing regulations of a government agency. If the community wanted to spend money on epidemiological research that could be something that could be possible.

Committee Member Jeffrey Killbreth followed up on his question asking how the CSC could team up with multiple agencies or research institutions to get the best value out of the penalty fines.

Committee Member Nancy Aguirre asked about the percentage of fines going to the Air District and if that was before it was split between regional and local funds, and if the administrative fee was taken off the top of after the funds were split.

Air District Staff Gregory Nudd again reviewed the Option 1 slide and discussed how the Air District fee would be determined based on the size of the penalty fee and if the budget minimum had been met or not. He emphasized that the budget was important to ensure that there was a strong enough enforcement program that could then ensure better compliance and possible more penalty fines to fund community benefits.

Committee Member Nancy Aguirre asked a follow-up clarification question on how the administrative fees would come from two different buckets – one off the top and the other that goes with the program from whichever bucket it comes from.

Air District Staff Gregory Nudd emphasized that if there were any fines over \$100k then there would be community benefits that would come with that fee regardless of if the Air District's budget was met.

Committee Member Jessica Range asked if the Air District has considered a circumstance where there was extra money in the community benefits fund and no projects the community has identified their support for. She asked if there was any discussion on what to do with funds that were not spent, how long they would stay in the fund, if they could be invested into accruing additional funding, or if it would be rolled over.

Air District Staff Gregory Nudd responded, letting the CSC know they have discussed the idea of having extra funds but decided that there was so much that needed to be done that it was unlikely to be an issue. He mentioned that there were some communities that might not have the large need and there may be an example of extra funds that could be reallocated to the regional fund or work with the County to fund some projects that have not been addressed.

## 9. **FUEL REFINING AD HOC: CSC PENALTY POLICY RECOMMENDATIONS**

01:47:34

The Committee and the public received a presentation from Committee Member Lucia Castello on the Committee's Penalty Policy Recommendations.

### Public Comments

None.

### Committee Comments

Co-Chair Alfredo Angulo noted that this was a great recommendation, and that the recommendation should be aligned with the policy outlined in the CERP. He also expressed his appreciation for the Fuel Refining Ad Hoc.

### Committee Action

Committee Member Marisol Cantú made a motion, seconded by Committee Member Dr. Omoniyi Omotoso, to recommend the CSC directs the Fuel Refining Ad Hoc to finalize and send a letter to the Air District Board of Directors with recommendations regarding the Air District proposed penalty policy. The motion carried by the following vote of the Committee:

**AYES:** Co-Chair Alfredo Angulo and Members Nancy Aguirre, Marisol Cantú, Lucia Castello, Michelle Gomez Garcia, Lizbeth Ibarra, Jeffrey Kilbreth, Dr. Omoniyi Omotoso, Jessica Range, Simren Sandhu, Dave Severy, Heidi Swillinger

**NOES:** None.

**ABSTAIN:** Co-Chair Y’Anad Burrell and Member Suzanne Coffee

**ABSENT:** Franklin Ungo, Kevin Ruano Hernandez

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

01:59:58

The April CSC Meeting is canceled with concurrence from CSC co-chairs due to the conflict with the Community Equity Health and Justice (CEHJ) meeting. In place of the meeting there will be a learning session on the Rule 6-5 Settlement Agreement Community Air Quality Fund, which has yet to be scheduled, but there will be further information ASAP.

The CEHJ will be hybrid on April 22, 2024, at 5:30pm. The on-site location will be the City of San Pablo City Hall Council Chambers, 1000 Gateway Ave, San Pablo, CA 94806 and a Zoom link will be provided to the public and on the BAAQMD website for those who wish to join virtually.

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

02:01:51

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. ADJOURNMENT**

The Committee meeting was adjourned by Co-Chair Alfredo Angulo at 7:42 pm.