



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## BOARD OF DIRECTORS SPECIAL MEETING

June 3, 2020

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY  
EXECUTIVE ORDER N-29-20 ISSUED BY  
GOVERNOR GAVIN NEWSOM**

- **MEMBERS OF THE BOARD OF DIRECTORS MUST PARTICIPATE BY  
TELECONFERENCE**
- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST OF  
THE MEETING BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S  
AGENDA WEBPAGE FOR THE MEETING AVAILABLE AT**

**[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)**

**PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR  
WEBINAR ID: 949 2491 5142**

**<https://bayareametro.zoom.us/j/94924915142>**

- **PUBLIC COMMENTS WILL BE TAKEN DURING THE TELECONFERENCE.  
INSTRUCTIONS WILL BE PROVIDED ON HOW TO COMMENT AT THE START  
OF THE MEETING. COMMENTS MAY ALSO BE SUBMITTED AT**

**[Comments@baaqmd.gov](mailto:Comments@baaqmd.gov)**

# BOARD OF DIRECTORS SPECIAL MEETING AGENDA

WEDNESDAY  
JUNE 3, 2020  
9:00 A.M.

Chairperson, Rod Sinks

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

**PUBLIC MEETING PROCEDURE**

*The Board Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Board members.*

*This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.*

***Email Comment on Agenda Items:** The public may comment on each item on the agenda. Email Comments for items on the agenda must be submitted to [Comments@baaqmd.gov](mailto:Comments@baaqmd.gov) prior to the Board taking up the particular item and indicate the agenda item to which the comment relates. Emailed comments will be considered as the agenda item is taken up by the Board. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.*

**CLOSED SESSION**

2. **CONFERENCE WITH LABOR NEGOTIATORS (Government Code § 54957.6(a))**

***Agency Negotiators:** Jack P. Broadbent, Executive Officer/APCO  
Rex Sanders, Chief Administrative Officer*

***Employee Organizations:** Bay Area Air Quality Management District Employees' Association, Management, and Confidential Employee Groups*

**OPEN SESSION BEGINNING AT 9:30 A.M.**

**CONSENT CALENDAR (ITEMS 3-13)**

Staff/Phone (415) 749-

3. Minutes of the Board of Directors Special Budget Hearing Meeting and Special Meeting of May 6, 2020

Clerk of the Boards/5073

*The Board of Directors will consider approving the draft minutes of the Board of Directors Special Budget Hearing Meeting and Special Meeting of May 6, 2020.*

4. Board Communications Received from May 6, 2020 through June 2, 2020

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*A copy of communications directed to the Board of Directors received by the Air District from May 6, 2020 through June 2, 2020, if any, will be distributed to the Board Members by way of email.*

5. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of April 2020

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the month of April 2020.*

6. Authorization to Execute a Contract with Contra Costa County to Support the County's Green and Healthy Homes Initiative

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract with Contra Costa County in an amount not to exceed \$100,000 to support the County's Green and Healthy Homes Initiative.*

7. Authorization to Extend and Increase Funds for a Contract with Kearns and West for Implementation of the Bay Air Center

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to extend and increase funding for the existing contract with Kearns and West in an amount not to exceed \$1,013,000 between July 2020 to June 2022 to further develop the Bay Air Center and continue to provide technical assistance to Bay Area communities.*

8. Authorization to Execute a Master Services Agreement Contract with West Oakland Environmental Indicators Project to Support Assembly Bill (AB) 617 Implementation

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to execute a Master Services Agreement (MSA) contract in an amount not to exceed \$100,000, with West Oakland Environmental Indicators Project to support AB 617 Community Emission Reduction Plan.*

9. Authorization to Extend the Contract and Execute a Purchase Order with Direct Mail Center in Excess of \$100,000 for Public Notice Expenses

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to execute contract amendments to extend existing contract with Direct Mail Center and authorize Purchase Order in excess of \$100,000 for public notice expenses.*

10. Authorization for a Funded Partnership Agreement with the Metropolitan Transportation Commission (MTC) on Database Development  
**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to enter a funded Partnership Agreement with the Metropolitan Transportation Commission (MTC) for an amount not to exceed \$300,000.*

11. Consider Approving the Proposed Memorandum of Understanding (MOU) between the Bay Area Air Quality Management District and the Bay Area Air Quality Management District Employees' Association (EA) and to Approve Changes to the Salaries and Benefits of the Management and Confidential Units  
**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider approving the proposed Memorandum of Understanding (MOU) between the Bay Area Air Quality Management District and the Bay Area Air Quality Management District Employees' Association (EA) and approve changes to pay and benefits of non-represented employee groups.*

12. Consider Approval of Employee Contract Amendments for the Executive Officer/APCO  
**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider approving the Employee Contract Amendments for the Executive Officer/APCO.*

13. Consider Approval of Employee Contract Amendments for the District Counsel  
**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider approving the Employee Contract Amendments for the District Counsel.*

## **COMMITTEE REPORTS**

14. Report of the Advisory Council Meeting of May 12, 2020  
**BOARD LIAISON: R. Sinks**

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Council received the following reports:*

**A) Particulate Matter (PM) Symposium Overview**

*1) None; receive and file.*

**B) Community Particulate Matter (PM) Discussion Overview**

*1) None; receive and file.*

**C) Update on Air District Particulate Matter (PM) Potential Policy Strategies**

1) *None; receive and file.*

For the full Council agenda packet and materials, click on the link below:

<https://www.baaqmd.gov/about-the-air-district/advisory-council/agendasreports>

15. Report of the Technology Implementation Office Steering Committee Meeting of May 15, 2020  
CHAIR: C. Chavez  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Electric Vehicle (EV) Program Update**

1) *None; receive and file.*

**B) Climate Tech Finance Program Overview Update**

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

16. Report of the Mobile Source Committee Meeting of May 20, 2020  
CHAIR: D. Canepa  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Projects and Contracts with Proposed Grant Awards Over \$100,000**

1) *Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 12A (Agenda 3, Attachment 1 of May 20, 2020 Mobile Source Committee Meeting); and*

2) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

**B) Updates to the Transportation Fund for Clean Air (TFCA) Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending (FYE) 2021**

1) *Approve the proposed FYE 2021 TFCA Regional Fund Policies and Evaluation Criteria presented in Attachment 12B (Agenda 4, Attachment A of May 20, 2020 Mobile Source Committee Meeting).*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

17. Report of the Budget and Finance Committee Meeting of May 20, 2020

CHAIR: C. Groom

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following report:*

**A) Proposed Amendments to Air District Regulation 3: Fees**

- 1) *Adopt a new fee for implementation of Assembly Bill (AB) 617 on Title V Facilities for Fiscal Year Ending 2021; and*
- 2) *Revisit imposition of additional fees in October 2020, as the economic and facility activity level picture become clearer.*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

18. Report of the Community and Public Health Committee Meeting of May 20, 2020

CHAIR: S. Zane

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Recent Studies on COVID-19 and Particulate Matter**

- 1) *None; receive and file.*

**B) Air District Efforts to Encourage Teleworking**

- 1) *None; receive and file.*

**C) Contra Costa County Green and Healthy Homes Initiative**

- 1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

19. Report of the Personnel Committee Meeting of May 27, 2020

CHAIR: J. Spering

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

20. Report of the Legislative Committee Meeting of May 27, 2020

CHAIR: M. Abe-Koga

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive the following report:*

**A) Sacramento Legislative/Budget Update**

1) *None; receive and file.*

**B) Air District Sponsored Bills**

1) *None; receive and file.*

**C) State Legislation Update**

1) *The Legislative Committee (Committee) will discuss and review bills and take positions where appropriate. The Committee will also hear an update on further staff discussions regarding Senate Bill (SB) 802 (Glazer) and SB 1099 (Dodd) related to emergency backup generators.*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

**PUBLIC HEARINGS**

21. Public Hearing to Consider Adoption of Proposed Amendments to Air District Regulation 3: Fees and Approval of the Filing of a Notice of Exemption from the California Environmental Quality Act

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider adoption of proposed amendments to Air District Regulation 3: Fees that would become effective on July 1, 2020, and approval of a Notice of Exemption from the California Environmental Quality Act. The proposed fee amendments are designed to recover the costs of regulatory program activities in accordance with the Air District's Cost Recovery Policy.*

22. Public Hearing to Consider Adoption of the Air District's Proposed Budget for Fiscal Year Ending (FYE) 2021

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will hold a final Public Hearing and will consider the adoption of a resolution to approve the Proposed Budget for Fiscal Year Ending (FYE) 2021 and various budget related actions.*

## **PRESENTATIONS**

23. Health & Zip Code: Environmental Health Inequities from Dr. Anthony Iton  
**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*Dr. Anthony Iton, M.D., J.D., MPH, Senior Vice President for Healthy Communities at The California Endowment, and previous Alameda County Public Health Department Director and Health Officer, will provide a presentation to the Board of Directors on Health & Zip Code: Environmental Health Inequities.*

24. Air District Print and Online Annual Report  
**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will receive a presentation on the new 2019 interactive, online Annual Report which highlights the accomplishments of the Air District over the past year.*

25. Process for Appointment to the Air District's Advisory Council  
**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will receive a presentation on the process for appointment to the Air District's Advisory Council.*

## **PUBLIC COMMENT ON NON-AGENDA MATTERS**

26. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

*Emailed comments indicating the comment pertains to non-agenda matters will be considered under this item. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.*

## **BOARD MEMBERS' COMMENTS**

27. *Any member of the Board, or its staff, 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. (Gov't Code § 54954.2)*



## **OTHER BUSINESS**

28. Report of the Executive Officer/APCO

29. Chairperson's Report

30. Time and Place of Next Meeting:

*Wednesday, July 15, 2020, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.*

31. Adjournment

*The Board meeting shall be adjourned by the Board Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://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 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](http://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, Rex Sanders, at (415) 749-4951 or by email at [rsanders@baaqmd.gov](mailto:rsanders@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

### JUNE 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting	Wednesday	3	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source Committee	Wednesday	17	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee	Thursday	18	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee	Thursday	18	11:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Budget & Finance Committee - CANCELLED	Wednesday	24	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee - CANCELLED & RESCHEDULED TO THURSDAY, JUNE 25, 2020 AT 9:30 A.M.	Wednesday	24	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee – CANCELLED & RESCHEDULED TO THURSDAY, JUNE 18, 2020 AT 9:30 A.M.	Wednesday	24	11:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source Committee – CANCELLED & RESCHEDULED TO WEDNESDAY, JUNE 17, 2020 AT 9:30 A.M.	Wednesday	24	12:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee – CANCELLED & RESCHEDULED TO THURSDAY, JUNE 18, 2020 AT 11:30 A.M.	Wednesday	24	2:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Thursday	25	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
HL – 5/29/2020 – 10:40 A.M.				G/Board/Executive Office/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Minutes of the Board of Directors Special Budget Hearing Meeting and Special  
Meeting of May 6, 2020

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RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors Special Budget Hearing Meeting and Special Meeting of May 6, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Special Budget Hearing Meeting and Special Meeting of May 6, 2020.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Board of Directors Special Budget Hearing Meeting of  
May 6, 2020

Attachment 3B: Draft Minutes of the Board of Directors Special Meeting of May 6, 2020

## AGENDA 3A - ATTACHMENT

Draft Minutes - Board of Directors Special Meeting / Budget Hearing of May 6, 2020

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105  
(415) 749-5073

Board of Directors Special Meeting / Budget Hearing  
Wednesday, May 6, 2020

### **DRAFT MINUTES**

*Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

**This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.**

### **CALL TO ORDER**

1. Board of Directors (Board) Chairperson, Rod Sinks, called the meeting to order at 9:30 a.m.

#### **Roll Call:**

Present: Chairperson Rod Sinks; Vice Chairperson Cindy Chavez; Secretary Karen Mitchoff; and Directors Margaret Abe-Koga, Teresa Barrett, John Bauters, David Canepa, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, David Hudson, Davina Hurt, Tyrone Jue, Liz Kniss, Nate Miley, Katie Rice, Mark Ross, Jim Spring, Brad Wagenknecht, Shamann Walton, Lori Wilson, and Shirlee Zane.

Absent: None.

### **PUBLIC HEARING**

2. **First Public Hearing on the Proposed Air District Budget for Fiscal Year Ending (FYE) 2021. A Final Public Hearing is scheduled for Wednesday, June 3, 2020 to Consider Adoption of the Proposed Budget for FYE 2021.**

NOTED PRESENT: Director Spring was noted present at 9:35 a.m.

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, introduced Dr. Jeff McKay, Chief Financial Officer, who gave the staff presentation *First Public Hearing on the Proposed Air District Budget for Fiscal Year Ending 2021*, including: outline; current Fiscal Year (FY) projections; financial history: actions taken during downturn; actual reserves and policy; staffing trend-filled positions; medical retirement: Other Post-Employment Benefits (OPEB); California

Public Employees' Retirement System (CalPERS) pension: historical Rate of Return and Funding Ratio; cost recovery trend; fees and cost recovery historical overview; General Fund revenue and expenditure trends; FYE 2021 revised Proposed Budget overview; FYE 2021 General Fund Proposed Budget revisions; General Fund revenue sources; capital budget; General Fund expenditures; capital budget; General Fund reserves; reserves projections assumptions; retirement liabilities; medical retirement plan; CalPERS pension plan; FYE 2021 Proposed Budget summary; actions taken; and future actions.

**Chair Sinks opened the first of two required public hearings for the exclusive purpose of considering testimony on the Air District's Proposed Budget for FYE 2021.**

#### Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; and Frances Keeler, California Council for Environmental and Economic Balance.

#### Board Comments

The Board and staff discussed reasons for increases in Air District personnel expenditures since 2017; the metric used to project a \$7 million dollar decrease in permit fees in 2021; how fluctuations of the CalPERS pension Rate of Return and Funding Ratio are determined and their future projections; whether Air District staff would wish to continue making discretionary CalPERS contribution and OPEB payments, were Assembly Bill (AB) 617 funding to be eliminated by the State; the services and supplies that are to be delayed or deferred in the FY 2021 General Fund Proposed Budget revisions; factors that need to change before Air District staff will feel comfortable recommending increases in (non AB 617) fees; entities who may be subjected to potential fee increases, and whether they will be able to pay those fee increases; the Air District's FYE 2021 available reserves burn rate, and whether reserves should be used to supplement AB 617; the need to be conscious about prioritizing staffing needs and managing the attrition rate; whether pension obligations should be increased; whether the Air District should continue to prioritize AB 617 if the State ceases to fund the program and potential consequences; the concern of increasing Air District fees during an economic downturn and how that could affect businesses; the suggestion of not reducing retirement liabilities, despite the economic downturn; CalPERS' anticipated rate change structure over the next several years; projections of Air District revenue during the pandemic; the number of businesses that are currently permitted by the Air District; the request for an upcoming presentation on cost containment; the request for a comparison of the State's AB 617 allocation in 2019 and the anticipated allocation for 2020; the status of California's Air Pollution Control Subvention Program; the possibility that a second, more severe COVID-19-related economic downturn may occur later in 2020, and the concern that the Proposed Budget for FYE 2021 does not sufficiently guard against such an event; and the request for another Budget and Finance Committee meeting prior to the June 3, 2020 Board meeting.

**Chair Sinks closed the public hearing.**

Board Action

None; receive and file.

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

3. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Public comments were given by Jed Holtzman, 350 Bay Area.

**OTHER BUSINESS**

4. **BOARD MEMBERS' COMMENTS**

Director Groom requested that the Budget and Finance Committee convene yet again prior to the June 3, 2020 Board meeting. Mr. Broadbent suggested the Committee meeting on May 20, 2020, and Directors Mitchoff and Canepa expressed concern at stacked meeting schedules.

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

The second and final Public Hearing on the Proposed Air District Budget for Fiscal Year Ending (FYE) 2021 is scheduled for Wednesday, June 3, 2020, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

6. **ADJOURNMENT**

The meeting adjourned at 11:06 a.m.

Marcy Hiratzka  
Clerk of the Boards

## AGENDA 3B –ATTACHMENT

Draft Minutes - Board of Directors Special Meeting of May 6, 2020

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105  
(415) 749-5073

Board of Directors Special Meeting  
Wednesday, May 6, 2020

### **DRAFT MINUTES**

*Note: Audio recordings of the meeting are available on the website of the  
Bay Area Air Quality Management District at  
[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

**This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.**

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, Rod Sinks, called the meeting to order at 11:11 a.m.

#### **Roll Call:**

Present: Chairperson Rod Sinks; Vice Chairperson Cindy Chavez; Secretary Karen Mitchoff; and Directors Margaret Abe-Koga, Teresa Barrett, John Bauters, David Canepa, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, David Hudson, Davina Hurt, Tyrone Jue, Liz Kniss, Nate Miley, Katie Rice, Mark Ross, Jim Spring, Brad Wagenknecht, Shamann Walton, Lori Wilson, and Shirlee Zane.

Absent: None.

### **CONSENT CALENDAR (ITEMS 2 - 9)**

2. Minutes of the Board of Directors Meeting of April 15, 2020
3. Board Communications Received from April 15, 2020 through May 5, 2020
4. Quarterly Report of the Executive Office and Division Activities for the Months of January 2020 – March 2020
5. Quarterly Report of California Air Resources Board Representative – Honorable John Gioia
6. Consideration of Authorization to Amend a Contract with Bentley Systems, Inc., for Roadway Telematics Data for Nine Counties
7. Consideration of Authorization for Execution of Purchase Orders in Excess of \$100,000 Pursuant to Administrative Code Division II Fiscal Policies and Procedures Section 4.3 Contract Limitations



8. Consideration of Authorization of a Contract Extension and Execution of a Purchase Order in Excess of \$100,000 to Technical and Business Systems Pursuant to Administrative Code Division II Fiscal Policies and Procedures, Section 4.3 Contract Limitations, for Continued Operation of the BioWatch Monitoring Network
9. Participation in Community Air Protection Program Fiscal Year Ending (FYE) 2020

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Cutter made a motion, seconded by Director Wagenknecht, to approve the Consent Calendar, Items 2 through 9, inclusive.

Director Bauters made a SUBSTITUTE MOTION, seconded by Director Cutter, to **approve** the Consent Calendar, Items 3 through 9, and Item 2, with the amendment that the “Board Action” section of Item 15 of the April 15, 2020 minutes includes its original motion; and the SUBSTITUTE MOTION **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Cutter, Gioia, Groom, Haggerty, Hudson, Hurt, Jue, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Walton, Wilson.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Chavez, Kniss, Miley, Spering, Zane.

**COMMITTEE REPORTS**

**10. Report of the Personnel Committee Meeting of April 15, 2020**

Personnel Committee Vice Chair, Brad Wagenknecht, read the following Committee report:

*The Committee met on Wednesday, April 15, 2020, under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference. The Committee approved the minutes of September 6, 2019 and February 5, 2020.*

*The Committee met in Closed Session to conduct performance evaluations for the Executive Officer and General Counsel and discuss labor negotiations with the Air District’s Employees Association. Following the Closed Session, Committee Chair Spering announced that contract amendments for the Executive Officer and General Counsel, as well as a new Memorandum of Understanding with the Employees Association, will be presented to the Board of Directors for approval at the same time.*

Draft Minutes - Board of Directors Special Meeting of May 6, 2020

*The next meeting of the Personnel Committee will be held at the call of the Chair. This concludes the Chair Report of the Personnel Committee.*

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

**11. Report of the Budget and Finance Committee Meeting of April 22, 2020**

Budget and Finance Committee Chair, Carole Groom, recited highlights from the following Committee report:

*The Committee met on Wednesday, April 22, 2020, under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference. The Committee approved the minutes of March 25, 2020.*

*The Committee reviewed and discussed the presentation Third Quarter Financial Report Fiscal Year Ending 2020.*

*The Committee then reviewed and discussed the staff presentation Proposed Amendments to Regulation 3; Fees. Staff requested the Committee consider recommending the Board adopting a new fee for implementation of Assembly Bill 617 on Title V Facilities, and that the Board revisit the imposition of additional fees later in 2020, as the economic and facility activity level picture become clearer. A motion to approve those recommendations, resulted in a tie and was not approved, and a substitute motion to adopt a new fee for implementation of AB 617 on Title V Facilities and proposed increases for Fee Schedules A, G-3, M, P, and W was also not approved. As a result, the Committee requested that staff return with additional analysis on the fee proposal at its next meeting.*

*Finally, the Committee reviewed and discussed the staff presentation Continued Discussion of Proposed Budget for Fiscal Year Ending 2021 and Consideration to Recommend Adoption. The Committee recommends the Board:*

- 1. Conduct public hearings on the Fiscal Year Ending 2021 Proposed Budget;*  
*and*
- 2. Adopt the Fiscal Year Ending 2021 Proposed Budget.*

*The next meeting of the Budget and Finance Committee was held on Wednesday, April 29, 2020, at 9:30 a.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. I move that the Board approve the Budget and Finance Committee's recommendations. This concludes the Chair Report of the Budget and Finance Committee.*

#### Public Comments

No requests received.

#### Board Comments

The Board and staff discussed the fact that although this was originally an action item, it would be best to postpone voting on the FYE 2021 Proposed Budget at this time, given the Board's robust conversation at the Budget Hearing held earlier in the day, and because the Budget and Finance Committee plans to meet one final time prior to the June 3, 2020 Board meeting.

#### Board Action

None.

#### 12. **Report of the Legislative Committee Meeting of April 22, 2020**

Legislative Committee Chair, Margaret Abe-Koga, read the following Committee report:

*The Committee met on Wednesday, April 22, 2020, under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference. The Committee approved the minutes of November 25, 2019, January 15, 2020, and April 15, 2020.*

*The Committee reviewed and discussed the staff presentation Sacramento Update, capturing the 2020-2021 State's Climate Budget and the tentative legislative calendar.*

*The Committee then reviewed and discussed the staff presentation Air District-Sponsored Bills, which provided updates on Assembly Bill 2882, which requires that private schools and charter schools meet the same siting requirements as public schools, and Assembly Bill 3211, which allows air districts to adopt local rules related to toxic air contaminants at indirect sources of air pollution, and also allows collection of data that will help air districts work with these sources and communities to reduce health impacts.*

*The Committee then reviewed and discussed the staff presentation Bills of Interest. The Committee received further information about Senate Bills 802 and 1099, which had been discussed by the Committee at its April 15<sup>th</sup> meeting, and caused concerns about the maintenance and testing language of the bills.*

*Finally, the Committee reviewed and discussed the staff presentation Federal Update, providing updates on the Air District's advocacy efforts for issues such as wildfire smoke, backup-generator use during public safety power shutoffs, electric vehicle charging infrastructure, and diesel emissions reduction.*

*The next meeting of the Legislative Committee will be on Wednesday, May 27, 2020, at 9:30 a.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. This concludes the Chair's Report of the Legislative Committee.*

Public Comments

No requests received.

Board Comments

Alan Abbs, Legislative Officer, explained that on April 15, 2020, the Board had voted to adopt the position of "oppose unless amended" for both Senate Bill (SB) 802 (Glazer) and SB 1099 (Dodd), which address the use of backup generators during emergency public safety power shutoffs. The staff-recommended position for both bills had been "oppose," but the Board requested that amended language be proposed to the bills' authors. In response to that request, Mr. Abbs reported that the authors and sponsors of both bills had been given proposed amended language to consider, and he anticipates that the bills will be heard on May 29, 2020, at the Senate Environmental Quality Committee.

Board Action

None; receive and file.

**13. Report of the Stationary Source Committee Meeting of April 22, 2020**

Stationary Source Committee Chair, John Bauters, read the following Committee report:

*The Committee met on Wednesday, April 22, 2020, under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference. The Committee approved the minutes of February 26, 2020.*

*The Committee reviewed and discussed the staff presentation Update on Rule Development Efforts.*

*The next meeting of the Stationary Source Committee will be held on Wednesday, June 24, 2020, at 12:00 p.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. This concludes the Chair report of the Stationary Source Committee.*

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

NOTED PRESENT: Directors Kniss, Miley, and Zane were noted present at 11:31 a.m.

**14. Report of the Mobile Source Committee Meeting of April 22, 2020**

Mobile Source Committee Chair, David Canepa, read the following Committee report:

*The Committee met on Wednesday, April 22, 2020, under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference. The Committee approved the minutes of March 25, 2020.*

*The Committee reviewed and discussed the staff presentation Projects and Contracts with Proposed Grant Awards Over \$100,000. The Committee recommends the Board:*

- 1. Approve recommended projects with proposed grant awards over \$100,000; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.*

*The Committee then reviewed and discussed the staff presentation Selection of Vehicle Buy Back Program Contractors. The Committee recommends the Board:*

- 1. Approve Environmental Engineering Studies, Inc. and Pick-N-Pull Auto Dismantlers as the vehicle retirement contractors and approve Direct Mail Center as the direct mail service contractor for the Fiscal Year Ending 2021 Vehicle Buy-Back Program;*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to execute contracts for:*
  - a. Vehicle scrapping and related services with Environmental Engineering Studies Inc. and Pick-N-Pull Auto Dismantlers, for a combined amount of up to \$7 million per year; and*
  - b. Direct mail services for the Vehicle Buy Back Program with Direct Mail Center for up to \$300,000 per year.*
- 3. Authorize the Executive Officer/Air Pollution Control Officer to extend these services and budgets for an additional three years, at the Air District's discretion, based on contractor performance.*

*Finally, the Committee then reviewed and discussed the staff presentation Fiscal Year Ending 2021 Transportation Fund for Clean Air County Program Manager Expenditure Plans. The Committee recommends the Board:*

- 1. Approve the allocation of new Transportation Fund for Clean Air revenue for the Carl Moyer Program for Fiscal Year Ending 2021; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into funding agreements with the County Program Managers for the funds to be programmed in Fiscal Year Ending 2021.*

*The next meeting of the Mobile Source Committee will be on Wednesday, May 27, 2020, at 11:00 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.*

#### Public Comments

No requests received.

#### Board Comments

None.

#### Board Action

Director Canepa made a motion, seconded by Director Kniss, to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Cutter, Gioia, Groom, Haggerty, Hurt, Jue, Kniss, Miley, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Walton, Wilson, Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Chavez, Hudson, Spering.

#### **15. Report of the Climate Protection Committee Meeting of April 22, 2020**

Chair Sinks read the following Committee report:

*The Committee met on Wednesday, April 22, 2020, under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference. The Committee approved the minutes of February 20, 2020.*

*The Committee received and discussed the staff presentation Climate Protection Program Update.*

*The next meeting of the Climate Protection Committee will be held Wednesday, June 24, 2020, at 2:00 p.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. This concludes the Chair report of the Climate Protection Committee.*

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

NOTED PRESENT: Vice Chair Chavez and Director Spering were noted present at 11:37 a.m.

**16. Report of the Budget and Finance Committee Meeting of April 29, 2020**

Budget and Finance Committee Vice Chair, John Bauters, read the following Committee report:

*The Committee met on Wednesday, April 29, 2020, under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference. The Committee approved the minutes of April 22, 2020. This meeting was called to revisit amendments to Air District Regulation 3: Fees.*

*The Committee reviewed additional information presented by Staff and discussed the presentation Proposed Amendments to Regulation 3: Fees. Following an exploration and discussion on several different fee options, the Committee recommends the Board:*

- 1. Adopt a new fee for implementation of Assembly Bill 617 on Title V Facilities for Fiscal Year 2021; and*
- 2. Revisit imposition of additional fees in October 2020, as the economic and facility activity level picture become clearer.*

*The next meeting of the Budget and Finance Committee will be held on Wednesday, July 23, 2020, at 9:30 a.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. I move that the Board approve the Budget and Finance Committee's recommendations. This concludes the Chair Report of the Budget and Finance Committee.*

Public Comments

Public comments were given by Frances Keeler, California Council for Environmental and Economic Balance; and Bob Brown, Western States Petroleum Association.

### Board Comments

The Board and staff discussed the proposed date of May 20, 2020, on which the Budget and Finance Committee will convene and what would be discussed at that meeting; whether the Board could still adopt a new fee for implementation of Assembly Bill 617 on Title V Facilities for Fiscal Year Ending 2021 today, even though the Budget and Finance Committee will meet on May 20, 2020; and when the AB 617 fee structure will take effect.

### Board Action

Director Bauters made a motion, seconded by Director Cutter, to **approve** the recommendations of the Budget and Finance Committee.

Director Bauters made a SUBSTITUTE MOTION, seconded by Director Cutter, to have the Budget and Finance Committee convene on May 20, 2020, and make a final recommendation regarding the FYE 2021 Proposed Budget and Regulation 3: Fees to be considered at the June 3, 2020 Board meeting; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Cutter, Gioia, Groom, Haggerty, Hurt, Jue, Miley, Mitchoff, Rice, Ross, Sinks, Spering, Wagenknecht, Walton, Wilson, Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Hudson, Kniss.

### PUBLIC COMMENT ON NON-AGENDA MATTERS

#### 17. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Public comments were given by Gladwyn D'Souza, Belmont resident; and Jed Holtzman, 350 Bay Area.

### BOARD MEMBERS' COMMENTS

#### 18. **Board Members' Comments**

Vice Chair Chavez spoke about an initiative that she is championing in Santa Clara County. Yesterday, the Santa Clara County Board of Supervisors considered recommendations relating to a telecommuting benefits analysis and framework for employees of the region, both public and private, during and after the COVID-19 pandemic.

In response to Vice Chair Chavez' comment, the subsequent comments were given;

- Chair Sinks said that Joint Venture Silicon Valley data on mega commuters, which could be helpful.



- Director Zane said that she would like to see this initiative agenzized at the Air District’s upcoming Community and Public Health Committee meeting.
- Director Ross asked how feasible it would be to enhance the already-existing Commuter Benefits Program to be more in alignment with this initiative.
- Vice Chair Chavez added that this is an opportunity to “package” measures, incentives, services, and challenges in a new way, and said that she welcomes collaboration with agencies and businesses throughout the Bay Area.
- Director Spring stated that it would be wise to consider the costs that may result from this type of strategy.
- Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, said that the Air District plans to maximize its telecommuting protocol and will encouraging other agencies to do this as well.

## **OTHER BUSINESS**

### **19. Report of the Executive Officer/Air Pollution Control Officer**

Mr. Broadbent announced the following:

- Erica Trask is now Acting Senior Executive Secretary, who will be supporting Mr. Broadbent.
- Dr. Judith Cutino, Health Officer, was asked to inform the Board of two research papers which will also be presented at the upcoming Community and Public Health Committee meeting. The first paper, from the Harvard T.H. Chan School of Public Health, investigated whether exposure to PM2.5 is associated with increased risk of COVID-19 mortality in the US. The second paper is from the University of Bologna, and it addressed the preliminary evidence of SARS-CoV-2 RNA genetic matter found on particulate matter filters. Both papers were published prior to peer-review. Director Rice suggested that the Air District monitors the reduction of air pollution from freight movement activities in California (Goods Movement). Mr. Broadbent said that it might be a good time for Aclima, a company hired by the Air District to deploy a hyperlocal air quality data program, to share its findings (thus far) on air pollutants and greenhouse gas emissions throughout the Bay Area. Chair Sinks requested a status report on the Air District’s Diesel Free by ‘33 initiative.

### **Public Comments**

Public comments were given by Jed Holtzman, 350 Bay Area.

### **20. Chairperson’s Report**

Chair Sinks announced the following:

- The Air & Waste Management Association’s (AMWA) 113<sup>th</sup> Annual Conference in San Francisco, scheduled for June 29, 2020, will be changed to a virtual format.

21. **Time and Place of Next Meeting**

Wednesday, June 3, 2020, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

22. **Adjournment**

The meeting adjourned at 12:21 p.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Board Communications Received from May 6, 2020 through June 2, 2020

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from May 6, 2020 through June 2, 2020, if any, will be distributed to the Board Members by way of email.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenaflor  
Reviewed by: Vanessa Johnson

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of  
April 2020

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

In accordance with Resolution No. 2012-08, attached to this memorandum is a listing of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the calendar months prior to this report.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The amounts of civil penalties collected are included in the Air District's general fund budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Brian C. Bungler

Attachment 5A: Notices of Violations for the Month of April 2020

**NOTICES OF VIOLATIONS ISSUED**

The following Notice(s) of Violations were issued in April 2020:

<b>San Francisco</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
SFPUC	Z6314	San Francisco	A56601A	4/29/2020	10	CCR Title 17 - 93105e(2)(a)Construction grading activity of NOA soil W/O BAAQMD approved ADMP.

<b>District Wide</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
ARE - San Francisco No 63, LLC	Z7477	Pasadena	A59354A	4/20/2020	CCR	17CCR 93105(e)(2)(A)2 Failure to abide by ADMP conditions.

**SETTLEMENTS FOR \$10,000 OR MORE REACHED**

There were 2 settlement(s) for \$10,000 or more completed in April 2020.

1) On April 15, 2020, the District reached settlement with Chevron Avon Terminal for \$10,000, regarding the allegations contained in the following 2 Notices of Violation:

<b>NOV #</b>	<b>Issuance Date</b>	<b>Occurrence Date</b>	<b>Regulation</b>	<b>Comments from Enforcement</b>
A56226A	8/16/2017	6/12/2017	8-5-322.1	Tear discovered on secondary seal of Tk-103
A58853A	10/5/2018	6/27/2018	8-5-322.1	Tear discovered on sec. seal of TK-104

2) On April 15, 2020, the District reached settlement with Chevron Products Company for \$146,500, regarding the allegations contained in the following 33 Notices of Violation:

<b>NOV #</b>	<b>Issuance Date</b>	<b>Occurrence Date</b>	<b>Regulation</b>	<b>Comments from Enforcement</b>
A55787A	10/26/2017	10/23/2017	1-301	5 confirmed complaints to Bio-reactor odor
A55788A	10/26/2017	10/24/2017	1-301	10 confirmed complaints to Bio-reactor odor
A57531A	9/12/2017	2/7/2017	10	Flaring @ FCC; H2S > 230 mg/dscm; dev 4790
A57545A	2/26/2018	10/19/2015	8-10-302.2	Opened vessel to atm w/o proper monitoring; Dev# 4363
A57545B	2/26/2018	10/19/2015	8-10-501	Opened vessel to atm w/o proper monitoring; Dev# 4363
A57545C	2/26/2018	10/19/2015	2-6-307	Opened vessel to atm w/o proper monitoring; dev 4363
A57549A	3/14/2018	9/28/2015	2-6-307	ESP TR sets operated w/ > 2 sets below 200mA; Dev 4324
A57549B	3/14/2018	9/28/2015	1-523.3	ESPTR Setts operated with > 2 sets below 200MA
A57550A	3/14/2018	3/22/2016	12-11-502.3	Failed to pull flare sample w/in required time frame; Dev 4486
A57552A	5/17/2018	3/1/2016	10	Failed to inspect R650 as required in 40 CFR 60.592(a) Dev 4719
A57552B	5/17/2018		8-18-401.2	

A58128A	4/18/2018	1/25/2012	8-18-401.3	Failed to inspect 6 inaccessible PRD's Dev# 4725
A58129A	5/17/2018	12/16/2016	12-11-502.3.1	1 flare sample were not compliant with reg. 12-11 Dev #4724
A58130A	4/18/2018	10/7/2016	8-10-501	Not monitored
A58130B	4/18/2018		2-6-307	Permit condition non-compliance
A58133A	7/16/2018	10/24/2016	2-6-307	Failed to submit SD notification within 48 hrs Dev. 4678
A58134A	7/16/2018	5/10/2016	2-6-307	Failed to conduct source test within 60 days of source start up Dev. 4619
A58135A	7/16/2018	9/17/2016	2-6-307	Failed to minimize leak within 24 hrs; failed to submit notification within 10 days of discovery
A58135B	7/16/2018		8-18-302	Failed to minimize leak within 24 hrs; failed to submit notification within 10 days of discovery
A58136A	9/25/2018	4/23/2018	9-1-307	SO2 from SRU #37 >250 ppm, Dev 5138 RCA 07G87
A58137A	9/25/2018	10/17/2014	8-8-313	Dev 4531 17 wastewater components were not inspected semi-annually. R8-8-313.2
A58138A	9/10/2018	6/26/2016	2-1-302	Dev 4584 T-3222 temp not at least 36F below flashpoint of material
A58140A	10/2/2018	9/7/2017	10	RCA #07E51; combustion of fuel gas with H2S >230 ms/lsem
A58141A	10/2/2018	10/30/2017	12-11-502.3	Did not pull required flare sample Dev 5033
A58142A	10/30/2018	4/7/2018	10	Combustion of gas with H2s >230 dscn; rolling 3 hr average RCA 07G80
A58143A	10/30/2018	4/17/2018	10	RCA 07G79; Dev 5132 40 CFR 60.104(a)(1) combustion of unscrubbed gas
A58144A	10/30/2018	5/25/2018	10	RCA 07H17; Dev 5156 40 CFR 60.104(a)(1) combustion of unscrubbed fuel gas
A58145A	10/30/2018	12/28/2016	10	Dev 4741; 40 CFR 60-104(a)(1) flaring of unscrubbed vent gas
A58146A	11/5/2018	6/6/2017	10	flaring at vent gas with h2s > 230mg; 40 CFR 60-104(a)(1) dev 4869

A58147A	11/5/2018		10	flaring of unscrubbed vent gas; 40 CFR 60-104 (a)(1) Dev4884
A58148A	11/5/2018		10	flaring of unscrubbed vent gas; 40 CFR 60-104(a)(1), dev 4885
A58149A	11/5/2018	6/30/2017	10	flaring of unscrubbed vent gas; 40 CFR 60-104(a)(1), dev 4893
A58150A	11/5/2018	6/28/2017	10	flaring of unscrubbed vent gas; 40 CFR 60-104(a)(1), dev 4896
A58151A	11/26/2018	8/5/2017	8-44-305.3	Missed tower inspection @ RLW; Dev 4920
A58152A	11/26/2018	7/23/2017	2-6-307	Use of A-632 before start-up notification provided; dev 4915
A58929A	11/26/2018		2-6-307	failed to conduct samples of recovered oil; c25037 ... ; dev 4927
A58930A	1/17/2019	9/8/2017	2-6-307	S-4155 combusted fuel with H2S > 50ppm averaged > 24 hrs; RCA #07E53, Dev 4975
A58931A	1/17/2019	10/26/2016	10	Flaring at unassembled vent gas; H2sS cmc >230 mg/..; dev2924
A58932A	1/15/2019	5/30/2017	11-10-305	Failed to repair leak within 21 days. Dev. 4928



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Authorization to a Execute Contract with Contra Costa County to Support the  
County's Green and Healthy Homes Initiative

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**RECOMMENDED ACTION**

Recommend the Board of Directors authorize the Executive Officer/APCO to execute a contract with Contra Costa County in an amount not to exceed \$100,000 to support the County's Green and Healthy Homes Initiative.

**BACKGROUND**

In 2004, the Air District initiated the Community Air Risk Evaluation (CARE) program to identify areas in the Bay Area with high concentrations of air pollution and populations most vulnerable to air pollution's health impacts. One of the main goals of the CARE program was to help design and focus effective air pollution mitigation measures in areas with highest impacts and greatest vulnerabilities. Work initiated by the CARE program has well-positioned the Air District to respond to new directives associated with Assembly Bill (AB) 617. The goal of this legislation is to improve local air quality and health in disproportionately impacted communities. The law requires the California Air Resources Board to work with community groups, air districts, and others to select locations from around the state, where communities will work with local air districts to measure and reduce air pollution.

The Air District's efforts to implement AB 617 include the development of the community-led emission reduction plan in West Oakland, *Owning Our Air: The West Oakland Community Action Plan*, and the development and implementation of a community air monitoring plan in Richmond/San Pablo. The Air District has distributed \$350,000 in capacity-building grants in all high-priority communities, including Contra Costa County. In 2020, Air District staff have been engaging in technical and community engagement work, finding opportunities for partnerships and collaboration around local air pollution or other related concerns, particularly climate protection. One area of collaboration is with the Contra Costa County Green and Healthy Homes Initiative.

## DISCUSSION

In Contra Costa County, 300,000 residents live in a census tract that ranks in the 95th percentile or higher of asthma Emergency Department (ED) rates statewide. This is the highest number of people in any county in California, and the fourth highest by percentage of county residents in the state. An estimated 4,950 people visit the ED for asthma each year in the County and they disproportionately are African American and of lower socio-economic status than the general population. Asthma exacerbations are largely avoidable, but significant portions of the federally recommended asthma care guidelines (home-based education and remediation of asthma triggers) are not traditionally covered by Medicaid or included in traditional clinical care.

To address these challenges, the County is preparing to implement a Green and Healthy Homes Initiative (locally called the Contra Costa Asthma Initiative) pilot program. The program will integrate various climate and health interventions to improve outcomes for high-risk asthma patients on the Contra Costa Health Plan. Contra Costa Health Services and the Contra Costa County Department of Conservation and Development, with its partner, Marin Clean Energy, and consultant, the Association for Energy Affordability, will implement and monitor retrofit improvements in the homes of select high-risk asthma residents (adults and children) across the County, to improve indoor air quality and remove underlying asthma triggers, focusing on mitigations that also reduce greenhouse gas emissions.

Air District staff recommend providing the County with a \$100,000 contract to support these efforts. The funded activities will make moderate to major remediations in low-income, multi-family homes. The types of mitigations this funding would cover include air filtration/dehumidification; electrification of heating /cooling systems and appliances; induction cooking appliances; electric panel upgrades; plumbing repairs; roof repairs; surface and structural mold remediation; ventilation; pest management; and carpet removal or steam cleaning; or the purchase of other such similar materials that help support improving asthma and indoor air quality.

Staff presented a briefing on this project at the May 20, 2020, meeting of the Community and Public Health Committee.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding for this contract is included in the Air District's Fiscal Year Ending 2020 budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Abby Young  
Reviewed by: Henry Hilken

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Authorization to Extend and Increase Funds for a Contract with Kearns and West for  
Implementation of the Bay Air Center

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**RECOMMENDED ACTION**

Recommend the Board of Directors authorize the Executive Officer/APCO to extend and re-execute the existing contract with Kearns and West in an amount not to exceed \$1,013,000 between July 2020 to June 2022 to further develop the Bay Air Center and continue to provide technical assistance to Bay Area communities.

**BACKGROUND**

The Bay Air Center is a third-party independent service that is designed to provide a variety of materials, hands-on guidance, training, and access to a team of technical experts for assistance. The Bay Air Center is designed to support communities in becoming further engaged with the Air District on understanding local air quality concerns, community scale ambient air quality monitoring or other technical projects and advocating for air quality improvements.

The Bay Air Center can provide technical support, guidance, resources (factsheets, guidelines, etc.), training, and capacity building at various levels of engagement ranging from a short phone call to complete end-to-end project support and implementation. Currently, the Bay Air Center is in a pilot phase of operation and is providing various levels of technical support to a handful of clients (including Vallejo Citizen Air Monitoring Network, Sustainable Silicon Valley, and recipients of Air District School Community Grants).

It is essential that the Air District have a structured program in place to work in partnership with communities to support the understanding of local air quality and assist in interpreting the data needed to answer community questions.

On March 14, 2019, the Board of Directors approved the current \$540,000 contract with Kearns and West. The current contract and associated Task Orders are set to expire on June 30, 2020.

A presentation outlining current Bay Air Center activities was given to the Community and Public Health Committee on March 5, 2020.

## DISCUSSION

In order to continue these activities, move out of the pilot phase, and to expand the existing services, an estimated additional \$473,000 through June 2022 is needed to support the program. New, expanded activities include the development of a sensor verification system, an external website housing technical resources for communities, and the development of a youth education curriculum. These activities will continue to expand the Bay Air Center's ability to provide meaningful, and targeted technical assistance and guidance for communities that are seeking support in understanding local air quality.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for this phase of this contract is included in the Fiscal Year Ending (FYE) 2020 budget. Remaining funds required for this contract will be allocated from FYE 2021 budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Michael Flagg  
Reviewed by: Elizabeth Yura and Jerry Bovee

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Authorization to Execute a Master Services Agreement Contract with West Oakland Environmental Indicators Project to Support Assembly Bill (AB) 617 Implementation

**RECOMMENDED ACTION**

Recommend the Board of Directors consider authorizing the Executive Officer/APCO to execute a Master Service Agreement (MSA) with West Oakland Environmental Indicators Project (WOEIP) in an amount not to exceed \$100,000.

**BACKGROUND**

WOEIP is the established community partner and West Oakland Assembly Bill (AB) 617 Co-Lead with the Air District. WOEIP performs outreach to the greater West Oakland community regarding emission reduction strategies and organizes the Steering Committee. WOEIP also provides oversight and guides work at the Subcommittee level as AB 617 work in West Oakland moves into the implementation phase.

Due to its emissions profile and proximity to sensitive receptors, the California Air Resources Board (CARB) selected West Oakland among the first designated AB 617 communities in the State of California. WOEIP, in its role as a Co-Lead with the Air District, convened a Steering Committee to provide authentic community-based guidance to the AB 617 process in West Oakland. Given the extensive historical air monitoring data collected by West Oakland, the Steering elected to move forward with a Community Emissions Reduction Plan (CERP). In partnership with the Air District, WOEIP and the West Oakland AB 617 Steering Committee identified over eighty emission reduction strategies.

The West Oakland CERP was adopted by the Air District's and the CARB's respective governing bodies in 2019.

Identifying agency partners and funding toward realization of the emission reduction strategies is the work of the West Oakland AB 617 Subcommittees. Implementation of the strategies are slated to take place over the course of the next five years. WOEIP and the Air District are committed to work in partnership as Co-Leads within the AB 617 framework. AB 617 work in West Oakland leading up to the current implementation phase is lauded as exemplary by CARB and other AB 617 communities within the State of California.

## DISCUSSION

The proposed MSA follows the prior Professional Services Contract (Contract No. 2018.070) between the Air District and WOEIP. That contract was executed in 2018 and provided \$100,000 in funds to WOEIP for designing/convening the AB 617 Steering Committee, participating as a Co-Lead with the Air District, and for hosting monthly Steering Committee meetings.

The 2020 MSA will allow for much of the same tasks, including:

- Work with Air District to create agendas and define necessary content for Steering Committee and subcommittees to assess, advocate for, and implement strategies;
- Devise and present trainings and other information sharing programs to support informed deliberation and decision-making by the Steering Committee;
- Support Steering Committee members with leadership development and technical education; and
- Support implementation of emission reduction strategies by expanding community outreach, engagement and by enlisting political support.

Though work expected from WOEIP is expected to remain largely the same during the implementation phase, there are some key differences in how the Air District envisions the role of WOEIP that necessitate the execution of an MSA.

The Air District looks to build a region-wide Environmental Justice coalition of community-based organizations. As the Air District builds out this coalition and eventually looks to develop other AB 617 community led emission reduction plans, WOEIP will play a key partnership role. Due to the organization's widely recognized AB 617 successes and leadership skills, the Air District sees an opportunity to expand our partnership with WOEIP beyond West Oakland. Among other services provided, the Air District will develop task orders that partner with WOEIP to:

- Consult with frontline communities overburdened by air pollution on issues related to partnering with the Air District and working with researchers (regulatory, academic, private industry);
- Assess and mentor Bay Area region-wide Steering Committees from existing and developing AB 617 communities; and
- Engage with State elected officials regarding AB 617 funds and requirements.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for this contract is in the budget for the current fiscal year.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Joshua Abraham  
Reviewed by: Greg Nudd



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Authorization to Extend the Contract and Execute a Purchase Order with Direct Mail Center in Excess of \$100,000 for Public Notice Expenses

**RECOMMENDED ACTION**

Recommend the Board of Directors authorize the Executive Officer/APCO to execute contract amendments to extend existing contract with Direct Mail Center and authorize a Purchase Order in excess of \$100,000 for public notice expenses:

Vendor	Amount	Service and Contract Description
Direct Mail Center	\$400,000	Mailing of public notices as required by Air District regulations. Extend contract 2013.212 expiration from June 30, 2020 to December 31, 2022.

**BACKGROUND**

As part of the Air District’s permit program, Federal, State, and local laws require preparation and distribution of notices for certain projects. In addition, periodic mailouts are needed to communicate and administer permit programs. Public notices for applicable permit applications and permit rule development notifications are the most common mailouts.

*Public Notices for Permit Applications (Waters Bill Notification Program)*

Before issuing a permit for a new or modified stationary source of hazardous air emissions that is located within 1,000 feet from a K-12 school, the Air District mails public comment period notices to all homes within 1,000 feet of that emissions source. The Air District also works with the impacted school(s) to distribute notices to the parents of the student body. Notices are distributed in additional languages, as needed. The public has a 30-day period to submit public comment regarding the permit. Residents can submit public comments to the Air District via postal mail, e-mail or phone. Costs from permit application public notices are recovered through permit application fees, which accounts for over 90% of the contract.

*Permit Rule Development Notifications*

The Air District’s rule development process notifies interested parties and entities that would potentially be impacted by proposed rules or rule amendments. When electronic means are unavailable, direct mail is used to distribute information to stakeholders’ homes and businesses and to inform them about how to get involved in the process. Rules that are frequently updated by the Engineering Division include Regulation 2 rules (Permits) and Regulation 3 (Fees).

*Other*

Other work that requires mailing services include projects for new facilities with significant emissions or existing facilities proposing a significant modification and special mailouts, such as advisories, surveys, or informational packets.

**DISCUSSION**

Request for Proposals (RFP) completed June 19, 2019. One of two firms had appropriate staff, expertise, cost, and availability to perform the required scope of work. The Direct Mail Center’s proposal was evaluated under the Air District’s RFP evaluation procedures and received the highest average score on a 100-point scale.

<b>Vendor</b>	<b>Expertise</b>	<b>Skill</b>	<b>Approach</b>	<b>Cost</b>	<b>Firm's Specialty Focus Area</b>	<b>Total</b>
Direct Mail Center	$26 \frac{2}{3}$	$22 \frac{2}{3}$	$8 \frac{1}{3}$	$21 \frac{2}{3}$	3	$82 \frac{1}{3}$
SENDnLINK	$21 \frac{1}{3}$	$19 \frac{1}{3}$	6	$22 \frac{1}{3}$	3	72

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

Funding for the contract was encumbered from Fiscal Year Ending 2020 program 501’s budget. For permit application public notices, these costs are reimbursed to the Air District by the applicant through permit application fees.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Pamela J. Leong  
Reviewed by: Damian Breen

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Authorization for a Funded Partnership Agreement with the Metropolitan  
Transportation Commission (MTC) on Database Development

**RECOMMENDED ACTION**

Recommend the Board of Directors authorize the Executive Officer/APCO to enter a funded Partnership Agreement with the Metropolitan Transportation Commission (MTC) for an amount not to exceed \$300,000.

**BACKGROUND**

In 2016, when MTC and the Bay Area Air Quality Management District (Air District) moved into the Bay Area Metro Center headquarters for regional governance, one of the goals was to foster regional collaboration on key issues confronting the Bay Area, including equitable and affordable housing and climate change. A critical element of effective agency collaboration is shared databases, an element facilitated by consistent and coordinated methods for database development, documentation, and online publishing. Air District staff are recommending a funded Partnership Agreement that would significantly accelerate the process of moving the Air District and MTC toward realizing a goal of coordinated databases and methods. Air District staff anticipate that, if the Air District and MTC can share methods and database software tools, this may result in cost savings for both agencies.

**FUNDED PARTNERSHIP AGREEMENT**

Under the proposed Partnership Agreement, the Air District would leverage MTC expertise to support increasingly complex database and project assignments, including support for:

- Community health protection objectives, including regional and community-specific planning and emission reduction efforts related to Assembly Bill (AB) 617; and
- Climate projection objectives, including support to local jurisdictions for estimating greenhouse gas (GHG) emissions for local Climate Action Plans.

Specifically, through the proposed Partnership Agreement, the District would fund MTC in Fiscal Year Ending (FYE) 2020 with \$300,000 for MTC to assist with knowledge transfer and database development to support AB 617 and update and maintain an online data portal to support Climate Action Plans. Through the partnership, the Air District and MTC would agree

to explore continued cross-agency projects and to explore cost savings from consolidating separate licensing of spatial-visualization and database software into enterprise-wide licensing.

## DISCUSSION

### *Air District Database Training and Development to Support AB 617*

The first set of objectives of the funded Partnership Agreement focuses on conducting Air District staff training and on developing and implementing standards and best practices for creating, versioning, maintaining, and publishing well-documented online databases for AB 617 that support collaboration. Under this objective, the MTC would conduct Air District staff training and knowledge transfer, with initial tasks focused on creating datasets to support an AB 617 Community Emissions Reduction Plan (CERP) in the Richmond-San Pablo area, and later tasks focused on documenting and publishing existing datasets to support the AB 617 CERP Implementation in West Oakland.

### *Online Data Portal to Support Climate Action Plans*

The Air District currently works with Bay Area local governments to develop and implement local community-wide Climate Action Plans. A key element of these plans is the community-wide greenhouse gas (GHG) inventory. Estimating GHG emissions from the transportation sector for the inventory requires an estimate of vehicle miles traveled (VMT) for the community. In 2015, the Air District partnered with MTC to develop a data portal to provide VMT data to local government staff in an automated and user-friendly manner. The second set of objectives of the proposed Partnership Agreement seeks to update methods and underlying data of the VMT Data Portal to continue and improve support for local government.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for the tasks associated with the Partnership Agreement has been included in the Air District's existing program (601, 602, and 608) budgets for FYE 2020. A budget overview for the Partnership Agreement is shown in the table below, with breakdowns by project, staffing, and fixed costs.

<b>Tasks</b>	<b>Staff Time</b>	<b>Fixed Costs</b>	<b>Est. Cost</b>
AB 617 Database	\$257,399		\$257,399
Climate Data Portal	\$28,600	\$14,000	\$42,600
<b>Total</b>	<b>\$285,999</b>	<b>\$14,000</b>	<b>\$299,999</b>

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Phil Martien  
Reviewed by: Greg Nudd

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Consider Approving the Proposed Memorandum of Understanding (MOU) between the Bay Area Air Quality Management District and the Bay Area Air Quality Management District Employees' Association (EA) and to Approve Changes to the Salaries and Benefits of the Management and Confidential Units

RECOMMENDED ACTION

Recommend the Board of Directors approve the proposed Memorandum of Understanding (MOU) between the Bay Area Air Quality Management District (Air District) and the Bay Area Air Quality Management District Employees' Association (EA) and to approve changes to the salaries and benefits of the management and confidential units.

BACKGROUND

The MOU between the Air District and the EA expires on June 30, 2020. The Air District's representatives entered successor MOU negotiations with the EA on matters within the scope of bargaining. The members of the EA will vote on the agreement at their May membership meeting and if ratified, the agreement is subject to ratification by the Air District's Board of Directors.

DISCUSSION

The contract language which amends the current MOU are attached for review. The changes to the existing MOU are:

1. The proposed agreement includes a one-year term ending on June 30, 2021.
2. The proposed agreement provides an annual cost of living adjustment (COLA) effective July 1, 2020. The COLA will be 2% effective July 1, 2020, and 1% effective November 8, 2021.
3. The proposed agreement revises Section 9.01 Hours of Work, to provide for modernized and expanded language on telecommuting.

4. The proposed agreement revises Article XI Fringe Benefits, to provide modernized language and expanded use of fringe benefits.

The change in salary is also extended to the Management and Confidential groups. Additionally, the current Confidential Unit includes Fair Labor Standards Act (FLSA) exempt and non-exempt positions in relation to overtime pay. Currently, all staff represented by the EA receive overtime benefits. All non-represented management employees receive time off in lieu of overtime benefits. FLSA Exempt Confidential Unit members receive no such pay or in lieu benefits. To reflect an equality in overtime pay, the Air District is recommending that FLSA Exempt Confidential Unit employees receive the same overtime benefits as bargaining unit members receive.

The proposed agreement will contribute positively to a stable and constructive labor relations environment.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

This contract will increase personnel salaries and benefits in the Fiscal Year Ending (FYE) 2021 budget by \$1,316,936.

There is no budget impact beyond that already contemplated in the FYE 2021 budget.

Respectfully Submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Rex Sanders

Attachment 11A: Proposed Memorandum of Understanding between the Bay Area Air Quality Management District and Bay Area Air Quality Management District Employees' Association edited redlined version

Attachment 11B: Draft Resolution to Approve a Successor Memorandum of Understanding Between the Air District and the Bay Area Air Quality Management District Employees' Association and to approve changes to the salaries and benefits of the management and confidential units

Attachment 11C: Salary Schedule 21, effective 7/1/20

Attachment 11D: Salary Schedule 21(a), effective 11/8/20



## MEMORANDUM OF UNDERSTANDING

Between

Bay Area Air Quality Management District

And

Bay Area Air Quality Management District  
Employees' Association, Inc.

July 1, 2017~~20~~ to June 30, 2021~~0~~

(Adopted May 15, 2002)

(Amended November 17, 2004, March 17, 2010, June 15, 2011, June 18, 2014, August 2, 2017, ~~and~~ July 31, 2019, and June 3, 2020)

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**ARTICLE I PARTIES**

**SECTION 1.01 DESIGNATION**

This Agreement is between the Bay Area Air Quality Management District (hereinafter referred to as “BAAQMD”, “District”, or “Employer”) and the Bay Area Air Quality Management District Employees’ Association, Inc. (hereinafter referred to as “BAAQMD EA” or the “Association”). This document is referred to herein as either “Agreement” or the “MOU.”

Throughout this MOU, when specific management positions are indicated, such references shall be understood to include the phrase “or his/her designee.”

Throughout this MOU, the term “days” shall refer to calendar days, unless otherwise stated.

**SECTION 1.02 NOTIFICATION**

Official notification for purposes of this Agreement shall be by U.S. Mail or personal service to:

for the District  
Executive Officer (EO)  
Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, CA 94109  
for the Association

(personal service)  
President (or Designee)

(U.S. Mail)  
President (or Designee)

BAAQMD Employees’ Association, Inc.  
939 Ellis Street  
San Francisco, CA 94109

BAAQMD Employees’ Association, Inc  
P.O. Box 420434  
San Francisco, CA 94109

**ARTICLE II RECOGNITION, COVERAGE AND EXCLUSIVE REPRESENTATION**

**SECTION 2.01 RECOGNITION**

The Bay Area Air Quality Management District (District) has recognized the Bay Area Air Quality Management District Employees’ Association, Inc. as the representative of the employees in the Technical/General representation unit and the Professional Employees’ representation unit for all matters of employer-employee relations. (Hereinafter the term Association will apply to either or both units as applicable and appropriate.)

**SECTION 2.02 COVERAGE OF EMPLOYEES**

1. The classifications within each unit are listed in the Appendix A. For the purpose of this Memorandum of Understanding, the classification system which is adopted by the Board of Directors and maintained by the Human Resources Section is the source for determination of unit representation.

2. The District will notify the Association's Recording Secretary within ten (10) days when a new employee is hired into regular employment in a bargaining unit position.

SECTION 2.03 EXCLUSIVE REPRESENTATION BY THE ASSOCIATION

The District agrees that during the term this Memorandum of Understanding is in effect, the Association shall be the exclusive bargaining agent of those employees covered by this Memorandum.

SECTION 2.04 AGENCY SHOP / MAINTENANCE OF MEMBERSHIP

Each employee covered by this Agreement except supervisory employees shall, as a condition of continued employment, within thirty (30) days of first employment at the District, or for a supervisor who does not already pay association dues, effective July 1, 2010, either 1) become and remain a member in good standing of the Association, or 2) commence and continue to make payment(s) of an amount equivalent to the Association's periodic dues to the Association as a service fee for Association representation, except such amount shall not exceed that amount as outlined by or required by law having to do with the subject of non-member fees paid to unions for representation.

SECTION 2.05 RELIGIOUS EXEMPTION

No District employee shall be required to join the Association or to make an agency fee payment if the District employee is an actual verified member of a bona fide religion, body, or sect which has historically held conscientious objections to joining or financially supporting employee organizations, or if the District employee has personal moral objections to joining or financially supporting employee organizations. Such employee must, instead, arrange with the Association to satisfy his/her obligation by donating the equivalent amount to a non-labor, non-religious charitable fund chosen by the employee, which is tax exempt under Section 501 (c)(3) of the Internal Revenue Code (IRC).

SECTION 2.06 DUES/FEES DEDUCTIONS

The parties agree that the District will provide payroll deductions to the Association on the following terms:

1. Authorization:

The District shall deduct dues and initiation fees (or agency fees or charitable contributions in lieu of Association dues and initiation fees) from the salaries of unit members every pay day and remit the total deductions to the Association member designated in writing as the person authorized to receive such funds, and at the address specified by the Association. Such remittance will contain an itemized statement and will be made to the Association no later than seven (7) days following the payday. No deductions shall be made except in accordance with a deduction authorization form individually and voluntarily executed by the employee for whom the deduction is made.

2. Amount of Dues:

The Association shall certify to the District in writing the current rate of membership dues and agency fees. The District shall put into effect any new, changed, or discontinued

deduction no later than the beginning of the second pay period after receipt of written notice from the Association.

**SECTION 2.07 INDEMNIFICATION**

The Association will defend, indemnify, and hold harmless the District from any loss, liability, or cause of action arising out of the operation of this Article. The indemnity obligation is more fully set forth as follows. Upon commencement of any such legal action, the District shall have the right to decide and determine whether any claim, liability, suit or judgment made or brought against the District because of such action shall or shall not be compromised, resisted, defended, tried or appealed. Any such decision on the part of the District shall not diminish the Association's indemnification obligations under this agreement.

The District, immediately upon receipt of notice of such legal action, shall inform the Association of such action; provide the Association with all information, documents and assistance necessary for the District's defense or settlement of such action; and fully cooperate with the Association in providing all necessary witnesses, experts, and assistance necessary for said defense.

**ARTICLE III RIGHTS AND OBLIGATIONS**

**SECTION 3.01 EQUAL EMPLOYMENT OPPORTUNITY POLICY**

It is the District's policy to provide equal employment opportunities for all persons to be recruited, employed, placed, selected for training, trained, evaluated, promoted, demoted, laid off, terminated, compensated, assigned work and otherwise treated without regard to race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, sex, age or sexual orientation. This Section is not subject to the Grievance Procedure of this Document.

**SECTION 3.02 EMPLOYEE RIGHTS**

1. The rights of employees of the District include, but are not limited to, the right to, subject to the provisions of this agreement and consistent with applicable laws and regulations:
  - A. Form, join and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matter of employer-employee relations.
  - B. Refuse to join or participate in the activities of any employee organizations.
2. The scope of representation by the Association shall include all matters relating to employment conditions and employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment except, however, that the scope of representation shall not include consideration of the merits, necessity, or organization of any service or activity provided by law or executive order. This subsection parallels Section 3504 of the Meyers-Milias-Brown Act and will automatically be amended to reflect any amendment to or replacement of said statutory section on the effective date of any such change.



3. The District and the Association shall not interfere with, intimidate, restrain, coerce, retaliate, or discriminate against employees because of their exercise of these rights.
4. Any matter within the scope of the Meyers-Milias-Brown Act or within the scope of the Memorandum of Understanding that the District acts upon without meeting and conferring shall be null and void.
5. The District shall deduct dues and/or agency fees from the paychecks of all members of the Association and from non-members who are employed by the District in a classification represented by the Association.
6. The Association agrees to hold harmless and indemnify the District against any claims, causes of action or lawsuits arising out of the deductions or transmittal of such funds to the Association, except the intentional failure of the District to transmit moneys deducted from employees to the Association pursuant to this Article.

SECTION 3.03            PHYSICAL EXAMINATION

The District may require a physical examination or a personal statement of good health after an employment offer has been made.

SECTION 3.04            SEXUAL HARASSMENT AND OTHER UNACCEPTABLE CONDUCT

The provisions of Division III, Section 3.6 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association. This section is excluded from the grievance procedure.

SECTION 3.05            EMPLOYEES' TIME OFF TO VOTE

The provisions of Division III, Section 3.7 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

SECTION 3.06            DRUG-FREE WORKPLACE

The provisions of Division III, Section 3.8 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

SECTION 3.07            SAFETY

The provisions of Division III, Section 3.9 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

SECTION 3.08            WORKPLACE VIOLENCE

The provisions of Division III, Section 3.10 of the District’s Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

SECTION 3.09            SMOKE-FREE WORK SITE

The provisions of Division III, Section 3.11 of the District’s Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

SECTION 3.10            ASSOCIATION RIGHTS

Nothing contained in this Memorandum of Understanding shall be interpreted or construed in any way that prohibits or restricts the Association of its rights granted by law and accordingly the Association retains all rights guaranteed to employee organizations under the Meyers-Milias-Brown Act (Government Code Sections 3500 and following), the Public Records Act (Government Code Sections 6250 and following) and all other applicable provisions of law.

SECTION 3.11            MANAGEMENT RIGHTS

The rights of the District include, but are not limited to, the exclusive right to, subject to the provisions of this agreement and consistent with applicable laws and regulations:

- a. Determine the mission of its constituent departments, boards, and committees.
- b. Set standards of service.
- c. Determine the procedures and standards of selections for employment and promotion.
- d. Hire, promote, transfer, assign, retain in position, direct, or take other non-disciplinary action toward its employees and to relieve them from duty because of lack of work or for other legitimate reasons.
- e. Maintain the efficiency of governmental operations and exercise complete control and discretion over its organization and the technology of performing its work.
- f. Determine the methods, means, and personnel by which government operations are to be conducted.
- g. Determine the content of job classifications.
- h. Take all necessary actions to carry out its mission in emergencies.

The District will not use the provisions of this Article, for the purpose of discriminating against any employee or to avoid or evade the provisions of this agreement.

The provisions of this Article do not absolve the District or District Management from their obligation to meet and confer with the Association in advance of taking any action changing, modifying, or affecting employee wages, hours or working conditions.

This Section is not subject to the Grievance Procedure.

### SECTION 3.12 SURVEILLANCE CAMERAS

1. Surveillance cameras shall not be installed to monitor non-public areas of District facilities occupied by employees except as follows: one in the elevator foyer of every floor (none on roof); one in the back staircase of the 2<sup>nd</sup> and 6<sup>th</sup> floors; one aimed at each of the access points to the garages; one in the hallway on the 7<sup>th</sup> floor, southeast quadrant; two in the hallway on the 6<sup>th</sup> floor, southwest quadrant; two in the basement lobby; and two in the main lobby.
2. The District shall not use surveillance cameras and related equipment (e.g., electronic access control system, proximity identification cards) to monitor the activities of bargaining unit employees.
3. Information obtained through the security use of surveillance cameras and related equipment (e.g., electronic access control system, proximity identification cards) shall not serve as the basis for disciplinary action except in the event those records constitute evidence of a criminal act. Provided, however, the Grievant, or Arbitrator permits the Grievant, District, Association, and Arbitrator to review and refer to records from security cameras and related equipment to resolve factual disputes that may arise in the course of the processing of a grievance that has been filed pursuant to a disciplinary action. The District, upon request of the Grievant, shall provide copies of the records within five working days. Further, the District shall not review records from security cameras and related equipment for the purpose of investigating and/or evaluating employee conduct at work. To ensure compliance with the terms of this agreement, all security records from surveillance cameras and related equipment shall only be available for review by the Director of Administration or his/her designee, except as provided herein.

## **ARTICLE IV GRIEVANCE PROCEDURE**

### SECTION 4.01 DEFINITION OF A GRIEVANCE

A grievance is a claimed violation, misinterpretation, inequitable application of, or non-compliance with, a specific provision of this Memorandum of Understanding, or any disputed disciplinary action against an employee or employees covered by this MOU.

### SECTION 4.02 ASSOCIATION AS THE GRIEVANT

The Association may be the grievant.

Process: When the Association is the grievant the Association shall file the first step with the Human Resources Officer (HRO). The Association shall submit the grievance in writing. The written grievance shall state the factual particulars of the matter, any provision(s) of the Memorandum of Understanding that has allegedly been misinterpreted or misapplied, how the alleged misinterpretation or misapplication has affected the grievant to the grievant's detriment, and the redress sought. The HRO shall meet with the Association representative(s) and respond to the grievance within the proper time limits. The response shall be in writing and set forth the reason(s) therefore. Except as otherwise specified herein, all of the rights, responsibilities and procedures of the grievance procedure apply to grievances filed by the Association. If a

grievance is not resolved to the satisfaction of the Association, the Association may submit the grievance in writing to the EO as set forth in 4.05 Step 3 below:

#### SECTION 4.03 TIME LIMITS

1. The employee and/or the Association must initiate a grievance within thirty (30) working days from the event giving rise to the grievance or from the date the employee could reasonably have been expected to have had knowledge of such event.
2. At each step District representatives shall have fifteen (15) working days from the filing of the grievance to meet with the grievant and Association representative(s) and to respond to the grievance in writing. In the event that the District fails to respond to a grievance within specified timelines the grievant has the right to continue to process the grievance at the next higher step in the process.
3. If a grievance is not resolved to the satisfaction of the grievant at each step below, the grievant may within fifteen (15) working days, submit the grievance in writing to the next higher step. Failure of the grievant to act within the specified time limits, unless such time limits are extended, shall dismiss and nullify the grievance.
4. These time limits may only be extended by mutual written agreement by the parties.

#### SECTION 4.04 REPRESENTATION

The Association may represent the employee(s) at any stage of the process contained herein.

#### SECTION 4.05 PROCEDURE

Grievances filed, except when the Association is the grievant, shall be processed in the following manner:

Step 1: The grievant shall discuss the grievance with his or her immediate supervisor and/or section manager who shall meet with the employee and Association representative(s) and respond to the grievance within the proper time limits as set forth in Section 4.03.2 above. The response shall be in writing and set forth the reason(s) therefor.

Step 2: If a grievance is not resolved to the satisfaction of the grievant in Step 1 above, the grievant may submit the grievance in writing to the HRO. The HRO shall either process the grievance at Step 2 or shall route the grievance to the appropriate Division Director for step 2 processing. The written grievance shall state the factual particulars of the matter, any provision(s) of the Memorandum of Understanding that has allegedly been violated or misapplied, how the alleged violation or misapplication has affected the grievant to the grievant's detriment, and the redress sought. The grievant shall provide a copy of the grievance to the Association. The Division Director or HRO shall meet with the grievant and Association representative(s) and respond to the grievance within the proper time limits. The response shall be in writing and set forth the reason(s) therefor.

Step 3: If a grievance is not resolved to the satisfaction of the grievant in Step 2 above, the grievant may submit the grievance in writing to the EO or designee. The grievant shall provide a

copy of the grievance to the Association. The EO shall meet with the grievant and Association representative(s) and respond to the grievance within the proper time limits. The response shall be in writing and set forth the reason(s) therefor.

#### **STEP 3A - REQUEST FOR MEDIATION**

If the grievant is not satisfied with the written response of the EO, he/she may within the time limits specified in this Article request that the matter be submitted to Mediation. Mediation shall be by mutual written agreement of the grievant and the EO. If Mediation is not agreed upon, the grievant may proceed to Step 4. If Mediation is agreed upon, within ten (10) working days from receipt of the EO's response, the parties shall request that a Mediator be appointed by the State Mediation and Conciliation Services.

Step 4: If a grievance is not resolved to the satisfaction of the grievant in Step 3 above, the grievant may, within ten (10) working days, submit the grievance to binding arbitration. The rules and procedures of the American Arbitration Association will prevail.

#### **SECTION 4.06 DISCIPLINARY DISPUTES**

The decision to proceed to binding arbitration regarding disciplinary complaints shall be at the sole discretion of the grievant.

#### **SECTION 4.07 MOU DISPUTES**

An employee or Association claim of an alleged violation of a specific section of the MOU may be submitted to binding arbitration. Such request for binding arbitration shall come only from the Association Board of Directors. An individual member may not file for arbitration on a dispute of the MOU.

#### **SECTION 4.08 REQUEST FOR ARBITRATION**

A written request for arbitration shall be submitted to the EO within ten (10) working days following the receipt of the EO's written response as required in 4.05 Step 3 above, or the conclusion of mediation, if mediation does not resolve the grievance to the satisfaction of the grievant.

#### **SECTION 4.09 SELECTION OF AN ARBITRATOR**

The District and the grievant(s) will select an arbitrator from the California State Mediation and Conciliation Service. If the grievant(s) is (are) represented by the Employees' Association, then the Employee's Association President or designee and the District will select an arbitrator from the California State Mediation and Conciliation Service. If the parties cannot agree on the selection of an arbitrator, the grievant will request of the California State Mediation and Conciliation Service a list of nine (9) arbitrators. Within ten (10) working days from the receipt of the list of nine (9) arbitrators, each party beginning by lot shall alternatively cross off one name on the list; the first party to cross off a name will be selected by a flip of a coin. The final name left on the list shall be the arbitrator if he/she agrees to serve. If he/she will not serve, the process shall be repeated until an arbitrator is found. The rules and procedures of the California State Mediation and Conciliation Service will prevail.

**SECTION 4.10 DECISION OF THE ARBITRATOR**

The decision of the arbitrator shall be final and binding on the parties and on any affected employees covered by this agreement. Such decision shall be issued in writing.

**SECTION 4.11 FEES AND EXPENSES**

The fees of the arbitrator and related expenses shall be shared equally by the District and the grievant.

**SECTION 4.12 LIMITATIONS ON ARBITRATOR'S AUTHORITY AND JURISDICTION**

The limitations on the arbitrator's authority and jurisdiction are as set forth below:

1. No arbitrator shall entertain, hear, or decide any dispute unless such dispute involves a represented employee and unless such dispute falls within the grievance procedure as set forth in section 4.01 Definition of a Grievance.
2. Any dispute regarding whether an issue is grievable or applicable to arbitration shall be determined by the arbitrator as an initial determination prior to proceeding with the hearing on the merits of the grievance.
3. No arbitrator shall entertain, hear, decide, or make recommendations on any disciplinary action unless such dispute involves a bargaining unit employee who has successfully completed an initial (new hire) probationary period and who has availed him/herself of the response and appeals procedures of the Disciplinary Procedures Article of this Agreement.

**ARTICLE V DISCIPLINARY PROCEDURE**

**SECTION 5.01 PROGRESSIVE DISCIPLINE**

In order to maintain the orderly and efficient operation of the District, it may be necessary for District Management to impose discipline on an employee who violates work instructions or District policies and procedures, whose service is unsatisfactory, whose conduct is unacceptable or for other just cause. However, no employee shall be disciplined without just and sufficient cause.

The administration of discipline by District Management is intended to be corrective rather than punitive, and discipline will normally be imposed in progressive steps. The progressive steps in the imposition of discipline will normally include: (a) informal verbal reprimand, (b) formal written reprimand, (c) warning and one-day suspension, (d) extended suspension and (e) dismissal.

An employee who has been demoted, suspended or terminated from employment may appeal such disciplinary action in accordance with ARTICLE IV of this Memorandum of Understanding. An employee may provide a written response to any written disciplinary action taken against that employee.

## SECTION 5.02            GROUND(S) FOR DISCIPLINE

Disciplinary Action shall be for fact(s) which establish unacceptable conduct such as, but not limited to, one or more of the following:

1. Fraud in securing appointment.
2. Incompetence.
3. Inefficiency.
4. Inexcusable neglect of duty.
5. Insubordination.
6. Failure to follow District policy.
7. Dishonesty.
8. Being under the influence of alcohol or illicit drugs while on duty.
9. Unexcused absence.
10. Conviction of a felony or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of the employee's position. A plea of guilty, or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this Section.
11. Discourteous treatment of the public or other employees.
12. Political activity prohibited by state or federal law.
13. Engaging in sexual harassment of another employee or member of the public.
14. Refusal to take and sign any oath or affirmation which is a federal, state or District requirement.
15. Any failure of good behavior during duty hours which is of such nature that it causes discredit to the District or his/her employment.
16. Failure to possess or keep in effect any license, certificate or other similar requirement specified in the employee's position specification as a condition of employment.

## SECTION 5.03            REPRIMANDS

1. The initial step in the imposition of discipline is normally a verbal reprimand. When delivering the reprimand, the supervisor shall identify the action(s) which the employee should take to correct the basis for the reprimand. A verbal reprimand is an informal disciplinary measure and is not entered in the employee's personnel record unless discipline progresses to a written reprimand or beyond.
2. If, after receiving a verbal reprimand, an employee continues to perform his or her work in an unsatisfactory manner, to engage in the same violation of a District work instruction, policy or procedure, or to manifest the unacceptable behavior or conduct for which the employee received the verbal reprimand, the employee's immediate supervisor may either: (i) repeat the verbal reprimand and again identify the action(s) which the employee should take to correct the basis for the reprimand; or (ii) move to the next step of progressive discipline and request the section manager to issue a formal written reprimand.
3. A written reprimand shall document all previously delivered verbal reprimands, shall state the basis for such verbal reprimand(s) and shall specify the action(s) which the employee should take to correct the basis for the formal written reprimand and the possible

consequences of a failure by the employee to take such corrective action. A written reprimand is a formal disciplinary measure and is entered in the employee's personnel record.

- A. If, after receiving a formal written reprimand, an employee continues to perform his or her work in an unsatisfactory manner, to engage in the violation of a District work instruction, policy or procedure, or to manifest the unacceptable behavior or conduct for which the employee received the written reprimand(s), the employee's section manager may either: (i) repeat the formal written reprimand and again identify the action(s) which the employee should take to correct the basis for the reprimand; or (ii) move to the next step of progressive discipline and request the division director to issue a formal written warning and one-day suspension without pay.
  - B. An employee may appeal a written reprimand through the grievance procedure at Step 3. The decision of the EO shall be final. An employee has the right to respond to a written reprimand in writing and to have that response attached to the reprimand in the personnel file.
  - C. If an employee does not receive any discipline more severe than a verbal reprimand for a period of 18 months then all previous written reprimands will be sealed. However, for just cause, the District may open the employee's sealed reprimand file and use any of the contents contained therein on an as needed basis. If the sealed reprimand is opened the employee shall be notified in writing within five (5) working days. The notification shall include the reason for such action.
4. Notwithstanding paragraphs 1-3 of this section, the District has the right to impose more serious discipline or to escalate disciplinary action without satisfying each of the recommended progressive discipline steps.

#### SECTION 5.04          WARNING AND ONE-DAY SUSPENSION

If, for good cause shown, or after receiving a formal written reprimand, an employee continues to perform his or her work in an unsatisfactory manner, to engage in the violation of a District work instruction, policy or procedure, or continues to manifest the unacceptable behavior or conduct for which the employee received the written reprimand, the employee's division director may impose a warning and suspend the employee without pay for a full working day. The imposition of the warning and one-day suspension without pay shall be in writing, shall state the factual basis for this disciplinary action and shall specify the action(s) which the employee should take to correct the basis for this disciplinary action and the possible consequences of a failure by the employee to take such corrective action. This written documentation is entered in the employee's personnel record. A Warning and One Day Suspension may not be grieved or appealed.

#### SECTION 5.05          EXTENDED SUSPENSION

1. If, for good cause shown or after being issued a warning and being placed on a one-day suspension without pay, an employee continues to perform his or her work in an unsatisfactory manner, persists in engaging in the violation of a District work instruction,



policy or procedure, or continues to manifest the unacceptable behavior or conduct for which the employee was issued a warning and placed on a one-day suspension without pay, the EO may suspend the employee from work without pay for a period of up to two weeks. Prior to placing an employee on an extended suspension without pay, the EO shall cause to be served on the employee a written Notice of Proposed Disciplinary Action, which shall contain the following information: (i) a statement of the action which is proposed to be taken, (ii) a statement of the factual basis for this proposed disciplinary action, (iii) a specific reference to any District work instruction, policy or procedure which the employee is alleged to have violated, (iv) a specification of the action(s) which the employee should take to correct the basis for this disciplinary action and the possible consequences of a failure by the employee to take such corrective action, (v) a statement that the employee may review and request copies of materials upon which the proposed disciplinary action is based, and (vi) a statement that the employee will be given an opportunity to address the charges supporting this disciplinary action with the EO prior to the suspension becoming effective.

2. An employee who is to be placed on an extended suspension from work without pay will be given an opportunity to address the charges supporting this disciplinary action with the EO prior to the suspension becoming effective. This meeting with the EO should take place as soon as possible, and in no event more than five (5) working days after the recommendation for suspension from work without pay has been provided to the employee. The employee may bring a representative of the Association and/or a private personal representative to the meeting with the EO. Within five (5) working days after meeting with the employee and the Division Director recommending the suspension, the EO shall prepare a written decision regarding the recommended suspension. If, after considering the Division Director's recommendation and the information presented by the employee at the meeting, the EO determines to impose a suspension from work without pay, the suspension shall begin on the day after the EO's written decision is served on the employee, and all written documentation pertaining to the suspension will be entered in the employee's personnel record.
3. Employees who are placed on an extended suspension without pay will not accrue sick or annual leave during the period of such suspension.
4. Notwithstanding the progressive discipline policy outlined in Sections 5.01 through 5.04 above, the EO may place an employee guilty of serious misconduct on extended suspension. In such case, the EO shall follow the procedure set forth in 2 above.

#### SECTION 5.06 DISMISSAL

1. If, for good cause shown or after being suspended from work without pay, an employee continues to perform his or her work in an unsatisfactory manner, persists in engaging in the violation of a District work instruction, policy or procedure, or continues to manifest the unacceptable conduct or behavior for which the employee was placed on an extended suspension from work without pay, the EO may dismiss the employee from employment with the District. Prior to the dismissal of an employee from employment with the District, the EO shall cause to be served on the employee a written Notice of Proposed Disciplinary Action, which shall contain the following information: (i) a statement of the action which is proposed to be taken, (ii) a statement of the factual basis for this proposed disciplinary

action, (iii) a specific reference to any District work instruction, policy or procedure which the employee is alleged to have violated, (iv) a statement that the employee may review and request copies of materials upon which the proposed disciplinary action is based, and (v) a statement that the employee will be given an opportunity to address the charges supporting this disciplinary action with the EO prior to the dismissal becoming effective.

2. An employee who is to be dismissed from employment with the District will be given an opportunity to address the charges supporting this disciplinary action with the EO prior to the dismissal becoming effective. In such event, the employee's Division Director will inform the employee of the Director's recommendation that the employee be dismissed from employment. This meeting should take place as soon as possible, and in no event more than ten (10) working days after the recommendation for dismissal. The employee may bring a representative of the Association and/or a private personal representative to the meeting with the EO. Within five (5) working days after meeting with the employee and the Division Director recommending the dismissal, the EO shall prepare a written decision regarding the recommended dismissal. If, after considering the Division Director's recommendation and the information presented by the employee at the meeting, the EO determines to dismiss the employee from employment with the District, the dismissal shall be effective on the day on which the EO's written decision is mailed to the employee. An employee may be placed on administrative leave with pay when they are informed of the Director's recommendation that he/she be dismissed from employment. In that event, he/she shall remain on administrative leave with pay until such time as he/she is either directed to return to work or until the date the EO's written decision is mailed to the employee.
3. After the EO takes action on a proposed dismissal of an employee, the Notice of Proposed Disciplinary Action and all related written documentation will be entered in the employee's personnel record.

#### SECTION 5.07 ADMINISTRATIVE LEAVE WITH PAY

Any bargaining unit employee placed on administrative leave with pay shall receive all salary and benefits and remain covered by all provisions of the MOU, including membership status with the EA while on leave with pay. Said terms and conditions of employment shall remain in full force and effect as if the bargaining unit employee had remained on the job for the duration administrative leave with pay.

Pursuant to Section 3.11(d), the District has the right to relieve employees from duty for legitimate reasons. Accordingly, the District may place employees on paid administrative leave during the course of investigations that may lead to disciplinary action. Provided, however, that the period of administrative leave in any given instance shall not exceed the timely reasonably necessary to conclude the investigation.

The District reserves the right to direct employees not to enter and/or access District facilities and to direct them and to schedule them to attend meetings related to investigations and notice employees regarding the discipline process in accordance with the MOU. Further, District managers may approve a request from an employee who is

placed on administrative leave with pay to use other types of paid leave and unpaid leave in lieu of administrative leave with pay. In the event the employee's manager approves such a request, then the employee would be subject to the conditions that normally apply to the approved leave. Leave requests that were approved prior to an employee being placed on administrative leave will be honored unless doing so unduly impedes the investigation and/or disciplinary process. Any and all leaves cancelled by the District causing a monetary loss to the employee shall be reimbursed by the District to the full amount. The employee shall submit to the District verification of the monetary loss and the District shall fully reimburse the employee within ten working days of the receipt of such verification.

Administrative leave with pay is not considered a break in service and the bargaining unit employee's position shall not be vacated by this leave.

## **ARTICLE VI CLASSIFICATION STUDIES**

1. Up to 6 classifications will be reviewed in each of the remaining years of the current MOU. The EA and the District will each select up to three classification series.
2. Bargaining unit positions in selected job classifications will be audited to determine whether the positions are correctly classified.
3. Job classification descriptions will be thoroughly reviewed to determine whether they need to be updated to reflect changes to the work being performed in the positions assigned to those classifications, including the knowledge, skills and abilities, examples of duties, and qualifications required to perform the work.
4. Review of classifications may include a compensation analysis to determine if adjustment to the rate of pay for a classification is warranted based on external comparators and/or internal equity considerations.
5. No bargaining unit employee will be subject to a reduction in force, demoted, y-rated, or suffer a reduction in salary or benefits based on the results of an audit of his/her position, a review of the job classification description assigned to their position, or a compensation analysis.
6. In the event that a compensation analysis conducted pursuant to this Side Letter of Agreement indicates that an adjustment to pay rates is warranted, the Human Resources Officer shall prepare a report and recommendation for consideration by the Board of Directors as part of the annual budget preparation process.
7. All position audits, job classification description reviews, and compensation analyses conducted pursuant to this Side Letter of Agreement shall be performed by an external consulting firm mutually agreed upon by the parties.
8. The cost of any work performed pursuant to #7 shall be borne equally by the District and the Association, except that the Association's costs for such work shall not exceed \$15,000 per year.
9. However, neither party is required to designate classes in any year.
10. Aside mutual agreement in the form of a side letter, existing represented classifications shall remain in full force and effect without modification for the term of this MOU.

## ARTICLE VII

## SALARIES

### SECTION 7.01 SALARIES

The following changes to unit wages or salaries shall be made effective as identified below:

Effective July 1, ~~2017~~2020, wages and salaries of the unit employees shall be increased by two 2.7 percent (2.07%). Effective ~~July 1, 2018~~the first full pay period following November 1, 2020, wages and salaries of the unit employees shall be increased by the one percent (1.0%). ~~Consumer Price Index for Urban Wage Earners and Clerical Workers for San Francisco-Oakland-San Jose for the preceding calendar year, as reported by the Bureau of Labor Statistics, U.S. Department of Labor, over the wage and salaries in effect on the preceding June 30. The minimum increase shall be one percent (1%) and the maximum increase shall be three and one half percent (3.5%).~~ ~~Effective July 21, 2019, wages and salaries of the unit employees shall be increased by four percent (4.0%).~~

### SECTION 7.02 SALARY STEPS

1. There are five (5) steps within the salary range for each position, with a 5% increment between the steps. The time between Entrance Step A and Step B is six (6) months of satisfactory service in Step A. The time between Step B and Step C is six (6) months of satisfactory service in Step B. The time between Step C and Step D is one (1) year of satisfactory service in Step C, and the time between Step D and Step E is one (1) year of satisfactory service in Step D.
2. Unless special conditions warrant otherwise, an employee promoted to a higher position will receive the minimum salary for the higher position nearest a 5% increase (not less than 4.9%) above the employee's former position, whichever is higher, provided the increase is within the range of the higher position. If a promotion is awarded within thirty days of a scheduled step increase, the step increase and promotional increase will both be effective at the time of the change. Hiring at a higher salary step will require justification from the Hiring Manager and approval of the EO.
3. If a position is reclassified, a competitive recruitment will occur and the salary placement of the selected employee will be in accordance with subsection 2 above.
4. If a position is reclassified to a position having a lower salary range, the incumbent will be Y-rated according to the provision section 7.05.
5. If an employee is transferred, the employee will remain in the same step of the salary range effective prior to the transfer.
6. Any employee who has passed through the initial probationary period with the District and who is promoted or transfers to another position in the District shall not be subject to any "up or out" probation. Such an employee may be terminated for cause. However, if an employee is promoted prior to the completion of his/her initial probation period, the employee must successfully complete the full probationary period designated for the higher classification before attaining regular status.

7. If an employee is demoted for disciplinary reasons to a position having a lower salary range, the employee will be placed in the new range at the step held prior to the demotion.
8. If an employee is demoted because of lack of funds, the employee will be placed in the salary step in the new range that reflects the least decrease in salary. If an employee promoted to a higher class fails to pass a promotional probationary period, the employee will be returned to a position in the formerly held classification and will revert back to the step in the salary range he/she occupied in the former position effective prior to promotion. Step increases will be awarded on the schedule appropriate to the prior position.

#### SECTION 7.03 STEP INCREASES

Step increases are effective on the first day of the pay period in which the employee's anniversary date falls providing that a formal performance evaluation has been completed which indicates at least an overall "meets standard" rating. For purposes of this section, a delayed performance evaluation exceeding 30 calendar days shall cause the employee's performance evaluation to be an overall "meets standard" rating and the employee shall receive the increase retroactive to the first of the pay period in which the employee's anniversary date falls.

#### SECTION 7.04 DETERMINATION OF SALARY RATES

1. **ORIGINAL APPOINTMENTS:** Unless special conditions warrant otherwise, employees will be hired at the entrance salary of the position classification. Hiring at a higher salary step will require justification from the Hiring Manager and approval of the EO for Steps B and C. Recommendation by the EO and approval of the appropriate committee of the Board of Directors is required for hiring at Steps D and E.
2. **LIMITED-TERM EMPLOYMENT:** Limited-term employees will be placed on the salary range of the classification in which the person is employed. If a former regular District employee is re-hired as a limited-term employee for the same classification in which he/she held upon separation, the former regular employee will be paid at the same step of the salary range for the classification at the time of separation. If a former regular employee is re-hired as a limited-term employee for a classification other than that held at the time of separation, the former regular employee will be paid the same step of the salary range for the classification at the time of separation providing that the salary range of the classification in which the person is employed is equal to or less than the salary range of the classification held at the time of separation. If the salary range for the classification in which the former regular employee is employed is higher than the salary range of the classification held at the time of separation, the former regular employee will be placed at the step of the salary range of the classification based on the needs of the District pursuant to 7.04.1 above.

#### SECTION 7.05 Y-RATING

Y-Rating refers to a position which has been reclassified to a position having a lower salary range. The incumbent will retain his/her present salary until the appropriate step in the reclassified position is equal to or greater than the incumbent's current salary. A Y-Rating status must be approved by the EO and the Board of Directors.

SECTION 7.06 DIFFERENTIAL PAY

Employees not working a regular scheduled late shift or flextime will be compensated an additional \$1.00 per hour for hour worked between 8:00 P.M. and 6:00 A.M. Differential pay is a premium payment and is, therefore, included in the computation of overtime.

SECTION 7.07 SHIFT DIFFERENTIAL PAY

A \$2.50 per hour payment shall be paid to any employee assigned regularly established shift differential assignments. For purposes of this Section, shift differential hours are 5:00 P.M. to 8:30 A.M. and all day Saturday and Sunday. Shift differential is a premium payment and is, therefore, included in the computation of overtime. The schedule for employees working a flex time or compressed schedule shall not be considered shift differential hours.

SECTION 7.08 STANDBY DUTY/CALL BACK

1. STANDBY DUTY

- A. Standby duty shall be defined as that circumstance when an employee assigned by the District to:
  - (1) Be ready to respond immediately to a call for services;
  - (2) Be readily available at all hours by telephone, pager or other agreed upon communication equipment; and
  - (3) Refrain from activities which might impair his/her assigned duties upon call.
- B. With the approval of the EO, a manager may request volunteers or, if needed, assign an employee or employees to standby duty.
- C. Standby duty is normally assigned in one-week increments. Standby duty will be distributed among those employees deemed qualified by the District to perform the duty. An employee assigned standby duty shall be paid \$5.00 per standby duty hour (those hours before and after normal working hours) or at the employee's discretion, one (1) hour of Compensatory Time Off for each twelve (12) hours. A standby duty shift shall consist of a twenty-four (24) hour period of time as determined by the District less any regular or overtime hours.
- D. An employee called to respond while on standby duty shall be compensated for the time worked in accordance with the Call Back provision, below.

2. CALL BACK

- A. A bargaining unit employee who is called back to work while on standby or after he/she has worked the scheduled shift and has departed from the place of employment shall be compensated with overtime for the time worked, either in cash or compensating time off

(if applicable), at the rate of time and one-half with a minimum of two (2) hours at such rate.

- B. Should the time worked while called back become contiguous with the regular work schedule, time worked shall not be treated as a call back and the minimum time period shall not apply.
- C. An employee being paid for Call Back shall not receive Stand-By Pay for the same hours.

SECTION 7.09 SALARY DEDUCTIONS

Salary deductions may be authorized from time to time by the EO.

- 1. Mandatory deductions include but not be limited to Federal Withholding Tax, State Withholding Tax, Medicare tax, if applicable, State Disability Insurance premium, and the employees' Public Employees' Retirement System contribution.
- 2. Voluntary deductions include the regular deduction of health insurance, life insurance, credit union, union dues and other voluntary program deductions that may be authorized by the employee and provided for by the District.

SECTION 7.10 PAY PERIOD AND PAYDAY

- 1. The pay period will be a two-week period beginning on Sunday and ending on Saturday. Employees will be paid biweekly no later than the Friday following the close of a pay period. If payday falls on a holiday, warrants will be distributed on the previous workday. Start of the pay period will be adjusted for an employee working a compressed workweek. The District shall indicate on each employee's paycheck stub the following: accrued annual leave, accrued sick leave, accrued compensatory time, and accrued floating holiday time.
- 2. The District shall provide employees with the option of direct deposit of their paychecks to those banks that provide this capability.
- 3. The District and the Association agree that during the term of this MOU, the parties will study alternate paydays and pay periods. No said changes will be made unless parties to this MOU agree to such changes.

SECTION 7.11 FINAL PAYMENTS

- 1. SALARY. Final salary payments to any person who terminates will be paid within 72 hours of the last day worked. When an employee is discharged for cause, the final salary payment will be issued on the last day of employment.
- 2. ACCRUED ANNUAL LEAVE. An employee leaving the service of the District shall receive a single payment covering the amount of the accrued annual leave remaining on account.
- 3. ACCRUED SICK LEAVE. Employees leaving the service of the District will not be paid for any unused accumulated sick leave credit remaining on account. Accrued sick leave will be applied to service credit upon retirement under the PERS contract.

4. FLOATING HOLIDAYS. Floating holidays must be used within the fiscal year they are credited. An employee leaving the service of the District shall receive a single payment covering the amount of the accrued floating holidays remaining on account.
5. COMPENSATORY TIME. An employee leaving the service of the District shall receive a single payment covering the amount of accrued compensatory time remaining on account.

#### SECTION 7.12 SALARY ADVANCES

Employees may apply for a payroll advance under the following conditions:

1. An employee must have been in a paid status for at least one week in the pay period prior to receiving a salary advance.
2. The amount requested cannot exceed amount earned to date during the pay period.
3. The amount advanced must be deducted from the paycheck for that pay period.
4. No more than two (2) such requests can be submitted annually. Exceptions may be approved by the EO and must be announced to the Board under “Report of EO”.
5. Requests for salary advance must be received by the HRO at least one (1) week prior to the date of requested distribution for which the advance is requested.
6. Requests are subject to the approval of the HRO.

#### SECTION 7.13 ACTING ASSIGNMENTS

1. When an employee is assigned in writing by his/her Division Director to perform all of the day-to-day duties of a position in a higher District classification due to a vacancy or temporary absence of the person normally assigned to perform those duties, the employee shall receive “Acting Pay” from the first day of such assignment until the end of the assignment not less than 40 hours.
2. The rate for “Acting Pay” shall be determined by Section 7.02.2 of this MOU.
3. Acting assignments shall not be for less than forty (40) hours.
4. It is expressly understood that acting assignments do not constitute an appointment to a different position and have no effect on the employee’s representation status and/or terms and conditions of employment other than the duties performed by the employee and the “Acting Pay” received by the employee during the period of the acting assignment.
5. An acting assignment for a vacant position may only be used to backfill the position during the recruitment process to fill the vacancy.



6. An employee may decline acting assignments. An employee who has accepted an acting assignment may decline to continue the acting assignment with five (5) working days advance written notice to his/her Division Director. A Division Director may discontinue an acting assignment at any time with written notice to the employee.

#### SECTION 7.14 SPECIAL PAY AND ALLOWANCES

1. **BILINGUAL PAY.** Division directors shall identify those employees who, in the performance of their duties, are required to converse with the public or translate documents in a language other than English. Employees so designated, who have demonstrated their competency in a second language to the satisfaction of the Division Director, shall receive bilingual pay in the amount of \$30 per pay period provided the employee utilizes the bilingual skills as described above for ten (10) or more hours per pay period. The compensation shall be increased by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the San Francisco-Oakland-San Jose based on the previous year's CPI-W on each July 1, as reported by the Bureau of Labor Statistics, U.S. Department of Labor.
2. **PER DIEM.** Employees who travel away from the District for training or other work assignments that extend for more than one day shall be reimbursed for reasonable expenses provided that receipts are submitted for such expenses. The employee should submit a detailed expense report within 7 days of the travel, including receipts for other expenses (e.g. travel and lodging).
3. **HAZARD PAY.** Division directors shall identify those employees who, in the performance of their duties, are required to 1) climb to the sampling point of stacks, storage tanks or any structure at a height of 30 feet or more 2) wear a Self-Contained Breathing Apparatus (SCBA) or safety harness 3) perform confined space entries or 4) climb to a height of 30 feet or more wearing SCBA, harness and is in a confined space. Such employees shall receive additional compensation in the amount of two and one-half percent (2½%) above the employees' current salary step for the duration of that assignment.

Employees may be required to successfully complete training prescribed by The District as a condition of employment in positions requiring the above duties.

The hazard pay shall not constitute a part of the employee's base rate, but shall be a bonus for performing these duties. Hazard pay shall be considered part of the regular rate for the purpose of computing overtime.

#### ~~SECTION 7.15 — LONGEVITY INCENTIVE~~

~~Upon ratification in May, 2002, the District shall provide a Longevity Incentive payment of \$325 to each unit member.~~

### **ARTICLE VIII EMPLOYMENT AND MERIT INCREASES**

#### SECTION 8.01 POLICY

Employment, passing of a probationary period and merit increases are based solely on merit of the individual employee. No employee is guaranteed a continuation of employment or of receiving any future salary benefits.

#### SECTION 8.02 DEFINITIONS

1. **Original Date of Hire:** The date of hire into a regular position with the District in an unbroken period of employment that includes the most recent employment with the District. The period of time an employee is on Workers' Compensation shall be considered a continuous period of employment.
2. **Adjusted Hire Date:** The most recent hire date preceding any period of absence due to layoff of six (6) months or less adjusted forward to account for the lapse in service.
3. **Salary Anniversary Date:** The date on which the employee has completed six (6) full months of service in pay steps A or B, or completed twelve (12) full months of service in pay steps C or D.
4. **Adjusted Anniversary Date:** The Salary Anniversary Date, taking into account any periods of absence without pay of a pay period or more. For purposes of this section employees on Workers' Compensation shall not be considered absent from service.

#### SECTION 8.03 ANNIVERSARY DATE

The salary anniversary date or adjusted anniversary date for newly hired or promoted employees is the date of hire or date of most recent promotion. The anniversary date will be used in determining when an employee becomes eligible to be considered for salary step increments.

Annual leave credits and sick leave credits are accrued from original date of hire or adjusted hire date. For the initial pay period after hire and the final pay period upon termination, annual and sick leave accruals shall be determined as forty (40) hours worked in a pay period. There will be no prorating of time for annual or sick leave for less than this minimum time per pay period. For part-time new hires and any employee who separates employment with the District, 50% of their regularly scheduled assignment will constitute forty (40) hours worked in a pay period. These provisions will not be applicable for determining annual leave and sick leave accruals during any other type of leave.

#### SECTION 8.04 PERFORMANCE EVALUATION

1. During the initial probationary period, a probationary employee shall receive at least two (2) formal performance evaluations which will normally be conducted at the end of the sixth and eleventh month of service as defined in Section 8.05.2 below.
2. Promoted employees who are subject to a six (6) month probationary period as defined in Section 8.05.2 below shall receive at least two (2) formal performance evaluations which will normally be conducted at the end of the third and fifth month of service as defined in Section 8.05.2 below.

3. Promoted employees who are subject to a nine (9) month probationary period as defined in Section 8.05.2 below shall receive at least two (2) formal performance evaluations which will normally be conducted at the end of the third and eighth month of service as defined in Section 8.05.2 below.
4. After completion of the appropriate probationary period, a formal performance evaluation shall be completed for the employee annually. A supervisor is not precluded from completing a formal performance evaluation at any time. Performance evaluations are a continuing responsibility of each supervisor, and each supervisor will informally discuss employees' performance as often as necessary to ensure effective work performance.
5. A performance evaluation that includes an overall rating of needs improvement or unsatisfactory must include an attached plan for improvement.

**SECTION 8.05 PROBATIONARY PERIOD**

1. Upon initial hire, each employee shall be subject to a probationary period equivalent to one (1) year of full-time actual and cumulative service. During an employee's initial hire probationary period the employee may be terminated without cause or right of appeal.
2. Employees promoted within the same class series shall be subject to a probationary period equivalent to six (6) months of full-time actual and cumulative service. Employees promoted to a position in a different class series shall be subject to a probationary period equivalent to nine (9) months of full-time actual and cumulative service. If an employee does not successfully complete his/her promotional probationary period, he/she shall be placed back in a position in the employee's former classification at the salary step held prior to the promotion without cause or right of appeal.
3. During any probationary period, no employee shall be demoted or terminated in violation of the District's Equal Employment Opportunity policy.

**ARTICLE IX HOURS OF WORK**

**SECTION 9.01 HOURS OF WORK**

**1. WORKWEEK**

- A. **NORMAL WORKWEEK.** A normal workweek shall consist of five (5) consecutive eight (8) hour days, Monday through Friday. The normal workday shall be scheduled over an eight and one-half (8 ½) hour period from 8:30 A.M. to 5:00 P.M., normally with one-half (1/2) hour for meals.
- B. **COMPRESSED WORKWEEK.** With the approval of Management, an employee's normal workweek and/or workday can be modified to allow for flextime hours or a compressed workweek. In such a case, appropriate adjustments will be made to recognize such a normal flex or compressed day/week.

C. TELECOMMUTING. With the approval of Management, an employee's normal workweek may be modified to allow for telecommuting. The employee and his/her supervisor will agree on core days and hours during which the employee ~~can will be reached by phone working remotely,~~ and these will remain constant from week to week, unless modified by agreement with the supervisor. The District will allow non-scheduled telecommuting on Spare-the-Air days. In all cases, telecommuters shall make ~~provisions that~~ provide sufficient communication with the office and the public to meet the District goals. ~~Telecommuters shall be present at least three (3) days per week in the District office. Exceptions may be granted in extraordinary situations. With the approval of Management and his/her supervisor, the District will allow non-scheduled telecommuting on Spare-the-Air days.~~

D. PART-TIME WORK: An employee may request a regular part-time work schedule of fewer than 80 hours per pay period. Approval shall be at the discretion of the Division Director and the EO on a fiscal year basis considering business needs of the District. The part-time schedule may be rescinded by the EO with a 30-day notice to the affected employee for business needs or for unsatisfactory employee performance.

2. An employee shall not work any time in excess of his or her approved work schedule without prior approval of the employee's supervisor, acting supervisor or other manager in the employee's chain of command.
3. When a situation arises in which a represented employee is unable to work his or her regular hours on a particular day, upon the approval of his or her supervisor, the employee may make up the time missed. The makeup time shall occur during the same pay period. The total hours worked, including makeup time, shall not exceed forty (40) hours during any work week and shall not exceed ten (10) hours on any one day.
4. When an employee is away from the employee's normal duty assignment for jury duty, an all-day or multi-day meeting, a conference or to take a District-authorized class, the employee shall only be paid: for the hours representing the agency at, and travel time to and from, meetings or conferences; for the hours at, and travel time to and from, a class; or for the hours at jury duty and for any travel time between the location of the jury duty and the District office or the location of the employee's normal duty assignment. With the approval of the employee's supervisor, an employee will receive overtime or compensatory time if the time consumed by the outside activity exceeds the employee's normal workday.
5. When an employee attends one of the activities which requires the employee to be away from the employee's normal duty assignment and the activity concludes prior to the end of the employee's assigned work day, the employee must return to work, use appropriate paid leave, work at home, or make-up time. In order to use appropriate paid leave, work at home or make-up time the employee must receive concurrence from his/her immediate supervisor and authorization from his/her manager. If the employee is authorized to make-up time, the employee must make-up the time in the same pay week in which time was taken off and in no event shall this time when combined with regular hours worked result in weekly overtime.

6. With the approval of Management, an employee may make up work time that is lost as a personal or job-related obligation within the same workweek in which the work time is lost. Make up may not be counted towards computing the total number of hours worked in a day for purposes of the overtime requirement specified in this MOU. The schedule according to which any such time will be made up will be established in consultation with the employee's supervisor.

#### SECTION 9.02 MEAL PERIOD AND REST PERIOD

1. Lunch period of one-half (1/2) hour is to be taken as assigned by the employee's manager, normally it will be taken between 12:00 P.M. and 1:00 P.M.
2. Rest period of one-quarter (1/4) hour each is normally taken in mid-morning and mid-afternoon.
3. Continuation of Business. An adequate number of employees may be assigned lunch and rest periods to ensure the continuation of business.

If an employee is authorized to take a 30-minute lunch, the employee may either be authorized by the manager to combine his/her two 15-minute breaks with his/her lunch period or to take one 15-minute break mid-morning and one 15-minute break mid-afternoon.

If an employee chooses and is authorized to combine his/her lunch and break periods, to provide the employee a one (1) hour lunch period, the employee will not be entitled to take any additional breaks during the employee's work shift.

If an employee is authorized to take a one (1) hour lunch and two 15-minute breaks, then the employee shall take one 15-minute break midmorning and one 15-minute break mid-afternoon.

Due to unforeseeable work duties, there may be times that an employee will not be able to adhere to his/her primary lunch option. The District acknowledges that in such cases, an employee may select an alternative lunch option for that day.

#### SECTION 9.03 ATTENDANCE

1. An employee's supervisor will be responsible for keeping the daily attendance record of each employee.
2. A bargaining unit employee who is tardy shall report to the employee's supervisor as promptly as possible after beginning work and at the sole discretion and approval of the employee's manager, the employee may be allowed to make-up time providing the time made-up does not put the employee in an overtime status, use appropriate paid leave in accordance with this agreement, or may be docked for the period of tardiness.
3. An employee must report unscheduled leave to the District within the first hour of the workday unless an emergency prevents such reporting.

- A. Failure to report may result in loss of pay for the period of absences from work.
- B. An employee who is absent without leave and without having reported his/her absence for more than one (1) working day may be considered to have resigned and may be terminated.

SECTION 9.04 OVERTIME

The District will avoid the necessity for overtime where possible. The District is under no obligation to assure anyone of the availability of overtime work, nor is the District obligated to treat any particular kind of assignment as overtime. Therefore, the District may adjust work schedules where possible to cover work assignments as straight time work assignments.

The District recognizes that not all work matters can be scheduled during a work shift, and consequently, legitimate overtime assignments will be compensated accordingly.

A notice to an employee to work overtime is a notice in advance if the assignment is given more than 24 hours prior to the beginning of the work to be performed. Such assignments will be considered “scheduled” overtime. An assignment given less than 24 hours in advance will be considered an “unscheduled” assignment for call-back purposes. A call-back is the unscheduled, emergency, and authorized call-back to return to work after a regular shift has been completed.

The District will make every reasonable effort to notify employees of changes in work schedules 14 days in advance of the work to be performed.

Though work schedules for most employees are within the normal work day and normal workweek, groupings of employees may occasionally or regularly have work schedules at different times. The District reserves the right to change work schedules to meet operational needs during straight time shifts.

Except as otherwise provided in Section 9.01, travel time pay is only authorized for call-back assignments. Travel time and call-back time will be compensated at the applicable rate of pay. The time employees spend traveling to a work assignment, except for qualifying callback assignments, is not to be paid regardless of whether the employee is traveling to a scheduled overtime or straight time assignment.

1. AUTHORIZATION. Overtime is the necessary, assigned authorized time worked in excess of eight (8), nine (9), or ten (10) hours per day (depending on an individual's normal work schedule) or forty (40) hours per week. With regard to flex time or compressed work weeks, it is recognized that the standard work week may not be 40 hours. Any hours worked beyond whatever is necessary to fulfill the designated flex/compressed work week plan for a represented employee are designated as excess hours. These excess hours are to be paid as overtime or compensatory time at the rate of one and one-half times base hourly rate. For the purposes of this section, paid leave time shall be included in computing the forty hours per week when determining eligibility for overtime; provided, however, that an employee on a flex time or compressed schedule may, with supervisor's approval, modify a normal schedule

in order to meet operational necessities, which modified schedule will then constitute a normal work time.

2. **CALL-BACK.** Call-back is the unscheduled, authorized call back to work before or after but not connected to the normal workday. Compensation will be based on a minimum of two hours at the applicable rate of pay.
3. **TRAVEL TIME.** For a call-back which is not directly connected to the beginning or ending of a normal shift, the employee will receive compensation from the time the employee leaves home until the employee returns home (travel time) at the applicable rate of pay.
4. **DISTRIBUTION OF OVERTIME.** Overtime, other than call-back, will be distributed in the following manner, consistent with District operating requirements:
  - A. When overtime is required to complete an assignment, the person given the assignment will normally continue the work.
  - B. When unscheduled overtime is required in a supervisor's area (or an extended coverage area) to conduct an additional assignment, employees working for a supervisor (or working in an extended coverage area) will be asked first whether they wish to volunteer for the overtime work. If two or more people volunteer for the assignment, the assignment will be made based on a rotating overtime assignment schedule starting with the most senior person in the work group. If no one volunteers for the assignment, a supervisor may select an individual through the use of a lottery system or, at the discretion of management, the supervisor may select in the order of inverse seniority. Any and all of the above methods may be used to establish an order of rotation for the purposes of distribution of overtime.
  - C. On continuing extended, overtime assignments, coverage will be assigned on a rotating basis.
  - D. All overtime assignments will be made with due consideration for employee hardship.
  - E. Seniority, for the purposes of overtime assignments only, is determined by the time an employee has held the position for which the overtime assignment is required.
  - F. The District reserves the right to approve, or disapprove, all assignments with due consideration of safe work hours and excessive work schedules.
  - G. Limited-term employees shall not be offered the opportunity to work overtime hours without first offering the overtime hours to that supervisor's regular employees and allowing those employees to decline the overtime hours.
5. **DISTRIBUTION OF CALL-BACK.** Call-back will be distributed in the following manner:

- A. When call-back is required, the person normally responsible for the assignment will be given first opportunity of call-back.
  - B. If the person normally responsible for the assignment is unavailable for call-back, then the immediate supervisor will be responsible for the assigning of call-back to other employees in the same position.
  - C. If the immediate supervisor is unavailable for call-back, then the alternate supervisor, manager or division director will be responsible for the assignment of callback.
  - D. The District maintains the option to deviate from this procedure based upon immediate need.
6. All represented employees who are authorized and work overtime shall be compensated at the rate of one and one-half times their base hourly rate of pay for all time worked over their normally scheduled work day. Represented employees may elect compensatory time at the rate of one and one-half (1½) times the overtime worked in lieu of overtime pay but may not accumulate more than 240 hours of compensatory time. After 240 hours of compensatory time has been accumulated, overtime pay will be the compensation for overtime work. The maximum accumulation of compensation time is 120 hours as of the end of the calendar year. At the end of the calendar year, the District will pay the employee all compensation time in excess of 120 hours at the current hourly rate. An employee may cash out up to the full amount (240 hours) at the end of the calendar year.
  7. Employees required to work a designated holiday shall receive overtime pay equal to two times the employees' base hourly rate of pay. For purposes of this section, a designated holiday shall be the dates on which the holiday is observed by the District (Section 12.07), except that for New Year's Day, Independence Day, and Christmas Day, the designated holiday shall include the actual date of the holiday and if any of these holidays fall on a Saturday or a Sunday, the Monday or Friday on which the holiday is observed by the District.
  8. An employee shall not work any time in excess of his or her approved work schedule without prior approval of the employee's supervisor.

**ARTICLE X            REDUCTION IN FORCE**

**SECTION 10.01            PROCEDURE / BUMPING, LAY-OFF AND RECALL**

1. **SENIORITY.** For the purpose of this Section, there are three types of seniority which apply in connection with the implementation of a reduction in any portion of the District work force: District employment seniority, seniority within a class series and seniority within a specific job classification. District employment seniority is the seniority gained based on overall employment with the District. Seniority within a class series is the seniority gained based on time in service in a number of job classifications which all belong to the same class series (for example, Inspector I, Inspector II, Senior Inspector and Supervising Inspector).



Seniority within a job classification is the seniority gained based on time in service in a specific job classification.

## 2. LAYOFFS/REDUCTIONS IN WORK FORCE

- A. When a reduction in work force becomes necessary for any reason such as lack of funds or lack of work, layoffs will be based on reverse order of overall District employment seniority.
- B. As a result of any such layoffs, management may reassign remaining employees to equal or lower paying job classifications in order to assure that the operating requirements of the District can be met. Any such reassignments shall be made in accordance with the bumping mechanism set forth in Section 3(C) below.
- C. The District will give an employee at least 30 days written notice prior to the effective layoff date.
- D. The District will furnish a list of employees to be laid off to recognized employee organization(s) at the same time the employees are given written notice.

## 3. BUMPING

A. **DEFINITION.** Bumping is the displacement of an employee to an equal or lower paying job classification. Bumping will be based on reverse order of seniority, either in the job classification or District-wide, as set forth in subsection (C) (2) below. Normally, bumping will occur in the context of a reduction in the District work force, when the position of an employee with sufficient overall employment seniority with the District to avoid being laid off is eliminated. However, bumping may also occur in the context of a static staffing mode, when the District is unable to hire new employees to fill existing vacancies or as a result of significant changes in the operating requirements of the District, such that it is necessary to displace existing employees to equal or lower paying job classifications involving new or different duties.

### B. GENERAL RULES APPLICABLE TO BUMPING

The bumping procedure set forth below shall not be used for punitive or disciplinary purposes.

- (1) When any employee who has held a given job classification for less than 4 years must be bumped, the employee to be bumped to an equal or lower paying job classification will be the employee with the least seniority in that employee's current job classification. When any employee who has held a given job classification for more than 4 years must be bumped, the employee to be bumped to an equal or lower-paying job classification will be the employee with the least overall employment seniority with the District.

- (2) Whenever an employee is bumped, the time spent by the employee in the position from which the employee has been bumped, as well as any time which the employee previously spent in the position to which the employee is bumped, will count as time spent in the job classification to which the employee is bumped.
  - (3) When two or more employees have the same amount of seniority in a given job classification and one must be bumped, the employee with the least overall District employment seniority is the one who will be bumped. When two employees have the same amount of overall District employment seniority and one must be bumped, the decision as to which employee must be bumped will be based on the flip of a coin.
  - (4) Any employee who is bumped to a lower paying job classification will be Y-rated in accordance with Section 7.05. In the event of any subsequent vacancy in a job classification from which an employee was bumped, that employee will be automatically returned to that previous job classification. When more than one employee has been bumped, that employee with the highest applicable seniority in accordance with rule (1) above shall have priority to return to the previously held vacant job classification. In the event of a vacancy in a job classification in a class series from which an employee has been bumped that pays more than the job classification that the employee currently holds, but less than the job classification from which the employee was bumped (an intermediate-paying classification), the employee with highest applicable seniority in accordance with rule (1) above will be automatically promoted to the intermediate paying classification.
  - (5) An employee's seniority in a given job classification shall not be affected by a re-titling of the position and/or modification of the job description which involves no change in pay.
  - (6) Subsequent to being hired as a regular employee, an employee's time in service as a limited-term employee in excess of 1,000 hours within a fiscal year shall count toward that employee's overall District employment seniority, and all of an employee's time in service as a limited term employee in a given job classification shall count toward that employee's seniority in that job classification.
  - (7) Prior to bumping any employee to an equal or lower paying job classification, the EO shall provide a written explanation as to why the operating requirements of the District necessitate that the employee be displaced from his or her current job classification. The District will give an employee at least 30 days written notice prior to the effective date of any bumping. The District will furnish a list of employees to be bumped to recognized employee organization(s) at the same time the employees are given written notice.
- C. **THE BUMPING MECHANISM.** The bumping mechanism will operate by the application in sequential order of the following criteria, (1) through (9). Thus, an employee who, because of a lack of seniority in his/her job classification, is to be bumped to an equal or lower paying job classification will be bumped in accordance with the first of the following criteria which applies to his/her specific circumstances. At any step

where a given employee may bump one of several other employees with less seniority, the individual with the least seniority is the one who will be bumped.

- (1) Prior to the implementation of any mandatory bumping or displacement of an employee to an equal or lower paying job classification to meet the operating requirements of the District, management shall solicit volunteers to move to that job classification. If more than one employee in a job classification volunteers to be bumped, the volunteer with the greatest overall District employment seniority is the one who will be bumped.
- (2) An employee can never bump back to a higher paying position which that employee previously held in the District; however, for purposes of calculating seniority in a job classification, the time spent by an employee in a higher paying job classification will be added to the time already spent in the current, lower paying job classification.
- (3) An employee whose job is being eliminated bumps the least senior employee in the same job classification in the same division.
- (4) The least senior employee in a division bumps the least senior employee in the same job classification anywhere in the District.
- (5) An employee, "A", bumps to an equal paying job classification which "A" previously held, provided that "A" has more total seniority in the current and the previously held position than the least senior current employee in the position which "A" previously held.
- (6) "A" bumps to a lower paying job classification which "A" previously held, provided that "A" has more total seniority in the current and the previously held position than the least senior current employee in the position which "A" previously held.
- (7) "A" bumps to a lower paying job classification in a class series in the same division in which "A" previously held a position, provided that "A" has more total seniority in that class series and in "A's" current position, taken together, than the least senior current employee in the lower paying job classification; and provided, further, that an employee must have held a job classification as a supervisor within the District in order to bump a supervisor in a lower paying class series.
- (8) "A" bumps to a lower paying job classification in a class series anywhere in the District in which "A" previously held a position, provided that "A" has more total seniority in that class series and in "A's" current position, taken together, than the least senior current employee in the lower paying job classification; and provided, further, that an employee must have held a job classification as a supervisor within the District in order to bump a supervisor in a lower paying class series.
- (9) "A" bumps to an equal or lower paying job classification which "A" did not previously hold but for which "A" meets the minimum requirements identified in the job description, provided that "A" has more total District seniority than the least senior current employee in the equal or lower paying job classification.

Note: Notwithstanding that the foregoing criteria (6), (7), (8) and (9) shall normally be applied in sequential order, an employee who can bump to an equal or lower paying job classification under any of those four criteria shall bump to the highest paying of the available positions.

#### D. RECALL

- (1) Employees who are laid off will be placed on a recall list for thirty-six (36) months, during which period, service time in the former classification will be preserved. However, no service time will be accrued during any period of layoff.
- (2) Employees will be recalled to their former job classification, or to a lower paying job classification for which they meet the minimum requirements identified in the job description, in reverse order of layoff provided they respond to the notice (mailed to the employee's home address of record with the District by certified mail return receipt requested) of a classification opening by notifying the District of their intent to return within 10 working days of receipt of such notice and return to work or to their former classification within fifteen (15) calendar days of receipt of such notice.
- (3) An employee recalled to a lower paying classification or advanced to an intermediate paying classification shall remain on the recall list and retain the right to return automatically to his or her former, higher paying classification. The employee with the highest seniority shall have priority to return to the previously held vacant job classification or to advance to an intermediate paying job classification in the class series of the previously held classification.
- (4) An employee's name shall be removed from the recall list only when the employee refuses an offer to be returned to the employee's former position.
- (5) A change in job title shall not affect an employee's recall rights.

## **ARTICLE XI           FRINGE BENEFITS**

An employee who is approved for a part-time assignment of 90% or more will receive the fringe allowance as specified in Section 11.07 Premium Requirements. All other employment benefits will be prorated based on the hours worked. All employment benefits for an employee who is approved for a part-time assignment of less than 90% will be prorated based on the hours worked.

### **SECTION 11.01           HEALTH INSURANCE**

The District shall make available health insurance coverage through the Public Employees Medical and Hospital Care Program for employees and their eligible dependents. Optional coverage is available for eligible dependents and for Domestic Partners where an employee has filed a confidential Declaration of Domestic Partnership with the Human Resources Section. In the event the health insurance coverage in effect July 1, 2014 becomes unavailable, the District

and the Association shall immediately meet and confer to mutual agreement in order to select a comparable value plan.

SECTION 11.02 DENTAL INSURANCE

The District shall make available dental insurance coverage for employees. Optional coverage is available for eligible dependents and for Domestic Partners where an employee has filed a confidential Declaration of Domestic Partnership with the Human Resources Section. In the event the dental insurance coverage in effect July 1, 2014 becomes unavailable, the District and the Association shall immediately meet and confer to mutual agreement in order to select a comparable value plan.

SECTION 11.03 VISION CARE

The District shall make available Vision coverage for employees. Optional coverage is available for eligible dependents and for Domestic Partners where an employee has filed a confidential Declaration of Domestic Partnership with the Human Resource Section. Vision care coverage for dependents must be elected at the time of enrollment. In the event the vision care coverage in effect July 1, 2014 becomes unavailable, the District and the Association shall immediately meet and confer to mutual agreement in order to select a comparable value plan.

SECTION 11.04 LIFE INSURANCE

The District provides life insurance coverage for employees. The life insurance amount is based on annual salary. Optional Additional Contributory Life is also available to employees. In the event the life insurance coverage in effect July 1, 2014 becomes unavailable, the District and the Association shall immediately meet and confer to mutual agreement in order to select a comparable value plan.

SECTION 11.05 LONG TERM DISABILITY INSURANCE

The District shall provide Long Term Disability Insurance which partially replaces lost income for employees who become disabled on or off the job and meet the eligibility requirements.

SECTION 11.06 VISION CARE, AND HEALTH, DENTAL AND LIFE INSURANCE COVERAGE AFTER RETIREMENT

1. All Employees Upon Retirement

At a minimum, the District shall comply with the provisions of the California Public Employees' Medical and Hospital Care Act. Vision care, dental insurance and life insurance coverage after retirement will be governed by the vision, dental and life insurance plans in effect for employees covered by this agreement, and in compliance with the provisions of the Medicare program.

2. Employees Hired before July 1, 2010

Health insurance, dental insurance, vision care and life insurance shall continue for employees hired before July 1, 2010 at the maximum fringe benefit allowance received at the

time of retirement. This Section also applies to employees hired before July 1, 2010 who separate from the District and are re-hired by the District at a later date and subsequently retire from the District.

3. Employees Hired on and after July 1, 2010

- A. Health insurance, dental insurance, vision care and life insurance shall continue for retired employees at the maximum fringe benefit allowance received upon retirement times a percentage of District contribution, and in compliance with the provisions of the Medicare program.

The percentage of District contribution payable for postretirement health insurance, dental insurance, vision care and life insurance shall, except as provided in subsection B below, be based on the employee’s completed years of credited CalPERS service at retirement as shown in the following table:

<u>Credited Years Of Service</u>	<u>Percentage of District Contribution</u>
10	50
11	60
12	70
13	80
14	90
15	100

This subsection shall apply only to employees who receive a service or disability retirement and are first employed by the District after July 1, 2010.

- B. The credited service of an employee for the purpose of determining the percentage of District contributions applicable under subsection A shall not include purchased Additional Retirement Service Credit (‘air time’).
- C. The credited service of an employee for the purpose of determining the percentage of District contributions applicable under subsection A shall include purchased Military, Peace Corps and AmeriCorps service.
- D. Notwithstanding subsection A, for employees hired by the District on and after July 1, 2010, and who retire for disability with less than 10 years of credited service, the contribution payable by the District shall be 50 percent of the maximum fringe benefit allowance received at the time of retirement.

4. Increases

Retired annuitants' fringe benefit allowances may be equal to and increased concurrently with increases to represented employees' fringe benefits, as determined by the District's Board of Directors.

5. For employees first employed before July 1, 2017, and with no break in service to the date of retirement, except as provided in 2 above, if they are otherwise eligible for an annuitant fringe benefit (see 1, 2 and 3 above), their retired annuitant fringe benefit allowance shall not be less than \$1763.70 per month or proration as described in 3 above.

#### SECTION 11.07 PREMIUM REQUIREMENTS

~~1. Effective July 1, 2017, the District will provide a cafeteria plan for fringe benefits with a fringe benefit allowance (FBA) for payment of premiums for health, dental, vision, and additional life insurance coverage.~~

~~A. For employees hired before July 1, 2017, the FBA will be equal to \$1763.70. Cafeteria Plan Each pre July 1, 2017 employee who uses less than the full amount of the FBA shall be eligible to receive cash payments of the unused portion. Such payments shall not exceed \$100 per month.~~

~~B. For employees hired on or after July 1, 2017, the FBA will be equal to the appropriate tier provided in subsection 3 below. Employees hired on or after July 1, 2017 are not eligible to receive cash payments of any unused portion of the FBA.~~

~~2. Effective January 1, 2018, ~~t~~The District will provide a cafeteria plan for Fringe Benefits with a FBA for payment of premiums for health, dental, vision (including the vision buy up plan), and additional life insurance coverage. ~~The District will no longer provide cash payments of the unused portion of the FBA. In recognition of the termination of this benefit all unit members will receive a one-time adjustment to base wage of one percent (1%).~~~~

~~3.1.~~

A. For employees hired before July 1, 2017, the FBA will be equal to the appropriate tier provided in subsection 3 below or \$1763.70, whichever amount is greater.

B. For employees hired on or after July 1, 2017, the FBA will be equal to the appropriate tier provided in subsection 3 below.

~~4.2.~~ Tiered Benefit Plan - ~~Beginning January 1, 2018 ~~t~~The District will offer the following tiered benefit plan for FBA. Determination of tiers A, B, or C is based on enrollment for health care plan only.~~

A. Employee (EE) only – 100% of Kaiser HMO premium for single plus 100% of dental and vision premiums for Employee Only Plan.

B. Employee plus One – 95% of Kaiser HMO premium for employee plus one plus 95% of dental and vision premiums for Employee + One Dependent Plan.

- C. Employee + Family – 90% of Kaiser HMO premium for employee plus two or more plus 90% of dental and vision premiums for Employee + Two or More Dependents Plan.

~~5.3.~~ For those employees who do not enroll in a health care plan, the allowance will be based on the percentage for the selected plan(s) as described above.

~~6. Effective January 1, 2018, each employee who uses less than the full amount of the FBA shall receive a one-time payment equal to the annualized value of cash payment (AVCP) less 1% of the employee's salary as of December 31, 2017, where AVCP is equal to \$1200 or the projected unused portion of FBA for the calendar year of 2018, whichever amount is less.~~

SECTION 11.08 STATE DISABILITY INSURANCE/FAMILY TEMPORARY DISABILITY INSURANCE/PAID FAMILY LEAVE

Each employee is covered by State Disability Insurance (SDI) and Paid Family Leave Insurance, also known as Family Temporary Disability Insurance (FTDI). Premiums are paid by the employee. The District's sick leave payments are integrated with any payments received by the employee from SDI or FTDI. The cost of SDI and FTDI is deducted from the employee's pay. State Disability Insurance and Family Temporary Disability Insurance are integrated with the employee's leave time. Employees shall not be entitled to receive more than one hundred percent (100%) of pay when SDI or FTDI and leave time are combined. The administration of the SDI and FTDI programs is solely the responsibility of the State of California. The District is not responsible for benefit levels, the duration of benefits, or the eligibility of District employees for benefits.

SECTION 11.09 WORKERS' COMPENSATION

1. An employee who is absent as a result of a work-related injury will continue to receive full pay for the first 90 calendar days after the date of injury (the period will apply only once per injury) providing the injured employee meets the following requirements/conditions:
2. The injury has been accepted by the District's workers' compensation insurance carrier as a bona fide work-related injury.
3. The work-related attending health care provider has medically authorized the absence.
4. If the length of the work-related absence qualifies the injured worker for temporary
5. disability benefits from the District's workers' compensation insurance carrier, the wages of the employee will be deducted for the same amount as the temporary disability payments; and in no event, will the injured employee receive more than 100% of his/her wages when combined with any temporary disability payments from the District workers' compensation insurance carrier.



6. These provisions will only apply once per injury as determined by the District's Workers' Compensation Insurance carrier.
7. In the event that the District's workers' compensation insurance carrier does not accept the workers' compensation claim, the District is entitled to recover the amount of any benefits or time paid under this section. The District and the employee will develop a repayment plan. The employee may surrender sick leave, annual leave, floating holidays or compensatory time, make a cash payment, accept payroll deductions, or agree to surrender any combination thereof for repayment. The compensation shall be paid back within one year from the denial of the claim. Any period longer than one year must be agreed upon by both parties due to extenuating circumstances.

#### SECTION 11.10 PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)

The following applies to those employees who were employed by the Air District on or before December 31, 2012 and to those employees who are otherwise eligible as 'classic members' as defined by CalPERS:

2% at 55 FULL RETIREMENT FORMULA: The District amended the PERS contract to implement the "2.0% at age 55 formula" effective July 22, 2002.

Employees who began CalPERS membership at the Air District or another qualifying CalPERS agency on or after January 1, 2013 shall participate in the 2% at 62 FULL RETIREMENT FORMULA.

In the event that any part of PEPR which affects benefits described herein is amended or otherwise voided by action of the legislature, electorate or court of law, the parties shall immediately reopen negotiations concerning such provisions and shall bargain this provision in accordance with MMBA requirements.

#### 1. PICK-UP OF EMPLOYEE CONTRIBUTIONS:

There shall be no employer pick-up of mandatory retirement contributions during the term of this Agreement.

#### 2. EMPLOYEE CONTRIBUTIONS

- A. Effective July 1, 2013, the "classic employees" shall pay the entire 7% mandatory employee contribution to CalPERS.
- B. Employees who are not considered "classic employees" by CalPERS shall pay 50% of normal cost as required in the California Public Employees' Pension Reform Act (PEPRA) – AB340.
- C. The charges, if any, shall not reduce the employees' pensionable compensation, and shall not be treated as taxable income to the extent allowed by law. The District shall implement the provisions of section 414 (h)2 of the Internal Revenue Code to ensure that the tax benefit provided by that section is made available to employees.

#### SECTION 11.11 CREDIT UNION

Employees may become members in the San Francisco Federal Credit Union.

#### SECTION 11.12 EMPLOYEE ASSISTANCE PROGRAM

The District shall offer an employee assistance program to employees and members of their household. The Employee Assistance Program provides limited professional, confidential counseling service at no cost to the employee.

#### SECTION 11.13 TRANSIT SUBSIDY

1. Consistent with the District's efforts to promote the use of public transportation and to reduce the number of single-occupant automobiles during commute hours, fulltime District employees are eligible for a transit subsidy. Use of the transit subsidy is confined to the employee during commute hours.
2. Effective July 1, 2017, the District will provide a transit subsidy, up to a maximum amount of \$255.00 per month to subsidize eligible transit expenses as detailed in this provision. Eligible transit expenses include passes for public mass transit system, carpool participation, electric vehicle participation, walking and bicycling participation, and parking associated with mass transit systems.
3. Procurement of transit passes is the obligation of the individual employee. No funding will be advanced by the District. The transit subsidy will be made available to eligible District employees on a designated day prior to the beginning of each month. The District reserves the right to use other methods deemed more efficient for the District.
4. There will be no banking of the unused allocation of transit subsidy. Transit subsidy allowance is for each individual month and will not be cumulative. The purpose of transit subsidy is to provide an allowance to employees who use an alternative method of transportation for the sole purpose of coming to and from work (portal to portal).
5. Verification: Transit subsidies may be audited on a District-wide basis at any time. For stated reasons provided in writing to the employee, the District may audit an individual employee and require the employee to provide a written explanation of his or her use of transit subsidy. This provision is intended to be invoked on an individual basis in situations where abuse of transit subsidy is reasonably suspected. Persons in violation of this section may be subject to disciplinary action.
6. If an employee chooses to change her or his subsidy, he or she must complete the necessary forms in a timely manner in order to receive her or his subsidy for the subsequent month.
7. Carpool: An employee who participates in carpool to commute to and from a District facility shall be reimbursed up to the maximum monthly transit subsidy. Reimbursement to the vehicle owner for commute carpooling expenses will be \$6.00 per day (or \$3.00 per one-way

trip) up to the maximum monthly transit subsidy. Reimbursement to riders in a carpool will be \$3.00 per day (or \$1.50 per one-way trip) up to the maximum monthly transit subsidy. A carpool is defined as three or more persons, at least two of which must work in the same building as the District employee. Carpool reimbursement will be made on a monthly basis. No funding will be advanced by the District. In order to receive the carpool subsidy, the employee must certify to the Human Resources Office, no later than the 10th day of each month, the number of days carpooled during the previous month and the names of the persons who participated in the carpool. An employee that drives a vehicle as a carpool to commute to and from a District facility shall be provided with parking at no cost, subject to availability.

8. Electric Vehicle: Effective July 1, 2002, an employee that uses an electrical vehicle to commute to and from a District facility shall be provided with parking and have access to a re-charging station at no cost, subject to availability.
9. Walking or Biking: District employees who walk or bicycle to work and live more than 1.0 mile from their work locations will be reimbursed up to \$3.00 per day (or \$1.50 per one-way trip). In order to receive the walking or biking subsidy, the employee must certify to the Human Resources Office, no later than the 10th day of each month, the number of days walking or biking during the previous month.
10. Parking passes associated with transit systems are subject to subsidy.
11. The amount of transit subsidy shall be increased by any increase(s) in the Internal Revenue Service limit for the duration of the contract.

#### SECTION 11.14 DEFERRED COMPENSATION

The District shall offer the opportunity to participate in Section 457 deferred compensation plans. These plans are designed to allow employees to invest a portion of salary that is tax deferred until such time as the employee withdraws the funds. ~~The District will continue to provide at least two (2) vendors for its Deferred Compensation Program: Hartford and CalPERS, unless another vendor(s) is chosen by mutual agreement of the parties hereto.~~

The District shall periodically convene a committee whose charge shall be to review the performance, costs and related design of these plans and evaluate alternate plans to be offered. This committee shall consist of an equal number of non-EA and EA represented District employees. Based on the evaluation, the committee shall provide a recommendation regarding plans to be offered

In the event of a recommended change in vendor(s), the District and the Association shall immediately meet and confer with regard to any such change in vendor(s). Following the completion of the meet and confer process, the District may implement reasonable changes in vendor(s).

#### SECTION 11.15 JOB-RELATED EDUCATIONAL PURSUITS

## 1. JOB-RELATED EDUCATIONAL PURSUITS

- A. The provisions of the “Job-Related Educational Pursuits” section will be applicable to an employee who applies for “Skills Enhancement Pursuits” and who takes an educational course or other skills enhancement course which is directly related to the employee's current position, but is not necessarily enrolled at an accredited college or university in an undergraduate or graduate degree program.
- B. “Year” is defined as fiscal year.
- C. For the purposes of this section “Job-Related Educational Pursuits” is defined as education that either maintains or improves an employee's job skills as they relate to an employee's current position.
- D. To receive reimbursement, an employee must be enrolled at an accredited college or university in an undergraduate or graduate degree program, or in a certificate program; courses taken must contribute to progress towards the degree or certificate.
- E. To qualify for reimbursement under this Section 11.15, participation in certificate programs is subject to prior approval by the HRO. Reimbursement will be approved if the educational pursuit conforms with (A), (C) and (D) above, and there is sufficient funding pursuant to (F) below. Certificate programs in which an employee's participation will normally be granted shall include, but not be limited to, environmental management certificate programs offered by the University of California or other colleges and universities as well as coursework leading to a professional license which relates to the work of the District (such as a Professional Engineer license).
- F. The District shall yearly apportion an amount up to \$15,000.00 to allow for reimbursements of up to ~~\$1,52,00.00~~ per employee for those employees who attend and successfully complete job related educational courses or seminars. Such reimbursement will be paid upon proof of completion of any approved course. Employees wishing to take educational or other professional courses must obtain prior approval from the HRO before taking the course in order to be reimbursed.

## 2. SKILLS ENHANCEMENT PURSUITS

- A. For the purposes of this section “skills enhancement pursuits” is defined to include educational courses and other skills enhancement courses that may or may not be related to an employee’s current position, but reasonably relate to the District’s work in general and will enhance an employee’s skills and may allow for further advancement or promotion at the District.
- B. The District shall yearly apportion an amount up to \$10,000.00 to allow for reimbursements of up to ~~\$1,0500.00~~ per employee for those employees who attend and successfully complete skills enhancement course. Such reimbursement will be paid upon proof of completion in any approved course. Employees wishing to take skills

enhancement courses must obtain prior approval from the HRO before taking the course in order to be reimbursed.

- C. An employee may be reimbursed for courses necessary to attain a job-related degree.
- D. Reimbursement will be approved if the skills enhancement pursuit conforms with (A) and (C) above, and there is sufficient funding pursuant to (B) above.

3. REIMBURSEMENT:

- A. Upon proof of completion of a course (grade “C” or better, “pass”, “credit” or other indication of satisfactory completion of the course) the District will reimburse the employee for the course cost and related materials (required books, supplies, lab fees, etc.) up to the prescribed limit. An employee may be reimbursed for courses necessary to attain a job related degree.
- B. The reimbursement for Job-Related Educational Pursuits or Skills Enhancement Pursuits whose course cost is all-inclusive, which includes either meals, lodging, entertainment, or special events, etc. shall be reduced by the reasonable costs of these non-course related items.

SECTION 11.16 DEPENDENT CARE ASSISTANCE PLAN

The District will continue for the term of this Agreement the Dependent Care Assistance Plan as adopted by the Board of Directors by Resolution 98-25, November 4, 1998. However, employee contributions shall be allowed at the maximum level allowed by law.

SECTION 11.17 SOCIAL SECURITY REPLACEMENT BENEFITS

The District's Board of Directors has adopted and implemented a package of benefits designed to replace to the fullest extent possible those benefits formerly provided under the employer-employee jointly funded federal program commonly known as Social Security. These replacement benefits include the following:

1. Special retirement and disability benefits under PERS.
2. Life insurance coverage for employees is as specified in the contracts. The contracts are available in the Human Resources Section.
3. A portion of long-term disability coverage at the level of 66 2/3% of monthly salary to a maximum benefit of \$6,500.
4. Qualified pension plan contribution of \$62.50 per month credited to each full-time regular employee's account, effective July 1, 2000. The monthly contribution for each subsequent fiscal year shall be adjusted by the change in the annual-average Bay Area

CPI-W for the previous calendar year. The contribution amount increased to \$71.21 per month effective July 1, 2004 in accordance with this provision.

5. Medicare Part B for employees that retire after July 1, 2000 up to a maximum total cost of \$10,000 per year for all covered retirees. However, employees that retire after July 1, 2011 shall only be entitled to be reimbursed for the standard Medicare Part B premium. Once the \$10,000 has been distributed by the District, an additional \$5,000 per calendar year shall be made available to reimburse the standard Medicare Part B premium for employees that retire after July 1, 2011.
6. PERS Long Term Care for District employees who elect to enroll in the PERS Long Term Care Program as paid for by the employee.

**SECTION 11.18 HEALTH CARE SPENDING ACCOUNT**

The District will offer employees the option to participate in a Health Care Spending Account (HCSA) Program designed to qualify for tax saving under Section 125 of the Internal Revenue Code, but such savings are not guaranteed. The HCSA Program allows employees to set aside a pre-determined amount of money from their paycheck, not to exceed the maximum amount allowed by law, for health care expenses not reimbursed by any other health benefits plan before tax dollars. HCSA dollars can be expended on any eligible medical expenses allowed by Internal Revenue Code Section 125. The employee cannot recover any unused balance

**SECTION 11.19 GUARANTEED RIDE HOME**

An employee who uses an alternate method of transportation to commute to and from work will be guaranteed a ride home in the event of an unforeseeable circumstance that would prevent the employee from using such alternate method of transportation to commute home from work.

**ARTICLE XII LEAVE AND HOLIDAYS**

**SECTION 12.01 ANNUAL LEAVE**

1. An employee earn annual leave credits at the rate of 3.69 hours per pay period (approximately one day per month) for the first three years of employment. Annual leave will accrue but cannot be taken until the successful completion of six months' service.
2. An employee with more than three and up to five years of employment will earn annual leave at the rate of 4.64 hours per pay period (approximately 1-1/4 days per month).
3. An employee with more than five and up to ten years of employment will earn annual leave at the rate of 5.52 hours per day period (approximately 1-1/2 days per month).
4. An employee with more than ten and up to twenty years of employment will earn annual leave at the rate of 6.48 hours per pay period (approximately 1-3/4 days per month).
5. An employee with more than twenty years and up to thirty years of employment will earn annual leave at the rate of 7.69 hours per pay period (approximately 2 days per month).

6. An employee with thirty or more years of employment will earn annual leave at the rate of 9.23 hours per pay period (approximately 2-1/2 days per month).
7. If an employee's annual leave accrual rate changes during a pay period, the new rate will be credited from the first day of that period.
8. Annual leave will be normally scheduled in advance by the employee's immediate supervisor, in consideration of the operating requirements of the section and the division. However, in an emergency situation, annual leave will be authorized so long as the employee's immediate supervisor is notified in advance.
9. The maximum accumulation of annual leave is four hundred and sixty (460) working hours as of the end of the calendar year. After reaching that limit, no further hours shall be accumulated until the employee reduces the balance below four hundred and sixty (460) hours.
10. Use of annual leave of more than one hundred and sixty (160) hours must be scheduled and approved by the Executive Officer.
11. For the purposes of determining the rate of annual leave, accumulated service within the District will be used less any time for leave of absence in excess of two pay periods.
12. For a permanent employee that was previously employed as either a limited-term employee or a temporary employee for more than 1000 hours: effective July 1, 2001 accumulated service shall be the combined service as a permanent employee and previous service as a limited-term employee or temporary employee, less the initial 1,000 hours. The District will not allow retroactive accrual prior to July 1, 2001.
13. If a payday falls during an employee's vacation, the employee may receive a partial pay warrant for the pay period. The employee may pick up the warrant three (3) days prior to beginning vacation, provided two weeks' notice is given to the Human Resources Office.
14. Once per calendar year, an employee may exchange unused annual leave in excess of 200 hours, up to a maximum of 40 hours per calendar year, for the equivalent amount in wages. The request may not exceed forty (40) hours per fiscal year. Payment shall be made within 10 working days of the request.
15. An employee who is re-hired by the District as a permanent employee will accrue annual leave at the rate he/she was accruing at the time of separation.

#### SECTION 12.02 SICK LEAVE

1. **COVERAGE.** Sick leave is granted leave to cover authorized absence by an employee unable to work for any of the following reasons:
  - A. Personal injury or illness, pregnancy, childbirth, or pregnancy-related disability.

- B. Exposure to contagious disease requiring quarantine.
  - C. When the employee is required to attend to a member of the immediate family for reason stated in (A) above, to a maximum of eighty (80) hours per calendar year, provided, however, that in the event of a catastrophic illness of an immediate family member, an employee may petition the EO to use more than 80 hours of accrued sick leave per year to care for that immediate family member.
  - D. For the purpose of this section, immediate family will include: mother, father, spouse, children, brother, sister, grandparents and grandchildren of the employee, domestic partners and relatives by marriage and relatives of domestic partners, including mother-, father-, brother-, sister-, son-, and daughter-in-law.
  - E. Appointments for dental, eye, and other medical examinations.
  - F. When an employee is required to be absent for purposes related to the adoption of a child to a maximum of 80 hours per calendar year, provided, however, an employee may petition the EO to use more than 80 hours of accrued sick leave per year for purposes related to the adoption of a child. Examples may include but are not limited to: Appointments with adoption agencies, social workers, and attorneys; Court proceedings; Required travel; Any periods of time the adoptive parents are ordered or required by the adoption agency or by the court to take time off from work to care for the adopted child; and any other activities necessary to allow the adoption to proceed. Adoptive parents who voluntarily choose to be absent from work to bond with an adoptive child may not use sick leave for this purpose. Employees must have at least 200 hours of sick leave before initially requesting sick leave for purposes related to the adoption of a child.
2. ALLOWANCE. Employees will earn sick leave at the rate of 3.69 hours per pay period. There is no limit to the amount of sick leave that may be accumulated. Employees are eligible to use sick leave as it is earned.
  3. COORDINATION WITH STATE DISABILITY INSURANCE. At the employee's election, sick leave may be integrated with State Disability Insurance, Family Temporary Disability Insurance and Workers' Compensation Insurance as soon as eligibility for such benefits is established.
  4. JOB-RELATED INJURY. Employees injured on the job and accepted for Workers' Compensation will not be required to use sick leave for the period from the 1st through the 90th calendar day. This period will begin the day following the date of injury or the date Workers' Compensation approved the absence from work, whichever date begins the absence from work. The period will apply only once per injury. The date of injury will be paid as a day worked for pay purposes.



5. HOLIDAY DURING A SICK LEAVE PERIOD. If a holiday occurs during a continuous period of authorized sick leave, the holiday will not be counted as a day of sick leave.
6. BLOOD DONATIONS. Employees may take up to two (2) hours to donate blood to the District's account or to a specific person's account to a maximum of twice a year without loss of sick leave credits. Such leave must be approved in advance by the employee's supervisor and consistent with District operating requirements.

SECTION 12.03 BEREAVEMENT LEAVE

1. When a death occurs in the immediate family of an employee, the employee may take twenty-four (24) consecutive work hours off, counting the day of the funeral, without loss of pay, or
2. If the employee is the family member required to make the family arrangements for the funeral and burial (or equivalent ceremony), the employee may take up to forty (40) work hours off without loss of pay to make such arrangements. Such time shall include all time for travel.
3. For the purpose of this Section, immediate family is defined the same as in Section 12.02(1)(D) above.

SECTION 12.04 MILITARY LEAVE

The District shall comply with all applicable laws requiring the release and payment for duty in the U.S. Military or California National Guard. Notice must be given by the employee to his/her supervisor as soon as the obligation to attend military duty is known.

SECTION 12.05 JURY DUTY

Employees selected for jury duty shall be excused from work with pay for the hours required by such obligation provided they submit any jury fees received for such time to the District. The employee shall return to work whenever released during working hours and travel time allows except as provided in Section 9.01.3.

SECTION 12.06 SUBPOENA AS A WITNESS

Pursuant to Government Code Sections 1230 and 1230.1, any employee subpoenaed as a witness shall be allowed the time necessary to be absent from work without loss of regular pay.

SECTION 12.07 HOLIDAYS

1. The following days will be paid holidays for all employees:

New Year's Day	(First day of January)
King's Birthday	(Third Monday of January)
Lincoln's Birthday	(Twelfth day of February)
Washington's Birthday	(Third Monday of February)
Chavez' Birthday	(Thirty-first day of March)

Memorial Day	(Last Monday of May)
Independence Day	(Fourth of July)
Labor Day	(First Monday of September)
Columbus Day	(Second Monday of October)
Veterans Day	(Eleventh day of November)
Thanksgiving Day	(Fourth Thursday of November)
Day After Thanksgiving	(Fourth Friday of November)
Christmas Day	(Twenty-fifth day of December)

2. Every day appointed by the President of the United States or Governor of California as a holiday.
3. Holidays falling on Sunday will be celebrated on the following Monday. Holidays falling on Saturday will be celebrated on the preceding Friday, except, if the Governor proclaims the following Monday to be the holiday.
4. Employees will be granted 36 hours of floating holidays per year. Except, an employee hired after January 1st and prior to June 1st will be allowed only 8 hours of floating holiday within that fiscal year. Employees hired after May 31st and prior to July 1st will receive no floating holiday for that fiscal year. Employees must request to use a floating holiday in advance. A floating holiday can be taken only with the approval of the employee’s supervisor.
5. Notwithstanding Section 12.07(3), above, employees who are not scheduled to work on a day that is a scheduled holiday for other District employees shall be credited with 8 hours of floating holiday pay in-lieu of the scheduled holiday. The 8 hours of floating holiday shall be credited to the employee’s accrual in the same pay period that the scheduled holiday occurs.

**SECTION 12.08 BENEVOLENT LEAVE FUND**

1. The Benevolent Leave Fund is established for the use and donation by District employees. Any District employee (hereinafter referred to as “employee”) may donate annual leave, sick leave, compensatory time, or floating holiday, with the limitation noted in subsection A immediately below, to the benevolent leave fund for the benefit of employees who are catastrophically ill or injured for one hundred (100) consecutive working hours or longer. In order to donate leave, the following conditions apply:
  - A. Only accrued annual or sick leave, compensatory time, or floating holiday leave may be donated to the fund. Any employee may donate up to 40 hours of sick leave to the fund per fiscal year. Floating holiday leave that is donated will only be valid during the fiscal year in which it is accrued. Thus, if in a given fiscal year, an employee donates floating holiday leave and the leave is not used during that fiscal year, the donated leave will expire on the last day (June 30) of that fiscal year.
  - B. To donate accrued leave to the fund, an employee must be eligible to accrue or use annual leave credit and cannot currently be using leave from the Benevolent Leave Fund.

- C. To donate sick leave, an employee must have a sick leave balance of at least 200 hours.
  - D. Donated leave may be designated for a specific employee, or may be donated without designation. Floating holiday leave shall be used first. Other benevolent leave that is designated to a specific employee must be used in the sequence it was donated. If leave that is donated to a specific employee is not used within 120 days, such leave will be added to the general benevolent leave fund.
  - E. Leave may be donated to the fund regardless of whether there is a qualified recipient.
  - F. Leave may not be sold, bartered or traded to another employee under any circumstances.
  - G. Once leave has been donated to the fund, that leave cannot be reclaimed by the employee making the donation unless and until that employee later becomes an eligible fund recipient.
2. In order to be a fund recipient, the following conditions apply:
- A. The recipient must be catastrophically ill or injured, on an approved leave for medical purposes and must have on file with the Human Resources Office a medical verification from the employee's personal physician that demonstrates that the recipient is in fact catastrophically ill or injured and unable to work for at least one hundred (100) consecutive working hours or longer.
  - B. Upon written request from the Association Board of Directors, the Human Resources Officer shall provide to the Association the amount of leave in the fund.
  - C. The recipient must have exhausted all forms of paid leave prior to using any benevolent leave. However, it is understood the employee will accrue all appropriate leaves during the time the Benevolent Leave Fund is in use and shall not be required to use such accrued leave during such time.
  - D. The recipient may not receive benevolent leave from the fund in an amount which exceeds 100% of that employee's normally scheduled hours for any pay period.
  - E. Written requests to use leave from the fund shall be submitted to the Human Resources Officer.
  - F. The Human Resources Officer or designee shall provide a written response approving or denying the employee's request, or requesting more information within 5 working days. If the request is denied, the Human Resources Officer or designee shall state the reasons for denial in the written response.
  - G. If a request to use leave from the fund is denied, the refusal may be appealed to the APCO. The APCO's decision shall be provided, in writing, to the employee within ten (10) calendar days from the date an appeal is submitted.

3. Catastrophic illness of injury is defined as a serious illness, injury, impairment, or physical or mental condition that is present for a minimum of one hundred (100) consecutive working hours or longer.

#### SECTION 12.09 TEMPORARY DISABILITY LEAVE

The provisions of Division III, Section 11.4 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association in said changes.

#### SECTION 12.10 FAMILY CARE LEAVE

The provisions of Division III, Section 11.7 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference except as modified in 1 and 2 below:

1. Each full-time employee is entitled to a maximum of 480 hours of family care and medical leave during any 12-month period. The 12-month period begins on the first date family care and medical leave is taken. Family care and medical leave can only be initiated by request of the employee. Prior to the request, time off taken on any type of paid leave will not be deducted from the family care and medical leave entitlement. When medically necessary, leave may be taken on an intermittent basis or the employee may be authorized to work on a reduced schedule.
2. The family care and medical leave entitlement may consist of paid or unpaid leave. An employee who is taking family care and medical leave to care for an eligible family member must use all accrued annual leave and floating holiday, except for 80 hours that may be retained or used at the employee's discretion, before unpaid leave may be taken. An employee who is taking family care and medical leave due to the employee's own serious medical condition is not required, but may choose to, use accrued annual leave and floating holiday.

No changes to said provisions of Division III, Section 11.7 of the District's Administrative Code Personnel Policies and Procedures that are within the scope of bargaining will be proposed to the District's Board of Directors by District Management without first obtaining the concurrence of the Association in writing of said proposed changes.

#### SECTION 12.11 PREGNANCY DISABILITY LEAVE

The provisions of Division III, Section 11.9 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association in said changes.

#### SECTION 12.12 LEAVE ACCRUAL - RETURNING FROM UNPAID LEAVE

Once returning to work from unpaid leave, in order to accrue annual and sick leave, an employee must work 50% of his or her regularly scheduled assignment (i.e. 50% of the regular assignment

of 40 hours in five (5) consecutive eight-hour days or 50% of 40 hours in four (4) consecutive 10-hour days).

#### SECTION 12.13 LEAVE WITHOUT PAY

Regular full-time or part-time and probationary employees may be granted a leave without pay for non-medical reasons. Such leave will be granted at the discretion of the EO.

Leave may be granted for any period of time up to thirty (30) calendar days and may be extended for one (1) to ten (10) additional working days. A working day is any day that the District office is open for business. A return to work of one full day is considered as ending a leave period. Additional time after this day will be requested as a new and separate leave.

An employee on leave without pay continues to receive benefits described in Article XI, except that an employee on leave without pay for more than 80 hours during a fiscal year will not accrue annual or sick leave for the period of leave without pay in excess of 80 hours, and will not receive transit subsidy, or receive educational reimbursement, unless the course was approved prior to the commencement of the leave. Employee and employer contributions to PERS are not paid during leave without pay. A leave without pay is not considered as a break in service, and the employee is assured return to the same position, or to a comparable position in the same job classification and at the same pay grade.

#### SECTION 12.14 LEAVE OF ABSENCE

1. Leave of absence may be granted for non-medical reasons or to continue a medical leave for a maximum of six (6) months by the EO. A consecutive leave of absence may be granted but in no case for a total of more than twelve (12) months for any employee.

No annual or sick leave credits are earned during leaves of absence. An employee on a medical leave of absence continues to receive benefits described in Article XI, except that an employee on leave of absence shall not receive transit subsidy, or receive educational reimbursement, unless the course was approved prior to the commencement of the leave. Employee and employer contributions to PERS are not paid during unpaid leaves of absence. An employee on a leave of absence for non-medical reasons receives none of the benefits described in Section 11. A leave of absence for non-medical reasons is considered a break in service, and the position vacated by this leave may be open for recruitment of a regular employee.

2. Return after unexpired leave. Granting a leave of absence will permit the return of the employee to District employment before the expiration of the leave of absence under the following conditions.
  - A. The employee will have preference for re-employment in the same classification or at another lower classification for which the person is qualified, provided the position is vacant.
  - B. Leave of absence does not confer any absolute right to return to position or employment.

- C. Employee time in-grade for salary increase will be preserved, at the same level.
- D. Accrued pension rights and pension time will be preserved.

**ARTICLE XIII      ASSOCIATION ACTIVITIES**

**SECTION 13.01      COMMUNICATING WITH EMPLOYEES**

- 1. The Association may use District internal mail. Any mail will be given to the Business Manager for routing.
- 2. The Association will use the right-hand third of the space on District bulletin boards for posting Association business announcements provided District business matters do not take precedence. All material posted will be dated for timely removal. No Association documents will be removed prematurely except for demonstrated lack of space.

**SECTION 13.02      USE OF DISTRICT FACILITIES**

- 1. The Association may use District meeting rooms provided they are available and there is no interruption of District work. The Association will submit its requests to the Business Manager for the use of the rooms in advance. Meetings of the District take precedence over Association meetings. Security and clean-up will be the responsibility of the Association.
- 2. The Association may use the District's reproduction facilities at reasonable cost.
- 3. Materials to be reproduced will be submitted to the Business Manager for costing and scheduling, which will be without interruption of District business. The District will bill the Association monthly for costs incurred.
- 4. The District will provide the Association with office space providing there is available space.

**SECTION 13.03      ASSOCIATION REPRESENTATIVES AT BOARD OF DIRECTOR MEETINGS**

Two Association representatives will be allowed to attend regular meetings of the Board of Directors on paid release time. Two Association representatives will be allowed to attend regular meeting of committees of the Board of Directors when items are on the agenda that directly relate to matters within the scope of representation of Association activities.

**SECTION 13.04      ASSOCIATION REPRESENTATIVES**

- 1. The Association may, by written notice to the HRO, designate no more than seven (7) of its members to be stewards. If a change in Stewards occurs, notification shall be provided to the HRO within ten (10) working days of such change.
- 2. The stewards and officers (representatives) will obtain approval from their immediate supervisor or management official before leaving a work assignment. Permission will not be withheld except for good cause.

3. Representatives will be allowed to post Association notices on District bulletin boards.
4. Representatives other than the President or Vice President will each be allowed up to eight (8) hours off, with pay, per month to engage in Association business, including but not limited to assisting employees in processing grievances. The amount of time so used will be reflected in the representative's time sheet. Time spent meeting with District Management personnel shall not count against the hours allotted. The President and Vice President each will be allowed up to seven (7) hours off, with pay, per month to spend on Association business.
5. Any represented employee who has a grievance may request the assistance of a representative in preparing and presenting the grievance.
6. Association board and committee members working on Association business and issues related to meet and confer shall be provided with reasonable time and accommodations to spend on these activities, so long as advance notification is given to, and approval is received from, an employee's supervisor.
7. The Association negotiating team members (total of nine) will be allowed up to 40 hours off, with pay, per month for bargaining preparation when negotiations are in progress.
8. In the event that a dispute results in litigation or is submitted to arbitration or any other forum for dispute or grievance or litigation resolution, not more than two representatives shall be authorized to attend the proceedings on paid release time to represent the grievant and/or the Association. This paid release time is separate and apart from any other paid time afforded to representatives for association activities. The EO may release any number of people for such proceedings.

## **ARTICLE XIV      AVAILABILITY OF DISTRICT DOCUMENTS**

### **SECTION 14.01      ADMINISTRATIVE CODE**

The District will continue to make available to the Association a copy of the Administrative Code.

### **SECTION 14.02      HEALTH INSURANCE PLANS**

The District will continue to make available for reading by authorized representatives of the Association the master plans of the life, health, vision and dental insurance plans. The master plans will be available in the Human Resources Section only.

### **SECTION 14.03      PERSONNEL FILES**

The District will continue to maintain a personnel file on each employee. Employees have the right to review their personnel file at reasonable times with prior arrangement (normally within 7 days) with the Human Resources Section.

## **ARTICLE XV**

## **PERSONNEL TRANSACTIONS AND RECORDS**

### **SECTION 15.01 HIRING AND INITIAL ORIENTATION**

The provisions of Division III, Section 12.1 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

### **SECTION 15.02 PERSONNEL AND MEDICAL FILES**

The provisions of Division III, Section 12.2 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

### **SECTION 15.03 EMPLOYMENT RECORD VERIFICATION**

The provisions of Division III, Section 12.3 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

### **SECTION 15.04 CLASSIFICATION SYSTEM**

The provisions of Division III, Section 12.4 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

### **SECTION 15.05 REQUESTS FOR NEW EMPLOYEES**

The provisions of Division III, Section 12.5 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

### **SECTION 15.06 PERSONNEL ACTION FORMS**

The provisions of Division III, Section 12.6 of the District's Administrative Code Personnel Policies and Procedures are incorporated herein, and made a part hereof by this reference. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first obtaining the concurrence of the Association.

## **ARTICLE XVI METHOD OF FILLING VACANCIES**

### **SECTION 16.01 PROCEDURES**

1. ANNOUNCEMENT PROCEDURE. When a bargaining unit vacancy exists, the Human Resources Office (HRO) will prepare and distribute a position announcement for the vacancy. The announcement will be posted electronically. The position will be opened for at



least 10 working days. The bargaining unit vacancy announcement will include the opening date, minimum qualifications required, and the selection procedures to be used to screen applicants.

2. **REVIEW OF JOB ASSIGNMENT(S) AND DESCRIPTION.** Prior to the opening of a vacancy, the Hiring Manager shall have the right to make job assignment changes within the classification of the vacant position prior to identifying the actual vacant position. The Hiring Manager must review the job description prior to the commencement of the recruitment process in order to select those duties and functions, which are the most relevant for the position to be filled. Those identified duties and functions shall be placed in bold print so that they are given prominence in the job announcement for the position to be filled.
3. **APPLICATION.** Applicants who wish to be considered for the position will submit a completed application form to the HRO on or before the filing deadline specified on the announcement.
4. **QUALIFICATIONS.** The qualifications include, but are not limited to, education, experience, knowledge, skills, abilities and other background factors, which are needed for each classification. The minimum qualifications will be specified in the position description form and included in the announcement. The HRO may allow for or consider equivalent and relevant education and/or work experience when evaluating if an applicant meets the minimum qualifications.

The HRO shall determine if the applicants meet the minimum qualifications of the position. The HRO shall inform each applicant in writing if he/she does not meet the minimum qualifications for the position. The HRO may reject any application if the applicant does not possess the minimum qualifications required for the position, or for other justifiable reasons. The HRO shall inform any disqualified bargaining unit applicant in writing of the specific reasons for the disqualification and his/her rights to appeal the HRO's decision.

5. **VACANCY.** A vacancy is a position in which there is no incumbent and no employee has a right to the position. A position is vacant when the position is newly-created, the incumbent terminates, the incumbent is on a leave of absence or the incumbent has been demoted from the position. A position is not vacant if the incumbent is on sick leave, annual leave, bereavement leave, temporary disability including maternity leave, Family Care Leave, Workers' Compensation, leave without pay or any other circumstances determined by the EO.
6. **ORDER OF FILLING VACANCIES.**
  - A. **FIRST PRIORITY.** Reinstatement from layoff, return from leave of absence granted for medical reasons. To fill a vacancy in the first priority category, the HRO will submit the names of all qualified applicants to the Hiring Manager.

- B. **SECOND PRIORITY.** For regular employees, transfer, promotion, or return from leave of absence granted for non-medical reasons. To fill a vacancy in the second priority category, the procedures specified in this Section shall be used.

The Hiring Manager shall have the right to determine whether a second priority order for filling vacancies shall be promotional or open. In the event the recruitment is open, bargaining unit employees have the opportunity to apply and compete for the vacant position with the outside applicants.

7. **MINIMUM QUALIFICATIONS DISQUALIFICATION APPEAL.** Those bargaining unit applicants who do not meet the minimum qualifications for the bargaining unit vacancy shall be notified in writing. The bargaining unit applicant shall have the right to appeal the HRO's decision. The bargaining unit applicant must submit a written notice of appeal to the HRO within five (5) working days from the receipt of the written notification of disqualification. The bargaining unit applicant shall have a right to a consultation with the HRO and an opportunity to present additional information regarding his/her qualifications. The HRO shall review the additional information with the Hiring Manager. The Hiring Manager shall have the final decision in determining whether or not a bargaining unit applicant meets the minimum qualifications for the bargaining unit vacancy. If the Hiring Manager decides that the bargaining unit applicant meets the minimum qualifications, the bargaining unit applicant will be allowed to continue in the recruitment. If the Hiring Manager decides that the bargaining unit applicant fails to meet the minimum qualifications, the bargaining unit applicant shall be disqualified. The HRO, within five (5) working days of receipt of the Hiring Manager's decision, shall inform the bargaining unit applicant of the reason for his/her disqualification in writing.
8. **QUALIFIED APPLICANT POOL - PROCEDURE.** The following procedure shall be used to determine the qualified applicant pool. In an open recruitment, all bargaining unit applicants who meet the minimum qualifications shall be interviewed by the Hiring Manager (Step C) and Steps A and B will not apply to those bargaining unit applicants. When there are eight (8) or fewer qualified applicants, Steps A and B will not apply.
- A. **Application Screening Panel -** A panel of three (3) District employees chosen by and facilitated by the HRO shall screen those applicants who meet the minimum qualifications for the bargaining unit vacancy. The HRO will not be a member of the screening panel. The HRO shall ensure that the panelists occupy a position in a job classification, which is equal to or higher than that of the job to be filled. The Hiring Manager in consultation with the HRO shall establish the screening criteria. The screening criteria may include a practical test, a written examination, a review of the responses to the supplemental application question, and/or any combination of screening methods listed above deemed appropriate for the position by the Hiring Manager. The screening panel shall score the applicant consistent with predetermined scoring methodology. As a result of the screening, all applicants will be given a score based on a 100-point scale. If the Hiring Manager has opted for an examination, then the HRO shall administer the examination to all of the applicants under the same conditions. The HRO

or the screening panel shall score the examinations with the predetermined scoring criteria. The examination will be scored blindly.

- B. Panel Interviews - A panel of three (3) District employees chosen by and facilitated by the HRO, giving due consideration to the necessities of the job being filled, shall interview the top twelve (12) applicants by score. The HRO shall ensure that all of the panelists occupy a position in a job classification, which is equal to or higher than that of the job to be filled. The HRO shall ensure that at least one of the panelists shall be a representative from the Division where the vacancy exists, and at least one of the panelists shall be a representative from a different Division. The HRO may choose one (1) panel member from outside the District who possesses expertise in the area of the vacant position. The HRO shall ensure that applicants are notified in writing of potential interview dates at least three (3) working days prior to the first interview date. The Hiring Manager and the HRO will develop the interview questions and rating criteria. A representative of the HRO will facilitate the interview process, however, that person will not be a member of the panel. The panel interview scores will be based on a 100-point scale.
- C. Hiring Interviews - As a result of the scores, the Hiring Manager in the presence of the HRO will interview the top eight (8) applicants. In open recruitments, the Hiring Manager will interview all bargaining unit applicants who meet the minimum qualifications. The HRO shall ensure that applicants are notified in writing of the potential interview dates at least three (3) working days prior to the first interview date. The Hiring Manager and the HRO will develop the interview questions and scoring criteria. The Hiring Manager shall ask the predetermined interview questions of every applicant and evaluate the applicants based on the predetermined selection criteria. Based on the answers to the prepared questions, the Hiring Manager may pursue further lines of inquiry, which will draw out further information about the applicant's qualifications or abilities that relate to the vacant position. The Hiring Manager shall document in writing the extent to which each applicant possesses the desirable qualifications. The Hiring Manager shall score each applicant consistent with the scoring criteria. The Hiring Manager shall review the scoring of each applicant with the HRO. At the conclusion of all the interviews, the Hiring Manager shall forward his/her scoring sheets, notes and recommendation of the selected applicant to fill the vacancy to the HRO. The hiring recommendation shall be forwarded to the HRO for certification as to process and procedure. Once the HRO certifies the process and procedure the hiring recommendation shall be forwarded through the chain of command to the EO for approval. If the hiring process and procedure is not certified by the HRO, the recommendation shall not be forwarded to the EO and the HRO shall take the appropriate steps to ensure the recruitment and selection process conforms to the procedures specified in this Article. Any determination not to approve the Hiring Manager's recommendation shall be in writing and shall provide a detailed explanation of the reasons for the determination, and must be approved by the EO. This document, and any correspondence concerning the document from the Hiring Manager or from any other

manager in the chain of command applicable to the hiring decision, shall become part of the record of the hiring decision.

- D. Additional Steps – Subsequent to Step C (Hiring Interviews), the District may utilize additional selection procedures consistent with the provisions of Division III, Section 13 of the District’s Administrative Code Personnel Policies and Procedures. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first bargaining in accordance with MMBA requirements.
- E. In the event the EO does not approve the Hiring Manager’s recommendation, the Hiring Manager shall submit the name of the applicant who has the next highest final score through the appropriate levels of management for approval by the EO.
- F. After the final selection(s) are made and approved by the EO, the HRO shall notify each unsuccessful applicant in writing. The Hiring Manager, upon request, shall provide the unsuccessful applicant with reasons for his or her rejection. These reasons shall be constructive and specific.
- G. In the event there are tied scores at the twelfth and eighth positions as a result of the procedures identified in Steps A or B respectively above, respectively, each applicant at the tied positions shall proceed to the next steps in the process.
- H. For more than one vacancy, one additional applicant for each additional vacancy will be added to each of the selection processes above.
- I. If there is a vacancy in the same classification, the District shall have the option of using an eligibility list of applicants from past recruitments who have completed Step A (Application Screening Panel) to continue in the above hiring procedures, beginning at Step B (Panel Interviews) or Step C (Hiring Interviews). If the applicant has completed Step C (Hiring Interviews), the Hiring Manager shall have the option of making a hiring recommendation. Applicants will remain on an eligibility list for 18 months from the start date of the applicant selected for the original recruitment.
- J. A bargaining unit employee or the Association has the right to file a grievance if the procedures of this Article are not followed when there are bargaining unit employees in the applicant pool. Matters that are not procedural, including the hiring decision, are not grievable.
- K. If there are six (6) or fewer bargaining unit applicants who meet the minimum qualifications in the applicant pool, the bargaining unit applicants will be interviewed by the Hiring Manager, and in continuing the recruitment, the District retains the right to utilize these procedures or any procedures consistent with the provisions of Division III, Section 13 of the District’s Administrative Code Personnel Policies and Procedures. Proposed changes to this policy that are within the scope of bargaining will not be implemented without first bargaining in accordance with MMBA requirements.

Allegations of discrimination under this Article cannot be grieved.

#### SECTION 16.02 CONTRACTING OUT

The District shall not contract out or remove from the bargaining unit any District work, whether permanent or temporary, which is performed by bargaining unit members, if the services are of a kind that persons selected through the District's normal selection process could perform adequately, competently and in timely manner, except as follows:

- A. Concurrent with recruitment for one or more bargaining unit vacancies, the District may contract out for services normally performed by bargaining unit employees provided no more than 1,000 hours is contracted out per vacancy.
- B. In emergency situations contracting out for services normally performed by bargaining unit employees shall be permitted, providing no more than 1,000 hours is contracted out per contract employee.
- C. Contracting out of new functions not previously undertaken or covered by existing employees shall be permitted provided it is determined that the services cannot be adequately performed by bargaining unit employees.
- D. Non-bargaining unit employees (Temporary workers) employed by the District for the purpose of filling a bargaining unit position while a bargaining unit employee is on approved leave (i.e., not those instances where the temporary worker is filling a vacant position) need not be terminated for the duration of the approved leave.

#### SECTION 16.03 INTERN PROGRAM

The District operates a College Intern Program and High School Intern Program. In connection with these actions, the District and the EA agree that individuals appointed to College Intern or High School Intern classifications shall be allowed to perform bargaining unit work based on the conditions set forth in this Agreement.

##### PART A: COLLEGE INTERNS

- 1. The EA and the District shall mutually establish College Intern Program guidelines and College Intern classifications. The District shall have the right to determine where Interns are assigned. The District agrees Interns shall perform work consistent with the class specification only. The College Intern classifications shall be in place and in effect prior to the implementation of Part A.
- 2. The District has the right to determine the number of College Interns to use in this Program. The cumulative hours for all College Interns shall not exceed 4,000 hours in each calendar year.
- 3. The District has the right to determine each College Intern's work schedule. The District shall be allowed to assign intermittent, part-time or full-time work schedules to College Interns.

College Interns shall not be assigned work in excess of 40 hours in a workweek. College Interns are subject to the Fair Labor Standards Act (FLSA).

4. For each 4-week period (two pay periods), the District shall report to the EA in writing the names, duties, hours of work in that 4-week period, and cumulative hours of work for all College Interns in the calendar year. The District shall ensure that the EA President or designee is in receipt of this written report no later than 14 calendar days from the end of the preceding 4-week period.
5. College Interns shall not be eligible to become members of the EA and are not covered by the MOU.
6. The hourly pay rate for Air Quality Intern shall be equivalent to that of step A of the entry level job classification of the specified series most closely related to the specific assignment.

#### PART B: HIGH SCHOOL INTERNS

1. The EA and the District have established the High School Intern Program guidelines and the High School Intern classification. The District shall have the right to determine where High School Interns are assigned. The District agrees High School Interns shall perform work consistent with the class specification only. The High School Intern classification shall be in place and in effect prior to the implementation of Part B.
2. The District has the right to determine the number of High School Interns to use in this Program. The cumulative hours for all High School Interns shall not exceed 2,000 hours in each calendar year.
3. The District has the right to determine each High School Intern's work schedule. The District shall be allowed to assign intermittent, part-time or full-time work schedules to High School Interns. High School Interns shall not be assigned work in excess of 40 hours in a workweek. High School Interns are subject to FLSA. High School Interns shall not be eligible to perform work done by regular employees as an overtime assignment that includes but not limited to, home and garden shows, county fairs, lawn mower exchange programs, wood stove exchange programs, ethnic celebrations and earth day fairs.
4. For each 4-week period (two pay periods), the District shall report to the EA in writing the names, duties, hours of work in that 4-week period, and cumulative hours of work for all High School Interns in the calendar year. The District shall ensure that the EA President or designee is in receipt of this written report no later than 14 calendar days from the end of the preceding 4-week period.
5. High School Interns shall not be eligible to become members of the EA and are not covered by the MOU.
6. The hourly rate for High School Interns shall be the City and County of San Francisco minimum wage.

## PART C: VIOLATIONS OF THIS AGREEMENT

1. If the EA believes this Side Letter is being violated, the President or designee shall request a meeting with the Human Resource Officer or designee to review concerns. The meeting shall be held within 5 calendar days of the request. In the event matters are not resolved to the EA's satisfaction, at the sole discretion of the EA, the EA may move any alleged violation of this Agreement to binding arbitration, beginning at Section 4.09 of the MOU. If an arbitrator determines that the District violated any provision in Part A and/or Part B of this Agreement, then Part A and/or Part B inclusive shall automatically be rendered null and void and terminated. For example, if an arbitrator determined that the District only violated a provision in Part A of this Agreement, the District would terminate the College Intern Program. The High School Intern Program would not be affected. If an Intern Program is terminated, all Interns in that program shall be terminated within 7 calendar days from the date of receipt of the arbitrator's decision. If an arbitrator determines that the District violated any provision in Part E of this Agreement, then Part A and Part B shall automatically be rendered null and void and terminated.
2. Upon termination of Part A and/or Part B, as a result of the arbitrator's decision, the District shall have the right to discontinue the work performed by an Intern or offer current bargaining unit employees overtime to complete the work that was previously performed by the Interns.

## PART D LAYOFFS AND BUMPING

Except as provided under Section 16.02 of the MOU, if for any reason layoffs and/or bumping is implemented, then all non-regular employees (e.g. temporary part-time or full time worker, College Intern or High School Intern) performing bargaining unit work shall be terminated prior to layoffs and/or bumping of any regular bargaining unit employee. A regular employee is an employee who is hired on a permanent basis.

## PART E MISCELLANEOUS

1. The District shall pay to the EA an equivalent amount of dues, that the College Interns would have paid had they been EA members, as applicable under Section 2.06 of the MOU.
2. Except as provided in Section 16.02 of the MOU, all other temporary employees performing bargaining unit work shall be terminated for the duration of this agreement.
3. In the event that part A and or Part B are terminated the remaining provisions of this agreement remain in full force and effect.
4. Non-bargaining unit employees (Temporary workers) employed by the District for the purpose of filling a bargaining unit position (not a vacant position) while a bargaining unit

employee is on approved leave need not be terminated for the duration of the approved leave.

#### SECTION 16.04 I-BOND PROGRAM

1. A category of limited term appointments shall be established to perform work necessitated by the I-Bond grant program, or to backfill vacancies created when District employees accept such limited term appointments.
  - A. "Limited Term" is defined as employment that is paid for by I-Bond funds and is not to exceed the duration of the I-Bond grant funding.
  - B. When I-Bond funding terminates, either for an individual position or the program, limited term appointments associated with that funding shall terminate. Employees in limited term positions are not subject to Article 10 of the collective bargaining agreement.
  - C. Limited term employees shall be considered employees represented by the Bay Area Quality Management District Employees' Association, Inc.
  - D. Limited term employees shall be limited to non-supervisory positions.
  - E. This agreement is not intended to prohibit the District from hiring full-time regular employees for any purpose.
2. For I-Bond limited term appointments only, a separate promotional recruitment process may run concurrent with an open recruitment process.
  - A. The Association waives Article 16.01 Sections 8 A, B and C of the collective bargaining agreement for these I-Bond limited term appointments only.
  - B. Qualified regular full-time employees shall be considered prior to consideration of candidates from an open recruitment.
3. Regular full-time employees of the Bay Area Air Quality Management District who are hired into an I-Bond limited term position shall have the right to return to her/his regular full-time position when I-Bond funding terminates.
4. Contract employees shall not be used for I-Bond projects after April 30, 2009 unless otherwise agreed to by the parties. The Association shall not unreasonably withhold agreement. Disputes regarding application of this provision will be subject to expedited binding arbitration, using a pre-determined list of arbitrators; selection from the list will be based on the first available arbitrator. The date of the arbitration shall not exceed 30 days from the date of request. Arbitration decisions pursuant to this provision will be issued at the conclusion of the arbitration hearing.

#### **ARTICLE XVII MEMORANDUM OF UNDERSTANDING**



**SECTION 17.01 ENTIRE AGREEMENT**

It is the intent of the parties hereto that the provisions of this Memorandum of Understanding supersede previous agreements between the parties.

This Memorandum of Understanding supersedes any and all other statements of policy or procedure established by this District through its Board of Directors insofar as such provisions relate directly to the matters specifically dealt with herein. Matters not the subject to bilateral agreement through this Memorandum of Understanding remain in full force and effect. Unless specifically amended by the terms of this Understanding, all other terms and conditions of employment remain as previously established.

**SECTION 17.02 CONSISTENCY WITH ADMINISTRATIVE CODE**

To the extent that any provisions of said Policies and Procedures, which pertain to any subject within the scope of representation, are inconsistent with the terms of this Memorandum of Understanding, the terms of this Memorandum of Understanding shall prevail. During the term of this Memorandum of Understanding, no new provision or amendment to said Policies and Procedures not in accord with this Memorandum or which directly affect wages, hours, terms or conditions of employment of employees covered by this Memorandum of Understanding shall be adopted and/or implemented by the District except upon written agreement with the Association following meet and confer with bargaining representatives.

**SECTION 17.03 SEVERABILITY**

It is understood that this Memorandum of Understanding is not intended to conflict with any State or Federal law; however, should any provision be deemed ineffective or null and void by reason of law, the remaining provisions shall remain in full force and effect.

**SECTION 17.04 INTERIM BARGAINING**

Nothing contained in this Memorandum of Understanding, included but not limited to any reopener provision, shall allow any modifications to this Agreement without written consent of the parties hereto.

**ARTICLE XVIII INTERIM ADJUSTMENTS**

During the term of this MOU any and all increases in salary or benefits granted to all confidential employees not expressly provided herein to the Association members shall be immediately incorporated into this MOU.

**ARTICLE XIX SAVINGS PROVISION**

Should any provision of this Agreement be found to be in contravention of any Federal or State law, or by a court of competent jurisdiction, such particular provision shall be null and void, but all other provisions of this Agreement shall remain in full force and effect until otherwise canceled or amended by mutual agreement of the parties. In the event that any provision shall be held unlawful and unenforceable by any court of competent jurisdiction, the parties agree to meet

forthwith for the purpose of renegotiating such provision in an attempt to reach a valid agreement.

**ARTICLE XX      TERM OF AGREEMENT**

The District and the Association agree that the term of this Agreement shall commence July 1, ~~2017~~2020 and expire at midnight on June 30, ~~2020~~2021. No less than ninety (90) days prior to the expiration of this MOU the parties shall commence negotiation for a successor MOU.

**ARTICLE XXI SUBMISSION TO BOARD OF DIRECTORS**

The provisions of the Memorandum of Understanding are hereby being submitted to the Board of Directors of the Bay Area Air Quality Management District for its approval.

For the District

\_\_\_\_\_  
Date

\_\_\_\_\_

For the BAAQMD Employees' Association, Inc.

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## APPENDIX A: CLASSIFICATIONS

Accountant	Principal Air Quality Engineer
Accounting Assistant I/II	Principal Air Quality Specialist
Administrative Analyst	Principal Environmental Planner
Administrative Secretary	Programmer Analyst I/II
Advanced Projects Advisor	Public Information Officer I/II
Air Quality Case Settlement Specialist I/II	Radio Telephone Operator
Air Quality Chemist I/II	Radio Telephone Operator Supervisor
Air Quality Engineer I/II	Receptionist
Air Quality Inspector I/II	Research Analyst
Air Quality Instrument Specialist I/II	Secretary
Air Quality Laboratory Technician I/II	Senior Accounting Assistant
Air Quality Meteorologist I/II	Senior Advanced Projects Advisor
Air Quality Permit Technician I/II	Senior Air Quality Chemist
Air Quality Specialist I/II	Senior Air Quality Engineer
Air Quality Technical Assistant	Senior Air Quality Inspector
Air Quality Technician I/II	Senior Air Quality Instrument Specialist
Atmospheric Modeler	Senior Air Quality Meteorologist
Building Maintenance Mechanic	Senior Air Quality Permit Technician
Data Entry Operator	Senior Air Quality Technician
Database Specialist	Senior Air Quality Specialist
Deputy Clerk of the Boards	Senior Atmospheric Modeler
Environmental Planner I/II	Senior Environmental Planner
Facilities Maintenance Worker	Senior Public Information Officer
Facilities Services Supervisor	Statistician
Fiscal Services Coordinator	Supervising Air Quality Engineer
Legislative Analyst	Supervising Air Quality Inspector
Librarian	Supervising Air Quality Instrument Specialist
Mechanic I/II	Supervising Air Quality Meteorologist
Office Assistant I/II	Supervising Air Quality Specialist
Office Services Supervisor	Supervising Environmental Planner
Organization Development & Training Spec.	Supervising Public Information Officer
Permit Coordinator	Supervising Systems Analyst
Principal Accountant	Systems Analyst
Principal Air & Meteorological Monitoring Specialist	Systems Quality Assurance Specialist
Principal Air Quality Chemist	Toxicologist
	Web Master

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**Resolution No. 2020-XX**

**A Resolution to Approve a Successor Memorandum of Understanding  
Between the Air District and the Bay Area Air Quality Management District  
Employees' Association and to Approve Changes to the Salaries and Benefits  
of the Management and Confidential Unit**

WHEREAS, the current Memorandum of Understanding (MOU) between the Bay Area Air Quality Management District ("Air District") and the Bay Area Air Quality Management District Employees' Association ("Association") representing the Technical/General representation group and the Professional representation group (collectively, the "Representation Groups") was approved by the Board on July 31, 2019, by Resolution No. 2019-10 and said MOU having an expiration date of June 30, 2020; and

WHEREAS, the Air District Board of Directors met and approved salary adjustments to the management and confidential employee groups; and

WHEREAS, representatives of the Air District, as authorized by this Board, have met and conferred in good faith with representatives of the Association regarding salaries and other terms and conditions of employment for the Representation Groups; and

WHEREAS, the Air District and Association negotiators reached an Agreement for a new Memorandum of Understanding from July 1, 2020 through June 30, 2021; and

WHEREAS, the attached MOU reflects the changes agreed to by the Air District and the Association, and

WHEREAS, the Agreement as reflected in the attached MOU has been duly ratified by the membership of the Association;

WHEREAS, the salaries of the Confidential Unit be adjusted to reflect an equality in overtime pay;

NOW, THEREFORE, BE IT RESOLVED that the attached MOU between the Air District and the Association and the change to salaries and benefits of the Management and Confidential Unit employees be, and is, hereby approved.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 2020 by the following vote of the Board:

AYES:

NOES:

ABSENT:

ATTEST:

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Rod Sinks  
Chairperson of the Board of Directors

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Karen Mitchoff  
Secretary of the Board of Directors

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
SALARY SCHEDULE FOR MANAGEMENT AND CONFIDENTIAL CLASSES**  
Annually/Monthly/Bi-weekly/Hourly effective July 1, 2020

**ID-JDE MANAGEMENT**

**Per Employment Agreement**

1B101 Executive Officer/Air Pollution Control Officer	308114.82
	25676.24
	11850.57
	148.13

1B102 Counsel	313530.05
	26127.50
	12058.85
	150.74

**ID-JDE MANAGEMENT**

	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
3M101 Air Monitoring Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
3M102 Air Quality Engineering Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
3M103 Air Quality Planning Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
3M104 Air Quality Program Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
8M101 Assistant Counsel I	149M	143067.06	150220.41	157731.44	165618.01	173898.91
		11922.26	12518.37	13144.29	13801.50	14491.58
		5502.58	5777.71	6066.59	6369.92	6688.42
		68.78	72.22	75.83	79.62	83.61
7M101 Assistant Counsel II	153M	160473.51	168497.18	176922.04	185768.14	195056.55
		13372.79	14041.43	14743.50	15480.68	16254.71
		6172.06	6480.66	6804.69	7144.93	7502.18
		77.15	81.01	85.06	89.31	93.78
3M121 Assistant Manager	147M	138623.05	145554.20	152831.91	160473.51	168497.18
		11551.92	12129.52	12735.99	13372.79	14041.43
		5331.66	5598.24	5878.15	6172.06	6480.66
		66.65	69.98	73.48	77.15	81.01
3M117 Audit & Special Projects Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01

ID-JDE MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M105 Business Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
2M111 Communications Officer	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
1M101 Deputy Air Pollution Control Officer	160M	190355.70	199873.49	209867.16	220360.52	231378.54
		15862.98	16656.12	17488.93	18363.38	19281.55
		7321.37	7687.44	8071.81	8475.40	8899.17
		91.52	96.09	100.90	105.94	111.2397
1M102 Deputy Executive Officer	169M	237092.46	248947.08	261394.43	274464.15	288187.36
		19757.70	20745.59	21782.87	22872.01	24015.61
		9118.94	9574.89	10053.63	10556.31	11084.13
		113.99	119.69	125.67	131.95	138.55
2M110 Director/Officer	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
2M101 Director of Administration	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
2M102 Director of Enforcement	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
2M103 Director of Engineering	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
2M108 Director of Strategic Incentives	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
2M104 Director of Information Services	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
2M105 Director of Planning and Research	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23
2M107 Director of Technical Services	156M	171518.35	180094.27	189098.98	198553.93	208481.63
		14293.20	15007.86	15758.25	16546.16	17373.47
		6596.86	6926.70	7273.04	7636.69	8018.52
		82.46	86.58	90.91	95.46	100.23



ID-JDE	MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M119	Engineering Project Processing Manager	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01
3M113	Executive Operations Manager	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01
3M107	Finance Manager	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01
3M106	Fleet and Facilities Manager	134M	100949.69 8412.47 3882.68 48.53	105997.18 8833.10 4076.81 50.96	111297.04 9274.75 4280.66 53.51	116861.89 9738.49 4494.69 56.18	122704.98 10225.42 4719.42 58.99
2M111	Health Officer	156M	171518.35 14293.20 6596.86 82.46	180094.27 15007.86 6926.70 86.58	189098.98 15758.25 7273.04 90.91	198553.93 16546.16 7636.69 95.46	208481.63 17373.47 8018.52 100.23
3M118	Human Resources Manager	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01
3M108	Human Resources Officer	156M	171518.35 14293.20 6596.86 82.46	180094.27 15007.86 6926.70 86.58	189098.98 15758.25 7273.04 90.91	198553.93 16546.16 7636.69 95.46	208481.63 17373.47 8018.52 100.23
3M109	Information Systems Manager	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01
2M109	Information Technology Officer	156M	171518.35 14293.20 6596.86 82.46	180094.27 15007.86 6926.70 86.58	189098.98 15758.25 7273.04 90.91	198553.93 16546.16 7636.69 95.46	208481.63 17373.47 8018.52 100.23
3M110	Manager (Laboratory)	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01
3M120	Manager	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01
3M115	Manager of Executive Operations	148M	142046.36 11837.20 5463.32 68.29	149148.67 12429.06 5736.49 71.71	156606.11 13050.51 6023.31 75.29	164436.41 13703.03 6324.48 79.06	172658.23 14388.19 6640.70 83.01

<b>ID-JDE MANAGEMENT(CONTINUED)</b>	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
3M111 Meteorology and Data Analysis Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
3M112 Research and Modeling Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
6M101 Senior Assistant Counsel	157M	176922.04	185768.14	195056.55	204809.38	215049.85
		14743.50	15480.68	16254.71	17067.45	17920.82
		6804.69	7144.93	7502.18	7877.28	8271.15
		85.06	89.31	93.78	98.47	103.39
6M102 Senior Policy Advisor	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01
3M116 Strategic Facilities Planning Manager	148M	142046.36	149148.67	156606.11	164436.41	172658.23
		11837.20	12429.06	13050.51	13703.03	14388.19
		5463.32	5736.49	6023.31	6324.48	6640.70
		68.29	71.71	75.29	79.06	83.01

## ID-JDE CONFIDENTIAL

	Range	Step A	Step B	Step C	Step D	Step E
7C007 Administrative Secretary (Confidential)	118	66336.63 5528.05 2551.41 31.89	69653.46 5804.45 2678.98 33.49	73136.13 6094.68 2812.93 35.16	76792.94 6399.41 2953.57 36.92	80632.58 6719.38 3101.25 38.77
5C101 Clerk of the Boards	132	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95	113458.14 9454.85 4363.77 54.55
8C004 Executive Secretary I	128	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48
7C001 Executive Secretary II	132	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95	113458.14 9454.85 4363.77 54.55
8C101 Human Resources Analyst I	130	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95
7C103 Human Resources Analyst II	134	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95	113458.14 9454.85 4363.77 54.55	119131.05 9927.59 4581.96 57.27
8C001 Human Resources Technician I	122	73136.13 6094.68 2812.93 35.16	76792.94 6399.41 2953.57 36.92	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74
7C002 Human Resources Technician II	126	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12
7C003 Legal Office Services Specialist	124	76792.94 6399.41 2953.57 36.92	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88
8C002 Legal Secretary I	116	63177.74 5264.81 2429.91 30.37	66336.63 5528.05 2551.41 31.89	69653.46 5804.45 2678.98 33.49	73136.13 6094.68 2812.93 35.16	76792.94 6399.41 2953.57 36.92
7C004 Legal Secretary II	120	69653.46 5804.45 2678.98 33.49	73136.13 6094.68 2812.93 35.16	76792.94 6399.41 2953.57 36.92	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70
8C003 Office Assistant I (HR)	104	47144.20 3928.68 1813.24 22.67	49501.41 4125.12 1903.90 23.80	51976.48 4331.37 1999.10 24.99	54575.31 4547.94 2099.05 26.24	57304.07 4775.34 2204.00 27.55

**ID-JDE CONFIDENTIAL(CONTINUED)**

	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
7C005 Office Assistant II (HR)	108	51976.48	54575.31	57304.07	60169.28	63177.74
		4331.37	4547.94	4775.34	5014.11	5264.81
		1999.10	2099.05	2204.00	2314.20	2429.91
		24.99	26.24	27.55	28.93	30.37
7C102 Paralegal	124	76792.94	80632.58	84664.21	88897.42	93342.30
		6399.41	6719.38	7055.35	7408.12	7778.52
		2953.57	3101.25	3256.32	3419.13	3590.09
		36.92	38.77	40.70	42.74	44.88
6C102 Senior Human Resources Analyst	138	108055.38	113458.14	119131.05	125087.60	131341.98
		9004.61	9454.85	9927.59	10423.97	10945.17
		4155.98	4363.77	4581.96	4811.06	5051.61
		51.95	54.55	57.27	60.14	63.15
6C001 Senior Executive Secretary	134	98009.41	102909.88	108055.38	113458.14	119131.05
		8167.45	8575.82	9004.61	9454.85	9927.59
		3769.59	3958.07	4155.98	4363.77	4581.96
		47.12	49.48	51.95	54.55	57.27
5C102 Supervising Human Resources Analyst	142	119131.05	125087.60	131341.98	137909.08	144804.54
		9927.59	10423.97	10945.17	11492.42	12067.04
		4581.96	4811.06	5051.61	5304.20	5569.41
		57.27	60.14	63.15	66.30	69.62

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**SALARY SCHEDULE FOR TECHNICAL/GENERAL AND PROFESSIONAL EMPLOYEES**  
Effective July 1, 2020 per Memorandum of Understanding dated May 15, 2002

ID-JDE	PROFESSIONAL	Range	Step A	Step B	Step C	Step D	Step E
7P001	Accountant I	123	74942.23 6245.19 2882.39 36.03	78689.35 6557.45 3026.51 37.83	82623.81 6885.32 3177.84 39.72	86755.00 7229.58 3336.73 41.71	91092.75 7591.06 3503.57 43.79
7P014	Accountant II	127	82623.81 6885.32 3177.84 39.72	86755.00 7229.58 3336.73 41.71	91092.75 7591.06 3503.57 43.79	95647.39 7970.62 3678.75 45.98	100429.76 8369.15 3862.68 48.28
7P002	Advanced Projects Advisor	144	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15	137909.08 11492.42 5304.20 66.30	144804.54 12067.04 5569.41 69.62	152044.76 12670.40 5847.88 73.10
8P001	Air Quality Chemist I	127	82623.81 6885.32 3177.84 39.72	86755.00 7229.58 3336.73 41.71	91092.75 7591.06 3503.57 43.79	95647.39 7970.62 3678.75 45.98	100429.76 8369.15 3862.68 48.28
7P003	Air Quality Chemist II	131	91092.75 7591.06 3503.57 43.79	95647.39 7970.62 3678.75 45.98	100429.76 8369.15 3862.68 48.28	105451.25 8787.60 4055.82 50.70	110723.81 9226.98 4258.61 53.23
8P002	Air Quality Engineer I	132	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95	113458.14 9454.85 4363.77 54.55
7P004	Air Quality Engineer II	136	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95	113458.14 9454.85 4363.77 54.55	119131.05 9927.59 4581.96 57.27	125087.60 10423.97 4811.06 60.14
8P003	Air Quality Meteorologist I	131	91092.75 7591.06 3503.57 43.79	95647.39 7970.62 3678.75 45.98	100429.76 8369.15 3862.68 48.28	105451.25 8787.60 4055.82 50.70	110723.81 9226.98 4258.61 53.23
7P005	Air Quality Meteorologist II	135	100429.76 8369.15 3862.68 48.28	105451.25 8787.60 4055.82 50.70	110723.81 9226.98 4258.61 53.23	116260.00 9688.33 4471.54 55.89	122073.00 10172.75 4695.12 58.69
7P006	Atmospheric Modeler	140	113458.14 9454.85 4363.77 54.55	119131.05 9927.59 4581.96 57.27	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15	137909.08 11492.42 5304.20 66.30
8P004	Environmental Planner I	130	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95

ID-JDE PROFESSIONAL(continued)	Range	Step A	Step B	Step C	Step D	Step E
7P007 Environmental Planner II	134	98009.41	102909.88	108055.38	113458.14	119131.05
		8167.45	8575.82	9004.61	9454.85	9927.59
		3769.59	3958.07	4155.98	4363.77	4581.96
		47.12	49.48	51.95	54.55	57.27
7P008 Legislative Analyst	138	108055.38	113458.14	119131.05	125087.60	131341.98
		9004.61	9454.85	9927.59	10423.97	10945.17
		4155.98	4363.77	4581.96	4811.06	5051.61
		51.95	54.55	57.27	60.14	63.15
7P009 Librarian	128	84664.21	88897.42	93342.30	98009.41	102909.88
		7055.35	7408.12	7778.52	8167.45	8575.82
		3256.32	3419.13	3590.09	3769.59	3958.07
		40.70	42.74	44.88	47.12	49.48
4P001 Principal Accountant	135	100429.76	105451.25	110723.81	116260.00	122073.00
		8369.15	8787.60	9226.98	9688.33	10172.75
		3862.68	4055.82	4258.61	4471.54	4695.12
		48.28	50.70	53.23	55.89	58.69
4P002 Principal Air and Meteorological Monitoring Specialist	143	122073.00	128176.65	134585.48	141314.76	148380.50
		10172.75	10681.39	11215.46	11776.23	12365.04
		4695.12	4929.87	5176.36	5435.18	5706.94
		58.69	61.62	64.70	67.94	71.34
4P005 Principal Air Quality Chemist	139	110723.81	116260.00	122073.00	128176.65	134585.48
		9226.98	9688.33	10172.75	10681.39	11215.46
		4258.61	4471.54	4695.12	4929.87	5176.36
		53.23	55.89	58.69	61.62	64.70
4P003 Principal Air Quality Engineer	144	125087.60	131341.98	137909.08	144804.54	152044.76
		10423.97	10945.17	11492.42	12067.04	12670.40
		4811.06	5051.61	5304.20	5569.41	5847.88
		60.14	63.15	66.30	69.62	73.10
4P004 Principal Environmental Planner	142	119131.05	125087.60	131341.98	137909.08	144804.54
		9927.59	10423.97	10945.17	11492.42	12067.04
		4581.96	4811.06	5051.61	5304.20	5569.41
		57.27	60.14	63.15	66.30	69.62
7P010 Research Analyst	130	88897.42	93342.30	98009.41	102909.88	108055.38
		7408.12	7778.52	8167.45	8575.82	9004.61
		3419.13	3590.09	3769.59	3958.07	4155.98
		42.74	44.88	47.12	49.48	51.95
6P001 Senior Advanced Projects Advisor	148	137909.08	144804.54	152044.76	159647.00	167629.35
		11492.42	12067.04	12670.40	13303.92	13969.11
		5304.20	5569.41	5847.88	6140.27	6447.28
		66.30	69.62	73.10	76.75	80.59
6P002 Senior Air Quality Chemist	135	100429.76	105451.25	110723.81	116260.00	122073.00
		8369.15	8787.60	9226.98	9688.33	10172.75
		3862.68	4055.82	4258.61	4471.54	4695.12
		48.28	50.70	53.23	55.89	58.69

<b>ID-JDE PROFESSIONAL(continued)</b>		<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
6P003	Senior Air Quality Engineer	140	113458.14 9454.85 4363.77 54.55	119131.05 9927.59 4581.96 57.27	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15	137909.08 11492.42 5304.20 66.30
6P004	Senior Air Quality Meteorologist	139	110723.81 9226.98 4258.61 53.23	116260.00 9688.33 4471.54 55.89	122073.00 10172.75 4695.12 58.69	128176.65 10681.39 4929.87 61.62	134585.48 11215.46 5176.36 64.70
6P005	Senior Atmospheric Modeler	144	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15	137909.08 11492.42 5304.20 66.30	144804.54 12067.04 5569.41 69.62	152044.76 12670.40 5847.88 73.10
6P006	Senior Environmental Planner	138	108055.38 9004.61 4155.98 51.95	113458.14 9454.85 4363.77 54.55	119131.05 9927.59 4581.96 57.27	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15
7P011	Statistician	137	105451.25 8787.60 4055.82 50.70	110723.81 9226.98 4258.61 53.23	116260.00 9688.33 4471.54 55.89	122073.00 10172.75 4695.12 58.69	128176.65 10681.39 4929.87 61.62
5P001	Supervising Air Quality Engineer	144	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15	137909.08 11492.42 5304.20 66.30	144804.54 12067.04 5569.41 69.62	152044.76 12670.40 5847.88 73.10
5P002	Supervising Air Quality Meteorologist	143	122073.00 10172.75 4695.12 58.69	128176.65 10681.39 4929.87 61.62	134585.48 11215.46 5176.36 64.70	141314.76 11776.23 5435.18 67.94	148380.50 12365.04 5706.94 71.34
5P003	Supervising Environmental Planner	142	119131.05 9927.59 4581.96 57.27	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15	137909.08 11492.42 5304.20 66.30	144804.54 12067.04 5569.41 69.62
7P012	Toxicologist	144	125087.60 10423.97 4811.06 60.14	131341.98 10945.17 5051.61 63.15	137909.08 11492.42 5304.20 66.30	144804.54 12067.04 5569.41 69.62	152044.76 12670.40 5847.88 73.10
<b>ID-JDE TECHNICAL/GENERAL</b>		<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
8T001	Accounting Assistant I	106	49501.41 4125.12 1903.90 23.80	51976.48 4331.37 1999.10 24.99	54575.31 4547.94 2099.05 26.24	57304.07 4775.34 2204.00 27.55	60169.28 5014.11 2314.20 28.93
7T001	Accounting Assistant II	110	54575.31 4547.94 2099.05 26.24	57304.07 4775.34 2204.00 27.55	60169.28 5014.11 2314.20 28.93	63177.74 5264.81 2429.91 30.37	66336.63 5528.05 2551.41 31.89

ID-JDE TECHNICAL/GENERAL(cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T002 Administrative Analyst	131	91092.75	95647.39	100429.76	105451.25	110723.81
		7591.06	7970.62	8369.15	8787.60	9226.98
		3503.57	3678.75	3862.68	4055.82	4258.61
		43.79	45.98	48.28	50.70	53.23
7T003 Administrative Secretary	118	66336.63	69653.46	73136.13	76792.94	80632.58
		5528.05	5804.45	6094.68	6399.41	6719.38
		2551.41	2678.98	2812.93	2953.57	3101.25
		31.89	33.49	35.16	36.92	38.77
8T002 Air Quality Case Settlement Specialist I	126	80632.58	84664.21	88897.42	93342.30	98009.41
		6719.38	7055.35	7408.12	7778.52	8167.45
		3101.25	3256.32	3419.13	3590.09	3769.59
		38.77	40.70	42.74	44.88	47.12
7T004 Air Quality Case Settlement Specialist II	130	88897.42	93342.30	98009.41	102909.88	108055.38
		7408.12	7778.52	8167.45	8575.82	9004.61
		3419.13	3590.09	3769.59	3958.07	4155.98
		42.74	44.88	47.12	49.48	51.95
8T003 Air Quality Inspector I	124	76792.94	80632.58	84664.21	88897.42	93342.30
		6399.41	6719.38	7055.35	7408.12	7778.52
		2953.57	3101.25	3256.32	3419.13	3590.09
		36.92	38.77	40.70	42.74	44.88
7T005 Air Quality Inspector II	128	84664.21	88897.42	93342.30	98009.41	102909.88
		7055.35	7408.12	7778.52	8167.45	8575.82
		3256.32	3419.13	3590.09	3769.59	3958.07
		40.70	42.74	44.88	47.12	49.48
8T004 Air Quality Instrument Specialist I	124	76792.94	80632.58	84664.21	88897.42	93342.30
		6399.41	6719.38	7055.35	7408.12	7778.52
		2953.57	3101.25	3256.32	3419.13	3590.09
		36.92	38.77	40.70	42.74	44.88
7T006 Air Quality Instrument Specialist II	128	84664.21	88897.42	93342.30	98009.41	102909.88
		7055.35	7408.12	7778.52	8167.45	8575.82
		3256.32	3419.13	3590.09	3769.59	3958.07
		40.70	42.74	44.88	47.12	49.48
8T005 Air Quality Laboratory Technician I	122	73136.13	76792.94	80632.58	84664.21	88897.42
		6094.68	6399.41	6719.38	7055.35	7408.12
		2812.93	2953.57	3101.25	3256.32	3419.13
		35.16	36.92	38.77	40.70	42.74
7T007 Air Quality Laboratory Technician II	126	80632.58	84664.21	88897.42	93342.30	98009.41
		6719.38	7055.35	7408.12	7778.52	8167.45
		3101.25	3256.32	3419.13	3590.09	3769.59
		38.77	40.70	42.74	44.88	47.12
8T006 Air Quality Permit Technician I	122	73136.13	76792.94	80632.58	84664.21	88897.42
		6094.68	6399.41	6719.38	7055.35	7408.12
		2812.93	2953.57	3101.25	3256.32	3419.13
		35.16	36.92	38.77	40.70	42.74



<b>ID-JDE TECHNICAL/GENERAL(cont'd)</b>	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
7T008 Air Quality Permit Technician II	126	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12
8T007 Air Quality Specialist I	130	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95
7T009 Air Quality Specialist II	134	98009.41 8167.45 3769.59 47.12	102909.88 8575.82 3958.07 49.48	108055.38 9004.61 4155.98 51.95	113458.14 9454.85 4363.77 54.55	119131.05 9927.59 4581.96 57.27
7T010 Air Quality Technical Assistant	118	66336.63 5528.05 2551.41 31.89	69653.46 5804.45 2678.98 33.49	73136.13 6094.68 2812.93 35.16	76792.94 6399.41 2953.57 36.92	80632.58 6719.38 3101.25 38.77
8T008 Air Quality Technician I	122	73136.13 6094.68 2812.93 35.16	76792.94 6399.41 2953.57 36.92	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74
7T011 Air Quality Technician II	126	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12
8T014 Assistant Staff Specialist I	122	73136.13 6094.68 2812.93 35.16	76792.94 6399.41 2953.57 36.92	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74
7T033 Assistant Staff Specialist II	126	80632.58 6719.38 3101.25 38.77	84664.21 7055.35 3256.32 40.70	88897.42 7408.12 3419.13 42.74	93342.30 7778.52 3590.09 44.88	98009.41 8167.45 3769.59 47.12
7T012 Building Maintenance Mechanic	114	60169.28 5014.11 2314.20 28.93	63177.74 5264.81 2429.91 30.37	66336.63 5528.05 2551.41 31.89	69653.46 5804.45 2678.98 33.49	73136.13 6094.68 2812.93 35.16
7T013 Data Entry Operator	111	55923.05 4660.25 2150.89 26.89	58719.20 4893.27 2258.43 28.23	61655.16 5137.93 2371.35 29.64	64737.92 5394.83 2489.92 31.12	67974.81 5664.57 2614.42 32.68

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T010 Data Support Supervisor	142	119131.05	125087.60	131341.98	137909.08	144804.54
		9927.59	10423.97	10945.17	11492.42	12067.04
		4581.96	4811.06	5051.61	5304.20	5569.41
		57.27	60.14	63.15	66.30	69.62
7T014 Database Specialist	135	100429.76	105451.25	110723.81	116260.00	122073.00
		8369.15	8787.60	9226.98	9688.33	10172.75
		3862.68	4055.82	4258.61	4471.54	4695.12
		48.28	50.70	53.23	55.89	58.69
7T015 Deputy Clerk of the Boards	123	74942.23	78689.35	82623.81	86755.00	91092.75
		6245.19	6557.45	6885.32	7229.58	7591.06
		2882.39	3026.51	3177.84	3336.73	3503.57
		36.03	37.83	39.72	41.71	43.79
7T028 Facilities Maintenance Worker	108	51976.48	54575.31	57304.07	60169.28	63177.74
		4331.37	4547.94	4775.34	5014.11	5264.81
		1999.10	2099.05	2204.00	2314.20	2429.91
		24.99	26.24	27.55	28.93	30.37
5T008 Facilities Services Supervisor	130	88897.42	93342.30	98009.41	102909.88	108055.38
		7408.12	7778.52	8167.45	8575.82	9004.61
		3419.13	3590.09	3769.59	3958.07	4155.98
		42.74	44.88	47.12	49.48	51.95
7T031 Fiscal Services Coordinator	139	110723.81	116260.00	122073.00	128176.65	134585.48
		9226.98	9688.33	10172.75	10681.39	11215.46
		4258.61	4471.54	4695.12	4929.87	5176.36
		53.23	55.89	58.69	61.62	64.70
8T009 Mechanic I	121	71373.56	74942.23	78689.35	82623.81	86755.00
		5947.80	6245.19	6557.45	6885.32	7229.58
		2745.14	2882.39	3026.51	3177.84	3336.73
		34.31	36.03	37.83	39.72	41.71
7T016 Mechanic II	125	78689.35	82623.81	86755.00	91092.75	95647.39
		6557.45	6885.32	7229.58	7591.06	7970.62
		3026.51	3177.84	3336.73	3503.57	3678.75
		37.83	39.72	41.71	43.79	45.98
8T010 Office Assistant I	104	47144.20	49501.41	51976.48	54575.31	57304.07
		3928.68	4125.12	4331.37	4547.94	4775.34
		1813.24	1903.90	1999.10	2099.05	2204.00
		22.67	23.80	24.99	26.24	27.55
7T017 Office Assistant II	108	51976.48	54575.31	57304.07	60169.28	63177.74
		4331.37	4547.94	4775.34	5014.11	5264.81
		1999.10	2099.05	2204.00	2314.20	2429.91
		24.99	26.24	27.55	28.93	30.37
5T001 Office Services Supervisor	116	63177.74	66336.63	69653.46	73136.13	76792.94
		5264.81	5528.05	5804.45	6094.68	6399.41
		2429.91	2551.41	2678.98	2812.93	2953.57
		30.37	31.89	33.49	35.16	36.92
7T029 Organizational Development and Training Specialist	134	98009.41	102909.88	108055.38	113458.14	119131.05
		8167.45	8575.82	9004.61	9454.85	9927.59
		3769.59	3958.07	4155.98	4363.77	4581.96
		47.12	49.48	51.95	54.55	57.27

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T018 Permit Coordinator	134	98009.41	102909.88	108055.38	113458.14	119131.05
		8167.45	8575.82	9004.61	9454.85	9927.59
		3769.59	3958.07	4155.98	4363.77	4581.96
		47.12	49.48	51.95	54.55	57.27
6T009 Principal Air Quality Instrument Specialist	136	102909.88	108055.38	113458.14	119131.05	125087.60
		8575.82	9004.61	9454.85	9927.59	10423.97
		3958.07	4155.98	4363.77	4581.96	4811.06
		49.48	51.95	54.55	57.27	60.14
4T001 Principal Air Quality Specialist	142	119131.05	125087.60	131341.98	137909.08	144804.54
		9927.59	10423.97	10945.17	11492.42	12067.04
		4581.96	4811.06	5051.61	5304.20	5569.41
		57.27	60.14	63.15	66.30	69.62
8T011 Programmer Analyst I	127	82623.81	86755.00	91092.75	95647.39	100429.76
		6885.32	7229.58	7591.06	7970.62	8369.15
		3177.84	3336.73	3503.57	3678.75	3862.68
		39.72	41.71	43.79	45.98	48.28
7T019 Programmer Analyst II	131	91092.75	95647.39	100429.76	105451.25	110723.81
		7591.06	7970.62	8369.15	8787.60	9226.98
		3503.57	3678.75	3862.68	4055.82	4258.61
		43.79	45.98	48.28	50.70	53.23
8T012 Public Information Officer I	127	82623.81	86755.00	91092.75	95647.39	100429.76
		6885.32	7229.58	7591.06	7970.62	8369.15
		3177.84	3336.73	3503.57	3678.75	3862.68
		39.72	41.71	43.79	45.98	48.28
7T020 Public Information Officer II	131	91092.75	95647.39	100429.76	105451.25	110723.81
		7591.06	7970.62	8369.15	8787.60	9226.98
		3503.57	3678.75	3862.68	4055.82	4258.61
		43.79	45.98	48.28	50.70	53.23
7T027 Purchasing Agent	122	73136.13	76792.94	80632.58	84664.21	88897.42
		6094.68	6399.41	6719.38	7055.35	7408.12
		2812.93	2953.57	3101.25	3256.32	3419.13
		35.16	36.92	38.77	40.70	42.74
7T021 Radio/Telephone Operator	113	58719.20	61655.16	64737.92	67974.81	71373.56
		4893.27	5137.93	5394.83	5664.57	5947.80
		2258.43	2371.35	2489.92	2614.42	2745.14
		28.23	29.64	31.12	32.68	34.31
5T002 Radio/Telephone Operator Supervisor	119	67974.81	71373.56	74942.23	78689.35	82623.81
		5664.57	5947.80	6245.19	6557.45	6885.32
		2614.42	2745.14	2882.39	3026.51	3177.84
		32.68	34.31	36.03	37.83	39.72
7T022 Receptionist	104	47144.20	49501.41	51976.48	54575.31	57304.07
		3928.68	4125.12	4331.37	4547.94	4775.34
		1813.24	1903.90	1999.10	2099.05	2204.00
		22.67	23.80	24.99	26.24	27.55

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T023 Secretary	112	57304.07	60169.28	63177.74	66336.63	69653.46
		4775.34	5014.11	5264.81	5528.05	5804.45
		2204.00	2314.20	2429.91	2551.41	2678.98
		27.55	28.93	30.37	31.89	33.49
6T001 Senior Accounting Assistant	114	60169.28	63177.74	66336.63	69653.46	73136.13
		5014.11	5264.81	5528.05	5804.45	6094.68
		2314.20	2429.91	2551.41	2678.98	2812.93
		28.93	30.37	31.89	33.49	35.16
6T002 Senior Air Quality Inspector	132	93342.30	98009.41	102909.88	108055.38	113458.14
		7778.52	8167.45	8575.82	9004.61	9454.85
		3590.09	3769.59	3958.07	4155.98	4363.77
		44.88	47.12	49.48	51.95	54.55
6T003 Senior Air Quality Instrument Specialist	132	93342.30	98009.41	102909.88	108055.38	113458.14
		7778.52	8167.45	8575.82	9004.61	9454.85
		3590.09	3769.59	3958.07	4155.98	4363.77
		44.88	47.12	49.48	51.95	54.55
6T007 Senior Air Quality Permit Technician	130	88897.42	93342.30	98009.41	102909.88	108055.38
		7408.12	7778.52	8167.45	8575.82	9004.61
		3419.13	3590.09	3769.59	3958.07	4155.98
		42.74	44.88	47.12	49.48	51.95
6T004 Senior Air Quality Specialist	138	108055.38	113458.14	119131.05	125087.60	131341.98
		9004.61	9454.85	9927.59	10423.97	10945.17
		4155.98	4363.77	4581.96	4811.06	5051.61
		51.95	54.55	57.27	60.14	63.15
6T006 Senior Air Quality Technician	130	88897.42	93342.30	98009.41	102909.88	108055.38
		7408.12	7778.52	8167.45	8575.82	9004.61
		3419.13	3590.09	3769.59	3958.07	4155.98
		42.74	44.88	47.12	49.48	51.95
6T005 Senior Public Information Officer	135	100429.76	105451.25	110723.81	116260.00	122073.00
		8369.15	8787.60	9226.98	9688.33	10172.75
		3862.68	4055.82	4258.61	4471.54	4695.12
		48.28	50.70	53.23	55.89	58.69
6T008 Senior Staff Specialist	138	108055.38	113458.14	119131.05	125087.60	131341.98
		9004.61	9454.85	9927.59	10423.97	10945.17
		4155.98	4363.77	4581.96	4811.06	5051.61
		51.95	54.55	57.27	60.14	63.15
8T013 Staff Specialist I	130	88897.42	93342.30	98009.41	102909.88	108055.38
		7408.12	7778.52	8167.45	8575.82	9004.61
		3419.13	3590.09	3769.59	3958.07	4155.98
		42.74	44.88	47.12	49.48	51.95
7T032 Staff Specialist II	134	98009.41	102909.88	108055.38	113458.14	119131.05
		8167.45	8575.82	9004.61	9454.85	9927.59
		3769.59	3958.07	4155.98	4363.77	4581.96
		47.12	49.48	51.95	54.55	57.27

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T003 Supervising Air Quality Inspector	136	102909.88	108055.38	113458.14	119131.05	125087.60
		8575.82	9004.61	9454.85	9927.59	10423.97
		3958.07	4155.98	4363.77	4581.96	4811.06
		49.48	51.95	54.55	57.27	60.14
5T004 Supervising Air Quality Instrument Specialist	136	102909.88	108055.38	113458.14	119131.05	125087.60
		8575.82	9004.61	9454.85	9927.59	10423.97
		3958.07	4155.98	4363.77	4581.96	4811.06
		49.48	51.95	54.55	57.27	60.14
5T005 Supervising Air Quality Specialist	142	119131.05	125087.60	131341.98	137909.08	144804.54
		9927.59	10423.97	10945.17	11492.42	12067.04
		4581.96	4811.06	5051.61	5304.20	5569.41
		57.27	60.14	63.15	66.30	69.62
5T006 Supervising Public Information Officer	139	110723.81	116260.00	122073.00	128176.65	134585.48
		9226.98	9688.33	10172.75	10681.39	11215.46
		4258.61	4471.54	4695.12	4929.87	5176.36
		53.23	55.89	58.69	61.62	64.70
5T009 Supervising Staff Specialist	142	119131.05	125087.60	131341.98	137909.08	144804.54
		9927.59	10423.97	10945.17	11492.42	12067.04
		4581.96	4811.06	5051.61	5304.20	5569.41
		57.27	60.14	63.15	66.30	69.62
5T007 Supervising Systems Analyst	139	110723.81	116260.00	122073.00	128176.65	134585.48
		9226.98	9688.33	10172.75	10681.39	11215.46
		4258.61	4471.54	4695.12	4929.87	5176.36
		53.23	55.89	58.69	61.62	64.70
7T024 Systems Analyst	135	100429.76	105451.25	110723.81	116260.00	122073.00
		8369.15	8787.60	9226.98	9688.33	10172.75
		3862.68	4055.82	4258.61	4471.54	4695.12
		48.28	50.70	53.23	55.89	58.69
7T025 Systems Quality Assurance Specialist	135	100429.76	105451.25	110723.81	116260.00	122073.00
		8369.15	8787.60	9226.98	9688.33	10172.75
		3862.68	4055.82	4258.61	4471.54	4695.12
		48.28	50.70	53.23	55.89	58.69
7T026 Web Master	135	100429.76	105451.25	110723.81	116260.00	122073.00
		8369.15	8787.60	9226.98	9688.33	10172.75
		3862.68	4055.82	4258.61	4471.54	4695.12
		48.28	50.70	53.23	55.89	58.69

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
SALARY SCHEDULE FOR MANAGEMENT AND CONFIDENTIAL CLASSES**  
Annually/Monthly/Bi-weekly/Hourly effective November 8, 2020

**ID-JDE MANAGEMENT**

**Per Employment Agreement**

1B101 Executive Officer/Air Pollution Control Officer	308114.82
	25676.24
	11850.57
	148.13

1B102 Counsel	316665.35
	26388.78
	12179.44
	152.24

**ID-JDE MANAGEMENT**

	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
3M101 Air Monitoring Manager	148M	143466.82	150640.16	158172.17	166080.78	174384.82
		11955.57	12553.35	13181.01	13840.06	14532.07
		5517.95	5793.85	6083.54	6387.72	6707.11
		68.97	72.42	76.04	79.85	83.84
3M102 Air Quality Engineering Manager	148M	143466.82	150640.16	158172.17	166080.78	174384.82
		11955.57	12553.35	13181.01	13840.06	14532.07
		5517.95	5793.85	6083.54	6387.72	6707.11
		68.97	72.42	76.04	79.85	83.84
3M103 Air Quality Planning Manager	148M	143466.82	150640.16	158172.17	166080.78	174384.82
		11955.57	12553.35	13181.01	13840.06	14532.07
		5517.95	5793.85	6083.54	6387.72	6707.11
		68.97	72.42	76.04	79.85	83.84
3M104 Air Quality Program Manager	148M	143466.82	150640.16	158172.17	166080.78	174384.82
		11955.57	12553.35	13181.01	13840.06	14532.07
		5517.95	5793.85	6083.54	6387.72	6707.11
		68.97	72.42	76.04	79.85	83.84
8M101 Assistant Counsel I	149M	144497.73	151722.62	159308.75	167274.19	175637.90
		12041.48	12643.55	13275.73	13939.52	14636.49
		5557.61	5835.49	6127.26	6433.62	6755.30
		69.47	72.94	76.59	80.42	84.44
7M101 Assistant Counsel II	153M	162078.24	170182.15	178691.26	187625.82	197007.12
		13506.52	14181.85	14890.94	15635.49	16417.26
		6233.78	6545.47	6872.74	7216.38	7577.20
		77.92	81.82	85.91	90.20	94.71
3M121 Assistant Manager	147M	140009.28	147009.74	154360.23	162078.24	170182.15
		11667.44	12250.81	12863.35	13506.52	14181.85
		5384.97	5654.22	5936.93	6233.78	6545.47
		67.31	70.68	74.21	77.92	81.82
3M117 Audit & Special Projects Manager	148M	143466.82	150640.16	158172.17	166080.78	174384.82
		11955.57	12553.35	13181.01	13840.06	14532.07
		5517.95	5793.85	6083.54	6387.72	6707.11
		68.97	72.42	76.04	79.85	83.84

ID-JDE MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M105 Business Manager	148M	143466.82	150640.16	158172.17	166080.78	174384.82
		11955.57	12553.35	13181.01	13840.06	14532.07
		5517.95	5793.85	6083.54	6387.72	6707.11
		68.97	72.42	76.04	79.85	83.84
2M111 Communications Officer	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
1M101 Deputy Air Pollution Control Officer	160M	192259.26	201872.22	211965.83	222564.12	233692.33
		16021.60	16822.69	17663.82	18547.01	19474.36
		7394.59	7764.32	8152.53	8560.16	8988.17
		92.43	97.05	101.91	107.00	112.3521
1M102 Deputy Executive Officer	169M	239463.38	251436.55	264008.38	277208.80	291069.24
		19955.28	20953.05	22000.70	23100.73	24255.77
		9210.13	9670.64	10154.17	10661.88	11194.97
		115.13	120.88	126.93	133.27	139.94
2M110 Director/Officer	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
2M101 Director of Administration	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
2M102 Director of Enforcement	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
2M103 Director of Engineering	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
2M108 Director of Strategic Incentives	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
2M104 Director of Information Services	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
2M105 Director of Planning and Research	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23
2M107 Director of Technical Services	156M	173233.54	181895.21	190989.97	200539.47	210566.45
		14436.13	15157.93	15915.83	16711.62	17547.20
		6662.83	6995.97	7345.77	7713.06	8098.71
		83.29	87.45	91.82	96.41	101.23

ID-JDE	MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M119	Engineering Project Processing Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M113	Executive Operations Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M107	Finance Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M106	Fleet and Facilities Manager	134M	101959.19 8496.60 3921.51 49.02	107057.15 8921.43 4117.58 51.47	112410.01 9367.50 4323.46 54.04	118030.51 9835.88 4539.63 56.75	123932.03 10327.67 4766.62 59.58
2M111	Health Officer	156M	173233.54 14436.13 6662.83 83.29	181895.21 15157.93 6995.97 87.45	190989.97 15915.83 7345.77 91.82	200539.47 16711.62 7713.06 96.41	210566.45 17547.20 8098.71 101.23
3M118	Human Resources Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M108	Human Resources Officer	156M	173233.54 14436.13 6662.83 83.29	181895.21 15157.93 6995.97 87.45	190989.97 15915.83 7345.77 91.82	200539.47 16711.62 7713.06 96.41	210566.45 17547.20 8098.71 101.23
3M109	Information Systems Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
2M109	Information Technology Officer	156M	173233.54 14436.13 6662.83 83.29	181895.21 15157.93 6995.97 87.45	190989.97 15915.83 7345.77 91.82	200539.47 16711.62 7713.06 96.41	210566.45 17547.20 8098.71 101.23
3M110	Manager (Laboratory)	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M120	Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M115	Manager of Executive Operations	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84



<b>ID-JDE MANAGEMENT(CONTINUED)</b>	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
3M111 Meteorology and Data Analysis Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M112 Research and Modeling Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
6M101 Senior Assistant Counsel	157M	178691.26 14890.94 6872.74 85.91	187625.82 15635.49 7216.38 90.20	197007.12 16417.26 7577.20 94.71	206857.47 17238.12 7956.06 99.45	217200.35 18100.03 8353.86 104.42
6M102 Senior Policy Advisor	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84
3M116 Strategic Facilities Planning Manager	148M	143466.82 11955.57 5517.95 68.97	150640.16 12553.35 5793.85 72.42	158172.17 13181.01 6083.54 76.04	166080.78 13840.06 6387.72 79.85	174384.82 14532.07 6707.11 83.84

## ID-JDE CONFIDENTIAL

	Range	Step A	Step B	Step C	Step D	Step E
7C007 Administrative Secretary (Confidential)	118	66999.99 5583.33 2576.92 32.21	70349.99 5862.50 2705.77 33.82	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15
5C101 Clerk of the Boards	132	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09
8C004 Executive Secretary I	128	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97
7C001 Executive Secretary II	132	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09
8C101 Human Resources Analyst I	130	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47
7C103 Human Resources Analyst II	134	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85
8C001 Human Resources Technician I	122	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17
7C002 Human Resources Technician II	126	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59
7C003 Legal Office Services Specialist	124	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32
8C002 Legal Secretary I	116	63809.52 5317.46 2454.21 30.68	66999.99 5583.33 2576.92 32.21	70349.99 5862.50 2705.77 33.82	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29
7C004 Legal Secretary II	120	70349.99 5862.50 2705.77 33.82	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11
8C003 Office Assistant I (HR)	104	47615.64 3967.97 1831.37 22.89	49996.43 4166.37 1922.94 24.04	52496.25 4374.69 2019.09 25.24	55121.06 4593.42 2120.04 26.50	57877.11 4823.09 2226.04 27.83

**ID-JDE CONFIDENTIAL(CONTINUED)**

	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
7C005 Office Assistant II (HR)	108	52496.25	55121.06	57877.11	60770.97	63809.52
		4374.69	4593.42	4823.09	5064.25	5317.46
		2019.09	2120.04	2226.04	2337.34	2454.21
		25.24	26.50	27.83	29.22	30.68
7C102 Paralegal	124	77560.87	81438.91	85510.86	89786.40	94275.72
		6463.41	6786.58	7125.90	7482.20	7856.31
		2983.11	3132.27	3288.88	3453.32	3625.99
		37.29	39.15	41.11	43.17	45.32
6C102 Senior Human Resources Analyst	138	109135.93	114592.73	120322.36	126338.48	132655.40
		9094.66	9549.39	10026.86	10528.21	11054.62
		4197.54	4407.41	4627.78	4859.17	5102.13
		52.47	55.09	57.85	60.74	63.78
6C001 Senior Executive Secretary	134	98989.50	103938.98	109135.93	114592.73	120322.36
		8249.13	8661.58	9094.66	9549.39	10026.86
		3807.29	3997.65	4197.54	4407.41	4627.78
		47.59	49.97	52.47	55.09	57.85
5C102 Supervising Human Resources Analyst	142	120322.36	126338.48	132655.40	139288.17	146252.58
		10026.86	10528.21	11054.62	11607.35	12187.72
		4627.78	4859.17	5102.13	5357.24	5625.10
		57.85	60.74	63.78	66.97	70.31

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**SALARY SCHEDULE FOR TECHNICAL/GENERAL AND PROFESSIONAL EMPLOYEES**  
Effective November 8, 2020 per Memorandum of Understanding dated May 15, 2002

<b>ID-JDE PROFESSIONAL</b>	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
7P001 Accountant I	123	75691.66 6307.64 2911.22 36.39	79476.24 6623.02 3056.78 38.21	83450.05 6954.17 3209.62 40.12	87622.55 7301.88 3370.10 42.13	92003.68 7666.97 3538.60 44.23
7P014 Accountant II	127	83450.05 6954.17 3209.62 40.12	87622.55 7301.88 3370.10 42.13	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77
7P002 Advanced Projects Advisor	144	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31	153565.21 12797.10 5906.35 73.83
8P001 Air Quality Chemist I	127	83450.05 6954.17 3209.62 40.12	87622.55 7301.88 3370.10 42.13	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77
7P003 Air Quality Chemist II	131	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76
8P002 Air Quality Engineer I	132	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09
7P004 Air Quality Engineer II	136	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74
8P003 Air Quality Meteorologist I	131	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76
7P005 Air Quality Meteorologist II	135	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28
7P006 Atmospheric Modeler	140	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97
8P004 Environmental Planner I	130	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47

ID-JDE PROFESSIONAL(continued)	Range	Step A	Step B	Step C	Step D	Step E
7P007 Environmental Planner II	134	98989.50	103938.98	109135.93	114592.73	120322.36
		8249.13	8661.58	9094.66	9549.39	10026.86
		3807.29	3997.65	4197.54	4407.41	4627.78
		47.59	49.97	52.47	55.09	57.85
7P008 Legislative Analyst	138	109135.93	114592.73	120322.36	126338.48	132655.40
		9094.66	9549.39	10026.86	10528.21	11054.62
		4197.54	4407.41	4627.78	4859.17	5102.13
		52.47	55.09	57.85	60.74	63.78
7P009 Librarian	128	85510.86	89786.40	94275.72	98989.50	103938.98
		7125.90	7482.20	7856.31	8249.13	8661.58
		3288.88	3453.32	3625.99	3807.29	3997.65
		41.11	43.17	45.32	47.59	49.97
4P001 Principal Accountant	135	101434.06	106505.76	111831.05	117422.60	123293.73
		8452.84	8875.48	9319.25	9785.22	10274.48
		3901.31	4096.38	4301.19	4516.25	4742.07
		48.77	51.20	53.76	56.45	59.28
4P002 Principal Air and Meteorological Monitoring Specialist	143	123293.73	129458.42	135931.34	142727.91	149864.30
		10274.48	10788.20	11327.61	11893.99	12488.69
		4742.07	4979.17	5228.13	5489.53	5764.01
		59.28	62.24	65.35	68.62	72.05
4P005 Principal Air Quality Chemist	139	111831.05	117422.60	123293.73	129458.42	135931.34
		9319.25	9785.22	10274.48	10788.20	11327.61
		4301.19	4516.25	4742.07	4979.17	5228.13
		53.76	56.45	59.28	62.24	65.35
4P003 Principal Air Quality Engineer	144	126338.48	132655.40	139288.17	146252.58	153565.21
		10528.21	11054.62	11607.35	12187.72	12797.10
		4859.17	5102.13	5357.24	5625.10	5906.35
		60.74	63.78	66.97	70.31	73.83
4P004 Principal Environmental Planner	142	120322.36	126338.48	132655.40	139288.17	146252.58
		10026.86	10528.21	11054.62	11607.35	12187.72
		4627.78	4859.17	5102.13	5357.24	5625.10
		57.85	60.74	63.78	66.97	70.31
7P010 Research Analyst	130	89786.40	94275.72	98989.50	103938.98	109135.93
		7482.20	7856.31	8249.13	8661.58	9094.66
		3453.32	3625.99	3807.29	3997.65	4197.54
		43.17	45.32	47.59	49.97	52.47
6P001 Senior Advanced Projects Advisor	148	139288.17	146252.58	153565.21	161243.47	169305.65
		11607.35	12187.72	12797.10	13436.96	14108.80
		5357.24	5625.10	5906.35	6201.67	6511.76
		66.97	70.31	73.83	77.52	81.40
6P002 Senior Air Quality Chemist	135	101434.06	106505.76	111831.05	117422.60	123293.73
		8452.84	8875.48	9319.25	9785.22	10274.48
		3901.31	4096.38	4301.19	4516.25	4742.07
		48.77	51.20	53.76	56.45	59.28

<b>ID-JDE PROFESSIONAL(continued)</b>		<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
6P003	Senior Air Quality Engineer	140	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97
6P004	Senior Air Quality Meteorologist	139	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28	129458.42 10788.20 4979.17 62.24	135931.34 11327.61 5228.13 65.35
6P005	Senior Atmospheric Modeler	144	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31	153565.21 12797.10 5906.35 73.83
6P006	Senior Environmental Planner	138	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78
7P011	Statistician	137	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28	129458.42 10788.20 4979.17 62.24
5P001	Supervising Air Quality Engineer	144	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31	153565.21 12797.10 5906.35 73.83
5P002	Supervising Air Quality Meteorologist	143	123293.73 10274.48 4742.07 59.28	129458.42 10788.20 4979.17 62.24	135931.34 11327.61 5228.13 65.35	142727.91 11893.99 5489.53 68.62	149864.30 12488.69 5764.01 72.05
5P003	Supervising Environmental Planner	142	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31
7P012	Toxicologist	144	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31	153565.21 12797.10 5906.35 73.83
<b>ID-JDE TECHNICAL/GENERAL</b>		<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
8T001	Accounting Assistant I	106	49996.43 4166.37 1922.94 24.04	52496.25 4374.69 2019.09 25.24	55121.06 4593.42 2120.04 26.50	57877.11 4823.09 2226.04 27.83	60770.97 5064.25 2337.34 29.22
7T001	Accounting Assistant II	110	55121.06 4593.42 2120.04 26.50	57877.11 4823.09 2226.04 27.83	60770.97 5064.25 2337.34 29.22	63809.52 5317.46 2454.21 30.68	66999.99 5583.33 2576.92 32.21

ID-JDE TECHNICAL/GENERAL(cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T002 Administrative Analyst	131	92003.68	96603.86	101434.06	106505.76	111831.05
		7666.97	8050.32	8452.84	8875.48	9319.25
		3538.60	3715.53	3901.31	4096.38	4301.19
		44.23	46.44	48.77	51.20	53.76
7T003 Administrative Secretary	118	66999.99	70349.99	73867.49	77560.87	81438.91
		5583.33	5862.50	6155.62	6463.41	6786.58
		2576.92	2705.77	2841.06	2983.11	3132.27
		32.21	33.82	35.51	37.29	39.15
8T002 Air Quality Case Settlement Specialist I	126	81438.91	85510.86	89786.40	94275.72	98989.50
		6786.58	7125.90	7482.20	7856.31	8249.13
		3132.27	3288.88	3453.32	3625.99	3807.29
		39.15	41.11	43.17	45.32	47.59
7T004 Air Quality Case Settlement Specialist II	130	89786.40	94275.72	98989.50	103938.98	109135.93
		7482.20	7856.31	8249.13	8661.58	9094.66
		3453.32	3625.99	3807.29	3997.65	4197.54
		43.17	45.32	47.59	49.97	52.47
8T003 Air Quality Inspector I	124	77560.87	81438.91	85510.86	89786.40	94275.72
		6463.41	6786.58	7125.90	7482.20	7856.31
		2983.11	3132.27	3288.88	3453.32	3625.99
		37.29	39.15	41.11	43.17	45.32
7T005 Air Quality Inspector II	128	85510.86	89786.40	94275.72	98989.50	103938.98
		7125.90	7482.20	7856.31	8249.13	8661.58
		3288.88	3453.32	3625.99	3807.29	3997.65
		41.11	43.17	45.32	47.59	49.97
8T004 Air Quality Instrument Specialist I	124	77560.87	81438.91	85510.86	89786.40	94275.72
		6463.41	6786.58	7125.90	7482.20	7856.31
		2983.11	3132.27	3288.88	3453.32	3625.99
		37.29	39.15	41.11	43.17	45.32
7T006 Air Quality Instrument Specialist II	128	85510.86	89786.40	94275.72	98989.50	103938.98
		7125.90	7482.20	7856.31	8249.13	8661.58
		3288.88	3453.32	3625.99	3807.29	3997.65
		41.11	43.17	45.32	47.59	49.97
8T005 Air Quality Laboratory Technician I	122	73867.49	77560.87	81438.91	85510.86	89786.40
		6155.62	6463.41	6786.58	7125.90	7482.20
		2841.06	2983.11	3132.27	3288.88	3453.32
		35.51	37.29	39.15	41.11	43.17
7T007 Air Quality Laboratory Technician II	126	81438.91	85510.86	89786.40	94275.72	98989.50
		6786.58	7125.90	7482.20	7856.31	8249.13
		3132.27	3288.88	3453.32	3625.99	3807.29
		39.15	41.11	43.17	45.32	47.59
8T006 Air Quality Permit Technician I	122	73867.49	77560.87	81438.91	85510.86	89786.40
		6155.62	6463.41	6786.58	7125.90	7482.20
		2841.06	2983.11	3132.27	3288.88	3453.32
		35.51	37.29	39.15	41.11	43.17

ID-JDE TECHNICAL/GENERAL(cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T008 Air Quality Permit Technician II	126	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59
8T007 Air Quality Specialist I	130	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47
7T009 Air Quality Specialist II	134	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85
7T010 Air Quality Technical Assistant	118	66999.99 5583.33 2576.92 32.21	70349.99 5862.50 2705.77 33.82	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15
8T008 Air Quality Technician I	122	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17
7T011 Air Quality Technician II	126	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59
8T014 Assistant Staff Specialist I	122	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17
7T033 Assistant Staff Specialist II	126	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17	94275.72 7856.31 3625.99 45.32	98989.50 8249.13 3807.29 47.59
7T012 Building Maintenance Mechanic	114	60770.97 5064.25 2337.34 29.22	63809.52 5317.46 2454.21 30.68	66999.99 5583.33 2576.92 32.21	70349.99 5862.50 2705.77 33.82	73867.49 6155.62 2841.06 35.51
7T013 Data Entry Operator	111	56482.28 4706.86 2172.40 27.15	59306.39 4942.20 2281.02 28.51	62271.71 5189.31 2395.07 29.94	65385.30 5448.77 2514.82 31.44	68654.56 5721.21 2640.56 33.01



ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T010 Data Support Supervisor	142	120322.36	126338.48	132655.40	139288.17	146252.58
		10026.86	10528.21	11054.62	11607.35	12187.72
		4627.78	4859.17	5102.13	5357.24	5625.10
		57.85	60.74	63.78	66.97	70.31
7T014 Database Specialist	135	101434.06	106505.76	111831.05	117422.60	123293.73
		8452.84	8875.48	9319.25	9785.22	10274.48
		3901.31	4096.38	4301.19	4516.25	4742.07
		48.77	51.20	53.76	56.45	59.28
7T015 Deputy Clerk of the Boards	123	75691.66	79476.24	83450.05	87622.55	92003.68
		6307.64	6623.02	6954.17	7301.88	7666.97
		2911.22	3056.78	3209.62	3370.10	3538.60
		36.39	38.21	40.12	42.13	44.23
7T028 Facilities Maintenance Worker	108	52496.25	55121.06	57877.11	60770.97	63809.52
		4374.69	4593.42	4823.09	5064.25	5317.46
		2019.09	2120.04	2226.04	2337.34	2454.21
		25.24	26.50	27.83	29.22	30.68
5T008 Facilities Services Supervisor	130	89786.40	94275.72	98989.50	103938.98	109135.93
		7482.20	7856.31	8249.13	8661.58	9094.66
		3453.32	3625.99	3807.29	3997.65	4197.54
		43.17	45.32	47.59	49.97	52.47
7T031 Fiscal Services Coordinator	139	111831.05	117422.60	123293.73	129458.42	135931.34
		9319.25	9785.22	10274.48	10788.20	11327.61
		4301.19	4516.25	4742.07	4979.17	5228.13
		53.76	56.45	59.28	62.24	65.35
8T009 Mechanic I	121	72087.29	75691.66	79476.24	83450.05	87622.55
		6007.27	6307.64	6623.02	6954.17	7301.88
		2772.59	2911.22	3056.78	3209.62	3370.10
		34.66	36.39	38.21	40.12	42.13
7T016 Mechanic II	125	79476.24	83450.05	87622.55	92003.68	96603.86
		6623.02	6954.17	7301.88	7666.97	8050.32
		3056.78	3209.62	3370.10	3538.60	3715.53
		38.21	40.12	42.13	44.23	46.44
8T010 Office Assistant I	104	47615.64	49996.43	52496.25	55121.06	57877.11
		3967.97	4166.37	4374.69	4593.42	4823.09
		1831.37	1922.94	2019.09	2120.04	2226.04
		22.89	24.04	25.24	26.50	27.83
7T017 Office Assistant II	108	52496.25	55121.06	57877.11	60770.97	63809.52
		4374.69	4593.42	4823.09	5064.25	5317.46
		2019.09	2120.04	2226.04	2337.34	2454.21
		25.24	26.50	27.83	29.22	30.68
5T001 Office Services Supervisor	116	63809.52	66999.99	70349.99	73867.49	77560.87
		5317.46	5583.33	5862.50	6155.62	6463.41
		2454.21	2576.92	2705.77	2841.06	2983.11
		30.68	32.21	33.82	35.51	37.29
7T029 Organizational Development and Training Specialist	134	98989.50	103938.98	109135.93	114592.73	120322.36
		8249.13	8661.58	9094.66	9549.39	10026.86
		3807.29	3997.65	4197.54	4407.41	4627.78
		47.59	49.97	52.47	55.09	57.85

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T018 Permit Coordinator	134	98989.50 8249.13 3807.29 47.59	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85
6T009 Principal Air Quality Instrument Specialist	136	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74
4T001 Principal Air Quality Specialist	142	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31
8T011 Programmer Analyst I	127	83450.05 6954.17 3209.62 40.12	87622.55 7301.88 3370.10 42.13	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77
7T019 Programmer Analyst II	131	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76
8T012 Public Information Officer I	127	83450.05 6954.17 3209.62 40.12	87622.55 7301.88 3370.10 42.13	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77
7T020 Public Information Officer II	131	92003.68 7666.97 3538.60 44.23	96603.86 8050.32 3715.53 46.44	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76
7T027 Purchasing Agent	122	73867.49 6155.62 2841.06 35.51	77560.87 6463.41 2983.11 37.29	81438.91 6786.58 3132.27 39.15	85510.86 7125.90 3288.88 41.11	89786.40 7482.20 3453.32 43.17
7T021 Radio/Telephone Operator	113	59306.39 4942.20 2281.02 28.51	62271.71 5189.31 2395.07 29.94	65385.30 5448.77 2514.82 31.44	68654.56 5721.21 2640.56 33.01	72087.29 6007.27 2772.59 34.66
5T002 Radio/Telephone Operator Supervisor	119	68654.56 5721.21 2640.56 33.01	72087.29 6007.27 2772.59 34.66	75691.66 6307.64 2911.22 36.39	79476.24 6623.02 3056.78 38.21	83450.05 6954.17 3209.62 40.12
7T022 Receptionist	104	47615.64 3967.97 1831.37 22.89	49996.43 4166.37 1922.94 24.04	52496.25 4374.69 2019.09 25.24	55121.06 4593.42 2120.04 26.50	57877.11 4823.09 2226.04 27.83

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T023 Secretary	112	57877.11	60770.97	63809.52	66999.99	70349.99
		4823.09	5064.25	5317.46	5583.33	5862.50
		2226.04	2337.34	2454.21	2576.92	2705.77
		27.83	29.22	30.68	32.21	33.82
6T001 Senior Accounting Assistant	114	60770.97	63809.52	66999.99	70349.99	73867.49
		5064.25	5317.46	5583.33	5862.50	6155.62
		2337.34	2454.21	2576.92	2705.77	2841.06
		29.22	30.68	32.21	33.82	35.51
6T002 Senior Air Quality Inspector	132	94275.72	98989.50	103938.98	109135.93	114592.73
		7856.31	8249.13	8661.58	9094.66	9549.39
		3625.99	3807.29	3997.65	4197.54	4407.41
		45.32	47.59	49.97	52.47	55.09
6T003 Senior Air Quality Instrument Specialist	132	94275.72	98989.50	103938.98	109135.93	114592.73
		7856.31	8249.13	8661.58	9094.66	9549.39
		3625.99	3807.29	3997.65	4197.54	4407.41
		45.32	47.59	49.97	52.47	55.09
6T007 Senior Air Quality Permit Technician	130	89786.40	94275.72	98989.50	103938.98	109135.93
		7482.20	7856.31	8249.13	8661.58	9094.66
		3453.32	3625.99	3807.29	3997.65	4197.54
		43.17	45.32	47.59	49.97	52.47
6T004 Senior Air Quality Specialist	138	109135.93	114592.73	120322.36	126338.48	132655.40
		9094.66	9549.39	10026.86	10528.21	11054.62
		4197.54	4407.41	4627.78	4859.17	5102.13
		52.47	55.09	57.85	60.74	63.78
6T006 Senior Air Quality Technician	130	89786.40	94275.72	98989.50	103938.98	109135.93
		7482.20	7856.31	8249.13	8661.58	9094.66
		3453.32	3625.99	3807.29	3997.65	4197.54
		43.17	45.32	47.59	49.97	52.47
6T005 Senior Public Information Officer	135	101434.06	106505.76	111831.05	117422.60	123293.73
		8452.84	8875.48	9319.25	9785.22	10274.48
		3901.31	4096.38	4301.19	4516.25	4742.07
		48.77	51.20	53.76	56.45	59.28
6T008 Senior Staff Specialist	138	109135.93	114592.73	120322.36	126338.48	132655.40
		9094.66	9549.39	10026.86	10528.21	11054.62
		4197.54	4407.41	4627.78	4859.17	5102.13
		52.47	55.09	57.85	60.74	63.78
8T013 Staff Specialist I	130	89786.40	94275.72	98989.50	103938.98	109135.93
		7482.20	7856.31	8249.13	8661.58	9094.66
		3453.32	3625.99	3807.29	3997.65	4197.54
		43.17	45.32	47.59	49.97	52.47
7T032 Staff Specialist II	134	98989.50	103938.98	109135.93	114592.73	120322.36
		8249.13	8661.58	9094.66	9549.39	10026.86
		3807.29	3997.65	4197.54	4407.41	4627.78
		47.59	49.97	52.47	55.09	57.85

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T003 Supervising Air Quality Inspector	136	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74
5T004 Supervising Air Quality Instrument Specialist	136	103938.98 8661.58 3997.65 49.97	109135.93 9094.66 4197.54 52.47	114592.73 9549.39 4407.41 55.09	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74
5T005 Supervising Air Quality Specialist	142	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31
5T006 Supervising Public Information Officer	139	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28	129458.42 10788.20 4979.17 62.24	135931.34 11327.61 5228.13 65.35
5T009 Supervising Staff Specialist	142	120322.36 10026.86 4627.78 57.85	126338.48 10528.21 4859.17 60.74	132655.40 11054.62 5102.13 63.78	139288.17 11607.35 5357.24 66.97	146252.58 12187.72 5625.10 70.31
5T007 Supervising Systems Analyst	139	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28	129458.42 10788.20 4979.17 62.24	135931.34 11327.61 5228.13 65.35
7T024 Systems Analyst	135	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28
7T025 Systems Quality Assurance Specialist	135	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28
7T026 Web Master	135	101434.06 8452.84 3901.31 48.77	106505.76 8875.48 4096.38 51.20	111831.05 9319.25 4301.19 53.76	117422.60 9785.22 4516.25 56.45	123293.73 10274.48 4742.07 59.28

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Consider Approval of Employee Contract Amendments for the Executive  
Officer/APCO

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**RECOMMENDED ACTION**

Recommend the Board of Directors approve the attached Contract Amendments with the Executive Officer/APCO, Jack P. Broadbent, reflecting merit-based adjustments to certain benefits for this Board appointed, non-represented employee.

**BACKGROUND**

On February 5, 2020, the Personnel Committee met in Closed Session and on March 4, 2020 the Board of Directors met in Closed Session and both bodies conducted performance evaluations of the Executive Officer/APCO. Based on the performance evaluation, merit-based adjustments to benefits for the Executive Officer/APCO in accordance with the terms of the Employment Contract with the employee is recommended.

**DISCUSSION**

Effective January 1, 2021, this contract amendment adds 55 hours of vacation leave to the employee's annual vacation leave benefit for a total of 135 vacation leave hours. This vacation time is in addition to the length of service vacation time accruals the employee receives under the contract agreement. This merit-based change is reflected in the attached contract amendments. Approval of these contract amendments will constitute final action on these merit-based benefits adjustments for this Board appointed non-represented employee.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

None. The annual cost associated with these contract amendments is already included in the Fiscal Year Ending 2021 Budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Rex Sanders

Attachment 12A: Sixth Amendment Employee Agreement between Bay Area Air Quality  
Management District and Jack P. Broadbent

**SIXTH AMENDMENT TO EMPLOYMENT AGREEMENT  
BETWEEN  
BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
AND  
JACK P. BROADBENT**

This **AMENDMENT TO EMPLOYMENT AGREEMENT**, is made and entered into this 3<sup>rd</sup> day of June, 2020 (the “Amendment Date”) between the **Bay Area Air Quality Management District**, herein referred to as “**District**” and **Jack P. Broadbent**, herein referred to as “**Employee**” pursuant to Article VIII, AMENDMENTS, of the Employment Agreement.

**WHEREAS**, District and Employee have entered into an Employment Agreement effective as of November 2, 2005 (the “Employment Agreement”); and,

**WHEREAS**, District and Employee have previously executed an Amendment to Employment Agreement dated October 3, 2007, a subsequent Amendment to Employment Agreement dated May 4, 2011, a subsequent Third Amendment to Employment Agreement dated June 5, 2013; and a subsequent Fourth Amendment to Employment Agreement dated September 3, 2014; and a subsequent fifth amendment to Employment Agreement dated February 21, 2018; and,

**WHEREAS**, the District and Employee wish to enter into this sixth amendment to the Employment Agreement, effective as of July 1, 2020 (the “Amendment”) to modify certain provisions in Article V, Section C (“Vacation”), of the Employment Agreement;

**NOW, THEREFORE**, the parties agree to be mutually bound as follows:

1. **Article V, Section C (“Vacation”)** of the Employment Agreement is hereby amended in its entirety to read as follows:

“Effective January 1, 2021, District shall provide Employee with Annual Leave (vacation) hour accruals at the same rates as approved by the Board for non-represented management employees, except that there is no maximum accumulation of accrued vacation hours. Employee’s vacation schedule shall be approved in advanced by the Chairperson of the Board. District shall pay Employee earned unused vacation upon termination of employment.

The Annual Leave (vacation) hour accruals as approved the Board for non-represented management employees is currently:

An employee with ten years or more of employment will earn annual leave (vacation) at the rate of 6.48 hours per pay period (approximately 1-3/4 days per month).

An employee with more than twenty years and up to thirty years of employment will earn annual leave (vacation) at the rate of 7.69 hours per pay period (approximately 2 days per month).

An employee with thirty or more years of employment will earn annual leave (vacation) at the rate of 9.23 hours per pay period (approximately 2-1/2 days per month).

Once per calendar year, Employee may exchange unused annual leave (vacation) hours for the equivalent amount in wages at the Employee's then-current salary. Each such request may not exceed 240 hours.

In addition, District shall provide Employee with 135 hours of annual leave (vacation) hours at the start of each fiscal year. Employee may exchange unused hours for the equivalent in wages at the Employee's then-current salary."

2. Except as expressly modified by this Amendment, District and Employee agree that all other terms and conditions of the Employment Agreement shall remain in full force and effect and are hereby ratified, confirmed and approved.

**IN WITNESS WHEREOF**, this Amendment to Employment Agreement has been executed as of the Amendment Date.

**EMPLOYEE**

**BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**

By: Jack P. Broadbent

By: Chairperson Rod Sinks  
Title: Chairperson of the Board of Directors



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Brian C. Bunger  
District Counsel

Date: May 29, 2020

Re: Consider Approval of Employee Contract Amendments for the District Counsel

RECOMMENDED ACTION

Recommend the Board of Directors approve the attached Contract Amendments with the District Counsel, Brian C. Bunger, reflecting merit-based adjustments to certain benefits for this Board appointed, non-represented employee.

BACKGROUND

On February 5, 2020, the Personnel Committee met in Closed Session and on March 4, 2020 the Board of Directors met in Closed Session and both bodies conducted performance evaluations of the District Counsel. Based on the performance evaluation, merit-based adjustments to benefits for the District Counsel in accordance with the terms of the Employment Contract with the employee is recommended.

DISCUSSION

Effective January 1, 2021, this contract amendment adds 55 hours of vacation leave to the employee's annual vacation leave benefit for a total of 135 vacation leave hours. This vacation time is in addition to the length of service vacation time accruals the employee receives under the contract agreement. This merit-based change is reflected in the attached contract amendments. Approval of these contract amendments will constitute final action on these merit-based benefits adjustments for this Board appointed non-represented employee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The annual cost associated with these contract amendments is already included in the Fiscal Year Ending 2021 Budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Rex Sanders

Attachment 13A: Seventh Amendment Employee Agreement between Bay Area Air Quality  
Management District and Brian C. Bunger

**SEVENTH AMENDMENT TO EMPLOYMENT AGREEMENT  
BETWEEN  
BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
AND  
BRIAN C. BUNGER**

This **AMENDMENT TO EMPLOYMENT AGREEMENT**, is made and entered into this 3<sup>rd</sup> Day of June, 2020 (the “Amendment Date”) between the **Bay Area Air Quality Management District**, herein referred to as “**District**” and **Brian C. Bunger**, herein referred to as “**Employee**” pursuant to Article VIII, AMENDMENTS, of the Employment Agreement.

**WHEREAS**, District and Employee have entered into an Employment Agreement effective as of September 18, 2002 (the “Employment Agreement”); and,

**WHEREAS**, District and Employee have previously executed an Amendment to Employment Agreement dated July 21, 2004, a subsequent Amendment to Employment Agreement dated November 2, 2005, a subsequent Third Amendment to Employment Agreement dated October 3, 2007; and a subsequent Fourth Amendment to Employment Agreement dated June 5, 2013; and a subsequent fifth amendment to Employment Agreement dated September 3, 2014; and a subsequent sixth amendment to the Employment Agreement dated February 21, 2018; and,

**WHEREAS**, the District and Employee wish to enter into this seventh amendment to the Employment Agreement, effective as of July 1, 2020 (the “Amendment”) to modify certain provisions in Article V, Section C (“Vacation”), of the Employment Agreement;

**NOW, THEREFORE**, the parties agree to be mutually bound as follows:

1. **Article VI, Section D (“Annual Leave (Vacation)”)** of the Employment Agreement is hereby amended in its entirety to read as follows:

“Effective January 1, 2020, District shall provide Employee with Annual Leave (vacation) hour accruals at the same rates as approved by the Board for non-represented management employees, except that there is no maximum accumulation of accrued vacation hours. Vacation shall be approved in advance by the Chief Executive Officer of the District. District shall pay Employee earned unused vacation upon termination of employment.

The Annual Leave (vacation) hour accruals as approved the Board for non-represented management employees is currently:

An employee with ten years or more of employment will earn annual leave (vacation) at the rate of 6.48 hours per pay period (approximately 1-3/4 days per month).

An employee with more than twenty years and up to thirty years of employment will earn annual leave (vacation) at the rate of 7.69 hours per pay period (approximately 2 days per month).

An employee with thirty or more years of employment will earn annual leave (vacation) at the rate of 9.23 hours per pay period (approximately 2-1/2 days per month).

Once per calendar year, Employee may exchange unused annual leave (vacation) hours for the equivalent amount in wages at the Employee's then-current salary. Each such request may not exceed 240 hours.

In addition, District shall provide Employee with 135 hours of annual leave (vacation) hours at the start of each fiscal year. Employee may exchange unused hours for the equivalent in wages at the Employee's then-current salary."

2. Except as expressly modified by this Amendment, District and Employee agree that all other terms and conditions of the Employment Agreement shall remain in full force and effect and are hereby ratified, confirmed and approved.

**IN WITNESS WHEREOF**, this Amendment to Employment Agreement has been executed as of the Amendment Date.

**EMPLOYEE**

**BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**

By: Brian C. Bunger

By: Chairperson Rod Sinks  
Title: Chairperson of the Board of Directors

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Report of the Advisory Council Meeting of May 12, 2020

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RECOMMENDED ACTION

The Advisory Council received only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Committee met on Tuesday, May 12, 2020, and received the following reports:

- A) Particulate Matter (PM) Symposium Overview;
- B) Community Particulate Matter (PM) Discussion Overview; and
- C) Update on Air District Particulate Matter (PM) Potential Policy Strategies.

Chairperson Stan Hayes will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None; and
- C) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenaflor  
Reviewed by: Vanessa Johnson

Attachment 14A: 05/12/2020 – Advisory Council Meeting Agenda #3  
Attachment 14B: 05/12/2020 – Advisory Council Meeting Agenda #4  
Attachment 14C: 05/12/2020 – Advisory Council Meeting Agenda #5

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Stan Hayes and Members  
of the Advisory Council

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 6, 2020

Re: Particulate Matter (PM) Symposium Overview

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Increasing evidence shows health impacts from particulate matter (PM) can occur well below the current national ambient air quality standards. Therefore, it is important that we reassess the health effects of PM in our communities.

Last year, the Air District's Advisory Council began convening a conference series on PM. This series will facilitate discussion among nationally recognized scientists, stakeholders, and the Air District, identifying the most effective measures to further protect public health. The symposia will shine a spotlight on this public health challenge and share information and tools to inform future policy decisions.

The first symposium took place on October 28, 2019, from 9:00 a.m. to 4:30 p.m., at the Bay Area Metro Center, 375 Beale Street, San Francisco, California. Topics for discussion included PM health effects and PM exposure and risk.

At the December 9, 2019, meeting of the Advisory Council, Councilmembers discussed the October 28, 2019, Particulate Matter (PM) Symposium Summary. Based on feedback from Councilmembers, staff made updates to the summary report and posted it to the web for community input. Comments received from the community have been incorporated. In addition, attached is a summary of the December 9, 2019, meeting for the Council's review.

On February 27, 2020, the Air District met with community members at the Bobby Bowens Center in Richmond, California to discuss PM impacts, monitoring, and regulatory efforts.

On March 24, 2020, at the second PM symposium, Councilmembers were to receive presentations from community members and input on PM control next steps. Due to the COVID-19 global pandemic, the second symposium has been postponed.

Air District staff are continuing to coordinate with community members and Councilmembers to receive input on PM control strategies and determine next steps in the symposium series.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sonam Shah-Paul  
Reviewed by: Jeff McKay

- Attachment 3A: October 28, 2019 Advisory Council PM Symposium Summary: Health Effects and Exposures and Risk
- Attachment 3B: Public Comments – October 28, 2019 Advisory Council PM Symposium Summary: Health Effects and Exposures and Risk
- Attachment 3C: December 9, 2019 Advisory Council Meeting Summary: BAAQMD Update on Current and Emerging Efforts on Particulate Matter

ADVISORY COUNCIL  
MEETING OF 05/12/2020





# Particulate Matter: Spotlight on Health Protection

## Symposium Summary: Health Effects and Exposures and Risk

ADVISORY COUNCIL  
MEETING OF 05/12/2020

October 28, 2019



BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

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## Executive Summary

On October 28, 2019, the Bay Area Air Quality Management District (Air District) convened a symposium, at the request of its Advisory Council, to obtain input from leading experts on the best available science concerning impacts of particulate matter (PM). The morning panel focused on PM health effects; the afternoon panel focused on PM exposure and risk. After hearing from national and state air quality experts on the panels and from community members during public comment periods, the Advisory Council drafted the following Sense of the Advisory Council statement:

**The current PM standards are not adequately health protective. Further reductions in particulate matter will realize additional health benefits. We ask the Air District staff to bring forward with urgency options within the legal authority of the Air District that would further limit PM exposure, especially in high-risk communities.**

This consensus was reached upon consideration of information presented by the panelists and public commenters demonstrating: adverse health effects of PM, including mortality, at concentrations below the current standard; disproportionate burden of PM exposure and risk on disadvantaged communities, including those within the Air District; and emerging evidence of the health impact of ultrafine particles (UFP) and wildfires, both of which are understudied.

### PM Health Effects

**Draft PM ISA.** Jason Sacks, Project Lead on the Particulate Matter Integrated Science Assessment (PM ISA) and Senior Epidemiologist at the Environmental Protection Agency's (EPA) National Center for Environmental Assessment, reviewed the structure and findings of the Draft PM ISA (<https://www.epa.gov/isa/integrated-science-assessment-isa-particulate-matter>). His presentation demonstrated that PM causes more health problems than previously known, at lower concentrations than previously known, and disproportionately affects vulnerable populations. In particular, the Draft PM ISA found new causal or likely-to-be causal associations between nervous system effects and long-term exposure to PM<sub>2.5</sub> and, independently, to the portion of PM<sub>2.5</sub> considered to be ultrafine particles (UFP), and between cancer and long-term exposure to PM<sub>2.5</sub>. Children and non-white populations are at increased risk of adverse health effects of PM, and there is no evidence of a concentration threshold below which effects are not observed.

**Mechanisms of PM impact.** Advisory Council Vice Chair Michael Kleinman, Professor of Environmental Toxicology at UC Irvine and Co-Director of the Air Pollution Health Effects Laboratory, focused on the formation, composition, and mechanistic health effects of PM and new insights from his research concerning the toxicity of PM. He discussed how the connection between PM and health effects can be traced mechanistically, with oxidative stress from biological reactions to PM leading to inflammation, cell death, and cardiovascular events. He

also discussed how the toxicity of PM may be attributable to its coating rather than its core, although metals in the core can also produce health effects.

**PM burdens and wildfire impacts.** Dr. John Balmes, Professor of Medicine at UC San Francisco, Professor of Environmental Health Sciences at UC Berkeley, and Director of the Northern California Center for Occupational and Environmental Health, covered numerous topics associated with particulate matter including sources, effects, challenges with UFP, disproportionate burdens of exposure, and wildfire impacts. His presentation demonstrated that PM exposure leads to a wide range of health problems and disproportionately affects low-income communities and people of color, who suffer cumulative impacts from multiple exposures and disadvantages. In California, exposure to wildfire smoke is associated with increases in health care utilization for both respiratory and cardiovascular problems.

**Independent PM Review Panel.** Christopher Frey, Chair of the Independent Particulate Matter Review Panel and Glenn E. Futrell Distinguished Professor of Environmental Engineering at North Carolina State University, explained how recent changes to the review process for the federal National Ambient Air Quality Standards (NAAQS) led to the formation of the Independent Particulate Matter Review Panel. He summarized the conclusions of that panel:

- The scientific evidence for PM<sub>2.5</sub> health effects is robust.
- The current PM<sub>2.5</sub> standards are not adequately protective of public health.
- The annual standard should be lowered to 10 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) to 8  $\mu\text{g}/\text{m}^3$  (versus the current 12  $\mu\text{g}/\text{m}^3$  standard).
- The 24-hour standard should be lowered to 30  $\mu\text{g}/\text{m}^3$  to 25  $\mu\text{g}/\text{m}^3$  (versus current 35  $\mu\text{g}/\text{m}^3$  standard).
- These changes would save thousands of lives.
- The PM<sub>10</sub> standard should be adjusted downward consistent with these changes.
- There appears to be no threshold; lower levels would produce still greater benefits.
- For African Americans, the relative risk of health impacts from PM is three times higher than for the U.S. as a whole.

#### PM Exposures and Risks

**OEHHA research.** Lauren Zeise, Director of the California Office of Environmental Health Hazard Assessment (OEHHA) and Leading Developer of CalEnviroScreen, described some of OEHHA's current research efforts to understand the relationships between specific PM sources and community health outcomes. After explaining that there is great variability in the relationship between PM concentration and health risk, she discussed how OEHHA is conducting biomonitoring studies to track whether biomarkers indicate reductions in risk following reduced air pollution concentrations. These data, along with indoor air samples, questionnaires, activity diaries, and information from GPS trackers, will be combined with source pollution mapping data to determine how exposures are occurring. Dr. Zeise also demonstrated that wildfires are causing PM standards to be exceeded for both 24-hour and annual averages. OEHHA is presently investigating relationships between the 2017 Northern California Wildfires and

numerous health outcomes in the area including respiratory, cardiovascular, and neurological problems.

**Silver buckshot, not silver bullet.** Julian Marshall, Kiely Endowed Professor of Civil & Environmental Engineering and Adjunct Professor of Global Health at the University of Washington, described an approach to reducing health risks from PM involving combined analysis of sources of emissions, concentrations at geographical locations, levels of exposure to different sources of emissions, and racial and income disparities affecting environmental justice. Because PM comes from many sources, he concluded that reducing PM exposure requires many strategies, describing this approach as “silver buckshot, not a silver bullet.” With respect to health risks from PM, he demonstrated that income matters, and race matters, but race matters more than income. To get the most “bang for the buck” on health impacts, he argued that interventions should focus on areas where high impact from PM meets high inequity in terms of environmental justice.

**Draft PM Policy Assessment.** Scott Jenkins, Project Lead on the EPA’s review of National Ambient Air Quality Standards for PM and Senior Environmental Health Scientist in EPA’s Office of Air Quality Planning and Standards, presented an overview of the approach and conclusions of the EPA’s Draft PM Policy Assessment completed in response to the Draft PM ISA. The PM Policy Assessment featured a risk assessment indicating that thousands of lives per year in the U.S. could be saved if annual average PM<sub>2.5</sub> concentrations are reduced. The assessment included an argument for revising the annual PM<sub>2.5</sub> standard downward based on the science, as well as a discussion of how retaining the current standard could be justified by placing very little weight on the epidemiological evidence and risk assessment and greater weight on the uncertainties and limitations of the data.

**West Oakland Community Action Plan.** Phil Martien, Director of Assessment, Inventory, & Modeling for the Air District, described the analysis conducted for the recently completed West Oakland Community Action Plan, the first in a series of community emissions reduction programs that the Air District is developing in response to California’s Assembly Bill 617 legislation (AB 617). Per the community’s requests, the study took a hyperlocal approach, modeling block-by-block exposures. Disparate exposure levels were seen within West Oakland: the cleanest blocks are experiencing on average 3 µg/m<sup>3</sup> lower PM concentrations than the most polluted blocks. Sources of PM also differed, with some areas experiencing PM<sub>2.5</sub> emissions primarily from street traffic and others experiencing the greatest proportion of PM<sub>2.5</sub> emissions from highways or permitted sources. The West Oakland Community Action Plan demonstrates how hyperlocal modeling can be accomplished, but also highlights the need for other agencies to act, such as California Air Resources Board (CARB), the City of Oakland, and the Port of Oakland, in order to reach community emissions reduction targets.

#### Public comment

Public comment was taken during two designated periods during the event. The general sentiment expressed by many commenters was, “We need action, not more discussion.”

Several people spoke about their personal experiences with toxic emissions in their neighborhoods. The disproportionate impact of air pollution on disadvantaged communities was a central point of focus.

### Discussion and Deliberation

The discussion between the Advisory Council and the morning panel focused on cost considerations and the appropriateness of a “no safe level” stance, and broached the topic of recommending Air District priorities, which led to further discussion regarding the monitoring of ultrafine particles. The discussion between the Advisory Council and the afternoon panel was brief and comprised of one question concerning margin of safety considerations in the Draft Policy Assessment (which Dr. Jenkins clarified was the exclusive domain of the EPA Administrator).

The Advisory Council’s deliberation followed, resulting in the Sense of the Advisory Council statement presented above. Advisory Council members also expressed interest in further exploring the potential for:

- Treating PM as a toxic;
- Monitoring ultrafine particles;
- Encouraging the State of California to adopt stricter PM standards;
- Ensuring local permits are consistent with the PM standard supported by the science;
- Disaggregating solutions with climate co-benefits, solutions unrelated to climate strategies, and emergencies;
- Identifying strategies to maximize impact or “bang for the buck”; and
- Creating an Air District Implementation Plan.

### Next Steps

The Advisory Council will reconvene on December 9, 2019. During that meeting, in response to the Advisory Council’s requests, the Air District will present on its current activities to reduce PM exposures, including monitoring of ultrafine particles. It will also discuss additional “options within the legal authority of the Air District that would limit PM exposure, especially in high-risk communities,” in accordance with the Sense of the Advisory Council, in order to inform the Advisory Council’s advice to the Air District’s Board of Directors. The Advisory Council is expected to receive and comment on this symposium summary document during the December 9 meeting.

Planning continues for a second PM symposium focused on community and other stakeholder input and engagement; the event will take place in Spring 2020.

# Background

On October 28, 2019, the Bay Area Air Quality Management District (Air District) convened a symposium, at the request of its Advisory Council (Council), in order to obtain input from leading experts on the best available science concerning health effects of particulate matter (PM). Serving as an official meeting of the Advisory Council, which advises and consults with the Air District's Board of Directors and Executive Officer on technical and policy matters, the symposium sought to discuss:

## PM Health Effects

- what health effects are observed from PM exposure, including exceptionally high acute PM exposures (e.g., wildfire smoke);
- what biological systems are affected and by what mechanisms;
- what population groups are most at risk; and
- what uncertainties are most relevant.

## PM Exposure and Risk

- what the emission sources are that contribute to PM;
- what exposures to airborne PM occur and to whom;
- what health risks are posed by those PM exposures, and
- what subset of sources contribute most to PM risk, particularly in the most highly impacted communities.

The symposium followed several relevant policy developments at the state and federal levels. In California, Assembly Bill 617 passed in 2017 directing the California Air Resources Board and all local air districts to protect communities disproportionately impacted by air pollution. Implementation in the Bay Area Air Quality Management District to date includes the development of a community-led plan for air quality improvement in West Oakland (adopted by the Air District's Board of Directors in October 2019) and an air quality monitoring program for the Richmond area (underway).

At the federal level, staff of the Environmental Protection Agency (EPA) released a Draft Integrated Science Assessment (ISA) for Particulate Matter (PM) in October 2018, followed by a Draft PM Policy Assessment regarding the standard-setting implications of the PM ISA in September 2019. These drafts were submitted for review to the Clean Air Scientific Advisory Committee (CASAC), which provides advice to the EPA Administrator on the setting of national ambient air quality standards. Additionally, a separate, independent response to both EPA draft documents was released in October 2019 by the Independent Particulate Matter Review Panel, whose members served previously on the CASAC PM Review Panel until their dismissal in October 2018 by EPA Administrator Andrew Wheeler.

The timing of the symposium also coincided with the outbreak of the Kincade Fire in Sonoma County and associated evacuations. Additionally, widespread power outages within the Air

District's jurisdiction were intentionally executed by Pacific Gas & Electric (PG&E) as wildfire prevention measures given the dry conditions and high winds. This crisis formed a backdrop to the proceedings.

Particulate matter experts presenting at the event included the lead authors of the EPA PM ISA (Jason Sacks), the EPA PM Policy Assessment (Dr. Scott Jenkins), the Independent Review Panel document (Professor Christopher Frey), and the West Oakland Community Action Plan (Dr. Phil Martien). They were joined by Independent Particulate Matter Review Panel Members Professor Michael Kleinman and Dr. John Balmes, Director of the California Office of Environment Health Hazard Assessment Dr. Lauren Zeise, and University of Washington Professor Julian Marshall. These speakers were organized into a morning panel focused on PM health effects and an afternoon panel focused on PM exposure and risks.

The event, which was open to the public, included two public comment periods. The midday lunch break featured a keynote address by former EPA Administrator Gina McCarthy, who also answered questions from community attendees.

The morning and afternoon panels were each followed by joint discussions between the Advisory Council members and panelists. The event concluded with a brief Advisory Council deliberation.

The event was shared live via webcast, the video archive of which can be viewed at [http://baha.granicus.com/MediaPlayer.php?clip\\_id=6194](http://baha.granicus.com/MediaPlayer.php?clip_id=6194).

ADVISORY COUNCIL  
MEETING OF 05/12/2020



# Morning Panel: PM Health Effects

## Current State of Particulate Matter Science: Particulate Matter Integrated Science Assessment (Working Draft Conclusions)

### Jason Sacks

Project Lead, Particulate Matter Integrated Science Assessment (PM ISA)  
Senior Epidemiologist, National Center for Environmental Assessment, EPA

<i>Main takeaway</i>	<b>PM causes more health problems than previously known, at lower concentrations than previously known, and disproportionately affects vulnerable populations.</b>
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### Presentation Summary

Mr. Sacks reviewed the structure and findings of the initial draft of the EPA's recent Particulate Matter Integrated Science Assessment (PM ISA), which aims to provide an updated review of the science in order to assist federal rulemaking. The Draft PM ISA addresses the question:

*"Is there an independent effect of PM on health and welfare at relevant ambient concentrations?"*

The PM ISA drafters reviewed the body of new research since 2009 including epidemiological studies, animal toxicological studies, and controlled human exposure studies at PM levels analogous to ambient concentrations in U.S. communities.

The Draft PM ISA can be found at <https://www.epa.gov/isa/integrated-science-assessment-isa-particulate-matter>.

Health effects. The Draft PM ISA found new causal or likely-to-be causal associations between:

- Nervous system effects and long-term exposure to PM<sub>2.5</sub> and, independently, to the portion of PM<sub>2.5</sub> considered to be ultrafine particles (UFP)
- Cancer and long-term exposure to PM<sub>2.5</sub>

The science also confirmed and strengthened the evidence of previously known causal or likely-to-be-causal associations between respiratory, cardiovascular, and mortality effects of both short- and long-term exposure to PM<sub>2.5</sub>. Additional PM exposure associations with metabolic and reproductive effects suggested causality but did not meet the strict criteria for "causal" or "likely-to-be-causal," often due to a limited quantity of data.

At-risk populations. Children and non-white populations are at increased risk of adverse health effects of PM. Further evidence regarded as “suggestive” points to increased health risk for people with low socioeconomic status, overweight and obese populations, people with pre-existing cardiovascular and respiratory disease, and people with certain genetic variants.

Chemical components of PM. The evidence does not indicate that any one specific chemical component of PM is a disproportionate concern over others.

### **Advisory Council Q&A with Panelist**

**No threshold.** Council Member Rudolph inquired whether any evidence supported a threshold concentration value below which health effects from PM<sub>2.5</sub> could not be observed. The panelist responded that there does not appear to be any such threshold.

**Changes to health effect determinations.** Chair Hayes requested further clarification on the new findings from the ISA since 2009, which are outlined above and in Slide 15 of the presentations.

**Relevance of animal studies concerning UFP.** Council Member Solomon asked if there was any reason to question whether results seen in animal studies concerning UFP would be consistent with human health effects. The panelist replied that the inconsistency was in the size of the particles considered to be UFP. There has not been a consistent metric or definition for UFP, which has limited the ability to draw conclusions.

**Publication bias.** Council Member Borenstein inquired whether studies with null results were being published; if not, there may be a concern that the presentation represented only the fraction of research that observed positive associations with health effects. The panelist clarified that this concern drove the decision to focus on multi-city studies in order to ensure that null results would be incorporated.

**Wildfires and sub-daily exposures.** Given the Kincade Fire that was burning at the time of the event, Chair Hayes inquired about the influence of sub-daily exposures to high levels of PM. The panelist responded that there are some controlled human exposure studies that would be equivalent to a person walking along a busy road, during which some changes in cardiac and lung function have been observed, but sub-daily studies are scarce and he was not aware of research that would be directly relevant to wildfire exposures.

## Particulate Matter: A Complex Mixture that Affects Health

### Michael Kleinman

Professor of Environmental Toxicology, University of California, Irvine  
Co-Director, Air Pollution Health Effects Laboratory

Professor Kleinman is also Vice Chair of the Air District's Advisory Council.

<i>Main takeaways</i>	<b>PM can be mechanistically and causally linked to cardiovascular health effects. The toxicity of PM may be more attributable to its coating than its core, although metals in the core can also produce health effects.</b>
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### Presentation Summary

Professor Kleinman's presentation focused on the formation, composition, and mechanistic health effects of PM and new insights from his research concerning the toxicity of PM.

Basic PM process. A key source of PM is the combustion of fossil fuels. After these fuels break down during combustion, they cool, become radicalized, and agglomerate. Additional chemicals adhere to these particles and can form highly toxic compounds that may include contaminants such as chlorine, bromine, and metals. When these particles are inhaled and enter the respiratory tract, they can react with proteins and fluids in the lungs and release highly reactive free radicals, causing chemical imbalances throughout the body. If these free radicals overwhelm the body's antioxidant self-protection capabilities, the process can result in inflammation, cell death, and organ failure. Because oxidative stress can oxidize lipids in the blood, it can also lead to the development of atherosclerotic plaque and coagulation factors that can contribute to cardiovascular events such as stroke and heart attack.

"The icing, not the cake." Professor Kleinman's laboratory experimented with removing the organic coating from ambient air particles to which animals were exposed to determine whether, in the words of Chair Hayes, the problem was "the icing or the cake." They found that stripping the particles of their organic coating appeared to mitigate their toxicity.

Additional key points:

- Data limitations concerning chemical components. PM<sub>2.5</sub> total mass is regarded as a more relevant concern than specific components within it, but this may be due to the much smaller database available for chemical components than for PM<sub>2.5</sub> as a category.
- Measurement challenges. Ultrafine particles are difficult to measure and monitor because they have almost no mass.
- Risks for California. Sunlight, which is plentiful in California, is involved in the formation of pollutants. In addition to PM, health is also affected by air pollutants such as ozone, which is a strong oxidant. The combined effects of PM and ozone, which can be

experienced in the same day, may cause high levels of oxidative stress. Additionally, Professor Kleinman's research indicates that particles formed on warmer days result in worse health effects than those formed on cooler days, which portends additional problems in an era of climate change.

### **Advisory Council Q&A with Panelist**

**Incomplete combustion and control technology.** Council Member Long inquired whether UFP resulted from incomplete combustion and whether newer technologies were effective in controlling their formation. The panelist responded that to his knowledge all combustion resulted in the formation of ultrafine particles (along with other particles). He noted that although modern diesel engine afterburner controls denuded particles in a manner similar to his animal toxicology experiments, they also produced high amounts of UFP.

**Greenhouse gas impacts.** Council Member Rudolph asked whether the process of stripping components from PM would change the release of carbon dioxide from combustion, emphasizing that "climate change is the greatest existential threat to human health right now." She questioned whether targeting the toxicity of the results of combustion should be a goal rather than trying to reduce combustion itself in order to reduce greenhouse gas emissions. The panelist shared his view that in the short-term "we can improve public health by mitigating what we're making right now," while in the long-term pursuing strategies to reduce reliance on fossil fuels.

ADVISORY COUNCIL  
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## Particulate Matter Health Effects: What Do We Know and What Do We Still Need to Know?

### John Balmes, M.D.

Professor of Medicine, UC San Francisco

Professor of Environmental Health Sciences, UC Berkeley

Director, Northern California Center for Occupational and Environmental Health

<i>Main takeaways</i>	<b>PM exposure leads to a wide range of health problems and disproportionately affects low-income communities and people of color, who suffer cumulative impacts from multiple exposures and disadvantages. In California, exposure to wildfire smoke is associated with increases in health care utilization for both respiratory and cardiovascular problems.</b>
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### Presentation Summary

Dr. Balmes covered numerous topics associated with particulate matter (PM) including sources, effects, challenges with UFP, disproportionate burdens of exposure, and wildfire impacts.

Sources of PM. PM derives not only from combustion particles, but also from crustal and biological sources; for example, road dust is a significant source of PM. Dust particles may carry biological components that can cause health effects.

Health effects. In addition to re-emphasizing the health effects covered in Mr. Sacks' and Professor Kleinman's presentations, Dr. Balmes further noted:

- the smaller the particle, the farther it travels into the body, with some PM particles small enough to enter the bloodstream and even cross the blood-brain barrier;
- PM<sub>2.5</sub> is associated with increased risk of metabolic effects, including diabetes;
- fetal PM<sub>2.5</sub> exposures can result in low birth weight, pre-term birth, and changes in gene expression; and
- brain inflammation from PM can affect both ends of the life spectrum - neurodevelopment and neurodegeneration.

Challenges with UFP. As mentioned by previous presenters, because UFP is not regulated independently from other PM<sub>2.5</sub>, there is limited monitoring, which presents challenges for epidemiological research, although toxicological studies suggest UFP is a high-risk hazard. Further, innovations designed to reduce climate change impacts, such as gasoline direct injection, can result in higher UFP emissions.

Disproportionate burdens and cumulative impacts. People of color and people with low socioeconomic status are more likely to be exposed to PM, and the risk from these exposures is compounded by the lack of health-promoting resources in these communities such as health

care, fresh produce, and green spaces. Dr. Balmes shared the example of Richmond, CA, which is within the Air District's jurisdiction. People living in the Liberty/Atchison Villages in Richmond are next to the railyard, near the freeway, next to the General Chemical Corporation (which recently had a serious accident), and downwind from the Chevron Refinery. Stating, "This cumulative risk concept is something that we need to be including in our thinking about air quality management," Dr. Balmes also noted that the Air District is a leader in this regard.

Wildfires. While acknowledging that "we need to know more than we currently do," Dr. Balmes asserted that there is a well-known association between wildfires and increased health care utilization for people with respiratory conditions such as asthma and chronic obstructive pulmonary disease. Additionally, a recent California study associates wildfire smoke with cardiovascular events including heart attack, stroke, and heart failure.

### **Advisory Council Q&A with Panelist**

**Wildfire contribution to cumulative impact.** Council Member Rudolph asked whether wildfires should be understood as an additional layer of cumulative impact. The panelist responded that although he hadn't considered that framing, it was accurate, as people with lower socioeconomic status are those most likely to be without the means to relocate during wildfires. Rural agricultural workers are one example of a community that may be working outdoors despite poor air quality from wildfires. Council Member Rudolph asked whether it was accurate to say, "It's even more important to reduce our baseline exposures because we know these acute exposures are going to be happening more frequently" due to climate change, or if the two issues of baseline and acute exposures should not be viewed as interrelated. The panelist asserted that Council Member Rudolph's statement was accurate.

**Bay Area studies?** Referring to slide 76, which mapped Los Angeles county data comparing the distribution of non-white people and people living in poverty alongside the distribution of cumulative air quality hazard, Council Member Solomon asked whether the same analysis could be performed for the Bay Area. The panelist replied that although he was not aware of such an analysis having been performed, it should be possible. He indicated that he would speak with an expert he believed to be capable of executing the task.

## Recent Developments in the Scientific Review of the National Ambient Air Quality Standards for Particulate Matter

### Christopher Frey

Chair, Independent Particulate Matter Review Panel

Glenn E. Futrell Distinguished Professor of Environmental Engineering, North Carolina State University

<i>Main takeaways</i>	<b>The federal administration truncated the National Ambient Air Quality Standard science review process and purged the Clean Air Scientific Advisory Committee (CASAC) and the supporting CASAC PM Review Panel of critical scientific expertise. The scientists who were dismissed from the CASAC PM Review Panel continued their review work independently and found that the current PM standards are insufficient to protect public health</b>
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### Presentation Summary

Professor Frey explained how recent changes to the review process for the federal National Ambient Air Quality Standards led to the formation of the Independent Particulate Matter Review Panel. He then summarized the conclusions of that panel, which he leads.

#### Federal PM Review

**Process:** The scientific review process that for four decades involved an iterative sequence of assessments flowing from science to policy has been severely abridged. Notably, the EPA's PM Policy Assessment (PA) must now be finalized without reviewing the EPA's final PM Integrated Science Assessment (ISA). Additionally, members of the Clean Air Scientific Advisory Committee (CASAC) PM Review Panel were dismissed, leaving the current CASAC without, by its own admission, the necessary expertise to respond to the documents. Acknowledging the good work accomplished by EPA staff in completing the Draft PM ISA and Draft PM PA in difficult circumstances, Professor Frey emphasized the need for the Air District "to look elsewhere than the EPA's Chartered Clean Air Scientific Advisory Committee" for guidance on PM science review.

**Findings:** As of October 25, 2019, the remaining six CASAC members were split 4-2 on their national ambient air quality standards (NAAQS) recommendations, with the majority supporting retaining all current standards.

#### Independent Particulate Matter (PM) Review Panel

**Process:** Led by Professor Frey, the scientists that were dismissed from the CASAC PM Review Panel continued to meet, without compensation, to complete the public service to which they had committed as CASAC PM Review Panel members. With logistical support from the Union of

Concerned Scientists, the Independent PM Review Panel met for two days in October 2019 and developed a consensus report that was sent to the EPA Administrator. The report and the video-recorded proceedings can be accessed at <https://ucsusa.org/meeting-independent-particulate-matter-review-panel>.

**Findings:** The scientific evidence for PM<sub>2.5</sub> health effects is robust. The current PM<sub>2.5</sub> standards “are not protective of public health, not even close.”

- The annual standard should be lowered to 10 µg/m<sup>3</sup> to 8 µg/m<sup>3</sup> (versus the current 12 µg/m<sup>3</sup> standard)
- The 24-hour standard should be lowered to 30 µg/m<sup>3</sup> to 25 µg/m<sup>3</sup> (versus the current 35 µg/m<sup>3</sup> standard)
- These changes would save thousands of lives
- The PM<sub>10</sub> standard should be adjusted downward consistent with these changes
- There appears to be no threshold; lower levels would produce still greater benefits
- For African Americans, the relative risk of health impacts from PM is three times higher than for the U.S. population as a whole

*See Slides 102 and 103 for Professor Frey’s rapid-fire answers to questions posed by the Air District.*

### **Advisory Council Q&A with Panelist**

**Response to Independent PM Review Panel.** Council Member Long asked whether the Independent PM Review Panel received a response from the EPA Administrator or had been mentioned in the press. The panelist replied that the Administrator had not responded, but may not yet have received the report. However, the Independent PM Review Panel also submitted their report as public comment to CASAC, and several CASAC members referred to the report during their deliberations on October 25, 2019. There has been some press coverage of the Independent PM Review Panel, for example in the *Guardian* and *Rolling Stone*.

**Safety at 8 µg.** Council Member Solomon expressed the concern that, if there is no threshold below which health effects cannot be observed, 8 µg/m<sup>3</sup> cannot be regarded as safe, particularly for vulnerable individuals. The panelist replied that the recommendation is given within the policy context of national ambient air quality standards (NAAQS) and is intended to support a standard that could withstand judicial review. The number is based on the available science, which focuses on ambient air pollution levels observed in epidemiological studies. The Clean Air Act requires that the standards protect public health “allowing an adequate margin of safety,” which should protect the general population and at-risk groups, but will not necessarily protect every individual.

***The post-presentation Q&A segued into the general discussion between the Advisory Council and the PM Health Effects panel. This discussion is described in the following section.***



## PM Health Effects: Discussion Summary

The discussion between the Advisory Council and the morning panel focused on cost considerations and the appropriateness of a “no safe level” stance and broached the topic of recommending Air District priorities, which led to further discussion regarding UFP.

**Cost considerations and appropriateness of “no safe level” language.** Council Member Borenstein expressed discomfort with the language of “no safe level” of PM, emphasizing the need to assess the costs, including health costs, of implementing more stringent standards and using the analogy of motor vehicles to demonstrate that all areas of safety concern must accept some risks. Professor Frey responded that the U.S. Supreme Court’s interpretation of the Clean Air Act expressly forbids cost considerations in setting National Ambient Air Quality Standards and stated that voluntary activities such as driving should not be equated to the involuntary act of breathing. He also clarified that the conclusion “there is no evidence of a threshold” is not in itself an argument for banning all particulate emissions. Dr. Balmes addressed the topic from his perspective as a physician member of the California Air Resources Board (CARB). He clarified that whereas CARB does consider economic impacts, the independent PM Review Panel, following the procedures that had until recently governed CASAC, was restricted from mingling health and economic concerns. He also emphasized that while the most precautionary stance would consider levels below  $8 \mu\text{g}/\text{m}^3$ , the lack of data on lower levels of exposure makes it appropriate to recommend  $8 \mu\text{g}/\text{m}^3$  for a present limit. In response to a question from Council Member Solomon, Professor Frey clarified that this  $8 \mu\text{g}/\text{m}^3$  recommendation did take into consideration the increased sensitivity to pollution impacts of African American populations.

**Recommending Air District priorities.** Chair Hayes asked for guidance in identifying the most important areas of focus for the Air District, given the science and the particular challenges for the area, including wildfires. Dr. Balmes emphasized the need for community-level monitoring in accordance with AB 617 to identify air pollution “hot spots” and hypothesized that black carbon, a form of PM, may be a vital concern for these communities. He also expressed support for monitoring ultrafine particles (UFP) and collecting epidemiological data concerning wildfires. Council Member Long emphasized the need for a strategic plan.

**Ultrafine particles.** The discussion of UFP continued with Mr. Sacks underscoring that while animal toxicological studies show effects of UFP, little is known about UFP’s effects on the human population. One challenge for such research is that particles emitted as UFP may not stay in that size range. He further noted that UFP are contained within  $\text{PM}_{2.5}$  and efforts to control  $\text{PM}_{2.5}$  therefore may also bring down UFP concentrations. In response to Chair Hayes’ requests for guidance regarding UFP, Professor Frey suggested establishing monitoring stations in carefully selected locations as a long-term strategy and public education/consumer ratings regarding automobile ventilation and filtration systems as more immediate tactics. Professor Kleinman noted that there may be an opportunity for regulation to stimulate innovation with respect to decreasing UFP emissions and that the European Union already requires vehicles to share “particle numbers” regarding in-cabin air quality.

# Afternoon Panel: PM Exposure and Risk

## Exposure and Risk Panel Particulate Matter: Spotlight on Health

### Lauren Zeise

Director, California Office of Environmental Health Hazard Assessment  
Leading Developer, CalEnviroScreen

<i>Main takeaways</i>	<b>There is a high degree of variability among individuals in the relationship between PM exposure concentration and health risk. OEHHA is pursuing research to determine the most important sources of air pollution with respect to health effects. Wildfires are causing PM standards to be exceeded for both 24-hour and annual averages.</b>
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### Presentation Summary

After explaining how health risks from PM can vary, OEHHA Director Zeise described some of OEHHA's current research to understand the relationships between specific PM sources and community health outcomes. She also shared some initial data on PM levels from wildfire.

Variability. There is a high degree of variability in concentration-response relationships relating PM exposure concentration to resulting health risks, due to multiple factors including:

- variable individual vulnerability (e.g., health status, genetic factors, demographic factors)
- variable doses at a given concentration (e.g., breathing rates, other physiological factors)
- variable concentrations within a location (e.g., in West Oakland, can be five times higher)

Given this variability, one way to get the most "bang for the buck" is to focus on improving air quality in communities with the highest exposures and highest vulnerabilities.

Current research at OEHHA. Several relevant studies are underway in alignment with AB 617 that will provide valuable input to PM risk management efforts. A key feature of these studies is biomonitoring to determine whether biomarkers indicate reductions in health risk following reduced air pollution concentrations. For example, the East Bay Diesel Exposure Project is a pilot study measuring exposure to diesel exhaust among community residents. This project collects urine samples in addition to indoor air samples, questionnaires, activity diaries, and information from GPS trackers. These data collected from residents will be combined with source pollution mapping data to determine how exposures are occurring.

Wildfires. PM concentrations during the 2017 Napa Wildfire reached 24-hour averages close to 200  $\mu\text{g}/\text{m}^3$  and one-hour averages above 300  $\mu\text{g}/\text{m}^3$  in some areas. In West Oakland, wildfire

impacts on PM have driven annual averages above the national standard, to 12.9  $\mu\text{g}/\text{m}^3$  in 2017 and 14.4  $\mu\text{g}/\text{m}^3$  in 2018. OEHHA is presently investigating relationships between the Napa Wildfire and numerous health outcomes in the area including respiratory, cardiovascular, and neurological problems.

## Advisory Council Q&A with Panelist

**Wildfire research outcomes.** Chair Hayes asked if any preliminary health outcome results could be shared from the Napa Fire study, to which the panelist replied that she could not yet share results but expected to do so in the near future. Chair Hayes also asked if OEHHA would be including other years in the study. The panelist replied that while the Napa Fire study is a stand-alone project, the OEHHA epidemiology team has also been involved in a study of primates (macaques) in captivity that tracks outcomes to exposure to wildfires that occurred in 2008. This natural experiment of mother-infant pairs indicates that the exposure resulted in impacts on lung function and immunological markers. Chair Hayes remarked that such findings were consistent with studies in Southern California indicating issues with lung function in children.

**Communicating importance of sub-daily exposures.** Council Member Borenstein introduced the topic of communicating with the public about risks and precautions, citing the example of a group of teenage girls, presumably a high school track team, who were running, outdoors, while a nearby wildfire caused the air quality index (AQI) to be over 150. The panelist agreed that there is a need for more effective communication strategies and highlighted the misconception that filtration masks allow the wearers to safely exercise outdoors. She referenced a forthcoming meeting in Sacramento in April that will bring together representatives from OEHHA, EPA, Center for Disease Control (CDC), National Institute of Health (NIH), and other agencies to specifically discuss how to advise the public with respect to filtration.

**Approaching PM as a non-threshold contaminant.** Council Member Solomon inquired about the process for quantifying risk if PM is approached as a non-threshold contaminant. The panelist replied that while it was a difficult task that would involve creating estimates of risk that would differ across communities, it can be done and she anticipates that “working together we can come up with approaches to implement pretty soon.”

## Location- and source-specific strategies: Consider impact, marginal impact, and environmental justice

### Julian Marshall

Kiely Endowed Professor, Civil & Environmental Engineering, University of Washington  
Adjunct Professor, Global Health, University of Washington

<i>Main takeaways</i>	<b>Reducing PM requires many strategies: “silver buckshot, not a silver bullet.” With respect to risks, income matters and race matters, but race matters more than income. To get the most “bang for the buck” on health impacts, focus on areas where high impact meets high inequity.</b>
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### Presentation Summary

Professor Marshall described an approach to reducing health risks from PM involving combined analysis of sources of emissions, concentrations at locations, levels of exposure to different sources of emissions, and racial and income disparities affecting environmental justice.

Many sources of PM. PM<sub>2.5</sub> comes from many sources, and not only from primary emissions but also through formation of PM<sub>2.5</sub> in the atmosphere from other compounds. No one single source is dominant. At the national level, several sources make up a substantial fraction of emissions, including fuel combustion, agriculture, road dust, and residential wood burning. However, there are many other meaningful contributors and therefore tackling PM<sub>2.5</sub> will require multiple strategies.

Intake fraction in California. When the levels of emissions from different sources are combined with the percentage of those emissions that are inhaled, relative contributions to exposure can more clearly be seen. In California, industrial emissions and on-road mobile sources are particularly high contributors to PM<sub>2.5</sub> exposure. Importantly, this conceptualization makes clear that emissions reductions are not all equal in impact. For example, reducing one ton of emissions from on-road mobile sources will have greater impact than reducing one ton of emissions from industrial sources because the former category has a higher intake fraction.

Race and income disparities. In California, white people and wealthier people are least exposed to pollution, and the racial difference is more predictive than the income difference. Looking at patterns of consumption, it is also evident that white people are the greatest consumers of the products of polluting activities despite being the least exposed to the resulting pollution.

Mobile measurements and low-emission zones. Dr. Marshall described mobile PM measurement technology as “really promising” for identifying local pollution hotspots and pointed to Google and Aclima as innovators. He also described the policy tool of “low-emission zones” that have been used around the world, although not yet in the U.S., to reduce risks for

vulnerable populations subjected to high PM concentrations. Even if some polluting activity relocates outside the zone, positive health outcomes can still be achieved with this strategy.

### **Advisory Council Q&A with Panelist**

**How much pollution comes from local sources?** Council Member Long inquired how much of the contaminant load in West Oakland (depicted in the panelist's slide showing the results of mobile measurement) could be attributed to local versus regional sources. The panelist replied that the study did not investigate sources and deferred to Phil Martien, the final presenting panelist, to address the question of local versus regional contamination affecting West Oakland. (Dr. Martien's presentation revealed that the majority of PM<sub>2.5</sub> in West Oakland comes from regional sources; see Slide 198.)

**Air District authority.** In response to the panelist's question about the Air District's powers, Council Member Borenstein clarified that the Air District regulates stationary but not mobile sources and does not have the power to impose prices or taxes. Although the Air District does impose fines on a limited basis, these can only recover the costs of doing business, and emitters are not required to assume the costs of pollution below the standard. He went on to advocate for the Air District to "lobby Sacramento" for the authority to impose prices to help overcome a situation he described as "trying to make policy with one arm tied behind our back."

**Other beneficiaries of polluting activities.** Referring to the panelist's analysis of the drivers of pollution, which focused on consumption, Council Member Borenstein commented that additional beneficiaries of polluting activities should be considered: shareholders and workers.

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# Review of the National Ambient Air Quality Standards for Particulate Matter: Overview of the Draft Policy Assessment

## Scott Jenkins

Project Lead, EPA review of National Ambient Air Quality Standards for PM  
Senior Environmental Health Scientist, Office of Air Quality Planning and Standards, EPA

<i>Main takeaways</i>	<b>New studies available since the previous NAAQS review strengthen evidence of serious PM<sub>2.5</sub> health effects, including premature death, and add additional health concerns. Available scientific information calls into question the adequacy of the public health protection afforded by current standards. Risk assessment results show that reducing PM to alternative standard levels below the current standards would achieve significant additional health benefits, including thousands of lives spared per year in the U.S. Alternatively, retaining the current standards would require placing "little weight" on that information.</b>
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## Presentation Summary

Dr. Jenkins presented an overview of the approach and conclusions of the EPA's [Draft PM Policy Assessment](#) completed in response to the agency's Draft PM Integrated Science Assessment. He explained that the PM Policy Assessment is intended to serve as a bridge between science and rulemaking, which is expected to take place by the end of 2020. The assessment included an argument for revising the annual PM<sub>2.5</sub> standard downward based on the science, as well as a discussion of how retaining the current standard could be justified by placing little weight on the epidemiological evidence and risk assessment and greater weight on the uncertainties and limitations of the data.

Focus on "typical" exposures. The NAAQS review process focuses on exposures that represent the middle of the U.S. air quality distribution curve, rather than its extremes. In most U.S. locations, the annual standard is the controlling standard. Epidemiological data is not very informative with respect to the impact of 24-hour exposures on the upper end of the concentration distribution curve, and sub-daily (2-hour) controlled human exposure studies correspond to concentrations considered to be outside the typical distribution curve. The implication of this focus is that the review does not inform analysis of conditions analogous to those occurring during California wildfires.

Pseudo-design values and hybrid modeling. The review examined health effects seen in areas for which PM monitoring data could be used to calculate whether the area's air quality would have met the current standards. This "pseudo-design value" approach approximated the design value statistics used to describe air quality relative to the NAAQS. The review also examined

hybrid modeling studies that incorporated not only air quality monitoring but also a range of other data including satellite imagery and land use and transportation information.

**Risk Assessment.** The risk assessment considered likely mortality outcomes if national air quality was to “just meet” the current  $12 \mu\text{g}/\text{m}^3$  standard in comparison to “just meeting” 11, 10, and  $9 \mu\text{g}/\text{m}^3$ . Although estimates differed according to the study being used and whether a primary or secondary PM-based modeling approach was employed, the overall implication was that thousands of lives would be spared at lower concentrations.

**Conclusions.** The Draft PM Policy Assessment states that “The available scientific information can reasonably be viewed as calling into question the adequacy of the public health protection afforded by the current annual and 24-hour primary  $\text{PM}_{2.5}$  standards.” This conclusion relies on the long-standing body of health evidence, strengthened in the latest review, and risk assessments indicating that current standards allow for thousands of  $\text{PM}_{2.5}$ -associated deaths per year at concentrations above  $10 \mu\text{g}/\text{m}^3$ . However, the assessment also states that a conclusion that current standards are sufficient could be reached if very little weight is placed on the large body of epidemiological evidence, particularly the newly available studies regarding lower concentrations, and more weight is placed on uncertainties in the literature.

### **Advisory Council Q&A with Panelist**

**Wildfires excluding Bay Area from risk assessment.** Chair Hayes asked for clarification on why the Bay Area was not included in the risk assessment. The panelist responded that the assessment aimed to simulate impact from anthropogenic sources, so the focus was on areas for which that adjustment could reliably be done using available data. The implication appeared to be that it was difficult to disentangle wildfire effects from anthropogenic effects.

**Lessons for areas controlled by 24-hour standard?** Given that the focus of the Draft PM Policy Assessment was on areas in which the annual standard is controlling, Chair Hayes asked what the Air District, which experiences 24-hour concentrations well above the standard during wildfires, should take away from the analysis. The panelist acknowledged that the epidemiology driving the assessment is focused on the middle of the air quality distribution and does not offer many insights for areas experiencing very high 24-hour and sub-daily concentrations.

**Deaths from air pollution.** Referring to Slide 155, Chair Hayes asked how the review process determines acceptable risk in terms of  $\text{PM}_{2.5}$ -associated deaths. The panelist responded that the estimates of  $\text{PM}_{2.5}$ -related deaths are not meant to be read as absolute numbers but rather used as a basis for comparison between outcomes at different concentration levels to indicate the magnitude of public health impact. He further noted that risk assessments have not historically been the drivers of decisions regarding NAAQS. Council Member Solomon asked if lower concentrations had also been considered in the risk assessment. The panelist replied that they had, and that estimated deaths are reduced by 10-15% for each  $1 \mu\text{g}/\text{m}^3$  reduction.

**PM thresholds?** Council Member Borenstein asked if the panelist had seen any evidence of a PM threshold. The panelist replied that he had not. However, he explained that there may be thresholds for individuals that cannot be seen in population-level studies.

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## Targeting Particulate Matter: West Oakland Community Emissions Reduction Program

### Phil Martien

Director, Assessment, Inventory, & Modeling, Bay Area Air Quality Management District  
Project Lead, Technical Assessment of AB 617 West Oakland Community Action Plan

<i>Main takeaways</i>	<b>In response to California’s AB 617 and in collaboration with communities, the Bay Area Air Quality Management District is implementing community-specific emissions reductions programs. The West Oakland plan demonstrates how hyperlocal modeling can be accomplished, but other agencies will also need to act in order to reach emissions reduction targets.</b>
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### Presentation Summary

Dr. Martien described the analysis conducted for the recently completed [West Oakland Community Action Plan](#), the first in a series of community emissions reduction programs that the Air District is developing in response to California’s AB 617 legislation.

Response to AB 617. California’s Assembly Bill 617 mandates a statewide program to address long-standing air pollution concerns in disadvantaged communities. The Air District has committed to work collaboratively with disadvantaged communities experiencing disproportionately high levels of air pollution. The first year of implementation focused on Richmond and West Oakland; Richmond requires more measurements to be collected, but West Oakland had a large amount of data and was able to launch directly into planning an emissions reduction program. Beginning in year two, Air District efforts will expand to six more communities: Vallejo, the Pittsburg-Bay Point Area, Eastern San Francisco, the East Oakland-San Leandro Area, Tri-Valley, and San Jose.

Approach to West Oakland. West Oakland was chosen as the first implementation site both because its population experiences high socioeconomic burdens alongside low air quality and because West Oakland has a well-established and experienced community group, the West Oakland Environmental Indicators Project, that was able to guide the process in collaboration with the Air District. The study employed a hybrid modeling approach that first accounted for pollution originating outside the area in order to then zero in on local sources. In response to community requests, the study took a hyperlocal approach, modeling block-by-block exposures. Seven local impact zones were identified using data from specially equipped Google Street View vehicles. Sources modeled comprised the Port of Oakland, railyards and trains, vehicles on freeways and streets, truck-related businesses, and permitted stationary sources.

Results. Although the Port of Oakland was the primary contributor to diesel PM emissions, PM<sub>2.5</sub> showed a more distributed source allocation, with highway, street, port, and permitted sources all contributing significantly to PM<sub>2.5</sub> levels. However, approximately 34% of PM<sub>2.5</sub> came

from sources not included in the model, such as construction, restaurants, and residential wood burning. For each zone, the proportional contributions of the different sources were calculated, with different allocations evident for each zone. For example, 60% of modeled PM<sub>2.5</sub> could be attributed to street traffic in Zone 3, whereas street traffic made up only 28% of PM<sub>2.5</sub> emissions in Zones 1 and 2. Disparate exposure levels were seen within the studied West Oakland zones: the cleanest blocks are experiencing on average 3 µg/m<sup>3</sup> lower PM concentrations than the most polluted blocks.

Action priorities. The West Oakland Community Action Plan established the goal of bringing all zones to average levels for the area by 2025 and to the level of today's cleanest residential West Oakland neighborhood by 2030. However, it is important to note that most of the pollution experienced in West Oakland comes from regional sources outside the West Oakland local area, and most of the local pollution sources are outside the Air District's jurisdiction. That said, priorities for decreasing exposures from local sources center on addressing sources with higher shares of modeled impact, which include heavy-duty trucks and harbor craft for diesel PM and road dust and passenger vehicles for PM<sub>2.5</sub>.

### **Advisory Council Q&A with Panelist**

**West Oakland levels in comparison to other District areas.** Council Member Rudolph asked how the "average" and "cleanest" levels in West Oakland that were set as targets compare to air pollution levels elsewhere in the Air District. The panelist responded that he does not have that information because other areas have not yet been assessed. However, he asserted that differences in pollution levels between West Oakland and other parts of the Air District are likely to be driven by local impacts, so addressing disparities within the Air District can be accomplished by considering local pollution sources.

**Electric vehicles and road dust.** Council Member Rudolph pointed out that if road dust is a significant concern in terms of PM<sub>2.5</sub> exposure, then solutions like electric vehicles will not address that problem. The panelist agreed.

**Capturing unrecorded emissions.** Council Member Rudolph asked whether further analysis would be conducted to better understand the PM<sub>2.5</sub> contributors that were not accounted for in the study. The panelist indicated that expanding the list of modeled sources was among the "homework activities" for the Air District team developing further AB 617 action plans.

**Translating findings into action.** Council Member Long asked for clarification on how the information presented would be translated into concrete actions to improve air quality in West Oakland. The panelist acknowledged the challenge of the Air District's limited jurisdiction and asserted that the West Oakland community had a "realistic perspective" on what can be done. He described the West Oakland Community Action Plan (which calls for the implementation of strategies by the City of Oakland, Port of Oakland, Caltrans, CARB, PG&E, and others in addition to the Air District) as "a starting point."

## PM Exposure and Risks: Discussion Summary

Because the event was running long and Advisory Council members had addressed their questions to the individual panelists, the discussion between the Advisory Council and the afternoon panel was brief.

**Margin of safety.** Vice Chair Kleinman asked for clarification on whether the risk assessment within the Draft PM Policy Assessment considered margin of safety for particulate matter. Dr. Jenkins responded that the risk assessment does not address margin of safety because the concept of safety rests solely within the judgement of the EPA Administrator.

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## Public Comment

Public comment was taken during two designated periods during the event. A list of the commenters during those periods follows the summary. Questions were also addressed to the lunchtime keynote speaker, former EPA Administrator Gina McCarthy.

### Comment Summary

The general sentiment expressed by many commenters was, “We need action, not more discussion.” Several people spoke about their personal experiences with toxic emissions in their neighborhoods. The disproportionate impact of air pollution on disadvantaged communities is a central point of focus.

Additional themes that emerged in public comment:

Physicians. A group of physicians expressed their position that they are not able to protect the health of their patients due to air pollution, particularly children with asthma. They emphasized the return on investment from improving air quality.

African American communities. Two attendees who addressed Gina McCarthy during her keynote speech focused on the challenges of African American communities in the Air District relative to cumulative impacts of air pollution problems and the need for education, training, and investment in environmental health.

Refineries. Several speakers expressed concerns about refineries in the Air District, both with respect to air pollution and the need to reduce or eliminate reliance on fossil fuels.

Mobile-source increases from stationary permits. A speaker from East Oakland highlighted air quality challenges from a local crematorium, not only from its direct emissions but also from diesel trucks making frequent deliveries.

Climate change. Concerns about climate change aspects of air pollution were emphasized in addition to the need to address immediate health issues.

Community representation. The suggestion was made to form a community advisory board for the Air District “with teeth,” i.e., with the power to make and enact decisions.

## List of commenters

### **PUBLIC COMMENT ON AGENDA MATTERS (ITEM 3)**

Dr. Ashley McClure, California Climate Health Now

Sarah Schear, California Climate Health Now

### **PUBLIC COMMENT ON NON-AGENDA MATTERS (ITEM 7)**

Katherine Funes, Rose Foundation for the Communities and the Environment

Jed Holtzman, 350 Bay Area

Jan Warren, Interfaith Climate Action Network of Contra Costa County

Dr. Amanda Millstein, California Climate Health Now

Dr. Cynthia Mahoney, California Climate Health Now

Sarah Schear, California Climate Health Now

Maureen Brennan, Rodeo citizen

Charles Davidson, Sunflower Alliance

Ken Szutu, Citizen's Air Monitoring Network

Margie Lewis, Communities for a Better Environment

Steve Nadel, Sunflower Alliance

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## Advisory Council Deliberation

The symposium concluded with the Advisory Council's deliberation regarding the implications of the information presented. The Advisory Council arrived at the following Sense of the Advisory Council statement:

**The current standard is not adequately health protective. Further reductions in particulate matter will realize additional health benefits. We ask the Air District staff to bring forward with urgency options within the legal authority of the Air District that would limit PM exposure, especially in high-risk communities.**

Council Member Borenstein reflected the sentiment of the Advisory Council in stating, "We need more science, and we should act."

Additionally, Advisory Council members expressed interest in further exploring the potential for:

**Treating PM as a toxic.** Council Member Solomon stated that the lack of evidence for a threshold for PM health effects argues for treatment of PM as a linear, non-threshold toxic in the same manner as other toxic air contaminants and carcinogens.

**Monitoring ultrafine particles.** Council Member Solomon indicated support for continuing monitoring of ultrafine particles in the Bay Area or increasing monitoring if the costs are not unreasonable. The Air District's Deputy Air Pollution Control Officer Greg Nudd proposed that the Air District present to the Advisory Council regarding the UFP monitoring that is already occurring in order to better inform the Advisory Council's recommendations.

**Encouraging the State of California to adopt stricter PM standards.** Acknowledging that the District does not have the authority to set ambient air standards, Vice Chair Kleinman suggested that those present in the room should encourage the State to adopt stricter PM standards.

**Ensuring local permits are consistent with PM standards supported by the science.** Vice Chair Kleinman stated that because local permits and emission requirements for stationary sources are the specific purview of the Air District, the Advisory Council should focus on advising the Board on how the Air District could make those determinations consistent with improved ambient air standards.

**Disaggregating solutions with climate co-benefits, solutions unrelated to climate strategies, and emergencies.** Council Member Long argued for separately approaching three different categories of strategies for addressing PM: 1) strategies that reduce particulate matter as a co-benefit of addressing climate change, such as making engines more efficient and decarbonizing electricity; 2) strategies regarding issues such as road dust that are independent of climate

action (given that more efficient or electric cars still produce brake, tire, and road dust); and 3) emergencies including wildfires and explosions at permitted sites.

**Bang for the buck.** Council Member Long stressed the need to identify strategies with the greatest potential for impact and to track the outcomes of the strategies that are implemented.

**Air District Implementation Plan.** Vice Chair Kleinman stated the need for an Air District Implementation Plan in accordance with cleaner air standards. Chair Hayes expressed interest in the idea of an Air District Implementation Plan but stated that he was not yet ready to endorse the strategy and needed to gain a better understanding of what it would entail.

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## Next Steps

Three primary action items emerged from the first PM symposium:

1. **Air District delivery of presentations** to the Advisory Council on the Air District's current activities and capabilities to monitor ultrafine particles and to address PM exposures;
2. **Advisory Council discussion and deliberation** on these current and potential activities in light of the information presented at the October 28 symposium and summarized in this document; and
3. **Planning for a second symposium** for Spring 2020 to focus on community and other stakeholder input and engagement concerning PM exposures and health risks.

The Advisory Council will reconvene on **December 9, 2019**.

During that meeting, in response to the Advisory Council's requests, the Air District will present on its current activities to reduce PM exposures, including monitoring of ultrafine particles. It will also discuss additional "options within the legal authority of the Air District that would limit PM exposure, especially in high-risk communities," in accordance with the Sense of the Advisory Council, in order to inform the Advisory Council's advice to the Board.

The Advisory Council is expected to receive and comment on this symposium summary document during the December 9 meeting.

Planning for the Spring 2020 event continues with input from community representatives and other stakeholders.

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**Public Comments - October 28 PM Symposium Summary: Health Effects and Exposures and Risk**

Commenter	Organization/ Location	Comment
Bob Bernstein		See: McDonald F, Horwell CJ, Wecker R, Dominelli L, Loh M, Kamanyire R & Ugarte C (2020) Facemask use for community protection from air pollution disasters: An ethical overview and framework to guide agency decision making. International Journal of Disaster Risk Reduction, 43, Art. No.: 101376. <a href="https://doi.org/10.1016/j.ijdrr.2019.101376">https://doi.org/10.1016/j.ijdrr.2019.101376</a>
H. Christopher Frey	North Carolina State University	"air pollution standards" should be changed to "National Ambient Air Quality Standards." The prohibition on considering costs is specifically with respect to the NAAQS, not with respect to other federal air pollution standards. (submitted by H. Christopher Frey, 12/19/19)
Samuel L. Altshuler	Chair AWMA Critical Review Committee	I found the information presented at the subject symposium very interesting and well done. However, one point that was overlooked is that when considering exposure to air pollutants in epidemiological studies, we must begin to include exposures of individuals within their homes and workplaces. As outdoor, ambient pollutants are dropped to lower and lower levels, exposure indoors to various air pollutants, particularly UFPM and NO2, can become relatively significant depending on the various indoor sources (cooking appliances, fireplaces, candles, cleaning materials, etc.)

**Public Comment Period:** December 19, 2019 to March 6, 2020

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# Particulate Matter: Spotlight on Health Protection

**Advisory Council Meeting Summary:  
BAAQMD Update on Current and  
Emerging Efforts on Particulate Matter**

ADVISORY COUNCIL  
MEETING OF 05/12/2020

**December 9, 2019**



**BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**

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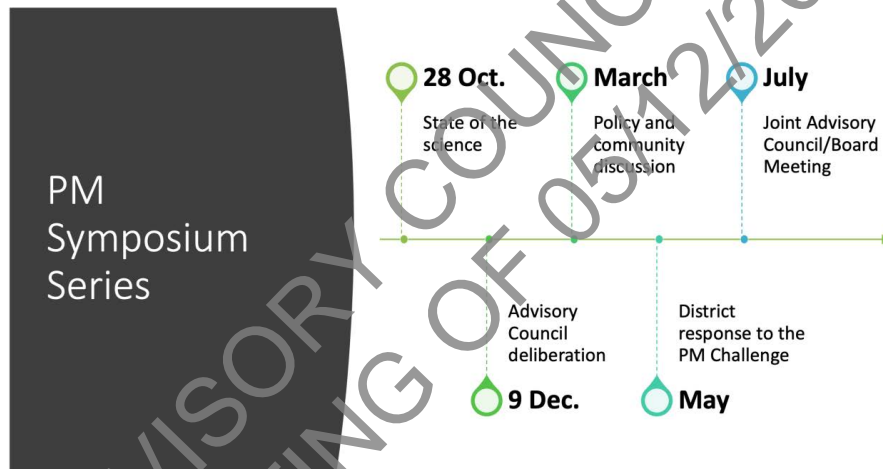
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ADVISORY COUNCIL  
MEETING OF 05/12/2020

# Executive Summary

The December 9, 2019 meeting of the Advisory Council (Council) of the Bay Area Air Quality Management District (Air District) focused on the Air District’s current and emerging work to understand, monitor, reduce, and control regional and localized particulate matter (PM) concentrations.

As the timeline below illustrates, this Advisory Council meeting followed the October PM Symposium, which focused on the state of the science, and preceded the upcoming March PM Symposium. The March PM Symposium will focus on local community work, needs, and priorities. The PM Symposium Series as a whole will inform recommendations from the Advisory Council to the Air District’s Board concerning further action the Air District can take to protect the health of Bay Area residents, particularly those who are disproportionately impacted by PM exposure.



The December meeting featured presentations regarding local, regional, and state PM reduction initiatives from Air District staff members and a representative from the California Air Resources Board (CARB). Additional agenda items included Advisory Council discussion of a written report on the October PM Symposium; development of a new document by the Advisory Council, which will provide responses to the questions originally posed by the Advisory Council and the Air District to the October PM Symposium panelists; and public comment.

## Presentations

**Source Apportionment.** Phil Martien, Director of Assessment, Inventory, and Modeling, presented the Air District’s current knowledge and information gaps regarding the sources of fine particulate matter (PM) in the Bay Area (excluding wildfires). New priorities require the Air District and its partners (CARB, Caltrans) to evaluate and update source apportionment procedures and corresponding regulatory frameworks. As PM emissions from previously

dominant sources (such as vehicle emissions) are reduced, additional sources emerge as priorities for controlling PM, yet less information is available about these newly emergent top sources. In particular, models for brake and tire wear and road dust have not been updated since the 1980s. Equally, the Air District's new focus on local-scale exposures requires new approaches to data collection, analysis, and rulemaking regarding stationary-source emissions. Point sources that are not significant at the regional level have not historically been prioritized for monitoring and control. These sources may be significant contributors of PM<sub>2.5</sub> at the local level.

**Monitoring.** Ranyee Chiang, Director of Meteorology and Measurements, along with assistant managers Ila Perkins and Katherine Hoag, presented regarding the Air District's monitoring network. They discussed both region-wide monitoring — largely designed to track progress against national ambient air quality standards — and more recently deployed monitoring approaches that are designed to address the Air District's emerging focus on community-scale concentrations or impacts from specific sources of emissions. In response to the Advisory Council's requests, additional information was shared regarding ultrafine particles and wildfires. Ultrafine particle monitoring has been in place for several years but is limited in scope by costs and scientific limitations of the instrument. Wildfires have caused dramatic increases to PM<sub>2.5</sub> concentration levels in the Bay Area, reversing a decade-long downward trend. The Air District is currently conducting an Integrated PM Network Assessment to evaluate its PM measurement network and recommend improvements.

**Grants and Incentives.** Karen Schkolnick, Director of Strategic Incentives, presented a summary of the Air District's grant revenue sources, current grants and incentive programs, and recent program results. Because these grant programs generally require emission reductions that go beyond regulatory requirements, the majority of the Air District's grant funding is targeted at reducing PM<sub>2.5</sub>, other criteria pollutants, air toxics, and greenhouse gases from mobile sources and complementing the Air District's regulatory PM reduction strategies targeting stationary sources. She highlighted several key initiatives focused on reducing mobile-source emissions through adoption of the cleanest commercially available technology (such as Diesel Free by '33 and Port of Oakland partnerships) and discussed how these programs connect to other Air District priorities including health risk reduction in communities disproportionately impacted by air pollution. Since 1991, more than \$1.2 billion has been invested through the Air District's grants and incentives programs, resulting in significant emissions reductions and accelerated adoption of cleaner and zero-emission technology. However, each program is constrained by the requirements of its funding source — for example, only one of the Air District's sources of funding can be used to target vehicle miles traveled (VMT) reduction.

**CARB PM Research and Rules.** Alvaro Alvarado, Manager of Health & Ecosystems Assessment for CARB, described the PM research currently being conducted at CARB and the emerging regulations designed to further decrease PM emissions. In line with the Advisory Council's requests, he focused on research concerning wildfires, brake and tire wear, and ultrafine particles. Wildfire research includes study of a monkey colony at UC Davis, mobile platforms to monitor in-home exposures, and collaboration with NASA to track wildfires using aircraft. Brake

and tire wear research includes laboratory studies to quantify emissions as well as exposure studies with UC Riverside and health effects studies with UCLA. Studies of ultrafine particles include modeling annual average concentrations and speciation throughout the state and associating mortality with long-term exposures using the California Teachers Study cohort. With respect to rulemaking, several regulations are underway or forthcoming to reduce emissions from trucks, cars, and trains.

**Air District PM Rules and Regulatory Development.** Victor Douglas, Manager of Rule Development, presented a brief overview of the history, current efforts, and emerging directions for rule development in the Air District, which continues to update its rules and regulations to further limit PM exposures. As its focus shifts from an exclusively regional perspective to reducing risks for disproportionately impacted local communities, the Air District is exploring further regulation regarding restaurants, wood smoke, and indirect or magnet sources (e.g. warehouses), as well as the possibility of treating PM as a toxic air contaminant. Although the State of California does not presently recognize undifferentiated PM as an air toxic, it may be possible for the Air District to do so independently.

#### Discussion of Draft October PM Symposium Report

The Advisory Council discussed the draft report on the October PM Symposium prepared by consulting technical writer Elisabeth Andrews on behalf of the Air District, available online at <https://www.baaqmd.gov/news-and-events/conferences/pm-conference>. Three clarifying edits were made to the section on “Advisory Council Deliberation,” and consensus was reached on releasing the draft report for public comment.

#### Advisory Council Q&A Document

Advisory Council Chair Stan Hayes introduced a document he initiated that provides responses to the questions originally posed by the Advisory Council and the Air District to the October PM Symposium panelists concerning PM health effects, exposures, and risks. His aim was to distill the information shared by the panelists into concise answers to each of the questions. Council Member Gina Solomon volunteered to assist Chair Hayes in further developing the question-and-answer document.

#### Public Comment

Commenters focused on the urgency of decreasing PM exposures and articulated a need to phase out fossil fuels and transition to a zero-carbon economy. Specific suggestions for the Air District included setting PM threshold levels based on sensitive subgroups rather than population averages, utilizing data from low-cost sensors and the California Household Exposure Study, and developing messaging campaigns focused on demonstrating the connection between specific sources of air pollution and health outcomes.

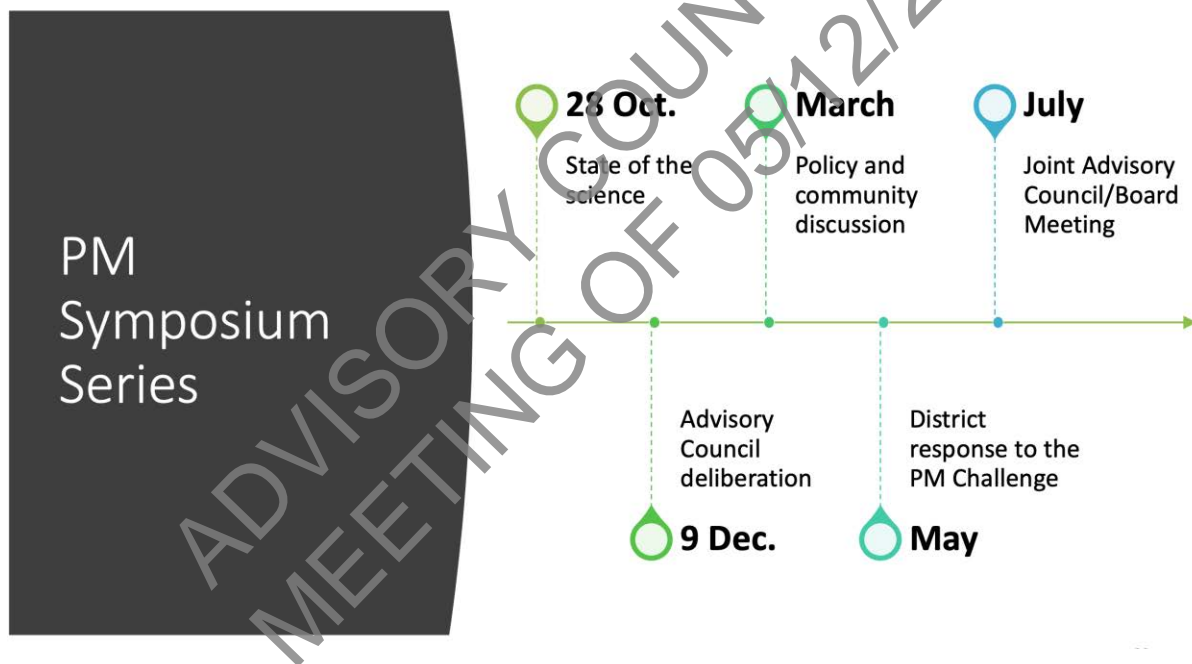
## Next Steps

The next PM symposium will take place on March 24, 2020 in Oakland and is focused on presentations from community organizations and leaders. The May event is expected to focus on formulating potential Air District plans to further reduce Bay Area health risks from PM. The final event in the series brings together the Advisory Council and the Air District's Board of Directors to discuss the information and suggestions shared throughout the PM Symposium Series. During the July meeting, the Advisory Council is expected to present its findings to the Air District's Board of Directors regarding particulate matter and health in the Bay Area.

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## Background and Timeline

The December 9, 2019 meeting of the Advisory Council (Council) of the Bay Area Air Quality Management District (Air District) followed the October PM Symposium with updates on the Air District's current work on particulate matter (PM). Recognizing that PM is the overwhelming driver of health risks from Bay Area air quality, the Advisory Council requested that the Air District convene the PM Symposium Series in order to clarify the state of the science (October 28, 2019), describe current and forthcoming Air District work (December 9, 2019); learn about local community efforts, needs, and priorities (March 24, 2020); and present potential policy strategies (May 2020). As the timeline below illustrates, the series will culminate in recommendations from the Advisory Council to the Air District's Board of Directors concerning further action the Air District can take to protect the health of Bay Area residents, particularly those who are disproportionately impacted by PM exposure. An additional goal of the Air District and Advisory Council is to provide national leadership on improving air quality at a time when the federal government is retreating from this mission.



The first symposium took place on October 28, 2019, convening national, state, and local experts to discuss the state of the science on PM health effects, exposures, and impacts. Details on the presenters and the information they shared can be found in the Draft October PM Symposium Report available at <https://www.baaqmd.gov/news-and-events/conferences/pm-conference>. Following that event, Chair Hayes presented to the Air District Executive Committee of the Board of Directors on November 6, 2019 and to its full Board of Directors on November 20, 2019 concerning the Advisory Council's takeaways from the October PM Symposium.



Chair Hayes summarized those presentations at the December meeting. He highlighted several key topics discussed at the October PM Symposium: new evidence of causal relationships between PM and adverse health outcomes including premature death, evidence that the health of children and non-white people are disproportionately harmed by PM, strategies for understanding the sources and distribution of PM, and associations between wildfires and both respiratory and cardiovascular illness. He shared the Sense of the Advisory Council statement that emerged from deliberation at the close of the October PM Symposium:

The current standards are not adequately health protective.  
Further reductions in PM will realize significant additional health benefits.  
We need more science, *and* we should act now.

Chair Hayes also listed the topics the Advisory Council sought to explore further: approaching PM as an air toxic, expanding monitoring of ultrafine particles, examining health effects of acute PM exposures (e.g. wildfire smoke), identifying PM species that are particularly dangerous, assisting the Air District in identifying strategies with the “highest bang for the buck” in terms of health protection, and pursuing strategies that have climate and other co-benefits.

These priorities set the agenda for the December meeting, which focused on the Air District’s current and emerging work to understand, monitor, reduce, and control regional and localized PM concentrations. A representative from the California Air Resources Board (CARB) also presented on state-level PM research and regulations. Additional agenda items included Advisory Council discussion of a written report on the October PM Symposium as well as public comment.

The meeting was shared live via webcast, the video archive of which can be viewed at [http://baha.granicus.com/MediaPlayer.php?clip\\_id=6369](http://baha.granicus.com/MediaPlayer.php?clip_id=6369).

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# Update on Particulate Matter (PM) Air District Work: Regional- and Local-Scale PM<sub>2.5</sub> Source Apportionment

## Phil Martien

Director, Assessment, Inventory, & Modeling, Bay Area Air Quality Management District  
Project Lead, Technical Assessment of AB 617 West Oakland Community Action Plan

<i>Main takeaway</i>	<b>New priorities require the Air District and its partners (CARB, Caltrans) to evaluate and update source apportionment procedures and corresponding regulatory frameworks. As PM emissions from previously dominant sources are reduced, additional sources emerge as priorities for controlling PM, yet less information is available about these newly emergent top sources. This is particularly true for brake and tire wear and re-entrained road dust. Equally, the Air District's new focus on local-scale exposures requires new approaches to data collection, analysis, and rulemaking regarding stationary-source emissions.</b>
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Dr. Martien presented the Air District's current knowledge and information gaps regarding the sources of fine particulate matter in the Bay Area (excluding wildfires). He first described how sources contribute to PM<sub>2.5</sub> concentration levels at the regional level and then turned to the Air District's community-scale analysis of local sources of PM<sub>2.5</sub> for West Oakland. The report provided here reflects both the presentation from Dr. Martien and the additional comments and clarifications from other Air District staff members during the presentation.

## Current Air District Work

**Proportion of regional vs local contributions.** Regional sources are the main driver of Bay Area PM<sub>2.5</sub> concentrations: in West Oakland, local sources appear to contribute about 20% of the overall PM<sub>2.5</sub> burden in the community. However, time constraints on the West Oakland analysis precluded modeling approximately 30% of local PM<sub>2.5</sub> sources including construction, residential wood burning, and commercial cooking; these sources may constitute an additional proportion of local contribution to PM<sub>2.5</sub> concentration levels. Moreover, local sources may have highly significant impacts for people living or working in the immediate vicinity of those sources.

## Regional Scale Apportionment

Based on newly updated modeling, peak levels of PM<sub>2.5</sub> in the Bay Area are on the order of 10 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ), with the highest values seen in the Central Valley. It now appears that **secondary PM formation contributes almost half of PM<sub>2.5</sub>**, which is higher than earlier estimates.

#### Sources of PRIMARY PM<sub>2.5</sub> in the Bay Area:

- **Permitted sources (23%)** - Within this category, refineries produce more than 40% of emissions from permitted sources. The top five emitters contribute approximately half of all PM<sub>2.5</sub> from permitted facilities.
- **On-road mobile sources (27%)** - Within this category, vehicle exhaust now contributes less than 20% of on-road mobile emissions. Brake and tire wear and road dust are far more significant contributors.
- **Non-road mobile sources (16%)** - Within this category, construction activity and commercial marine vessels each account for approximately one third of emissions from non-road mobile sources.
- **Area sources (34%)** - These sources tend to be individually small emitters that collectively make up a large portion of PM<sub>2.5</sub> emissions, including residential wood combustion and commercial cooking (largely char-broilers).

#### Sources of SECONDARY PM<sub>2.5</sub> in the Bay Area:

- **Diesel trucks and off-road equipment** contribute **NO<sub>x</sub>**
- **Stationary sources** (including refineries and manufacturing plants) contribute **SO<sub>2</sub>**
- **Agricultural activity** contributes **NH<sub>3</sub>**

#### Community Scale Apportionment

Hyperlocal analysis of local-source primary PM<sub>2.5</sub> emissions was conducted for West Oakland, as described in the report on the October PM Symposium (<https://www.baagmd.gov/news-and-events/conferences/pm-conference>) and the [West Oakland Community Action Plan](#). Annual averages of PM<sub>2.5</sub> concentrations exclusively from local sources were calculated for each census block. PM<sub>2.5</sub> concentration levels were observed to vary seasonally, across the week, and even hour-by-hour with local activity.

**Roadways and permitted facilities.** Roadways and permitted facilities emerged as predominant local sources of primary PM<sub>2.5</sub> in West Oakland (acknowledging again that time constraints precluded modeling construction, residential wood burning, and commercial cooking).

**Hyperlocal variation in source apportionment.** Predominant sources of local-source PM<sub>2.5</sub> vary within West Oakland: in its southwest corner, the contributions of port and rail to local-source PM<sub>2.5</sub> are as high as 25%; roadway contributions in some locations are more than 75%; in other locations stationary sources contribute on the order of 40% of local-source PM<sub>2.5</sub>.

**Unequal impacts.** Certain census blocks in West Oakland are exposed to much higher levels of local-source PM<sub>2.5</sub> than others.

## Forthcoming Air District Work

The Air District faces challenges in overcoming information gaps concerning newly dominant sources of PM<sub>2.5</sub>. As PM emissions from top sources are reduced, additional sources emerge as priorities, yet less information is available about these other sources. As a result of this lag between re-prioritization and updated scientific literature, there is considerable uncertainty in the estimates of source apportionment, and this uncertainty cannot yet be quantified.

**Road dust.** As emissions from vehicle exhaust are reduced, the proportion of PM<sub>2.5</sub> attributed to re-entrained road dust increases. However, calculations for re-entrained road dust were last updated in the late 1980s. These methods are being currently evaluated and updated by CARB and Caltrans.

**More analysis of permitted sources.** Point sources that are likely significant contributors of PM<sub>2.5</sub> at the local level may not be significant at the regional level. Because the Air District's focus has historically been at the regional level, direct measurements have not been collected for most of these sources. For example, because West Oakland permitted facilities account for only about 0.5% of emissions in the Bay Area, they have not historically been prioritized for monitoring and control. The Air District's new focus on localized impacts demands greater attention to these sources. For other Bay Area locations, particularly those in which the top five stationary-source emitters are located, the Air District is also in the process of determining local-scale impacts for residents. It is not yet clear how much exposure people experience from these emissions, particularly where emissions are distributed through tall stacks.

## Post-Presentation Discussion

### Brake and Tire Wear and Road Dust

- Council Member Linda Rudolph inquired about the **climate impacts** of newly emerging PM<sub>2.5</sub> priorities such as brake and tire wear and road dust. Dr. Martien responded that different PM<sub>2.5</sub> species can have different climate effects: soot tends to be warming, whereas secondary aerosol can be cooling. Air District Deputy Air Pollution Control Officer Greg Nudd added that road dust tends to be a localized issue as concentrations drop off quickly in spatial terms. However, brake and tire wear have emerged as water quality issues: microplastics in the San Francisco Bay have been shown to originate from tire wear.
- Council Member Severin Borenstein inquired about **technologies to reduce these effects**; Mr. Nudd and Air District Deputy Air Pollution Control Officer Damien Breen responded that reduction in vehicle miles traveled (VMT) is the primary control strategy as few technologies have emerged apart from vacuuming highways and some new European experiments in under-vehicle misting technologies. He later remarked that successful strategies for reducing road dust involve reducing the load on the road; while sweeping can have some positive effect, reducing track-out from construction and limiting roadside contributions through landscaping or paving tend to be more successful.

- Chair Hayes confirmed with Dr. Martien that brake and tire wear and road dust contribute significantly to both local and regional PM<sub>2.5</sub> exposures and remarked that addressing this issue will be an **important issue for the Air District**.
- Council Member Borenstein inquired about the **relationship between speed, congestion, and PM<sub>2.5</sub>**. Mr. Breen explained that less speed generally means higher exhaust emissions; Dr. Martien stated that dynamometer testing is currently investigating the relationship between speed and brake wear for light- and heavy-duty vehicles.

**Air toxics approach.** Council Member Michael Kleinman suggested that the greatest benefit to public health may be gained through focusing on the most toxic components of PM<sub>2.5</sub>. He provided the example of lead-contaminated particles from the cement plant in Cupertino posing more of a public health threat than ammonium sulfate aerosols (from secondary PM<sub>2.5</sub> formation) and stated that many of the secondary aerosols in PM<sub>2.5</sub> are less toxic than the primary aerosols.

**Challenges with commercial cooking and residential wood burning.** Council Member Solomon inquired about the Air District's authority with respect to commercial cooking, noting that the categories of regionally significant sources of PM<sub>2.5</sub> that are within the Air District's jurisdiction appear to make up 43% of the total regional apportionment. Mr. Nudd, with confirmation from Air District Legal Counsel Brian Bunger, explained that the Air District's regulatory authority for commercial cooking is clear. The Air District has an existing rule for large charbroilers. However, available post-combustion controls for restaurant cooking are too large to fit on a restaurant roof and too expensive to preserve profit margins. With respect to reducing residential wood burning, the challenge lies in overcoming cultural barriers.

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# Update on Particulate Matter (PM) Air District Work: Monitoring

## Ranyee Chiang

Director, Meteorology & Measurements, Bay Area Air Quality Management District

## Ila Perkins

Assistant Manager, Meteorology & Measurements, Bay Area Air Quality Management District

## Katherine Hoag

Assistant Manager, Meteorology & Measurements, Bay Area Air Quality Management District

<i>Main takeaway</i>	<b>The Air District's new focus on community-scale monitoring complements its ongoing region-wide monitoring efforts. UFP monitoring has been in place for several years but remains limited in scope by costs and scientific limitations of the instruments. Wildfires have caused dramatic increases to PM<sub>2.5</sub> concentration levels in the Bay Area, reversing a decade-long downward trend.</b>
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Dr. Chiang presented along with two assistant managers in Meteorology & Measurements, Ms. Perkins and Dr. Hoag, on the Air District's current monitoring network. They discussed both region-wide monitoring — largely designed to track progress against national ambient air quality standards — and more recently deployed monitoring approaches that are designed to address the Air District's emerging focus on community-scale concentrations or impacts from specific sources of emissions. In response to the Advisory Council's requests, additional information was shared regarding ultrafine particles and wildfires.

## Current Air District Work

### Regional/Regulatory Network

The Air District currently has 35 fixed air monitoring stations (as well as 20 meteorology stations) that provide timely air quality data to the public, compare PM concentration levels with national and state standards, inform air quality forecasts for the Spare the Air program, and support research studies. Most sites are selected based on the distribution of the population (2010 Census) and the concentration of pollutants, with some additional sites placed downwind of major pollution sources, to describe regional transport of pollutants, or in areas representing general background PM levels.

The measurement instrumentation used for Air District PM monitoring is described in Table 1. Mass measurements support compliance with California and national PM<sub>10</sub> and PM<sub>2.5</sub> health-based standards and designate which areas are in attainment or nonattainment; chemically

resolved or speciated data measurements support emission reduction strategies; and particle counts of smaller particle sizes support science on emissions, air quality impacts, and health effects of types of PM for which there is currently no health-based standard.

**Table 1 - Air District PM Instrumentation**

Measurement Type	Mass		Chemically resolved or speciated		Particle count
Measurement application	Compliance with standards; Designate areas as attainment or nonattainment		Support emission reduction strategies		Assess air quality impacts and exposures
Analytical Target	PM <sub>10</sub> mass	PM <sub>2.5</sub> mass	Black carbon	PM <sub>2.5</sub> speciation	Ultrafine particles (PM <sub>0.1</sub> )
Analytical Methods	Gravimetric	Gravimetric or Filter-based beta attenuation	Filter-based light attenuation	Chemical extraction	Laser-based
Number of Active Monitors	7	20	7	4	6

**Ultrafine Particle Monitoring**

**Strengths.** The Air District has conducted ultrafine particle monitoring for more than seven years in a range of sites, producing data that can be used to understand diurnal and seasonal patterns and trends as well as differences between background, near-road, and typical urban settings.

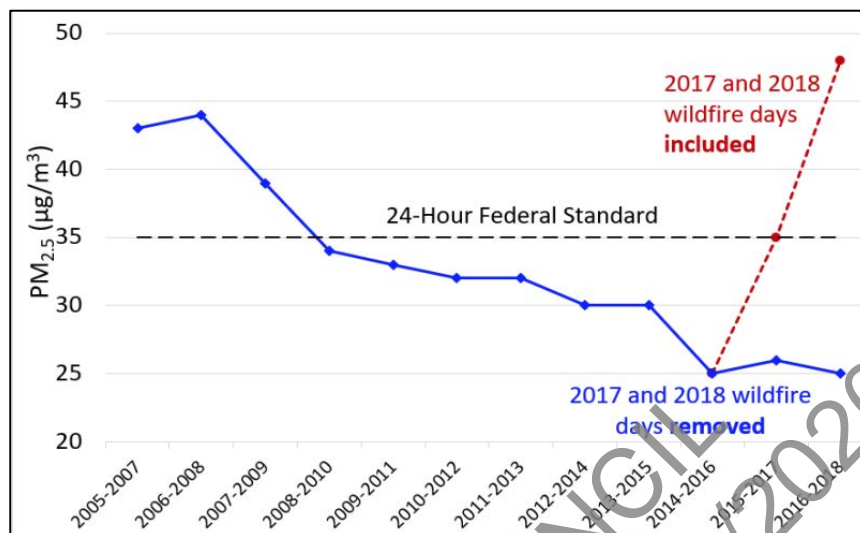
**Limitations.** Ultrafine particle instrumentation is costly (\$60,000-\$100,000 per unit), requires frequent maintenance in PM-burdened areas, and cannot presently support identification of sources and sinks or robust links to specific health impacts.

**Results.** Air District ultrafine particle monitors installed in a variety of locations reveal that UFP concentrations reflect fresh, primary particulate emissions from both combustion and secondary formation. Higher levels of ultrafine particles are seen in near-road environments, with peaks at high-commute hours and the middle of the day, indicating a photochemical signature.

**Wildfires**

Prior to 2017, occasional impacts from wildfires did not have a significant influence on year-to-year trends, yet recent wildfires have dramatically affected Bay Area PM<sub>2.5</sub> concentration levels. Figure 1 shows the overwhelming effect of wildfires in 2017 and 2018. With wildfire days

removed, there has been a downward trend in PM<sub>2.5</sub> concentration levels for the past decade, yet wildfires have caused a sharp reversal of that trend, resulting in the Bay Area substantially exceeding the 24-hour federal standard for 2016 – 2018.



**Figure 1 - Wildfire impact on 24-hour PM<sub>2.5</sub> concentration levels**

Air District initiatives to minimize exposure to wildfire PM include:

- Communicating with the public about reducing personal exposure
- Collaborating with public health officers and other agencies to ensure consistent messaging
- Funding Clean Air Centers in which vulnerable people can seek refuge
- Offering grants and incentives for recovery assistance
- Providing guidance for local organizations, particularly schools

## Forthcoming Air District Work

### Community-Scale Monitoring

Several new developments support the Air District’s new focus on community-scale monitoring:

#### Hyperlocal monitoring

In partnership with [Aclima](#), the Air District is conducting street-by-street monitoring using vehicle-mounted sensor-based instrumentation measuring NO<sub>x</sub>, CO, O<sub>3</sub>, and PM<sub>2.5</sub>, similar to previous studies Aclima performed in West Oakland and other areas. Measurements for a short-term study in the AB 617 Richmond-San Pablo study area will soon be available, and the Air District aims to use this technology to map average baseline hyperlocal air quality for the entire Bay Area within two years.



### Mobile Laboratories

The Air District is also developing a van with mobile monitoring capabilities that can perform high-accuracy, detailed mobile or short-term measurements of PM and many specific gaseous air toxics, including the amount of PM of different sizes. Potential uses of this new monitoring van include supporting localized source apportionment and prioritization, confirming and improving the understanding of air quality issues identified by the AB 617 Steering Committees, and identifying locations for further fixed-site or portable monitoring.

### Portable platforms

Highly portable, suitcase-sized monitoring systems will also be developed for battery-powered, continuous, real-time PM measurements. Although these technologies are expensive, they could enable measurements during power outages, which is important for supplying real-time air quality data during wildfires and periods of heightened wildfire hazard. These instruments can also be used to verify data from lower-cost sensor networks (such as [PurpleAir](#)).

### Combining Monitoring Strategies

Whereas the regional fixed site network is primarily focused on large-scale assessments and long-term trends, the special projects and sensor networks described in Table 2 enable more community-specific assessment. The Air District's engagement in sensor networks involves working closely with community organizations and companies to provide technical capacity building and advice regarding the advantages, limitations, and uncertainties of different technologies.

**Table 2 – Air District PM Monitoring Strategies and Objectives**

<b>Network</b>	<b>Measurements</b>	<b>Objectives</b>	<b>Limitations</b>
Regional Network	PM <sub>2.5</sub> and PM <sub>10</sub> mass	-Comparison with standards -Public information -Track long-term trends -Assess out-of-area transport	-High cost -Information gaps at community scale
Special projects: -fixed site -mobile laboratory -portable platforms	-PM size distribution -PM speciation -Ultrafine particles -Black carbon	-Source identification -Assessment of specific emission sources -Characterization of near-road environments	-High cost
Sensor networks: -fixed site -mobile/portable	-PM mass -Particle count	-Public education -Personal exposure monitoring -Identification of hot spots -Comparative assessment of local air quality -Tracking high-PM episodes	-Higher level of uncertainty

To strengthen these approaches, the Air District will complete an **Integrated PM Network Assessment by July 2020** to evaluate its PM measurement network and recommend

improvements. The assessment aims to determine how available resources and multiple monitoring approaches can best be deployed not only to continue addressing federal and state requirements but also to support and expand community-scale air monitoring activities and other Air District programs.

## Post-Presentation Discussion

### Ultrafine Particles

- **Monitoring costs.** Council Member Solomon inquired whether ultrafine particles monitoring equipment costs are expected to drop in the foreseeable future. Ms. Perkins replied that the Air District relies on one primary manufacturer and does not anticipate near-term cost reductions. Council Member Solomon introduced the idea of a challenge to technology developers to accelerate innovation in the direction of affordability. Dr. Chiang responded that she would contact representatives from the Environmental Protection Agency and CARB to investigate the possibility of pooling resources to propose such an initiative.
- **Data application.** Council Member Rudolph asked how the Air District's ultrafine particle data is being used to improve public health. Dr. Hoag responded that the data adds to the imperative to reduce roadway emissions. Mr. Nudd added that the Air District is implementing project grants to install filtration in near-roadway schools and is advising the Plan Bay Area initiative on limiting near-roadway exposures.
- **"We need more science, and we should act."** Chair Hayes reiterated the message from the first PM Symposium that while it is clear that more science is needed on UFP — including a federal reference method standardizing ultrafine particle measurement and epidemiological studies linking exposures to health effects — the Air District should also take immediate action.
- **Near-road health effects.** Following clarifications from Air District staff that the high levels of monitored UFP were due to roadway proximity, Council Member Kleinman pointed out that the documented health effects of near-road environments include low birth weight and cardiovascular problems. While there are many challenges for ultrafine particle research, including the difficulty of assessing dosage due to the extraordinarily low mass of UFP, studying the health effects of near-road environments may be an effective approach to understanding UFP exposures. He added that ultrafine particle concentrations drop precipitously as the distance from the roadway increases, with particle counts dropping by 80% at a 100-meter distance from the center of the road (and an additional 80% at a further 100 meters). Therefore, zoning regulations, berms, and buffers can make a significant difference in limiting exposures.
- **Combustion as source of UFP.** Dr. Hoag clarified in response to Council Member Borenstein's question about brake and tire wear and road dust that the source of UFP is combustion, not vehicle wear or road dust. She further clarified in response to Council Member Tim Lipman's question about ultrafine particle precursors that the sources of UFP appear to be anthropogenic.

- **Stationary sources and UFP.** Council Member Solomon asked whether the Air District has investigated UFP emissions from stationary sources. Dr. Hoag responded that such analysis has not been conducted, in part because UFP concentrations are unlikely to remain high outside the perimeter of the facilities due to the distance-based decreases in particle counts described above. However, she stated that this type of measurement could be a possible application for the new mobile and portable monitoring technologies.
- **UFP gradient studies in the Bay Area.** Council Member Solomon asked whether the Air District is conducting studies to assess the persistence of UFP concentrations at increasing distances from Bay Area roadways. Dr. Hoag replied that this analysis had not been undertaken as part of UFP monitoring in the Bay Area but that many previous studies had established the patterns of near-roadway UFP distribution, including the influence of meteorology, topography, and roadway design.

**Data sharing.** Council Member Rudolph also asked for clarification on how data is being shared with the public. Mr. Breen stated that regional network monitoring data is available on the Air District website (<http://www.baaqmd.gov/about-air-quality/current-air-quality>). Dr. Hoag added that the community-scale data being collected by Acima will also be publicly available once it has undergone quality assurance.

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# Update on Particulate Matter (PM) Air District Work: Grants and Incentives

## Karen Schkolnick

Director, Strategic Incentives, Bay Area Air Quality Management District

<i>Main takeaway</i>	<b>Since 1991, more than \$1.2 billion has been invested through the Air District's grants and incentives programs, resulting in significant emissions reductions and accelerated adoption of cleaner and zero-emission technology. Because these initiatives are not subject to regulatory constraints, the Air District is able to use the great majority of funds to target mobile sources. However, programs are constrained by the requirements of the funder — for example, there is only one source of funding that can be used for VMT reduction.</b>
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Ms. Schkolnick presented a summary of the Air District's grant revenue sources, current grants and incentive programs, and recent program results. She highlighted several key initiatives that incentivize the accelerated adoption of the cleanest commercially available technology and discussed how these programs connect to other Air District priorities including health risk reduction in communities disproportionately impacted by air pollution.

## Current Air District Work

### Prioritization Process

Because grants and incentive programs are not tied to regulatory constraints, the Air District is able focus almost all of its funding through these programs (90 to 95%) on reducing mobile-source emissions. Most of this funding goes toward accelerating the adoption of the cleanest commercially available technology. An additional priority is expediting emissions reductions in disproportionately impacted communities.

The cost effectiveness (CE) of nearly all programs is evaluated using the following formula (or a variant) from the Carl Moyer Program, established by the State of California and CARB:

$$CE = \frac{\text{Funds Awarded}}{\text{Tons of } NOx + ROG + (PM_{10} \times 20) \text{ reduced}}$$

Notably, this formula has changed over 20 years by incrementally increasing the weighting of PM from 1 to 20, reflecting the State's interest in health protection.

### **Current Funding Allocation**

\$97 million from grants and incentives in 2018 were allocated to:

- **On-road emissions reduction — \$32 million (one third)**, supporting both deployment and infrastructure for lower- or zero-emission light-, medium-, and heavy-duty vehicles (cars, trucks, and buses). Notably, pass-through programs also support this category, so the total amount of support is higher than this number.
- **Off-road mobile source emissions — \$44.4 million (almost half)**, from sources such as cargo handling equipment, agricultural equipment, marine and locomotive vehicles, and airport ground support. These are primarily diesel emissions and the cleanest commercially available technology in most cases is cleaner diesel, transitioning from Tier 0 or 1 to Tier 4 engines, although some electrification is now occurring such as Caltrain and lighter cargo handling and air ground-support equipment.
- **Vehicle Miles Traveled (VMT) reduction — \$6.2 million (plus nearly \$9 million in pass-through)**, including shuttle and ride-share services connecting to mass transit, pilot services such as Bay Area Bike Share (now sponsored by Lyft), and expansion of bikeways and bike parking. The Spare the Air program is also funded in this category. For the Spare the Air program, funding is also supplied through pass-through programs, so the total amount of support is higher.
- **Household technology and local climate action — \$5.1 million**, including lawn and garden equipment replacement, wood smoke reduction (now focused on reducing combustion through transition to heat pumps), and capacity-building for schools and local government.
- **Pass-through to county transportation agencies — \$9.5 million**, primarily to implement trip reduction and on-road vehicle emissions reduction.

### **Notable Initiatives**

#### Diesel Free by '33

This program focuses on introducing zero-emission technology in each category of vehicles and equipment as soon as it becomes commercially available. While the present focus is on the light-duty sector, the program is designed to incorporate categories such as marine, locomotive, and construction vehicles and equipment as technology evolves.

The **light-duty sector** demonstrates the expected pattern: While hybrid and natural gas vehicles were the best available technology 10 years ago, zero-emission vehicles have since emerged and become a focus for Air District grants and incentives funding. Currently:

- More than \$15 million has been invested by the Air District, plus additional investments from the federal and state government and the private sector to help accelerate the adoption of light-duty zero-emissions vehicles
- Almost 8,000 electric vehicle charging ports are in place

- Renewables are included in 25% of Air District-supported charging ports
- Low-income residents are a focus for vehicle electrification programs
- 3% of Bay Area vehicles are electric
- 25% of all electric vehicles in the U.S. are in the Bay Area
- Goal: Five million vehicles by 2050
  - Presently ahead of schedule
  - Limitation is availability of vehicles

#### R&D advanced technology demonstration programs

The Air District also participates in advanced demonstration programs, which provide proof-of-concept for the deployment of improved technologies that are not yet commercially available. The Air District has recently been serving as the lead administrator for a \$2.9 million project in partnership with Goodwill Industries, BYD (a manufacturer of heavy-duty battery electric vehicles and equipment) and CARB. This project will test and deploy 10 electric delivery trucks and one refuse hauler. Another \$3 million project in partnership with Golden Gate Zero Emissions Marine and CARB will build, test, and deploy the first hydrogen-powered ferry for passenger service in mid-2020. Both of these projects are funded primarily through the California Climate Investments program from CARB's Low Carbon Transportation program.

#### Port of Oakland

Over the course of ten years, Air District grants have invested approximately \$120 million in retrofitting and replacing vehicle technology and infrastructure at the Port of Oakland, including replacing approximately 2,000 drayage trucks and more than 1,000 on-road trucks, installing shore power at 14 berths, and updating harbor craft and cargo handling equipment.

#### Recent (since 2015) Results and Highlights

##### Significant reductions in regionwide emissions

- CO<sub>2</sub>: nearly 600k tons
- NO<sub>x</sub>: more than 3K tons
- Reactive organic gas: more than 1K tons
- PM<sub>10</sub>: nearly 400 tons

##### Infrastructure and equipment implemented

- More than 1,000 electric vehicle charging stations
- Approximately 40 miles of bikeways
- More than 1,200 woodstoves and fireplaces replaced
- More than 100 zero-emissions transit and school buses

##### Supporting disproportionately impacted communities

Approximately 53% of funds went to programs in Community Air Risk Evaluation (CARE) areas.

##### More than \$1.2 billion in total investments

Through 2020, clean air investments from Air District grants and incentives total over \$1.2 billion. This figure represents significant growth since these programs were initiated in 1991 with approximately \$5 million.

## Forthcoming Air District Work

For 2020, an estimated \$108 million will be invested through the Air District's Strategic Incentives programs. In addition to the continuation of the initiatives described above, including the expansion of eligible vehicles and equipment for Diesel Free by '33, the Air District will promote:

- expansion of **lawn and garden** equipment replacement programs,
- reducing **motorcycle** usage,
- funding **air filtration systems** and **clean air shelters**,
- funding **climate resilience** programs, and
- securing **new sources of funding** to expand eligibility of existing programs (such as VMT reduction) and initiate new efforts.

## Post-Presentation Discussion

**Successes.** Chair Hayes and Council Member Rudolph commended the Air District's successes through its grants and incentives programs, particularly with regard to the Port of Oakland and other initiatives targeting diesel particulate matter.

**VMT reduction.** Council Member Rudolph asked why more funding had not been allocated to VMT reduction and inquired whether the Carl Moyer formula disincentivized VMT as a focus. Ms. Schkolnick explained that while VMT reduction is a priority for the Air District, efforts are limited by available funding sources. The only funding stream that allows for VMT reduction is the Transportation Fund for Clean Air. Annually, of that fund's approximately \$25 million, \$9 million is allocated as a pass-through to county transportation agencies and used primarily for VMT reduction. The Air District's remaining amount from that fund is split between light-duty emission reduction programs and reducing VMT. Additionally, the Air District partners with the Metropolitan Transportation Commission on regional efforts such as the [Bay Area Carpool Program](#) through 511.org and Spare the Air. Mr. Breen added that the new focus on VMT and reducing brake and tire wear and road dust comes as a result of the Air District's successes in reducing emissions from diesel particulate matter, which was previously the predominant source of PM and remains a significant health concern in disproportionately impacted communities. He noted that the science has not yet caught up to the change in priorities, and that the Air District can advocate for changes in legislation once that science is clear.

**Retirement of diesel equipment.** Council Member Lipman inquired whether the Diesel Free by '33 initiative is retiring diesel vehicles and equipment or only adding additional lower- and zero-emissions technologies to fleets. Ms. Schkolnick clarified that nearly all Diesel Free by '33 programs are replacement programs.

**Evaluation formula.** Chair Hayes asked for clarification on the use of the Carl Moyer guidelines for evaluating cost effectiveness. In response to Chair Hayes' question concerning the designation of PM<sub>10</sub> as the focus of emissions reduction, Ms. Schkolnick affirmed that the formula does specify PM<sub>10</sub> rather than PM<sub>2.5</sub>. She added that there has been some discussion about converting the formula to PM<sub>2.5</sub>, but it is not clear how the formula would need to be altered to result in an equivalent evaluation. She also clarified in response to Chair Hayes' question about sidebar calculations that the Air District does use additional and more complex calculations to further evaluate some programs, such as co-benefits, PM<sub>2.5</sub>, brake and tire wear and road dust, and proximity to disproportionately impacted communities. Council Member Kleinman commented that the risk of specifying PM<sub>10</sub> is that coarser particles are easiest to remove and, due to their greater mass, will reflect a greater apparent reduction of emissions while potentially leaving in place all the PM<sub>2.5</sub>. He noted that to ensure health protection it would be beneficial to apply an alternative formula that balances that risk. Mr. Breen clarified that while the Carl Moyer Program requires the application of the specified formula, the tools that the Air District uses (such as calculating Significant Emissions Rates and using diesel particulate matter filters) do capture PM<sub>2.5</sub>. He acknowledged that the more difficult correlation to establish is the degree to which applying the Carl Moyer guidelines using Air District approaches succeeds in reducing ultrafine PM.

**Renewable charging stations.** Council Member Kleinman asked how many of the approximately 8,000 electrical vehicle charging stations use renewable energy. Ms. Schkolnick replied that while she did not have information about all of the charging stations in the area, approximately 25% of the stations that the Air District has funded use renewable energy (primary solar).

ADVISORY COUNCIL  
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# Update on Particulate Matter (PM) Work: CARB PM Research and Rules

## **Alvaro Alvarado**

Manager, Health & Ecosystems Assessment, California Air Resources Board (CARB)

<i>Main takeaway</i>	<b>CARB is currently conducting research to better understand the air quality impact of wildfires, brake and tire wear, and ultrafine particles. New and forthcoming regulations will soon be implemented to further reduce emissions from mobile sources.</b>
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Dr. Alvarado described the PM research currently being conducted at the California Air Resources Board and the emerging regulations designed to further decrease PM emissions. In line with the Advisory Council’s requests, he focused on research concerning wildfires, brake and tire wear, and ultrafine particles. Several regulations are underway or forthcoming regarding trucks, cars, and trains.

## **Current CARB Research**

**Why PM?** Dr. Alvarado began his presentation by highlighting the health impacts of PM including approximately 7,200 premature deaths each year in California. Although CARB regulations specifically track hospitalizations and emergency room visits as health outcomes of PM, CARB is also aware of and concerned with outcomes such as asthma attacks and other respiratory symptoms, adverse brain effects, and work loss days. He noted that regulations implemented over the past 25 years, particularly with respect to trucks, have contributed to substantial decreases in average PM<sub>2.5</sub> concentrations.

### **Wildfires**

Millions of Californians — by some estimates, the entire State population — were exposed to wildfire smoke in 2018, and wildfires are expected to become more frequent and widespread as a result of climate change. Although the current assumption is that all PM is equally toxic, this may not be the case; as wildfires cause more extensive damage there will be more combustion of structures and vehicles that could cause more toxic smoke. Effects could be particularly pronounced for children and older adults. Current CARB research includes:

- **Monkey study at UC Davis.** As Office of Environmental Health Hazard (OEHHA) Director Lauren Zeise described during the first Air District PM symposium, UC Davis researchers are investigating the effects of the 2008 wildfires on an outdoor captive monkey colony. When compared to monkeys in the population born in 2009, monkeys that were infants in 2008 experienced impaired immune function, changes in lung structure, and reduced

lung function, which persisted into adulthood. Moreover, immune effects were passed on to the next generation.

- **Wildfire emissions research.** Researchers at UC Berkeley and UC Riverside are using mobile monitoring platforms to investigate in-home exposures to wildfire smoke, and CARB is partnering with NASA to use aircraft to collect wildfire data.

### **Brake and Tire Wear**

As previously noted by other presenters, as tailpipe emissions are reduced, brake and tire wear become more predominant sources of mobile-source PM. These emissions are more localized; whereas tailpipe emissions are associated with secondary PM and downwind exposures, brake and tire wear primarily affect people living near roadways. Health effects from brake and tire wear may be distinct from tailpipe emissions due to the presence of metals and plastics in wear-based PM emissions. Current CARB research includes:

- **Laboratory studies** quantifying brake and tire wear emissions using dynamometers,
- **Community exposure** studies with UC Riverside, and
- **Health effects** studies with UCLA.

### **Ultrafine Particles**

Dr. Alvarado reiterated that ultrafine particles are difficult to measure and study, that it travels from the lungs to other organs including the brain, and that concentrations vary by space and time with peaks near roadways and during traffic that taper off at a distance and at night. He noted that prior research, primarily in Europe, has limited utility as it tends to focus on short-term exposures (one to four days) measured at only one location and using the extreme outcomes of hospitalizations and premature death. If ultrafine particles are similar to PM<sub>2.5</sub>, long-term exposures can be expected to be far more significant than short-term exposures and indexed to population proximity and vulnerability.

To begin closing these research gaps, current CARB research is 1) **modeling ultrafine particles** annual average concentrations and speciation throughout the state and 2) **associating mortality** with long-term exposures using the California Teachers Study cohort. Preliminary results suggest an increased risk of premature death with high exposure to ultrafine particles. Additionally, to better understand health effects of short-term exposures to UFP, CARB is working with Council Member Kleinman to identify gaps in available research and develop a research plan.

### **Forthcoming CARB Regulations**

A number of regulations will soon be implemented to further reduce mobile source emissions.

## **Heavy-Duty Trucks**

- Advanced Clean Truck Regulation will transition heavy-duty trucks to zero emissions starting in 2024.
- Heavy-duty vehicle inspection and maintenance will require trucks to pass an inspection similar to a smog check in order to register with the California Department of Motor Vehicles.
- Innovative Clean Transit will transition public transit buses to zero emissions.
- Airport shuttles will also be transitioned to zero-emission vehicles by 2035.
- The Heavy-Duty Low NO<sub>x</sub> omnibus rule will reduce NO<sub>x</sub> as well as PM from diesel trucks, thereby addressing both primary and secondary PM.

## **Warehouses**

- CARB is developing a Freight Handbook outlining best practices for warehouses to reduce their contributions to emission levels.
- New regulations are being developed for:
  - Transport refrigeration units,
  - Drayage trucks, and
  - Cargo handling equipment.

## **Passenger Cars**

- Advanced Clean Cars 2 will increase the number of zero-emission vehicles on the road and reduce tailpipe emission through 2026.
- Catalytic converter theft reduction is being implemented to ensure that converters are stamped by manufacturers and registered with cars.

## **Trains**

CARB is currently working with railyards in southern California to reduce idling. Lessons from this effort will be applied statewide, potentially through regulation, to reduce emissions from trains.

## **Post-Presentation Discussion**

**Next steps?** Chair Hayes asked for the presenter's opinion on the next steps to improve public health. Dr. Alvarado, who clarified that he was speaking on behalf of himself and not CARB, replied that his priority would be to utilize low-cost in-home monitors to better understand how short-term localized exposures are affecting people in disadvantaged communities. This information could be used to direct regulations and resources toward improving health among the most vulnerable Californians, in line with AB 617.

**Addressing brake and tire wear and road dust.** Noting that Dr. Martien's presentation revealed that the great majority of PM emissions experienced in West Oakland are from regional sources, Chair Hayes inquired whether brake and tire wear and road dust contribute to these regional-source exposures and whether these issues are under CARB's regulatory authority. Dr. Alvarado replied that he could not speak to CARB's authority on these matters, but that brake and tire wear and road dust are more localized issues. Council Member Kleinman commented that regenerative braking technology appears to reduce brake wear and could be a useful target for incentive structures. Council Member Lipman clarified that such technology can only be used with hybrid vehicles, but that it could be promising as an innovation that benefits both fuel efficiency and PM reduction.

**Relative health impact of wildfires.** Chair Hayes asked the presenter to characterize the relative contribution of wildfires to public health risk in comparison to day-to-day PM emissions from other sources. Dr. Alvarado responded that while there was not sufficient research to quantify the impact of wildfires at their newly intensified levels, it does appear that wildfire smoke has health effects similar to those of other types of PM exposure.

**Defining premature death.** Council Member Lipman asked for clarification on how premature death is defined in CARB's calculations. Dr. Alvarado, along with Council Members Kleinman and Rudolph, clarified that the calculation is a statistical analysis of population-level loss of life relative to life expectancy.

**New technologies increasing UFP?** Council Member Solomon recalled that when natural gas and diesel reduction technologies were first being developed for transportation, there was some concern that they could increase ultrafine particle emissions. She asked whether that prediction had been accurate. Dr. Alvarado responded that while he would need to check to be certain, he believed that an initial increase in ultrafine particles was seen in early natural gas vehicles, but the problem had since been addressed through controls.

# Update on Particulate Matter (PM) Air District Work: PM Rules and Regulatory Development

## Victor Douglas

Manager, Rule Development, Bay Area Air Quality Management District

<i>Main takeaway</i>	<b>The Air District continues to update its rules and regulations to further limit PM exposures. As its focus shifts from an exclusively regional perspective to reducing risks for disproportionately impacted local communities, the Air District is exploring the possibility of treating PM as a toxic air contaminant. Although the State of California does not presently recognize undifferentiated PM as an air toxic, it may be possible for the Air District to do so independently.</b>
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Mr. Douglas presented a brief overview of the history, current efforts, and emerging directions for rule development in the Air District. He described how the Air District's emerging focus on health risks for local communities is prompting further consideration of rulemaking regarding stationary source emissions and potential treatment of undifferentiated PM as an air toxic.

## Current Air District Work

### Approaches

The Air District has approached PM regulation in three distinct ways:

1. As a **nuisance**, which was the initial approach in the first Air District regulations adopted in 1979 and 1980 regarding open burning and dust and aerosols.
2. As a **criteria pollutant**, which is the current, regional approach to undifferentiated PM governing attainment of ambient air quality standards. These regulations apply to both primary PM (filterable and condensable) and precursors of secondary PM (oxides of nitrogen and sulfur dioxide). With this approach, the Air District selects the most cost-effective strategies to achieve regional standards.
3. As an **air toxic**, which is the approach taken specifically to diesel PM to limit localized exposures. The air toxic approach can be either risk-based (utilizing modeling) or technology-based (limiting emissions from specific sources, such as dry-cleaning facilities or backup generators).

Mr. Douglas mentioned that a forth potential approach would be to consider climate impacts.

### Regulations and Rules

There are 57 Air District rules that directly or indirectly address PM, housed within a range of regulations including those governing permits, open burning, inorganic gaseous pollutants,

hazardous pollutants, and miscellaneous standards of performance. Several PM regulations and rules have been updated since 2012, including a new Regulation 6 on Particulate Matter established in 2018.

Mr. Douglas specifically highlighted **Air District Rule 11-18: Reduction of risk from air toxic emissions at existing facilities**. Recent revisions to this rule reduced the threshold limit on toxic air contaminants by an order of magnitude (from 100 ppm to 10 ppm), requiring approximately 80 existing permitted facilities to develop plans to reduce their emissions or install best available control technologies. This rule is one example of the Air District's emerging focus on localized, community-specific exposures and health risk. Another example he mentioned is **Rule 6-5: Particulate emissions from refinery fluidized catalytic cracking units**, which was recently revised to further reduce localized PM emissions from refineries.

## Forthcoming Air District Work

### Localized Sources

As the Air District turns increasing attention to localized health impacts of PM for disproportionately impacted communities, it is exploring further regulation regarding:

- **Restaurants,**
- **Wood smoke,** and
- **Indirect or magnet sources** (e.g. warehouses, which do not directly emit PM, but attract PM-producing traffic such as diesel trucks).

### PM as an Air Toxic

The Air District is also engaged in exploring the possibility of approaching undifferentiated PM as an air toxic. The present constraint is that the Air District has relied on the State of California's list of toxic air contaminants, which does not include undifferentiated PM. Air District rulemaking that treats PM as a toxic could potentially be developed, independent of state-level air toxics regulations, if the Air District is able to identify appropriate methodology to perform health risk assessments.

## Post-Presentation Discussion

**Shifting focus to greenhouse gas emissions and global warming?** Council Member Rudolph asked how a hypothetical emphasis on climate impacts would shift the Air District's approach to PM regulation. Mr. Douglas responded that reducing climate impacts is a co-benefit of the other three approaches to PM (as a nuisance, criteria pollutant, and air toxic). Mr. Nudd added that an emphasis on climate impacts could shift the Air District's focus more heavily toward black carbon, but that he was uncertain of the effect such a shift would have on health risks.

Council Member Rudolph commented that climate change presents the greatest health risk to the population.

**Toxics framework.** Chair Hayes asked for clarification on the process by which undifferentiated PM could be introduced into the regulatory framework as a toxic air contaminant. Mr. Bunger explained that the first option was for OEHHA to add undifferentiated PM to its list of air toxics, which would immediately trigger its inclusion in several existing Air District rules including 11-18 (existing facilities) and 2-5 (new source review). The Air District has requested this action from OEHHA, and analysis is underway at the state level, but the Air District does not have the power to compel such action by the State. However, in theory, the Air District does have the ability to independently classify undifferentiated PM as a toxic air contaminant and treat it accordingly. To do so, the Air District would need to identify appropriate methodology to use for health risk assessment. Chair Hayes noted that the Air District already concerns itself with controlling source-specific PM emissions in its modeling regarding attainment of ambient air quality standards. Mr. Bunger clarified that such analysis does not presently apply to every source of PM emissions, as it would if PM were classified as an air toxic. Board Member Sinks asked whether OEHHA has committed to a schedule for evaluating undifferentiated PM for potential inclusion on its air toxics list. Mr. Nudd responded that he does not observe a willingness on the part of OEHHA to enact statewide recognition of undifferentiated PM as an air toxic in the near term, likely due to present challenges in some parts of the state with meeting existing federal air quality standards. However, he explained that OEHHA is assisting the Air District with its PM analyses, and does appear willing to support the Air District (at least through peer review) if it moves toward independently recognizing undifferentiated PM as a toxic. Mr. Bunger noted that the Air District is also exploring other distinct PM species (besides diesel PM) as air toxics.

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## Discussion of Draft October PM Symposium Report and Advisory Council Q&A Document

The Advisory Council discussed the draft report on the October PM Symposium prepared by consulting technical writer Elisabeth Andrews on behalf of the Air District, available online at <https://www.baaqmd.gov/news-and-events/conferences/pm-conference>.

The Advisory Council briefly considered potential updates such as revising the “topics for further exploration” identified in the draft report into Advisory Council findings and creating further content for the “Next Steps” section. Chair Hayes also introduced the prospect of incorporating an additional document into the report. That document, which he initiated, provides responses to the questions originally posed by the Advisory Council and the Air District to the October PM Symposium panelists (see Appendix for the list of questions). His aim was to distill the information shared by the panelists into concise answers to each of the questions. Ultimately, the Advisory Council determined that because the purpose of the October PM Symposium report was to serve as a record of the October PM Symposium, it was appropriate to limit that report’s contents to what had been shared during that event.

**Edits to Draft October PM Symposium Report.** Three clarifying edits were made to the October PM Symposium report draft, all within the section on “Advisory Council Deliberation.” The Advisory Council agreed to release the draft report for public comment following these edits.

**Progress of Q&A document.** Council Member Solomon volunteered to assist Chair Hayes in further developing the question-and-answer document. Several Advisory Council members made suggestions regarding the draft Q&A:

- Council Members Solomon and Kleinman supported recommending the treatment of PM as a non-threshold toxic. Council Member Kleinman noted that the dose-response relationship appears to be curvilinear rather than linear.
- Council Member Solomon argued for incorporating information from the forthcoming March PM Symposium (focused on community organizations) into the Q&A.
- Council Member Rudolph stated the need to emphasize new evidence for likely causal relationships between PM and specific health effects and the greater sensitivity of vulnerable populations. She also noted the importance of reducing ambient PM levels as much as possible in the presence of events such as wildfires that cannot be placed into a regulatory framework.



## Public Comment

Three opportunities were provided for public comment: prior to presentations from Air District staff, following presentations from Air District staff, and toward the close of the meeting following Advisory Council deliberation on the October PM Symposium Summary draft report. A list of the commenters follows; their comments are categorized by topic and summarized below.

### List of Commenters

**Dr. Ashley McClure**, primary care physician, Oakland

**Jed Holtzman**, 350 Bay Area

**Greg Karas**, Communities for a Better Environment

**Richard Grey**, 350 Bay Area

### Comments

**Structure of public comment.** Dr. McClure suggested that comment on agenda items should take place after the agenda items had been discussed by presenters and the Advisory Council. Mr. Holtzman requested that the Advisory Council determine and publicize the timing of public comment periods in advance of Advisory Council meetings. Council Member Borenstein concurred with Mr. Holtzman's suggestion, and Chair Hayes indicated that the Advisory Council would implement this suggestion by formally determining public comment periods in advance so that people who wish to comment can plan when to be present at Advisory Council meetings.

**Urgency.** Dr. McClure stated that the October PM Symposium left little ambiguity regarding the health impacts of PM, and asked why further symposia were necessary prior to rulemaking. Mr. Holtzman also questioned the pace of progress and the duration of time between meetings. Council Member Borenstein stated that while the Advisory Council was interested in recommending the Air District move toward stricter PM controls, it was not yet clear precisely what the targets should be. He emphasized the importance of measured and deliberative action, as rulemaking is likely to be challenged in court.

**Strong statements.** Addressing the need to establish a public record to support rulemaking, Mr. Holtzman urged Advisory Council members to "be very fierce in your statements" regarding the implications of the science.

**Zero-carbon economy.** All four commenters spoke of a need to phase out fossil fuel combustion and transition to a zero-carbon economy. Tying fossil fuel combustion to the climate conditions that have led to increased wildfires, commenters emphasized that reducing

risks from wildfires can only be achieved by reducing the greenhouse gas emissions that ultimately contribute to their frequency.

**Air District actions.** Commenters recommended specific actions for the Air District:

- Set PM threshold levels based on sensitive populations (Holtzman)
- Focus separately on top local and regional sources of PM (Holtzman)
- Update modeling approaches for brake and tire wear and road dust (Holtzman)
- Address agriculture as a source of NH<sub>3</sub> emissions (Holtzman)
- Use fees on PM emitters to support increased instrumentation for speciation (Holtzman)
- Increase attention to black carbon, which has both health and climate impacts (Holtzman)
- Verify low-cost sensors and utilize their data once verified (Holtzman)
- Tighten controls on ultrafine particles, exposure to which is an environmental justice issue as risks are closely associated with proximity to sources (Karas)
- Utilize findings from the California Household Exposure Study, which measured indoor and outdoor PM<sub>2.5</sub> concentration levels and found both to be higher near refineries (Karas)
- Focus attention on refineries and the oil industry, particularly fluid cracking units (Grey)
- Develop messaging campaigns to help the public recognize the connection between sources of air pollution and health outcomes (McClure)
- Emphasize, possibly at the March PM Symposium, the meaning and values driving the pursuit of tighter air quality controls; “Give us all something to believe in” (McClure)

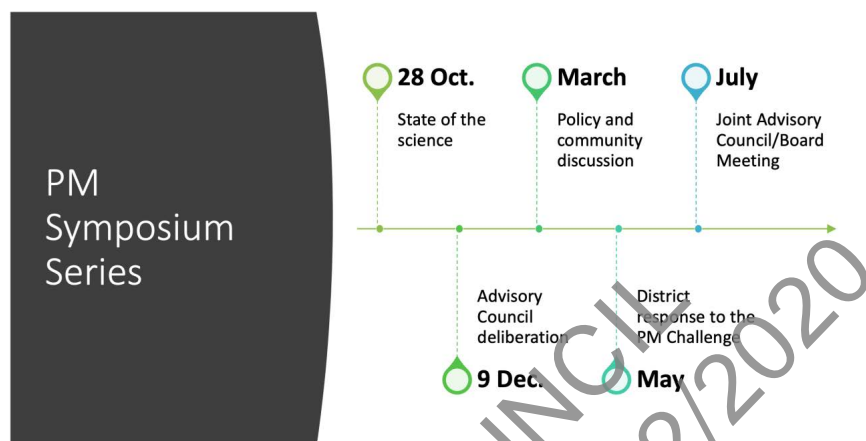
**Partner actions.** Commenters also recommended actions that are outside Air District jurisdiction:

- Pursue a tighter state standard for PM (Holtzman)
- Offer free public transit, either on Spare the Air days or at all times (McClure)

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## Next Steps

The PM Symposium Series continues as depicted in the timeline below. The next symposium will take place on March 24, 2020, in Oakland, focused on presentations from community organizations and leaders. Planning is currently underway.



Following the March symposium, the May event is expected to focus on formulating potential Air District plans to further reduce Bay Area health risks from PM, particularly for disproportionately impacted communities.

The July event brings together the Advisory Council and the Board of Directors to discuss the information and suggestions shared throughout the PM Symposium Series. During this final meeting in the series, the Advisory Council is expected to present its findings to the Board of Directors regarding particulate matter and health in the Bay Area.

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# Appendix — Questions from the Advisory Council and Air District sent to October PM Symposium Panelists

## GENERAL

- What is bullseye in clean air target? How clean is clean enough?
- How will we know when we get to target? What metrics should we use to track progress?
- How do we combine criteria pollutants and toxics? Cancer and non-cancer health endpoints? Short- and long-term effects?
- How can we make sure everyone is treated fairly?
- How can we ensure that everyone breathes clean air?
- What are most important actions that can be taken now? And, in future?

## HEALTH EFFECTS PANEL

- Are current PM standards sufficiently health protective?
- Are some species of PM more dangerous than others?
- What is role of ultrafine particles (UFPs)?
- Should form of target expand to account for more than just mass?
- How should we include draft PM ISA's new "likely-causal" health endpoints (nervous system effects, cancer) and new more sensitive populations (children, lower socio-economic status)?
- What are health impacts of high-concentration acute events (e.g., wildfires)? How should we compare them to day-to-day PM impacts?

## EXPOSURE AND RISK PANEL

- What are major sources of PM in the Bay Area?
- What PM levels exist in Bay Area? What health risks do they pose?
- How much additional health benefit can be achieved?
- How should we account for spatial scale of effects (i.e., regional versus local-scale impacts, including proximity to major sources)?
- How should we determine which measures would most move public health needle?

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Stan Hayes and Members  
of the Advisory Council

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 6, 2020

Re: Community Particulate Matter (PM) Discussion Overview

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

On February 27, 2020, approximately 30 community members from a variety of local organizations met together with Air District staff at the Bobby Bowens Center in Richmond, California. At this meeting, community members received presentations from Air District staff on particulate matter sources, emissions, and policy approaches to reducing particulate matter in the Bay Area. Community members asked questions, shared their concerns regarding particulate matter and its health effects, and discussed policy strategies.

A summary of the discussion is included for the Advisory Council's review.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Elinor Mattern  
Reviewed by: Gregory Nudd

Attachment 4A: Community Particulate Matter Discussion Summary

## **SUMMARY: Community Particulate Matter Discussion February 27, 2020**

*NOTE: A full transcript of the event is available from the stenographer. This summary aims to capture key themes in advance of the submission date for background materials for the next PM Symposium.*

### **Overview**

Community members, grassroots organization leaders, and Air District staff members met at the Bobby Bowens Center in Richmond on the evening of February 27, 2020 to gather community input on particulate matter (PM) impacts, monitoring, and regulatory efforts. The event was organized by a Design Team of community leaders with assistance from Elinor Mattern of the Air District's Community Engagement Section. Approximately 30 people attended to express their concerns regarding PM, its sources, and its health effects.

Input from community members centered on the following issues:

#### Localized PM data availability

- Desire for data beyond West Oakland
- Desire for real-time, continuous, publicly accessible localized monitoring
- Consolidating/sharing community-collected data (e.g. PurpleAir)

#### Toxicity of different PM species

- Concerns regarding severity of problems from refineries and other permitted sources (e.g. cement plant, concrete crushers, metal processing facilities)
- Skepticism regarding wood burning as a major driver of health impacts

#### Lack of observable results from prior rulemaking

- 2017 Clean Air Plan
- Crude slate inventory
- General enforceability issues

#### Potential for problems to worsen

- Issuance of new permits
- Emerging indoor air concerns (e.g. vapor intrusion) beyond the scope of the Air District
- Climate impacts
- Lengthy time horizon prior to implementation (e.g. diesel PM rules took 10 years)

This summary provides a brief background on the event. Additional details regarding these community concerns and the Air District's clarifications in reply are noted in the transcript.

## Background

The February Community Discussion in Richmond was part of a series of Bay Area events focused on health effects of PM. This series began in October of 2019 and will culminate in a set of findings from the Air District's Advisory Council to be delivered to the Air District Board. The Community Discussion preceded a planned symposium that was to be held in Oakland, originally scheduled for March 24<sup>th</sup>, 2020, but postponed due to COVID-19, at which representatives from local community organizations would present to the Advisory Council regarding local PM efforts, needs, and priorities. The purpose of the Community Discussion was to gather additional community input and engagement prior to that next Symposium.

The following community leaders worked together to organize the event with assistance from Elinor Mattern of the Air District's Community Engagement Section:

- Katherine Funes - New Voices Are Rising
- Richard Gray - 350 Marin
- Jed Holtzman - 350 Bay Area
- Ashley McClure - California Climate Health Now
- Steve Nadel - Sunflower Alliance
- Ken Szutu - Vallejo Citizen Air Monitoring Network
- LaDonna Williams - All Positives Possible

A list of community members who attended the event is provided in the attached Appendix, along with information on the missions of the organizations with which they are affiliated.

## Structure

The gathering began at 5pm with informal sharing of a meal, followed by introductions from discussion facilitators Azibuile Akaba (Senior Public Information Officer, Air District) and Laura Neish (Executive Director, 350 Bay Area). Jed Holtzman (350 Bay Area) also offered welcoming remarks. Brief presentations by Air District staff preceded the discussion portion of the event:

- Goals of the PM Symposium Series (Greg Nudd)
- Major Sources of Fine Particulate Matter (Phil Martien)
- Current & Potential Rules to Reduce PM (Jacob Finkle)
- Policy Approaches for Particulate Matter (Victor Douglas)

Attendees asked questions and contributed comments following each presentation in addition to participating in the discussion portion of the gathering. Facilitators concluded the event at 8pm. The content of these exchanges is summarized thematically in the following section. Details on Air District presentations are omitted as this information is also being shared in the PM Symposia and details are recorded in the transcript of the Community Discussion.

## Key Concerns Expressed by Community Members and Air District Replies

### Localized PM data availability

*"I think the public needs to have more access to what is going on."*

**Desire for data beyond West Oakland.** Several community members expressed frustration with the repeated presentation of West Oakland information, as such information has not been provided for other areas. For some community members, this emphasis on West Oakland felt "disrespectful" to other communities.

Air District reply: The localized analysis piloted in West Oakland is a very new approach, so it requires cautious expansion. Vehicle-mounted monitors are in the process of collecting data for the entire Bay Area. Richmond data is now available. Information for other communities will be rolled out over the next couple of years.

**Desire for real-time, continuous, publicly accessible localized monitoring.** Community members seek the capability to access "readouts" in real time to determine local air quality, particularly in the presence of unusual odors or flares. Concerns were expressed regarding current monitoring accuracy, with the example given of normal readings following permitted-facility accidents. An additional concern was the perception that polluters are not required to pay for monitoring: "Currently all this cost falls onto the community and we don't have the money. And if we don't have the money we don't have the monitoring and the business pollutes freely."

Air District reply: Monitoring is continuous and publicly accessible but not in real time. The Air District hopes to move toward real-time monitoring, but presently both sample analysis and data analysis create lags. Permitted facilities are required to conduct and pay for their own monitoring, and the Air District performs tests to confirm the accuracy of that monitoring.

**Consolidating/sharing community-collected data (e.g. PurpleAir).** As organizations and community members have begun collecting air monitoring data themselves using technology such as PurpleAir, they are seeking a means of consolidating and sharing those data. Steve Nadel of the Sunflower Alliance asked whether the Air District is working on that effort.

Air District reply: There is a new third-party "Bay Air Center" (independent of the Air District) that will provide technical support for monitor selection and siting. The California Air Resources Board has agreed to centralize air quality sensor data through their grant program. This process is likely to be challenging.

### Toxicity of different PM species

*"Just presenting the percentages [from different sources] doesn't give the full picture of toxicity. Not all particulate matter is created equal."*



**Concerns regarding higher severity of PM health effects from permitted sources.** Depiction of PM contributions from different sources as percentages of a total raised concerns for attendees who stated that some types of PM are more toxic than others. Many comments in the meeting focused on permitted sources, including oil refineries, metal processing facilities, and concrete crushers. Community representatives want to understand where the “fault lines” lie in terms of permitted facility PM fallout — for example, a community may be downwind of a refinery yet not be considered a “refinery community” depending on where boundaries are drawn.

Air District reply: Compounds that are known to be toxic (e.g. toxic metals) are independently tracked. However, there is insufficient information regarding the toxicity of undifferentiated PM, which is why the Air District takes a precautionary approach assuming all PM to be highly hazardous. Regarding impacts from permitted facilities, studies are currently being conducted by the Air District to better understand PM emissions from refineries and to track exposures from local sources of PM in disproportionately burdened communities. Additionally, new rules regarding fluidized catalytic cracking units are in the final stages of development. With respect to the East Oakland AB&I metal foundry, the Air District is involved in resolving issues with Rules 11-18 and 12-13 regarding air toxics and PM.

**Skepticism regarding wood burning as a major driver of health impacts.** A significant amount of skepticism was expressed by community members regarding wood burning as a leading PM health issue. Air District measurement and monitoring methods were questioned. There was apparent frustration with the implied equating of wood smoke to refinery smoke.

*Note:* A community member who was not able to be present at the gathering, Richard Gray of 350 Bay Area, stated upon reading the transcript that in the San Geronimo area where he lives residential wood burning does have a substantial negative impact on air quality. He expressed that certain weather patterns can cause this wood smoke to remain in the immediate area rather than dissipate, and that problems associated with that smoke exposure have prompted numerous residents to relocate.

Air District reply: Data collection on wood burning involves not only surveys and modeling but also filter analysis to reveal the components of localized PM: “We can tell what is on those filters and what fraction is from wood burning.” However, it is expected that wood burning is more prevalent in some areas than others, which will be clarified in the forthcoming community-level studies. Current science indicates that wood smoke is highly toxic.

### **Lack of observable results from prior rulemaking**

*“It seems like implementation is a problem.”*

**2017 Clean Air Plan.** Jed Holtzman of 350 Bay Area stated that many of the solutions that the Air District is currently presenting were already in the 2017 Clean Air Plan and asked what institutional constraints are preventing implementation. He also described an existing rule

requiring facilities to conduct health impact assessments and stated that two and a half years after the rule had been developed this is still not happening.

Air District reply: New approaches are being implemented to speed up the process. This PM Symposium Series is designed to ensure that the full impact of PM — as reflected in the science and the community — is clear to decision makers. In addition to the health costs, the economic costs of PM are being calculated in order to further incentivize action. Additionally, the Air District is pursuing innovative means of clarifying jurisdiction for local sources of PM, such as “magnet sources” like warehouses that attract truck traffic.

**Crude slate inventory.** Rule 12-15, requiring accurate crude inventories, was brought up by Shoshana Wechsler of 350 Bay Area/Sunflower Alliance, who asked for the status of this data.

Air District reply: There have been some reporting difficulties because legal constraints prevented the Air District from specifying formats for data collection. A means of requiring standardized reporting has now been identified and this information will soon be available.

**General enforceability issues.** Several issues with enforceability were raised, such as lack of moisture content measurement at construction sites to limit dust, and citations of violations being limited to “visibility” issues following fires at permitted facilities. Ken Szutu of the Vallejo Citizen Air Monitoring Network suggested that perhaps rather than arranging community meetings with the Air District’s rulemaking teams, these meetings should be centered on the departments responsible for enforcement.

Air District reply: The Air District does not have “police powers.” The enforcement process is carried out by the District Attorney. The Air District strives to work collaboratively with permitted facilities to ensure compliance.

#### **Potential for problems to worsen**

*“You can’t stop the cold air coming in if you close a window on one end and then open a different one on the other.”*

**New permits continue to be issued.** Much attendee support was expressed for a comment from LaDonna Williams of All Positives Possible that, despite all the discussion about reducing emissions, the Air District continues to issue permits to new sources.

Air District reply: The Air District is statutorily obligated to issue permits. However, the aim is to put the brakes on emissions in areas that are already overburdened. The Air District is developing an approach intended to consider existing PM exposures in the community in order to ensure that burden is not increased.

**Emerging indoor air concerns.** Residents are experiencing problems with toxic vapor intrusion of polychlorinated biphenyl (PCB) and trichlorobenzene (TCB) compounds in their water delivery systems. They asked how the Air District can help.

Air District reply: Although household indoor air is not within its authority, the Air District is seeking to collaborate with the Water Control Board and will be involved in a multi-agency workshop to try to speed resolution of this problem.

**Climate impacts.** A community member inquired about the connection between the health impacts under discussion and the public health threat of the climate crisis.

Air District reply: The 2017 Clean Air Plan demonstrates the linkages, with one of its three pillars focusing on health.

**Lengthy time horizon prior to changes being implemented.** Citing the example of diesel PM rulemaking taking 10 years, concern was expressed that the present process may be many years away from producing meaningful change: “How do we compress that?”

Air District reply: With the Board’s buy-in, we can start working on elements of our strategy without having to wait years. We are working to compress that timeline.

ADVISORY COUNCIL  
MEETING OF 05/12/2020

## APPENDIX - Attendee List for Community Particulate Matter Discussion – 2/27/2020

Organization	Representative(s) Attending (+ Organizational Role)	Website	Notes on Organization Mission (based on websites)
350 Bay Area	Jed Holtzman (Senior Policy Analyst)	<a href="https://350bayarea.org/">https://350bayarea.org/</a>	Bay Area organization supporting policies that promote clean energy, eliminate fossil fuels, and facilitate just and socially equitable solutions to ensure a livable planet for future generations.
350 Contra Costa	Jackie García	<a href="https://350bayarea.org/350contracosta">https://350bayarea.org/350contracosta</a>	Contra Costa team of 350 Bay Area (see above)
All Positives Possible	LaDonna Williams (Programs Director), Pat Dodson and Janniece Murray	<a href="https://www.guidestar.org/profile/61-1588146">https://www.guidestar.org/profile/61-1588146</a>	East Bay nonprofit supporting efforts of low-income communities of color to confront crises of environmental health and injustice.
Bayview Hunters Point Resident	Raymond Thompkins	N/A	N/A
California Climate Health Now	Ashley McClure, Cynthia Carmichael	<a href="https://www.climatehealthnow.org/">https://www.climatehealthnow.org/</a>	California physicians and health professionals “who recognize climate change as the public health and equity emergency of our lifetimes.”
Communities for a Better Environment	Andrés Soto	<a href="http://www.cbecal.org/">http://www.cbecal.org/</a>	California environmental justice organization focused on global climate issues and local transformation toward sustainable communities. Provides organizing skills, leadership training, and scientific and legal assistance.
Groundwork Richmond	Jen Fong	<a href="http://www.groundworkrichmond.org/">http://www.groundworkrichmond.org/</a>	Richmond environmental organization helping youth develop leadership potential through science, technology, engineering, arts, and math.
Higher Ground Neighborhood Development Corp.	Khariyyah Shabazz (Assistant Programmatic Director) and Reggie Archie	<a href="http://www.highergroundndc.com/">http://www.highergroundndc.com/</a>	Oakland-based neighborhood development corporation focused on youth.
Interfaith Climate Action Network of Contra Costa County	Will McGarvey,	<a href="http://www.ican-cc.org/">http://www.ican-cc.org/</a>	Contra Costa County organization educating faith and non-faith communities about mitigating climate change and providing advocacy on their behalf to ensure oppressed community voices are heard by policymakers, industries, and other organizations.

New Voices Are Rising/Rose Foundation	Katherine Funes (Youth Engagement Co-Director) & 3 youth	<a href="https://rosefdn.org/new-voices">https://rosefdn.org/new-voices</a>	Oakland-based project seeking to increase civic participation within underrepresented communities, increase young people's commitment to environmental justice, and reduce air and water pollution in the SF Bay Area. Part of the Rose Foundation for Communities and the Environment.
No Coal in Oakland	Misao Brown	<a href="https://nocoalinoakland.info/">https://nocoalinoakland.info/</a>	Oakland-based organization campaigning to stop the threat of coal being transported by rail into Oakland for export overseas.
No Coal in Richmond	Jaime Perez	<a href="https://ncir.weebly.com/">https://ncir.weebly.com/</a>	Richmond-based organization supporting phase-out of coal and pet coke operations to protect health
Physicians for Social Responsibility	Robert Gould (President), Jeff Ritterman (Vice President of Board of Directors)	<a href="http://sfbaypsr.org/">http://sfbaypsr.org/</a>	Bay Area chapter of organization seeking to promote public policies that protect human health from climate change and environmental degradation as well as nuclear war and other weapons of mass destruction, gun violence, and other social injustices.
Rodeo Citizens Association	Janet Pygeorge, Charles Davidsen	<a href="https://rodeocitizensassociation.org/">https://rodeocitizensassociation.org/</a>	Non-profit organization devoted to issues concerning the unincorporated community of Rodeo, California. Their primary purpose is to address local concerns to health, safety and the environment.
Sierra Club Bay Chapter	Dave McCoard (Co-Chair of Energy Committee)	<a href="https://www.sierraclub.org/san-francisco-bay">https://www.sierraclub.org/san-francisco-bay</a>	SF Bay Area chapter of national grassroots environmental organization. Chapter has nearly 40,000 members. Issues include energy and climate, sustainable communities, parks and open space, environmental justice, water, and wilderness and wildlife.
Sunflower Alliance	Steve Nadel and Shoshana Wechsler	<a href="https://www.sunflower-alliance.org/">https://www.sunflower-alliance.org/</a>	Bay Area citizen group focused on halting fossil fuel production and transport, particularly in the East Bay.
Vallejo Citizen Air Monitoring Network	Ken Szutu (Chair)	<a href="http://citizenairmonitoringnetwork.org/vallejo/">http://citizenairmonitoringnetwork.org/vallejo/</a>	Vallejo citizen group collecting and publicizing local air quality data to enable rapid response to air quality problems.
Youth vs Apocalypse	2 youth	<a href="http://youthvsapocalypse.org/">http://youthvsapocalypse.org/</a>	Bay Area group of diverse young climate justice activists (ages 10-18) working to lift the voices of youth, in particular youth of color, and fight for a livable climate and an equitable, sustainable, and just world through policy advocacy. Supported by 350 Bay Area.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Stan Hayes and Members  
of the Advisory Council

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 6, 2020

Re: Update on Air District Particulate Matter (PM) Potential Policy Strategies

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Staff will provide presentations on existing and future work regarding particulate matter (PM).  
Topics to be discussed will include:

- Emissions Inventory
- Control measures identified in the West Oakland Community Action Plan
- Rule development
- Potential approaches to regulating fine particulate matter moving forward

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sonam Shah-Paul

Reviewed by: Gregory Nudd

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Report of the Technology Implementation Office Steering Committee Meeting of  
May 15, 2020

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RECOMMENDED ACTION

The Technology Implementation Office Steering Committee (Committee) received only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Committee met on Friday, May 15, 2020, and received the following reports:

- A) Electric Vehicle (EV) Program Update; and
- B) Climate Tech Finance Program Overview Update.

Chairperson Cindy Chavez will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None; and
- B) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenaflor  
Reviewed by: Vanessa Johnson

Attachment 15A: 05/15/2020 – Technology Implementation Office Steering Committee Meeting  
Agenda #3

Attachment 15B: 05/15/2020 – Technology Implementation Office Steering Committee Meeting  
Agenda #4



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Cindy Chavez and Members  
of the Technology Implementation Office Steering Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 4, 2020

Re: Electric Vehicle (EV) Program Update

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

Since 2010, the Air District has supported incentive programs that target identified barriers to electric vehicle (EV) adoption. Over the next 30 years, Bay Area EVs will need to grow from 3 percent to 90 percent of the region's fleet. The EV market is currently in the early adopter phase, which tends to include users with greater financial means than the average consumer. With the diversity of socioeconomic, geographic, and transportation needs in the region, the Bay Area must ensure that this technology transition does not leave behind or further harm specific communities.

**DISCUSSION**

To help transition the Bay Area EV market from early adopters to majority adopters, the Air District is focusing its light-duty investments on four programs:

1. Clean Cars for All;
2. A new High Mileage Fleets Program;
3. The Charge! Public EV Infrastructure Program; and
4. The 2020 Bay Area EV Acceleration Plan.

**Clean Cars for All**

The Air District's Clean Cars for All (CCFA) Program provides grants for low-income households to retire older high-polluting vehicles and replace them with a newer, cleaner vehicle or with alternative transportation options (e.g. Clipper card, e-bikes, car-sharing). Eligible vehicles for purchase or lease include hybrid electric, plug-in hybrid, hydrogen fuel cell, and battery electric vehicles. The program was launched in March 2019 and has \$14 million in funding from the California Air Resources Board (through California Climate Investments cap-and-trade dollars and Volkswagen (VW) settlement funds).

Staff will update the Steering Committee on the implementation of the CCFA Program. Staff are seeking input from the Steering Committee on additional outreach channels and opportunities for program expansion throughout the Bay Area.

### High Mileage Fleets

The High Mileage Fleets Program will open in June 2020. The High Mileage Fleets Program provides funding to purchase or lease new light-duty zero-emission vehicles. Eligible vehicles include battery electric vehicles or fuel cell vehicles. This Program targets high mileage fleet operators, such as transportation network companies and ride-share operators. Eligible projects must include a minimum of 20 vehicle purchases and are eligible for \$5,000 per vehicle in grant funding. Up to \$2 million in Transportation Fund for Clean Air (TFCA) funding is available for Fiscal Year Ending (FYE) 2021. Staff are seeking input from the Steering Committee on the direction of the Air District's zero-emission fleet program.

### Charge!

Projections in the Bay Area indicate a severe gap in needed EV charging stations to support EV adoption goals. The Air District created the Charge! Program in 2016, to rapidly expand and support the installation of EV charging stations in the Bay Area. Staff are currently planning the next cycle of the Charge! Program to tentatively open towards the end of the year. Staff are seeking input from the Steering Committee on new and innovative EV charging technologies that may be integrated into Air District programs. Staff are also seeking input and feedback on the availability of data to support mode-shift behavior, specifically on the impact of EV charging stations on the adoption of EVs.

### Bay Area EV Acceleration Plan

To guide the region's EV market transition from early adopters to majority adopters, the Technology Implementation Office is developing the Bay Area EV Acceleration Plan, in partnership with Bay Area stakeholders. The Plan will build off various EV plans and initiatives at the local, county, and regional levels, and include several action items, toolkits, and resources to help the Bay Area community accelerate EV adoption. Staff are seeking feedback from the Steering Committee on our interpretation of the results of the market research, surveys, and focus groups. Staff also seek input on best practices for implementing regional plans: how to balance state and local outreach for the Plan, and keys to success to ensure that the Plan is shared and used broadly.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Rebecca Fisher  
Reviewed by: Anthony Fournier

TECHNOLOGY IMPLEMENTATION OFFICE  
STEERING COMMITTEE MEETING  
OF 05/15/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Cindy Chavez and Members  
of the Technology Implementation Office Steering Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 4, 2020

Re: Climate Tech Finance Program Overview Update

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

The Climate Tech Finance program is the Air District's first incentive program to reduce greenhouse gas (GHG) emissions at industrial facilities. The program offers two financing vehicles: loan guarantees to improve access to credit for climate technology developers, and direct loans to improve local government access to capital when buying GHG-lowering technologies. These financial products are offered through a partnership with the California Infrastructure and Economic Development Bank (IBank). The Air District has committed an initial amount of \$4 million for this revolving loan program.

Prior to program launch, the Air District published the Climate Technology Review, an assessment of nearly 200 climate technologies. The evaluation focused on technologies in the early commercialization stage that have demonstrated technical merit, high potential to reduce GHGs, and strong cost-effectiveness and return on investment. The report identified specific technologies and sectors that would benefit from accelerated project development if offered appropriate financial incentives.

Based on this assessment, staff conducted targeted outreach to technology developers and potential technology adopters to identify prospective borrowers and climate projects for Climate Tech Finance. For promising climate projects, the Air District provides an engineering evaluation to certify the technical merit of projects and characterize their GHG impacts. The program also provides technical assistance to borrowers to guide them through the lending process and facilitate discussions with banking partners and potential customers.

## DISCUSSION

Through the outreach effort over the past 18 months, staff have developed a loan customer database of over 450 Bay Area organizations with potential climate projects. The program has completed engineering evaluations for six projects and approved them for loan guarantees:

- A company scaling up production of integrated residential battery systems
- An in-road energy recovery system at toll gates
- A first-of-its-kind zero-emission transportation technology
- A company scaling up deployment of battery-booster electric vehicle chargers
- A project to produce concrete from low-carbon aggregate
- A company scaling up deployment of solar microgrids

As of writing, these projects are pending final approval from the respective banks originating the loans and none have been executed. If the banks approve the above projects, the total Air District commitment to guarantee the six loans would be \$1 million. By leveraging additional assets through its partnership with IBank, the Air District's \$1 million commitment would be supporting \$15 million in total loan value.

The program currently has eight projects in the pipeline for engineering evaluation. These projects represent an additional \$25 million in loans that could close this calendar year. Staff have also had discussions on 20 more specific climate projects in the Bay Area actively seeking financing. In total, the program has identified over \$400 million in demand for climate loans in the Bay Area.

Through these engagements with climate technology developers and project sponsors, staff have learned that the demand for climate projects exceeds currently available financing, and concluded that a larger, lower-interest loan fund would accelerate project development. To that end, the Air District has been actively collaborating with IBank on the design of the potential Climate Catalyst Fund, a \$1 billion revolving loan fund in the Governor's budget proposal.

Staff are seeking input from the Steering Committee on strategies to increase the scale and impact of Climate Tech Finance, including ways to expand marketing in channels targeting likely borrowers and lenders, as well as additional partnership opportunities.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Derrick Tang  
Reviewed by: Anthony Fournier

TECHNOLOGY IMPLEMENTATION OFFICE  
STEERING COMMITTEE MEETING  
OF 05/15/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Report of the Mobile Source Committee Meeting of May 20, 2020

RECOMMENDED ACTION

The Mobile Source Committee (Committee) may recommend Board of Directors (Board) approval of the following items:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,000; and
  - 1) Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 12A (Agenda 3, Attachment 1 of May 20, 2020 Mobile Source Committee Meeting); and
  - 2) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.
- B) Updates to the Transportation Fund for Clean Air (TFCA) Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending (FYE) 2021.
  - 1) Approve the proposed FYE 2021 TFCA Regional Fund Policies and Evaluation Criteria presented in Attachment 12B (Agenda 4, Attachment A of May 20, 2020 Mobile Source Committee Meeting).

BACKGROUND

The Committee met on Wednesday, May 20, 2020, and received the following reports:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,000; and
- B) Updates to the Transportation Fund for Clean Air (TFCA) Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending (FYE) 2021.

Chairperson David Canepa will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None. The Air District distributes the CMP, MSIF, Community Health Protection Grant Program, TFCA, and RFG funding to project sponsors on a reimbursement basis. Funding for administrative costs is provided by each funding source; and
- B) None. TFCA funds are generated from Department of Motor Vehicles registration fees and distributed to sponsors of eligible projects on a reimbursement basis. Administrative costs are also covered by TFCA.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenafior  
Reviewed by: Vanessa Johnson

Attachment 16A: 05/20/2020 – Mobile Source Committee Meeting Agenda #3  
Attachment 16B: 05/20/2020 – Mobile Source Committee Meeting Agenda #4



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson David Canepa and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 11, 2020

Re: Projects and Contracts with Proposed Grant Awards Over \$100,000

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**RECOMMENDED ACTIONS**

Recommend Board of Directors:

1. Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.

**BACKGROUND**

The Bay Area Air Quality Management District (Air District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (CARB), since the program began in fiscal year 1998-1999. The CMP provides grants to public and private entities to reduce emissions of nitrogen oxides (NOx), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, and stationary agricultural pump engines.

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code (HSC) Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF). AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible under the CMP. On February 6, 2019, the Board of Directors (Board) authorized Air District participation in Year 21 of the CMP, and authorized the Executive Officer/APCO to execute grant agreements and amendments for projects funded with CMP funds or MSIF revenues, with individual grant award amounts up to \$100,000.

In 2017, Assembly Bill (AB) 617 directed the CARB, in conjunction with local air districts to establish the Community Air Protection Program. AB 617 provides a new community-focused action framework to improve air quality and reduce exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. In advance of the development of the Community Air Protection Program, the Governor and legislature established an early action component to AB 617 to use existing incentive programs to get immediate emission reductions in the communities most affected by air pollution. AB 134 (2017) appropriated \$50 million from the Greenhouse Gas Reduction Fund (GGRF) to reduce mobile source emissions including criteria pollutants, toxic air contaminants, and greenhouse gases in those communities within the Bay Area. Senate Bill (SB) 856 (2018) continued support for the Community Air Protection Program and appropriated \$245 million from the GGRF statewide, of which \$40 million was awarded to the Air District for emission reduction projects in the Bay Area. On April 3, 2019, the Board authorized the Air District to accept, obligate, and expend SB 856 grant funding. These funds are distributed through the Air District's Community Health Protection Grant Program to implement projects under the CMP and optionally on-road truck replacements under the Proposition 1B Goods Movement Emission Reduction Program.

CARB developed the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program Guidelines in February 2018, which outlines requirements for incentive funding for eligible equipment (e.g., agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations). The 2020 California State Budget appropriated \$65 million in Fiscal Year 2019-20 GGRF funds to the CARB for the continued reduction of criteria toxic and greenhouse gas emissions from the agricultural sector through the FARMER Program. On November 20, 2019, the Board authorized the Air District's participation in the current cycle of the FARMER program.

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority and requirements for the Transportation Fund for Clean Air (TFCA) are set forth in the HSC Sections 44241 and 44242. Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air program) and to a program referred to as the Regional Fund. Each year, the Board allocates funding and adopts policies and evaluation criteria that govern the expenditure of TFCA monies. The remaining forty percent of TFCA funds are pass-through funds that are awarded to the designated County Program Manager (CPM) in each of the nine counties within the Air District's jurisdiction.

On April 3, 2019, the Board authorized funding allocations for use of the sixty percent of the TFCA revenue in Fiscal Year Ending (FYE) 2020, cost-effectiveness limits for Air District-sponsored FYE 2020 programs, and the Executive Officer/APCO to execute grant agreements and amendments for projects with individual grant award amounts up to \$100,000. On June 5, 2019, the Board adopted policies and evaluation criteria for the FYE 2020 Regional Fund program.

The Bay Area Clean Air Foundation (Foundation) is a nonprofit support organization for the Air District. As part of its operation, the Foundation applies for and accepts grant funding from various sources to reduce emissions within the Air District's jurisdiction. Under the terms of an executed contract between the Air District and Foundation, Air District staff administer grant programs and revenues awarded to the Foundation. On December 5, 2017, the Foundation entered into a contract with the Reformulated Gas Settlement Fund (RFG) administrators for approximately \$1.3 million to be used to incentivize the accelerated adoption of zero- and near-zero-emission equipment and vehicles operating in and around the West Oakland community.

Projects with grant award amounts over \$100,000 are brought to the Mobile Source Committee for consideration at least on a quarterly basis. Staff reviews and evaluates grant applications based upon the respective governing policies and guidelines established by the CARB, the Board, and other funding agencies.

## DISCUSSION

### **Carl Moyer Program and Community Health Protection Grant Program:**

For the CMP Year 21 cycle, the Air District had more than \$52 million available from MSIF, Community Health Protection Grant Program, FARMER and CMP funds for eligible projects. The Air District started accepting project applications for the CMP Year 21 funding cycle on June 17, 2019. Applications are accepted and evaluated on a first-come, first-served basis.

As of May 4, 2020, the Air District had received 181 project applications. Of the applications that have been evaluated between April 2, 2020 and May 4, 2020, four eligible projects have proposed grant awards over \$100,000. These projects will replace four marine engines and demonstrate seven electric agricultural tractors. These projects will reduce over 2.7 tons of NOx, ROG and PM per year. Staff recommends the allocation of \$1,356,688 for these projects from a combination of CMP, FARMER and Community Health Protection funds and MSIF revenues. Attachment 1, Table 1, provides additional information on these projects.

Attachment 2 lists all of the eligible projects that have been received by the Air District as of May 4, 2020, including information about equipment category, award amounts, estimated emissions reductions, and county location. Approximately 75% of the funds have been awarded to projects that reduce emissions in highly impacted Bay Area communities. Attachment 4, Figures 4 and 5 summarize the cumulative allocation of the CMP, FARMER, MSIF, and Community Air Protection Program funding since 2009 (more than \$320 million awarded to 1,287 projects).

### **Transportation Fund for Clean Air Program:**

For FYE 2020, the Air District had approximately \$32 million in TFCA monies available for eligible Vehicle Trip Reduction and Clean Air Vehicle projects and programs. The Air District began accepting applications for FYE 2020 TFCA funding on August 9, 2019. Applications are accepted and evaluated on a first-come, first-served basis.

As of May 4, 2020, the Air District had received 25 project applications. Of the applications evaluated between April 2, 2020 and May 4, 2020, there was one project with a proposed TFCA grant award over \$100,000. This project will demonstrate three zero-emission Class 8 eCascadia trucks on Bay Area operation routes for both Sysco and FedEx and will reduce over 0.266 tons of NOx, ROG, and PM per year. Staff recommends the allocation of \$322,500 for this project. Attachment 1, Table 2, provides additional information on this project.

Attachment 3, Table 1, lists all eligible TFCA projects that have been evaluated and awarded between July 1, 2019 – May 4, 2020, including information about project category, award amount, estimated emissions reduction, and county location. Approximately 42% of TFCA funds have been awarded to projects that reduce emissions in highly impacted Bay Area communities.

### **Reformulated Gas Settlement Fund Program:**

Under contract with the Foundation, the Air District has been administering the West Oakland Zero-Emission Grant Program and approximately \$1.17 million in RFG funding has been awarded to eligible projects that reduce petroleum usage and air pollution in West Oakland and nearby communities surrounding the Port of Oakland.

As of May 4, 2020, the Air District had received 25 project applications for RFG funds. Of these applications evaluated between April 2, 2020 and May 4, 2020, there was one project with a proposed grant award over \$100,000. The project will replace combustion-fueled equipment with one electric shuttle and seven light-duty electric vehicles, add additional light-duty electric vehicles, and install supporting infrastructure, including 14 dual-port level 2 charging stations. This project will reduce 0.025 tons of NOx, ROG, and PM per year. Staff recommends the allocation of \$100,914, which includes \$33,700 in TFCA and \$67,214 in RFG funds, for this project and additional information about this project is available in Attachment 1, Table 3.

Attachment 3, Table 2, lists all eligible RFG projects that were evaluated between July 1, 2018 and May 4, 2020, including information about the project equipment, award amounts, estimated emissions reductions, and project locations.

### **BUDGET CONSIDERATION / FINANCIAL IMPACT**

None. The Air District distributes the CMP, MSIF, Community Health Protection Grant Program, TFCA, and RFG funding to project sponsors on a reimbursement basis. Funding for administrative costs is provided by each funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Anthony Fournier and Linda Hui  
Reviewed by: Karen Schkolnick, Chengfeng Wang and Ken Mak

- Attachment 1: Projects with grant awards greater than \$100,000
- Attachment 2: CMP/MSIF, FARMER and Community Health Protection Grant Program approved projects
- Attachment 3: TFCA and RFG approved and eligible projects
- Attachment 4: Summary of funding awarded between 7/1/19 and 5/4/20

MOBILE SOURCE COMMITTEE  
MEETING OF 05/20/2020

### AGENDA 3 - ATTACHMENT 1

Table 1 - Carl Moyer Program/ Mobile Source Incentive Fund, FARMER, and Community Health Protection Grant Program projects with grant awards greater than \$100k (Evaluated between 4/2/20 and 5/4/20)

Project #	Applicant name	Project Category	Project Description	Proposed contract award	Total project cost	Emission Reductions (Tons per year)			County
						NO <sub>x</sub>	ROG	PM	
21MOY169	Amnav Maritime, LLC	Marine	Replace 2 diesel auxiliary engines on the tug Liberty	\$ 164,000	\$ 207,346	0.896	0.076	0.025	Alameda
21MOY168	Blue Runner, Inc.	Marine	Replace 2 diesel propulsion engines on the charter fishing vessel Blue Runner, Inc.	\$ 198,000	\$ 264,650	0.376	0.002	0.041	Marin
20FD05	Zimeno Inc. DBA Monarch Tractor	Ag/ off-road	Demonstrate 3 zero-emission tractors at Wente Vineyards, and Crocker Estate	\$ 480,000	\$ 945,747	0.331	0.034	0.020	Alameda, Napa
20FD04	Solectrac, Inc.	Ag/ off-road	Demonstrate 4 zero-emission tractors at The Mushroom Farm, Calplans Premium Vineyards, and Arroyo Lindo Vineyard	\$ 514,688	\$ 643,360	0.760	0.127	0.087	San Mateo, Napa, Sonoma
<b>4 Projects</b>				<b>\$ 1,356,688</b>	<b>\$ 2,061,103</b>	<b>2.363</b>	<b>0.239</b>	<b>0.173</b>	

Table 2 - Transportation Fund for Clean Air projects with grant awards greater than \$100k (Evaluated between 4/2/20 and 5/4/20)

Project #	Applicant name	Project Category	Project Description	Proposed contract award	Total project cost	Emission Reductions (Tons per year)			County
						NO <sub>x</sub>	ROG	PM	
20R28	Daimler Trucks North America	On-Road Trucks & Buses	Demonstrate 3 zero-emission Class 8 eCascadia trucks on Bay Area routes for Sysco and FedEx	\$ 322,500	\$ 2,272,749	0.252	0.009	0.005	Alameda, Contra Costa, Santa Clara
<b>1 Project</b>				<b>\$ 322,500</b>	<b>\$ 2,272,749</b>	<b>0.252</b>	<b>0.009</b>	<b>0.005</b>	

Table 3 - Other projects with grant awards greater than \$100k (Evaluated between 4/2/20 and 5/4/20)

Project #	Applicant name	Project Category	Project Description	Proposed contract award	Total project cost	Emission Reductions (Tons per year)			County
						NO <sub>x</sub>	ROG	PM	
19RFG23*	City of Berkeley	LD Vehicles	Scrap and replace 7 light-duty vehicles with zero-emission vehicles, scrap and replace 1 heavy-duty shuttle with an electric shuttle, purchase 8 light-duty electric vehicles to add to the fleet, and install 14 dual-port level 2 charging stations	\$ 100,914	\$ 1,080,668	0.016	0.009	0.000	Alameda
<b>1 Project</b>				<b>\$ 100,914</b>	<b>\$ 1,080,668</b>	<b>0.016</b>	<b>0.009</b>	<b>0.000</b>	

\*The award amount includes a total of \$33,700 in TFCA funds.

## AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program approved projects  
(between 7/3/19 and 5/4/20)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20MOY230	Ag/ off-road	Equipment replacement	1	\$ 16,965.00	Cornerstone Certified Vineyard	0.024	0.019	0.006	APCO	Sonoma
20MOY235	Ag/ off-road	Equipment replacement	1	\$ 46,690.00	Goldridge Pinot LLC dba Emeritus Vineyards	0.170	0.026	0.019	APCO	Sonoma
20MOY241	Ag/ off-road	Equipment replacement	3	\$ 129,500.00	Linda Pierce Wedemeyer Exemption Trust	0.217	0.039	0.021	10/2/2019	Solano
21MOY9	On-road	Equipment replacement	1	\$ 60,000.00	Prime Tank Lines LLC	0.802	0.060	0.005	APCO	Contra Costa
20MOY248	On-road	Equipment replacement	1	\$ 40,000.00	Amritpal Singh (Truck owner/ operator)	0.604	0.052	0.000	APCO	Alameda
21MOY1	On-road	Equipment replacement	1	\$ 40,000.00	Freight 99 Express Inc (Truck owner/ operator)	0.280	0.024	0.000	APCO	Alameda
20MOY86	On-road	Equipment replacement	1	\$ 25,000.00	Sears Keith (Truck owner/ operator)	0.195	0.016	0.000	APCO	Sacramento
20MOY150	On-road	Equipment replacement	1	\$ 40,000.00	Sukhjeet Singh Cheema (Truck owner/ operator)	0.667	0.057	0.000	APCO	San Joaquin
21SBP2	School bus	Equipment replacement	1	\$ 178,500.00	Campbell Union School District	0.064	0.005	0.000	10/2/2019	Santa Clara
20MOY227	On-road	Equipment replacement	1	\$ 30,000.00	JSK Trucking (Truck owner/ operator)	0.193	0.016	0.000	APCO	San Joaquin
20MOY239a	On-road	Equipment replacement	1	\$ 30,000.00	DNA Trucking, Inc.	0.252	0.021	0.000	APCO	Solano
20MOY239b	On-road	Equipment replacement	1	\$ 20,000.00	DNA Trucking, Inc.	0.203	0.017	0.000	APCO	Solano
20MOY245a	On-road	Equipment replacement	1	\$ 60,000.00	Jorge Quintero DBA QDS Transportation	1.271	0.097	0.008	APCO	Alameda
20MOY245b	On-road	Equipment replacement	1	\$ 60,000.00	QDS Transportation	0.817	0.061	0.005	APCO	Alameda
20MOY245c	On-road	Equipment replacement	1	\$ 60,000.00	Ignacio Quintero (Truck owner/ operator)	0.900	0.068	0.005	APCO	Alameda
20MOY82	On-road	Equipment replacement	1	\$ 35,000.00	Surinder Atwal (Truck owner/ operator)	0.258	0.022	0.000	APCO	Sacramento

## AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
20MOY232	On-road	Equipment replacement	1	\$ 40,000.00	Mahmoud Rastegar DBA: Prosper Dedicates Lines	0.452	0.039	0.000	APCO	Placer
20MOY218	On-road	Infrastructure	1	\$ 13,717.00	Penske Truck Leasing Co., L.P.	0.000	0.000	0.000	APCO	Alameda/ San Francisco
21MOY28	Ag/ off-road	Equipment replacement	1	\$ 63,850.00	Bains Farms LLC.	0.082	0.014	0.010	APCO	Solano
21MOY17	Ag/ off-road	Equipment replacement	1	\$ 43,350.00	Sweet Lane Nursery and Vineyards, Inc.	0.041	0.009	0.008	APCO	Sonoma
21MOY23	Ag/ off-road	Equipment replacement	2	\$ 86,100.00	Trefethen Farming LLC.	0.178	0.043	0.034	APCO	Napa
20MOY250	Marine	Engine replacement	4	\$ 1,288,000.00	Amnav Maritime Corporation (Vessel: Patricia Ann)	8.609	0.270	0.476	10/2/2019	Alameda
21MOY31	Ag/ off-road	Equipment replacement	1	\$ 185,400.00	Gerald & Kristy Spaletta (Dairy)	0.566	0.074	0.052	10/2/2019	Sonoma
21MOY25	On-road	Equipment replacement	1	\$ 49,500.00	J and A Trucking Inc.	1.350	0.202	0.010	APCO	Alameda
21MOY21	Ag/ off-road	Equipment replacement	4	\$ 249,600.00	Renteria Vineyard Management, LLC.	0.790	0.121	0.089	10/2/2019	Napa
21MOY41	Ag/ off-road	Equipment replacement	2	\$ 81,750.00	Geoffrey Allen (Nursery)	0.105	0.030	0.012	APCO	San Mateo
21MOY30	Ag/ off-road	Equipment replacement	2	\$ 67,100.00	Jaswant S. Bains (Farmer)	0.289	0.044	0.025	APCO	Solano
21MOY33	Off-road	Equipment replacement	2	\$ 355,500.00	S.E.G Trucking	1.044	0.074	0.052	10/2/2019	Contra Costa
21MO12	On-road	Equipment replacement	1	\$ 30,000.00	Oscar Transport/ Oscar Rivera (Truck owner/ operator)	0.401	0.034	0.000	APCO	Alameda
21MOY34	Ag/ off-road	Equipment replacement	2	\$ 456,200.00	Custom Tractor Service	2.260	0.211	0.115	10/2/2019	Sonoma
21MOY14	Ag/ off-road	Equipment replacement	5	\$ 198,850.00	Bayview Vineyards Corp.	0.826	0.164	0.090	10/2/2019	Napa
21MOY47	Ag/ off-road	Equipment replacement	1	\$ 151,000.00	DeBernardi Dairy, Inc.	0.438	0.040	0.022	10/2/2019	Sonoma
21MOY51	Marine	Engine replacement	4	\$ 2,916,000.00	Crowley Marine Services	43.259	4.409	1.420	10/2/2019	Alameda



## AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
21MOY36	Off-road	Equipment replacement	1	\$ 78,500.00	John Benward Co.	0.564	0.028	0.021	APCO	Sonoma
20MOY217	Off-road	Portable equipment replacement	1	\$ 863,500.00	Oakland Pallet Co., Inc.	2.577	0.215	0.076	10/2/2019	Alameda
20SBP246	School bus	Equipment replacement	2	\$ 179,020.00	Newark Unified School District	0.037	0.002	0.000	10/2/2019	Alameda
21MOY46	Off-road	Equipment replacement	6	\$ 772,500.00	Bigge Crane and Rigging Company	4.210	0.435	0.254	10/2/2019	Alameda
21MOY37	On-road	Equipment replacement	1	\$ 30,000.00	Joginder Singh (Truck owner/ operator)	0.392	0.033	0.000	APCO	Alameda
21MOY19	Ag/ off-road	Equipment replacement	3	\$ 127,400.00	Nissen Vineyard Services, Inc.	0.48	0.088	0.066	11/20/2019	Napa
21MOY56	Ag/ off-road	Equipment replacement	1	\$ 21,550.00	Groth Vineyards and Winery, LLC	0.047	0.038	0.010	APCO	Napa
21MOY54	Ag/ off-road	Equipment replacement	1	\$ 31,000.00	Siebert Vineyards	0.079	0.012	0.007	APCO	Sonoma
21MOY53	Ag/ off-road	Equipment replacement	1	\$ 63,150.00	St. Supery Inc.	0.159	0.025	0.019	APCO	Napa
21MOY59	Off-road	Equipment replacement	1	\$ 167,500.00	Concrush Inc.	0.696	0.065	0.037	11/20/2019	Solano
21MOY64	Ag/ off-road	Equipment replacement	1	\$ 170,250.00	Achadinha Cheese, Inc.	1.546	0.171	0.097	11/20/2019	Sonoma
21MOY50	On-road	Equipment replacement	1	\$ 25,000.00	Bal transport, Inc.	0.464	0.033	0.000	APCO	Alameda
21MOY73	Ag/ off-road	Equipment replacement	2	\$ 153,695.00	Robert Giacomini Dairy, Inc	0.276	0.040	0.023	11/20/2019	Marin
21MOY60	Marine	Engine replacement	2	\$ 276,000.00	Bass Tub Fishing	0.489	0.000	0.026	11/20/2019	Contra Costa
21MOY71	Marine	Engine replacement	2	\$ 3,814,000.00	Foss Maritime	15.352	1.518	0.504	11/20/2019	Contra Costa
21SBP77	School bus	Equipment replacement	16	\$ 3,478,697.00	Mt. Diablo Unified School District	1.040	0.075	0.005	11/20/2019	Contra Costa
20MOY103	Marine	Engine replacement	2	\$ 130,000.00	Westar Marine Services	0.221	-0.007	0.014	11/20/2019	San Francisco

## AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
21MOY61	Off-road	Equipment replacement	6	\$ 811,875.00	Amazon Recycling and Disposal, Inc.	3.679	0.584	0.369	11/20/2019	Alameda
20SBP23	School bus	Equipment replacement	2	\$ 373,861.00	Sonoma Valley Unified School District - Increase of ~\$12k from 3/6/19 approval.	0.131	0.009	0.001	11/20/2019	Sonoma
21MOY65	Ag/ off-road	Equipment replacement	2	\$ 140,440.00	Simoni & Massoni Farms, LLC	0.695	0.103	0.064	11/20/2019	Contra Costa
21MOY43	On-road	Equipment replacement	1	\$ 30,000.00	Narwal Trucking, Inc.	0.210	0.018	0.000	APCO	Sacramento
21MOY66	On-road	Equipment replacement	1	\$ 15,000.00	Kapil Kumar (Truck owner/ operator)	0.130	0.011	0.000	APCO	Sacramento
21MOY69	Ag/ off-road	Equipment replacement	1	\$ 51,580.00	Anselmo Farms, LLC	0.120	0.024	0.014	APCO	Solano
21MOY67	On-road	Equipment replacement	1	\$ 40,000.00	Surchejan Johal (Truck owner/ operator)	0.294	0.025	0.000	APCO	Sacramento
21MOY85	On-road	Equipment replacement	1	\$ 10,000.00	W&D Wholesale Foods, INC.	0.271	0.032	0.014	APCO	San Francisco
21MOY48a	On-road	Equipment replacement	1	\$ 40,000.00	Gonzalez Pallets Inc.	0.827	0.072	0.006	APCO	Santa Clara
21MOY48b	On-road	Equipment replacement	1	\$ 40,000.00	Gonzalez Pallets Inc.	0.874	0.076	0.006	APCO	Santa Clara
21MOY48c	On-road	Equipment replacement	1	\$ 40,000.00	Gonzalez Pallets Inc.	0.666	0.057	0.005	APCO	Santa Clara
21MOY48d	On-road	Equipment replacement	1	\$ 40,000.00	Gonzalez Pallets Inc.	0.763	0.066	0.005	APCO	Santa Clara
21MOY83	On-road	Equipment replacement	1	\$ 45,000.00	DJ Trucking Enterprise, Inc.	0.366	0.048	0.002	APCO	Monterey
21MOY82	Ag/ off-road	Equipment replacement	1	\$ 58,600.00	Andrews Vineyards	0.118	0.025	0.018	APCO	Solano
21SBP32	School bus	CNG Tank replacement	2	\$ 40,000.00	Newark Unified School District	0.000	0.000	0.000	APCO	Alameda
21MOY87	On-road	Equipment replacement	1	\$ 40,000.00	Gurjit S. Mann (Truck owner/ operator)	0.654	0.057	0.000	APCO	Alameda
21MOY8	Ag/ off-road	Equipment replacement	1	\$ 57,300.00	Garry Mahrt (Dairy and sheep farm)	0.093	0.009	0.005	APCO	Sonoma

## AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
21MOY27	Ag/ off-road	Equipment replacement	1	\$ 60,350.00	Four Seasons Vineyard Management	0.130	0.007	0.007	APCO	Sonoma
21MOY72	Ag/ off-road	Equipment replacement	2	\$ 93,380.00	Napa Second Generation Inc. (Vineyard management)	0.423	0.053	0.042	APCO	Sonoma
21MOY88	Ag/ off-road	Equipment replacement	1	\$ 118,940.00	Ghiggeri and Stonebarger LLC	0.708	0.086	0.056	1/29/2020	Contra Costa
20MOY238	Off-road	Equipment replacement	3	\$ 59,280.00	CLY Incorporated dba Point Pacific Drilling	1.265	0.177	0.113	APCO	Sonoma
21MOY94	On-road	Equipment replacement	1	\$ 30,000.00	Jaskaran Dhillon (Truck owner/ operator)	0.232	0.019	0.000	APCO	Sutter
21MOY93	On-road	Equipment replacement	1	\$ 40,000.00	Simon Andermichael (Truck owner/ operator)	0.303	0.026	0.000	APCO	Alameda
21MOY105	On-road	Equipment replacement	1	\$ 20,000.00	Brar Bros Trucking (Gurial Singh)	0.935	0.123	0.040	APCO	Alameda
21MOY74	On-road	Equipment replacement	1	\$ 20,000.00	AT Produce (Abraham Torres)	0.424	0.061	0.025	APCO	Stockton
21MOY84	On-road	Equipment replacement	1	\$ 30,000.00	Lenaco Corporation	0.406	0.047	0.021	APCO	San Mateo
21MOY96	On-road	Equipment replacement	1	\$ 20,000.00	Ng's Group Transportation, Inc.	0.420	0.061	0.024	APCO	San Mateo
21MOY57	On-road	Equipment replacement	2	\$ 174,400.00	Summit Steel Works Corporation	0.071	0.004	0.000	3/4/2020	Santa Clara
21MOY108	On-road	Equipment replacement	1	\$ 26,750.00	Ontrack Moving, LLC	0.393	0.026	0.003	APCO	Alameda
21MOY107	Ag/ off-road	Equipment replacement	2	\$ 111,195.00	Olive Tree Farm	0.179	0.020	0.016	3/4/2020	Sonoma
21MOY115	Ag/ off-road	Equipment replacement	2	\$ 279,120.00	F.A. Maggiore & Sons, LLC	0.707	0.086	0.053	3/4/2020	Contra Costa
21MOY122	Ag/ off-road	Equipment replacement	1	\$ 38,625.00	TMR Wine Company, LLC	0.047	0.005	0.006	APCO	Napa
21MOY111	Ag/ off-road	Equipment replacement	1	\$ 52,624.00	Haire Management Co. LLC	0.164	0.111	0.018	APCO	Napa
21MOY112	Ag/ off-road	Equipment replacement	2	\$ 83,700.00	Walnut Grove Partnership	0.257	0.052	0.025	APCO	Solano

## AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
21MOY128	Ag/ off-road	Equipment replacement	1	\$ 56,510.00	Bob Balestra (Vineyard)	0.173	0.022	0.015	APCO	Solano
21MOY100	Marine	Engine replacement	2	\$ 354,000.00	Golden Gate Scenic Steamship Corp.	0.898	0.000	0.048	3/4/2020	San Francisco
21MOY110	On-road	Equipment replacement	1	\$ 40,000.00	Ahsan Trucking	0.662	0.056	0.000	APCO	Alameda
21MOY124	Ag/ off-road	Equipment replacement	1	\$ 60,545.00	Pery Kozlowski Ranch	0.047	0.012	0.009	APCO	Sonoma
21MOY126	Ag/ off-road	Equipment replacement	2	\$ 77,250.00	T and M Agricultural Services, LLC	0.160	0.029	0.025	APCO	Napa
21MOY125	Marine	Engine replacement	4	\$ 3,056,000.00	Baydelta Navigation LTD	33.696	4.427	1.237	3/4/2020	San Francisco
21SBP98	School bus	Equipment replacement	2	\$ 323,778.00	Palo Alto Unified School District	0.094	0.006	0.005	3/4/2020	Santa Clara
21SBP114	School bus	Equipment replacement	4	\$ 1,672,500.00	Santa Clara Unified School District	0.440	0.041	0.004	3/4/2020	Santa Clara
21MOY79	Marine	Engine replacement	2	\$ 112,000.00	Westar Marine Services	0.259	0.001	0.014	3/4/2020	San Francisco
21SBP75	School bus	Equipment replacement	4	\$ 3,080,000.00	West County Transportation Agency	1.186	0.088	0.000	3/4/2020	Sonoma
21MOY130	On-road	Equipment replacement	1	\$ 50,000.00	HS_Trucking	0.758	0.056	0.005	APCO	Alameda
21MOY147	Marine	Engine replacement	2	\$ 182,000.00	Sophia Fisheries, Inc.	0.656	0.006	0.024	4/15/2020	San Mateo
20SBP186	School bus	Equipment replacement	7	\$ 1,504,235.00	Franklin-McKinley School District (Increase of \$152k from 5/1/19)	0.461	0.030	0.003	4/15/2020	Santa Clara
21MOY81	Off-road	Portable equipment replacement	4	\$ 177,526.00	Alaska Airlines	1.030	0.086	0.048	5/6/2020	Alameda, San Francisco, Santa Clara
21MOY150	Off-road	Infrastructure	42	\$ 2,545,297.00	City & County of San Francisco (SFO)	n/a	n/a	n/a	5/6/2020	San Francisco
21MOY132	Off-road	Infrastructure	5	\$ 298,886.00	SSA Terminals	n/a	n/a	n/a	5/6/2020	Alameda
21MOY155	Ag/ off-road	Equipment replacement	1	\$ 213,960.00	Andrew J. Poncia dba Poncia Fertilizer Spreading	1.135	0.107	0.059	5/6/2020	Sonoma

## AGENDA 4 - ATTACHMENT 2

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	County
						NOx	ROG	PM		
21MOY136	Off-road	Equipment replacement	4	\$ 162,725.00	Galante Brothers General Engineering	0.877	0.160	0.093	5/6/2020	Santa Clara
21MOY149	On-road	Equipment replacement	40	\$ 13,072,800.00	Alameda-Contra Costa Transit District	2.262	0.036	0.013	5/6/2020	Alameda
21MOY169	Marine	Engine replacement	2	\$ 164,000.00	Amnav Maritime, LLC	0.896	0.076	0.025	tbd	Alameda
21MOY62	On-road	Equipment replacement	1	\$ 15,000.00	Port Container Drayage Logistics LLC	0.145	0.010	0.000	APCO	Alameda
21MOY168	Marine	Engine replacement	2	\$ 198,000.00	Blue Runner, Inc.	0.376	0.002	0.020	tbd	Marin
20FD05	Ag/ off-road	FARMER Demonstration	3	\$ 480,000.00	Zimeno Inc. DBA Monarch Tractor	0.331	0.034	0.008	tbd	Alameda/ Napa
20FD04	Ag/ off-road	FARMER Demonstration	4	\$ 514,688.00	Solectrac, Inc.	0.761	0.127	0.087	tbd	San Mateo/ Napa/ Sonoma
21MOY158	Ag/ off-road	Equipment replacement	1	\$ 87,270.00	Boethling Treeland Farms	0.195	0.020	0.027	APCO	San Mateo
<b>109 Projects</b>			<b>298</b>	<b>\$ 49,160,424.00</b>		<b>160.698</b>	<b>16.761</b>	<b>6.369</b>		

MOBILE SOURCE COMMITTEE  
MEETING OF 05/20/2020

**AGENDA 3 - ATTACHMENT 3**

Table 1 - Summary of all TFCFA approved and eligible projects (evaluated between 7/1/19 and 5/4/20)

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (Tons per year)			Board/ APCO Approval Date	CARE Area	County
					NO <sub>x</sub>	ROG	PM			
19EV006	LD Infrastructure	Install and operate 20 DC fast charging stations at 7 transportation corridor facilities in San Francisco, Novato, Emeryville, and Santa Clara	\$500,000	EVgo Services LLC	0.268	0.103	0.021	7/3/19	Yes	Multi-County
19EV015	LD Infrastructure	Install and operate 5 dual-port level 2 (low) and 3 single-port level 2 (high) charging stations at 3 public transit parking facilities in Albany and Oakland	\$21,500	Metropolitan Transportation Commission	0.010	0.015	0.000	12/20/19	Yes	Alameda
19EV016	LD Infrastructure	Install and operate 7 dual-port level 2 (low) charging stations at a workplace facility in Napa	\$17,500	County of Napa	0.008	0.012	0.000	10/2/19	No	Napa
19EV017	LD Infrastructure	Install and operate 2 single-port level 2 (high) charging stations with a 17.28 kW solar array at a destination facility in Richmond	\$12,000	AHAH LLC	0.003	0.004	0.000	7/2/19	Yes	Contra Costa
19EV019	LD Infrastructure	Install and operate 18 single-port and 54 dual-port level 2 (high) charging stations at 8 workplace facilities in San Rafael	\$270,000	San Rafael City Schools	0.124	0.185	0.004	1/29/20	Yes	Marin
19EV020	LD Infrastructure	Install and operate 16 single-port level 2 (high) charging stations at a multi-dwelling unit facility in San Francisco	\$37,648	One Rincon Hill Association	0.015	0.022	0.000	10/30/19	Yes	San Francisco
19EV021	LD Infrastructure	Install and operate 14 single-port level 2 (high) and 1 single-port level 2 (low) charging stations at 4 workplace, 2 multi-dwelling unit, and 1 transit parking facilities in Richmond	\$55,500	City of Richmond	0.020	0.030	0.001	11/15/19	Yes	Contra Costa
19EV022	LD Infrastructure	Install and operate 2 single-port level 2 (high) charging stations at 1 multi-dwelling unit facility in Palo Alto	\$14,000	W-K Arastradero, LLC	0.003	0.004	0.000	8/28/19	No	Santa Clara
19EV023	LD Infrastructure	Install and operate 3 dual-port level 2 (high) charging stations at a multi-dwelling unit facility in San Mateo	\$24,000	Mode Residences, LLC	0.004	0.008	0.000	7/31/19	No	San Mateo
19EV025	LD Infrastructure	Install and operate 2 dual-port level 2 (high) charging stations at a multi-dwelling unit facility in Campbell	\$16,000	Revere Residences LLC	0.004	0.006	0.000	9/3/19	Yes	Santa Clara
19EV033	LD Infrastructure	Install and operate 5 dual-port level 2 (high) charging stations at a workplace facility in Napa	\$20,000	City of Napa	0.009	0.014	0.003	8/14/19	No	Napa
19EV034	LD Infrastructure	Install and operate 2 single-port level 2 (high) and 24 dual-port Level 2 (high) charging stations at 1 workplace facility in Milpitas	\$78,000	View, Inc.	0.036	0.053	0.001	8/20/19	No	Santa Clara
19EV035	LD Infrastructure	Install and operate 3 single-port level 2 (high) charging stations at 1 multi-dwelling unit facility in Hayward	\$10,313	Edward D. Kellar dba Windsor Arms	0.006	0.009	0.000	10/30/19	Yes	Alameda
19EV038	LD Infrastructure	Install and operate 4 dual port and 3 single-port level 2 (high) charging stations at 1 destination facility in Santa Clara	\$25,000	City of Santa Clara	0.012	0.017	0.000	10/9/19	Yes	Santa Clara
19EV042	LD Infrastructure	Install and operate 12 dual-port level 2 (high) charging stations at 6 workplace and 1 multi-dwelling unit facilities in Corte Madera, Sunnyvale, Fairfield, Pleasanton, and San Ramon	\$57,000	Cool Earth Solar Development	0.022	0.033	0.001	10/22/19	Yes	Multi-County
19EV046	LD Infrastructure	Install and operate 18 single-port level 2 (high) charging stations at 2 destination facilities in San Francisco	\$36,594	Imperial Parking (U.S.), LLC dba Impark	0.019	0.028	0.001	10/29/19	Yes	San Francisco
19EV048	LD Infrastructure	Install and operate 7 dual-port level 2 (high) and 2 DC fast charging stations at a workplace facility in Santa Clara	\$64,000	Roche Molecular Systems, Inc	0.030	0.044	0.001	9/30/19	Yes	Santa Clara
19EV050	LD Infrastructure	Install and operate 5 dual-port level 2 (high) charging stations at 4 multi-dwelling unit facilities in Kohnert Park and Santa Rosa	\$40,000	Warm Springs Realty Holdings, LLC	0.009	0.014	0.003	9/6/19	No	Sonoma
19EV052	LD Infrastructure	Install and operate 2 dual-port level 2 (low) and 1 single-port level 2 (high) charging stations at a multi-dwelling unit facility in San Ramon	\$17,200	Bollinger Crest Apartment Investors, LP	0.004	0.006	0.000	11/19/19	No	Contra Costa
19EV056	LD Infrastructure	Install and operate 4 single-port level 2 (high) charging stations at 1 multi-dwelling unit facility in Oakland	\$10,000	Uptown Place Homeowner's Association	0.002	0.003	0.000	9/24/19	Yes	Alameda
19EV057	LD Infrastructure	Install and operate 8 single-port and 20 dual-port level 2 (high) charging stations at 3 workplace facilities in Atherton and Redwood City	\$99,000	Redwood City School District	0.046	0.068	0.001	9/3/19	No	San Mateo
19EV062	LD Infrastructure	Install and operate 3 single-port level 2 (high) charging stations at 1 multi-dwelling unit facility in Cupertino	\$23,752	19608 Pruneridge Ave (Cupertino), LLC	0.014	0.021	0.000	12/5/19	No	Santa Clara
19EV063	LD Infrastructure	Install and operate 2 dual-port level 2 (high) charging stations at 2 workplace facilities in Milpitas	\$32,000	City of Milpitas	0.015	0.022	0.004	9/10/19	No	Santa Clara
19EV064	LD Infrastructure	Install and operate 10 single-port level 2 (high) charging stations at 5 workplace facilities in Pleasanton, Walnut Creek, San Jose, and Fremont	\$30,000	JKL Corporation	0.014	0.020	0.000	10/18/19	Yes	Multi-County
19EV065	LD Infrastructure	Install and operate 606 single-port level 2 (high) and 6 DC fast charging stations at 18 multi-dwelling unit and workplace facilities in San Francisco, San Jose, Walnut Creek, Palo Alto, Sunnyvale, Belmont, Oakland and Livermore	\$2,500,000	PowerFlex Systems, LLC	0.881	1.309	0.026	10/2/19	Yes	Multi-County
19EV068	LD Infrastructure	Install and operate 3 dual-port level 2 (high) charging stations at 1 workplace facility in Burlingame	\$12,000	Aperia Technologies Inc.	0.006	0.008	0.000	10/29/19	No	San Mateo
19EV070	LD Infrastructure	Install and operate 4 single-port level 2 (high) charging stations at a destination facility in San Francisco	\$12,000	Hornblower Cruises and Events	0.006	0.008	0.000	11/3/19	Yes	San Francisco
19EV072	LD Infrastructure	Install and operate 4 single-port level 2 (high) charging stations with a 16.7 kW solar array at a workplace facility in Sonoma	\$16,000	Sweazey Property Investments, LLC	0.006	0.008	0.000	10/18/19	No	Sonoma
19EV076	LD Infrastructure	Install and operate 15 single-port Level 2 (high) and 1 DC fast charging stations at 1 multi-dwelling unit facility in Milpitas	\$123,000	Milpitas - District 1 Associates, LLC	0.029	0.043	0.001	11/19/19	No	Santa Clara

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (Tons per year)			Board/ APCO Approval Date	CARE Area	County
					NO <sub>x</sub>	ROG	PM			
19EV077	LD Infrastructure	Install and operate 40 DC fast charging stations at 8 transportation corridor facilities in San Ramon, San Mateo, Newark, San Francisco, Millbrae, Cupertino, Castro Valley, and Emeryville	\$1,000,000	EVgo Services, LLC	0.336	0.499	0.010	10/2/19	Yes	Multi-County
19EV079	LD Infrastructure	Install and operate 3 single-port level 2 (high) charging stations at a multi-dwelling unit facility in Campbell	\$21,000	Brentwood Campbell, LLC dba Brentwood Apartments	0.005	0.007	0.000	11/19/19	Yes	Santa Clara
19EV080	LD Infrastructure	Install and operate 3 single-port level 2 (high) charging stations at a multi-dwelling unit facility in Campbell	\$21,000	Lyon NC Portfolio Investors, LLC dba Lyon Pebble Creek Apartments, LLC	0.005	0.007	0.000	12/5/19	No	Santa Clara
19EV081	LD Infrastructure	Install and operate 3 single-port level 2 (high) charging stations at a multi-dwelling unit facility in Campbell	\$21,000	Pruneyard West, LLC dba Pruneyard West Apartments	0.005	0.007	0.000	11/19/19	Yes	Santa Clara
19EV082	LD Infrastructure	Install and operate 3 single port level 2 (high) charging stations at a multi-dwelling unit facility in Campbell	\$21,000	Lyon NC Portfolio Investors, LLC dba Lyon Shadow Creek Apartments, LLC	0.005	0.007	0.000	12/5/19	Yes	Santa Clara
19EV083	LD Infrastructure	Install and operate 3 single-port level 2 (high) charging stations at a multi-dwelling unit facility in Mountain View	\$21,000	Lyon NC Portfolio Investors, LLC dba Lyon Maplewood Apartments, LLC	0.005	0.007	0.000	12/5/19	No	Santa Clara
19RFG23 <sup>§</sup>	LD Vehicles	Scrap and replace 7 light-duty vehicles with zero-emission vehicles, scrap and replace 1 heavy-duty shuttle with an electric shuttle, purchase 8 light-duty electric vehicles to add to the fleet, and install 14 dual-port level 2 charging stations	\$33,700	City of Berkeley	0.005	0.003	0.000	Pending	Yes	Alameda
19RFG24**	LD Vehicles	Purchase 4 new electric light duty vehicles	\$9,200	Alameda County	0.001	0.001	0.000	APCO	Yes	Alameda
20R02	LD Vehicles	Vehicle Buy Back Program	\$150,000	BAAQMD	N/A	N/A	N/A	NA	No	Regional
20R09	Bicycle Facilities	Install 0.2 miles of Class I bikeway in San Ramon	\$390,000	City of San Ramon	0.012	0.018	0.041	11/20/19	Yes	Contra Costa
20R11	Bicycle Facilities	Install 1.58 miles of Class IV bikeway in Los Gatos	\$293,900	Town of Los Gatos	0.010	0.015	0.029	1/29/20	No	Santa Clara
20R12	Bicycle Facilities	Install and maintain 20 electronic bicycle lockers at San Francisco General Hospital	\$34,000	San Francisco Department of Public Health	0.004	0.005	0.009	11/21/19	Yes	San Francisco
20R15	Bicycle Facilities	Install 0.26 miles of Class IV bikeway in San Leandro	\$220,000	City of San Leandro	0.008	0.009	0.024	1/29/20	Yes	Alameda
20R17	Bicycle Facilities	Install and maintain 80 electronic bicycle lockers in Belmont, Redwood City, Mountain View, Sunnyvale, and San Jose	\$200,000	Peninsula Corridor Joint Powers Board	0.043	0.048	0.130	11/20/19	Yes	Multi-County
20R19	Bicycle Facilities	Install and maintain a bike station with 270 new secure bike parking spaces in Oakland	\$675,000	San Francisco Bay Area Rapid Transit District	0.072	0.095	0.237	11/20/19	Yes	Alameda
20R21	Bicycle Facilities	Install 518 bike rack parking spaces in 8 schools in Palo Alto	\$38,800	Palo Alto Unified School District	0.028	0.061	0.041	11/21/19	No	Santa Clara
20R22	Bicycle Facilities	Install and maintain 20 electronic bicycle lockers at the Berkeley Marina Mall	\$50,000	City of Berkeley	0.006	0.008	0.018	11/20/19	Yes	Alameda
20R23	Bicycle Facilities	Install and maintain 44 electronic bicycle lockers at the El Cerrito and San Leandro BART Stations	\$110,000	San Francisco Bay Area Rapid Transit District	0.015	0.018	0.044	1/29/20	Yes	Multi-County
20R27	Bicycle Facilities	Install and maintain 36 electronic bicycle lockers at the Seaplane Lagoon Ferry Terminal, Harbor Ferry Terminal, and Alameda City Hall	\$98,000	City of Alameda	0.013	0.017	0.042	3/4/20	Yes	Alameda
20R29	Bicycle Facilities	Install 1.8 miles of Class I bikeway in Morgan Hill	\$70,500	City of Morgan Hill	0.002	0.004	0.007	5/1/20	No	Santa Clara
19RFG18 <sup>†</sup>	Off-road (non-ag)	Purchase and operate 5 electric vehicles	\$6,360	Another Corporate ISP LLP DBA Monkeybrains	0.000	0.000	0.000	10/30/19	Yes	Alameda
19RFG20*	On-road Trucks & Buses	Purchase and operate two electric terminal tractors	\$29,780	CASS, Inc.	0.174	0.001	0.001	3/4/20	Yes	Alameda
20R26	On-road Trucks & Buses	Purchase and operate one battery electric shuttle	\$13,500	California State University - Maritime Academy	0.005	0.003	0.001	10/2/19	Yes	Solano
20R28	On-road Trucks & Buses	Demonstrate 3 zero-emission Class 3 e-Cascadia trucks on Bay Area routes for Sysco and FedEx	\$322,500	Daimler Trucks North America	0.252	0.009	0.005	Pending	Yes	Multi-County
20R01	Trip Reduction	Enhanced Mobile Source & Commuter Benefits Enforcement	\$80,230	BAAQMD	N/A	N/A	N/A	NA	No	Regional
20R03	Trip Reduction	Spare The Air Intermittent Control Programs	\$2,185,138	BAAQMD	N/A	N/A	N/A	NA	No	Regional
20R06	Trip Reduction	PresidioGo Downtown Shuttle	\$120,000	Presidio Trust	0.129	0.206	0.429	11/20/19	Yes	San Francisco
20R08	Trip Reduction	Pleasanton Connector Shuttles	\$80,000	San Joaquin Regional Rail Commission	0.202	0.285	0.772	11/20/19	Yes	Alameda
20R10	Trip Reduction	Caltrain Shuttle Program	\$485,000	Peninsula Corridor Joint Powers Board	1.893	2.280	5.292	11/20/19	No	Multi-County
20R13	Trip Reduction	Cupertino On-Demand Shuttle Pilot Program	\$192,900	Santa Clara Valley Transportation Authority (VTA)	0.055	0.063	0.140	11/20/19	No	Santa Clara
20R18	Trip Reduction	SJSU Ridesharing & Trip Reduction	\$111,000	Associated Students, San Jose State University	0.154	0.162	0.372	1/29/20	Yes	Multi-County
20R20	Trip Reduction	Rideshare to Transit in San Mateo County	\$300,000	City/County Association of Governments of San Mateo County	0.126	0.123	0.313	3/4/20	No	San Mateo
20R25	Trip Reduction	ACE Shuttle Bus Program	\$949,000	Santa Clara Valley Transportation Authority	1.254	1.276	3.450	3/4/20	Yes	Santa Clara

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (Tons per year)			Board/ APCO Approval Date	CARE Area	County
					NO <sub>x</sub>	ROG	PM			
19RFG21 <sup>†</sup>	School Bus	Purchase and operate 15 battery-electric school buses	\$276,200	Zūm Services, Inc.	0.111	0.006	0.029	3/4/20	Yes	Alameda
20RSB01 <sup>‡</sup>	School Bus	Match funding for Project #21SBP98 and #21SBP114 for the replacement of 6 diesel/CNG school buses with battery electric school buses	\$681,052	BAAQMD	N/A	N/A	N/A	3/4/20	No	Santa Clara
<b>Total</b>		<b>64 Projects</b>	<b>\$13,474,767</b>		<b>6.554</b>	<b>7.363</b>	<b>11.508</b>			

§ The award amount is in addition to \$67,214 in RFG funds.

\*\* The award amount is in addition to \$25,286 in RFG funds.

‡ The award amount is in addition to \$14,940 in RFG funds.

\* The award amount is in addition to \$102,390 in RFG funds.

† The award amount is in addition to \$173,800 in RFG funds.

‡ In addition to \$1,996,278 in state funds, this TFCA award amount includes \$513,500 to Project #21SBP98 and \$167,552 to Project #21SBP114.

Table 2 - Summary of all RFG approved and eligible projects (evaluated between 7/1/18 and 5/4/20)

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (Tons per year)			Board/ APCO Approval Date	CARE Area	County
					NO <sub>x</sub>	ROG	PM			
19RFG04*	Off-road (non-ag)	Purchase and operate 3 electric forklifts and one electric terminal truck	\$40,200	Wyse Logistics	0.097	0.011	0.006	10/17/18	Yes	Alameda
19RFG06 <sup>†</sup>	LD Infrastructure	Install and operate 43 dual-port level 2 EV charging stations	\$94,000	Hayward Unified School District	0.054	0.071	0.001	10/17/18	Yes	Alameda
19RFG13	LD Infrastructure	Install and operate 10 50kW DC fast charging stations	\$389,400	EVgo Service, LLC	0.041	0.060	0.001	6/5/19	Yes	Alameda
19RFG14	Off-road (non-ag)	Purchase and operate one electric terminal tractor	\$39,400	Oakland Maritime Support Services, Inc.	0.066	0.011	0.007	5/23/19	Yes	Alameda
19RFG16	Off-road (non-ag)	Purchase and operate one electric terminal tractor	\$80,000	GSC Logistics, Inc.	0.051	0.002	0.003	8/29/19	Yes	Alameda
19RFG18 <sup>‡</sup>	Off-road (non-ag)	Purchase and operate 5 electric vehicles	\$14,940	Another Corporate ISP LLP DBA Monkeybrains	0.000	0.000	0.001	10/30/19	Yes	Alameda
19RFG19	Off-road (non-ag)	Purchase and operate one electric terminal tractor	\$80,000	Oakland Pallet Co.	0.097	0.001	0.003	10/30/19	Yes	Alameda
19RFG20 <sup>§</sup>	On-road Trucks & Buses	Purchase and operate 2 electric terminal tractors	\$102,390	WSS, Inc.	0.597	0.005	0.005	3/4/20	Yes	Alameda
19RFG21**	School Bus	Purchase and operate 15 battery-electric school buses	\$173,800	Zūm Services, Inc.	0.070	0.004	0.018	3/4/20	Yes	Alameda
19RFG23 <sup>††</sup>	LD Vehicles	Scrap and replace 7 light duty vehicles with zero emission vehicles, scrap and replace 1 heavy duty shuttle with an electric shuttle, purchase 8 light duty vehicles to add to the fleet and install 14 dual port level 2 charging stations	\$67,214	City of Berkeley	0.011	0.006	0.000	Pending	Yes	Alameda
19RFG24 <sup>‡‡</sup>	LD Vehicles	Purchase and operate 4 new light-duty electric vehicles	\$25,286	Alameda County	0.000	0.000	0.000	APCO	Yes	Alameda
<b>Total</b>		<b>11 Projects</b>	<b>\$1,106,630</b>		<b>1.083</b>	<b>0.172</b>	<b>0.046</b>			

\* The award amount is in addition to \$80,000 in TFCA funds.

† The award amount is in addition to \$172,000 in TFCA funds.

‡ The award amount is in addition to \$6,360 in TFCA funds.

§ The award amount is in addition to \$29,780 in TFCA funds.

\*\* The award amount is in addition to \$276,200 in TFCA funds.

†† The award amount is in addition to \$33,700 in TFCA funds.

‡‡ The award amount is in addition to \$9,700 in TFCA funds.

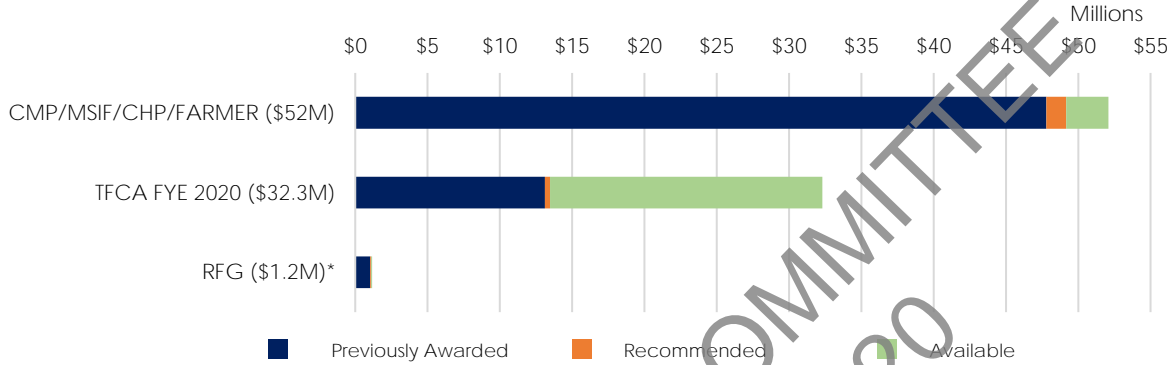


# AGENDA 3 - ATTACHMENT 4

Figures 1-3 summarize funding awarded from the following revenue sources:

- Carl Moyer Program (CMP)
- Community Health Protection Program (CHP)
- Funding Agricultural Replacement Measures for Emission Reductions (FARMER)
- Mobile Source Incentive Fund (MSIF)
- Transportation Fund for Clean Air (TFCA)
- Reformulated Gasoline Settlement Fund (RFG)

Figure 1. Status of FYE 2020 funding by source  
includes funds awarded, recommended for award, and available



\* Includes funding awarded in FYE 2019 for RFG projects

Figure 2. Funding awarded in FYE 2020 by county:  
includes funds awarded & recommended for award

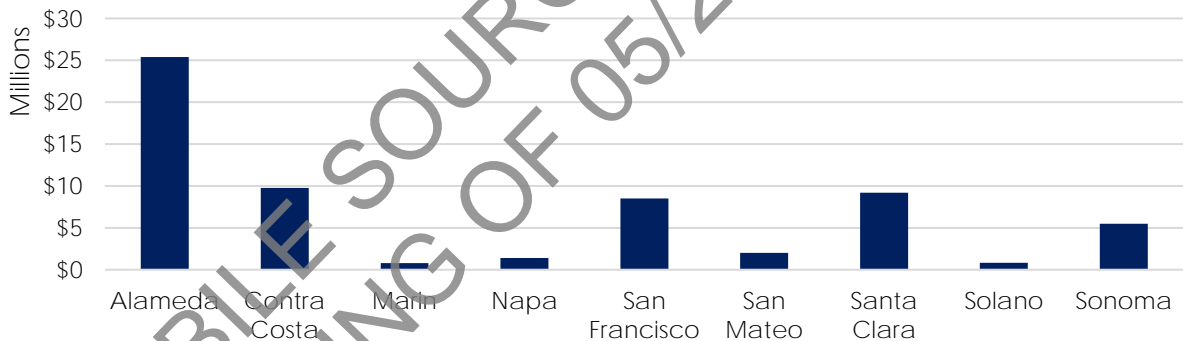
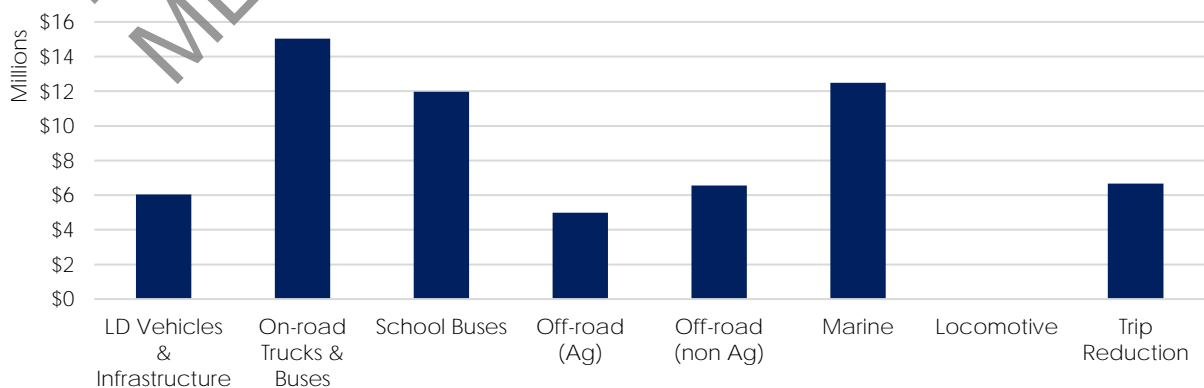


Figure 3. Funding awarded in FYE 2020 by project category  
includes funds awarded & recommended for award



## AGENDA 3 - ATTACHMENT 4

Figure 4. CMP/MSIF/CHP/FARMER funding awarded since 2009 by county

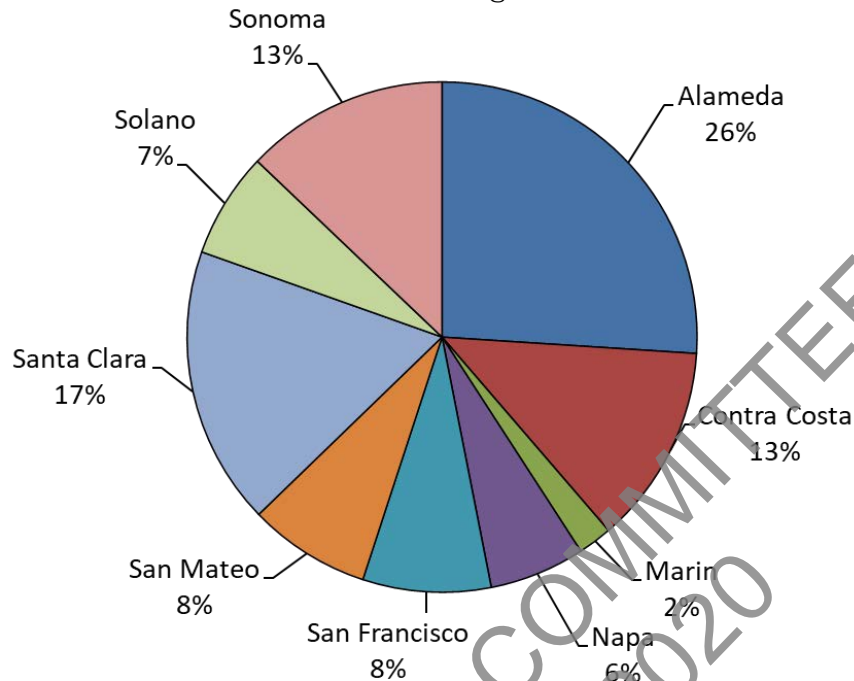
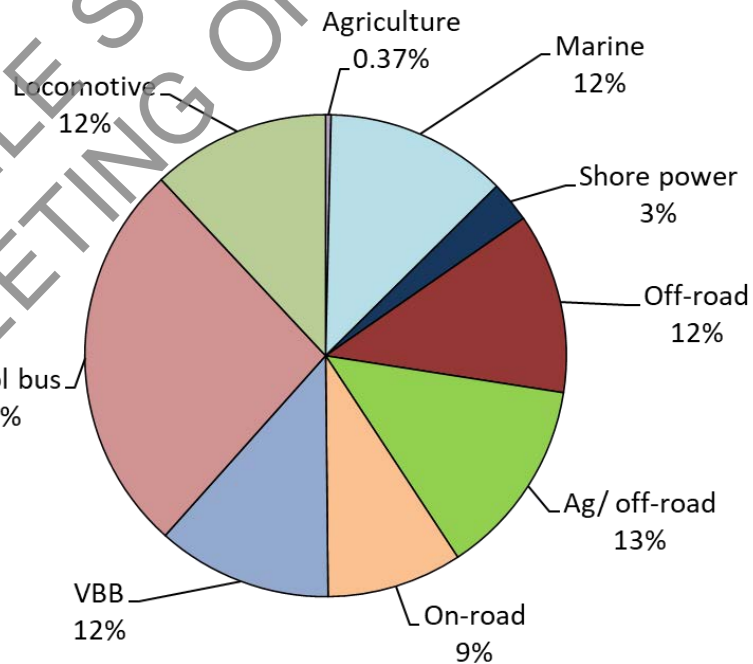


Figure 5. CMP/MSIF/CHP/FARMER funding awarded since 2009 by category



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson David Canepa and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 11, 2020

Re: Updates to the Transportation Fund for Clean Air (TFCA) Regional Fund Policies  
and Evaluation Criteria for Fiscal Year Ending (FYE) 2021

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**RECOMMENDED ACTION**

Recommend Board of Directors:

1. Approve the proposed FYE 2021 TFCA Regional Fund Policies and Evaluation Criteria presented in Attachment A.

**BACKGROUND**

In 1991, the California State Legislature authorized the Bay Area Air Quality Management District (Air District) to impose a \$4 surcharge on each motor vehicle registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority and requirements for the Transportation Fund For Clean Air (TFCA) are set forth in California Health and Safety Code Sections 44241 and 44242. The authorizing legislation requires that the Air District's Board of Directors (Board) adopt cost-effectiveness criteria that govern the use of the TFCA funds.

Sixty percent of TFCA funds are allocated annually by the Board to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air) and to a program referred to as the Regional Fund. The remaining forty percent of TFCA funds are passed-through to the County Program Manager Fund, based on each county's proportionate share of vehicle registration fees paid, and awarded by the nine designated agencies within the Air District's jurisdiction.

On April 15, 2020, the Board approved an allocation of \$13.63 million in new TFCA monies to trip reduction, clean air vehicles, and other Air District sponsored program categories for FYE 2021. An estimated \$25.74 million in TFCA funds, which includes both new and carryover funds from prior years, will be available for award in FYE 2021. At the same meeting, the Board also authorized the Executive Officer/APCO to execute grant agreements with project sponsors whose projects have proposed individual awards up to \$100,000 and that meet the respective governing policies and guidelines. TFCA projects recommended for awards greater than \$100,000 are brought to the Air District's Mobile Source Committee for consideration at least quarterly.

At least annually, the Board considers updates to the Regional Fund Policies and Evaluation Criteria (Policies), which establish the eligibility and evaluation criteria for projects and award of TFCA funding. The Policies include both general requirements, applicable to all Regional Fund projects, and project category-specific requirements.

This report discusses the proposed updates to the Policies for FYE 2021 and the public process through which these updates were developed.

## DISCUSSION

### *Public Outreach Process for FYE 2021 Policies*

On January 15, 2020, the Air District posted the draft Policies on its website and opened the public comment period, which closed on February 26, 2020. The public comment process was advertised via the Air District's TFCA grants email notification system and sent to more than 2,000 stakeholders, including representatives from each of the nine Bay Area Congestion Management Agencies (CMAs). The updates proposed for FYE 2021 were presented and discussed at three public webinar workshops on January 21, February 5, and February 18, 2020, and one conference call with current and prior year TFCA project sponsors on February 10, 2020. Additional meetings to discuss the proposed updates were held with the CMAs on February 4 and 6. Attachment C provides a summary of the public comments received, along with staff's responses.

### *Proposed Updated Policies for FYE 2021*

For FYE 2021, proposed updates were made to the current-year Policies to address the comments and suggestions received from stakeholders throughout the prior year and during the public comment period. Language and grammatical revisions were also made for clarification purposes.

A redlined copy of the Policies for FYE 2021, which shows the proposed updates from the prior year, is included as Attachment B. Below is a summary of the key proposed updates:

- Increase Maximum Grant Amount (policy #7) to allow larger-scale projects.
- Remove the minimum requirement of number of vehicles deployed and operational requirement for On-Road Light- and Medium-Duty Zero- and Partial-Zero-Emissions Vehicles projects (policy #23).
- Remove the minimum vehicle operational requirement for On-Road Heavy-Duty Zero- and Partial-Zero-Emissions Trucks and Buses projects (policy #24).
- Adjust the gross vehicle weight rating requirements for light- and medium-duty vehicles (policies #23) and heavy-duty trucks and buses projects (policies #24).

- Add two new project categories: Infrastructure Improvements for Trip-Reduction (policy #33), and Electric Vehicle Charging Infrastructure (policy #26), which has historically been administered as an Air District-Sponsored program since 2010.
- Update Bicycle Parking category (policy #31) to allow more types of bicycle parking facilities to be eligible, and update Bicycle Parking and Bikeway categories (policies #31 and #32) to clarify which types of plans will meet the legislative requirement.
- Streamline and clarify how TFCA Regional Funds will be evaluated and prioritized to better align with Air District priorities (Evaluation Criteria #2).

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. TFCA funds are generated from Department of Motor Vehicles registration fees and distributed to sponsors of eligible projects on a reimbursement basis. Administrative costs are also covered by TFCA.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Chengfeng Wang, Linda Hui, and Ken Mak

Reviewed by: Karen Schlohnick

Attachment A: Proposed TFCA Regional Fund Policies and Evaluation Criteria for FYE 2021 (Clean)

Attachment B: Proposed TFCA Regional Fund Policies and Evaluation Criteria for FYE 2021 (Redline)

Attachment C: Comments Received and Staff Responses to Proposed FYE 2021 Policies

**TFCA REGIONAL FUND POLICIES  
AND EVALUATION CRITERIA FOR FYE 2021**

The following policies apply to the Bay Area Air Quality Management District’s (Air District) Transportation Fund for Clean Air (TFCA) Regional Fund for fiscal year ending (FYE) 2021.

**BASIC ELIGIBILITY**

1. **Eligible Projects:** Only projects that result in the reduction of motor vehicle emissions within the Air District’s jurisdiction are eligible. Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and Air District Board of Directors adopted TFCA Regional Fund Policies and Evaluation Criteria.

Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, contracts, and other legally binding obligations at the time the Air District executes the project’s funding agreement.

2. **TFCA Cost-Effectiveness:** Projects must not exceed the maximum cost-effectiveness (C-E) limit specified in Table 1. Cost-effectiveness (\$/weighted ton) is the ratio of TFCA funds awarded to the sum of surplus emissions reduced, during a project’s operational period, of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted PM10 (particulate matter 10 microns in diameter and smaller).

**Table 1: Maximum Cost-Effectiveness for TFCA Regional Fund Projects**

Policy #	Project Category	Maximum C-E (\$/weighted ton)
22	On-Road Truck Replacements	\$90,000
23	On-Road Light- and Medium-Duty Zero- and Partial-Zero- Emissions Vehicles	\$500,000
24	On-Road Heavy-Duty Zero- and Partial-Zero- Emissions Trucks and Buses	\$500,000
25	Hydrogen Stations	\$500,000
26	Electric Vehicle Charging Infrastructure	\$500,000
27	Vehicle Scrapping	\$50,000
28	Existing Shuttle/Feeder Bus Services	\$200,000; \$250,000 for services in CARE Areas or PDAs
29	Pilot Trip Reduction	\$500,000
30	Existing Regional Ridesharing Services	\$150,000
31	Bicycle Parking	\$250,000
32	Bikeways	\$500,000
33	Infrastructure Improvements for Trip-Reduction	\$500,000

3. **Consistent with Existing Plans and Programs:** All projects must comply with the Transportation Control and Mobile Source Control Measures included in the Air District’s most recently approved strategy(ies) for achieving and maintaining State and national ozone standards; those plans and programs established pursuant to California Health & Safety Code (HSC) sections 40233, 40717 and 40919; and, when specified, other adopted federal, State, regional, and local plans and programs.
4. **Eligible Recipients and Authority to Apply:** Applicants must have the legal authority, as well as the financial and technical capability, to complete projects. In addition, the following conditions apply:
  - a. **Eligible Recipients:**

- i. **Public agencies** are eligible to apply for all project categories.
    - ii. **Non-public entities** are eligible to apply for only Clean Air Vehicle Projects and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).
  - b. **Authority to Apply:** Applicants must demonstrate that they have the authority to submit the application, to enter into a funding agreement, to carry out the project, and to bind the entity to perform these tasks by including either: 1) a signed letter of commitment from the applicant’s representative with authority (e.g., Chief Executive or Financial Officer, Executive Director, or City Manager); or 2) a signed resolution from the governing body (e.g., City Council, Board of Supervisors, or Board of Directors).
5. **Viable Project and Matching Funds:** Applicants must demonstrate that they have adequate funds to cover all stages of their proposed project(s) from commencement through completion. Unless otherwise specified in policies #22 through 33, project applicants must provide evidence that they have at least 10% of the total eligible project costs (matching funds) from a non-Air District source available and ready to commit to the proposed projects.
  6. **Minimum Grant Amount:** \$10,000 per project.
  7. **Maximum Grant Amount:** the maximum grant award amounts are:
    - a. Each public agency may be awarded up to a total of \$1,500,000 per calendar year for all projects under policies #28 through #31, and up to a total of \$4,000,000 for all projects under other policies, not to exceed a total award of \$5,500,000 per agency per year and
    - b. Each non-public entity may be awarded up to a total of \$2,000,000 per calendar year for all projects under #22, #23, and #25, and up to a total of \$3,000,000 for all projects under policies #24 and #26, not to exceed a total award of \$5,000,000 per entity per year.
  8. **Readiness:** Unless otherwise specified in policies #22 through 33, projects must commence by the end of calendar year 2021 or within 12 months from the date of execution of the funding agreement with the Air District, whichever is later. For purposes of this policy, “commence” means either (a) a discrete, necessary and tangible action, such as the issuance of a purchase order to secure project vehicles or equipment or the delivery of the award letter for a construction contract, taken for a project to begin implementation, or (b) commencement or continuation of transportation service, such as shuttle/feeder bus or ridesharing service, for which the project sponsor can provide documentation of date the action occurred.
  9. **Maximum Two Years Operating Costs for Service-Based Projects:** Unless otherwise specified in policies #22 through 33, TFCA Regional Funds may be used to support up to two years of operating costs for service-based projects (i.e., Trip Reduction Projects).
  10. **Project Revision:** The Air District will consider only requests for modifications to approved projects that are within the same project categories, achieve the same or better cost-effectiveness, comply with all TFCA Regional Fund Policies, and are in compliance with all applicable federal and State laws, and Air District rules and regulations. The Air District may also approve minor modifications, such as to correct typographical mistakes in the grant agreements or to change the name of the grantees, without re-evaluating the proposed modification in light of the regulations, contracts, and other legally-binding obligations that are in effect at the time the minor modification was proposed.

#### **APPLICANT IN GOOD STANDING**

11. **In Compliance with Air Quality Regulations:** Applicants must certify that, at the time of the application and at the time of issuance of the grant, they are in compliance with all local, state, and federal air quality regulations. Applicants who are in compliance with those laws, rules and regulations, but who have pending litigation or who have unpaid civil penalties owed to the Air District, may be eligible for funding, following a

review and approval by the Air District. The Air District may terminate a grant agreement and seek reimbursement of distributed funds from a project sponsor who was not eligible for funding at the time of the grant.

12. **In Compliance with Agreement Requirements:** Project sponsors who have failed to meet contractual requirements such as project implementation milestones or monitoring and reporting requirements for any project funded by the Air District may not be considered eligible for new funding until such time as all of the unfulfilled obligations are met.
13. **Independent Air District Audit Findings and Determinations:** Project sponsors who have failed either a fiscal audit or a performance audit for a prior Air District funded project will be excluded from future funding for three (3) years from the date of the Air District’s final determination in accordance with HSC section 44242. Additionally, project sponsors with open projects will not be reimbursed until all audit recommendations and remedies have been satisfactorily implemented.

A failed fiscal audit means an uncorrected audit finding that confirms an ineligible expenditure of funds. A failed performance audit means an uncorrected audit finding that confirms a project was not implemented as set forth in the project funding agreement.

Project sponsors must return funds under any of the following circumstances:

- a. The funds were expended in a manner contrary to the TFCRA Regional Funds’ requirements and/or requirements of HSC Code section 44220 et seq;
- b. The project did not result in a surplus reduction of air pollution from the mobile sources or transportation control measures pursuant to the applicable plan;
- c. The funds were not spent for surplus reduction of air pollution pursuant to a plan or program to be implemented by the TFCRA Regional Fund;
- d. The project sponsor failed to comply with the approved project scope, as set forth in the project funding agreement.

Applicants who failed to reimburse such funds to the Air District from prior Air District funded projects will be excluded from future TFCRA funding

14. **Executed Funding Agreement:** Only a fully executed funding agreement (i.e., signed by both the project sponsor and the Air District) constitutes the Air District’s award of funds for a project. Approval of an application for the project by the Air District Board of Directors or Air District’s notices such as a transmittal letter announcing the proposed award do not constitute a final obligation on the part of the Air District to fund a project.

Applicants must sign funding agreements within 60 days from the date the agreements were transmitted to them in order to remain eligible for award of TFCRA Regional Funds. Applicants may request, in writing, an extension of up to no more than 180 days from the transmittal date to sign the grant agreements. The request shall include the basis for an extended signature period. At its discretion, the Air District may authorize such an extension.

15. **Maintain Appropriate Insurance:** Project sponsors must obtain and maintain general liability insurance and additional insurance that is appropriate for its specific project type throughout the life of the project, with coverage being no less than the amounts specified in the respective funding agreement. Project sponsors shall require their subcontractors to obtain and maintain such insurance of the type and in the amounts required by the grant agreements.

## INELIGIBLE PROJECTS



16. **Planning Activities:** The costs of preparing or conducting feasibility studies are not eligible. Other planning activities may be eligible, but only if the activities are directly related to the implementation of a specific project or program.
17. **Cost of Developing Proposals and Grant Applications:** The costs to prepare grant applications are not eligible.
18. **Duplication:** Projects that have previously received any TFCA funds, e.g., TFCA Regional Funds or County Program Manager Funds, and that do not propose to achieve additional emission reductions are not eligible.

#### USE OF TFCA FUNDS

19. **Combined Funds:** Unless otherwise specified in policies #22 through 33, TFCA County Program Manager Funds may not be combined with TFCA Regional Funds to fund a TFCA Regional Fund project.
20. **Administrative Costs:** Unless otherwise specified in policies #22 through 33, TFCA Regional Funds may not be used to pay for administrative costs (i.e., the costs associated with administering a TFCA Regional Fund grant). In cases where administrative costs may be paid for by TFCA Regional Funds, they are limited to a maximum of 6.25% of total TFCA Regional Funds expended on a project and are only available to projects sponsored by public agencies. To be eligible for reimbursement, administrative costs must be clearly identified in the project budget at the time of application and in the funding agreement between the Air District and the project sponsor.
21. **Expend Funds within Two Years:** Project sponsors must expend the grant funding within two (2) years of the effective date of their grant agreement. Applicants may request a longer period in the application, by submitting evidence that a longer period is justified to complete the project due to its unique circumstance. Project sponsors may request a longer period before the end of the agreements' second year in the event that significant progress has been made in the implementation of the project. If the Air District approves a longer period, the parties shall memorialize the approval and length of the extension formally (i.e., in writing) in the grant agreement or in an amendment to the executed grant agreement.

#### ELIGIBLE PROJECT CATEGORIES

**To be eligible for funding from the TFCA Regional Fund, a proposed project must meet the purpose and requirements for the applicable Project Category.**

##### Clean Air Vehicle Projects

22. **On-Road Truck Replacements:** The project will replace Class 6, Class 7, and Class 8 diesel-powered trucks that have a Gross Vehicle Weight Rating (GVWR) of 19,501 lbs. or greater (per vehicle weight classification definition used by Federal Highway Administration (FHWA)) with new or used trucks that have an engine certified to the 2010 California Air Resources Board (CARB) emissions standards or cleaner. The existing truck(s) to be replaced must be registered with the California Department of Motor Vehicles (DMV) to an address within the Air District's jurisdiction and must be scrapped after replacement.
23. **On-Road Light- and Medium- Duty Zero- and Partial-Zero-Emissions Vehicles:** The project will help vehicle owners and operators achieve significant voluntary emission reductions by accelerating the deployment of zero- and partial-zero-emissions motorcycles, cars, and light- and medium- duty vehicles:
  - a. Vehicles must have a GVWR not exceeding 8,500 lbs.;
  - b. Vehicles may be purchased or leased;
  - c. Eligible vehicle types are limited to plug-in hybrid-electric, plug-in electric, and fuel cell vehicles. Vehicles must also be approved by the CARB;

- d. Project Sponsors may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle;
- e. Projects that seek to scrap and replace a vehicle may qualify for additional TFCA funding toward the purchase or lease of a new vehicle. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds;
- f. Vehicles that are solely powered by gasoline, natural gas, or diesel, and retrofit projects are not eligible; and
- g. The total amount of TFCA funds awarded, combined with all other grants and applicable manufacturer and local/State/federal rebates and discounts, may not exceed 90% of the project's eligible cost.

**24. On-Road Heavy-Duty Zero- and Partial-Zero-Emissions Trucks and Buses:** The project will help fleet operators achieve significant voluntary emission reductions by encouraging the replacement of older, compliant trucks and buses with the cleanest available technology, and help fleet operators who are expanding their fleet to choose the cleanest available technology:

- a. Each vehicle must be new and have a GVWR greater than 8,500 lbs.;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types are limited to plug-in hybrid-electric, plug-in electric, and fuel cell vehicles. Vehicles must also be approved by the CARB;
- d. Project Sponsors may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle;
- e. Projects that seek to scrap and replace a vehicle may qualify for additional TFCA funding toward the purchase or lease of a new vehicle. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds;
- f. Vehicles that are solely powered by gasoline, natural gas, or diesel, and retrofit projects are not eligible; and
- g. The total amount of TFCA funds awarded, combined with all other grants and applicable manufacturer and local/State/federal rebates and discounts, may not exceed 100% for School Buses and 90% of the project's eligible cost for all other vehicle types.

**25. Hydrogen Stations:** The project is intended to accelerate the deployment of hydrogen fueling stations. Funding may be used for the purchase and installation of equipment for new dispensing facilities and for upgrades and improvements that expand access to existing refueling sites. The following additional conditions must also be met.

- a. Stations must be located within the Air District's jurisdiction and be available and accessible to the public;
- b. Equipment and infrastructure must be designed, installed, and maintained as required by the existing recognized codes and standards and approved by the local/State authority;
- c. Each station must be maintained and operated for a minimum of three years;
- d. TFCA funding may not be used to pay for fuel or on-going operations and maintenance costs;
- e. TFCA funding is limited to 25% of the total eligible project cost and may not exceed a maximum award amount of \$250,000 per station; and
- f. Stations must have received a passing score and/or received approval for funding from a State or federal agency.

**26. Electric Vehicle Charging Infrastructure:** The project is intended to accelerate the adoption of zero-emissions vehicles through the deployment of new electric vehicle charging stations:

- a. Each station must be maintained and operated for a minimum of three years;
- b. Project equipment must be certified by Underwriters Laboratories, Inc. or equivalent safety standard; and
- c. TFCA funding may not be used to pay for on-going operations and maintenance costs.

27. **Vehicle Scrapping:** The project is intended to accelerate the removal of highly polluting vehicles from Bay Area roads. Funding will be provided to owners of on-road motor vehicles who voluntarily scrap vehicles that meet the following requirements:

- a. Vehicles must be roadworthy and pass an inspection by the Air District or its designee; and
- b. Vehicles must be currently registered with the DMV to an address within the Air District’s jurisdiction and have had continuous registration to the same owner for a minimum of two years;
- c. Vehicles are not eligible for funding from other Air District programs or other public agencies.

Trip Reduction Projects

28. **Existing Shuttle/Feeder Bus Services:** The project will reduce single-occupancy vehicle commute-hour trips by providing the short-distance connection between a mass transit hub and one or more definable commercial hubs or employment centers:

- a. The project must provide local feeder bus or shuttle service between rail and ferry stations, including Bus Rapid Transit (BRT) stations, airports and a distinct commercial or employment location;
- b. The service’s schedule must be coordinated to have a timely connection with the corresponding mass transit service;
- c. The service must be available for use by all members of the public;
- d. TFCA Regional Funds may be used to fund only shuttle services to locations that are under-served and lack other comparable service. For the purposes of this policy, “comparable service” means that there exists, either currently or within the last three years, a direct, timed, and publicly accessible service that brings passengers to within one-third (1/3) mile of the proposed commercial or employment location from a mass transit hub. A proposed service will not be deemed “comparable” to an existing service if the passengers’ proposed travel time will be at least 15 minutes shorter and at least 33% shorter than the existing service’s travel time to the proposed destination;
- e. **Reserved.**
- f. TFCA Regional Funds may be used to fund services only during commuter peak-hours, i.e., 5:00-10:00 AM and/or 3:00-7:00 PM;
- g. Matching funds must be provided to cover at least 10% of the total project cost and must include only direct operational costs. Administrative costs are not eligible for use as matching funds. For shuttle/feeder bus service projects, the total project cost is the sum of direct operational costs (i.e., shuttle driver wages and fuel) of the project;
- h. Project Sponsors must be either: (1) a public transit agency or transit district that directly operates the shuttle/feeder bus service, or (2) a city, county, or any other public agency;
- i. Applicants must submit a letter of concurrence from all transit districts or transit agencies that provides service in the area of the proposed route, certifying that the service does not conflict with existing service; and
- j. Projects that would operate in Highly Impacted Communities or Episodic Areas as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in Priority Development Areas (PDAs), may qualify for funding at a higher cost-effectiveness limit (see Policy #2).

29. **Pilot Trip Reduction:** The project will reduce single-occupancy commute-hour vehicle trips by encouraging mode-shift to other forms of shared transportation. Pilot projects are defined as projects that serve an area where no similar service was available within the past three years, or will result in significantly expanded service to an existing area. Funding is designed to provide the necessary initial capital to a public agency for the start-up of a pilot project so that by the end of the third year of the trip reduction project's operation, the project will be financially self-sustaining or require minimal public funds, such as grants, to maintain its operation:
- Applicants must demonstrate the project will reduce single-occupancy commute-hour vehicle trips and result in a reduction in emissions of criteria pollutants (i.e., ROG, NOx, and PM10);
  - The proposed service must be available for use by all members of the public;
  - Applicants must provide a written plan documenting steps that would be taken to ensure that the project will be financially self-sustaining or require minimal public funds to maintain its operation by the end of the third year;
  - If the local transit provider is not a partner, the applicant must demonstrate they have attempted to get the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
  - Applicants must provide data and/or other evidence demonstrating the public's need for the service, including a demand assessment survey and letters of support from potential users; and
  - Pilot trip reduction projects that propose to provide shuttle/feeder bus and ridesharing service projects must comply with all applicable requirements in policies #28 and #30.
30. **Existing Regional Ridesharing Services:** The project will provide carpool, vanpool, and other rideshare services. For TFCA Regional Fund eligibility, ridesharing projects must be comprised of riders from at least five counties within Air District's jurisdiction, with no one county accounting for more than 80% of all riders, as verified by documentation submitted with the application.
- If a project includes ride-matching services, *only* ride-matches that are not already included in the Metropolitan Transportation Commission's (MTC) regional ridesharing program are eligible for TFCA Regional Funds. Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category. Applications for projects that provide a direct or indirect financial transit or rideshare subsidy *exclusively* to employees of the project sponsor are not eligible.
31. **Bicycle Parking:** The project will expand public access to new bicycle parking facilities. The project must be included in an adopted countywide bicycle plan, Congestion Management Plan (CMP), the MTC's Regional Bicycle Plan, or other similar plan, and serve a major activity center (e.g. transit station, office building, or school). The bicycle parking facility must be publicly accessible and available for use by all members of the public.
- TFCA Regional Funds may not be used to pay for costs related to maintenance, repairs, upgrades, rehabilitation, operations, or project administration.
- Monies expended by the Project Sponsor to maintain, repair, upgrade, rehabilitate, or operate bicycle parking facilities are not eligible for use as matching funds.
32. **Bikeways:** The project will construct and/or install bikeways that are included in an adopted countywide bicycle plan, CMP, countywide transportation plan (CTP), city general plan or area-specific plan, the MTC's Regional Bicycle Plan, or other similar plan. To be eligible for funding, the purpose of bikeways that are included in an adopted city general plan or area-specific plan must be to reduce motor vehicle emissions or traffic congestion. Projects must have completed all applicable State and federal environmental reviews and either have been deemed exempt by the lead agency or have been issued the applicable negative declaration or environmental impact report or statement.

All bikeway projects must, where applicable, be consistent with design standards published in the California Highway Design Manual or conform to the provisions of the Protected Bikeway Act of 2014.

Projects must reduce vehicle trips made for utilitarian purposes (e.g., work or school commuting) and cannot be used exclusively for recreational use. Projects must also meet at least one of the following conditions:

- a. Be located within one-half mile biking distance from the closer of a public transit station/stop (e.g., local, county- wide or regional transit stops/stations/terminals) or a bike share station;
- b. Be located within one-half mile biking distance from a major activity center that serves at least 2,500 people per day (e.g., employment centers, schools, business districts); or
- c. Be located within one-half mile biking distance from three activity centers (e.g., employment centers, schools, business districts).

Projects are limited to the following types of bikeways:

- a. Class I Bikeway (Bike Path), new or upgrade improvement from Class II or Class III Bikeway;
- b. New Class II Bikeway (Bike Lane);
- c. New Class III Bikeway (Bike Route); or
- d. Class IV Bikeway (Separated Bikeway), new or upgrade improvement from Class II or Class III bikeway.

33. **Infrastructure Improvements for Trip-Reduction:** The project will expand the public’s access to alternative transportation modes through the design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions. The projects and physical improvements shall be identified in an approved area-specific plan, redevelopment plan, general plan, or other similar plan.

MOBILE SOURCE COMMITTEE  
MEETING OF 05/20/2020

**REGIONAL FUND EVALUATION CRITERIA:**

Applications may be reviewed on either a first-come, first-served basis or a competitive basis. Projects will be evaluated using the criteria listed below.

1. Eligible projects will be evaluated based on cost-effectiveness and conformity to additional specific requirements discussed in the adopted policies and project-specific solicitation guidance.
2. TFCA Regional Funds will be prioritized for projects that meet one or more of the following criteria:
  - a. Projects in Highly Impacted Communities or Episodic Areas as defined in the Air District CARE Program and other communities identified through the AB 617 process; and
  - b. Projects in PDAs.

MOBILE SOURCE COMMITTEE  
MEETING OF 05/20/2020

**TFCA REGIONAL FUND POLICIES  
AND EVALUATION CRITERIA FOR FYE ~~2020~~2021**

The following policies apply to the Bay Area Air Quality Management District’s (Air District) Transportation Fund for Clean Air (TFCA) Regional Fund for fiscal year ending (FYE) ~~2020~~2021.

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Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, contracts, and other legally binding obligations at the time the Air District executes the project’s funding agreement.

2. **TFCA Cost-Effectiveness:** Projects must not exceed the maximum cost-effectiveness (C-E) limit specified in Table 1. Cost-effectiveness (\$/weighted ton) is the ratio of TFCA funds awarded to the sum of surplus emissions reduced, during a project’s operational period, of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted PM10 (particulate matter 10 microns in diameter and smaller).

**Table 1: Maximum Cost-Effectiveness for TFCA Regional Fund Projects**

Policy #	Project Category	Maximum C-E (\$/weighted ton)
22	On-Road Truck Replacements	\$90,000
23	<del>On-Road</del> Light- and Medium-Duty Zero- and Partial-Zero- Emissions Vehicles <del>for Fleets</del>	\$500,000
24	On-Road Heavy-Duty Zero- and Partial-Zero-Emissions Trucks and Buses	\$500,000
25	Hydrogen Stations	\$500,000
26	<del>Electric Vehicle Scrapping</del> Charging Infrastructure	<del>\$50</del> 500,000
27	<del>Reserved</del> Vehicle Scrapping	<del>Reserved</del> \$50,000
28	Existing Shuttle/Feeder Bus Services	\$200,000; \$250,000 for services in CARE Areas or PDAs
29	Pilot Trip Reduction	\$500,000
30	Existing Regional Ridesharing Services	\$150,000
31	<del>Electronic</del> Bicycle Lockers Parking	\$250,000
32	Bikeways	\$500,000
<u>33</u>	<u>Infrastructure Improvements for Trip-Reduction</u>	<u>\$500,000</u>

3. **Consistent with Existing Plans and Programs:** All ~~project categories~~ projects must comply with the Transportation Control and Mobile Source Control Measures included in the Air District's most recently approved strategy(ies) for achieving and maintaining State and national ozone standards; those plans and programs established pursuant to California Health & Safety Code (HSC) sections 40233, 40717 and 40919; and, when specified, other adopted federal, State, regional, and local plans and programs.
4. **Eligible Recipients and Authority to Apply:** Applicants must have the legal authority, as well as the financial and technical capability, to complete projects. In addition, the following conditions apply:
  - a. **Eligible Recipients:**

- i. **Public agencies** are eligible to apply for all project categories.
    - ii. **Non-public entities** are ~~only~~-eligible to apply for only Clean Air Vehicle Projects and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).
  - b. **Authority to Apply:** Applicants must demonstrate that they have the authority to submit the application, to enter into a funding agreement, to carry out the project, and to bind the entity to perform these tasks by including either: 1) a signed letter of commitment from the applicant's representative with authority (e.g., Chief Executive or Financial Officer, Executive Director, or City Manager); or 2) a signed resolution from the governing body (e.g., City Council, Board of Supervisors, or Board of Directors).
5. **Viable Project and Matching Funds:** Applicants must demonstrate that they have adequate funds to cover all stages of their proposed project(s) from commencement through completion. Unless otherwise specified in policies #22 through ~~3233~~, project applicants must ~~demonstrate~~provide evidence that they have at least 10% of the total eligible project costs (matching funds) from a non-Air District source available and ready to commit to the proposed projects.
6. **Minimum Grant Amount:** \$10,000 per project.
7. **Maximum Grant Amount:** ~~Unless otherwise specified in policies #22 through 32~~, the maximum grant award amounts are:
- a. Each public agency may be awarded up to a total of \$1,500,000 per calendar year; for all projects under policies #28 through #31, and up to a total of \$4,000,000 for all projects under other policies, not to exceed a total award of \$5,500,000 per agency per year; and
  - b. Each non-public entity may be awarded up to \$500,000 per calendar year; a total of \$2,000,000 per calendar year for all projects under #22, #23, and #25; and up to a total of \$3,000,000 for all projects under policies #24 and #26, not to exceed a total award of \$5,000,000 per entity per year.
8. **Readiness:** Unless otherwise specified in policies #22 through ~~3233~~, projects must commence by the end of calendar year ~~2020~~2021 or within 12 months from the date of execution of the funding agreement with the Air District, whichever is later. For purposes of this policy, "commence" means either (a-) a discrete, necessary and tangible preparatory action taken in connection with the project's operation or implementation, for which the project sponsor can provide documentation of the commencement date and action performed. "Commence" includes, but is not limited to, such as the issuance of a purchase order to secure project vehicles and/or equipment; commencement of shuttle/feeder bus and ridesharing service; or the delivery of the award letter for a construction contract, taken for a project to begin implementation, or (b) commencement or continuation of transportation service, such as shuttle/feeder bus or ridesharing service, for which the project sponsor can provide documentation of date the action occurred.
9. **Maximum Two Years Operating Costs for Service-Based Projects:** Unless otherwise specified in policies #22 through ~~3233~~, TFCA Regional Funds may be used to support up to two years of operating costs for service-based projects (i.e., Trip Reduction Projects).
10. **Project Revisions.** The Air District will consider only requests for modifications to approved projects that are within the same project categories, achieve the same or better cost-effectiveness, comply with all TFCA Regional Fund Policies, and are in compliance with all applicable federal and State laws, and Air District rules and regulations. The Air District may also approve minor modifications, such as to correct typographical mistakes in the grant agreements or to change the name of the grantees, without re-evaluating the proposed modification in light of the regulations, contracts, and other legally-binding obligations that are in effect at the time the minor modification was proposed.

## APPLICANT IN GOOD STANDING



11. **In Compliance with Air Quality Regulations:** Applicants must certify that, at the time of the application and at the time of issuance of the grant, they are in compliance with all local, ~~State~~, and federal air quality regulations. Applicants who are in compliance with those laws, rules and regulations, but who have pending litigation or who have unpaid civil penalties owed to the Air District, may be eligible for funding, following a review and approval by the Air District. The Air District may terminate a grant agreement and seek reimbursement of distributed funds from ~~the~~ project sponsor who was not eligible for funding at the time of the grant.
12. **In Compliance with Agreement Requirements:** Project sponsors who have failed to meet contractual requirements such as project implementation milestones or monitoring and reporting requirements for any project funded by the Air District may not be considered eligible for new funding until such time as all of the unfulfilled obligations are met.
13. **Independent Air District Audit Findings and Determinations:** Project sponsors who have failed either a fiscal audit or a performance audit for a prior Air District funded project will be excluded from future funding for three (3) years from the date of the Air District’s final determination in accordance with HSC section 44242. Additionally, project sponsors with open projects will not be reimbursed until all audit recommendations and remedies have been satisfactorily implemented.

A failed fiscal audit means an uncorrected audit finding that confirms an ineligible expenditure of funds. A failed performance audit means an uncorrected audit finding that confirms a project was not implemented as set forth in the project funding agreement.

Project sponsors must return funds under any of the following circumstances:

- a. The funds were expended in a manner contrary to the TFCA Regional Funds’ requirements and/or requirements of HSC Code section 44220 et seq.;
- b. The project did not result in a surplus reduction of air pollution from the mobile sources or transportation control measures pursuant to the applicable plan;
- c. The funds were not spent for surplus reduction of air pollution pursuant to a plan or program to be implemented by the TFCA Regional Fund;
- d. The project sponsor failed to comply with the approved project scope, as set forth in the project funding agreement.

Applicants who failed to reimburse such funds to the Air District from prior Air District funded projects will be excluded from future TFCA funding.

14. **Executed Funding Agreement:** Only a fully-executed funding agreement (i.e., signed by both the project sponsor and the Air District) constitutes the Air District’s award of funds for a project. Approval of an application for the project by the Air District Board of Directors or Air District’s notices such as a transmittal letter announcing the proposed award do not constitute a final obligation on the part of the Air District to fund a project.

Applicants must sign funding agreements within 60 days from the date the agreements were transmitted to them in order to remain eligible for award of TFCA Regional Funds. Applicants may request, in writing, an extension of up to no more than 180 days from the transmittal date to sign the grant agreements. The request shall include the basis for an extended signature period. At its discretion, the Air District may authorize such an extension.

15. **Maintain Appropriate Insurance:** Project sponsors must obtain and maintain general liability insurance and additional insurance that is appropriate for its specific project type throughout the life of the project, with coverage being no less than the amounts specified in the respective funding agreement. Project sponsors shall require their subcontractors to obtain and maintain such insurance of the type and in the amounts required by the grant agreements.

## INELIGIBLE PROJECTS

16. **Planning Activities:** The costs of preparing or conducting feasibility studies are not eligible. Other planning activities may be eligible, but only if the activities are ~~both: 1) directly related to the implementation of a specific project or program, and 2) directly contribute to the project's emissions reductions.~~
17. **Cost of Developing Proposals and Grant Applications:** The costs to prepare grant applications are not eligible.
18. **Duplication:** Projects that have previously received any TFCA funds, e.g., TFCA Regional Funds or County Program Manager ~~funds~~Funds, and that do not propose to achieve additional emission reductions are not eligible.

## USE OF TFCA FUNDS

19. **Combined Funds:** Unless otherwise specified in policies #22 through ~~3233~~, TFCA County Program Manager Funds may not be combined with TFCA Regional Funds to fund a TFCA Regional Fund project.
20. **Administrative Costs:** Unless otherwise specified in policies #22 through ~~3233~~, TFCA Regional Funds may not be used to pay for administrative costs (i.e., the costs associated with administering a TFCA Regional Fund grant). In cases where administrative costs may be paid for by TFCA Regional Funds, they are limited to a maximum of 6.25% of total TFCA Regional Funds expended on a project and are only available to projects sponsored by public agencies. To be eligible for reimbursement, administrative costs must be clearly identified in the project budget at the time of application and in the funding agreement between the Air District and the project sponsor.
21. **Expend Funds within Two Years:** Project sponsors must expend the grant funding within two (2) years of the effective date of their grant agreement. Applicants may request a longer period in the application, by submitting evidence that a longer period is justified to complete the project due to its unique circumstance. Project sponsors may request a longer period before the end of the agreements' second year in the event that significant progress has been made in the implementation of the project. If the Air District approves a longer period, the parties shall memorialize the approval and length of the extension formally (i.e., in writing) in the grant agreement or in an amendment to the executed grant agreement.

## ELIGIBLE PROJECT CATEGORIES

To be eligible for funding from the TFCA Regional Fund, a proposed project must meet the ~~purposes~~purpose and requirements for the ~~particular category's type of project~~applicable Project Category.

### Clean Air Vehicle Projects

22. **On-Road Truck Replacements:** The project will replace Class 6, Class 7, and Class 8 diesel-powered trucks that have a ~~gross vehicle weight rating~~Gross Vehicle Weight Rating (GVWR) of 19,501 lbs. or greater (per vehicle weight classification definition used by Federal Highway Administration (FHWA)) with new or used trucks that have an engine certified to the 2010 California Air Resources Board (CARB) emissions standards or cleaner. The existing truck(s) to be replaced must be registered with the California Department of Motor Vehicles (DMV) to an address within the Air District's jurisdiction and must be scrapped after replacement.
23. **On-Road Light and Medium-Duty Zero- and Partial-Zero-Emissions Vehicles ~~for Fleets~~:** The project will ~~accelerate~~help vehicle owners and operators achieve significant voluntary emission reductions by accelerating the deployment of zero- and partial-zero-emissions motorcycles, cars, and light- and medium-duty vehicles:

- ~~a. Each project (fleet deployment) must consist of the purchase or lease of three or more new vehicles registered to a single owner;~~
- ~~b.a. Vehicles must have a GVWR not exceeding 14,0008,500 lbs.;~~
- ~~e. Each car and truck must be maintained and operated within the Air District's jurisdiction for a minimum of three years and 15,000 miles. All other vehicle types must be maintained and operated within the Air District's jurisdiction for a minimum of three years and 9,000 miles;~~
- b. Vehicles may be purchased or leased;
- ~~d.c. Eligible vehicle types include are limited to plug-in hybrid-electric, plug-in electric, and fuel cell vehicles. Vehicles must also be approved for on-road use by the CARB;~~
- e.d. Project Sponsors may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle;
- f.e. Projects that seek to scrap and replace a vehicle may qualify for additional TFCA funding toward the purchase or lease of a new vehicle. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds;
- g.f. Vehicles that are solely powered by gasoline, natural gas, or diesel, and retrofit projects are not eligible; and
- h.g. The total amount of TFCA funds awarded, combined with all other grants and applicable manufacturer and local/State/federal rebates and discounts, may not exceed 90% of the project's eligible cost.

**24. On-Road Heavy-Duty Zero- and Partial-Zero-Emissions Trucks and Buses:** The project will help fleet operators achieve significant voluntary emission reductions by encouraging the replacement of older, compliant trucks and buses with the cleanest available technology, and help fleet operators who are expanding their fleet to choose the cleanest available technology:

- a. Each vehicle must be new and have a GVWR greater than 14,0008,500 lbs.;
- b. Vehicles may be purchased or leased;
- ~~e. Each Eligible vehicle must be maintained types are limited to plug-in hybrid-electric, plug-in electric, and operated within the Air District's jurisdiction for a minimum of three years and 15,000 miles;~~
- d.c. Eligible fuel cell vehicles. Vehicles must also be approved by the CARB;
- e.d. Project Sponsors may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle;
- f.e. Projects that seek to scrap and replace a vehicle may qualify for additional TFCA funding toward the purchase or lease of a new vehicle. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds;
- g.f. Vehicles that are solely powered by gasoline, natural gas, or diesel, and retrofit projects are not eligible; and
- h.g. The total amount of TFCA funds awarded, combined with all other grants and applicable manufacturer and local/State/federal rebates and discounts, may not exceed 100% for School Buses and 90% of the project's eligible cost for all other vehicle types.

**25. Hydrogen Stations:** The project is intended to accelerate the deployment of hydrogen fueling stations. Funding may be used for the purchase and installation of equipment for new dispensing facilities and for upgrades and improvements that expand access to existing refueling sites. The following additional conditions must also be met:

- a. Stations must be located within the Air District's jurisdiction and be available and accessible to the public;

- b. Equipment and infrastructure must be designed, installed, and maintained as required by the existing recognized codes and standards and approved by the local/State authority; ~~and~~
- c. Each station must be maintained and operated for a minimum of three years;
- d. TFCA funding may not be used to pay for fuel or on-going operations and maintenance costs;
- e. TFCA funding is limited to 25% of the total eligible project cost and may not exceed a maximum award amount of \$250,000 per station; ~~and~~
- f. Stations must have received a passing score and/or received approval for funding from a State or federal agency.

**26. Electric Vehicle Charging Infrastructure:** ~~The project is intended to accelerate the adoption of zero-emissions vehicles through the deployment of new electric vehicle charging stations;~~

- ~~a. Each station must be maintained and operated for a minimum of three years;~~
- ~~b. Project equipment must be certified by Underwriters Laboratories, Inc. or equivalent safety standard; and~~
- ~~c. TFCA funding may not be used to pay for on-going operations and maintenance costs.~~

**26.27. Vehicle Scrapping:** The project is intended to accelerate the removal of highly polluting vehicles from Bay Area roads. Funding will be provided to owners of on-road motor vehicles who voluntarily scrap vehicles that meet the following requirements:

- a. Vehicles must be roadworthy and pass an inspection by the Air District or its designee; ~~and~~
- b. Vehicles must be currently registered with the DMV to an address within the Air District’s jurisdiction and have had continuous registration to the same owner for a minimum of two years;
- c. Vehicles are not eligible for funding from other Air District programs or other public agencies.

~~27. Reserved;~~

Trip Reduction Projects

**28. Existing Shuttle/Feeder Bus Services:** The project will reduce single-occupancy vehicle commute-hour trips by providing the short-distance connection between a mass transit hub and one or more definable commercial hubs or employment centers:

- a. The ~~service~~project must provide ~~direct~~local feeder bus or shuttle service ~~connections~~between a mass transit hub (e.g., a rail or ferry stations, including Bus Rapid Transit (BRT) station, ferry or bus terminal, or airport)stations, airports and a distinct commercial or employment location;
- b. The service’s schedule must be coordinated to have a timely connection with the corresponding mass transit service;
- c. The service must be available for use by all members of the public;
- d. TFCA Regional Funds may be used to fund only shuttle services to locations that are under-served and lack other comparable service. For the purposes of this policy, “comparable service” means that there exists, either currently or within the last three years, a direct, timed, and publicly accessible service that brings passengers to within one-third (1/3) mile of the proposed commercial or employment location from a mass transit hub. A proposed service will not be deemed “comparable” to an existing service if the passengers’ proposed travel time will be at least 15 minutes shorter and at least 33% shorter than the existing service’s travel time to the proposed destination;
- e. **Reserved.**
- f. TFCA Regional Funds may be used to fund services only during commuter peak-hours, i.e., 5:00-10:00 AM and/or 3:00-7:00 PM;

- g. Matching funds must be provided to cover at least 10% of the total project cost and must include only direct operational costs. Administrative costs are not eligible for use as matching funds. For shuttle/feeder bus service projects, the total project cost is the sum of direct operational costs (i.e., shuttle driver wages and fuel) of the project;
- h. Project Sponsors must be either: (1) a public transit agency or transit district that directly operates the shuttle/feeder bus service, or (2) a city, county, or any other public agency;
- i. Applicants must submit a letter of concurrence from all transit districts or transit agencies that provides service in the area of the proposed route, certifying that the service does not conflict with existing service; and
- j. Projects that would operate in Highly Impacted Communities or Episodic Areas as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in Priority Development Areas (PDAs), may qualify for funding at a higher cost-effectiveness limit (see Policy #2).

29. **Pilot Trip Reduction:** The project will reduce single-occupancy commute-hour vehicle trips by encouraging mode-shift to other forms of shared transportation. Pilot projects are defined as projects that serve an area where no similar service was available within the past three years, or will result in significantly expanded service to an existing area. Funding is designed to provide the necessary initial capital to a public agency for the start-up of a pilot project so that by the end of the third year of the trip reduction project's operation, the project will be financially self-sustaining or require minimal public funds, such as grants, to maintain its operation:

- a. Applicants must demonstrate the project will reduce single-occupancy commute-hour vehicle trips and result in a reduction in emissions of criteria pollutants (i.e., ROG, NOx, and PM10);
- b. The proposed service must be available for use by all members of the public;
- c. Applicants must provide a written plan documenting steps that would be taken to ensure that the project will be financially self-sustaining or require minimal public funds to maintain its operation by the end of the third year;
- d. If the local transit provider is not a partner, the applicant must demonstrate ~~that~~ they have attempted to ~~haveget~~ the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
- e. Applicants must provide data and/or other evidence demonstrating the public's need for the service, including a demand assessment survey and letters of support from potential users; and
- f. Pilot trip reduction projects that propose to provide shuttle/feeder bus and ridesharing service projects must comply with all applicable requirements in policies #28 and #30.

30. **Existing Regional Ridesharing Services:** The project will provide carpool, vanpool, and other rideshare services. For TFCA Regional Fund eligibility, ridesharing projects must be comprised of riders from at least five counties within Air District's jurisdiction, with no one county accounting for more than 80% of all riders, as verified by documentation submitted with the application.

If a project includes ride-matching services, *only* ride-matches that are not already included in the Metropolitan Transportation Commission's (MTC) regional ridesharing program are eligible for TFCA Regional Funds. Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category. Applications for projects that provide a direct or indirect financial transit or rideshare subsidy *exclusively* to employees of the project sponsor are not eligible.

### Bicycle Projects

31. **Electronic Bicycle Lockers Bicycle Parking:** The project will expand ~~the public's~~public access to new ~~electronic~~bicycle ~~lockers~~parking facilities. The project must be included in an adopted countywide bicycle plan, Congestion Management Plan (CMP), ~~or the Metropolitan Transportation Commission's~~MTC's

Regional Bicycle Plan, ~~must~~ or other similar plan, and serve a major activity center (e.g. transit station, office building, or school). The ~~electronic~~ bicycle lockers parking facility must be publicly accessible and available for use by all members of the public.

TFCA Regional Funds may not be used to pay for costs ~~for~~ related to maintenance, repairs, upgrades, rehabilitation, operations, ~~and~~ or project administration.

~~The maximum award amount is based on the number of lockers, at the rate of \$2,500 per locker, for example, a quad contains four lockers and would be eligible for a maximum award amount of \$10,000.~~

Monies expended by the Project Sponsor to maintain, repair, upgrade, rehabilitate, or operate ~~the electronic lockers bicycle parking facilities~~ are not eligible for use as matching funds.

32. **Bikeways:** The project will construct and/or install bikeways that are included in an adopted countywide bicycle plan, ~~Congestion Management Plan (CMP),~~ countywide transportation plan (CTP), city general plan or area-specific plan, ~~or the Metropolitan Transportation Commission's the MTC's~~ Regional Bicycle Plan, or other similar plan. To be eligible for funding, the purpose of bikeways that are included in an adopted city general plan or area-specific plan must be to reduce motor vehicle emissions or traffic congestion. Projects must have completed all applicable State and federal environmental reviews and either have been deemed exempt by the lead agency or have been issued the applicable negative declaration or environmental impact report or statement.

All bikeway projects must, where applicable, be consistent with design standards published in the California Highway Design Manual or conform to the provisions of the Protected Bikeway Act of 2014.

Projects must reduce vehicle trips made for utilitarian purposes (e.g., work or school commuting) and cannot be used exclusively for recreational use. Projects must also meet at least one of the following conditions:

- a. Be located within one-half mile biking distance from the closer of a public transit station/stop (e.g., local, county- wide or regional transit stops/stations/terminals) or a bike share station;
- b. Be located within one-half mile biking distance from a major activity center that serves at least 2,500 people per day (e.g., employment centers, schools, business districts); or
- c. Be located within one-half mile biking distance from three activity centers (e.g., employment centers, schools, business districts).

Projects are limited to the following types of bikeways:

- a. Class I Bikeway (Bike Path), new or upgrade improvement from Class II or Class III ~~bikeway~~ Bikeway;
- b. New Class II Bikeway (Bike Lane),
- c. New Class III Bikeway (Bike Route); or
- d. Class IV Bikeway (Separated Bikeway), new or upgrade improvement from Class II or Class III bikeway.

33. **Infrastructure Improvements for Trip-Reduction:** ~~The project will expand the public's access to alternative transportation modes through the design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions. The projects and physical improvements shall be identified in an approved area-specific plan, redevelopment plan, general plan, or other similar plan.~~

**REGIONAL FUND EVALUATION CRITERIA:**

Applications may be reviewed on either a first-come, first-served basis or a competitive basis. Projects will also be evaluated using the evaluation process criteria listed below.

1. Eligible projects will be evaluated based on cost-effectiveness and conformity to additional specific requirements discussed in Table the adopted policies and project-specific solicitation guidance.

<b>Policy #</b>	<b>Project Category</b>	<b>Evaluation Process</b>
22	On-Road Truck Replacements	Applications will be reviewed on a first come, first served basis, and funding amounts for eligible projects will be determined based on a project's cost-effectiveness and conformity to their respective project specific Policy requirements.
23	Light and Medium Duty Zero and Partial Zero Emissions Vehicles for Fleets	
24	On-Road Heavy-Duty Zero and Partial Zero Emissions Trucks and Buses	
25	Hydrogen Stations	Applications will be reviewed after the submittal deadline and eligible projects will be ranked based on their cost-effectiveness score and conformity to Policy #25.
26	Vehicle Scrapping	Applications will be reviewed on a first come, first served basis and eligible projects will be recommended for funding until funding has been depleted.
27	Reserved	Reserved
28	Existing Shuttle/Feeder Bus Services	Applications may be reviewed on either a first come, first served basis or a competitive basis after the submittal deadline. Eligible projects will be evaluated based on their cost-effectiveness score and conformity to their respective project specific Policy requirements. In the case of a competitive solicitation, projects will also be ranked based on their potential to expand access to 1 <sup>st</sup> and last mile connections to regional or county wide transit stops/stations/terminals (e.g., BART, Caltrain, Capitol Corridor, ferry terminals) and bike share stations.
29	Pilot Trip Reduction	
30	Existing Regional Ridesharing Services	
31	Electronic Bicycle Lockers	Applications will be reviewed on a first come, first served basis and eligible projects will be recommended for funding until funding has been depleted.
32	Bikeways	Applications may be reviewed on either a first come, first served basis or a competitive basis after the submittal deadline. Eligible projects will be evaluated based on their cost-effectiveness score and conformity to Policy #32. In the case of a competitive solicitation, projects will also be ranked based on their potential to expand access to 1 <sup>st</sup> and last mile connections to regional or county wide transit stops/stations/terminals (e.g., BART, Caltrain, Capitol Corridor, ferry terminals) and bike share stations.

- 1.2,3 TFCA Regional Funds will be prioritized for projects that meet one or more of the following criteria:

- a. Projects in Highly Impacted Communities or Episodic Areas as defined in the Air District ~~Community Air Risk Evaluation (CARE)~~ Program and other communities identified through the AB 617 process; and
- b. Projects in ~~Priority Development Areas (PDAs)~~.

MOBILE SOURCE COMMITTEE  
MEETING OF 05/20/2020



**Agenda 4 – Attachment C: Comments Received and Staff Responses to Proposed FYE 2021 TFCA Regional Fund Policies**

<b>Commenter &amp; Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Robert Rich <b>Bay Area Metro</b></p>	<p>Would the Air District consider funding “signal timing, signal intelligent transportation systems (e.g. transit signal priority (TSP)) and innovative transit projects (e.g. SAVs, smart bus routing)”?</p>	<p>TSP projects are not currently eligible for funding under the Regional Fund but are allowable under the County Program Manager Program. Although the Regional Fund has previously funded this project category, the projects funded generally did not achieve all Board adopted polices, e.g., cost-effectiveness and requirement to complete project within specified time period. Staff will be following up with the commenter and continue to explore options for expanding eligible project categories</p>
<p>Max Wilcox <b>PowerFlex Systems, Inc.</b></p>	<p>I believe the surcharge on motor vehicles to fund the program should not apply to zero-emissions vehicles given that the money is being used to reduce emissions. We shouldn't be charging more to those who have already converted to a zero emissions vehicle.</p>	<p>TFCA funds are used to reduce both vehicle tailpipe emissions and brake and tire wear emissions. While zero-emissions vehicles effectively reduce tailpipe emissions, still produce brake and tire wear emissions. They also contribute to congestion, which also generates greater air pollutions from combustion-fueled vehicles that idle.  Staff discussed these with the commenter on February 4, 2020.</p>
<p>Jianhan Wang <b>CycleSCP</b></p>	<p>I'd like to see the electronic lockers section expanded to include more forms of secure bike parking like electronic bike cages and smart racks with at least some form of locking integrated (e.g. Bikeep) to secure parts of a bike.</p>	<p>Noted. The proposed updates to the Policies include a provision to expand the eligible bicycle facilities to allow for other forms of secure parking such as bike cages and smart racks. These types of secured parking may be considered for TFCA funding if they also meet all other applicable requirements.</p>
<p>Bruce Beyaert <b>Trails for Richmond Action Committee</b></p>	<p>It is difficult to justify going to the effort of preparing a grant app without foreknowledge of whether the project would be judged cost/effective. Would it be possible to provide guidance for applicants to calculate C/E in advance of preparing grant app or, perhaps, examples of projects that would qualify?</p>	<p>Detailed information including cost-effectiveness and project evaluation criteria are provided in the program application guidance and explained at pre-application webinars.  Interested parties are also encouraged to contact staff directly to discuss specific projects in detail and to obtain preliminary cost-effectiveness results prior to the submission of an application.</p>

**Agenda 4 – Attachment C: Comments Received and Staff Responses to Proposed FYE 2021 TFCA Regional Fund Policies**

<p><b>Robert Prinz Bike East Bay</b></p>	<p>I have been glad to see TFCA funding used to expand electronic bike locker installations in the East Bay, but have heard from some cities that the amount of administration required for what is a relatively small award deters them from applying. In addition, without a local business, transit agency, or other sponsor to take on locker maintenance (which isn't currently covered via this fund) then especially smaller cities are often reluctant to commit to it themselves.</p> <p>I recommend updating this category to allow for routine locker maintenance funding to be included with a request for funding under category 31, perhaps limited to 2 years from the date of installation. I also suggest looking into opportunities to streamline the administration for this relatively low-cost category, to make it easier for smaller cities with fewer staff to participate.</p>	<p>The award amount, whether it's for infrastructure or maintenance cost, is limited by the cost-effectiveness threshold.</p> <p>The Air District has previously offered a streamlined voucher program for the purchases and installation of bicycle racks and will explore options for developing a similar streamlined program for other bicycle parking types.</p>
	<p>Also, I have come across some unusual cases where bicycle lockers are not accessible overnight or on weekends, including some being installed at a park and ride lot with gates that are locked after hours. This reduces the utility of the lockers, since there is other car parking nearby but there is often no other secure bike parking. As such I recommend that for category 31 the phrase "...bicycle parking facility must be publicly accessible and available for use by all members of the public.." include the phrase "...at all hours of the day."</p> <p>I appreciate that category 31 is being opened up again to more types of bicycle parking beyond electronic lockers, but would like to see strict requirements set for allowable bicycle rack types, placement, and installation. Too often bicycle racks are chosen for their appearance ahead of their utility, or errors are made with their installation or placement which render the racks unusable or insecure. The City of Oakland's bicycle rack guidelines are among the best I've seen, and I recommend that something similar be incorporated into the standards for this category.</p>	<p>Noted. Staff will explore this suggestion to require bicycle parking facility to be publicly accessible at all hours.</p>
<p><b>Mark Roest Sustainable Energy Inc.</b></p>	<p><i>The commenter provided background on many aspects of the company he works for and the future of group rapid transit coaches.</i></p>	<p>Noted.</p>
<p><b>Claire Garcia The Lion</b></p>	<p>With respect to Policy 4.b, Lion respectfully recommends allowing public agencies to submit their signed resolutions before contracts are executed between such public agencies and</p>	<p>Noted. The Regional Fund program typically does provide public agencies additional time to submit resolutions after the application deadline</p>

**Agenda 4 – Attachment C: Comments Received and Staff Responses to Proposed FYE 2021 TFCA Regional Fund Policies**

<p><b>Electric Co.</b></p>	<p>BAAQMD, rather than at the time of application submittal. This would allow greater flexibility for public agencies to apply, as resolutions can take much longer for them to pass than a signed letter of commitment from a private company. This would level the playing field for public agencies, especially in the context of applications evaluated on a competitive basis, where open solicitation periods can be quite short.</p>	
	<p>For Policy 5, Lion suggests reducing or eliminating the matching funds requirement for public agencies and retaining the 10% requirement for private companies. This would be beneficial for many public agencies that tend to be more cash-strapped than private entities and would allow them to transition their fleets to zero-emission as easily as their private counterparts. TFCA funds should go to those who need them most, and few organizations need more monetary assistance than public agencies.</p>	<p>Noted. The proposed updates to the Policies include a provision to remove the 10% match requirement and allow TFCA funds to cover up to 100% of costs for zero-emissions school buses.</p>
	<p>Lion proposes eliminating the maximum grant award amount per entity per calendar year stated in Policy 7 and instead replacing it with a maximum number of contracts that can be awarded per entity per calendar year. This is because some individual zero-emission vehicle replacement projects can easily amount to close to \$500,000 (the threshold for non-public entities) and thus may only allow one project per non-public entity. If the policy were changed to limit maximum grant awards to 3 contracts per entity, for example, that would guarantee applicants to be able to apply for multiple vehicles, regardless of vehicle cost.</p>	<p>Noted. The proposed updates to the Policies include a provision to change <i>Policy # 7. Maximum Grant Amount</i> and increase the funding caps per agency to address this concern.</p>
	<p>Lion respectfully cautions BAAQMD with its Policies regarding deadline extensions, such as Policy 21. Although deadline extensions are reasonable and should be considered in some cases, the goal of the TFCA funds (to reduce motor vehicle emissions within the Bay Area region) can only be realized if project timelines are adhered to and emissions reductions measures are realized in a timely manner.</p>	<p>Noted.</p>
	<p>With regards to Policy 22, Lion respectfully advises BAAQMD to consider allowing only zero-emission on-road trucks as replacement projects. This will greatly accelerate emissions reductions in the Bay Area region and will encourage increased adoption of these clean air vehicles. Such a measure would accomplish the goals of the TFCA funds quickly and realize a healthier environment for all in the Bay Area region.</p>	<p>Noted. This policy aims to accelerate the replacement of old, polluting heavy-duty trucks where zero-emission heavy-duty technology is not currently commercially available for that vehicle category. Staff continues to monitor the development of new technologies and may consider proposing changes in the future.</p>

**Agenda 4 – Attachment C: Comments Received and Staff Responses to Proposed FYE 2021 TFCA Regional Fund Policies**

	<p>As for Policy 24.g, Lion reiterates its suggestion regarding Policy 5 – reducing or eliminating the maximum percentage of project costs that can be covered by combined grant funds for public agencies. This would serve to accelerate the adoption of zero-emission vehicles by public entities and would result in greater emissions reductions in the Bay Area region.</p>	<p>Noted.</p>
	<p>Lion strongly supports BAAQMD’s simplification of the Regional Fund Evaluation Criteria to allow for greater program flexibility. They recognize the benefits of both first-come first-served and competitive evaluation styles. They will continue to support BAAQMD as policies are simplified in order to achieve the goals of the TFCA funds – reducing emissions – in the most efficient manner possible.</p>	<p>Noted.</p>
	<p>Finally, Lion commends BAAQMD for proposing to prioritize projects in CARE areas and communities identified by AB617. These are among the state’s most highly impacted communities and their need for swift, effective emissions reductions measures is great and justified. They look forward to partnering with BAAQMD to bring clean air vehicles to these communities.</p>	<p>Noted.</p>
<p><b>The following comments were received after the close of the Public Comment period</b></p>		
<p>Mahlon Aldridge <b>Ecology Action</b></p>	<p>The commenter proposes for the Air District to adjust policies for the Charge! Program, to accommodate potential applicants who live in multi-unit dwellings and do not have pre-existing reliable and exclusive at-home electric vehicle chargers at their disposal.</p>	<p>Noted. Staff will explore this suggestion when developing the next cycle for its Charge program.</p>
<p>Sylvia Star-Lack <b>City of Palo Alto</b></p>	<p>Policy 31:  1. This policy reads as though bicycle parking will only be eligible if it is an individually called out project in a plan. Our City’s Comprehensive Plan and our Bicycle and Pedestrian Transportation Plan do not spell out bicycle parking in that manner. Additionally, this policy could rule out projects that school districts or other non-City agencies might pursue regarding adding bicycle parking capacity.  2. Also, please consider the use of these funds for scooter and skateboard parking. The Air District could assign a limit, like 25% of the grant, that can go towards scooter/skateboard parking.)</p>	<p>The authorizing legislation requires projects to be included in an adopted countywide bicycle plan, Congestion Management Plan, the Metropolitan Transportation Commission’s Regional Bicycle Plan, or another similar plan. School Districts can meet this requirement by having projects identified in their facility, safe routes-to-school, or transportation plans.  Noted. The Regional Fund policies do not specifically restrict “bicycle parking facilities” to only bicycles. Staff will be evaluating options for specifying other forms of active transportation such as scooters and skateboards in</p>

**Agenda 4 – Attachment C: Comments Received and Staff Responses to Proposed FYE 2021 TFCA Regional Fund Policies**

		future policy updates.
	3. Please reconsider the prohibition on the use of these funds for bicycle parking upgrades. Major upgrades are needed at most school and many public facilities, and bike parking is an important part of school and commuter mode shift.	Upgrades that expand the number of existing bicycle parking spaces are eligible for TFCA funding.
	<p>Policy 32:</p> <p>a. Policy 32A will make it difficult to fill gaps in bike networks that connect to transit facilities but lie beyond the half-mile distance. We have inadequate bikeways in town that are heavily traveled by students and commuters (600 biking and walking combined per day) that are outside of this radius.</p> <p>b. Will Policy 32 allow for widening of an existing Class 1 path that does not meet standards for the high level of use it receives? Please include “Upgrade of Class 1 path to accommodate user flows” as an option.</p> <p>c. Could the Air District please consider a non-geographic criterion that allows for bike network gap closure or facility upgrades to safely accommodate documented use levels?</p>	<p>The Air District prioritizes funding for projects that meet one of the requirements in Policy #31 to maximize air quality benefits, which is required by the funding source.</p> <p>Staff will follow up with commenter to discuss projects that widen existing Class 1 bikeways and close bike network gaps, and facility upgrade projects to explore the methodology for evaluating cost-effectiveness of those projects.</p>

MOBILE SOURCE COMMITTEE  
MEETING OF 05/20/2025

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Report of the Budget and Finance Committee Meeting of May 20, 2020

RECOMMENDED ACTION

The Budget and Finance Committee (Committee) may recommend Board of Directors (Board) approval of the following item:

- A) Proposed Amendments to Air District Regulation 3: Fees.
  - 1) Adopt a new fee for implementation of Assembly Bill (AB) 617 on Title V Facilities for Fiscal Year Ending 2021; and
  - 2) Revisit imposition of additional fees in October 2020, as the economic and facility activity level picture become clearer.

BACKGROUND

The Committee met on Wednesday, May 20, 2020, and received the following report:

- A) Proposed Amendments to Air District Regulation 3: Fees.

Chairperson Carole Groom will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) The recommended AB 617 fees would increase fee revenues by approximately \$1.05 million. This will backfill the \$1 million deficit in the AB 617 allocation to the Air District in the California Governor's budget proposal for the upcoming fiscal year.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenaflor

Reviewed by: Vanessa Johnson

Attachment 17A: 05/20/2020 – Budget and Finance Committee Meeting Agenda #3

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Carole Groom and Members  
of the Budget and Finance Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2020

Re: Proposed Amendments to Air District Regulation 3: Fees

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RECOMMENDED ACTIONS

Recommend the Board of Directors:

1. Adopt a new fee for implementation of Assembly Bill (AB) 617 on Title V Facilities for Fiscal Year Ending 2021; and
2. Revisit imposition of additional fees in October 2020, as the economic and facility activity level picture become clearer.

BACKGROUND

Annually, staff develops recommended amendments to the Air District's fee regulation as part of the budget preparation process. Fee amendments are based on the March 7, 2012, Board of Directors (Board) adopted Cost Recovery Policy that established a goal of increasing fee revenue sufficient to achieve a minimum of 85 percent recovery of regulatory program costs. Progress towards this target is reported to the Board annually by staff and the methodology of implementation of fees to achieve this goal is periodically reviewed by outside consultants.

DISCUSSION

Consistent with the Cost Recovery Policy, draft amendments to specific fee schedules were made in consideration of recommendations made in the 2017-18 Matrix Consultant Group cost recovery and containment analysis. This work, conducted at the fee schedule-level, recommends larger increases being proposed for the schedules that have larger cost recovery gaps.



Based on the recommendations of that study, and to remain in line with direction on cost recovery (see Attachment 3A – BAAQMD 2020 Cost Recovery Report), staff proposed the following changes to existing fee schedules (see Attachment 3B - Proposed Regulation 3: Fees) to the Board on April 15, 2020:

- 3.1 percent increase for fee schedules that are recovering 95 to 110 percent of costs.
- 7 percent increase for fee schedules that are recovering 85 to 94 percent of costs.
- 8 percent increase for fee schedules that are recovering 75 to 84 percent of costs.
- 9 percent increase for fee schedules that are recovering 50 to 74 percent of costs.
- 15 percent increase for fee schedules that are recovering less than 50 percent of costs.

Additionally, a number of fees that are administrative in nature; permit application filing fees, alternative compliance plan fees, permit to operate renewal processing fees, transfer fees, emissions banking filing and withdrawal fees, school toxic inventory maximum fees, and exemption fees. Staff had initially proposed that they be increased by 3.1 percent in line with annual Consumer Price Index for Bay Area Urban Wage Earners and Clerical Workers (CPI-W) from 2019 to 2020.

The following additional amendments were also initially proposed by staff to the Board at its April 15, 2020, meeting:

- A revision to Section 3-327, Permit to Operate, Renewal Fees as follows:
  - A new fee for each facility subject to California Air Resource Board’s (CARB’s) Criteria Pollutant and Toxics Emissions Reporting (CTR) Regulation would be charged during permit renewal.
    - As part of AB 617, CARB recently adopted the CTR Regulation for the reporting of criteria air pollutants and toxic air contaminants for stationary sources.
    - The Air District is tasked with implementing the CTR Regulation in the Bay Area and estimate costs of \$1.5 million per year.
    - Staff had proposed the tiered fees below based on the number of sources at each facility, since the costs are commensurate with the number of sources at each facility. The maximum fee per facility would be capped at \$50,000 per year.

<b>Number of Permitted Sources per Facility</b>	<b>\$ per Permitted Source</b>
1 to 4	25
5 to 9	75
10 to 14	150
15 to 19	200
20 to 24	250
25 and greater	300

- A new community health impact fee would be charged during permit renewal to each permitted facility.
  - This fee would help cover the Air District’s costs associated with CARB’s AB 617 “Community Air Protection Program.”
  - Air District staff is tasked with implementing AB 617 in the Bay Area and estimate costs of \$2.4 million per year in excess of direct funding from CARB.
  - Staff had proposed a fee equal to 5.7% of the annual total permit/registration renewal fees for each facility with a maximum cap of \$70,000 per year per facility.
  
- Adding references to Schedule W (Petroleum Refining Emissions Tracking Fees) and Schedule X (Major Stationary Source Community Air Monitoring Fees), since fees assessed during permit renewal are typically listed in this section.
  
- To recover costs from administrative activities for managing Authority to Construct (A/C) permits, staff had proposed revising Section 3-330 to add a minimum A/C renewal fee, Section 3-330.1 to add a fee for requesting A/C renewal after the A/C expiration date, and Section 3-405 to add a fee for late start-up notifications of a source under an A/C within a year from the start-up date.
  
- Other proposed Fee Schedule changes included:
  - Revising the language in Fee Schedule N (Toxic Inventory Fees) to clarify the methodology used by the Air District to calculate the facility’s weighted toxic inventory and amend the language in Fee Schedule V (Open Burning) to reflect recent Regulation 5 amendments.
  - Increasing Fee Schedule D, Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals, by 3.1%, even though the matrix cost study would have recommended an 7% increase, since this would affect many gasoline dispensing facilities, which are small businesses.
  - Increasing Fee Schedule E, Solvent Evaporating Sources, by 3.1%, even though the matrix cost study would have recommended a 9% increase, since many auto body shops are small businesses.

The staff report for the initially proposed fee options is available in Attachment 3C.

On April 15, 2020, based on the extraordinary circumstances surrounding the current pandemic and shelter-in-place order, staff proposed to suspend all fee increases until later in 2020. At that meeting, the Board requested that staff analyze increases in select fee schedules to ensure that essential facilities, those that remain in production throughout the shelter-in-place, continue to be subject to cost recovery.

In response, staff prepared that analysis and an alternative proposal - the adoption of an AB 617 fee with a \$100,000 per facility cap - and presented it to the Budget and Finance Committee (Committee) on April 22, 2020. The Committee discussed the staff's proposal and explored several motions on fee options before deciding to return to consider this item at a future meeting. Additionally, the Committee directed staff to deliver an updated analysis of fee options (including those proposed in motions) at the Budget and Finance Committee's April 29, 2020, meeting.

At the April 29, 2020, staff presented eight separate fee options to the Committee for discussion. Following a robust exploration of the options, the Committee voted to request the Board of Directors:

1. Adopt a new fee for implementation of AB 617 on Title V Facilities for Fiscal Year Ending 2021; and
2. Revisit imposition of additional fees in October 2020, as the economic and facility activity level picture become clearer.

At the May 6, 2020, Board of Directors Special Budget Hearing, there was additional discussion of the fee proposal, including: staff projections for fee revenues; uncertainties in economy; contingencies in the event that state funding is not allocated to the AB 617 program; a fee deferment program from small business; funding levels for reserves; and operational and budget contingencies in the event fee revenues fall short of those in the proposed budget.

Based on this discussion, the Board requested an additional Committee meeting to further explore the fee proposal, revenue monitoring, a small business forgiveness program, and available shortfall contingency measures in light of current economic uncertainties prior to the final Budget Hearing on June 3, 2020.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

The recommended AB 617 fees would increase fee revenues by approximately \$1.05 million. This will backfill the \$1 million deficit in the AB 617 allocation to the Air District in the California Governor's budget proposal for the upcoming fiscal year.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Barry Young  
Reviewed by: Pamela Leong, Damian Breen, and Jeff McKay

Attachment 3A: BAAQMD 2020 Cost Recovery Study  
Attachment 3B: Proposed Regulation 3: Fees  
Attachment 3C: Staff Report for Proposed Amendments to Air District Regulation 3: Fees

BUDGET AND FINANCE COMMITTEE  
MEETING OF 05/20/2020



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **2020 COST RECOVERY STUDY**

Prepared by the staff of the  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA

January 2020

BUDGET AND FINANCE COMMITTEE  
MEETING OF 05/20/2020

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BUDGET AND FINANCE COMMITTEE  
MEETING OF 05/20/2020

## Executive Summary

The 2020 Cost Recovery Study includes the latest fee-related cost and revenue data gathered for FYE 2019 (i.e., July 1, 2018 - June 30, 2019). The results of this 2020 Cost Recovery Study will be used as a tool in the preparation of the FYE 2021 budget, and for evaluating potential amendments to the Air District's Regulation 3: Fees.

The completed cost recovery analysis indicates that in FYE 2019 there continued to be a revenue shortfall, as overall direct and indirect costs of regulatory programs exceeded fee revenue (see Figure 2). For FYE 2017 to 2019, the Air District is recovering approximately 84 percent of its fee-related activity costs (see Figure 3). The overall magnitude of this cost recovery gap was determined to be approximately \$8.4 million. This cost recovery gap was filled using General Fund revenue received by the Air District from the counties' property tax revenue.

The 2020 Cost Recovery Study also addressed fee-equity issues by analyzing whether there is a revenue shortfall at the individual Fee Schedule level. It was noted that of the twenty-three Fee Schedules for which cost recovery could be analyzed, seven of the component Fee Schedules had fee revenue contributions exceeding total cost.

### Background

The Air District is responsible for protecting public health and the environment by achieving and maintaining health-based national and state ambient air quality standards, and reducing public exposure to toxic air contaminants, in the nine-county Bay Area region. Fulfilling this task involves reducing air pollutant emissions from sources of regulated air pollutants and maintaining these emission reductions over time. In accordance with State law, the Air District's primary regulatory focus is on stationary sources of air pollution.

The Air District has defined units for organizational purposes (known as "Programs") to encompass activities which are either dedicated to mission-critical "direct" functions, such as permitting, rule-making, compliance assurance, sampling and testing, grant distribution, etc., or are primarily dedicated to support and administrative "indirect" functions. The Air District has also defined revenue source categories (known as "Billing Codes") for the permit fee schedules, grant revenue sources, and general support activities.

The Air District's air quality regulatory activities are primarily funded by revenue from regulatory fees, government grants and subventions, and county property taxes. Between 1955 and 1970, the Air District was funded entirely through property taxes. In 1970, the California Air Resources Board (CARB) and U.S. Environmental Protection Agency began providing grant funding to the Air District. After the passage of Proposition 13, the Air District qualified as a "special district" and became eligible for AB-8 funds, which currently make up the county revenue portion of the budget.

State law authorizes the Air District to impose a schedule of fees to generate revenue to recover the costs of activities related to implementing and enforcing air quality programs.

On a regular basis, the Air District has considered whether these fees result in the collection of a sufficient and appropriate amount of revenue in comparison to the cost of related program activities.

In 1999, a comprehensive review of the Air District's fee structure and revenue was completed by the firm KPMG Peat Marwick LLP (*Bay Area Air Quality Management District Cost Recovery Study, Final Report: Phase One – Evaluation of Fee Revenues and Activity Costs; February 16, 1999*). The Study recommended an activity-based costing model, which has been implemented. Also, as a result of that Study, the Air District implemented a time-keeping system. These changes improved the Air District's ability to track costs by program activities. The 1999 Cost Recovery Study indicated that fee revenue did not offset the full costs of program activities associated with sources subject to fees as authorized by State law. Property tax revenue (and in some years, fund balances) have been used to close this gap.

In 2004, the Air District's Board of Directors approved funding for an updated Cost Recovery Study that was conducted by the accounting/consulting firm Stonefield Josephson, Inc. (*Bay Area Air Quality Management District Cost Recovery Study, Final Report; March 30, 2005*). This Cost Recovery Study analyzed data collected during the three-year period FYE 2002 through FYE 2004. It compared the Air District's costs of program activities to the associated fee revenues and analyzed how these costs are apportioned amongst the fee-payers. The Study indicated that a significant cost recovery gap existed. The results of this 2005 report and subsequent internal cost recovery studies have been used by the Air District in its budgeting process, and to set various fee schedules.

In March 2011, another study was completed by the Matrix Consulting Group (*Cost Recovery and Containment Study, Bay Area Air Quality Management District, Final Report; March 9, 2011*). The purpose of this Cost Recovery and Containment Study was to provide the Air District with guidance and opportunities for improvement regarding its organization, operation, and cost recovery/allocation practices. A Cost Allocation Plan was developed and implemented utilizing FYE 2010 expenditures. This Study indicated that overall, the Air District continued to under-recover the costs associated with its fee-related services. In order to reduce the cost recovery gap, further fee increases were recommended for adoption over a period of time in accordance with a Cost Recovery Policy to be adopted by the Air District's Board of Directors. Also, Matrix Consulting Group reviewed and discussed the design and implementation of the new Production System which the Air District is developing in order to facilitate cost containment through increased efficiency and effectiveness.

Air District staff initiated a process to develop a Cost Recovery Policy in May 2011, and a Stakeholder Advisory Group was convened to provide input in this regard. A Cost Recovery Policy was adopted by the Air District's Board of Directors on March 7, 2012. This policy specifies that the Air District should amend its fee regulation, in conjunction with the adoption of budgets for Fiscal Year Ending (FYE) 2014 through FYE 2018, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85%. The policy also indicates that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee



schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

In February 2018, the Matrix Consulting Group completed an update of the 2011 cost recovery and containment study for the fiscal year that ended June 30, 2017. The primary purpose of this Study was to evaluate the indirect overhead costs associated with the Air District and the cost recovery associated with the fees charged, by the Air District. The project team evaluated the Air District's FYE 2017 Programs to assess their classification as "direct" or "indirect". In addition, they audited the time tracking data associated with each of the different fee schedules. The Study provided specific recommendations related to direct and indirect cost recovery for the Air District, as well as potential cost efficiencies.

This 2018 Cost Recovery Study incorporated the accounting methodologies developed by KPMG in 1999, Stonefield Josephson, Inc. in 2005 and Matrix Consulting Group in 2011. The Study included the latest cost and revenue data gathered for FYE 2017 (i.e., July 1, 2016 - June 30, 2017). The results of the 2018 Cost Recovery Study were used as a tool in the preparation of the budgets for FYE 2019 and FYE 2020, and for evaluating potential amendments to the Air District's Regulation 3: Fees.

### **Legal Authority**

In the post-Prop 13 era, the State Legislature determined that the cost of programs to address air pollution should be borne by the individuals and businesses that cause air pollution through regulatory and service fees. The primary authority for recovering the cost of Air District programs and activities related to stationary sources is given in Section 42311 of the Health and Safety Code (HSC), under which the Air District is authorized to:

- Recover the costs of programs related to permitted stationary sources
- Recover the costs of programs related to area-wide and indirect sources of emissions which are regulated, but for which permits are not issued
- Recover the costs of certain hearing board proceedings
- Recover the costs related to programs that regulate toxic air contaminants

The measure of the revenue that may be recovered through stationary source fees is the full cost of all activities related to these sources, including all direct Program costs and a commensurate share of indirect Program costs. Such fees are valid so long as they do not exceed the reasonable cost of the service or regulatory program for which the fee is charged, and are apportioned amongst fee payers such that the costs allocated to each fee-payer bears a fair or reasonable relationship to its burden on, and benefits from, the regulatory system.

Air districts have restrictions in terms of the rate at which permit fees may be increased. Under HSC Section 41512.7, permit fees may not be increased by more than 15 percent on a facility in any calendar year.

## Study Methodology

The methodology for determining regulatory program revenue and costs is summarized as follows:

### Revenue

Revenue from all permit renewals and applications during the FYE 2019 was assigned to the appropriate Permit Fee Schedules. This is a continued improvement over prior years' process due to the more detailed data available in the New Production System.

### Costs

Costs are expenditures that can be characterized as being either direct or indirect. Direct costs can be identified specifically with a particular program activity. Direct costs include wages and benefits, operating expenses, and capital expenditures used in direct support of the particular activities of the Air District (e.g., permit-related activities, grant distribution, etc.).

Indirect costs are those necessary for the general operation of the Air District as a whole. Often referred to as "overhead", these costs include accounting, finance, human resources, facility costs, information technology, executive management, etc. Indirect costs are allocated to other indirect Programs, using the reciprocal (double-step down) method, before being allocated to direct Programs.

Employee work time is tracked by the hour, or fraction thereof, using both Program and Billing Code detail. This time-keeping system allows for the capture of all costs allocatable to a revenue source on a level-of-effort basis.

Employee work time is allocated to activities within Programs by billing codes (BC1-BC99), only two of which indicate general support. One of these two general support codes (BC8) is identified with permitting activities of a general nature, not specifically related to a particular Fee Schedule.

Operating and capital expenses are charged through the year to each Program, as incurred. In cost recovery, these expenses, through the Program's Billing Code profile, are allocated on a pro-rata basis to each Program's revenue-related activity. For example, employees working in grant Programs (i.e., Smoking Vehicle, Mobile Source Incentive Fund, etc.) use specific billing codes (i.e., BC3, BC17, etc.), and all operating/capital expense charges are allocated pro-rata to those grant activities. Employees working in permit-related Programs (i.e., Air Toxics, Compliance Assurance, Source Testing, etc.) also use specific billing codes (i.e., BC8, BC21, BC29, etc.) and all operating/capital expense charges incurred by those Programs are allocated pro-rata to those Program's activity profiles as defined by the associated billing codes.

Direct costs for permit activities include personnel, operating and capital costs based on employee work time allocated to direct permit-related activities, and to general permit-related support and administrative activities (allocated on pro-rata basis). Indirect costs

for permit activities include that portion of general support personnel, operating and capital costs allocated pro-rata to permit fee revenue-related program activities.

## Study Results

Figure 1 shows a summary of overall regulatory program costs and revenue for FYE 2019. Figure 2 shows the details of costs and revenue on a fee schedule basis for FYE 2019 by schedule. Figure 3 shows the details of average schedule costs and revenue for the three-year period FYE 2017 through FYE 2019 by schedule.

## Discussion of Results

Figure 1 indicates that in FYE 2019 there continued to be a revenue shortfall, as the direct and indirect costs of regulatory programs exceeded fee revenue. The overall magnitude of the cost recovery gap was determined to be \$7.9 million for FYE 2019. This cost recovery gap was filled by General Fund revenue received by the Air District from the counties.

Figure 2 shows that in FYE 2019 there were revenue shortfalls for most of the twenty-three fee schedules for which cost recovery can be analyzed. For FYE 2019, the Air District is recovering approximately 86% of its fee-related activity costs. The revenue collected exceeded Program costs for seven fee schedules. These are Schedule B (Combustion of Fuels), Schedule C (Stationary Containers for the Storage of Organic Liquids), Schedule D (Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals), Schedule G-5 (Miscellaneous Sources), Schedule L (Asbestos Operations), Schedule R (Equipment Registration Fees), and Schedule X (Community Air Monitoring). The revenue collected was less than program costs for 16 fee schedules. These are Schedule A (Hearing Board), Schedule E (Solvent Evaporating Sources), Schedule F (Miscellaneous Sources), Schedule G-1 (Miscellaneous Sources), Schedule G-2 (Miscellaneous Sources), Schedule G-3 (Miscellaneous Sources), Schedule G-4 (Miscellaneous Sources), Schedule H (Semiconductor and Related Operations), Schedule I (Dry Cleaners), Schedule K (Solid Waste Disposal Sites), Schedule N (Toxic Inventory Fees), Schedule P (Major Facility Review Fees), Schedule S (Naturally Occurring Asbestos Operations), Schedule T (Greenhouse Gas Fees), Schedule V (Open Burning), and Schedule W (Refinery Emissions Tracking).

Figure 3 shows that over a three-year period (FYE 2017 through FYE 2019) there were revenue shortfalls for most of the twenty-three fee schedules for which cost recovery can be analyzed. For this three-year period, the Air District is recovering approximately 84% of its fee-related activity costs. The revenue collected exceeded costs for five fee schedules. These are Schedule B (Combustion of Fuel), Schedule C (Stationary Containers for the Storage of Organic Liquids), Schedule G-5 (Miscellaneous Sources), Schedule L (Asbestos Operations), and Schedule X (Community Air Monitoring). The revenue collected was lower than costs for 18 fee schedules. These are Schedule A (Hearing Board), Schedule D (Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals), Schedule E (Solvent Evaporating Sources), Schedule F (Miscellaneous Sources), Schedule G-1 (Miscellaneous Sources), Schedule G-2 (Miscellaneous Sources), Schedule G-3 (Miscellaneous Sources), Schedule G-4 (Miscellaneous Sources), Schedule H (Semiconductor and Related Operations),

Schedule I (Dry Cleaners), Schedule K (Solid Waste Disposal Sites), Schedule N (Toxic Inventory Fees), Schedule P (Major Facility Review Fees), Schedule R (Equipment Registration Fees), Schedule S (Naturally Occurring Asbestos Operations), Schedule T (Greenhouse Gas Fees), Schedule V (Open Burning), and Schedule W (Refinery Emissions Tracking).

The Air District uses the three-year averages shown in Figure 3 in evaluating proposed amendments to Regulation 3, Fees at the fee schedule level because longer averaging periods are less sensitive to year-to-year variations in activity levels that occur due to economic or market variations and regulatory program changes affecting various source categories.

## **Conclusions**

Air District staff has updated the analysis of cost recovery of its regulatory programs based on the methodology established by the accounting firms KPMG in 1999 and Stonefield Josephson, Inc. in 2005 and updated by Matrix Consulting Group in 2011 and in 2018. The analysis shows that fee revenue continues to fall short of recovering activity costs. For FYE 2017 to 2019, the Air District is recovering approximately 84% of its fee-related activity costs. The overall magnitude of this cost recovery gap was determined to be approximately \$8.4 million.

To reduce or stabilize expenditures, the Air District has implemented various types of cost containment strategies, including developing an online permitting system for high-volume source categories, maintaining unfilled positions when feasible, and reducing service and supply budgets. In order to reduce the cost recovery gap, further fee increases will need to be evaluated in accordance with the Cost Recovery Policy adopted by the Air District's Board of Directors.



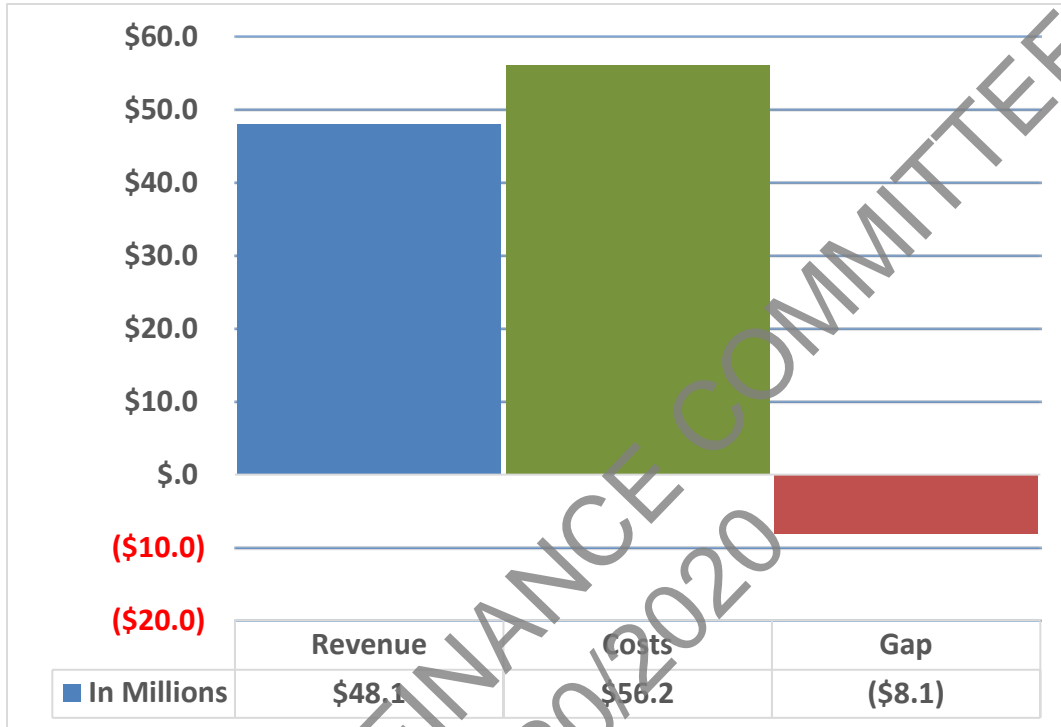
BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **2020 Cost Recovery Study**

### **FIGURES**

BUDGET AND FINANCE COMMITTEE  
MEETING OF 05/20/2020

Figure 1: Total Permit Fee Revenue, Costs and Gap for FYE 2019



BUDGET AND FINANCE COMMITTEE  
MEETING OF 05/20/2020

Figure 2: Fee Revenue and Program Costs by Fee Schedule, FYE 2019

	A-Hearing Board	B - Combustion of Fuel	C - Storage Organic Liquid	D - Gasoline Dispensing / Bulk Terminals	E - Solvent Evaporation	F - Miscellaneous	G1 - Miscellaneous	G2 - Miscellaneous	G3 - Miscellaneous	G4 - Miscellaneous	G5 - Miscellaneous	H - Semiconductor	I - Dry Cleaners	J - Waste Disposal	K - Asbestos	L - Toxic Inventory (AB2588)	M - Major Facility Review (Title V)	N - Registration	O - Naturally Occurring Asbestos	P - GreenHouse Gas	Q - Open Burning	R - Refinery Emissions Tracking	S - Community Air Monitoring	Total	
Revenues	47,628	7,679,636	2,233,077	6,249,199	3,200,202	2,102,701	2,637,196	761,955	656,420	1,527,227	647,983	184,622	4,498	177,413	5,057,006	263,358	5,638,883	336,060	100,513	2,963,989	211,132	139,905	933,739	43,754,341	
Schedule M	-	880,691	109,905	12,636	39,061	267,090	60,344	17,111	6,668	755,273	14,796	-	-	123,213	-	-	-	592	-	-	-	-	-	-	2,287,380
Reg 3- 312 - Bubble	-	197,342	302,807	15,038	19,286	101,639	96,373	36,772	28,545	22,542	23,063	-	-	329	-	-	-	1,547	-	-	-	-	-	-	845,282
Reg 3- 327 - Renewal Processing	-	459,251	47,484	227,953	202,246	140,586	45,833	8,221	1,149	544	-	6,265	2,195	4,153	-	-	-	13,064	-	-	-	-	-	-	1,159,751
Reg 3- 311 - Banking	-	27,318	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	27,318
<b>Total Revenue</b>	<b>47,628</b>	<b>9,244,239</b>	<b>2,693,273</b>	<b>6,504,826</b>	<b>3,460,795</b>	<b>2,612,016</b>	<b>2,839,747</b>	<b>824,058</b>	<b>692,782</b>	<b>2,305,587</b>	<b>666,648</b>	<b>190,887</b>	<b>6,693</b>	<b>305,109</b>	<b>5,057,006</b>	<b>263,358</b>	<b>5,638,883</b>	<b>351,262</b>	<b>100,513</b>	<b>2,963,989</b>	<b>211,132</b>	<b>139,905</b>	<b>933,739</b>	<b>48,074,073</b>	
Direct Costs																									
Direct Labor	67,327	4,951,822	447,138	3,423,477	2,725,197	1,782,297	3,621,802	1,033,054	467,078	1,776,054	215,908	161,040	4,238	1,753,926	1,410,266	491,786	3,369,463	146,277	383,252	1,290,338	390,970	328,888	111,697	30,355,293	
Services and Supplies	3,848	379,147	28,953	279,042	182,076	120,927	293,144	92,450	38,213	183,018	11,853	10,362	275	127,296	58,859	26,394	284,528	4,805	28,943	1,272,092	18,527	27,000	21,914	3,496,666	
Capital Outlay	0	579,062	53,363	399,066	326,431	212,485	415,586	117,470	55,410	207,326	25,134	19,387	501	209,089	8,198	55,698	392,886	701	45,591	148,906	638	41,542	16,806	3,331,277	
Indirect Costs	36,534	3,029,925	275,540	2,061,635	1,707,535	1,072,870	2,218,968	638,292	296,327	1,105,686	138,277	100,276	1,949	1,114,653	964,944	270,820	1,989,325	98,405	251,662	752,107	272,501	201,766	72,791	18,672,787	
<b>Total Costs</b>	<b>107,708</b>	<b>8,939,955</b>	<b>804,994</b>	<b>6,163,220</b>	<b>4,941,239</b>	<b>3,188,579</b>	<b>6,549,500</b>	<b>1,881,266</b>	<b>857,023</b>	<b>3,274,064</b>	<b>394,172</b>	<b>291,065</b>	<b>6,962</b>	<b>3,204,965</b>	<b>2,442,267</b>	<b>844,698</b>	<b>6,036,202</b>	<b>250,189</b>	<b>709,447</b>	<b>3,463,443</b>	<b>682,636</b>	<b>599,195</b>	<b>223,207</b>	<b>55,856,023</b>	
<b>Net Surplus/(Deficit)</b>	<b>(60,081)</b>	<b>304,283</b>	<b>1,888,278</b>	<b>341,606</b>	<b>(1,480,444)</b>	<b>(576,563)</b>	<b>(3,709,753)</b>	<b>(1,057,208)</b>	<b>(164,247)</b>	<b>(968,497)</b>	<b>292,477</b>	<b>(100,178)</b>	<b>(269)</b>	<b>(2,899,856)</b>	<b>2,614,739</b>	<b>(581,340)</b>	<b>(397,319)</b>	<b>101,073</b>	<b>(608,934)</b>	<b>(499,454)</b>	<b>(471,504)</b>	<b>(459,290)</b>	<b>710,532</b>	<b>(7,781,950)</b>	
<b>Cost Recovery</b>	<b>44.2%</b>	<b>103.4%</b>	<b>334.6%</b>	<b>105.5%</b>	<b>70.0%</b>	<b>81.9%</b>	<b>43.4%</b>	<b>43.8%</b>	<b>80.8%</b>	<b>70.4%</b>	<b>174.2%</b>	<b>65.6%</b>	<b>96.1%</b>	<b>9.5%</b>	<b>207.1%</b>	<b>31.2%</b>	<b>93.4%</b>	<b>140.4%</b>	<b>14.2%</b>	<b>85.6%</b>	<b>30.9%</b>	<b>23.3%</b>	<b>418.3%</b>	<b>86.07%</b>	

Figure 3: Fee Revenue and Program Costs by Fee Schedule, FYE 2017-2019, 3-Year Average

	A - Hearing Board	B - Combustion of Fuel	C - Storage Organic Liquid	D - Gasoline Dispensing / Bulk Terminals	E - Solvent Evaporation	F - Miscellaneous	G1 - Miscellaneous	G2 - Miscellaneous	G3 - Miscellaneous	G4 - Miscellaneous	G5 - Miscellaneous	H - Semiconductor	I - Drycleaners	K - Waste Disposal	L - Asbestos	N - Toxic Inventory (AB2588)	P - Major Facility Review (Title V)	R - Registration	S - Naturally Occurring Asbestos	T - GreenHouse Gas	V - Open Burning	W - Refinery Emissions Tracking	X - Community Air Monitoring	Total	
Revenues	22,923	7,920,402	2,189,106	5,736,757	2,823,092	1,982,551	2,481,798	650,061	635,241	1,210,547	718,798	168,356	4,454	159,372	4,387,279	268,240	5,397,772	278,599	91,026	2,629,967	177,519	201,285	1,038,541	41,173,687	
Schedule M	0	676,296	205,639	32,594	31,872	753,812	84,019	13,837	4,129	258,966	120,150	0	0	112,147	0	0	0	1,441	0	0	0	0	0	0	2,294,901
Reg 3- 312 - Bubble	0	382,759	182,101	21,304	12,701	43,794	45,413	18,158	13,141	64,204	13,078	201	4,537	110	0	0	0	558	0	0	0	0	0	0	802,058
Reg 3- 327 - Renewal Processing	0	318,734	44,762	219,539	211,637	145,415	46,920	7,895	1,006	1,022	1,056	5,885	1,806	4,228	0	0	0	8,559	0	0	0	0	0	0	1,018,464
Reg 3- 311 - Banking	0	13,312	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13,312
<b>Total Revenue</b>	<b>22,923</b>	<b>9,311,503</b>	<b>2,621,608</b>	<b>6,010,195</b>	<b>3,079,302</b>	<b>2,925,573</b>	<b>2,658,149</b>	<b>689,950</b>	<b>653,516</b>	<b>1,534,739</b>	<b>853,032</b>	<b>174,442</b>	<b>16,796</b>	<b>275,857</b>	<b>4,387,279</b>	<b>268,240</b>	<b>5,397,772</b>	<b>289,158</b>	<b>91,026</b>	<b>2,629,967</b>	<b>177,519</b>	<b>201,285</b>	<b>1,038,541</b>	<b>45,302,422</b>	
Direct Costs																									
Direct Labor	87,863	5,207,508	408,889	3,776,161	2,392,210	1,693,044	3,366,754	752,538	413,754	1,795,291	205,756	75,329	8,628	1,253,014	1,386,782	288,379	3,518,663	199,071	275,024	1,577,642	334,785	276,526	197,033	29,591,245	
Services and Supplies	3,222	394,927	22,228	332,682	149,335	145,450	262,324	65,327	29,638	216,275	12,012	8,326	394	88,231	109,172	17,486	340,749	10,928	20,491	582,878	32,483	23,761	24,181	2,893,001	
Capital Outlay	0	482,898	32,210	346,812	204,803	146,233	394,677	70,623	38,133	220,071	15,075	12,722	2,510	135,886	153,306	23,994	318,018	1,347	29,922	178,994	3,779	41,803	24,878	2,878,694	
Indirect Costs	52,344	3,161,086	258,496	2,296,770	1,513,246	998,097	2,057,059	450,666	267,299	1,056,336	134,506	10,872	5,265	802,166	1,098,563	164,659	2,072,453	163,066	180,016	924,193	279,575	165,118	121,449	18,333,302	
<b>Total Costs</b>	<b>143,428</b>	<b>9,246,418</b>	<b>721,823</b>	<b>6,752,424</b>	<b>4,259,595</b>	<b>2,982,824</b>	<b>6,080,815</b>	<b>1,339,155</b>	<b>748,824</b>	<b>3,287,973</b>	<b>367,350</b>	<b>308,350</b>	<b>16,798</b>	<b>2,279,298</b>	<b>2,747,823</b>	<b>494,517</b>	<b>6,249,883</b>	<b>374,413</b>	<b>505,453</b>	<b>3,263,707</b>	<b>650,623</b>	<b>507,208</b>	<b>367,541</b>	<b>53,696,241</b>	
<b>Total Surplus/(Deficit)</b>	<b>(120,505)</b>	<b>65,084</b>	<b>1,899,786</b>	<b>(742,229)</b>	<b>(1,180,293)</b>	<b>(57,252)</b>	<b>(3,422,665)</b>	<b>(649,205)</b>	<b>(95,308)</b>	<b>(,753,234)</b>	<b>485,732</b>	<b>(133,907)</b>	<b>(6,000)</b>	<b>(2,003,441)</b>	<b>1,639,456</b>	<b>(226,278)</b>	<b>(852,111)</b>	<b>(85,255)</b>	<b>(414,427)</b>	<b>(633,740)</b>	<b>(473,104)</b>	<b>(305,923)</b>	<b>671,001</b>	<b>(8,393,819)</b>	
<b>Cost Recovery</b>	<b>16%</b>	<b>101%</b>	<b>363%</b>	<b>89%</b>	<b>72%</b>	<b>98%</b>	<b>44%</b>	<b>52%</b>	<b>87%</b>	<b>47%</b>	<b>232%</b>	<b>57%</b>	<b>64%</b>	<b>12%</b>	<b>160%</b>	<b>54%</b>	<b>86%</b>	<b>77%</b>	<b>18%</b>	<b>81%</b>	<b>27%</b>	<b>40%</b>	<b>283%</b>	<b>84.37%</b>	



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## REGULATION 3 FEES

(Adopted June 18, 1980)

### 3-100 GENERAL

**3-101 Description:** This regulation establishes the regulatory fees charged by the District.  
(Amended 7/6/83; 11/2/83; 2/21/90; 12/16/92; 8/2/95; 12/2/98; 5/21/03; 5/21/08; 5/20/09; 6/19/13)

**3-102 Deleted July 12, 1989**

**3-103 Exemption, Abatement Devices:** Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, P, and T.

(Amended 6/4/86; 7/1/98; 6/7/00; 5/21/08)

**3-104 Deleted August 2, 1995**

**3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

(Adopted 1/5/94; Amended 5/21/03)

**3-106 Deleted December 2, 1998**

**3-107 Exemption, Sources Exempt from Permit Requirements:** Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

(Adopted June 7, 2000)

### 3-200 DEFINITIONS

**3-201 Cancelled Application:** Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

(Amended 6/4/86; 4/6/88)

**3-202 Gasoline Dispensing Facility:** Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

(Amended February 20, 1985)

**3-203 Filing Fee:** A fixed fee for each source in an authority to construct.

(Amended June 4, 1986)

**3-204 Initial Fee:** The fee required for each new or modified source based on the type and size of the source. The fee is applicable to new and modified sources seeking to obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.

(Amended June 4, 1986)

- 3-205 Authority to Construct:** Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.  
(Amended June 4, 1986)
- 3-206 Modification:** See Section 1-217 of Regulation 1.
- 3-207 Permit to Operate Fee:** The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.  
(Amended 6/4/86; 7/15/87; 12/2/98; 6/7/00)
- 3-208 Deleted June 4, 1986**
- 3-209 Small Business:** A business with no more than 10 employees and gross annual income of no more than \$750,000 that is not an affiliate of a non-small business.  
(Amended 6/4/86; 6/6/90; 6/7/00; 6/15/05; 6/16/10)
- 3-210 Solvent Evaporating Source:** Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.  
(Amended July 3, 1991)
- 3-211 Source:** See Section 1-227 of Regulation 1.
- 3-212 Deleted August 2, 1995**
- 3-213 Major Stationary Source:** For the purpose of Schedule M, a major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM<sub>10</sub> in an amount calculated by the APCO equal to or exceeding 50 tons per year.  
(Adopted 11/2/83; Amended 2/21/90; 6/6/90; 8/2/95; 6/7/00)
- 3-214 Deleted October 20, 1999, effective March 1, 2000**
- 3-215 Deleted October 20, 1999, effective March 1, 2000**
- 3-216 Deleted October 20, 1999, effective March 1, 2000**
- 3-217 Deleted October 20, 1999, effective March 1, 2000**
- 3-218 Deleted October 20, 1999, effective March 1, 2000**
- 3-219 Deleted October 20, 1999, effective March 1, 2000**
- 3-220 Deleted October 20, 1999, effective March 1, 2000**
- 3-221 Deleted October 20, 1999, effective March 1, 2000**
- 3-222 Deleted October 20, 1999, effective March 1, 2000**
- 3-223 Start-up Date:** Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.  
(Adopted 6/4/86; Amended 6/6/90)
- 3-224 Permit to Operate:** Written authorization from the APCO pursuant to Section 2-1-302.  
(Adopted 6/4/86; Amended 6/7/00)
- 3-225 Deleted June 3, 2015**
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987:** The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information from industry on emissions of potentially toxic air contaminants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.  
(Adopted 10/21/92; Amended 6/15/05)
- 3-227 Toxic Air Contaminant, or TAC:** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in Table 2-5-1 of Regulation 2, Rule 5.  
(Adopted 10/21/92; Amended 6/15/05)

- 3-228 Deleted December 2, 1998
- 3-229 Deleted December 2, 1998
- 3-230 Deleted December 2, 1998
- 3-231 Deleted December 2, 1998
- 3-232 Deleted December 2, 1998
- 3-233 Deleted December 2, 1998
- 3-234 Deleted December 2, 1998
- 3-235 Deleted December 2, 1998
- 3-236 Deleted December 2, 1998
- 3-237 **PM<sub>10</sub>**: See Section 2-1-229 of Regulation 2, Rule 1.

*(Adopted June 7, 2000)*

- 3-238 **Risk Assessment Fee**: Fee for a new or modified source of toxic air contaminants for which a health risk assessment (HRA) is required under Regulation 2-5-401, for an HRA required under Regulation 11, Rule 18, or for an HRA prepared for other purposes (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402).

*(Adopted June 15, 2005; Amended: June 21, 2017)*

- 3-239 **Toxic Surcharge**: Fee paid in addition to the permit to operate fee for a source that emits one or more toxic air contaminants at a rate which exceeds a chronic trigger level listed in Table 2-5-1.

*(Adopted June 15, 2005)*

- 3-240 **Biogenic Carbon Dioxide**: Carbon dioxide emissions resulting from materials that are derived from living cells, excluding fossil fuels, limestone and other materials that have been transformed by geological processes. Biogenic carbon dioxide originates from carbon (released in the form of emissions) that is present in materials that include, but are not limited to, wood, paper, vegetable oils, animal fat, and food, animal and yard waste.

*(Adopted May 21, 2008)*

- 3-241 **Green Business**: A business or government agency that has been certified under the Bay Area Green Business Program coordinated by the Association of Bay Area Governments and implemented by participating counties.

*(Adopted June 16, 2010)*

- 3-242 **Incident**: A non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage.

*(Adopted June 19, 2013)*

- 3-243 **Incident Response**: The District's response to an incident. The District's incident response may include the following activities: i) inspection of the incident-emitting equipment and facility records associated with operation of the equipment; ii) identification and analysis of air quality impacts, including without limitation, identifying areas impacted by the incident, modeling, air monitoring, and source sampling; iii) engineering analysis of the specifications or operation of the equipment; and iv) administrative tasks associated with processing complaints and reports.

*(Adopted June 19, 2013)*

- 3-244 **Permit to Operate Renewal Date**: The first day of a Permit to Operate's Permit Renewal Period.

*(Adopted June 19, 2013)*

- 3-245 **Permit Renewal Period**: The length of time the source is authorized to operate pursuant to a Permit to Operate.

*(Adopted June 19, 2013)*

### 3-300 STANDARDS

- 3-301 **Hearing Board Fees**: Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A.

*(Amended June 7, 2000)*

- 3-302 **Fees for New and Modified Sources**: Applicants for authorities to construct and permits to operate new sources shall pay for each new source: a filing fee of ~~\$508~~524, the initial fee, the

risk assessment fee, the permit to operate fee, and toxic surcharge (given in Schedules B, C, D, E, F, H, I or K). Applicants for authorities to construct and permits to operate modified sources shall pay for each modified source, a filing fee of \$508524, the initial fee, the risk assessment fee, and any incremental increase in permit to operate and toxic surcharge fees. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. If any person requests more than three HRA scenarios required pursuant to Regulation 2, Rule 5 in any single permit application, they shall pay an additional risk assessment fee for each of these scenarios. Except for gasoline dispensing facilities (Schedule D) and semiconductor facilities (Schedule H), the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification. Where applicable, fees for new or modified sources shall be based on maximum permitted usage levels or maximum potential to emit including any secondary emissions from abatement equipment. The fee rate applied shall be based on the fee rate in force on the date the application is declared by the APCO to be complete according to 2-1-402, excluding 2-1-402.3 fees. The APCO may reduce the fees for new and modified sources by an amount deemed appropriate if the owner or operator of the source attends an Industry Compliance School sponsored by the District.

302.1 Small Business Discount: If an applicant qualifies as a small business and the source falls under schedules B, C, D (excluding gasoline dispensing facilities), E, F, H, I or K, the filing fee, initial fee, and risk assessment fee shall be reduced by 50%. All other applicable fees shall be paid in full. If an applicant also qualifies for a Green Business Discount, only the Small Business Discount (i.e., the 50% discount) shall apply.

302.2 Deleted July 3, 1991

302.3 Fees for Abatement Devices: Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a \$508524 filing fee and initial and risk assessment fees that are equivalent to 50% of the initial and risk assessment fees for the source being abated, not to exceed a total of \$10,588. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 Fees for Reactivated Sources: Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, risk assessment, permit, and toxic surcharge fees.

302.5 Deleted June 3, 2015

302.6 Green Business Discount: If an applicant qualifies as a green business, the filing fee, initial fee, and risk assessment fee shall be reduced by 10%. All other applicable fees shall be paid in full.

*(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 8/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19)*

**3-303 Back Fees:** An applicant required to obtain a permit to operate existing equipment in accordance with District regulations shall pay back fees equal to the permit to operate fees and toxic surcharges given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The applicant shall also pay back fees equal to toxic inventory fees pursuant to Section 3-320 and Schedule N. The maximum back fee shall not exceed a total of five years' permit, toxic surcharge, and toxic inventory fees. An owner/operator required to register existing equipment in accordance with District regulations shall pay back fees equal to the annual renewal fee given in Schedule R prorated from the effective date of registration requirements, up to a maximum of five years.

*(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 10/8/97; 6/15/05; 5/20/09)*

**3-304 Alteration:** Except as provided below, an applicant to alter an existing permitted source shall pay the filing fee and 50% of the initial fee for the source, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. For gasoline dispensing facilities subject to Schedule D, an applicant for an alteration shall pay a fee of 1.75 times the filing fee.

304.1 Schedule D Fees: Applicants for alteration to a gasoline dispensing facility subject to Schedule D shall pay a fee of 1.75 times the filing fee.

304.2 Schedule G Fees: Applicants for alteration to a permitted source subject to Schedule G-3, G-4, or G-5 shall pay the filing fee, 100% of the initial fee,<sup>7</sup> and, if District regulations require a health risk assessment of the alteration, the risk assessment fee provided for in Schedule G-2. The applicant shall pay the permit renewal and the toxic surcharge fees applicable to the source under Schedules G-3, G-4, or G-5.

*(Amended 6/4/86; 11/15/00; 6/2/04; 6/3/15, 6/15/16, 6/6/18, 6/5/19)*

**3-305 Cancellation or Withdrawal:** There will be no refund of the initial fee and filing fee if an application is cancelled or withdrawn. There will be no refund of the risk assessment fee if the risk assessment has been conducted prior to the application being cancelled or withdrawn. If an application for identical equipment is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

*(Amended 7/6/83; 4/6/88; 10/8/97; 6/15/05, 6/21/17)*

**3-306 Change in Conditions:** If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

- 1.1 The condition change applies to a single source or a group of sources with shared permit conditions.
- 1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.
- 1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, or PM<sub>10</sub> at any source or the emission of a toxic air contaminant above the trigger levels identified in Table 2-5-1
- 1.4 The condition change does not require a public notice.

306.2 Other Condition Changes: Applicant shall pay the filing, initial, and risk assessment fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees and toxic surcharges.

*(Amended 7/6/83; 6/4/86; 6/6/90; 10/8/97; 6/7/00; 6/15/05, 6/21/17)*

**3-307 Transfers:** The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Upon submittal of a \$102 transfer of ownership fee, permits are re-issued to the new owner/operator of record with no change in expiration dates.

*(Amended 2/20/85; 6/4/86; 11/5/86; 4/6/88; 10/8/97, 5/1/02; 5/21/03; 6/02/04; 6/19/13; 6/4/14, 6/15/16)*

**3-308 Change of Location:** An applicant who wishes to move an existing source, which has a permit to operate, shall pay no fee if the move is on the same facility. If the move is not on the same facility, the source shall be considered a new source and subject to Section 3-302. This section does not apply to portable permits meeting the requirements of Regulation 2-1-220 and 413.

*(Amended 7/6/83; 6/4/86; 6/15/05)*

**3-309** Deleted June 21, 2017

*(Amended 5/19/99; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

**3-310 Fee for Constructing Without a Permit:** An applicant for an authority to construct and a permit to operate a source, which has been constructed or modified without an authority to construct, shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees pursuant to Section 3-303, and a late fee equal to 100% of the initial fee. A modified gasoline dispensing facility subject to Schedule D that is not required to pay an initial fee shall pay fees for a modified source pursuant to Section 3-302, back fees, and a late fee equal to 100% of the filing fee.

310.2 Sources previously exempt from permit requirements that lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee and toxic surcharge for the coming year and any back fees pursuant to Section 3-303.

310.3 Sources previously exempt from permit requirements that lose their exemption due to



a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.

310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.

*(Amended 7/6/83; 4/18/84; 6/4/86; 6/6/90; 7/3/91; 8/2/95; 10/8/97; 6/02/04; 6/15/05; 6/6/12)*

**3-311 Emission Banking Fees:** An applicant to bank emissions for future use, to convert an emission reduction credit (ERC) into an Interchangeable Emission Reduction Credit (IERC), or to transfer ownership of ERCs shall pay the following fees:

311.1 Banking ERCs: An applicant to bank emissions for future use shall pay a filing fee of ~~\$508524~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.2 Converting Existing ERCs: An applicant to convert an existing ERC into an IERC shall pay a filing fee of ~~\$508524~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.3 Transferring ERC Ownership: An applicant to transfer an ERC it currently owns to another owner shall pay a filing fee of ~~\$508524~~.

*(Amended 7/6/83; 6/4/86; 7/15/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03;*

*6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19, TBD)*

**3-312 Emission Caps and Alternative Compliance Plans:** Any facility which elects to use an alternative compliance plan contained in:

312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.

312.2 Regulation 2, Rule 9, or Regulation 9, Rule 10 shall pay an annual fee of ~~\$1,3264,286~~ for each source included in the alternative compliance plan, not to exceed ~~\$13,25942,860~~.

*(Adopted 5/19/82; Amended 6/4/86; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/23/03; 6/2/04;*

*6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19, TBD)*

**3-313 Deleted May 19, 1999**

**3-314 Deleted August 2, 1995**

**3-315 Costs of Environmental Documentation:** An applicant for an Authority to Construct shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing any environmental evaluation and preparing and filing any documents pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq), including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or filing any environmental evaluation or documentation.

*(Adopted 12/18/85; Amended 5/1/02; 6/3/15)*

**3-316 Deleted June 6, 1990**

**3-317 Asbestos Operation Fees:** After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.

*(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)*

**3-318 Public Notice Fee, Schools:** Pursuant to Section 42301.6(b) of the Health and Safety Code, an applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:

318.1 A fee of \$2,272 per application, and

318.2 The District's cost exceeding \$2,272 of preparing and distributing the public notice.

318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.

*(Adopted 11/1/89; Amended 10/8/97; 7/1/98; 5/19/99; 6/7/00; 5/21/03; 6/2/04; 6/16/10, 6/15/16, 6/21/17, 6/6/18)*

**3-319 Major Stationary Source Fees:** Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM<sub>10</sub> shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

*(Adopted 6/6/90; Amended 8/2/95; 6/7/00)*

**3-320 Toxic Inventory Fees:** Any facility that emits one or more toxic air contaminants in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate, toxic surcharge, and other fees otherwise authorized to be collected from such facilities.

320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of ~~\$10,36840,056~~ per year.

*(Adopted 10/21/92; Amended 5/19/99; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 5/4/11, 6/15/16, 6/21/17, 6/5/19, TBD)*

**3-321 Deleted December 2, 1998**

**3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.

*(Adopted 1/5/94; Amended 8/2/95; 5/21/03)*

**3-323 Pre-Certification Fees:** An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.

*(Adopted June 7, 1995)*

**3-324 Deleted June 7, 2000**

**3-325 Deleted December 2, 1998**

**3-326 Deleted December 2, 1998**

**3-327 Permit to Operate, Renewal Fees:** After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the renewal of a permit to operate is the permit to operate fee and toxic surcharge listed in Schedules B, C, D, E, F, H, I, and K, prorated for the period of coverage. When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. The permit renewal invoice shall also specify any applicable major stationary source fees based on Schedule M, toxic inventory fees based on Schedule N, major facility review fees based on Schedule P, ~~and~~ greenhouse gas fees based on Schedule T, petroleum refining emissions tracking fees based on schedule W, and community air monitoring fees based on Schedule X. Where applicable, renewal fees shall be based on actual usage or emission levels that have been reported to or calculated by the District.

In addition to these renewal fees, each facility subject to the Criteria Pollutant and Toxics Emissions Reporting Regulation (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 7.7, Article 1) shall pay a fee, up to a maximum fee of \$50,000 per year, of:

<u>Number of Permitted Sources per Facility</u>	<u>\$ per Permitted Source</u>
<u>1 to 4</u>	<u>25</u>
<u>5 to 9</u>	<u>75</u>
<u>10 to 14</u>	<u>150</u>
<u>15 to 19</u>	<u>200</u>
<u>20 to 24</u>	<u>250</u>
<u>25 and greater</u>	<u>300</u>

Also, each permitted and registered facility shall pay an Assembly Bill 617 community health

impact fee of 5.7 percent of the facility's total renewal fee, up to a maximum fee of \$70,000 per year.

In addition ~~to these renewal fees for the sources at a facility~~, the facility shall also pay a processing fee at the time of renewal that covers each Permit Renewal Period as follows:

- 327.1 ~~\$103400~~ for facilities with one permitted source, including gasoline dispensing facilities,
- 327.2 ~~\$204498~~ for facilities with 2 to 5 permitted sources,
- 327.3 ~~\$407395~~ for facilities with 6 to 10 permitted sources,
- 327.4 ~~\$611593~~ for facilities with 11 to 15 permitted sources,
- 327.5 ~~\$811787~~ for facilities with 16 to 20 permitted sources,
- 327.6 ~~\$1,014984~~ for facilities with more than 20 permitted sources.

*(Adopted 6/7/00; Amended 6/2/04; 6/16/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

**3-328 Fee for OEHHA Risk Assessment Reviews:** Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard Assessment (OEHHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

*(Adopted June 7, 2000)*

**3-329 Fees for New Source Review Health Risk Assessment:** Any person required to submit a health risk assessment (HRA) pursuant to Regulation 2-5-401 shall pay an appropriate Risk Assessment Fee pursuant to Regulation 3-302 and Schedules B, C, D, E, F, H, I or K. In addition, any person that requests that the District prepare or review an HRA (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402) shall pay a Risk Assessment Fee. A Risk Assessment Fee shall be assessed for each source that is proposed to emit a toxic air contaminant (TAC) at a rate that exceeds a trigger level in Table 2-5-1: Toxic Air Contaminant Trigger Levels. If a project requires an HRA due to total project emissions, but TAC emissions from each individual source are less than the Table 2-5-1 trigger levels, a Risk Assessment Fee shall be assessed for the source in the project with the highest TAC emissions.

*(Adopted June 15, 2005; Amended 6/21/17)*

**3-330 Fee for Renewing an Authority to Construct:** An applicant seeking to renew an authority to construct in accordance with Regulation 2-1-407 shall pay a fee of 50% of the initial fee in effect at the time of the renewal. If there is no initial fee for the source, the renewal fee shall be 50% of the filing fee in effect at the time of the renewal. If the District determines that an authority to construct cannot be renewed, any fees paid under this section shall be credited in full against the fee for a new authority to construct for functionally equivalent equipment submitted within six months of the date the original authority to construct expires.

330.1 Any request to renew an authority to construct after the authority to construct expiration date shall pay an additional 25% of the authority to construct renewal fee.

*(Adopted June 15, 2005, TBD)*

**3-331 Registration Fees:** Any person who is required to register equipment under District rules shall submit a registration fee, and any annual fee thereafter, as set out in Schedule R. The APCO may reduce registration fees by an amount deemed appropriate if the owner or operator of the equipment attends an Industry Compliance School sponsored by the District.

*(Adopted June 6, 2007; Amended 6/16/10)*

**3-332 Naturally Occurring Asbestos Fees:** After July 1, 2007, any person required to submit or amend an Asbestos Dust Mitigation Plan (ADMP) pursuant to Title 17 of the California Code of Regulations, Section 93105, Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations shall pay the fee(s) set out in Schedule S.

*(Adopted June 6, 2007; Amended 6/5/19)*

**3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees:** Any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR

permit, an initial synthetic minor operating permit, or a revision to a synthetic minor operating permit, shall pay the applicable fees set forth in Schedule P.

*(Adopted May 21, 2008)*

**3-334 Greenhouse Gas Fees:** Any permitted facility with greenhouse gas emissions shall pay a fee based on Schedule T. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities, and shall be included as part of the annual permit renewal fees.

*(Adopted May 21, 2008)*

**3-335 Indirect Source Review Fees:** Applicants that must file an Air Quality Impact Assessment pursuant to District rules for a project that is deemed to be an indirect source shall pay a fee based on Schedule U.

*(Adopted May 20, 2009)*

**3-336 Open Burning Operation Fees:** Effective July 1, 2013, any person required to provide notification to the District prior to burning; submit a petition to conduct a Farming or Public Exhibition fire; receive an acreage burning allocation to conduct a Stubble fire; or submit a smoke management plan and receive an acreage burning allocation to conduct a Wildland Vegetation Management (Prescribed Burning) fire or Marsh Management fire shall pay the fee given in Schedule V.

*(Adopted June 19, 2013; Amended TBD)*

**3-337 Exemption Fee:** An applicant who wishes to receive a certificate of exemption shall pay a filing fee of ~~\$508524~~ per exempt source.

*(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/21/17,)*

**3-338 Incident Response Fee:** Any facility required to obtain a District permit, and any District-regulated area-wide or indirect source, that is the site where an incident occurs to which the District responds, shall pay a fee equal to the District's actual costs in conducting the incident response as defined in Section 3-243, including without limitation, the actual time and salaries, plus overhead, of the District staff involved in conducting the incident response and the cost of any materials. (Adopted June 19, 2013)

**3-339 Petroleum Refining Emissions Tracking Fees:** Any person required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15 shall pay the applicable fees set forth in Schedule W.

*(Adopted 6/15/16)*

**3-340 Major Stationary Source Community Air Monitoring Fees:** Any major stationary source emitting 35 tons per year of organic compounds, sulfur oxides, nitrogen oxides, carbon monoxide or PM<sub>10</sub> shall pay a community air monitoring fee based on Schedule X. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

*(Adopted 6/15/16)*

**3-341 Fee for Risk Reduction Plan:** Any person required to submit a Risk Reduction Plan in accordance with Regulation 11, Rule 18 shall pay the applicable fees set forth below:

341.1 ~~\$1,6074,559~~ for facilities with one source subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;

341.2 ~~\$3,2143,117~~ for facilities with 2 to 5 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.3 ~~\$6,4276,234~~ for facilities with 6 to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.4 ~~\$12,85512,468~~ for facilities with 11 to 15 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.5 ~~\$25,70924,936~~ for facilities with 16 to 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.6 ~~\$34,27933,248~~ for facilities with more than 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

*(Adopted 6/21/17, Amended 6/5/19, TBD)*

**3-342 Fee for Facility-Wide Health Risk Assessment:** Any person required to undergo a health risk assessment (HRA) to assess compliance with the Regulation 11, Rule 18 risk action levels

shall pay a risk assessment fee for each source pursuant to Regulation 3-329 and Schedules B, C, D, E, F, H, I or K. The maximum fee required for any single HRA of a facility conducted pursuant to Regulation 11, Rule 18 shall not exceed a total of ~~\$160,681,455,859~~.

If a facility retains a District-approved consultant to complete the required facility-wide HRA, the facility shall pay a fee to cover the District's costs of performing the review of the facility-wide HRA, including the costs of any outside consulting assistance which the District may employ in connection with any such review, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the facility-wide HRA. The total HRA review cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of \$213 per hour. Facilities shall pay an HRA review fee as indicated below and the District's cost exceeding the applicable HRA review fees indicated below for performing the review of the facility-wide HRA:

- 342.1 ~~\$2,6792,598~~ for facilities with one to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities,
- 342.2 ~~\$7,0706,857~~ for facilities with 11 to 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
- 342.3 ~~\$14,99714,546~~ for facilities with more than 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of performing the review of the facility-wide HRA.

*(Adopted 6/21/17, Amended 6/6/18, 6/5/19, TBD)*

- 3-343 Fees for Air Dispersion Modeling:** An applicant for an Authority to Construct or Permit to Operate shall pay, in addition to the fees required under Section 3-302 and 3-329 and in any applicable schedule, the District's costs of performing any air dispersion modeling needed to determine compliance with any District regulatory requirement. The total air dispersion modeling fee cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of ~~\$220,13~~ per hour. This fee shall also apply for costs incurred in reviewing air dispersion modeling submittals by applicants and the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the air dispersion modeling.

*(Adopted 6/5/19)*

### **3-400 ADMINISTRATIVE REQUIREMENTS**

- 3-401 Permits:** Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.

- 3-402 Single Anniversary Date:** The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.

- 3-403 Change in Operating Parameters:** See Section 2-1-404 of Regulation 2, Rule 1.

- 3-404 Deleted June 7, 2000**

- 3-405 Fees Not Paid:** If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:

- 405.1 Authority to Construct: The application will be cancelled, but can be reactivated upon payment of fees.
- 405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will be notified that operation, including startup, is not authorized.
  - 2.1 Fees received during the first 30 days following the due date must include a late fee equal to 10 percent of all fees specified on the invoice.
  - 2.2 Fees received more than 30 days after the due date must include a late fee equal to 25 percent of all fees specified on the invoice.

2.3 If an owner/operator fails to notify the District of a start-up of a source under~~from~~

an authority to construct within a year from the start-up date where an adjustment to the application invoice amount is required, the owner/operator shall pay an additional fee of 10 percent of the permit to operate fee, prorated for the lapsed period of coverage, currently in effect for each applicable source.

405.3 **Renewal of Permit to Operate:** The owner or operator of a facility must renew the Permit to Operate in order to continue to be authorized to operate the source. Permit to Operate Fees for the Permit Renewal Period shall be calculated using fee schedules in effect on the Permit to Operate Renewal Date. The permit renewal invoice will include all fees to be paid in order to renew the Permit to Operate, as specified in Section 3-327. If not renewed as of the date of the next Permit Renewal Period, a Permit to Operate lapses and further operation is no longer authorized. The District will notify the facility that the permit has lapsed. Reinstatement of lapsed Permits to Operate will require the payment of all unpaid prior Permit to Operate fees and associated reinstatement fees for each unpaid prior Permit Renewal Period, in addition to all fees specified on the permit renewal invoice.

405.4 **Reinstatement of Lapsed Permit to Operate:** To reinstate a Permit to Operate, the owner or operator must pay all of the following fees:

4.1 The applicable Permit to Operate Fees for the current year, as specified in Regulation 3-327, and the applicable reinstatement fee, if any, calculated as follows:

4.1.1 Fees received during the first 30 days following the due date must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 10 percent of all fees specified on the invoice.

4.1.2 Fees received more than 30 days after the due date, but less than one year after the due date, must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 25 percent of all fees specified on the invoice.

4.2 The applicable Permit to Operate Fees specified in Regulation 3-327 for each prior Permit Renewal Period for which all Permit to Operate Fees and associated reinstatement fees have not been paid. Each year's Permit to Operate Fee shall be calculated at the fee rates in effect on that year's Permit to Operate Renewal Date. The reinstatement fee for each associated previously-unpaid Permit to Operate Fee shall be calculated in accordance with Regulation 3-405.4.1 and 4.1.2.

Each year or period of the lapsed Permit to Operate is deemed a separate Permit Renewal Period. The oldest outstanding Permit to Operate Fee and reinstatement fees shall be paid first.

405.5 **Registration and Other Fees:** Persons who have not paid the fee by the invoice due date, shall pay the following late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.

5.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 10 percent of all fees specified on the invoice.

5.2 Fees received more than 30 days after the due date must include an additional late fee equal to 25 percent of all fees specified on the invoice.

*(Amended 7/6/83; 3/4/86; 11/5/86; 2/15/89; 6/6/90; 7/3/91; 8/2/95; 12/2/98; 6/15/05; 6/7/06; 6/6/12; 6/19/13; 6/4/14, 6/6/18, 6/5/19, TBD)*

**3-406 Deleted June 4, 1986**

**3-407 Deleted August 2, 1995**

**3-408 Permit to Operate Valid for 12 Months:** A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

*(Amended 6/4/86; Amended 6/7/00)*

**3-409 Deleted June 7, 2000**

**3-410 Deleted August 2, 1995**

**3-411 Advance Deposit of Funds:** The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et

seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

*(Adopted 12/18/85; Amended 8/2/95)*

**3-412 Deleted December 2, 1998**

**3-413 Toxic "Hot Spots" Information and Assessment Act Revenues:** No later than 120 days after the adoption of this regulation, the APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

*(Adopted October 21, 1992)*

**3-414 Deleted December 2, 1998**

**3-415 Failure to Pay - Further Actions:** When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

415.1 Issuance of a Notice to Comply.

415.2 Issuance of a Notice of Violation.

415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person who is delinquent for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.

415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

*(Adopted 8/2/95; Amended 12/2/98; 6/15/05)*

**3-416 Adjustment of Fees:** The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

*(Adopted October 8, 1997)*

**3-417 Temporary Amnesty for Unpermitted and Unregistered Sources:** The APCO has the authority to declare an amnesty period, during which the District may waive all or part of the back fees and/or late fees for sources that are currently operating without valid Permits to Operate and/or equipment registrations.

*(Adopted June 16, 2010)*

**3-418 Temporary Incentive for Online Production System Transactions:** The APCO has the authority to declare an incentive period for transactions made using the online production system, during which the District may waive all or any part of the fees for these transactions.

*(Adopted 6/6/18)*

**SCHEDULE A  
HEARING BOARD FEES<sup>1</sup>**

Established by the Board of Directors December 7, 1977 Resolution No. 1046  
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

	Large Companies	Small Business	Third Party
1. For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance ..... Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of .....	<del>\$6,999</del> <del>6,086</del>  <del>\$3,504</del> <del>047</del>	<del>\$1,047</del> <del>940</del>  <del>\$353</del> <del>07</del>	
2. For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance ..... Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of .....	<del>\$4,202</del> <del>654</del>  <del>\$2,098</del> <del>824</del>	<del>\$1,047</del> <del>940</del>  <del>\$353</del> <del>07</del>	
3. For each application to modify a variance in accordance with §42356 ... Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of .....	<del>\$2,788</del> <del>424</del>  <del>\$2,098</del> <del>824</del>	<del>\$353</del> <del>07</del>  <del>\$353</del> <del>07</del>	
4. For each application to extend a variance, in accordance with §42357 .. Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of .....	<del>\$2,788</del> <del>424</del>  <del>\$2,098</del> <del>824</del>	<del>\$353</del> <del>07</del>  <del>\$353</del> <del>07</del>	
5. For each application to revoke a variance .....	<del>\$4,202</del> <del>654</del>	<del>\$353</del> <del>07</del>	
6. For each application for approval of a Schedule of Increments of Progress in accordance with §41703 .....	<del>\$2,788</del> <del>424</del>	<del>\$353</del> <del>07</del>	
7. For each application for variance in accordance with §41703, which exceeds 90 days ..... Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of .....	<del>\$6,999</del> <del>6,086</del>  <del>\$3,504</del> <del>047</del>	<del>\$1,047</del> <del>940</del>  <del>\$353</del> <del>07</del>	
8. For each application for variance in accordance with §41703, not to exceed 90 days ..... Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of .....	<del>\$4,202</del> <del>654</del>  <del>\$2,098</del> <del>824</del>	<del>\$1,047</del> <del>940</del>  <del>\$353</del> <del>07</del>	



		Large Companies	Small Business	Third Party
9.	For each Appeal (Permit, Banking, Title V).....	<del>\$6,9996,086</del> per hearing day	<del>\$3,5043,047</del> per hearing day	<del>\$3,5043,047</del> for entire appeal period
10.	For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6.....	<del>\$3,5043,047</del>	<del>\$7046,12</del>	
11.	For each application to Modify or Terminate an abatement order .....	<del>\$6,9996,086</del> per hearing day	<del>\$2,5043,047</del> per hearing day	
12.	For each application for an interim variance in accordance with §42351	<del>\$3,5043,047</del>	<del>\$7046,12</del>	
13.	For each application for an emergency variance in accordance with §42359.5 .....	<del>\$1,7471,519</del>	<del>\$3533,07</del>	
14.	For each application to rehear a Hearing Board decision in accordance with §40861 .....	100% of previous fee charged	100% of previous fee charged	
15.	Excess emission fees.....	See Attachment I	See Attachment I	
16.	Miscellaneous filing fee for any hearing not covered above	<del>\$3,5043,047</del>	<del>\$1,047,910</del>	<del>\$1,0479,10</del>
17.	For each published Notice of Public Hearing.....	Cost of Publication	\$0	\$0
18.	Court Reporter Fee (to be paid only if Court Reporter required for hearing) .....	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket	\$0	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket

NOTE 1 Any applicant who believes they have a hardship for payment of fees may request a fee waiver from the Hearing Board pursuant to Hearing Board Rules.  
 (Amended 10/8/97; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)

**SCHEDULE A  
ATTACHMENT I  
EXCESS EMISSION FEE**

**A. General**

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

**B. Excess Visible Emission Fee**

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

**C. Applicability**

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

**D. Fee Determination**

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

## **E. Small Businesses**

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

## **F. Group, Class and Product Variance Fees**

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

## **G. Adjustment of Fees**

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

## **H. Fee Payment/Variance Invalidation**

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I  
SCHEDULE OF EXCESS EMISSIONS FEES**

Air Contaminants All at ~~\$6.705-83~~ per pound

Organic gases, except methane and those containing sulfur  
Carbon Monoxide  
Oxides of nitrogen (expressed as nitrogen dioxide)  
Gaseous sulfur compounds (expressed as sulfur dioxide)  
Particulate matter

Toxic Air Contaminants All at ~~\$33.3529-00~~ per pound

Asbestos  
Benzene  
Cadmium  
Carbon tetrachloride  
Chlorinated dioxins and dibenzofurans (15 species)  
Diesel exhaust particulate matter  
Ethylene dibromide  
Ethylene dichloride  
Ethylene oxide  
Formaldehyde  
Hexavalent chromium  
Methylene chloride  
Nickel  
Perchloroethylene  
1,3-Butadiene  
Inorganic arsenic  
Beryllium  
Polynuclear aromatic hydrocarbons (PAH)  
Vinyl chloride  
Lead  
1,4-Dioxane  
Trichloroethylene

**TABLE II  
SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

Fee = (Opacity equivalent - 20) x number of days allowed in variance x ~~\$6.855-96~~

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

Fee = (Opacity\* equivalent - 40) x number of days allowed by variance x ~~\$6.855-96~~

\* Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

*(Adopted 6/7/00; Amended 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

**SCHEDULE B  
COMBUSTION OF FUEL**  
(Adopted June 18, 1980)

For each source that burns fuel, which is not a flare and not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity (expressed as higher heating value, HHV) of the source.

1. INITIAL FEE: ~~\$69.7167.64~~ per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$272364~~
  - b. The maximum fee per source is: ~~\$130,027,126,117~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$508524~~ plus  
~~\$69.7167.64~~ per MM BTU/hr
  - b. Minimum RAF for first TAC source: ~~\$896869~~
  - c. RAF for each additional TAC source: ~~\$69.7167.64~~ per MM BTU/hr  
\*
  - d. Minimum RAF per additional TAC source: ~~\$372364\*~~
  - e. Maximum RAF per source is: ~~\$130,027,126,117~~  
\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$34.8433.79~~ per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$264256~~
  - b. The maximum fee per source is: ~~\$65,01363,058~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
6. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.
7. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU of higher heat value  
One MM BTU/HR = 1.06 gigajoules/HR

*(Amended 6/5/85; 6/4/86; 3/4/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

**SCHEDULE C**  
**STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS**  
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

1. INITIAL FEE: 0.185 cents per gallon
  - a. The minimum fee per source is: \$204
  - b. The maximum fee per source is: \$27,858
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$508~~ \$24 plus 0.185 cents per gallon
  - b. Minimum RAF for first TAC source: \$678
  - c. RAF for each additional TAC source: 0.185 cents per gallon \*
  - d. Minimum RAF per additional TAC source: \$204 \*
  - e. Maximum RAF per source is: \$27,858

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: 0.093 cents per gallon
  - a. The minimum fee per source is: \$147
  - b. The maximum fee per source is: \$13,928
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

**SCHEDULE D**  
**GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES,**  
**BULK PLANTS AND TERMINALS**  
(Adopted June 18, 1980)

A. All gasoline dispensing facilities shall pay the following fees:

1. INITIAL FEE: \$~~361.66350.79~~ per single product nozzle (spn)  
\$~~361.66350.79~~ per product for each multi-product nozzle (mpn)
2. PERMIT TO OPERATE FEE: \$~~138.53134.36~~ per single product nozzle (spn)  
\$~~138.53134.36~~ per product for each multi-product nozzle (mpn)
3. Initial fees and permit to operate fees for hardware modifications at a currently permitted gasoline dispensing facility shall be consolidated into a single fee calculated according to the following formula:

$$\$500.18485.14 \times \{[(mpn_{proposed})(products \text{ per nozzle}) + spn_{proposed}] - [(mpn_{existing})(products \text{ per nozzle}) + spn_{existing}]\}$$

*mpn* = multi-product nozzles  
*spn* = single product nozzles

The above formula includes a toxic surcharge.

If the above formula yields zero or negative results, no initial fees or permit to operate fees shall be charged.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will not be subject to initial fees or permit to operate fees.

4. RISK ASSESSMENT FEE (RAF) of \$~~508524~~ per application, if required pursuant to Regulation 3-329 or 3-342 (including increases in permitted throughput for which a health risk assessment is required).
  5. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.
- B. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:

1. INITIAL FEE: \$~~4,750.494,607.65~~ per single product loading arm  
\$~~4,750.494,607.65~~ per product for multi-product arms
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$~~5,3795,217~~
  - b. RAF for each additional TAC source: \$~~47514,608~~ \*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$~~1,3241,284~~ per single product loading arm  
\$~~1,3241,284~~ per product for multi-product arms
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

- C. Fees in (A) above are in lieu of tank fees. Fees in (B) above are in addition to tank fees.
- D. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

**BUDGET AND FINANCE COMMITTEE**  
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**SCHEDULE E**  
**SOLVENT EVAPORATING SOURCES**  
(Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
  - a. The fee per source is: \$~~1,8064,752~~ per 1,000 gallons
  - b. The minimum fee per source is: \$~~899872~~
  - c. The maximum fee per source is: \$~~71,76969,644~~
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$~~98524~~ plus initial fee
  - b. Minimum RAF for first TAC source: \$~~1,4811,436~~
  - c. RAF for each additional TAC source: equal to initial fee \*
  - d. Minimum RAF per additional TAC source: \$~~899872~~ \*
  - e. Maximum RAF per source is: \$~~71,76969,644~~

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE:
  - a. The fee per source is: \$~~899872~~ per 1,000 gallons
  - b. The minimum fee per source is: \$~~648629~~
  - c. The maximum fee per source is: \$~~35,88234,803~~
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 5/19/82; 10/17/84; 6/5/85; 6/4/86; 10/8/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

**SCHEDULE F**  
**MISCELLANEOUS SOURCES**  
(Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, (except for those sources in the special classification lists, G-1 - G-5) the fees are:

1. INITIAL FEE: ~~\$681664~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first (toxic air contaminant) TAC source in application: ~~\$1,2731,244~~
  - b. RAF for each additional TAC source: ~~\$681664\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$495480~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1; the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1. List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, G-4, and G-5.

G-1 FEES FOR SCHEDULE G-1. For each source in a G-1 classification, fees are:

1. INITIAL FEE: ~~\$5,7414,992~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$6,5155,665~~
  - b. RAF for each additional TAC source: ~~\$5,7414,992\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$2,8662,492~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1; the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-2 FEES FOR SCHEDULE G-2. For each source in a G-2 classification, fees are:

1. INITIAL FEE: ~~\$7,5796,953~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$8,3527,662~~
  - b. RAF for each additional TAC source: ~~\$7,5796,953\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$3,7873,474~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1; the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-3 FEES FOR SCHEDULE G-3. For each source in a G-3 classification, fees are:

1. INITIAL FEE: ~~\$39,25936,694~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$39,90037,290~~
  - b. RAF for each additional TAC source: ~~\$39,25936,694\*~~

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: \$19,62618,342

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-4 FEES FOR SCHEDULE G-4. For each source in a G-4 classification, fees are:

1. INITIAL FEE: \$105,72391,933

2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.

a. RAF for first toxic air contaminant (TAC) source in application: \$106,53992,643

b. RAF for each additional TAC source: \$105,72391,933\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: \$52,85945,964

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-5 FEES FOR SCHEDULE G-5. For each source in a G-5 classification, fees are:

1. INITIAL FEE: \$51,731

2. RISK ASSESSMENT FEE (RAF) is only applicable for new and modified sources of toxic air contaminants (TACs) for which a health risk assessment is required under Regulation 2-5-401.

a. RAF for first TAC source in application: \$52,193

b. RAF for each additional TAC source: \$51,731\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: \$25,865

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 5/19/82; 6/5/85; 6/4/86; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19, TBD)

**SCHEDULE G-1**  
(Adopted June 18, 1980)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Asphalt Roofing Manufacturing – Asphalt Dipping	Asphalt Roofing or Related Materials
Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns)	Any Materials except cement, lime, or coke
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more	Any Inorganic Materials
Chemical Manufacturing, Organic – Latex Dipping	Any latex materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more	Any Organic Materials
Compost Operations – Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods	Any waste materials such as yard waste, food waste, agricultural waste, mixed green waste, bio-solids, animal manures, etc.
Crushers	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Electroplating Equipment	Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome
Foil Manufacturing – Any Converting or Rolling Lines	Any Metal or Alloy Foils
Galvanizing Equipment	Any

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators	Any Dry Materials
Glass Manufacturing – Mixers	Any Dry Materials
Glass Manufacturing – Molten Glass Holding Tanks	Any molten glass
Grinders	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Incinerators – Crematory	Human and/or animal remains
Incinerators – Flares	Any waste gases
Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)	Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste
Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)	Pathological waste only
Loading and/or Unloading Operations Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol)	Any Organic Materials except gasoline or gasohol
Petroleum Refining – Alkylation Units	Any Hydrocarbons
Petroleum Refining – Asphalt Oxidizers	Any Hydrocarbons
Petroleum Refining – Benzene Saturation Units/Plants	Any Hydrocarbons
Petroleum Refining – Catalytic Reforming Units	Any Hydrocarbons
Petroleum Refining – Chemical Treating Units including alkane, naphthenic acid, and naptha merox treating, or similar processes	Any Hydrocarbons
Petroleum Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes	Any Hydrocarbons
Petroleum Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)	Any Hydrocarbons
Petroleum Refining – Hydrogen Manufacturing	Hydrogen or Any Hydrocarbons

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Petroleum Refining – Hydrotreating or Hydrofining	Any Hydrocarbons
Petroleum Refining – Isomerization	Any Hydrocarbons
Petroleum Refining – MTBE Process Units/Plants	Any Hydrocarbons
Petroleum Refining – Sludge Converter	Any Petroleum Waste Materials
Petroleum Refining – Solvent Extraction	Any Hydrocarbons
Petroleum Refining – Sour Water Stripping	Any Petroleum Process or Waste Water
Petroleum Refining – Storage (enclosed)	Petroleum Coke or Coke Products
Petroleum Refining – Waste Gas Flares (not subject to Regulation 12, Rule 11)	Any Petroleum Refining Gases
Petroleum Refining – Miscellaneous Other Process Units	Any Hydrocarbons
Remediation Operations, Groundwater – Strippers	Contaminated Groundwater
Remediation Operations, Soil – Any Equipment (excluding sub-slab depressurization equipment)	Contaminated Soil
Spray Dryers	Any Materials
Sterilization Equipment	Ethylene Oxide
Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at petroleum refineries (see G-2 for Petroleum Refining – Oil-Water Separators)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at petroleum refineries (see G-2 for Petroleum Refining – Strippers)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial – Storage Ponds, excluding storage ponds at petroleum refineries (see G-2 for Petroleum Refining – Storage Ponds)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Municipal – Preliminary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Primary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Digesters	Municipal Wastewater
Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)	Sewage Sludge

(Amended 6/4/86; 6/6/90; 5/19/99; 6/7/00; 6/2/04; 6/15/05, 6/6/18)

**SCHEDULE G-2**  
(Adopted June 6, 1990)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Asphalt Roofing Manufacturing – Asphalt Blowing	Asphalt Roofing or Related Materials
Asphaltic Concrete Manufacturing – Aggregate Dryers	Any Dry Materials
Asphaltic Concrete Manufacturing – Batch Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Drum Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers	Any Dry Materials or Asphaltic Concrete Products
Concrete or Cement Batching Operations – Mixers	Any cement, concrete, or stone products or similar materials
Furnaces – Electric	Any Mineral or Mineral Product
Furnaces – Electric Induction	Any Mineral or Mineral Product
Furnaces – Glass Manufacturing	Soda Lime only
Furnaces – Reverberatory	Any Ores, Minerals, Metals, Alloys, or Related Materials
Incinerators – Hazardous Waste including any unit required to have a RCRA permit	Any Liquid or Solid Hazardous Wastes
Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators)	Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste)
Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)	Any Metals or Alloys
Petroleum Refining – Stockpiles (open)	Petroleum Coke or coke products only
Petroleum Refining, Wastewater Treatment – Oil-Water Separators	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Storage Ponds	Wastewater from petroleum refineries only
Pickling Lines or Tanks	Any Metals or Alloys
Sulfate Pulping Operations – All Units	Any
Sulfite Pulping Operations – All Units	Any

*(Amended June 7, 2000)*

**SCHEDULE G-3**  
(Adopted June 18, 1980)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Furnaces – Electric Arc	Any Metals or Alloys
Furnaces – Electric Induction	Any Metals or Alloys
Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)	Any Medical or Infectious Wastes
Loading and/or Unloading Operations – Marine Berths	Any Organic Materials
Petroleum Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers)	Any Hydrocarbons
Petroleum Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)	Any Petroleum Crude Oils
Phosphoric Acid Manufacturing – All Units (by any process)	Phosphoric Acid

*(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00; 6/15/05; 5/2/07)*

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**SCHEDULE G-4**  
(Adopted June 6, 1990)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Acid Regeneration Units	Sulfuric or Hydrochloric Acid only
Annealing Lines (continuous only)	Metals and Alloys
Calcining Kilns (see G-1 for Calcining Kilns processing other materials)	Cement, Lime, or Coke only
Fluidized Bed Combustors	Solid Fuels only
Nitric Acid Manufacturing – Any Ammonia Oxidation Processes	Ammonia or Ammonia Compounds
Petroleum Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns	Petroleum Coke and Coke Products
Petroleum Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units)	Any Hydrocarbons
Petroleum Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants	Any Petroleum Refining Gas
Sulfuric Acid Manufacturing – Any Chamber or Contact Process	Any Solid, Liquid or Gaseous Fuels Containing Sulfur

*(Amended June 7, 2000)*

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SCHEDULE G-5

Equipment or Process Description	Materials Processed or Produced
Petroleum Refinery Flares (subject to Regulation 12, Rule 11)	Any Petroleum Vent Gas (as defined in section 12-11-210 and section 12-12-213)

*(Adopted May 2, 2007)*

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**SCHEDULE H**  
**SEMICONDUCTOR AND RELATED OPERATIONS**  
(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

- a. The minimum fee per source is: ~~\$828760~~
- b. The maximum fee per source is: ~~\$66,29260,818~~

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);  
Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225)

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$560544~~ per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$1,6644,527~~ per 1,000 gallon

2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.

- a. RAF for first toxic air contaminant (TAC) source in application: ~~\$508524~~ plus initial fee
- b. Minimum RAF for first TAC source: ~~\$1,4414,322~~
- c. RAF for each additional TAC source: equal to initial fee \*
- d. Minimum RAF per additional TAC source: ~~\$828760~~ \*
- e. Maximum RAF per source is: ~~\$66,29260,818~~

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:

- a. The minimum fee per source is: ~~\$600550~~
- b. The maximum fee per source is: ~~\$33,14030,404~~

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);

Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$281,258~~ per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219), and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$828,760~~ per 1,000 gallon

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. The fee for each source will be rounded to the whole dollar. Fees for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 1/9/85; 6/5/85; 6/4/86; 7/3/91; 6/5/94; 10/8/97; 7/1/98; 5/19/99; 10/20/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/9/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

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**SCHEDULE I  
 DRY CLEANERS  
 (Adopted July 6, 1983)**

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: ~~\$763700~~
  - b. If the washing or drying capacity exceeds 100 pounds: ~~\$763700~~ plus  
 For that portion of the capacity exceeding 100 pounds: ~~\$22.8420.95~~ per pound
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$508524~~ plus initial fee
  - b. Minimum RAF for first TAC source: ~~\$1,3574,245~~
  - c. RAF for each additional TAC source: equal to initial fee\*
  - d. Minimum RAF per additional TAC source: ~~\$763700\*~~

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: ~~\$557544~~
  - b. If the washing or drying capacity exceeds 100 pounds: ~~\$557544~~ plus  
 For that portion of the capacity exceeding 100 pounds: ~~\$11.4740.52~~ per pound
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 10/17/84; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19, TBD)*

**SCHEDULE K  
SOLID WASTE DISPOSAL SITES**  
(Adopted July 15, 1987)

1. INITIAL FEE:
  - a. Landfill (Decomposition Process) \$~~6,6795,808~~
  - b. Active Landfill (Waste and Cover Material Dumping Process) \$~~3,3382,903~~
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$~~3,3382,903~~
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$~~508524~~ plus initial fee
  - b. RAF for each additional TAC source: equal to initial fee\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE:
  - a. Landfill (Decomposition Process) \$~~3,3382,903~~
  - b. Active Landfill (Waste and Cover Material Dumping Process) \$~~1,6694,454~~
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$~~1,6694,454~~
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Evaluation of Reports and Questionnaires:
  - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) \$~~3,6803,200~~
  - b. Evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$~~1,8454,604~~
  - c. Evaluation of Solid Waste Air Assessment Test Report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$~~1,8454,604~~
  - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 \$~~1,3574,180~~
  - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34 Sections 406 or 407 \$3,375
  - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 \$~~1,3574,180~~
  - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 \$~~3,3962,953~~
  
6. Fees for each source will be rounded off to the nearest dollar. The fee for sources will be rounded up or down to the nearest dollar.
  
7. For the purposes of this fee schedule, landfill shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

*(Amended 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/6/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19; TBD)*

**SCHEDULE L**  
**ASBESTOS OPERATIONS**  
(Adopted July 6, 1988)

1. Asbestos Operations conducted at single family dwellings are subject to the following fees:
  - a. OPERATION FEE: \$185 for amounts 100 to 500 square feet or linear feet.  
\$679 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
\$988 for amounts 1001 square feet or liner feet to 2000 square feet or linear feet.  
\$1,358 for amounts greater than 2000 square feet or linear feet.
  - b. Cancellation: \$90 of above amounts non-refundable for notification processing.
2. Asbestos Operations, other than those conducted at single family dwellings, are subject to the following fees:
  - a. OPERATION FEE: \$524 for amounts 100 to 159 square feet or 100 to 259 linear feet or 35 cubic feet  
\$754 for amounts 160 square feet or 260 linear feet to 500 square feet or linear feet or greater than 35 cubic feet.  
\$1,098 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
\$1,620 for amounts 1001 square feet or liner feet to 2500 square feet or linear feet.  
\$2,309 for amounts 2501 square feet or linear feet to 5000 square feet or linear feet.  
\$3,169 for amounts 5001 square feet or linear feet to 10000 square feet or linear feet.  
\$4,031 for amounts greater than 10000 square feet or linear feet.
  - b. Cancellation: \$248 of above amounts non-refundable for notification processing.
3. Demolitions (including zero asbestos demolitions) conducted at a single-family dwelling are subject to the following fee:
  - a. OPERATION FEE: \$90
  - b. Cancellation: \$90 (100% of fee) non-refundable, for notification processing.
4. Demolitions (including zero asbestos demolitions) other than those conducted at a single family dwelling are subject to the following fee:
  - a. OPERATION FEE: \$372
  - b. Cancellation: \$248 of above amount non-refundable for notification processing.
5. Asbestos operations with less than 10 days prior notice (excluding emergencies) are subject to the following additional fee:
  - a. OPERATION FEE: \$619
6. Asbestos demolition operations for the purpose of fire training are exempt from fees.

*(Amended 9/5/90; 1/5/94; 8/20/97; 10/7/98; 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16,6/5/19)*

**SCHEDULE M**  
**MAJOR STATIONARY SOURCE FEES**  
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM<sub>10</sub>, the fee shall be based on the following:

- |    |                   |   |
|----|-------------------|---|
| 1. | Organic Compounds | <del>\$128.37</del> <u>124.54</u> per ton |
| 2. | Sulfur Oxides     | <del>\$128.37</del> <u>124.54</u> per ton |
| 3. | Nitrogen Oxides   | <del>\$128.37</del> <u>124.54</u> per ton |
| 4. | PM <sub>10</sub>  | <del>\$128.37</del> <u>124.54</u> per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM<sub>10</sub>, if occurring in an amount less than 50 tons per year, shall not be counted.

*(Amended 7/3/91; 6/15/94; 7/1/98; 5/9/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

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**SCHEDULE P**  
**MAJOR FACILITY REVIEW FEES**  
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2, Rule 6, shall pay annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay the fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

- a. MFR SOURCE FEE ..... ~~\$930869~~ per source
- b. MFR EMISSIONS FEE..... ~~\$36,5934.20~~ per ton of regulated air pollutants emitted

Each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

- c. MFR/SYNTHETIC MINOR MONITORING FEE ~~\$9,2968.688~~ per monitor per pollutant

2. SYNTHETIC MINOR APPLICATION FEES

Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit shall pay application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

- a. SYNTHETIC MINOR FILING FEE ..... ~~\$1,2954,210~~ per application
- b. SYNTHETIC MINOR INITIAL PERMIT FEE ..... ~~\$930869~~ per source
- c. SYNTHETIC MINOR REVISION FEE..... ~~\$930869~~ per source modified

3. MFR APPLICATION FEES

Each facility that applies for or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit shall pay, with the application and in addition to any other fees required by this regulation, the MFR filing fee and any applicable fees listed in 3b-h below. The fees in 3b apply to each source in the initial permit. The fees in 3g apply to each source in the renewal permit, The fees in 3d-f apply to each source affected by the revision or reopening.

- a. MFR FILING FEE ..... ~~\$1,2954,210~~ per application
- b. MFR INITIAL PERMIT FEE ..... ~~\$1,2954,210~~ per source
- c. MFR ADMINISTRATIVE AMENDMENT FEE ..... ~~\$366342~~ per application
- d. MFR MINOR REVISION FEE ..... ~~\$1,8384,718~~ per source modified
- e. MFR SIGNIFICANT REVISION FEE ..... ~~\$3,4273,203~~ per source modified
- f. MFR REOPENING FEE ..... ~~\$1,1244,050~~ per source modified
- g. MFR RENEWAL FEE ..... ~~\$546510~~ per source

Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.

- h. MFR PERMIT SHIELD FEE ..... ~~\$1,9364,809~~ per shielded source or group of sources

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

MFR PUBLIC NOTICE FEE ..... Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

a. MFR PUBLIC HEARING FEE .... Cost of Public Hearing not to exceed \$~~15,819~~14,784

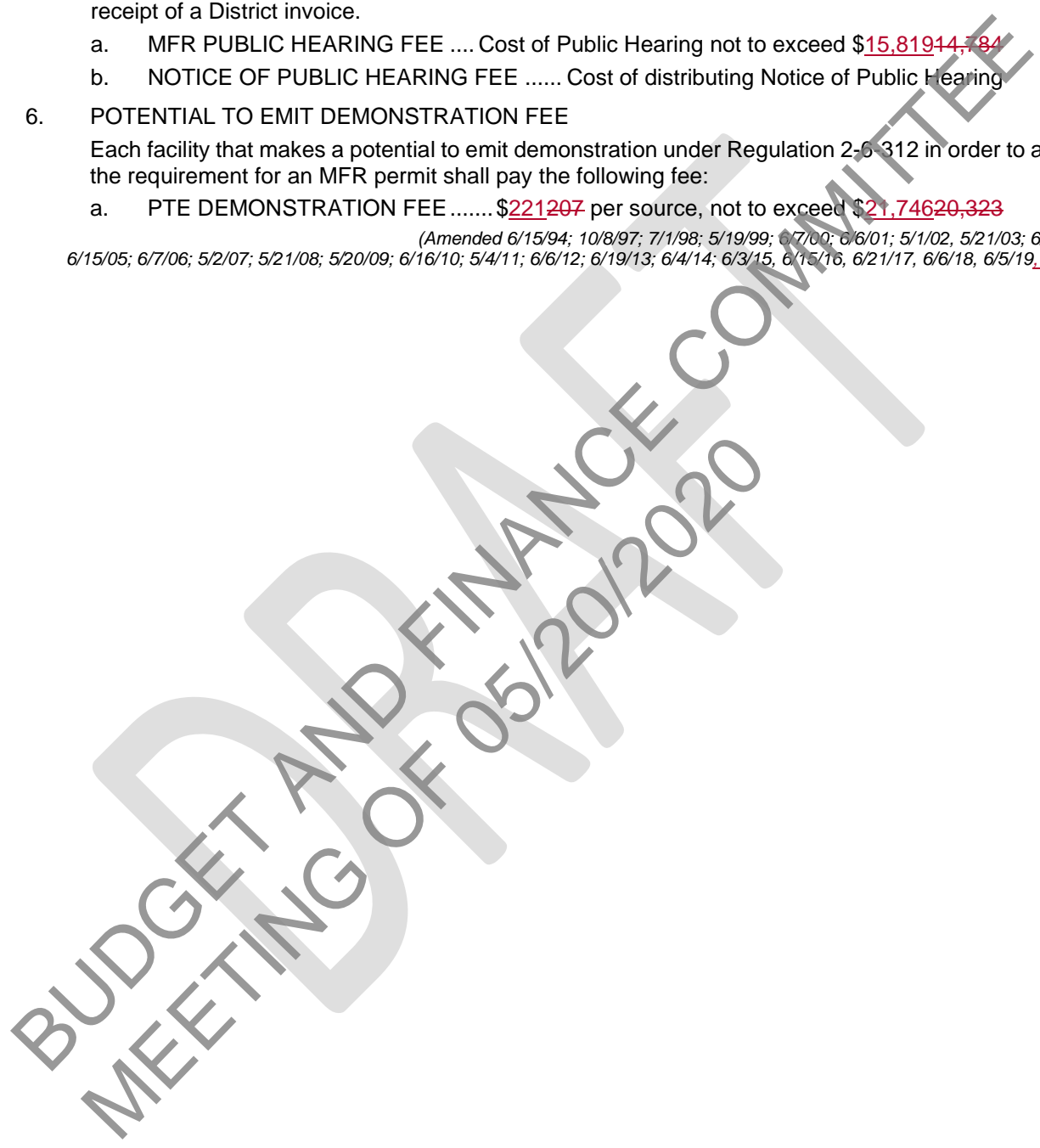
b. NOTICE OF PUBLIC HEARING FEE ..... Cost of distributing Notice of Public Hearing

6. POTENTIAL TO EMIT DEMONSTRATION FEE

Each facility that makes a potential to emit demonstration under Regulation 2-6 312 in order to avoid the requirement for an MFR permit shall pay the following fee:

a. PTE DEMONSTRATION FEE ..... \$~~221,207~~ per source, not to exceed \$~~21,746~~20,323

*(Amended 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*



**SCHEDULE Q**  
**EXCAVATION OF CONTAMINATED SOIL AND**  
**REMOVAL OF UNDERGROUND STORAGE TANKS**  
(Adopted January 5, 1994)

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:
  - a. OPERATION FEE: \$168  
*(Amended 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/4/14; 6/3/15, 6/15/16)*

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**SCHEDULE R  
EQUIPMENT REGISTRATION FEES**

1. Persons operating commercial cooking equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Conveyorized Charbroiler REGISTRATION FEE: \$744 per facility
  - b. Conveyorized Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
  - c. Under-fired Charbroiler REGISTRATION FEE: \$744 per facility
  - d. Under-fired Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
  
2. Persons operating non-halogenated dry cleaning equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Dry Cleaning Machine REGISTRATION FEE: \$371
  - b. Dry Cleaning Machine ANNUAL RENEWAL FEE: \$259
  
3. Persons operating diesel engines who are required to register equipment as required by District or State rules are subject to the following fees:
  - a. Diesel Engine REGISTRATION FEE: \$250
  - b. Diesel Engine ANNUAL RENEWAL FEE: \$166
  - c. Diesel Engine ALTERNATIVE COMPLIANCE PLAN FEE (for each plan submitted under District Regulation 11-17-402): \$250
  
4. Persons operating boilers, steam generators and process heaters who are required to register equipment by District Regulation 9-7-404 are subject to the following fees:
  - a. REGISTRATION FEE \$137 per device
  - b. ANNUAL RENEWAL FEE: \$115 per device
  
5. Persons owning or operating graphic arts operations who are required to register equipment by District Regulation 8-20-408 are subject to the following fees:
  - a. REGISTRATION FEE \$446
  - b. ANNUAL RENEWAL FEE \$278
  
6. Persons owning or operating mobile refinishing operations who are required to register by District Regulation 8-45-4 are subject to the following fees:
  - a. REGISTRATION FEE \$209
  - b. ANNUAL RENEWAL FEE \$123

*(Adopted 7/6/07; Amended 12/5/07; 5/21/08; 7/30/08; 11/19/08; 12/3/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18)*

**SCHEDULE S  
NATURALLY OCCURRING ASBESTOS OPERATIONS**

1. ASBESTOS DUST MITIGATION PLAN INITIAL REVIEW AND AMENDMENT FEES:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for initial review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): ~~\$730635~~

Any person submitting a request to amend an existing ADMP shall pay the following fee: ~~\$374325~~

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: ~~\$5,6354,900~~

3. INSPECTION FEE:

The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District after July 1, 2012 in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: ~~\$166444~~ per hour

*(Adopted 6/6/07; Amended 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19, TBD)*

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**SCHEDULE T  
GREENHOUSE GAS FEES**

For each permitted facility emitting greenhouse gases, the fee shall be based on the following:

1. Carbon Dioxide Equivalent (CDE) Emissions \$~~0.130-120~~ per metric ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. The annual emissions of each greenhouse gas (GHG) listed below shall be determined by the APCO for each permitted (i.e., non-exempt) source. For each emitted GHG, the CDE emissions shall be determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility shall be based on the sum of the CDE emissions for all GHGs emitted by the facility, except that no fee shall be assessed for emissions of biogenic carbon dioxide.

**Global Warming Potential Relative to Carbon Dioxide\***

GHG	CAS Registry Number	GWP**
Carbon Dioxide	124-38-9	1
Methane	74-82-8	34
Nitrous Oxide	10024-97-2	298
Nitrogen Trifluoride	7783-54-2	17,885
Sulfur Hexafluoride	2551-62-4	26,087
HCFC-22	75-45-6	2,106
HCFC-123	300-83-2	96
HCFC-124	2837-89-0	635
HCFC-141b	1717-00-6	938
HCFC-142b	75-68-3	2,345
HCFC-225ca	422-56-0	155
HCFC-225cb	507-55-1	633
HFC-23	75-46-7	13,856
HFC-32	75-10-5	817
HFC-125	354-33-6	3,691
HFC-134a	811-97-2	1,549
HFC-143a	420-46-2	5,508
HFC-152a	75-37-6	167
HFC-227ea	431-89-0	3,860
HFC-236fa	690-39-1	8,998
HFC-245fa	460-73-1	1,032
HFC-365mfc	406-58-6	966
HFC-43-10-mee	138495-42-8	1,952
PFC-14	75-73-0	7,349
PFC-116	76-16-4	12,340
PFC-218	76-19-7	9,878
PFC-318	115-25-3	10,592

\* Source: Myhre, G., et al., 2013: Anthropogenic and Natural Radiative Forcing (and Supplementary Material). In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., et al. (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available from www.ipcc.ch.

\*\* GWPs compare the integrated radiative forcing over a specified period (i.e.100 years) from a unit mass pulse emission to compare the potential climate change associated with emissions of different GHGs. GWPs listed include climate-carbon feedbacks.

*(Adopted 5/21/08; Amended 5/20/09; 6/16/10; 6/4/14; 6/3/15; 6/15/16, 6/21/17, 6/6/18,6/5/19, TBD)*

**SCHEDULE U  
INDIRECT SOURCE REVIEW FEES**

The applicant for any project deemed an indirect source pursuant to District rules shall be subject to the following fees:

1. APPLICATION FILING FEE

When an applicant files an Air Quality Impact Assessment as required by District rules, the applicant shall pay a non-refundable Application Filing Fee as follows:

- a. Residential project: \$615
- b. Non-residential or mixed use project: \$918

2. APPLICATION EVALUATION FEE

Every applicant who files an Air Quality Impact Assessment as required by District rules shall pay an evaluation fee for the review of an air quality analysis and the determination of Offsite Emission Reduction Fees necessary for off-site emission reductions. The Application Evaluation fee will be calculated using the actual staff hours expended and the prevailing weighted labor rate. The Application Filing fee, which assumes eight hours of staff time for residential projects and twelve hours of staff time for non-residential and mixed use projects, shall be credited towards the actual Application Evaluation Fee.

3. OFFSITE EMISSION REDUCTION FEE

(To be determined)

*(Adopted 5/20/09; Amended 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

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**SCHEDULE V  
OPEN BURNING**

1. Any prior notification required by Regulation 5, Section 406 is subject to the following fee:
  - a. OPERATION FEE: \$138
  - b. The operation fee paid as part of providing notification to the District prior to burning will be determined for each property, as defined in Regulation 5, Section 217, and will be valid for one year from the fee payment date when a given fire is allowed, as specified in Regulation 5, Section 401 for the following fires:

<b>Regulation 5 Section – Fire</b>	<b>Burn Period</b>
401.1 - Disease and Pest	January 1 – December 31
401.2 - Crop Replacement <sup>1</sup>	October 1 – April 30
401.3 - Orchard Pruning and Attrition <sup>2</sup>	November 1 – April 30
401.4 - Double Cropping Stubble	June 1 – August 31
401.6 - Hazardous Material <sup>1</sup>	January 1 – December 31
401.7 - Fire Training	January 1 – December 31
401.8 - Flood Debris	October 1 – May 31
401.9 - Irrigation Ditches	January 1 – December 31
401.10 - Flood Control	January 1 – December 31
401.11 - Range Management <sup>1</sup>	July 1 – April 30
401.12 - Forest Management <sup>1</sup>	November 1 – April 30
401.14 - Contraband	January 1 – December 31

<sup>1</sup> Any Forest Management fire, Range Management fire, Hazardous Material fire not related to Public Resources Code 4291, or any Crop Replacement fire for the purpose of establishing an agricultural crop on previously uncultivated land, that is expected to exceed 10 acres in size or burn piled vegetation cleared or generated from more than 10 acres is defined in Regulation 5, Section 213 as a type of Prescribed Burning and, as such, is subject to the Prescribed Burning operation fee in Section 3 below

<sup>2</sup> Upon the determination of the APCO that heavy winter rainfall has prevented this type of burning, the burn period may be extended to no later than June 30.

- c. Any person who provided notification required under Regulation 5, Section 406, who seeks to burn an amount of material greater than the amount listed in that initial notification, shall provide a subsequent notification to the District under Regulation 5, Section 406 and shall pay an additional open burning operation fee prior to burning.
2. Any Marsh Management fire conducted pursuant to Regulation 5, Section 401.13 is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
  - a. OPERATION FEE:
 

\$495	for 50 acres or less
\$673	for more than 50 acres but less than or equal to 150 acres
\$849	for more than 150 acres
  - b. The operation fee paid for a Marsh Management fire will be valid for a Fall or Spring burning period, as specified in Regulation 5, Subsection 401.13. Any burning subsequent to either of these time periods shall be subject to an additional open burning operation fee.
3. Any Wildland Vegetation Management fire (Prescribed Burning) conducted pursuant to Regulation 5, Section 401.15 is subject to the following fee, which will be determined for each prescribed burning project by the proposed acreage to be burned:
  - a. OPERATION FEE:
 

\$602	for 50 acres or less
\$816	for more than 50 acres but less than or equal to 150 acres
\$1,062	for more than 150 acres

- b. The operation fee paid for a prescribed burn project will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
  4. Any Filmmaking fire conducted pursuant to Regulation 5, Section 401.16 and any Public Exhibition fire conducted pursuant to Regulation 5, Section 401.17 is subject to the following fee:
    - a. OPERATION FEE: \$714
    - b. The operation fee paid for a Filmmaking or Public Exhibition fire will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
  5. Any Stubble fire conducted pursuant to Regulation 5, Section 401.5 that requires a person to receive an acreage burning allocation prior to ignition is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
    - a. OPERATION FEE:
 

\$353	for 25 acres or less
\$495	for more than 25 acres but less than or equal to 75 acres
\$602	for more than 75 acres but less than or equal to 150 acres
\$708	for more than 150 acres
    - b. The operation fee paid for a Stubble fire will be valid for one burn period, which is the time period beginning September 1 and ending December 31 each calendar year. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
  6. All fees paid pursuant to Schedule V are non-refundable.
  7. All fees required pursuant to Schedule V must be paid before conducting a fire.

*(Adopted June 19, 2013; Amended 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, TBD)*

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**SCHEDULE W  
PETROLEUM REFINING EMISSIONS TRACKING FEES**

1. ANNUAL EMISSIONS INVENTORIES:

Any Petroleum Refinery owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: ~~\$67,68958,860~~
- b. Each subsequent annual submittal: ~~\$38,84529,439~~

Any Support Facility owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: ~~\$4,1373,597~~
- b. Each subsequent annual submittal: ~~\$2,0694,799~~

2. AIR MONITORING PLANS:

Any person required to submit an air monitoring plan in accordance with Regulation 12, Rule 15, Section 403 shall pay a one-time fee of ~~\$9,4018,175~~

*(Adopted 6/15/16, 6/5/19, TBD)*

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**SCHEDULE X  
MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES**

For each major stationary source, emitting 35 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide and/or PM<sub>10</sub> within the vicinity of a District proposed community air monitoring location, the fee shall be based on the following:

- |    |                   |                 |
|----|-------------------|-----------------|
| 1. | Organic Compounds | \$60.61 per ton |
| 2. | Sulfur Oxides     | \$60.61 per ton |
| 3. | Nitrogen Oxides   | \$60.61 per ton |
| 4. | Carbon Monoxide   | \$60.61 per ton |
| 5. | PM <sub>10</sub>  | \$60.61 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, or PM<sub>10</sub>, if occurring in an amount less than 35 tons per year, shall not be counted.

*(Adopted: 6/15/16; Amended: 6/21/17)*

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BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **DRAFT STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

**April 17, 2020**

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MEETING OF 05/20/2020

## 1. EXECUTIVE SUMMARY

Air District staff has prepared proposed amendments to Air District Regulation 3: Fees for Fiscal Year Ending (FYE) 2021 (i.e., July 1, 2020 to June 30, 2021) that would increase revenue to enable the Bay Area Air Quality Management District (Air District) to continue to effectively implement and enforce regulatory programs for stationary sources of air pollution. The proposed fee amendments for FYE 2021 are consistent with the Air District's Cost Recovery Policy, which was adopted on March 7, 2012 by the Air District's Board of Directors (see Appendix A). This policy stated that the Air District should amend its fee regulation in a manner sufficient to increase overall recovery of regulatory program activity costs to achieve a minimum of 85 percent. The policy also indicates that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

A recently completed 2020 Cost Recovery Study (a copy of which is available on request) shows that for the most-recently completed fiscal year (FYE 2019), fee revenue recovered 86 percent of program activity costs. Cost recovery will decrease going forward as the Air District fills its vacancies.

Over the past several years, the Air District has continued to implement cost containment and efficiency-based strategies. Some of these strategies include: unfilled vacancies, timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level. The Air District is actively transitioning to the New Production System, which currently includes an on-line portal for the regulated community for high-volume categories including gas stations, dry cleaners, auto body shops, other permit registrations, and asbestos notifications. This system is expanding to additional facility types. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents. Future projections anticipate adequate revenue to meet projected expenditures with the assumption of continued attention to cost and permit fee analysis. The Air District continues to be fiscally prudent by maintaining its reserves. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets.

The results of the 2020 Cost Recovery Study (including FYE 2017-2019 data) were used to establish proposed fee amendments for each existing fee schedule based on the degree to which existing fee revenue recovers the regulatory program activity costs associated with the schedule. Based on this approach, the fee rates in certain fee schedules would be raised by the annual increase in the Bay Area Consumer Price Index (3.1%), while other fee schedules would be increased by 7, 8, 9, or 15 percent. Several fees that are administrative in nature (e.g. permit application filing fees and permit renewal processing fees) would be increased by 3.1 percent.

The proposed fee amendments would not increase annual permit renewal fees for most small businesses that require Air District permits, with the exception of gas stations (e.g., a typical gas station would have an increase of \$48 in annual permit renewal fees), auto body shops, which would have an increase of \$91, and facilities with backup generators, which would have an increase of \$61 per engine. For larger facilities, increases in annual permit renewal fees would range between 8.5 and 13.1 percent due to differences in the facility's size, type of emission sources, pollutant emission rates and applicable fee schedules. In accordance with State law, the Air District's amendments to Regulation 3 cannot cause an increase in overall permit fees for any facility by more than 15 percent in any calendar year. The proposed fee amendments would increase overall Air District fee revenue in FYE 2021 by approximately \$2.74 million relative to fee revenue that would be expected without the amendments.

The Board of Directors received testimony on April 15, 2020 regarding the proposed amendments to Regulation 3: Fees. Air District staff recommends that the Board of Directors consider adoption of the proposed amendments to Regulation 3: Fees with an effective date of July 1, 2020, and approve the filing of a CEQA Notice of Exemption following the 2<sup>nd</sup> public hearing scheduled to consider this matter on June 3, 2020.

## **2. BACKGROUND**

State law authorizes the Air District to assess fees to generate revenue to recover the reasonable costs of regulatory program activities for stationary sources of air pollution. The largest portion of Air District fees is collected under provisions that allow the Air District to impose permit fees sufficient to recover the costs of program activities related to permitted sources. The Air District is also authorized to assess fees for: (1) area-wide or indirect sources of emissions which are regulated, but for which permits are not issued by the Air District, (2) sources subject to the requirements of the State Air Toxics Hot Spots Program (Assembly Bill 2588), and (3) activities related to the Air District's Hearing Board involving variances or appeals from Air District decisions on the issuance of permits. The Air District has established, and regularly updates, a fee regulation (Air District Regulation 3: Fees) under these authorities.

The Air District has analyzed whether fees result in the collection of a sufficient and appropriate amount of revenue in comparison to the costs of related program activities. In 1999, a comprehensive review of the Air District's fee structure and revenue was completed by the firm KPMG Peat Marwick LLP (*Bay Area Air Quality Management District Cost Recovery Study, Final Report: Phase One – Evaluation of Fee Revenues and Activity Costs*, KPMG Peat Marwick LLP, February 16, 1999). This 1999 Cost Recovery Study indicated that fee revenue did not nearly offset the full costs of program activities associated with sources subject to fees as authorized by State law. Property tax revenue (and in some years, reserve funds) had been used to close this cost recovery gap.

The Air District Board of Directors adopted an across-the-board fee increase of 15 percent, the maximum allowed by State law for permit fees, for FYE 2000 as a step toward



more complete cost recovery. The Air District also implemented a detailed employee time accounting system to improve the ability to track costs by program activities moving forward. In each of the next five years, the Air District adjusted fees only to account for inflation (with the exception of FYE 2005, in which the Air District also approved further increases in Title V permit fees and a new permit renewal processing fee).

In 2004, the Air District funded an updated Cost Recovery Study. The accounting firm Stonefield Josephson, Inc. completed this study in March 2005 (*Bay Area Air Quality Management District Cost Recovery Study, Final Report*, Stonefield Josephson, Inc., March 30, 2005). This 2005 Cost Recovery Study indicated that a significant cost recovery gap continued to exist. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data. Finally, the contractor provided a model that could be used by Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

For the five years following the completion of the 2005 Cost Recovery Study (i.e., FYE 2006 through 2010), the Air District adopted fee amendments that increased overall projected fee revenue by an average of 8.9 percent per year. To address fee equity issues, the various fees were not all increased in a uniform manner. Rather, individual fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. In FYE 2009, the Air District's fee amendments also included a new greenhouse gas (GHG) fee schedule. The GHG fee schedule recovers costs from stationary source activities related to the Air District's Climate Protection Program. In FYE 2011, the Air District adopted an across-the-board 5 percent fee increase, except for the Title V fee schedule (Schedule P) which was increased by 10 percent (the Air District's 2010 Cost Recovery Study indicated that Fee Schedule P recovered only 46 percent of program activity costs).

In September 2010, the Air District contracted with the firm Matrix Consulting Group to complete an updated analysis of cost recovery that could be used in developing fee amendments for FYE 2012 and beyond. This study also included a review of the Air District's current cost containment strategies and provided recommendations to improve the management of the Air District's costs and the quality of services provided to stakeholders. The study was completed in March 2011 (*Cost Recovery and Containment Study, Bay Area Air Quality Management District, Final Report*, Matrix Consulting Group, March 9, 2011). The 2011 Cost Recovery and Containment Study concluded that, for FYE 2010, overall fee revenue recovered 64 percent of related program activity costs. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data and provided a methodology for Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

The results of the 2011 Cost Recovery and Containment Study were used to establish fee amendments for FYE 2012 that were designed to increase overall fee revenue by 10 percent (relative to fee revenue that would result without the fee amendments). To

address fee equity issues, the various fees were not all increased in a uniform manner. Rather, existing fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. Based on this approach, the fee rates in several fee schedules were not increased, while the fee rates in other fee schedules were increased by 10, 12, or 14 percent.

One of the recommendations made by Matrix Consulting Group in their 2011 Cost Recovery and Containment Study indicated that the Air District should consider the adoption of a Cost Recovery Policy to guide future fee amendments. Air District staff initiated a process to develop such a Policy in May 2011, and a Stakeholder Advisory Group was convened to provide input in this regard. A Cost Recovery Policy was adopted by the Air District's Board of Directors on March 7, 2012 (see Appendix A). This policy specified that the Air District should amend its fee regulation in a manner sufficient to increase overall recovery of regulatory program activity costs to a minimum of 85 percent. The policy also indicated that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

The Matrix Consulting Group was retained by the BAAQMD in September 2017 to provide a cost recovery and containment study for the fiscal year ended June 30, 2017 to update the study done in 2011. This assessment used multiple analytical tools to understand the current process for allocation of indirect costs, current cost recovery levels, and recommendations for cost recovery and savings. The primary purpose of this study was to evaluate the indirect overhead associated with the BAAQMD and the cost recovery associated with the fees charged by the BAAQMD. The project team evaluated the Air District's current programs to classify them as direct or indirect costs, as well as the time tracking data associated with each of the different fee schedules. The report also provides specific recommendations related to direct and indirect cost recovery for the BAAQMD, as well as, potential cost efficiencies.

Staff has updated the cost recovery analysis for the most recently completed fiscal year (FYE 2019) using the methodology established by Matrix Consulting Group. The 2020 Cost Recovery Study indicates that the overall cost recovery rate for FYE 2019 was 86 percent, although as the Air District tries to fill its vacancies, the cost recovery will go down. Progress towards the 85% minimum target is reported to the Board annually by staff and is periodically reviewed by outside consultants.

### **3. PROPOSED FEE AMENDMENTS FOR FYE 2020**

#### **3.1 OVERVIEW OF PROPOSED AMENDMENTS**

A 2020 cost recovery study was used to establish proposed fee amendments for existing fee schedules based on the degree to which existing fee revenue recovers the activity costs associated with the schedule. Based on this approach, the fee rates in certain fee

schedules would be increased by 7, 8, 9, or 15 percent. Other fee schedules would be raised by 3.1%, the annual increase from 2018 to 2019 in the Bay Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) as reported by the United States Bureau of Labor Statistics. The specific basis for these proposed fee amendments is summarized in Table 1 as follows:

**Table 1. Proposed Fee Changes Based on Cost Recovery by Fee Schedule**

Revenue from Fee Schedule	Change in Fees	Fee Schedules
95 – 110% of costs	3.1% increase*	B, D, E, F, M
85 – 94% of costs	7% increase	G3, P
75-84% of costs	8% increase	T
50-74% of costs	9% increase	G2, H, I, N
Less than 50% of costs	15% increase*	A, G1, G4, K, S, W

\*2018 Matrix Consulting Group Cost Recovery & Containment Study recommendations.

**Note:** For Schedules D and E, a 3.1% increase is proposed, although cost recovery would have allowed a 7 to 9% increase. Schedule D covers gas stations and Schedule E covers autobody shops, and many are small businesses. Schedule D had 89% cost recovery and Schedule E had 72% cost recovery from FYE 2017 to 2019.

In addition to the proposed amendments to fee schedules, Air District staff is proposing to increase several administrative fees that appear in the Standards section of Regulation 3 by 3.1 percent. This includes permit application filing fees and permit renewal processing fees. Existing permit fees are well below the point of full cost recovery, and these fee increases are proposed to help the Air District reduce its cost recovery gap.

### 3.2 PROPOSED RULE AMENDMENTS

The complete text of the proposed changes to Air District Regulation 3: Fees, has been prepared in strikethrough (deletion of existing text) and underline (new text) format, and is included in Appendix B. Proposed fee increases have been rounded to the nearest whole dollar.

- Section 3-302: Fees for New and Modified Sources

The proposed amendment to Section 3-302 is a 3.1 percent increase in the filing fee for permit applications for new/modified sources and abatement devices, from \$508 to \$524 based on the CPI-W.

- Section 3-302.3: Fees for Abatement Devices

The proposed amendment to Section 3-302.3 is a 3.1 percent increase (based on the CPI-W) in the filing fee, from \$508 to \$524, and the not to exceed value of \$10,588 was not increased.

- Section 3-311: Emission Banking Fees

The proposed amendment to Section 3-311 is a 3.1 percent increase (based on the CPI-W) in the filing fee for banking applications, from \$508 to \$524.

- Section 3-312: Emission Caps and Alternative Compliance Plans

The proposed amendment to Section 3-312.2 is a 3.1 percent increase (based on the CPI-W) in the annual fees for Alternative Compliance Plans (ACPs) from \$1,286 to \$1,326 for each source in the ACP, with the not-to-exceed amount increase from \$12,860 to \$13,259.

- Section 3-320: Toxic Inventory Fees

The proposed amendment to Section 3-320 is a 3.1 percent increase (based on the CPI-W) from \$10,056 to \$10,368, which specifies the maximum fee for small businesses in Schedule N.

### **Criteria Pollutant and Toxics Emissions Reporting Regulation Fees:**

As part of Assembly Bill 617 (AB 617), the California Air Resources Board (CARB) recently adopted the Criteria and Toxics Reporting (CTR) Regulation for the reporting of criteria air pollutants and toxic air contaminants for stationary sources. To learn more about the CTR Regulation, visit <https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting>. In order to cover the implementation and on-going costs associated with these new requirements, the Air District is proposing a new fee for each facility subject to the CTR Regulation. CTR reporting fees would be charged during permit renewal.

The Air District is tasked with implementing the CTR Regulation in the Bay Area and estimates the following costs. Eight (8) full-time employees would be needed for this work: Six (6) in Engineering, one (1) in Information Technology, and one (1) in Compliance & Enforcement (C&E) to design, program, implement, and maintain the changes necessary to comply with the new CARB reporting requirements for permitted sources. Air District staff estimated this need considering both initial costs and on-going costs.

The analysis concluded that for the first year, three (3) engineers and one (1) programmer would be required to design & redesign data systems, change data management practices, and modify current business processes in order to compress the work of

updating the inventory over a 12-month time period into a 5-month time period. The Air District will need to redesign and supplement the current annual data request process which is part of the current permit renewal process to obtain additional information required by the CTR Regulation. Air District staff also need to integrate new CTR reporting elements and format. Work to notify, train and assist facilities with these new requirements is factored into implementation.

Air District staff will also work with the other air districts, the California Air Pollution Control Officers Association, and industry to develop uniform emissions inventory guidelines to be used for reporting emissions to the state. Implementation of these guidelines may require extensive programming to add new or modify emission factors and or emission calculation methodologies into the data systems.

Total salary and benefits costs are estimated to be:

Four Air Quality Engineer II's at \$180/hour,  $4 \times \$180/\text{hour} \times 2,080 \text{ hours} = \$1,497,600$

One Programmer Analyst II at \$160/hour,  $\$160/\text{hour} \times 2,080 \text{ hours} = \$332,800$

One C&E Air Quality Specialist II at \$172/hour,  $\$172/\text{hour} \times 2,080 \text{ hours} = \$357,760$

Total estimated costs = \$2,188,160

Starting year two, an additional staff of three (3) from Engineering and one (1) from C&E will be needed to conduct extensive outreach to help the smaller facilities and small businesses comply with the CTR Regulation. Long term, all of the staff we are basing the fee on will be required for quality control and assurance, inventory entry and to ensure compliance. The Air District expects all permitted facilities to be subject to the CTR Regulation after CARB amends the regulation by the end of calendar year 2020.

Air District staff is proposing the tiered fees in the table below.

<b>Number of Permitted Sources per Facility</b>	<b>\$ per Permitted Source*</b>
1 to 4	25
5 to 9	75
10 to 14	150
15 to 19	200
20 to 24	250
25 and greater	300

\*The maximum CTR fee will be capped at \$50,000 per year.

Fees proposed are based on the number of sources at each facility, since the costs are commensurate with the number of sources at each facility. In general, the complexity of the facility and sources increases with an increasing number of sources at a facility. Complex sources require additional review and validation of emissions and emission trains for both criteria air pollutants and toxic air contaminants. Several complex facilities are required to install continuous emissions monitors (CEMs) to monitor pollutants and are required to perform annual source tests to determine emissions of different pollutants on many different sources. Thousands of data points from these CEMS must be verified and reviewed to verify emissions. Each source test must also be reviewed to determine source specific emission factors for the sources at the facility. These checks take additional time for both review and entry into the data system. Additional time is also required by our Planning department to prepare the larger facility inventories for submittal to CARB.

Smaller and less complex facilities are anticipated to only require validation and entry of activity levels of the facility. Many of these sources are currently in the Air District's new production system and have automated tools in place which ease both the effort required for data entry and the required review by Engineering Staff. Additionally, the Air District will or currently applies factors to determine emissions from these facilities speeding up the level of review and QA for the data reported to the California Air Resources Board. However, if smaller and/or less complex facilities provide emission estimates or other data in addition to activity that require both Air District review and validation and entry into Air District systems, additional costs will be incurred. If this occurs, these costs may be recuperated within future revisions of Regulation 3.

### **AB 617 Community Health Impact Fees.**

In the implementation of AB 617 (C. Garcia, Chapter 136, Statutes of 2017), the Air District's Community Health Protection Program works with Bay Area communities to improve community health by reducing exposure to air pollutants in neighborhoods most impacted by air pollution. Air District staff are working closely with the California Air Resources Board (CARB), other local air districts, community groups, community members, environmental organizations, regulated industries, and other key stakeholders to reduce harmful air pollutants. A new community health impact fee is proposed to help recover costs of program implementation.

CARB provides funding to the air districts for the implementation of AB 617. Currently, the funds provided do not cover the entire cost of program implementation. Costs for the implementation of AB 617 may be split into three different types. The first of these are fee recoverable activities, such as rule development of stationary sources, CTR or inventory reporting of stationary sources, and compliance and enforcement of stationary sources. The second type of activities are not fee recoverable, such as community outreach and engagement, capacity building and mobile source modeling and inventory. Third, there are a number of tasks that are partially fee recoverable. Some examples of these partially fee-recoverable tasks include the following: conducting detailed, community-scale

modeling, managing community steering committees, and conducting community-scale source apportionment analyses.

The Air District expects its cost for implementation of the Community Health Protection Program to be \$10 million. The partially fee recoverable work is estimated at \$8 million. In order to separate the costs of program implementation directly associated with facility emissions in the partially recoverable fee segment, the Air District looked at health impacting pollutants emitted by mobile, stationary and area sources. Based on this analysis, permitted stationary sources contribute 26% of PM<sub>2.5</sub>, which is a primary driver of the health risk that created the need for AB 617. Therefore, the amount of directly fee recoverable work related to permitted sources should be 26% of the partially fee recoverable program costs at a minimum – (\$8 million x 0.26 = \$2.1 million). As the Air District develops more detailed facility specific health impacts for local communities through the AB617 Community Emission Reduction Program process, fees will be increased or decreased proportionally.

Because all permitted facilities or stationary sources contribute to emissions that may impact public health in our communities, the proposed fee would be charged to all permitted and registered facilities during permit renewal. Based on the estimated cost of \$2.1 million, Air District staff is proposing a fee of 5.7% of each facility's total annual permit/registration renewal fees with a maximum cap of \$70,000 per year, which is projected to recover the estimated Air District costs in excess of direct funding from CARB for non-recoverable AB 617 activities.

#### **Other changes to Section 3-327:**

The proposed amendment will add references in Section 3-327 to Schedule W (Petroleum Refining Emissions Tracking Fees) and Schedule X (Major Stationary Source Community Air Monitoring Fees) since fees assessed during permit renewal are typically listed in this section. The processing fees for renewal of Permits to Operate specified in subsections 3-327.1 through 3-327.6 would be increased by 3.1 percent (based on the CPI-W).

- **Section 3-336: Open Burning Operation Fees**

Section 3-336 is revised to reflect recent changes to the Air District Regulation 5 Open Burning regarding prescribed burning.

- **Section 3-337: Exemption Fee**

The proposed amendment to Section 3-337 is a 3.1 percent increase (based on the CPI-W) in the filing fee for a certificate of exemption, from \$508 to \$524.

- **Section 3-341, Fee for Risk Reduction Plan**

Section 3-341 is revised to increase the Risk Reduction Plan submittal fees by 3.1 percent

(based on the CPI-W).

- Section 3-342, Fee for Facility-Wide Health Risk Assessment (HRA)

Section 3-342 is revised to increase the HRA review fees by 3.1 percent (based on the CPI-W).

- Section 3-343: Fees for Air Dispersion Modeling

Section 3-343 is revised to increase the hourly charges for air dispersion modeling by 3.1 percent (based on the CPI-W) from \$213 to \$220.

### **Fee Schedules:**

#### **Schedule A: Hearing Board Fees**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule A would be increased by 15 percent. The schedules of fees for excess emissions (Schedule A: Table I) and visible emissions (Schedule A: Table II) would also be increased by 15 percent.

#### **Schedule B: Combustion of Fuel**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule B would be increased by 3.1 percent (based on the CPI-W).

#### **Schedule C: Stationary Containers for the Storage of Organic Liquids**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule C would not be increased, except for the base fee for a health risk assessment for a source covered by Schedule C which would be increased by 3.1 percent from \$508 to \$524.

#### **Schedule D: Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals**

A 3.1 percent increase is proposed, although the cost recovery methodology would have allowed a 7% increase, except for the base fee for a health risk assessment for a source covered by Schedule D, which would be increased by 3.1 percent from \$508 to \$524. Schedule D covers gasoline stations and many are considered small businesses.

#### **Schedule E: Solvent Evaporating Sources**

A 3.1 percent increase is proposed, although the cost recovery methodology would have allowed a 9% increase, except for the base fee for a health risk assessment for a source



covered by Schedule E, which would be increased by 3.1 percent from \$508 to \$524. Schedule E covers a wide range of coating operations, including auto body shops, which can be small businesses.

#### Schedule F: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule F would be increased by 3.1 percent. The base fee for a health risk screening analysis for a source covered by Schedule F would be increased by 3.1 percent, from \$508 to \$524. The base fee for a health risk screening analysis in Schedule F is included in the risk assessment fee (RAF) for the first toxic air contaminant (TAC) source in the application.

#### Schedule G-1: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-1 would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-1, which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-1 is included in the RAF for the first TAC source in the application.

#### Schedule G-2: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-2 would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-2 which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-2 is included in the RAF for the first TAC source in the application.

#### Schedule G-3: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-3 would be increased by 7 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-3, which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-3 is included in the RAF for the first TAC source in the application.

#### Schedule G-4: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-4 would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-4, which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-4 is included in the RAF for the first TAC source in the application.

#### Schedule G-5: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-5 would not be increased.

#### Schedule H: Semiconductor and Related Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule H would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule H, which would be increased by 3.1 percent from \$508 to \$524.

#### Schedule I: Dry Cleaners

Based on the cost recovery methodology listed in Table 1, the fees in Schedule I would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule I, which would be increased by 3.1 percent from \$508 to \$524.

#### Schedule K: Solid Waste Disposal Sites

Based on the cost recovery methodology listed in Table 1, the fees in Schedule K would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule K, which would be increased by 3.1 percent from \$508 to \$524.

#### Schedule L: Asbestos Operations

Based on the cost recovery methodology listed in Table 1, the fees in Schedule L would not be increased.

#### Schedule M: Major Stationary Source Fees

Schedule M is an emissions-based fee schedule that applies to various permitted facilities emitting 50 tons per year or more of organic compounds, sulfur oxides, nitrogen oxides, and/or PM<sub>10</sub>. Air District staff is proposing a 3.1 percent increase in the Schedule M fee rate based on the annual increase in the Bay Area Consumer Price Index.

#### Schedule N: Toxic Inventory Fees

Schedule N is to cover the costs for the California Air Resources Board's (CARB's) AB 2588 program fees as well as the Engineering Division staff required to work on the AB 2588 toxics emissions inventories, Rule 11-18 implementation costs for facility emissions review, and health risk assessments (HRAs) for facilities that are exempt from Rule 11-18. The Air District's costs for conducting New Source Review HRAs for permit

applications are not fully covered by the HRA fees in the individual schedules. Schedule N covers this deficit between fee schedule HRA fees and actual costs.

Schedule N fees are spread out across all permitted facilities based on weighted emissions of toxic air contaminants. Facilities with higher emissions of toxic air contaminants are charged higher Schedule N fees. The language in Fee Schedule N (Toxic Inventory Fees) has been revised to clarify the methodology used by the Air District to calculate the facility's weighted toxic inventory.

#### Schedule P: Major Facility Review Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule P would be increased by 7 percent.

#### Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks

The fees in Schedule Q would not be increased since the Air District does not currently assess this fee.

#### Schedule R: Equipment Registration Fees

The fees in Schedule R would not be increased. Many of these facilities subject to equipment registration requirements are small businesses.

#### Schedule S: Naturally Occurring Asbestos Operations

Based on the cost recovery methodology listed in Table 1, the fees in Schedule S would be increased by 15 percent.

#### Schedule T: Greenhouse Gas Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule T would be increased by 3 percent.

#### Schedule U: Indirect Source Review Fees

The fees in Schedule U would not be increased since the Air District does not currently assess this fee.

#### Schedule V: Open Burning

Schedule V would not be increased, although the cost recovery methodology would have allowed a 15 percent. This will limit the burden on public agencies' and other entities conducting prescribed burns for wildfire prevention. The language in Schedule V was amended to reflect recent Regulation 5 amendments.

### Schedule W: Petroleum Refining Emissions Tracking Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule W would be increased by 15 percent. Schedule W was based on estimated staff costs to review and approve the refinery emission inventories and crude slate information. However, the first sets of inventories received were significantly more complex than anticipated and the Air District spent additional time and effort verifying emissions from the sources with the largest emissions than what was originally estimated when Schedule W was adopted. With each successive set of inventories, staff has continued concentration and verification of additional source categories. In addition, engineering staff have been updating and revising the Refinery Emissions Inventory Guidelines and working on the heavy liquid fugitive components study. These efforts were not envisioned at the time of the fee's introduction.

### Schedule X: Major Stationary Source Community Air Monitoring Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule X would not be increased.

## **4. FEE REVENUE AND COSTS OF PROGRAM ACTIVITIES**

On an overall basis, the 2020 Cost Recovery Study (a copy of which is available on request) concluded that, for FYE 2019, fee revenue recovered 86.1 percent of regulatory program activity costs, with revenue of \$48.1 million and costs of \$55.9 million. This resulted in a shortfall, or cost recovery gap, of \$7.8 million which was filled by county tax revenue. The proposed fee amendments for FYE 2021 are projected to increase overall Air District fee revenue by approximately \$2.52 million relative to fee revenue levels that would be expected without the amendments. Revenue in FYE 2021 is expected to remain below the Air District's regulatory program costs for both permitted and non-permitted sources.

For years, the Air District has implemented aggressive cost containment measures that included reducing capital expenditures and maintaining a hiring freeze that resulted in historically high staff vacancy rates.

In the FYE 2020 Budget, the Air District proposes to fill 410 Full Time Equivalent (FTE), with no increase in staffing level. Assembly Bill (AB) 617, passed by the Legislature and signed by the Governor in 2017, establishes new, comprehensive air quality planning requirements for the California Air Resources Board (CARB) and local air districts. The bill requires CARB and the Air District to engage with communities to analyze and reduce localized cumulative exposure to air pollution to improve health in the most disproportionately impacted communities. CARB and the Air District will: 1) identify impacted communities in the Bay Area; 2) develop and implement monitoring programs to better understand local air pollution sources and exposures, and; 3) develop and

implement community action plans to reduce local emissions and exposures. Air District AB 617 implementation activities will cut across all divisions and will represent a major focus for the agency in FYE 2021 and beyond. Additional Air District initiatives include work on Methane Strategies, Organics Recovery and Diesel Free by '33.

Over the past several years, the Air District has continued to implement cost containment and efficiency-based strategies. Some of these strategies include: unfilled vacancies, timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level. The Air District is actively transitioning to the New Production System, which currently includes an on-line portal for the regulated community for high-volume categories including gas stations, dry cleaners, auto body shops, other permit registrations, and asbestos notifications. This system will be expanding to additional facility types. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents.

The Air District continues to be fiscally prudent by maintaining its reserves. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets. While the increased pickup of pension costs by employees reduced the Air District's annual obligation, premiums in employee health benefit, pension costs and OPEB obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2017 actuarial valuation study for OPEB, the Air District's plan is approximately 68% funded; leaving an unfunded liability of 32% or \$19.0 million. As a part of the FYE 2016 Budget, the Board adopted a minimum OPEB funding target policy of 90%. The FYE 2020 Budget includes the continuation of this funding with a \$4.0 million contribution.

The Air District's pension obligation is also growing; especially with recent changes in actuarial assumptions by CalPERS. As a result, CalPERS anticipates increased employer rates over the next 5 years. Based on the June 30, 2017 CalPERS actuarial valuation study, the Air District is currently funded at approximately 75%; leaving an unfunded liability of 25% or approximately \$75 million. Given these potential impacts, the FYE 2020 Budget includes continuation of \$1.0 million in discretionary contributions, which will be used for the sole purpose of reducing the unfunded liability to minimize the impact of future rate increases for the Air District.

## **5. STATUTORY AUTHORITY FOR PROPOSED FEE INCREASES**

The Air District is a regional regulatory agency, and its fees are used to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District's fees fall into the category specified in Section 1(e) of Article XIII C of the California Constitution which specifies that charges of this type assessed to regulated entities to recover regulatory program activity costs are not taxes. The amount of fee

revenue collected by the Air District has been clearly shown to be much less than the costs of the Air District's regulatory program activities both for permitted and non-permitted sources.

The Air District's fee regulation, with its various fee schedules, is used to allocate regulatory program costs to fee payers in a manner which bears a fair or reasonable relationship to the payer's burden on, or benefits received from, regulatory activities. Permit fees are based on the type and size of the source being regulated, with minimum and maximum fees being set in recognition of the practical limits to regulatory costs that exist based on source size. Add-on fees are used to allocate costs of specific regulatory requirements that apply to some sources but not others (e.g., health risk screening fees, public notification fees, alternative compliance plan fees). Emissions-based fees are used to allocate costs of regulatory activities not reasonably identifiable with specific fee payers.

Since 2006, the Air District has used annual analyses of cost recovery performed at the fee-schedule level, which is based on data collected from a labor-tracking system, to adjust fees. These adjustments are needed as the Air District's regulatory program activities change over time based on changes in statutes, rules and regulations, enforcement priorities, and other factors.

State law authorizes air districts to adopt fee schedules to cover the costs of various air pollution programs. California Health and Safety Code (H&S Code) section 42311(a) provides authority for an air district to collect permit fees to cover the costs of air district programs related to permitted stationary sources. H&S Code section 42311(f) further authorizes the Air District to assess additional permit fees to cover the costs of programs related to toxic air contaminants. H&S Code section 41512.7(b) limits the allowable percentage increase in fees for authorities to construct and permits to operate to 15 percent per year.

H&S Code section 44380(a) authorizes air districts to adopt a fee schedule that recovers the costs to the air district and State agencies of the Air Toxics Hot Spots Program (AB 2588). The section provides the authority for the Air District to collect toxic inventory fees under Schedule N.

H&S Code section 42311(h) authorizes air districts to adopt a schedule of fees to cover the reasonable costs of the Hearing Board incurred as a result of appeals from air district decisions on the issuance of permits. Section 42364(a) provides similar authority to collect fees for the filing of applications for variances or to revoke or modify variances. These sections provide the authority for the Air District to collect Hearing Board fees under Schedule A.

H&S Code section 42311(g) authorizes air districts to adopt a schedule of fees to be assessed on area-wide or indirect sources of emissions, which are regulated but for which permits are not issued by the air district, to recover the costs of air district programs related to these sources. This section provides the authority for the Air District to collect

asbestos fees (including fees for Naturally Occurring Asbestos operations), soil excavation reporting fees, registration fees for various types of regulated equipment, for Indirect Source Review, and fees for open burning.

The proposed fee amendments are in accordance with all applicable authorities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. Permit fee revenue (after adoption of the proposed amendments) would still be well below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted area wide sources would be below the Air District's costs of regulatory programs related to these sources. Hearing Board fee revenue would be below the Air District's costs associated with Hearing Board activities related to variances and permit appeals. Fee increases for authorities to construct and permits to operate would be less than 15 percent per year.

## **6. ASSOCIATED IMPACTS AND OTHER RULE DEVELOPMENT REQUIREMENTS**

### **6.1 EMISSIONS IMPACTS**

There will be no direct change in air emissions as a result of the proposed amendments.

### **6.2 ECONOMIC IMPACTS**

The Air District must, in some cases, consider the socioeconomic impacts and incremental costs of proposed rules or amendments. Section 40728.5(a) of the California H&S Code requires that socioeconomic impacts be analyzed whenever an air district proposes the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations. The proposed fee amendments will not significantly affect air quality or emissions limitations, and so a socioeconomic impact analysis is not required.

Section 40920.6 of the H&S Code specifies that an air district is required to perform an incremental cost analysis for a proposed rule, if the purpose of the rule is to meet the requirement for best available retrofit control technology or for a feasible measure. The proposed fee amendments are not best available retrofit control technology requirements, nor are they a feasible measure required under the California Clean Air Act; therefore, an incremental cost analysis is not required.

The financial impact of the proposed fee amendments on small businesses is expected to be minor. Many small businesses operate only one or two permitted sources, and generally pay only the minimum permit renewal fees. For the facilities shown in Table 4, increases in annual permit and registration renewal fees would be under \$100, except for a typical gasoline service station.

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**Table 4. Changes in Annual Permit/Registration Renewal Fees for Typical Small Businesses**

Facility Type	Current Fees (prior to change)	Proposed Fees (post change)	Proposed Fee Increase	Proposed % Increase
Gas Station <sup>1,2</sup>	\$239	\$287	\$48	20%
Dry Cleaner (registered) <sup>1</sup>	\$259	\$274	\$15	6%
Auto Body Shop <sup>1,3</sup>	\$729	\$820	\$91	13%
Back-up Generator <sup>1,3</sup>	\$382	\$442	\$61	16%

*Notes:*

1. Assuming facility has only one source.
2. Assuming source has one single-product gasoline nozzle.
3. Assuming source qualifies for minimum fee.

For larger facilities, such as refineries and power plants, increases in annual permit renewal fees would cover a considerable range due to differences in the facility's size, mix of emission sources, pollutant emission rates and applicable fee schedules. As shown in Table 5, the FYE 2020 annual permit fee increase for the five Bay Area refineries would range from approximately 8.5 to 12.8 percent. The annual permit fee increases for power generating facilities shown in Table 6 would range from approximately 11.8 to 13.1 percent. Projected FYE 2021 fee increases are based on FYE 2020 material throughput data. Table 5 and 6 also include current Permit to Operate fees paid and historical annual fee increases.

**Table 5. Refinery Permit to Operate Fee Comparison**

	Annual % Permit Fee Increase/Decrease (Fiscal Year Ending)					2020 Permit Fee
	2017	2018	2019*	2020	2021 Projected	
Chevron	14.7	1.2	-0.5	0.8	8.5	\$3.7 M
Shell	15.0	4.0	5.6	0.9	9.7	\$3.5 M
Phillips 66	14.6	2.3	4.2	13.6	12.8	\$1.9 M
Valero	15.0	2.4	-0.2	22.5	11.6	\$2.3 M
Tesoro	2.2	-8.5	15	21.5	10.1	\$2.9 M

\*Permits to Operate extended from 8/1/18 to 12/1/2019 (16 months) to allow use of Rule 12-15 emission inventories to calculate emissions and permit renewal fees. Increase based on ratioed (12/16) amount.

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**Table 6. Power Plant Permit to Operate Fee Comparison**

	Annual % Permit Fee Increase/Decrease (Fiscal Year Ending)					2020 Permit Fee
	2017	2018	2019	2020	2021 Projected	
Delta Energy	-0.8	-7.0	-13.5	5.8	11.4	\$ 460,000
Los Medanos	-6.0	7.3	15.0	6.9	11.7	\$ 400,000
Gateway	8.5	-7.6	12.0	6.0	11.6	\$ 360,000
Crockett Cogen	0.8	2.5	0	5.8	13.1	\$ 270,000

### 6.3 ENVIRONMENTAL IMPACTS

The California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., and the CEQA Guidelines, 14 CCR 15000 et seq., require a government agency that undertakes or approves a discretionary project to prepare documentation addressing the potential impacts of that project on all environmental media. Certain types of agency actions are, however, exempt from CEQA requirements. The proposed fee amendments are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines, which state: "CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies...." (See also Public Resources Code Section 21080(b) (8)).

Section 40727.2 of the H&S Code imposes requirements on the adoption, amendment, or repeal of air district regulations. It requires an air district to identify existing federal and air district air pollution control requirements for the equipment or source type affected by the proposed change in air district rules. The air district must then note any differences between these existing requirements and the requirements imposed by the proposed change. This fee proposal does not impose a new standard, make an existing standard more stringent, or impose new or more stringent administrative requirements. Therefore, section 40727.2 of the H&S Code does not apply.

### 6.4 STATUTORY FINDINGS

Pursuant to H&S Code section 40727, regulatory amendments must meet findings of

necessity, authority, clarity, consistency, non-duplication, and reference. The proposed amendments to Regulation 3:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

## **7. RULE DEVELOPMENT PROCESS**

In response to comments received during the FYE 2020 Budget and Fee Regulation Amendments process, on September 20, 2019, the Air District established a Budget Advisory Group, which is made up of the following members: The Board of Directors' Budget and Finance Committee chair and co-chair, Air District Finance, Engineering, and Legal staff, and representatives from the California Council of Environmental and Economic Balance and the Western States Petroleum Association. The Budget Advisory Group was formed to promote greater participation and input in the annual Budget and Fee Regulation Amendments process. The Budget Advisory Group has met at the Air District offices on January 27, 2020 and March 16, 2020.

On February 3, 2020, the Air District issued a notice for a public workshop to discuss with interested parties an initial proposal to amend Regulation 3, Fees. Distribution of this notice included all Air District permitted and registered facilities, asbestos contractors, and a number of other potentially interested stakeholders. The notice was also posted on the Air District website. A public workshop and simultaneous webcast were held on February 18, 2020 to discuss the initial Regulation 3 fee proposal.

On March 25, 2020 Air District staff provided a briefing on the proposed fee amendments to the Air District Board of Directors' Budget and Finance Committee.

Under H&S Code section 41512.5, the adoption or revision of fees for non-permitted sources requires two public hearings that are held at least 30 days apart from one another. This provision applies to Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees, and Schedule V: Open Burning. A Public Hearing Notice for the proposed Regulation 3 was published on March 12, 2020 and posted on the Air District website. An initial public hearing to consider testimony on the proposed amendments was held on April 15, 2020. The proposed amendments will be further

discussed at the April 22, 2020, Budget & Finance Committee meeting. Written public hearing comments are due by May 8, 2020. A second public hearing, to consider adoption of the proposed fee amendments, has been scheduled for June 3, 2020, or as soon thereafter as the matter may be heard. If adopted, the amendments would be made effective on July 1, 2020.

## **8. PUBLIC COMMENTS**

### **8.1 Public Workshop Comments – Regulation 3, Fees**

The Air District held a public workshop on February 18, 2020 to discuss draft amendments to Regulation 3: Fees. There were four attendees plus the webcast audience. Written comments were received on the Regulation 3, Fees proposal as follows:

#### WSPA Comments dated March 20, 2020

Comments & Responses to be provided separately and posted.

#### CCEEB Comments dated March 20, 2020

Comments & Responses to be provided separately and posted.

### **8.2 Public Hearing Comments – Regulation 3, Fees**

[Comments & Responses to be inserted. Comments due by May 8, 2020.]

## **9. CONCLUSIONS**

Air District staff finds that the proposed fee amendments meet the findings of necessity, authority, clarity, consistency, non-duplication and reference specified in H&S Code section 40727. The proposed amendments:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

The proposed fee amendments will be used by the Air District to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. After adoption of the proposed amendments, permit fee revenue would still be below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted sources would be below the Air District's costs of regulatory programs related to these sources. Fee increases for authorities to construct and permits to operate would not exceed 15 percent per year as required under H&S Code section 41512.7. The proposed amendments to Regulation 3 are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines.

BUDGET AND FINANCE COMMITTEE  
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BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

**APPENDIX A  
COST RECOVERY POLICY  
(Adopted March 7, 2012)**

# **COST RECOVERY POLICY FOR BAY AREA AIR QUALITY MANAGEMENT DISTRICT REGULATORY PROGRAMS**

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## **PURPOSE**

WHEREAS, the District has the primary authority for the control of air pollution from all sources of air emissions located in the San Francisco Bay Area, other than emissions from motor vehicles, in accordance with the provisions of Health & Safety Code sections 39002 and 40000.

WHEREAS, the District is responsible for implementing and enforcing various District, State, and federal air quality regulatory requirements that apply to non-vehicular sources.

WHEREAS, the District's regulatory programs involve issuing permits, performing inspections, and other associated activities.

WHEREAS, the District is authorized to assess fees to regulated entities for the purpose of recovering the reasonable costs of regulatory program activities, and these authorities include those provided for in California Health and Safety Code sections 42311, 42364, and 44380.

WHEREAS, the District's fees fall within the categories provided in Section 1(e) of Article XIII C of the California Constitution, which indicates that charges assessed to regulated entities to recover regulatory program activity costs, and charges assessed to cover the cost of conferring a privilege or providing a service, are not taxes.

WHEREAS, the District has adopted, and periodically amends, a fee regulation for the purpose of recovering regulatory program activity costs, and this regulation with its various fee schedules, is used to allocate costs to fee payers in a manner which bears a fair or reasonable relationship to the payer's burden on, or benefits received from, regulatory activities.

WHEREAS, the District analyzes whether assessed fees result in the collection of sufficient revenue to recover the costs of related program activities; these analyses have included contractor-conducted fee studies completed in 1999, 2005, and 2011, and annual District staff-conducted cost recovery updates completed in 2006 through 2010. Each fee study and cost recovery update completed revealed that District fee revenue falls significantly short of recovering the costs of related program activities.

WHEREAS, the District's most recently completed fee study (*Cost Recovery and Containment Study, Bay Area Air Quality Management District, Final Report, Matrix Consulting Group, March 9, 2011*) concluded that in Fiscal Year Ending (FYE) 2010, the District recovered approximately 62 percent of its fee-related activity costs, resulting in an under-recovery of costs (i.e., a cost recovery gap), and a subsidy to fee payers, of approximately \$16.8 million, and that this cost recovery gap resulted despite the



implementation of a number of strategies to contain costs.

WHEREAS, cost recovery analyses have indicated that the District's Fee Schedule P: Major Facility Review Fees, which establishes fees for program activities associated with the Title V permit program, has under-recovered costs by an average of \$3.4 million per year over the period FYE 2004 through FYE 2010.

WHEREAS, the District's Board of Directors has recognized since 1999 that the District's cost recovery gap has been an issue that needs to be addressed, and since that time has adopted annual fee amendments in order to increase fee revenue.

WHEREAS, in addition to fee revenue, the District receives revenue from Bay Area counties that is derived from property taxes, and a large portion of this tax revenue has historically been used on an annual basis to fill the cost recovery gap.

WHEREAS, the tax revenue that the District receives varies on a year-to-year basis, and cannot necessarily be relied on to fill the cost recovery gap and also cover other District expenses necessitating, in certain years, the use of reserve funds.

WHEREAS, tax revenue that the District receives, to the extent that it is not needed to fill the cost recovery gap, can be used to fund initiatives or programs that may further the District's mission but that lack a dedicated funding source.

WHEREAS, it may be appropriate as a matter of policy to establish specific fee discounts for small businesses, green businesses, or other regulated entities or members of the public, where tax revenue is used to cover a portion of regulatory program activity costs, and the District's existing fee regulation contains several fee discounts of this type.

## **POLICY**

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Bay Area Air Quality Management District that:

**(1) Cost Containment** – In order to ensure that the costs of its regulatory programs remain reasonable, the District should continue to implement feasible cost containment measures including the use of appropriate best management practices, without compromising the District's effective implementation and enforcement of applicable regulatory requirements. The District's annual budget documents should include a summary of cost containment measures that are being implemented.

**(2) Analysis of Cost Recovery** – The District should continue to analyze the extent to which fees recover regulatory program activity costs, both on an overall basis, and at the level of individual fee schedules. These cost recovery analyses should be periodically completed by a qualified District contractor, and should be updated on an annual basis by District staff using a consistent methodology.

**(3) Cost Recovery Goals** – It is the general policy of the District, except as otherwise noted below, that the costs of regulatory program activities be fully recovered by assessing fees to regulated entities. In order to move towards this goal, the District should amend its fee regulation over the next four years, in conjunction with the adoption of budgets for Fiscal Year Ending (FYE) 2013 through FYE 2016, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85 percent. Amendments to specific fee schedules should also be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps. This includes Fee Schedule P: Major Facility Review Fees, which has been determined to under-recover costs by a significant amount. Newly adopted regulatory measures should include fees that are designed to recover increased regulatory program activity costs associated with the measure, unless the Board of Directors determines that a portion of those costs should be covered by tax revenue. Tax revenue should also continue to be used to subsidize existing fee discounts that the District provides (e.g., for small businesses, green businesses, and third-party permit appeals), and to cover the cost of the District’s wood smoke enforcement program.

BE IT FURTHER RESOLVED that this resolution is non-binding in the case of unforeseen financial circumstances, and may also be reconsidered or updated by the District’s Board of Directors.

BUDGET AND FINANCE COMMITTEE  
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BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**DRAFT STAFF REPORT**  
**PROPOSED AMENDMENTS TO**  
**BAAQMD REGULATION 3: FEES**

**APPENDIX B**  
**PROPOSED REGULATORY LANGUAGE**  
**REGULATION 3: FEES**

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Report of the Community and Public Health Committee Meeting of May 20, 2020

RECOMMENDED ACTION

The Community and Public Health Committee (Committee) received only informational items and have no recommendations of approval by the Board of Directors (Board).

BACKGROUND

The Committee met on Wednesday, May 20, 2020, and received the following reports:

- A) Recent Studies on COVID-19 and Particulate Matter;
- B) Air District Efforts to Encourage Teleworking; and
- C) Contra Costa County Green and Healthy Homes Initiative.

Chairperson Shirlee Zane will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None.
- B) None. Funding is included in the Fiscal Year Ending 2020 and 2021 budgets; and
- C) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenaflor

Reviewed by: Vanessa Johnson

Attachment 18A: 05/20/2020 – Community and Public Health Committee Meeting Agenda #3

Attachment 18B: 05/20/2020 – Community and Public Health Committee Meeting Agenda #4

Attachment 18C: 05/20/2020 – Community and Public Health Committee Meeting Agenda #5

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Shirlee Zane and Members  
of the Community and Public Health Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2020

Re: Recent Studies on COVID-19 and Particulate Matter

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Recent studies raise questions about the connection between COVID-19 disease and exposure to particulate matter. The pandemic has highlighted health and social disparities with data showing disproportionate mortality among people of color. There is interest within the public health community to address social determinants of health, as they relate to this disease.

A vast body of research connects exposure to air pollutants with higher rates of asthma, cancer, heart disease, stroke, mortality, and other health outcomes. However, air pollution is not the sole risk factor contributing to these health outcomes. Social determinants of health can include income, education, race/ethnicity, low-quality and insecure housing, food insecurity, as well as air and water quality. The interplay of the combinations of social factors is complex.

A lack of certainty about the actual death rate attributable to COVID-19 further increases the challenge of studying associations between disease mortality and specific social factors. Nonetheless, these studies have received attention and concern over disproportionately increased mortality among vulnerable people in impacted communities.

DISCUSSION

The presentation will highlight two research papers regarding COVID-19 and particulate matter (PM). The first paper is from the Harvard T.H. Chan School of Public Health in Boston, MA. They investigated whether long-term average exposure to fine particulate matter (PM<sub>2.5</sub>) is associated with an increased risk of COVID-19 mortality in the United States. They modeled the association between county-level counts of death and county-level long-term average PM<sub>2.5</sub> as the exposure. They found that an increase of 1 µg/m<sup>3</sup> (annual average) in PM<sub>2.5</sub> is associated with an eight percent increase in the COVID-19 death rate. The authors concluded that a small increase in long-term exposure to PM<sub>2.5</sub> leads to a large increase in the COVID-19 death rate.

The authors report that the study is limited by the availability of COVID-19 individual-level outcome data and the inability to accurately quantify the number of COVID-19 cases due to limited testing capacity. Other limiting factors include difficulty quantifying unmeasured confounding bias, such as contributing factors to COVID-19 spread and severity. Indeed, identifying a case fatality rate for this disease has proven extremely difficult and variable by location.

The second study is from a research group in Italy at the University of Bologna, who found preliminary evidence of SARS-Cov-2 ribonucleic acid (RNA) genetic material on particulate matter. They took a small number of samples of PM10 from an industrial site in Bergamo Province, Italy, and they reported several positive results. Further confirmations are on-going. Questions generated from the study are whether the virus remnants found on the particulate matter are alive, and viable or not, whether the virus has virulence, and what would be the potential dose of virus from exposure to such PM. No assumptions can be made at this time about the presence of virus on PM and whether it might contribute to disease progression. This paper does not provide enough information about whether the virus can be transmitted via air pollution.

Neither of these two papers has been peer-reviewed, which is a critical part of the scientific process, but they are interesting, relevant, and worth following. The presentation will detail these and other related studies and discuss the complexity of interpreting preliminary health exposure studies.

#### BUDGET CONSIDERATIONS/FINANCIAL IMPACTS

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Judith Cutino  
Reviewed by: Greg Nudd

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Shirlee Zane and Members  
of the Community and Public Health Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2020

Re: Air District Efforts to Encourage Teleworking

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Local and state officials issued shelter-in-place orders in March 2020, to protect the public from the spread of COVID-19. The orders necessitated a major shift in how Bay Area employers do business and many employees quickly made the adjustment to teleworking. During the shutdown, estimates of at least a 70 percent decrease in traffic have been reported. As a result, levels of fine particulates, carbon dioxide, and oxides of nitrogen emissions have been significantly reduced.

DISCUSSION

As Bay Area employers develop their re-entry plans for after the shelter-in-place orders are lifted, the Air District has a tremendous opportunity to continue air quality gains by encouraging employers to incorporate teleworking for their organizations moving forward. Teleworking will not only help improve air quality and reduce climate impacts, it will enable employers to continue social distancing, save money, and ease the commute burdens and costs for employees moving forward.

As part of the Air District's efforts to encourage teleworking, staff will provide an overview of the new Spare the Air advertising and outreach campaigns, new focus for the Commuter Benefits Program, and the exploration of a model teleworking policy for local governments; and discuss the implementation of an Air District teleworking policy.



BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding is included in the Fiscal Year Ending 2020 and 2021 budgets.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kristina Chu  
Reviewed by: Kristine Roselius

COMMUNITY AND PUBLIC HEALTH  
COMMITTEE MEETING OF 05/20/2020

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Shirlee Zane and Members  
of the Community and Public Health Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2020

Re: Contra Costa County Green and Healthy Homes Initiative

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In 2004, the Air District initiated the Community Air Risk Evaluation (CARE) program to identify areas in the Bay Area with high concentrations of air pollution and populations most vulnerable to air pollution's health impacts. One of the main goals of the CARE program was to help design and focus effective air pollution mitigation measures in areas with highest impacts and greatest vulnerabilities. Work initiated by the CARE program has well-positioned the Air District to respond to new directives associated with Assembly Bill (AB) 617. The goal of this legislation is to improve local air quality and health in disproportionately impacted communities. The law requires the California Air Resources Board to work with community groups, air districts, and others to select locations from around the state, where communities will work with local air districts to measure and reduce air pollution.

The Air District's efforts to implement AB 617 include the development of the community-led emission reduction plan in West Oakland, *Owning Our Air: The West Oakland Community Action Plan*, and the development and implementation of a community air monitoring plan in Richmond/San Pablo. The Air District has distributed \$350,000 in capacity-building grants in all high-priority communities, including Contra Costa County. In 2020, Air District staff have been engaging in technical and community engagement work, finding opportunities for partnerships and collaboration around local air pollution or other related concerns, particularly climate protection. One area of collaboration is with the Contra Costa County Green and Healthy Homes Initiative.

## DISCUSSION

In Contra Costa County, 300,000 residents live in a census tract that ranks in the 95<sup>th</sup> percentile or higher of asthma Emergency Department (ED) rates statewide. This is the highest number of people in any county in California, and the fourth highest by percentage of county residents in the state. An estimated 4,950 people visit the ED for asthma each year in the County and they disproportionately are African American and of lower socio-economic status than the general population. Asthma exacerbations are largely avoidable, but significant portions of the federally recommended asthma care guidelines (home-based education and remediation of asthma triggers) are not traditionally covered by Medicaid or included in traditional clinical care.

To address these challenges, the County is preparing to implement a Green and Healthy Homes Initiative (locally called the Contra Costa Asthma Initiative) pilot program. The program will integrate various climate and health interventions to improve outcomes for high-risk asthma patients in low-income, multi-family homes on the Contra Costa Health Plan. Contra Costa Health Services and the Contra Costa County Department of Conservation and Development, with its partner, Marin Clean Energy, and consultant, the Association for Energy Affordability, will implement and monitor retrofit improvements in the homes of select high-risk asthma residents (adults and children) across the County, to improve indoor air quality and remove underlying asthma triggers, focusing on mitigations that also reduce greenhouse gas emissions. Improvements will include mitigations, such as air filtration/dehumidification; electrification of heating /cooling systems and appliances; induction cooking appliances; electric panel upgrades; plumbing repairs; roof repairs; surface and structural mold remediation; ventilation; pest management; and carpet removal or steam cleaning; or the purchase of other such similar materials that help support improving asthma and indoor air quality.

Staff is investigating opportunities for the Air District to collaborate with the County on this initiative and will seek Board of Directors approval at an upcoming meeting.

### BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Abby Young  
Reviewed by: Henry Hilken

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Report of the Personnel Committee Meeting of May 27, 2020

---

RECOMMENDED ACTION:

The Personnel Committee (Committee) met in Closed Session to conduct a Conference with Labor Negotiators.

BACKGROUND

The Committee met on Wednesday, May 27, 2020, in Closed Session, regarding Conference with Labor Negotiators, and there was no reportable action.

There are no staff reports for the Closed Session items.

Chairperson Jim Spring will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACTS:

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenaflo  
Reviewed by: Vanessa Johnson

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Report of the Legislative Committee Meeting of May 27, 2020

---

**RECOMMENDED ACTION**

The Legislative Committee (Committee) may recommend Board of Directors (Board) approval of the following items:

- A) Sacramento Legislative/Budget Update;
  - 1) None; receive and file.
- B) Air District Sponsored Bills; and
  - 1) None; receive and file.
- C) State Legislation Update
  - 1) The Committee will discuss and review bills and take positions where appropriate. The Committee will also hear an update on further staff discussions regarding Senate Bill (SB) 802 (Glazer) and SB 1099 (Dodd) related to emergency backup generators.

**BACKGROUND**

The Committee met on Wednesday, May 27, 2020, and received the following reports:

- A) Sacramento Legislative Update;
- B) Air District Sponsored Bills; and
- C) State Legislation Update

Chairperson Margaret Abe-Koga will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None; and
- C) None

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Justine Buenaflor  
Reviewed by: Vanessa Johnson

Attachment 20A: 05/27/2020 – Legislative Committee Meeting Agenda #3  
Attachment 20B: 05/27/2020 – Legislative Committee Meeting Agenda #4  
Attachment 20C: 05/27/2020 – Legislative Committee Meeting Agenda #5

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Margaret Abe-Koga and Members  
of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 19, 2020

Re: Sacramento Legislative/Budget Update

---

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

On May 14, 2020, Governor Newsom released his May Revision to the Fiscal Year (FY) 2020/2021 Budget. Due to the budgetary effects from COVID-19, the proposed budget was significantly different than the January 2020 proposed budget, as shown in the table below.

<b>Program</b>	<b>FY 19/20</b>	<b>FY 20/21 (Jan)</b>	<b>FY 20/21 (May)</b>
Assembly Bill (AB) 617 - Implementation	\$50M	\$25M	\$0 *
AB 617 - Incentives	\$245M	\$200M	\$200M
AB 617 - Technical Assistance	\$10M	\$10M	\$0 *
Clean Vehicle Rebate	\$238M	\$125M	\$0 *
Clean Truck and Bus	\$182M	\$150M	\$0 *
Ag Diesel Engine Replacement	\$65M	\$50M	\$50M
Clean Cars for All/School Bus	\$65M	\$75M	\$0 *
Woodstove Replacement	\$0	\$0	\$0
AB 836 (Wicks) Clean Air Centers	\$0	\$5.5M	\$0

*\$0 \* indicates \$0 in funding unless Cap and Trade Auction revenues for FY 20/21 exceed roughly \$2.5B in combined proceeds.*

The Assembly and Senate have scheduled various budget committee hearings and both plan to have their respective budget proposals completed by the end of May 2020, in hopes of completing the budget by the June 15, 2020 deadline.

Staff will provide an update to the Committee of activities related to the budget, especially related to AB 617 implementation funding.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Jack P. Broadbent

Attachment 3A: Air District Budget Letter to Governor – Dated May 15, 2020

LEGISLATIVE COMMITTEE  
MEETING OF 05/27/2020





**BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

May 15, 2020

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

The Honorable Toni Atkins  
President Pro Tempore of the California State Senate  
State Capitol, Room 205  
Sacramento, CA 95814

The Honorable Anthony Rendon  
Speaker of the California State Assembly  
State Capitol, Room 219  
Sacramento, CA 95814

**ALAMEDA COUNTY**  
John J. Bauters  
Pauline Russo Cutter  
Scott Haggerty  
Nate Miley

**CONTRA COSTA COUNTY**  
John Gioia  
David Hudson  
Karen Mitchoff  
(Secretary)  
Mark Ross

**MARIN COUNTY**  
Katie Rice

**NAPA COUNTY**  
Brad Wagenknecht

**SAN FRANCISCO COUNTY**  
VACANT  
Shamann Walton  
Tyrone Jue  
(SF Mayor's Appointee)

**SAN MATEO COUNTY**  
David J. Canepa  
Carole Groom  
Davina Hurt

**SANTA CLARA COUNTY**  
Margaret Abe-Koga  
Cindy Chavez  
(Vice Chair)  
Liz Kniss  
Rod G. Sinks  
(Chair)

**SOLANO COUNTY**  
James Spering  
Lori Wilson

**SONOMA COUNTY**  
Teresa Barrett  
Shirlee Zane

Jack P. Broadbent  
EXECUTIVE OFFICER/APCO

**Re: 2020-2021 State Budget May Revision – Cap and Trade Expenditure Plan AB 617 Implementation Funding**

Dear Governor Newsom, President Pro Tempore Atkins, and Speaker Rendon:

On behalf of the Bay Area Air Quality Management District (Bay Area AQMD), I am writing to respectfully share our significant concerns with the recent state budget revision in regard to the Cap and Trade Expenditure Plan and prospective AB 617 Implementation funding.

As you know, local air districts play a pivotal role in ensuring the state's air quality goals are met. These goals include attaining the health-protective national and state ambient air quality standards, reducing air toxics, working closely with the California Air Resources Board (CARB) to implement the state's climate change programs, and ensuring community health is protected from the effects of air pollution. This includes responsibility for implementation of the AB 617 Community Air Protection Program, including expanded air quality monitoring and analysis, extensive community interaction and support, and developing and implementing local air protection plans. Communities that have been identified as AB 617 communities rely on local air districts to work with them to realize the climate, air quality, and health benefits that have been promised by the state's Cap and Trade program. AB 617 Implementation funding has been vital in this by funding dedicated community staff, support for community organizations, monitoring equipment, and hyper-local air quality planning work.

Recent studies show that long-term exposure to high levels of air pollution leads to higher mortality from COVID-19.<sup>1</sup> The same communities that are disproportionately impacted by air pollution are also disproportionately impacted by COVID-19, and AB 617 is an important, state-mandated, community-led, effort to reduce air pollution exposure and improve public health and resiliency in these most impacted communities.

<sup>1</sup> "Exposure to air pollution and COVID-19 mortality in the United States: A nationwide cross-sectional study," Wu et al, (2020), doi: <https://doi.org/10.1101/2020.04.05.20054502>

Connect with the Bay Area Air District:



Page 2

The enacted FY 19/20 budget included \$50 million (\$20 million from the Greenhouse Gas Reduction Fund (GGRF) and \$30 million from the Air Pollution Control Fund (APCF)) for implementation of AB 617. The May revision to the FY 20/21 budget proposes a priority list of programs to be funded from the GGRF, with an arguably slim potential for all other programs to be funded proportionally if excess revenues are realized during the quarterly auctions. While we are grateful that AB 617 incentive funding is considered a priority up to \$200 million under this approach, we are very disappointed that actual implementation of AB 617 is not considered a priority. If there were to be excess revenues, implementation funding would max out at \$25 million for the year based on the proportional funding concept, which is significantly less than actual annual air district expenses. Under this structure, funding for the local air district expenses of this program are unlikely, creating an unfunded mandate and a worrisome repeat of the pattern of government inconsistency and disinvestment in these vulnerable communities.

The Bay Area AQMD has played a central role in implementing AB 617 and has been working aggressively to make the program a success in two communities, West Oakland and Richmond/San Pablo. We are also working on early actions in East Oakland, Vallejo, San Jose, and eastern San Francisco, but the prospect of minimal or no funding for implementation of AB 617 will mean that much of our work will have to be scaled back. **We respectfully request that you fully commit to implementing AB 617 by prioritizing and allocating implementation funding in the amount of \$50 million.** If communities and air districts are to be successful, state funding for support at the community level must be adequate and ongoing.

The Bay Area AQMD appreciates the opportunity to provide our input on this important matter. We are committed to reducing air pollution in California and ensuring that every one of the region's 7.5 million residents can breathe clean, healthful air. We are also committed to ensuring that the State's most disproportionately affected populations realize emissions reductions as expeditiously as possible. If you should have any questions, please do not hesitate to contact me at (415) 749-5052, or our Legislative Officer, Mr. Alan Abbs at (916) 769-7769.

Sincerely,



Jack P. Broadbent  
Executive Officer/Air Pollution Control Officer

AA/GN/JPB

Cc: The Honorable Holly Mitchell, Chair, Senate Committee on Budget & Fiscal Review  
The Honorable Phil Ting, Chair, Assembly Committee on the Budget  
The Honorable Bob Wieckowski, Chair, Senate Budget Subcommittee 2 on Resources, Environmental Protection, Energy and Transportation  
The Honorable Richard Bloom, Chair, Assembly Budget Subcommittee 3 on Resources and Transportation  
Members of Senate Budget Subcommittee 2  
Members of Assembly Budget Subcommittee 3  
Members of Bay Area Caucus

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Margaret Abe-Koga and Members  
of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 19, 2020

Re: Air District Sponsored Bills

---

**RECOMMENDED ACTION**

None; receive and file.

**DISCUSSION****AB 2882 Hazardous emissions and substances: school sites: private and charter schools**

AB 2882 is the Air District's bill in response to the Stratford School issue, and is joint authored by Assemblymembers Chu and C. Garcia, with coauthors Assemblymembers Kalra, Quirk, and Wicks, and Senators Hill and Wieckowski. Prior to constructing a new public school, a school district must go through a California Environmental Quality Act (CEQA) process that requires (in the Ed Code and Resources Code) dialog with their local air district, identification of sources of air pollution nearby, and a thoughtful determination that the nearby sources of pollution do not pose a threat to the future students or employees. While private schools perform CEQA, they are not required to make a similar declaration prior to construction of a school. As we see more infill development in California, including development of old industrial sites, it will be important to ensure that our children have an opportunity to attend schools with a healthy learning environment. We are happy to be working with Assemblymember Chu on this important measure.

This bill was single-referred to the Assembly Environmental Safety and Toxic Materials Committee and heard on May 14, 2020. It received a vote in favor of 7-0 and was referred to Assembly Appropriations.

Attached are several letters of support we have received for the bill.

**AB 3211 Toxic air contaminants**

AB 3211 is the Air District's response to the direction in the West Oakland Community Emissions Reduction Plan to expand Air District authority over indirect sources and has been joint authored by Assemblymembers Bauer-Kahan and Bonta. Indirect sources include warehouses, distribution centers, ports, or places that may not be a "stationary source" of

pollution, but nonetheless attract sources of air pollution to them, namely cars and trucks. Current state law allows air districts to develop local regulations on indirect sources if they are in nonattainment of state air quality standards, ozone, and particulate matter. Significant medical research over the last decade, however, has informed us of the negative health effects of fine particulate matter (PM2.5) and toxic air contaminants, including diesel particulate, which current authority doesn't cover and, while we have made strides in cleaning up diesel engines over the years, large concentrations of diesel equipment in small areas can have huge health impacts in neighboring communities. AB 3211 would expand statewide authority to include toxic air contaminants within current indirect source authority, which would provide tools to air districts to further identify local health impacts and to more effectively target scarce incentive funding.

The bill had been double-referred to Assembly Natural Resources and Transportation Committees, but unfortunately was not prioritized for a hearing due to COVID-19. We will look at opportunities to reintroduce this bill in the next legislative session.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs

Reviewed by: Jack P. Broadbent

Attachment 4A: AB 2882 – Support Letter – Californian Air Pollution Control Officers Association

Attachment 4B: AB 2882 – Support Letter – California Teachers Association

Attachment 4C: AB 2882 – Support Letter – California Federation of Teachers

Attachment 4D: AB 2882 – Support Letter – California Association of Private School Organizations



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[www.capcoa.org](http://www.capcoa.org)

PRESIDENT  
Wayne Nastri  
*South Coast AQMD*

VICE PRESIDENT  
Gretchen Bennitt  
*Northern Sierra AQMD*

SECRETARY/CHIEF  
FINANCIAL OFFICER  
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Dave Johnston  
*El Dorado County AQMD*

Jack P. Broadbent  
*Bay Area AQMD*

Joseph Tona  
*Tehama County APCD*

Mat Ehrhardt  
*Yolo-Solano AQMD*

Robert Bamford  
*Northern Sonoma County APCD*

Robert Kard  
*San Diego County APCD*

Samir Sheikh  
*San Joaquin Valley APCD*

EXECUTIVE DIRECTOR  
Tung T. Le  
[tung@capcoa.org](mailto:tung@capcoa.org)

April 14, 2020

The Honorable Patrick O'Donnell, Chair  
Assembly Education Committee  
1020 N Street, Room 159  
Sacramento, CA 95814

**RE: AB 2882 (Chu) – Ensuring Health and Safety of Schools – Support**

Dear Chair O'Donnell:

On behalf of the California Air Pollution Control Officers Association (CAPCOA), the non-profit association of the air pollution control officers representing the 35 local air quality districts throughout California, I write to express our support of Assembly Bill 2882 (AB 2882), which would ensure the public health and safety of all students and school employees in California.

Existing law requires public schools to meet certain requirements before approving and building a new school, such as consulting with their local air pollution control district or air quality management district to identify sources of air pollution. This consultation includes an analysis of toxic air contaminants that may affect the health of the children and employees of the proposed school. These requirements also include that the school district's governing board determines that the property is not a current or former hazardous waste or solid waste disposal site, a hazardous substance release site identified by the Department of Toxic Substances Control, or a site that contains one or more pipelines that carries hazardous substances. This ensures that the school district, its employees, and parents are aware of local sources of pollution and provides an early opportunity to mitigate its effects as the school is constructed. Unfortunately, these requirements currently only apply to public schools and not to private and some public charter schools, resulting in cases where schools have been built in locations near sources of pollution,

April 14, 2020

unbeknownst to the children and their parents. We believe that regardless of whether students and school employees attend public or private institutions, it is imperative that their health and safety is protected to the maximum extent possible.

CAPCOA is dedicated to improving public health and providing clean air for all our residents and in order to ensure the public health and safety of all students and school employees in California, the potential location for a new private school or charter school needs to be properly evaluated. AB 2882 will achieve this by requiring that private schools and charter schools meet the same siting requirements as public schools. CAPCOA appreciates the opportunity to submit our comments on this important piece of legislation and urge you to support AB 2882. Should you have any questions, please do not hesitate to contact me at [wnastri@aqmd.gov](mailto:wnastri@aqmd.gov) or (909) 396-3131.

Sincerely,



Wayne Natri  
President

CC: The Honorable Kansen Chu, Assembly Member, 25th District  
The Honorable Cristina Garcia, Assembly Member, 58th District  
Members of Assembly Education Committee

LEGISLATIVE COMMITTEE  
MEETING OF 05/27/2020

April 29, 2020

The Honorable Bill Quirk, Chair  
Assembly Environmental Safety and Toxic Materials  
The State Capitol, Room 2163  
Sacramento, CA 95814

**SUBJECT: AB 2882 (Chu)**  
**POSITION: SUPPORT**

Dear Assembly Member Quirk:

The California Teachers Association **supports** AB 2219 (Chu), which prohibits an environmental impact report from being approved for any project involving the purchase of a school site or the construction of a new elementary or secondary school by a charter school, unless the site meets California Environmental Quality Act (CEQA) standards ensuring the property is not located on a former hazardous waste disposal site or solid waste disposal site, a hazardous substances release site, and the property's proximity to facilities that might reasonably be anticipated to emit hazardous air emissions or handle hazardous or extremely hazardous materials, substances, or waste and establishes similar rules for charter school projects and private school contracts that already exist in school districts prohibiting approval of a project for acquisition of a school site in these dangerous conditions.

Existing law requires public schools to follow certain requirements before approving and building a new school, but it is unclear if these safeguards apply to charter schools. These requirements include that the governing board of the school district determines that the property is not a current or former hazardous waste or solid waste disposal site, a hazardous substance release site identified by the Department of Toxic Substances Control, or a site that contains one or more pipelines that carries hazardous substances. As a result, there are cases in California where schools have been built in a potentially unsafe location near sources of hazardous emissions, substances, or waste. Consequently, the public health and safety of all students and school employees at these schools could be at risk.

CTA believes charter schools must operate facilities consistent with public safety standards as applied to buildings of public access similar to all other public schools. Additionally, we believe CTA believes educators and students should be afforded every possible protection to their health and safety, including protection from environmental pollution and hazards. Finally, CTA believes educational institutions shall be constructed on property that is environmentally safe. School personnel, students, and their families must be notified of potential hazards in school facilities and the action plan for corrections. This proposal protects California's students and educators. **For these reasons, we urge your AYE vote on AB 2882 (Chu) when the bill is heard in the Assembly Environmental Safety and Toxic materials committee.**

Sincerely,



Seth Bramble  
Legislative Advocate

C: Assembly Member Chu  
<https://calta.sharepoint.com/sites/gr/Cloud Storage/Legislative Relations/Seth Bramble/2020/2020 Bill Letters/ab2882aes.docx>



Representing faculty and classified workers in public and private schools and colleges, from early childhood through higher education

May 13, 2020

The Honorable Bill Quirk  
 Chair, Assembly Environmental Safety and Toxic Materials Committee  
 1020 N Street, Room 171  
 Sacramento, CA 95814

SACRAMENTO OFFICE  
 1107 9th Street, Suite 460  
 Sacramento, CA 95814  
 916-446-2788  
 916-446-2401 fax  
 www.cft.org

**RE: Assembly Bill 2882 (Chu) Position: SUPPORT**

American Federation of Teachers, AFL-CIO

Dear Assemblymember Quirk:

The California Federation of Teachers (CFT), AFT, AFL-CIO, supports Assembly Bill 2882 which would require private schools and charter schools to meet the same health and safety requirements when locating or building a school site as public schools to prevent schools from being built at unsafe locations.

AB 2882 amends existing law to require charter schools and private schools to perform the same evaluation for a proposed school site as is required for public schools. In addition, AB 2882 requires the lead agency under CEQA, over a charter school, to complete the same evaluations as is required for a lead agency of a public school.

These requirements include that the public school district determines that the proposed schoolsite is not hazardous and that the public school district consults with its local air district to identify sources of air pollution that may affect the health of the children and employees at the proposed school. In order to ensure the public health and safety of all students and school employees in California, the potential location for a new private school or charter school needs to be properly evaluated. AB 2882 will achieve this by requiring that private schools and charter schools meet the same siting requirements as public schools.

There are thousands of known contaminated sites in California, however, there are estimates of tens of thousands of unknown contaminated sites in the state. A site may have been an industrial site in the early 1900's and been vacant for decades, and its potential of containing hazardous substances is unknown until there is an environmental assessment of the property. It is important that potential schoolsites, regardless of whether the school is a public school, private school, or charter school, be properly evaluated in order to protect the health and well-being of the future students who will attend that school.

For these reasons, we urge you to vote "AYE" on AB 2882. If you have any questions, please do not hesitate to call me at 916-446-2788.

Sincerely,

Tristan Brown  
 Legislative Representative  
 TB:dlb-opeiu29:afl-cio

cc: Office of Assemblymember Kansen Chu  
 Josh Tooker, Assembly Republican Caucus Consultant  
 Members, Assembly Environmental Safety & Toxic Materials Committee

LEGISLATIVE COMMITTEE MEETING ON 05/27/2020





## California Association of Private School Organizations

### MEMBERS

Archdiocese of Los Angeles  
Department of Catholic Schools

Archdiocese of San Francisco  
Department of Catholic Schools

Association of Christian  
Schools International

Association of Waldorf Schools of  
North America – California Division

BJE - Builders of  
Jewish Education

California Association of  
Independent Schools

California Association of Private  
Special Education Schools

California Catholic Conference

Christian Schools International  
District VIII

Diocese of Fresno  
Education Corporation

Diocese of Monterey

Diocese of Oakland  
Department of Catholic Schools

Diocese of Orange

Diocese of Sacramento

Diocese of San Bernardino

Diocese of San Diego

Diocese of San Jose

Diocese of Stockton

Episcopal Diocese of California

Episcopal Diocese of Los Angeles

Evangelical Lutheran Education  
Association

Lutheran Church – Missouri Synod  
California-Nevada-Hawaii District

Lutheran Church – Missouri Synod  
Pacific Southwest District

Seventh-day Adventists  
Pacific Union Conference

Berit von Pohle  
President

Pamela Lyons  
Vice-President

Stephanie Rynas  
Secretary

Gil Graff  
Treasurer

Ron Reynolds  
Executive Director

May 4, 2020

**Support AB 2882 (Chu)**

Assemblymember Bill Quirk, Ph.D.  
Chair

Assembly Environmental Safety and Toxic Materials Committee  
State Capitol Room 2163  
Sacramento, CA 95814

Dear Dr. Quirk,

I write on behalf of the California Association of Private School Organizations (CAPSO) to indicate the Association's support for AB 2882 (Chu). CAPSO is a statewide consortium of private school service agencies and administrative units whose 24 member-organizations serve approximately 1,400 nonprofit private schools enrolling some 370,000 pupils in grades K-12, inclusive.

AB 2882 proposes an additional requirement to which the governing authority of a private school considering the acquisition or purchase of a school site would be subject. This additional procedural safeguard is intended to help prevent the acquisition or purchase of property in locations that may pose health hazards to a private school's students, staff, parents and community. We regard the measure's proposed provisions as sensible, reasonable, and practical.

We are grateful to Assemblymembers Kansen Chu and Cristina Garcia for authoring AB 2882, and are particularly appreciative that the bill's sponsor, the Bay Area Air Quality Management District, reached out to our association at an early date.

California's private schools are partners in the education of the public, and AB 2882 is, ultimately, a public health measure. In light of its purpose and reasonableness, we are pleased to support the bill, and respectfully request its passage when heard before the Assembly Environmental Safety and Toxic Materials Committee.

Sincerely,

Dr. Ron Reynolds  
Executive Director  
California Association of Private School Organizations

CC: Additional Committee Members, Assemblymember Kansen Chu, Assemblymember Cristina Garcia, Josh Tooker, Berit von Pohle, Richard Schnetzer

CAPSO is an affiliate of the Council for American Private Education

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Margaret Abe-Koga and Members  
of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 19, 2020

Re: State Legislation Update

---

RECOMMENDED ACTION

The Legislative Committee (Committee) will discuss and review bills and take positions where appropriate. The Committee will also hear an update on further staff discussions regarding Senate Bill (SB) 802 (Glazer) and SB 1099 (Dodd) related to emergency backup generators.

DISCUSSION

Staff will provide the Committee a brief summary and status of bills on the attached list. Many of these bills were not scheduled for hearings and we assume they are not moving for the year.

Staff will review other bills that may be of interest to the Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Jack P. Broadbent

Attachment 5A: Current Bills of Interest Matrix

BILL #	AUTHOR	SUBJECT	Location	Last Status - As of 5/19/2020	Notes	Position	PSPS Related List	Priority (Low/Medium/High)
AB 126	Cooper	Air Quality Improvement Program: Clean Vehicle Rebate Project.	Senate - Transportation	7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 6/24/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
AB 291	Chu	Local Emergency Preparedness and Hazard Mitigation Fund.	Senate - Rules	1/30/2020-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 345	Muratsuchi	Natural resources: environmental justice: oil and gas: regulation of operations.	Senate - Rules	1/28/2020 - In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 352	Garcia, Eduardo	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.	Senate - Environmental Quality	8/14/2019 - From committee chair, with author's amendments: Amend, and refer to committee. Read second time, amended, and re-referred to Com. on EQ.	No action since last year. Likely, will not move forward.			MEDIUM
AB 409	Limón	Climate change: agriculture: Agricultural Climate Adaptation Tools Program: grants.	Senate - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
AB 464	C. Garcia	California Global Warming Solutions Act of 2006.	Senate - Rules	1/28/2020 - In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 839	Mullin	Climate adaptation strategy: strategic resiliency framework: Resiliency through Adaptation, Economic Vitality, and Equity Account.	Senate - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/12/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
AB 1002	Quirk-Silva	California Global Warming Solutions Act of 2006: Low-Carbon Fuel Standard regulations: Greenhouse Gas Reduction Fund.	Senate - Rules	1/27/2020 - From committee chair, with author's amendments: Amend, and refer to committee. Read second time, amended, and re-referred to Com. on RLS.				LOW
AB 1071	Limón	Climate change: agriculture: Agricultural Climate Adaptation Tools Program: grants.	Senate - Rules	1/28/2020 - In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 1112	Friedman	Shared mobility devices: local regulation.	Senate - Transportation	7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was TRANS. on 5/29/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
AB 1142	Friedman	Regional transportation plans: transportation network companies.	Senate - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
AB 1276	Bonta	Local redistricting.	Senate - Rules	1/23/2020-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 1350	Gonzalez	Free youth transit passes: eligibility for state funding.	Senate - Rules	1/28/2020 - In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 1406	O'Donnell	Alternative and Renewable Fuel and Vehicle Technology Program.	Senate - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/12/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
AB 1424	Berman	Electric Vehicle Charging Stations Open Access Act.	Senate - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
AB 1441	Levine	Oil and gas: development.	Senate - Rules	1/28/2020 - In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 1567	Aguiar-Curry	Organic waste: scoping plan.	Senate - Rules	1/28/2020 - In Senate. Read first time. To Com. on RLS. for assignment.				LOW
AB 1714	Aguiar-Curry	Emissions limitations: wine fermentation.	Senate - Environmental Quality	5/18/2020 - From committee chair, with author's amendments: Amend, and refer to committee. Read second time, amended, and re-referred to Com. on EQ.		Oppose		HIGH
AB 1915	Chu	Electrical corporations: deenergization events.	Assembly - Utilities and Energy	1/17/2020 - Referred to Com. on U. & E.			PSPS Related	LOW
AB 1917	Ting	Budget Act of 2020.	Assembly - Budget	1/17/2020 - Referred to Com. on BUDGET.				HIGH
AB 1920	Boerner Horvath	Climate change: California Climate Adaptation Center and Regional Support Network.	Assembly - Natural Resources	5/5/2020 - Re-referred to Com. on NAT. RES.				LOW
AB 1922	Rivas, Luz	Pupil instruction: science requirements: climate change.	Assembly - Education	1/23/2020 - Referred to Com. on ED.				LOW
AB 1942	Gallagher	Forestry and fire protection: reduction of emissions of greenhouse gases.	Assembly - Natural Resources	3/16/2020 - In committee: Hearing postponed by committee.				LOW
AB 1991	Friedman	Transit and Intercity Rail Capital Program: passenger tramways.	Assembly - Transportation	3/17/2020 - In committee: Hearing postponed by committee.				LOW
AB 1992	Friedman	Transportation: transportation infrastructure: climate change.	Assembly - Transportation	3/12/2020 - Re-referred to Com. on TRANS.	Intent Bill			LOW
AB 2031	Rivas, Luz	School Pavement to Parks Grant Program.	Assembly - Education	2/14/2020 - Referred to Com. on ED.				LOW
AB 2057	Chiu	San Francisco Bay area: public transportation.	Assembly - Transportation	5/5/2020 - Re-referred to Com. on TRANS.				LOW
AB 2089	Rivas, Luz	Resilient Economies and Community Health Pilot Program.	Assembly - Natural Resources	3/16/2020 - In committee: Hearing postponed by committee.				LOW
AB 2145	Ting	<del>Transportation electrification: vehicle charging stations.</del> Transportation electrification: electric vehicle charging ports.	Assembly - Utilities and Energy	5/5/2020 - Re-referred to Com. on U. & E.				MEDIUM
AB 2148	Quirk	Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.	Assembly - Natural Resources	3/9/2020 - Re-referred to Com. on NAT. RES.				LOW
AB 2168	McCarty	Planning and zoning: electric vehicle charging stations: permit application: approval.	Assembly - Local Government	5/5/2020 - Re-referred to Com. on L. GOV.				LOW
AB 2178	Levine	Emergency services.	Assembly - Appropriations	5/13/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 20. Noes 0.) (May 12). Re-referred to Com. on APPR.			PSPS Related	LOW
AB 2188	Calderon	Charge Ahead California Initiative: Air Quality Improvement Program: Clean Vehicle Rebate Project.	Assembly - Transportation	5/5/2020 - Re-referred to Com. on TRANS.	Added since 4/15/2020			LOW
AB 2215	Chau	Service stations: definition: electric vehicle charging stations.	Assembly - Transportation	3/17/2020 - In committee: Hearing postponed by committee.				LOW
AB 2241	Calderon	State Air Resources Board: report.	Assembly - Print	2/14/2020 - From printer. May be heard in committee March 15.	Spot Bill			LOW
AB 2255	Eggman	Long-duration energy storage systems.	Assembly - Natural Resources	5/5/2020 - Re-referred to Com. on NAT. RES.	Added since 4/15/2020			LOW

BILL #	AUTHOR	SUBJECT	Location	Last Status - As of 5/19/2020	Notes	Position	PSPS Related List	Priority (Low/Medium/High)
AB 2260	Fong	Vehicles: registration fraud.	Assembly - Transportation	2/20/2020 - Referred to Com. on TRANS.				MEDIUM
AB 2262	Berman	<del>Regional transportation plans: sustainable communities strategies: zero-emission vehicle readiness plan.</del>	Assembly - Transportation	5/5/2020 - Re-referred to Com. on TRANS.				LOW
AB 2331	Muratsuchi	Greenhouse gases: aviation sector: reporting.	Assembly - Natural Resources	2/24/2020 - Referred to Com. on NAT. RES.				LOW
AB 2371	Friedman	<del>Climate change: adaptation.</del> Climate change: Strategic Growth Council: science advisory team: climate adaptation and hazard mitigation.	Assembly - Appropriations	5/14/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (May 13). Re-referred to Com. on APPR.				LOW
AB 2421	Quirk	Land use: permitting: wireless communications.	Assembly - Appropriations	5/12/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (May 12). Re-referred to Com. on APPR.			PSPS Related	MEDIUM
AB 2441	Rivas, Luz	<del>Climate change: Safeguarding California Plan.</del> Climate change: Safeguarding California Plan: Extreme Heat and Community Resilience Program.	Assembly - Natural Resources	5/5/2020 - Re-referred to Com. on NAT. RES.				MEDIUM
AB 2446	Bonta	Cement plants.	Assembly - Natural Resources	3/16/2020 - In committee: Hearing postponed by committee.				LOW
AB 2455	Medina	Natural gas and electric battery vehicles: weight limits.	Assembly - Transportation	3/2/2020 - Referred to Com. on TRANS.				LOW
AB 2475	Flora	Electrical corporations: electrical grid monitoring equipment pilot program.	Assembly - Utilities and Energy	2/27/2020 - Referred to Com. on U. & E.			PSPS Related	LOW
AB 2539	Bigelow	Electrical corporations: deenergization events: elections.	Assembly - Utilities and Energy	3/10/2020 - Re-referred to Com. on U. & E.			PSPS Related	LOW
AB 2566	Garcia, C.	Consumption-based greenhouse gas inventory.	Assembly - Natural Resources	3/16/2020-Re-referred to Com. on NAT. RES. In committee: Hearing postponed by committee.				LOW
AB 2577	Chiu	Environmental protection: vulnerable population: identification.	Assembly - Natural Resources	3/12/2020 - Referred to Com. on NAT. RES.				MEDIUM
AB 2585	Chau	California-China Climate Institute.	Assembly - Higher Education	5/5/2020 - Re-referred to Com. on HIGHER ED.				LOW
AB 2587	McCarty	<del>Local planning.</del> Capitol Corridor rail line: capital improvements: appropriation.	Assembly - Transportation	5/5/2020 - Re-referred to Com. on TRANS.				LOW
AB 2612	Maienschein	Greenhouse Gas Reduction Fund: recycling: appropriation.	Assembly - Natural Resources	3/2/2020 - Referred to Com. on NAT. RES.				LOW
AB 2621	Mullin	<del>Climate resiliency.</del> Strategic Growth Council: regional climate networks: climate adaptation action plans.	Assembly - Appropriations	5/14/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (May 13) Re-referred to Com. on APPR.				LOW
AB 2653	Kalra	Smart climate agriculture.	Assembly - Print	2/21/2020 - From printer. May be heard in committee March 22.				LOW
AB 2667	Boerner Horvath	Air Quality Improvement Program: Clean Vehicle Rebate Project: electric bicycles.	Assembly - Print	2/21/2020 - From printer. May be heard in committee March 22.	Intent Bill			LOW
AB 2689	Kalra	Electrical and gas corporations: reporting.	Assembly - Utilities and Energy	5/5/2020 - Re-referred to Com. on U. & E.	Added since 4/15/2020			LOW
AB 2698	Gray	High-Speed Rail Authority: trains powered by fossil fuel combustion engines.	Assembly - Transportation	3/12/2020-Re-referred to Com. on TRANS.				LOW
AB 2766	Gray	Vehicles: retirement and replacement.	Assembly - Transportation	3/2/2020 - Referred to Com. on TRANS.				MEDIUM
AB 2772	Reyes	Alternative and Renewable Fuel and Vehicle Technology Program.	Assembly - Transportation	3/12/2020 - Referred to Com. on TRANS.	CalStart Bill			MEDIUM
AB 2789	Kamlager	State Energy Resources Conservation and Development Commission: distributed energy resources: study.	Assembly - Utilities and Energy	3/17/2020 - Re-referred to Com. on U. & E.			PSPS Related	LOW
AB 2824	Bonta	<del>San Francisco-Pakland Bay Bridge: public transit: greenhouse gases.</del> Bay Bridge Fast Forward Program.	Assembly - Transportation	5/5/2020 - Re-referred to Com. on TRANS.				MEDIUM
AB 2831	Flora	<del>Greenhouse gas reduction: carbon sequestration.</del> Carbon offset credits: whole orchard recycling: healthy soils.	Assembly - Natural Resources	5/5/2020 - Re-referred to Com. on NAT. RES.				LOW
AB 2832	Garcia, C.	Greenhouse gases: carbon neutrality.	Assembly - Natural Resources	3/2/2020 - Referred to Com. on NAT. RES.				LOW
AB 2860	O'Donnell	California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.	Assembly - Transportation	3/5/2020 - Referred to Coms. on TRANS. and NAT. RES.				MEDIUM
AB 2866	Garcia, Eduardo	Vehicular air pollution: Clean Fleet Program.	Assembly - Transportation	3/5/2020 - Referred to Coms. on TRANS. and NAT. RES.				MEDIUM
AB 2882	Chu C. Garcia	Hazardous emissions and substances: schoolsites: private and charter schools.	Assembly - Appropriations	5/14/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 14). Re-referred to Com. on APPR.		Support Sponsor		HIGH
AB 2940	Quirk	Energy: hydrogen.	Assembly - Utilities and Energy	3/5/2020 - Referred to Coms. on U. & E. and NAT. RES.				LOW
AB 2954	Rivas, Robert	California Global Warming Solutions Act of 2006: climate goal: natural and working lands.	Assembly - Appropriations	5/14/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (May 13). Re-referred to Com. on APPR.				LOW
AB 3021	Ting	School facilities: energy resilient schools: grant program.	Assembly - Education	3/5/2020 - Referred to Coms. on ED. and NAT. RES.				LOW
AB 3027	O'Donnell	California Global Warming Solutions Act of 2006: Low-Carbon Fuel Standard regulations.	Assembly - Natural Resources	3/16/2020 - Re-referred to Com. on NAT. RES.				LOW
AB 3046	Mathis	The Energy, Environment, and Economy Council.	Assembly - Natural Resources	3/11/2020 - Re-referred to Com. on NAT. RES.				LOW
AB 3100	Garcia, Eduardo	<del>Self-generation incentive program.</del> State Energy Resources Conservation and Development Commission: Blue Ribbon Commission on Lithium Extraction in California: report.	Assembly - Natural Resources	5/5/2020 - Re-referred to Com. on NAT. RES.			PSPS Related	LOW
AB 3109	Ting	State Air Resources Board: report.	Assembly - Natural Resources	3/16/2020 - Re-referred to Com. on NAT. RES.	Building Decarbonization			MEDIUM

BILL #	AUTHOR	SUBJECT	Location	Last Status - As of 5/19/2020	Notes	Position	PSPS Related List	Priority (Low/Medium/High)
AB 3111	Gipson	Carl Moyer Memorial Air Quality Standards Attainment Program.	Assembly - Transportation	5/5/2020 - Re-referred to Com. on TRANS.	Spot Bill CNGVC			MEDIUM
AB 3128	Burke	Electricity: deenergization events: fuel cells.	Assembly - Print	2/24/2020 - Read first time.	Intent Bill		PSPS Related	LOW
AB 3163	Salas	<del>Biogas-</del> Energy: biomethane: procurement.	Assembly - Appropriations	5/14/2020-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (May 13). Re-referred to Com. on APPR.				LOW
AB 3211	Bauer-Kahan Bonta	Toxic air contaminants.	Assembly - Natural Resources	3/9/2020 - Referred to Coms. on NAT. RES. and TRANS.		Support Sponsor		HIGH
AB 3251	Bauer-Kahan	Electricity: resource adequacy requirements.	Assembly - Utilities and Energy	3/17/2020 - Re-referred to Com. on U. & E.				LOW
AB 3256	Garcia, Eduardo	<del>Climate risks: bond measure.</del> Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020.	Assembly - Appropriations	5/18/2020-Read second time and amended.				HIGH
ACR 143	Quirk	Climate crisis.	Assembly - Natural Resources	3/16/2020 - In committee: Hearing postponed by committee.				LOW
SB 43	Allen	Carbon intensity and pricing: retail products.	Assembly - Revenue and Taxation	7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was REV. & TAX on 6/24/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 45	Allen	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.	Assembly - Desk	1/30/2020-In Assembly. Read first time. Held at Desk.		Support		HIGH
SB 59	Allen	California Transportation Commission: advisory committee: autonomous vehicle technology.	Assembly - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/14/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 69	Wiener	Ocean Resiliency Act of 2019.	Assembly - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 168	Wieckowski	Climate change: Chief Climate Resilience Officer.	Assembly - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 369	Hertzberg	Vehicle repair assistance program: safe parking program participants.	Assembly - Transportation	7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 6/10/2019)(May be acted upon Jan 2020)				LOW
SB 378	Wiener	Electrical corporations: deenergization events: procedures: allocation of costs: reports.	Assembly - Desk	1/27/2020-Read third time. Passed. (Ayes 26. Noes 2.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.				LOW
SB 431	McGuire	Mobile telephony service base transceiver station towers: communications infrastructure: performance reliability standards.	Assembly - Communications and Conveyance	2/10/2020 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on C. & C.			PSPS Related	LOW
SB 498	Hurtado	Trade Corridors Improvement Fund: grant program: short-line railroads.	Assembly - Transportation	7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was TRANS. on 6/6/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 515	Caballero	Public Utilities Commission: high hazard zone fuel: report.	Assembly - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 535	Moorlach	Greenhouse gases: wildfires and forest fires: air emissions.	Assembly - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/14/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 613	Stern	State agency greenhouse gas emission reduction report cards.	Assembly - Appropriations	8/30/2019-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/14/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 629	McGuire	Air districts: hearing boards: notice requirements.	Assembly - Natural Resources	7/12/2019-Failed Deadline pursuant to Rule 61(a)(11). (Last location was NAT. RES. on 5/30/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 662	Archuleta	Green electrolytic hydrogen.	Assembly - Utilities and Energy	7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was U. & E. on 6/13/2019)(May be acted upon Jan 2020)	No action since last year. Likely, will not move forward.			LOW
SB 702	Hill	California Renewables Portfolio Standard Program: procurement.	Assembly - Desk	1/23/2020-Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.				LOW
SB 795	Beall	Economic development: housing: workforce development: climate change infrastructure.	Senate - Housing	5/14/2020-Set for hearing May 26 and May 27.	Added since 4/15/2020			LOW
SB 801	Glazer McGuire	Electrical corporations: wildfire mitigation plans: deenergization: public safety protocol.	Senate - Energy, Utilities and Communications	5/14/2020-Action From E. U., & C.: Do pass as amended.To.			PSPS Related	MEDIUM
SB 802	Glazer	Emergency backup generators: health facilities: permit operating condition exclusion.	Senate - Environmental Quality	5/12/2020-Referral to Com. on E., U. & C. rescinded due to the shortened 2020 Legislative Calendar.		Oppose Unless Amended	PSPS Related	HIGH
SB 808	Mitchell	Budget Act of 2020.	Senate - Budget & Fiscal Review	1/13/2020 - Read first time.				MEDIUM
SB 858	Beall	Thermal powerplants: exemption: emergency backup and standby generators: data centers.	Senate - Energy, Utilities and Communications	5/11/2020 - May 14 set for first hearing canceled at the request of author.		Author Requested Support		MEDIUM
SB 862	Dodd	Planned power outage: public safety.	Senate - Energy, Utilities and Communications	5/14/2020-Action From E. U., & C.: Do pass as amended.To.			PSPS Related	LOW
SB 895	Archuleta	Energy: zero-emission fuel, infrastructure, and transportation technologies.	Senate - Appropriations	5/14/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (May 14). Re-referred to Com. on APPR.	Spot Bill			LOW
SB 917	Wiener	California Consumer Energy and Conservation Financing Authority: eminent domain: Northern California Energy Utility District: Northern California Energy Utility Services.	Senate Governance & Finance	5/12/2020-Referral to Coms. on GOV. & F., and JUD. rescinded due to the shortened 2020 Legislative Calendar.				LOW
SB 925	Glazer	Mobile telephony service base transceiver station towers: performance reliability standards.	Senate - Energy, Utilities and Communications	2/12/2020 - Referred to Com. on E., U. & C.			PSPS Related	LOW
SB 964	Skinner	Chemicals: outdoor application: residential areas.	Senate - Rules	3/26/2020 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.				LOW
SB 986	Allen	Coastal resources: new development: greenhouse gas emissions.	Senate - Natural Resources and Water	3/18/2020 - March 24 hearing postponed by committee.				LOW
SB 995	Atkins	Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011.	Senate - Environmental Quality	5/13/2020-Set for hearing May 29.				LOW
SB 1020	Dahle	Income taxes: credits: generators.	Senate - Governance and Finance	2/27/2020 - Referred to Com. on GOV. & F.			PSPS Related	LOW
SB 1070	Leyva	Land use: general plans.	Senate - Rules	3/25/2020 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.				LOW
SB 1099	Dodd	Emergency backup generators: critical facilities: exemption.	Senate - Environmental Quality	3/18/2020 - April 1 hearing postponed by committee.		Oppose Unless Amended	PSPS Related	HIGH

BILL #	AUTHOR	SUBJECT	Location	Last Status - As of 5/19/2020	Notes	Position	PSPS Related List	Priority (Low/Medium/High)
SB 1113	Gonzalez, Lena	State Air Resources Board: report.	Senate - Rules	2/27/2020 - Referred to Com. on RLS.	Spot Bill			LOW
SB 1164	Grove	Petroleum refineries: air monitoring systems.	Senate - Rules	3/5/2020 - Referred to Com. on RLS.	Spot Bill			MEDIUM
SB 1183	Hertzberg	Electric vehicle charging master plan.	Senate - Energy, Utilities and Communications	5/12/2020-Referral to Com. on TRANS. rescinded due to the shortened 2020 Legislative Calendar.				MEDIUM
SB 1185	Moorlach	Natural gas powered generators: operation during deenergization events.	Senate - Environmental Quality	5/12/2020-Referral to Com. on E., U. & C. rescinded due to the shortened 2020 Legislative Calendar.		Oppose	PSPS Related	HIGH
SB 1195	Gonzalez, Lena	Vehicular air pollution: State Air Resources Board: regulations.	Senate - Rules	3/5/2020 - Referred to Com. on RLS.	Spot Bill			LOW
SB 1207	Jackson	Skilled nursing facilities: backup power system.	Senate - Appropriations	5/18/2020-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (May 13).			PSPS Related	MEDIUM
SB 1215	Stern	<del>Electricity: microgrids: grant program.</del> Electricity: microgrids.	Senate - Energy, Utilities and Communications	5/15/2020-Set for hearing May 26.			PSPS Related	LOW
SB 1258	Stern	California Climate Technology and Infrastructure Financing Act.	Senate - Appropriations	5/18/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (May 18). Re-referred to Com. on APPR.				HIGH
SB 1314	Dodd	Community Energy Resilience Act of 2020.	Senate - Natural Resources and Water	5/12/2020-Referral to Com. on E., U. & C. rescinded due to the shortened 2020 Legislative Calendar.	CCA		PSPS Related	LOW
SB 1320	Stern	Climate change: California Climate Change Assessment.	Senate - Natural Resources and Water	5/15/2020-Set for hearing May 26.				LOW
SB 1321	Bradford	Transportation electrification: electric vehicles: grid integration.	Senate - Energy, Utilities and Communications	4/3/2020 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U. & C.				LOW
SB 1323	Skinner	Carbon sequestration: state goals: natural and working lands: registry of projects.	Senate - Environmental Quality	5/12/2020-Referral to Com. on N.R. & W. rescinded due to the shortened 2020 Legislative Calendar.				LOW
SB 1330	Umberg	Sales and Use Tax Law: zero emissions vehicle exemption.	Senate - Rules	3/26/2020 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.				LOW
SB 1332	Allen	Solid waste: recycling and composting infrastructure.	Senate - Rules	3/26/2020 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.				LOW
SB 1363	Allen	Regional transportation plans: sustainable communities strategies: greenhouse gas emissions and vehicle miles traveled reduction targets.	Senate - Transportation	5/12/2020-Referral to Coms. on TRANS., and HOUSING rescinded due to the shortened 2020 Legislative Calendar.				LOW
SB 1415	Borgeas	Income taxes: credits: backup electricity generators.	Senate - Governance and Finance	3/12/2020 - Referred to Com. on GOV. & F.			PSPS Related	LOW
AB 1839	Bonta	<del>Climate change: California Green New Deal.</del> <del>Economic, environmental, and social recovery: California COVID-19 Recovery Deal.</del>	<del>Assembly - Natural Resources</del>	<del>5/11/2020 - Re-referred to Com. on NAT. RES.</del>	<del>Will not move, per staff.</del>			<del>LOW</del>
AB 1972	Voepel	<del>Vehicular air pollution.</del>	<del>Assembly - Transportation</del>	<del>2/6/2020 - Referred to Com. on TRANS.</del>	<del>Bill Pulled 4/14/2020</del>	<del>Propose-Oppose</del>		<del>HIGH</del>
AB 2162	O'Donnell	<del>School facilities: indoor air quality.</del>	<del>Assembly - Education</del>	<del>2/20/2020 - Referred to Com. on ED.</del>	<del>Bill Pulled 4/6/2020</del>			<del>MEDIUM</del>
AB 2182	Rubio, Blanca	<del>Emergency backup generators: water and wastewater facilities: exemption.</del>	<del>Assembly - Utilities and Energy</del>	<del>3/16/2020 - In committee: Hearing postponed by committee.</del>	<del>ACWA Bill</del> <del>Bill Pulled - 5/1/2020</del>	<del>Oppose</del>	<del>PSPS Related</del>	<del>HIGH</del>
AB 2225	Grayson	<del>Smog check: exemption: historic vehicles.</del>	<del>Assembly - Transportation</del>	<del>2/20/2020 - Referred to Com. on TRANS.</del>	<del>Bill Pulled 4/14/2020</del>	<del>Propose-Oppose</del>		<del>HIGH</del>
AB 2498	Chu	<del>Interscholastic athletics: California Interscholastic Federation: air quality activity - recommendations.</del>	<del>Assembly - Education</del>	<del>2/27/2020 - Referred to Coms. on ED. and A., E., S., T., &amp; I.M.</del>	<del>Bill Pulled 4/15/2020</del>	<del>Support</del>		<del>HIGH</del>
AB 2737	Garcia, C.	<del>Community emissions reduction programs.</del>	<del>Assembly - Natural Resources</del>	<del>5/13/2020 - In committee: Set, first hearing. Hearing canceled at the request of author.</del>	<del>Bill Pulled 5/2/2020</del>			<del>HIGH</del>
AB 2792	Quirk	<del>Mobile fueling on-demand tank vehicles.</del>	<del>Assembly - Transportation</del> <del>Assembly - Natural Resources</del>	<del>3/12/2020 - Referred to Coms. on TRANS. and NAT. RES.</del>	<del>Bill Pulled 5/1/2020</del>	<del>Oppose</del>		<del>HIGH</del>
AB 3217	Gloria	<del>Greenhouse gases: crude oil emissions.</del>	<del>Assembly - Natural Resources</del>	<del>3/9/2020 - Referred to Com. on NAT. RES.</del>	<del>Bill Pulled 4/16/2020</del>	<del>Support</del>		<del>HIGH</del>
SB 278	Beall	<del>Metropolitan Transportation Commission.</del>	<del>Assembly - Desk</del>	<del>1/27/2020 - Ordered to special consent calendar. Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time.</del>	<del>FASTER</del> <del>Will not move, per staff.</del>			<del>MEDIUM</del>
SB 1122	Skinner	<del>Green electrolytic hydrogen.</del>	<del>Senate - Energy, Utilities and Communications</del>	<del>4/3/2020 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U. &amp; C.</del>	<del>Bill Pulled 4/14/2020</del>	<del>Author Requested-Support</del>		<del>LOW</del>

Total Active Bills 125

Low: 96  
Medium: 19  
High: 10

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Public Hearing to Consider Adoption of Proposed Amendments to Air District  
Regulation 3: Fees and Approval of a Notice of Exemption for the California  
Environmental Quality Act

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**RECOMMENDED ACTION**

Recommend the Board of Directors (Board) consider adoption of proposed amendments to Air District Regulation 3: Fees that would become effective on July 1, 2020, and approve the filing of a California Environmental Quality Act (CEQA) Notice of Exemption.

**BACKGROUND**

Staff develops recommended amendments to the Air District's fee regulation as part of the budget preparation process. On March 7, 2012, the Board adopted a Cost Recovery Policy that established a goal of increasing fee revenue sufficient to achieve a minimum of 85 percent recovery of regulatory program costs. Progress towards this target is reported to the Board annually by staff and is periodically reviewed by outside consultants.

**DISCUSSION**

The following amendments are proposed:

- Revise Section 3-327, Permit to Operate, Renewal Fees as follows:
  - A new community health impact fee would be charged during permit renewal to each permitted facility. This fee would help cover the Air District's costs associated with CARB's Assembly Bill (AB) 617 "Community Air Protection Program."
  - Staff is proposing a fee equal to 5.7% of the annual total permit renewal fees for each Title V facility owner with a maximum cap of \$100,000 per year.
  - Add references to Schedule W (Petroleum Refining Emissions Tracking Fees) and Schedule X (Major Stationary Source Community Air Monitoring Fees) since fees assessed during permit renewal are typically listed in this section.

- Change the Existing Fee Schedules as follows:
  - Revise the language in Fee Schedule N (Toxic Inventory Fees) to clarify the methodology used by the Air District to calculate the facility's weighted toxic inventory.
  - Amend the language in Fee Schedule V (Open Burning) to reflect recent Regulation 5 amendments.

Staff will provide the Board with additional details regarding the proposed fee amendments, overall cost recovery, and a summary of comments received.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed AB 617 fees for Title V facility owners would increase fee revenues by approximately 1.0 million. The staff will return to the Board of Directors later in 2020, to revisit whether to impose possible additional fees, as the economic and facility activity level picture become clearer.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Barry Young  
Reviewed by: Pamela Leong, Damian Breen, and Jeff McKay

Attachment 21A: Air District Board Draft Resolution Amending Regulation 3 - Fees  
Attachment 21B: CEQA Notice of Exemption, Amendments to Regulation 3: Fees  
Attachment 21C: Regulation 3 Comments and Responses  
Attachment 21D: 2020 Cost Recovery Study  
Attachment 21E: Proposed Amendments to BAAQMD Regulation 3: Fees Staff Report with Appendices



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**RESOLUTION No. 2020-XX**

**A Resolution of the Board of Directors of the Bay Area Air Quality Management District Amending Regulation 3 – Fees**

WHEREAS, a public hearing has been properly noticed in accordance with the provisions of Health & Safety Code sections 40725;

WHEREAS, in 2005 the Bay Area Air Quality Management District (“District”) retained the accounting firm of Stonefield Josephson, Inc. to conduct a study of the District’s fee structure for permitted and non-permitted sources in order to determine whether or not fee revenue from these regulated sources was sufficient to pay for the costs of those regulatory activities and services;

WHEREAS, Stonefield Josephson, after a thorough analysis of the District’s fee structure, revenues and associated costs, found that District fee revenue have not been sufficient to offset the costs of associated regulatory activities and reported this and other findings in *Bay Area Air Quality Management District Cost Recovery Study, Final Report; March 30, 2005* (“2005 Cost Recovery Study”);

WHEREAS, Stonefield Josephson also found that: (1) despite an across-the-board fee increase of 15 percent in fiscal year ending (FYE) 2000 and adjustments during the subsequent 5 years for inflation, a significant cost recovery gap still existed; and (2) for FYE 2004, fee revenue covered only about 60 percent of direct and indirect program activity costs, leaving a gap of approximately \$13 million to be filled with property tax revenue;

WHEREAS, Stonefield Josephson, based on its findings, recommended that, if the identified revenue gap was to be reduced, fees should be increased by more than annual cost of living adjustments over a period of time;

WHEREAS, in each year from 2005 through and including 2019, the Board approved amendments to Regulation 3 – Fees to increase fees to address this revenue gap and to move toward full alignment between permit fee revenues and associated District permit-related activities and services;

WHEREAS, in September 2010, the District contracted with Matrix Consulting Group to complete an updated Cost Recovery and Containment Study (“2011 Cost Recovery and Containment Study”) based on cost and revenue data for FYE 2010;

WHEREAS, the 2011 Cost Recovery and Containment Study indicated that a significant cost recovery gap continued to exist, with fee revenues for FYE 2010 covering only 62 percent of the direct and indirect costs of program costs;

WHEREAS, in the 2011 Cost Recovery and Containment Study, Matrix Consulting Group recommended that the District adopt a Cost Recovery Policy to guide future fee amendments;

WHEREAS, on March 7, 2012, the Board adopted a Cost Recovery Policy (“2012 Cost Recovery Policy”) that provides as a general policy that the District should fully recover the costs of regulatory program activities by assessing fees to regulated entities, that the District should amend Regulation 3 – Fees in order to increase the overall recovery of the District’s direct and indirect costs of program costs to 85 percent by the end of FYE 2016, and further, that the District should continue to amend specific fee schedules in consideration of cost recovery analyses conducted at the fee schedule level, with larger increases adopted for schedules with larger cost recovery gaps;

WHEREAS, in September 2017, the District contracted with Matrix Consulting Group to complete an updated Cost Recovery and Containment Study (“2018 Cost Recovery and Containment Study”) based on cost and revenue data for FYE 2017;

WHEREAS, a primary focus of the 2018 Cost Recovery and Containment Study was to improve the District’s accounting for indirect costs and overhead in its cost recovery efforts;

WHEREAS, the 2018 Cost Recovery Study indicates that a significant cost recovery gap continues to exist with fee revenues for FYE 2017 to 2019 covering only 84 percent of the direct and indirect costs of program costs, and falling short of the cost recovery goal for FYE 2016 established in the 2012 Cost Recovery Policy;

WHEREAS, the Board of Directors has determined for FYE 2020 there may be a need to increase fees to further reduce the misalignment between permit fee revenues and associated District permit-related activities and services and to further reduce the misalignment between fee revenues for non-permitted sources and associated District activities and services related to those sources and will revisit imposition of possible additional fees later in 2020, as the economic and facility activity level picture become clearer;

WHEREAS, District staff proposed a new Assembly Bill 617 fee for Title V facility owners, which will help the District in its efforts to secure additional funding in the State legislature by showing it has taken action to fund the AB 617 effort locally;

WHEREAS, District staff discussed the proposed amendments to Regulation 3 – Fees at a public workshop and simultaneous webcast on February 18, 2020;

WHEREAS, on March 12, 2020, District staff published in newspapers the notice of public hearings required by Health and Safety Code sections 40725 and also distributed and published on the District’s website a request for public comments and input on the proposed amendments to Regulation 3;

WHEREAS, on March 16, 2020, the District transmitted the text of the proposed amendments to Regulation 3 to the California Air Resources Board;

WHEREAS, the Budget and Finance Committee of the Board of Directors held regularly scheduled public meetings on March 25, 2020 and April 22, 2020, and special public meetings on April 29, 2020 and May 20, 2020, at which the proposed amendments to Regulation 3 were discussed and at which oral or written presentations could be made on the subject of the proposed amendments;

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District held a public hearing on April 15, 2020, to consider the proposed amendments to Regulation 3 in accordance with all provisions of law;

WHEREAS, an additional public hearing is required by Health and Safety Code section 41512.5 for fees applicable to sources not included within the District's permit system, specifically, the proposed amendment of the following fee schedules: Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees and Schedule V: Open Burning;

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District held a second public hearing on June 3, 2020, to consider the proposed amendments to Regulation 3 related to non-permitted sources in accordance with all provisions of law;

WHEREAS, the Board of Directors obtains its authority to adopt, amend or repeal rules and regulations from sections 40702, 42311, 42311.2, 41512.7, 42364 and 40725 through 40728 of the Health & Safety Code and Title 40, Code of Federal Regulations, Part 70.9;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 are written or displayed so that its meaning can be easily understood by the persons directly affected by it;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 do not impose the same requirements as any existing state or federal regulation and are necessary and proper to execute the power and duties granted to and imposed upon the District;

WHEREAS, the Board of Directors by adopting the proposed amendments to Regulation 3 is implementing, interpreting and making specific the provisions of Health & Safety Code section 42311 (fee schedule for district programs), section 41512.7 (allowable increases to authority to construct and permit to operate fees), and section 42364 (fees schedule for hearing board review of permit appeals);

WHEREAS, District staff has evaluated the proposed amendments to Regulation 3 and has determined that the proposed rulemaking project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080, subparagraph (b)(8) (the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares or other charges by public agencies); and CEQA Guidelines section 15273 (statutory exemption for rates, tolls, fares and charges);

WHEREAS, District staff has determined that a socioeconomic analysis of the proposed amendments to Regulation 3 pursuant to Health & Safety Code section 40728.5 is not required because the amendments will not significantly affect air quality or emissions limitations within the meaning of that section;

WHEREAS, District staff has determined that an incremental cost-effectiveness analysis of the proposed amendments to Regulation 3 pursuant to Health & Safety Code section 40920.6 is not required because the amendments do not impose best available retrofit control requirements;

WHEREAS, District staff has prepared and presented to this Board, a detailed staff report relative to the subject matter of the proposed amendment which is incorporated by reference and attached hereto;

WHEREAS, District staff recommends adoption of the proposed amendments to Regulation 3 and its associated fee schedules; and

WHEREAS, this Board concurs with District staff's recommendations and desires to adopt the proposed amendments to Regulation 3 and associated schedules as described above and set forth in Attachment A hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District does hereby adopt, pursuant to the authority granted by law, the proposed amendments to Regulation 3 – Fees as set forth in Attachment A hereto and discussed in the staff report with instructions to staff to correct any typographical or formatting errors before final publication of the text of the proposed amended rule as adopted.

BE IT FURTHER RESOLVED that the effective date of the proposed amendments attached hereto shall be July 1, 2020.

BE IT FURTHER RESOLVED, that the Board of Directors of the Bay Area Air Quality Management District does hereby approve the filing of a CEQA Notice of Exemption for the proposed amendments to Regulation 3 – Fees.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 2020 by the following vote of the Board:

AYES:

NOES:

ABSENT:

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Rod Sinks  
Chairperson of the Board of Directors

ATTEST:

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Karen Mitchoff  
Secretary of the Board of Directors

**ATTACHMENT A**

**[PROPOSED AMENDED RULE]**

**Regulation 3: Fees**

**California Environmental Quality Act****NOTICE OF EXEMPTION****TO: County Clerk Offices****FROM: Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105****Project Applicant: Bay Area Air Quality Management District****Lead Agency: Bay Area Air Quality Management District****Contact: Barry G. Young Phone: (415) 749-4721****SUBJECT: FILING OF NOTICE OF EXEMPTION PURSUANT TO SECTION 21152 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15061(b)(3)****Project Title:** Amendments to Regulation 3: Fees**Project Location:** The regulation applies within the Bay Area Air Quality Management District ("Air District"), which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.**Project Description:** The project consists of amendments to an existing Air District regulation that establishes fees for source operations and other activities. The amendments become effective on July 1, 2020. The amendments increase fee revenue in order to allow the Air District to meet budgetary needs for the upcoming fiscal year ending (FYE) 2021, and to continue to effectively implement and enforce regulatory programs for stationary sources of air pollution.

The following amendments are proposed: Revise Section 3-327, Permit to Operate, Renewal Fees as follows: (1) A new community health impact fee would be charged during permit renewal to each permitted Title V facility owner. This fee would help cover the District's costs associated with the California Air Resources Board's Assembly Bill 617 (AB 617 "Community Air Protection Program"). The District is tasked with implementing AB 617 in the Bay Area. Staff is proposing a fee equal to 5.7% of the annual total permit renewal fees for each Title V facility owner with a maximum cap of \$100,000 per year. (2) Add references to Schedule W (Petroleum Refining Emissions Tracking Fees) and Schedule X (Major Stationary Source Community Air Monitoring Fees) since fees assessed during permit renewal are typically listed in this section. Also, the following Fee Schedule changes are proposed: (1) Revise the language in Fee Schedule N (Toxic Inventory Fees) to clarify the methodology used by the District to calculate the facility's weighted toxic inventory. (2) Amend the language in Fee Schedule V (Open Burning) to reflect recent Regulation 5 amendments.

On June 3, 2020, the Board of Directors of the Bay Area Air Quality Management District conducted a public hearing in accordance with California Health and Safety Code Section 41512.5 and approved the project described above and determined that the project was exempt from CEQA.

**Finding of Exemption:** This project is found to be exempt pursuant to Public Resources Code Section 21080, subd. (b)(8) and CEQA Guidelines Section 15273.**Basis for Exemption:** The regulatory amendments which constitute this project modify charges by the BAAQMD for sources of air pollution. The fees and modifications are for the purpose of meeting Air District operating expenses associated with the regulation of these sources. The amendments are administrative in nature, do not affect air emissions from any sources, and have no possibility of causing significant environmental effects. As such, they fall within the statutory and Guidelines exemptions cited above.\_\_\_\_\_  
Date Received for Filing\_\_\_\_\_  
Pamela Leong Date  
Director of Engineering  
Bay Area Air Quality Management District



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

April 23, 2020

Frances Keeler, Vice President  
**California Council for Environmental and Economic Balance**  
101 Mission Street, Suite 1440  
San Francisco, CA 94105

Dear Ms. Keeler:

Thank you for your comments on the February 18, 2020, Public Workshop Materials for Proposed Amendments to Air District Regulation 3: Fees.

Below are your comments and the Air District's responses to each.

**Comment 1:** *CCEEB appreciates all the effort of Air District staff in developing proposed fee schedules, but in light of the unanticipated COVID 19 Pandemic, CCEEB requests that the Air District should re-evaluate the impacts any fee increase may have on the ever-changing economy.*

**BAAQMD Response to Comment 1:** The BAAQMD is well-aware of the pandemic and is currently exploring options for potential changes to its proposed fee increases in consideration of the situation.

**Comment 2:** *CCEEB asserts that the Air District's property tax revenue should not be used to supplement fee revenue, as indicated in the cost recovery study. Rather, it is a portion of the revenue the District receives that should be added into the cost recovery study. CCEEB estimates the Air District's cost recovery should be closer to 100%, not 86%.*

**BAAQMD Response to Comment 2:** The Air District has the authority to assess fees to fully recover the costs of implementing its regulatory programs for stationary sources. The Air District has a significant number of staff assigned to implementing regulatory enforcement, permitting, monitoring and rule development of these sources. Property tax revenue (and in some years, Reserve funds) have been used to close the cost recovery gap, but these revenues are not used to determine cost recovery because the stationary source regulatory program should be self-sustaining. In 2013, the Board of Directors set a minimum cost recovery of 85% although they could have set a cost recovery goal of 100%.

To the extent that property tax revenue is not needed to fill the cost recovery gap, the Board of Director's Cost Recovery Policy requires property taxes to fund initiatives or programs that further the Air District's mission, but that lack a dedicated funding source. For example, property tax revenue is used to fund work with cities and counties to implement Diesel Free by '33. In addition, the Board of Directors requires that any newly adopted regulatory measures include fees that are designed to recover increased regulatory program costs, unless they determine that a portion should be covered by tax revenue. They also have specified that tax revenue should be used to subsidize existing fee

discounts (small businesses, green businesses) and to cover the cost of the Air District's wood smoke enforcement program.

**Comment 3:** *CCEEB would like clarity on why the Air District has determined multiple fee schedules require an increase every fiscal year. CCEEB would like a breakdown of costs by division or activity as assigned to each fee schedule over a multiyear period to enable the District to conduct a trend analysis.*

**BAAQMD Response to Comment 3:** The Air District has a robust revenue and employee timekeeping process that is used across all divisions. The Air District determines its revenue and cost recovery by fee schedule. For each fee schedule, the Air District uses the ratio of the collected fee revenue to the labor expended to determine cost recovery. As recommended by the Matrix Consulting Group ("Matrix") in 2011, the Board of Directors' Cost Recovery Policy requires the Air District to recover regulatory program costs, both on an overall basis, and at the level of individual fee schedules with larger increases being adopted for the schedules that have the larger cost recovery gaps. Cost recovery has been calculated every year for each fee schedule since at least 2011. Increases at the fee schedule level are based on the average cost recovery for the past three years. A three-year average is used because longer averaging periods are less sensitive to year-to-year variations in facility activity levels that occur due to economic or market variations and regulatory program changes affecting various source categories. Recent fee schedule increases have been based on the latest Matrix recommendations from a study conducted in 2018. CCEEB was a member of the Cost Recovery Workgroup with Matrix in 2018, is a member of the Air District's Budget Advisory Group and the requested analysis is in that study.

**Comment 4:** *CCEEB commented that the proposed CTR Regulation fee appears to be arbitrarily set and they do not understand why the per-source fee increases as the number of sources at a facility increases. Also, they ask that the Air District in its Staff Report explain what program elements/functions the fee is to address.*

**BAAQMD Response to Comment 4:** The Air District has decades of experience permitting and processing facilities with a wide range of sources. Facilities with larger number of sources typically require not only that more pollutants (e.g., air toxic contaminants) be reported and reviewed but also require much more programming for air district software systems. Automated systems and emissions factors applied by staff generally to facilities with fewer sources require less on-going work to manage. This is further explained in the rule Staff Report. In addition, the smaller facilities such as autobodys and engine-only facilities with fewer sources are in the New Production System and require less staff-time for entry and review.

**Comment 5:** *CCEEB requests clarity on whether the CTR fee is necessary for larger facilities because these facilities already undergo emissions reporting for both criteria and toxic emissions and pay fees to cover Regulations 12-15 and 11-18.*

**BAAQMD Response to Comment 5:** The comment implies that the BAAQMD's effort developing and implementing programs to meet the requirements of the AB 617 Criteria and Toxics Reporting (CTR) regulation is duplicative of existing programs related to Regulations 12,



Rule 15 and Regulation 11, Rule 18. However, unfortunately BAAQMD's current work for Regulations 12-15 and 11-18 does not meet the standards for reporting for CTR. Also, the CTR regulation, Regulation 12-15, and Regulation 11-18 have different reporting purposes that require different information and levels of effort.

The purpose of Regulation 12-15 is to track air emissions and crude oil composition characteristics from Petroleum Refineries and Support Facilities over time. Fees for Regulation 12-15 cover Engineering and Compliance and Enforcement time to visit the refineries and review crude composition data that cannot be taken offsite. Fees cover engineering time to review emissions and crude composition over time to determine if there are any cause and effect trends. The reported emissions and trends are also compared with the readings from the air monitoring systems that are required by Regulation 12-15. Fees cover the cost of compiling and comparing year to year emissions, putting them in context, reviewing these reports by Management and Executive Staff, and posting on the Air District Website.

Regulation 11-18 is to ensure that facilities that emit toxic air contaminants do not pose an unacceptable health risk to nearby residents, workers, or students. Regulation 11-18 is not an annual reporting rule for toxics (it does not cover criteria air pollutants). Rule 11-18 requires maximum hourly emissions data that is not collected or reported elsewhere. It is anticipated that a facility will under-go the Regulation 11-18 process only once or until substantial changes occur at a facility, or every 10 years, whichever comes first. Rule 11-18 related fees in Sections 3-342 and 3-341 are one-time fees that will cover the costs of conducting air dispersion models, preparing health risk assessment reports, analyzing risk reduction plans, and preparing approval reports for these plans.

So, while some of the BAAQMD's existing efforts with Regulations 12-15 and 11-18 can and will be used for the CTR regulation, the cost savings from leveraging these efforts have already been factored in the proposed costs contained in the new fee.

The CTR Regulation requires inventory reporting on an annual basis including additional information not required by either Regulations 12-15 or 11-18. The new proposed fees are designed to pay for the costs of designing software, redesigning Air District businesses process, quality controlling the reported inventories and preparing the data for CARB's reporting. The new CTR requirements compress 12-months of inventory review and permit renewal process into a 5-month period. In order to do this work for all subject facilities in a much-reduced timeframe, additional staff will be required. In addition, because Regulation 12-15 review currently takes over 10-months, additional staff will be needed to review and submit the information to CARB in an extremely compressed 2.5-month timeframe.

***Comment 6:*** CCEEB believes that the Air District should join other air pollution control districts in seeking more state funding for the AB 617 state-mandated program, in particular for the implementation of AB 617 and they add that AB 617 has been underfunded and sustainable funding should be provided by the state rather than placing the burden on stationary sources.

**BAAQMD Response to Comment 6:** The Air District agrees and is actively requesting that the state provide adequate funding for AB 617 implementation and appreciates CCEEBs efforts to obtain this funding.

**Comment 7:** *CCEEB assert that the proposed fees place too large a portion of program costs on permitted stationary sources. CCEEB will provide more detailed comments on this after receiving the Staff Report.*

**BAAQMD Response to Comment 7:** The Air District expects its cost for implementation of the Community Health Protection Program to be \$10 million. The partially fee recoverable work is estimated at \$8 million. In order to separate the costs of program implementation directly associated with facility emissions in the partially recoverable fee segment, the Air District looked at health impacting pollutants emitted by mobile, stationary, and area sources. Based on this analysis, permitted stationary sources contribute 26% of PM<sub>2.5</sub>, which is a primary driver of the health risk that created the need for AB 617. Therefore, the amount of directly fee recoverable work related to permitted sources should be 26% of the partially fee recoverable program costs at a minimum – (\$8 million x 0.26 = \$2.1 million). As the Air District develops more detailed facility specific health impacts for local communities through the AB617 Community Emission Reduction Program process, fees will be increased or decreased proportionally.

Because all permitted facilities or stationary sources contribute to emissions that may impact public health in our communities, the proposed fee would be charged to all permitted and registered facilities during permit renewal. Based on the estimated cost of \$2.1 million, Air District staff is proposing a fee of 5.7% of each facility's total annual permit/registration renewal fees with a maximum cap of \$70,000 per year, which is projected to recover the estimated Air District costs in excess of direct funding from CARB for non-recoverable AB 617 activities.

**Comment 8:** *CCEEB comments that if the District fails to get more funding from the state, the District could consider using the property tax revenue for the AB 617 program.*

**BAAQMD Response to Comment 8:** To the extent that property tax revenue is not needed to fill the cost recovery gap, the Board of Directors' Cost Recovery Policy requires property taxes to fund initiatives or programs that further the Air District's mission but that lack a dedicated funding source. For example, property tax revenue is used to fund work with cities and counties to implement Diesel Free by '33. In addition, the Board of Directors requires that any newly adopted regulatory measures include fees that are designed to recovery increased regulatory program costs, unless they determine that apportion should be covered by tax revenue. They specified that tax revenue should be used to subsidize existing fee discounts (small businesses, green businesses) and to cover the cost of the Air District's wood smoke enforcement program. The Board of Directors has not approved using property tax to fund AB 617 activities.

Please contact me if you have any questions at [byoung@baaqmd.gov](mailto:byoung@baaqmd.gov) or (415) 749-4721.

Regards,

*Barry Young*

Barry G. Young  
Senior Advanced Projects Advisor | Engineering Division  
Bay Area Air Quality Management District  
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BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

May 21, 2020

Bob Brown  
Director, Bay Area Region  
**Western States Petroleum Association**  
1320 Willow Pass Road, Suite 600  
Concord, CA 94520

Dear Mr. Brown:

Thank you for your comments on the February 18, 2020, Public Workshop Materials for Proposed Amendments to BAAQMD Regulation 3: Fees. The Air District is only proposing an AB617 fee this fiscal year, and as a result, this letter will only address comments pertinent to that fee.

Below are your comments and the BAAQMD's responses.

**Comment 1:** *WSPA is appreciative for the BAAQMD's hosting of the Budget Advisory Group to answer questions and consider input from stakeholders. WSPA also appreciated the opportunity to participate in the BAAQMD public workshop for the proposed Regulation 3 Fees on February 18, 2020, where BAAQMD staff presented materials to support the amendments.*

**BAAQMD Response to Comment 1:** The BAAQMD (Air District) welcomes participation of stakeholders in its rule development process and considers all input received in its rule development efforts.

**Comment 2:** *WSPA comments that the BAAQMD Counsel stated that regulatory fees can only be expended on regulatory programs and that it is not possible to validate this based on how staff are tracking budget expenditures as outlined in the Matrix Consulting Group (Matrix) report.*

**BAAQMD Response to Comment 2:** The Air District keeps track of both revenues and expenditures for the regulatory program by fee schedule. The annual Air District Cost Recovery Report that is published along with the proposed fee regulation and staff report contains line items for 'Direct Labor Costs', 'Direct Services and Supplies', 'Direct Capital Outlay', and 'Indirect Costs' by fee schedule in the figure that shows "Fee Revenue and Program Costs by Fee Schedule". Additionally, the Air District has shared its timesheet tracking codes with WSPA. These codes are directly related to the fees charges and show how the work performed by staff is tracked. We note that WSPA was a member of the Cost Recovery Workgroup with Matrix in 2018 and was invited to comment and ask questions about the Cost Recovery and Containment Report when first completed by Matrix in 2018. Finally, staff has provided explanations to WSPA on several occasions relative to how regulatory fees are expended and would welcome further dialog on the specifics that your organization is unclear on.

**Comment 3:** *WSPA asserts that for fiscal year 2019, the BAAQMD has stated the cost recovery has reached 86%, yet staff continue to increase fees across multiple fee schedules and WSPA finds it difficult to understand how programs with annual fee increases for multiple years are not recovering costs. They add that there is no mechanism in place to evaluate this.*

**BAAQMD Response to Comment 3:** Cost recovery in fee categories is linked to the number of staff assigned to do work in these areas. In certain years, Air District priorities and staffing can change based on new or altered mandates. Such changes can cause fees in a given area not to cover cost over time. In such cases staff applies the recommendations in the 2018 Matrix study to recover costs.

Additionally, fee increases have been part of the Air District's effort to address a very large deficit between fee revenue and program costs. The goal has been to decrease the cost recovery gap in existing fees and programs and to adequately fund new programs as the Air District undertakes them. The Air District has worked since 2000 to close pre-existing large cost recovery gaps in many of the fee schedules. The Board of Directors adopted a policy with a goal to attain a minimum of 85% cost recovery.

The Air District follows the cost recovery methodology recommended by Matrix. Although cost recovery is calculated on an annual basis, fee schedule increases are based on the most recent three-year averages to smooth out annual fluctuations. For FYE 2017 to 2019, the Air District is recovering 84% of its fee-related activity costs. Amendments to specific fee schedules are based on cost recovery analyses conducted at the fee schedule level. The 2018 Matrix Cost Recovery and Containment Study recommended changes to each of the fee schedules based on the degree of cost recovery of each fee schedule. Recommendations were made to ensure cost recovery levels are maintained and to bridge the gap sooner for the schedules with larger deficits. The average annual fee schedule increase has been maintained at a steady rate of about 6.4% per year for the past six years approximately, to provide industry with a predictable rate of increase year-to-year and to reduce adverse impacts to industry by avoiding larger increases to obtain full cost recovery in a shorter time frame. For example, fee schedules with cost recovery less than 50% are raised no more than 15% in any year. Therefore, it will take multiple years to get to 85% or full cost recovery. For fiscal year ending in 2019, the BAAQMD was at 86% overall cost recovery, but it is worth noting that it was also at a staff vacancy rate of 78%. Because staffing is the Air District's largest expenditure, the cost recovery is expected to decrease as the Air District fills staffing vacancies.

Again, costs, revenue and cost recovery are presented both on an annual and three-year average basis for every fee schedule in the tables in the Air District's annual Cost Recovery Study report. Proposed fee increases are based on cost recovery as recommended by Matrix.

**Comment 4:** *The BAAQMD financial auditors presented an update to the BAAQMD Budget & Finance Committee on February 26<sup>th</sup>. It stated that the General Fund for last year will carry over \$77.5 million into 2020, with \$41.5 million unassigned. WSPA asserts that it is not transparent which Fee structure these left-over funds were collected from to understand how the BAAQMD is creating a surplus of funds while at the same time increasing fees.*

**BAAQMD Response to Comment 4:** The Air District does not use fee revenue to fund its reserves. Indeed, as the Air District's revenue from permit fees is insufficient to cover the cost of the Air District's associated regulatory programs, there is no permit fee revenue left over with which to fund reserves. To the contrary, its reserves are among the funds the 2012 Board of Director's Cost Recovery Policy makes available to the Air District, if necessary, to make up the shortfall between its fee revenue and the cost of the associated programs.

The Air District accumulated its reserves from revenue such as property tax that is separate from Air District permit fees. Of the \$77.5 million in reserves as of June 30, 2019, only \$41.5 million is available to be used at the discretion of Air District's Board. Reserves are set aside to weather unanticipated economic conditions or the impact of natural events, and provide an important measure of financial stability and flexibility to temporarily mitigate financial challenges.

***Comment 5:** WSPA comments on the CTR Regulation fee that the workshop materials do not outline how the range of \$25 to \$300 per source was determined. The new CTR Regulation fee will require larger facilities to pay an additional \$50,000 on top of the fees for the Regulation 12-15 emission inventories. Since BAAQMD staff are already conducting much of the CTR Regulation work under Reg. 12-15, it is difficult to understand why staff must now charge an additional fee for the larger sources. WSPA states that for the 2021 budget the Reg. 12-15 fee schedule is proposed for a 15% increase*

**BAAQMD Response to Comment 5:** The Air District is no longer recommending moving forward with the CTR Regulation fee at this time but may revisit this decision in October 2020.

***Comment 6:** WSPA is requesting additional transparency in how BAAQMD staff is tracking its expenditures of over \$1 million per month for AB 617 implementation.*

**BAAQMD Response to Comment 6:** See Attachment A for the AB 617 Spending Plan and program components, activities, deadlines, grant allocations, and total expected costs. Labor on AB 617 is tracked in the Air District's employee timekeeping system.

***Comment 7:** WSPA requests that the proposed fee caps for fees be assessed by company. Several Bay Area facilities have more than one Title V permit.*

**BAAQMD Response to Comment 7:** The Air District staff has revised its proposed AB 617 fee cap to be assessed by facility owner rather than by facility.

***Comment 8:** WSPA comments that the BAAQMD continues to collect fees for Community Monitors (Fee Schedule X) and none have yet been constructed. They request greater transparency on how funds are being expended for these monitors.*

**BAAQMD Response to Comment 8:** Schedule X costs were amortized over 10 years. Three years have passed and much work has been accomplished on the siting of potential locations for the community air monitoring stations. Recent fee schedule increases have been based on the latest Matrix recommendations from a study conducted in 2018. WSPA

was a member of the Cost Recovery Workgroup with Matrix in 2018 and is a member of the Air District's Budget Advisory Group. In addition, the Air District provides the following current status update. Schedule X costs are associated with the evaluation of existing monitors and planning, siting, and designing new monitors. Air District staff held public workshops (Richmond, Martinez Rodeo and Benicia) to work with communities near the refineries to implement the Regulation 12-15 monitoring. Monitoring station siting analyses continue to be refined and the Air District is working with refinery communities to identify appropriate host locations for monitoring station installation. The Air District has begun purchasing instrumentation and equipment in anticipation of monitoring station site approvals. Monitoring plan approval is ongoing to account for location selection and analytical refinements. Specific bill codes were created for these two fee schedules, so that employee timekeeping can be used to track costs. Each year, these fee schedule estimates are re-analyzed versus the Air District's cost recovery policy. Please contact Ila Perkins at [iperkins@baaqmd.gov](mailto:iperkins@baaqmd.gov) or (415) 749-8448 with questions on the community air monitoring station site selection and development, and Jerry Bovee at [jbovee@baaqmd.gov](mailto:jbovee@baaqmd.gov) or (415) 749-4601 with any other questions on the community air monitoring stations.

**Comment 9:** *WSPA requests quarterly workshops where staff present the status of budget expenditures for greater transparency.*

**BAAQMD Response to Comment 9:** The Air District believes that the current opportunities for participation, comment and review are adequate.

Recent proposed fee schedule increases have been based on the latest Matrix recommendations from a study conducted in 2018. WSPA was a member of the Cost Recovery Workgroup with Matrix in 2018.

In response to comments received during the FYE 2020 Budget and Fee Regulation Amendments process, on September 20, 2019, the Air District established the Budget Advisory Group (BAG) which includes WSPA and its five represented Bay Area petroleum refineries, and the California Council for Environmental and Economic Balance. The BAG was formed to promote greater participation and input in the annual Budget and Fee Regulation Amendments process. The BAG has met at the Air District offices on January 27, 2020 and March 16, 2020. Each meeting provided greater transparency of budget expenditures for those in attendance. The Air District released its 2020 Cost Recovery Study report at the time of the January 27, 2020, so that BAG and other stakeholders had additional detailed supporting data on the proposed fee amendments.

The Air District held a public workshop on February 18, 2020. WSPA attended and testified at the workshop and provided written comments on the proposed fee amendments. On March 25, 2020, April 22, 2020, April 29, 2020, and May 20, 2020, Air District staff presented the fee regulation amendments to the Air District Board of Directors' Budget and Finance Committee and discussed and answered questions on the fee regulation amendments. WSPA participated in each of these meetings.

An initial public hearing to consider testimony on the proposed amendments was held on April 15, 2020. Written public hearing comments were due by May 8, 2020 and will be responded to. A second public hearing, to consider adoption of the proposed fee amendments, has been scheduled for June 3, 2020, or as soon thereafter as the matter may be heard.

Please contact me if you have any questions at [byoung@baaqmd.gov](mailto:byoung@baaqmd.gov) or (415) 749-4721.

*Regards,*

*Barry Young*

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**ATTACHMENT A**

**Bay Area Air Quality Management District  
Assembly Bill 617 Implementation  
Spending Plan  
Grant #G18-CAPP-3**

During the second year of implementing the Community Health Protection Program, the Bay Area Air District will incur costs associated with development and adoption of a Community Action Plan in Oakland, implementation of a Community Monitoring Plan in Richmond, development of new state-wide emissions inventory protocols potential adoption of amended regulations to gain benefits from the Best Available Retrofit Control Technology identified in 2018, utilizing mobile air quality monitoring platforms to develop neighborhood-level profiles of pollution concentrations and building capacity within impacted communities in advance of the development of additional Community Action and Monitoring Plans over the next five-years. The relevant activities and deadlines are provided below.

The Air District's expects to be incurred between February 1, 2019 and April 1, 2021 while implementing the Community Health Protection Program in the Bay Area. The amount under each Program Component expected to be covered by the FY18/19 CAPP grant are summarized below.

<b>Program Component</b>	<b>Activity</b>	<b>Deadlines</b>	<b>CAPP Grant Allocation</b>	<b>Total Expected Cost</b>
Community Monitoring	Deploy monitoring in Richmond and San Pablo, California	7/1/2019	\$4.1 million	\$7.1 million
	Development and Adoption of a Community Monitoring Plan for Richmond and San Pablo, California	4/1/2021		
	Mobile Monitoring Services	4/1/2021		
	Lab Equipment, Supplies, Repairs, Upgrades	4/1/2021		
	Third-party Laboratory Analysis	4/1/2021		
	Assistance to Community Groups for Community-led Monitoring	4/1/2021		
	Special Studies to Measure Emissions with New Technology	4/1/2021		
	Mobile monitoring services	4/1/2021		
Community Emissions Reduction Plans	Development and Adoption of the West Oakland Community Action Plan, and accompanying CEQA Analysis	10/31/2019	\$2.1 million	\$2.1 million
	Staff to coordinate the AB 617 development process.	4/1/2021		
	Implementation of West Oakland Community Action Plan	4/1/2021		

Community Engagement	Lead Steering Committee Meetings, Community Meetings	4/1/2021	\$1.4 million	\$1.4 million
	Ongoing financial support to AB 617 communities to enable their full participation in the program	4/1/2021		
	Staff to work with communities to prepare them for the AB 617 process.	4/1/2021		
	Grants to local communities to participate in community-led air monitoring efforts	4/1/2021		
	Maintain local Community Health Protection Program websites, provide updates, prepare newsletters.	4/1/2021		
Review of Best Available Retrofit Control Technology	Development and implementation of new rules to reduce emissions from stationary sources.	4/1/2021	\$0.3 million	\$0.3 million
Emissions Reporting Coordination	Ongoing improvement in emissions estimates, emissions inventory reporting, meetings, presentations of data to the public.	4/1/2021	\$2.1 million	\$2.1 million
	Modifications and improvements to computer systems to comply with new, statewide emissions reporting requirements	4/1/2021		
<b>Total</b>			<b>\$10 million</b>	<b>\$13 million</b>

**ATTACHMENT A**

**Bay Area Air Quality Management District  
Assembly Bill 617 Implementation  
Spending Plan, Amendment 1  
Grant #G17-CAPP-3**

Assembly Bill 617 (AB 617) is the most impactful change in air quality regulation in the last 35 years. Increasing the focus on localized air pollution in overburdened communities is a welcome and necessary initiative for public health and equity.

During the first year of implementing the Community Health Protection Program, the Bay Area Air District will incur costs associated with identifying and prioritizing a list of impacted communities, developing and adopting a Community Action Plan in Oakland, implementing a Community Monitoring Plan in Richmond, developing new emissions inventory protocols to comply with statewide reporting requirements for criteria and toxic emissions, conducting a review of best available retrofit control technology and identifying potential amendments to regulations to gain benefits from the technology, and working with impacted communities in advance of the development of additional Community Action and Monitoring Plans over the next five-years. The relevant activities and deadlines are provided below.

The Air District's costs expected to be incurred between March 1, 2018 and June 30, 2019 while implementing the Community Health Protection Program in the Bay Area, and the amount under each Program Component expected to be covered by the FY17/18 CAPP grant, are summarized below. Total expected costs for the first year of the program have been lowered. Local discussions are prompting a shift to more mobile monitoring and special studies in the near-term, and delaying potential development of additional permanent, regulatory monitoring stations. Delays in the adoption of final state-wide emissions reporting requirements and lower than expected initial costs for the BARCT review have also lowered our expected first year program costs.

<b>Program Component</b>	<b>Activity</b>	<b>Deadlines</b>	<b>CAPP Grant Allocation</b>	<b>Total Expected Cost</b>
Community Monitoring	Local emissions monitoring undertaken by residents and contractors	6/30/2019	\$2.2 million	\$2.4 million
	New equipment for mobile monitoring and other short-term monitoring studies	6/30/2019		
	New systems for data management, assessment and visualization.	6/30/2019		
	Monitoring Plan for Richmond, California	6/30/2019		
Community Emissions Reduction Plans	Staff to coordinate the AB 617 development process.	6/30/2019	\$1.0 million	\$1.1 million
	New software for project tracking	6/30/2019		
	Development and Adoption of the West Oakland Community Action Plan	6/30/2019		
Community Engagement	Development of recommended prioritization of impacted communities for Years 2-5, and 6+ of the Community Health Protection Program.	10/31/2018	\$0.7 million	\$0.8 million

	Staff to work on community capacity building.	6/30/2019		
	Capacity building and participation grants to local community members and organizations. .	6/30/2019		
Review of Best Available Retrofit Control Technology	Staff to review existing controls on over 3,000 sources that contribute to emissions at facilities subject to Cap-and-Trade.	12/31/18	\$0.1 million	\$0.1 million
	BARCT Schedule Adoption	12/31/18		
	Staff time to develop and conduct CEQA review on schedule to implement new control requirements.	12/31/18		
Emissions Reporting Coordination	Develop new, statewide emissions calculations protocols.	6/30/2019	\$0.8 million	\$0.9 million
	Software enhancements to improve quality of reported data.	6/30/2019		
Overhead	Executive Management, Legal and Administrative costs associated with implementation of the Community Health Protection Program are incorporated in the categories above.			
<b>Total</b>			<b>\$4.8 million</b>	<b>\$5.3 million</b>



May 21, 2020

BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

Jed Holtzman, Senior Policy Analyst  
**350 Bay Area**  
P.O. Box 18762  
Oakland, CA 94619

Dear Mr. Holtzman:

Thank you for your comments on the Proposed Amendments to Air District Regulation 3: Fees.

Below are your comments and the Air District's responses to each.

**Comment 1:** *350 Bay Area questions the Air District's 85% cost recovery goal and states that any less than 100% cost recovery means the Air District is allowing private, for-profit polluters to emit for free and passing the costs onto the public. 350 Bay Area also asserts that when the Air District's work is not paid for by fee revenue from regulated facilities, Bay Area communities are paying for it in property taxes used to fund Air District staff.*

**BAAQMD Response to Comment 1:** The Air District recovers its costs consistent with its governing laws. The Air District is authorized, but not required, to recover the reasonable cost of its stationary source regulatory programs through the imposition of fees. The Air District has worked since 2000 to close a large deficit between fee revenue and program costs, with the goal to decrease the cost recovery gap in existing fees and programs and to adequately fund new programs as the Air District undertakes them. The Board of Directors adopted a policy with a goal to attain a minimum of 85% cost recovery, while continuing to use tax revenue to subsidize existing fee discounts to, for example, small businesses, green businesses, and third-party permit appeals, and to cover the cost of the Air District's wood smoke enforcement program.

The Air District follows the cost recovery methodology recommended by Matrix Consulting Group. Although cost recovery is calculated on an annual basis, fee schedule increases are based on the most recent three-year averages to smooth out annual fluctuations. For FYE 2017 to 2019, the Air District is recovering 84% of its fee-related activity costs. Amendments to specific fee schedules are based on cost recovery analyses conducted at the fee schedule level. The average annual fee schedule increase has been maintained at a steady rate of about 6.4% per year for the past six years approximately, to provide industry with a predictable rate of increase year-to-year and to reduce adverse impacts to industry by avoiding larger increases to obtain full cost recovery in a shorter time frame. However, State law limits increases to any existing fees for permits to 15% in any year. For fiscal year ending in 2019, the BAAQMD was at 86% overall cost recovery, but it is worth noting that it was also at a staff vacancy rate of 22%. Because staffing is the Air District's largest expenditure, the cost recovery is expected to decrease as the Air District fills staffing vacancies. District staff anticipate that, as a result, it will take multiple years to get to 85% or full cost recovery.

**Comment 2:** *350 Bay Area comments that the Air District's critical work across many program areas is only growing and suggests that more staff may be needed.*

**BAAQMD Response to Comment 2:** The Air District remains committed to performing its critical work. However, due to the COVID-19 pandemic's expected impacts on revenue, the Air District is not proposing to increase its staffing this fiscal year. Staffing is the Air District's largest expenditure and is thus tied to the funding raised and received by the organization. The Air District is working with its Board of Directors (Board) to establish priorities for the upcoming budget year based on the resources available. The staff and Board will re-evaluate the economic and financial impacts of COVID-19 on Agency revenues and re-visit possible additional permit fees at the October 2020, Budget & Finance Committee Meeting.

**Comment 3:** *350 Bay Area supports Board Chair Rod Sinks' recommendation in the April 22, 2020 Budget and Finance Committee meeting to increase Schedules A, G3, M, P, and W, as well as, to implement a new AB617 fee structure on major sources.*

**BAAQMD Response to Comment 3:** At the Budget & Finance Committee Meeting on May 20, 2020, the Board had a robust discussion on fees and chose to levy a new AB617 Fee on Title V facility owners only. Additionally, the Board committed to returning to examine the topic of additional fees in October 2020.

**Comment 4:** *350 Bay Area comments that the Board discussions seem to indicate that if the Air District gets behind on increasing fees, then it will be more painful to companies later, so the more level and consistent the agency can be, the better, and that more money, means getting more work done.*

**BAAQMD Response to Comment 4:** The Air District staff agrees that foregoing fee schedule increases this fiscal year may result in having to increase fee schedules more in future fiscal years.

**Comment 5:** *350 Bay Area requests the Board of Directors to amend its cost recovery goal to 100% and to end the externalization of costs from major regulated facilities onto residents, disproportionately from communities of color and low-income communities.*

**BAAQMD Response to Comment 5:** The Air District's Board of Directors has recognized since 1999 that the Air District's cost recovery gap has been an issue that needs to be addressed. On March 7, 2012, the Board of Directors adopted a Cost Recovery Policy that includes the following statement on Cost Recovery Goals, "It is the general policy of the District, except as otherwise noted below, that the costs of regulatory program activities be fully recovered by assessing fees to regulated entities. In order to move towards this goal, the District should amend its fee regulation over the next four years, in conjunction with the adoption of budgets for Fiscal Year Ending (FYE) 2013 through FYE 2016, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85 percent. Amendments to specific fee schedules should also be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps. This includes Fee Schedule P: Major Facility Review Fees, which has been

determined to under-recover costs by a significant amount. Newly adopted regulatory measures should include fees that are designed to recover increased regulatory program activity costs associated with the measure, unless the Board of Directors determines that a portion of those costs should be covered by tax revenue. Tax revenue should also continue to be used to subsidize existing fee discounts that the District provides (e.g., for small businesses, green businesses, and third-party permit appeals), and to cover the cost of the District's wood smoke enforcement program." The Board set a minimum target of 85%. In 2011, cost recovery was 65%; however, for FYE 2017 to 2019, the Air District is recovering 84% of its fee-related activity costs. The Air District has made steady progress in increasing cost recovery to at least the target level of 85% and in recent years has nearly attained this level, however, filling the current vacancies will decrease the cost recovery percentage for next fiscal year. The Air District will consider bringing the Cost Recovery Policy to the Budget and Finance Committee for revision.

Please contact me if you have any questions at [byoung@baaqmd.gov](mailto:byoung@baaqmd.gov) or (415) 749-4721.

Regards,

*Barry Young*

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## **2020 COST RECOVERY STUDY**

Prepared by the staff of the  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA

January 2020



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## **Executive Summary**

The 2020 Cost Recovery Study includes the latest fee-related cost and revenue data gathered for FYE 2019 (i.e., July 1, 2018 - June 30, 2019). The results of this 2020 Cost Recovery Study will be used as a tool in the preparation of the FYE 2021 budget, and for evaluating potential amendments to the Air District's Regulation 3: Fees.

The completed cost recovery analysis indicates that in FYE 2019 there continued to be a revenue shortfall, as overall direct and indirect costs of regulatory programs exceeded fee revenue (see Figure 2). For FYE 2017 to 2019, the Air District is recovering approximately 84 percent of its fee-related activity costs (see Figure 3). The overall magnitude of this cost recovery gap was determined to be approximately \$8.4 million. This cost recovery gap was filled using General Fund revenue received by the Air District from the counties' property tax revenue.

The 2020 Cost Recovery Study also addressed fee-equity issues by analyzing whether there is a revenue shortfall at the individual Fee Schedule level. It was noted that of the twenty-three Fee Schedules for which cost recovery could be analyzed, seven of the component Fee Schedules had fee revenue contributions exceeding total cost.

## **Background**

The Air District is responsible for protecting public health and the environment by achieving and maintaining health-based national and state ambient air quality standards, and reducing public exposure to toxic air contaminants, in the nine-county Bay Area region. Fulfilling this task involves reducing air pollutant emissions from sources of regulated air pollutants and maintaining these emission reductions over time. In accordance with State law, the Air District's primary regulatory focus is on stationary sources of air pollution.

The Air District has defined units for organizational purposes (known as "Programs") to encompass activities which are either dedicated to mission-critical "direct" functions, such as permitting, rule-making, compliance assurance, sampling and testing, grant distribution, etc., or are primarily dedicated to support and administrative "indirect" functions. The Air District has also defined revenue source categories (known as "Billing Codes") for the permit fee schedules, grant revenue sources, and general support activities.

The Air District's air quality regulatory activities are primarily funded by revenue from regulatory fees, government grants and subventions, and county property taxes. Between 1955 and 1970, the Air District was funded entirely through property taxes. In 1970, the California Air Resources Board (CARB) and U.S. Environmental Protection Agency began providing grant funding to the Air District. After the passage of Proposition 13, the Air District qualified as a "special district" and became eligible for AB-8 funds, which currently make up the county revenue portion of the budget.

State law authorizes the Air District to impose a schedule of fees to generate revenue to recover the costs of activities related to implementing and enforcing air quality programs.

On a regular basis, the Air District has considered whether these fees result in the collection of a sufficient and appropriate amount of revenue in comparison to the cost of related program activities.

In 1999, a comprehensive review of the Air District's fee structure and revenue was completed by the firm KPMG Peat Marwick LLP (*Bay Area Air Quality Management District Cost Recovery Study, Final Report: Phase One – Evaluation of Fee Revenues and Activity Costs; February 16, 1999*). The Study recommended an activity-based costing model, which has been implemented. Also, as a result of that Study, the Air District implemented a time-keeping system. These changes improved the Air District's ability to track costs by program activities. The 1999 Cost Recovery Study indicated that fee revenue did not offset the full costs of program activities associated with sources subject to fees as authorized by State law. Property tax revenue (and in some years, fund balances) have been used to close this gap.

In 2004, the Air District's Board of Directors approved funding for an updated Cost Recovery Study that was conducted by the accounting/consulting firm Stonefield Josephson, Inc. (*Bay Area Air Quality Management District Cost Recovery Study, Final Report; March 30, 2005*). This Cost Recovery Study analyzed data collected during the three-year period FYE 2002 through FYE 2004. It compared the Air District's costs of program activities to the associated fee revenues and analyzed how these costs are apportioned amongst the fee-payers. The Study indicated that a significant cost recovery gap existed. The results of this 2005 report and subsequent internal cost recovery studies have been used by the Air District in its budgeting process, and to set various fee schedules.

In March 2011, another study was completed by the Matrix Consulting Group (*Cost Recovery and Containment Study, Bay Area Air Quality Management District, Final Report; March 9, 2011*). The purpose of this Cost Recovery and Containment Study was to provide the Air District with guidance and opportunities for improvement regarding its organization, operation, and cost recovery/allocation practices. A Cost Allocation Plan was developed and implemented utilizing FYE 2010 expenditures. This Study indicated that overall, the Air District continued to under-recover the costs associated with its fee-related services. In order to reduce the cost recovery gap, further fee increases were recommended for adoption over a period of time in accordance with a Cost Recovery Policy to be adopted by the Air District's Board of Directors. Also, Matrix Consulting Group reviewed and discussed the design and implementation of the new Production System which the Air District is developing in order to facilitate cost containment through increased efficiency and effectiveness.

Air District staff initiated a process to develop a Cost Recovery Policy in May 2011, and a Stakeholder Advisory Group was convened to provide input in this regard. A Cost Recovery Policy was adopted by the Air District's Board of Directors on March 7, 2012. This policy specifies that the Air District should amend its fee regulation, in conjunction with the adoption of budgets for Fiscal Year Ending (FYE) 2014 through FYE 2018, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85%. The policy also indicates that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee

schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

In February 2018, the Matrix Consulting Group completed an update of the 2011 cost recovery and containment study for the fiscal year that ended June 30, 2017. The primary purpose of this Study was to evaluate the indirect overhead costs associated with the Air District and the cost recovery associated with the fees charged, by the Air District. The project team evaluated the Air District's FYE 2017 Programs to assess their classification as "direct" or "indirect". In addition, they audited the time tracking data associated with each of the different fee schedules. The Study provided specific recommendations related to direct and indirect cost recovery for the Air District, as well as potential cost efficiencies.

This 2018 Cost Recovery Study incorporated the accounting methodologies developed by KPMG in 1999, Stonefield Josephson, Inc. in 2005 and Matrix Consulting Group in 2011. The Study included the latest cost and revenue data gathered for FYE 2017 (i.e., July 1, 2016 - June 30, 2017). The results of the 2018 Cost Recovery Study were used as a tool in the preparation of the budgets for FYE 2019 and FYE 2020, and for evaluating potential amendments to the Air District's Regulation 3: Fees.

## **Legal Authority**

In the post-Prop 13 era, the State Legislature determined that the cost of programs to address air pollution should be borne by the individuals and businesses that cause air pollution through regulatory and service fees. The primary authority for recovering the cost of Air District programs and activities related to stationary sources is given in Section 42311 of the Health and Safety Code (HSC), under which the Air District is authorized to:

- Recover the costs of programs related to permitted stationary sources
- Recover the costs of programs related to area-wide and indirect sources of emissions which are regulated, but for which permits are not issued
- Recover the costs of certain hearing board proceedings
- Recover the costs related to programs that regulate toxic air contaminants

The measure of the revenue that may be recovered through stationary source fees is the full cost of all activities related to these sources, including all direct Program costs and a commensurate share of indirect Program costs. Such fees are valid so long as they do not exceed the reasonable cost of the service or regulatory program for which the fee is charged, and are apportioned amongst fee payers such that the costs allocated to each fee-payer bears a fair or reasonable relationship to its burden on, and benefits from, the regulatory system.

Air districts have restrictions in terms of the rate at which permit fees may be increased. Under HSC Section 41512.7, permit fees may not be increased by more than 15 percent on a facility in any calendar year.

## Study Methodology

The methodology for determining regulatory program revenue and costs is summarized as follows:

### Revenue

Revenue from all permit renewals and applications during the FYE 2019 was assigned to the appropriate Permit Fee Schedules. This is a continued improvement over prior years' process due to the more detailed data available in the New Production System.

### Costs

Costs are expenditures that can be characterized as being either direct or indirect. Direct costs can be identified specifically with a particular program activity. Direct costs include wages and benefits, operating expenses, and capital expenditures used in direct support of the particular activities of the Air District (e.g., permit-related activities, grant distribution, etc.).

Indirect costs are those necessary for the general operation of the Air District as a whole. Often referred to as "overhead", these costs include accounting, finance, human resources, facility costs, information technology, executive management, etc. Indirect costs are allocated to other indirect Programs, using the reciprocal (double-step down) method, before being allocated to direct Programs.

Employee work time is tracked by the hour, or fraction thereof, using both Program and Billing Code detail. This time-keeping system allows for the capture of all costs allocatable to a revenue source on a level-of-effort basis.

Employee work time is allocated to activities within Programs by billing codes (BC1-BC99), only two of which indicate general support. One of these two general support codes (BC8) is identified with permitting activities of a general nature, not specifically related to a particular Fee Schedule.

Operating and capital expenses are charged through the year to each Program, as incurred. In cost recovery, these expenses, through the Program's Billing Code profile, are allocated on a pro-rata basis to each Program's revenue-related activity. For example, employees working in grant Programs (i.e., Smoking Vehicle, Mobile Source Incentive Fund, etc.) use specific billing codes (i.e., BC3, BC17, etc.), and all operating/capital expense charges are allocated pro-rata to those grant activities. Employees working in permit-related Programs (i.e., Air Toxics, Compliance Assurance, Source Testing, etc.) also use specific billing codes (i.e., BC8, BC21, BC29, etc.) and all operating/capital expense charges incurred by those Programs are allocated pro-rata to those Program's activity profiles as defined by the associated billing codes.

Direct costs for permit activities include personnel, operating and capital costs based on employee work time allocated to direct permit-related activities, and to general permit-related support and administrative activities (allocated on pro-rata basis). Indirect costs

for permit activities include that portion of general support personnel, operating and capital costs allocated pro-rata to permit fee revenue-related program activities.

## **Study Results**

Figure 1 shows a summary of overall regulatory program costs and revenue for FYE 2019. Figure 2 shows the details of costs and revenue on a fee schedule basis for FYE 2019 by schedule. Figure 3 shows the details of average schedule costs and revenue for the three-year period FYE 2017 through FYE 2019 by schedule.

## **Discussion of Results**

Figure 1 indicates that in FYE 2019 there continued to be a revenue shortfall, as the direct and indirect costs of regulatory programs exceeded fee revenue. The overall magnitude of the cost recovery gap was determined to be \$7.9 million for FYE 2019. This cost recovery gap was filled by General Fund revenue received by the Air District from the counties.

Figure 2 shows that in FYE 2019 there were revenue shortfalls for most of the twenty-three fee schedules for which cost recovery can be analyzed. For FYE 2019, the Air District is recovering approximately 86% of its fee-related activity costs. The revenue collected exceeded Program costs for seven fee schedules. These are Schedule B (Combustion of Fuels), Schedule C (Stationary Containers for the Storage of Organic Liquids), Schedule D (Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals), Schedule G-5 (Miscellaneous Sources), Schedule L (Asbestos Operations), Schedule R (Equipment Registration Fees), and Schedule X (Community Air Monitoring). The revenue collected was less than program costs for 16 fee schedules. These are Schedule A (Hearing Board), Schedule E (Solvent Evaporating Sources), Schedule F (Miscellaneous Sources), Schedule G-1 (Miscellaneous Sources), Schedule G-2 (Miscellaneous Sources), Schedule G-3 (Miscellaneous Sources), Schedule G-4 (Miscellaneous Sources), Schedule H (Semiconductor and Related Operations), Schedule I (Dry Cleaners), Schedule K (Solid Waste Disposal Sites), Schedule N (Toxic Inventory Fees), Schedule P (Major Facility Review Fees), Schedule S (Naturally Occurring Asbestos Operations), Schedule T (Greenhouse Gas Fees), Schedule V (Open Burning), and Schedule W (Refinery Emissions Tracking),.

Figure 3 shows that over a three-year period (FYE 2017 through FYE 2019) there were revenue shortfalls for most of the twenty-three fee schedules for which cost recovery can be analyzed. For this three-year period, the Air District is recovering approximately 84% of its fee-related activity costs. The revenue collected exceeded costs for five fee schedules. These are Schedule B (Combustion of Fuel), Schedule C (Stationary Containers for the Storage of Organic Liquids), Schedule G-5 (Miscellaneous Sources), Schedule L (Asbestos Operations), and Schedule X (Community Air Monitoring). The revenue collected was lower than costs for 18 fee schedules. These are Schedule A (Hearing Board), Schedule D (Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals), Schedule E (Solvent Evaporating Sources), Schedule F (Miscellaneous Sources), Schedule G-1 (Miscellaneous Sources), Schedule G-2 (Miscellaneous Sources), Schedule G-3 (Miscellaneous Sources), Schedule G-4 (Miscellaneous Sources), Schedule H (Semiconductor and Related Operations),

Schedule I (Dry Cleaners), Schedule K (Solid Waste Disposal Sites), Schedule N (Toxic Inventory Fees), Schedule P (Major Facility Review Fees), Schedule R (Equipment Registration Fees), Schedule S (Naturally Occurring Asbestos Operations), Schedule T (Greenhouse Gas Fees), Schedule V (Open Burning), and Schedule W (Refinery Emissions Tracking).

The Air District uses the three-year averages shown in Figure 3 in evaluating proposed amendments to Regulation 3, Fees at the fee schedule level because longer averaging periods are less sensitive to year-to-year variations in activity levels that occur due to economic or market variations and regulatory program changes affecting various source categories.

## **Conclusions**

Air District staff has updated the analysis of cost recovery of its regulatory programs based on the methodology established by the accounting firms KPMG in 1999 and Stonefield Josephson, Inc. in 2005 and updated by Matrix Consulting Group in 2011 and in 2018. The analysis shows that fee revenue continues to fall short of recovering activity costs. For FYE 2017 to 2019, the Air District is recovering approximately 84% of its fee-related activity costs. The overall magnitude of this cost recovery gap was determined to be approximately \$8.4 million.

To reduce or stabilize expenditures, the Air District has implemented various types of cost containment strategies, including developing an online permitting system for high-volume source categories, maintaining unfilled positions when feasible, and reducing service and supply budgets. In order to reduce the cost recovery gap, further fee increases will need to be evaluated in accordance with the Cost Recovery Policy adopted by the Air District's Board of Directors.



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## **2020 Cost Recovery Study**

### **FIGURES**



Figure 1: Total Permit Fee Revenue, Costs and Gap for FYE 2019

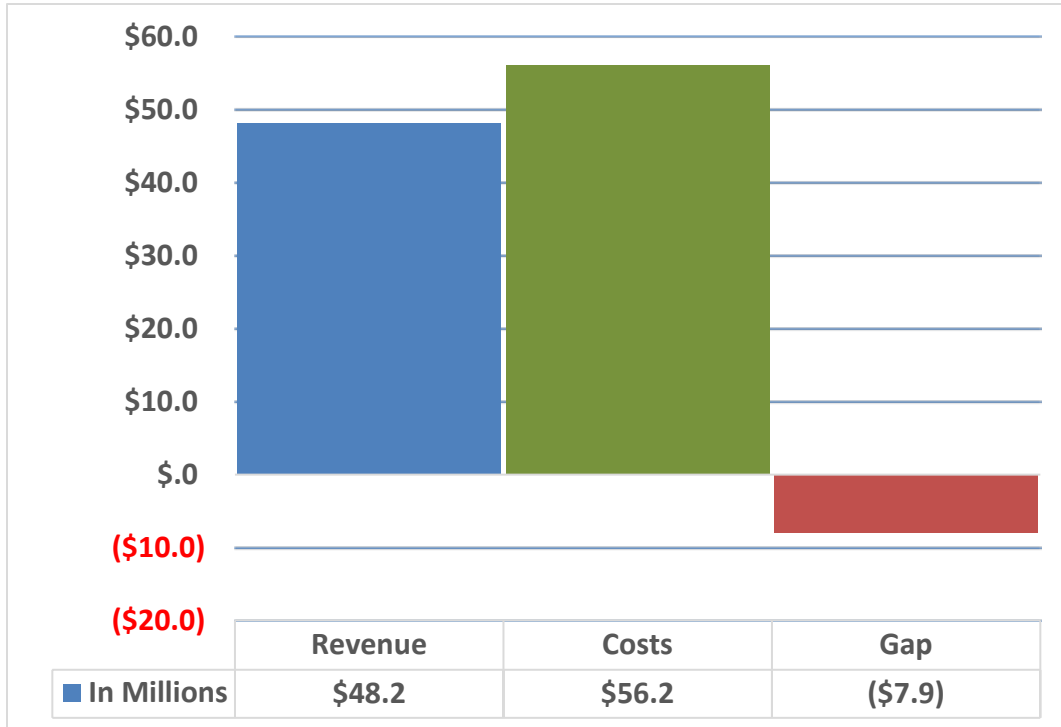


Figure 2: Fee Revenue and Program Costs by Fee Schedule, FYE 2019

	A-Hearing Board	B - Combustion of Fuel	C - Storage Organic Liquid	D - Gasoline Dispensing / Bulk Terminals	E - Solvent Evaporation	F - Miscellaneous	G1 - Miscellaneous	G2 - Miscellaneous	G3 - Miscellaneous	G4 - Miscellaneous	G5 - Miscellaneous	H - Semiconductor	I - Drycleaners	K - Waste Disposal	L - Asbestos	N - Toxic Inventory (AB2588)	P - Major Facility Review (Title V)	R-Registration	S - Naturally Occurring Asbestos	T - GreenHouse Gas	V - Open Burning	W - Refinery Emissions Tracking	X - Community Air Monitoring	Total	
Revenues	47,628	7,679,636	2,233,077	6,249,199	3,200,202	2,102,701	2,637,196	761,955	656,420	1,527,227	647,983	184,622	4,498	177,413	5,057,006	263,358	5,638,883	336,060	100,513	2,963,989	211,132	139,905	933,739	43,754,341	
Schedule M	-	880,691	109,905	12,636	39,061	267,090	60,344	17,111	6,668	755,273	14,796	-	-	123,213	-	-	-	592	-	-	-	-	-	-	2,287,380
Reg 3- 312 - Bubble	-	197,342	302,807	15,038	19,286	101,639	96,373	36,772	28,545	22,542	23,063	-	-	329	-	-	-	1,547	-	-	-	-	-	-	845,282
Reg 3- 327 - Renewal Processing	-	459,251	47,484	227,953	202,246	140,586	45,833	8,221	1,149	544	806	6,265	2,195	4,153	-	-	-	13,064	-	-	-	-	-	-	1,159,751
Reg 3- 311 - Banking	-	27,318	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	27,318
<b>Total Revenue</b>	<b>47,628</b>	<b>9,244,239</b>	<b>2,693,273</b>	<b>6,504,826</b>	<b>3,460,795</b>	<b>2,612,016</b>	<b>2,839,747</b>	<b>824,058</b>	<b>692,782</b>	<b>2,305,587</b>	<b>686,648</b>	<b>190,887</b>	<b>6,693</b>	<b>305,109</b>	<b>5,057,006</b>	<b>263,358</b>	<b>5,638,883</b>	<b>351,262</b>	<b>100,513</b>	<b>2,963,989</b>	<b>211,132</b>	<b>139,905</b>	<b>933,739</b>	<b>48,074,073</b>	
Direct Costs																									
Direct Labor	67,327	4,951,822	447,138	3,423,477	2,725,197	1,782,297	3,621,802	1,033,054	467,078	1,778,054	215,908	161,040	4,238	1,753,926	1,410,266	491,786	3,369,463	146,277	383,252	1,290,338	390,970	328,888	111,697	30,355,293	
Services and Supplies	3,848	379,147	28,953	279,042	182,076	120,927	293,144	92,450	38,213	183,018	14,853	10,362	275	127,296	58,859	26,394	284,528	4,805	28,943	1,272,092	18,527	27,000	21,914	3,496,666	
Capital Outlay	0	579,062	53,363	399,066	326,431	212,485	415,586	117,470	55,410	207,326	25,134	19,387	501	209,089	8,198	55,698	392,886	701	45,591	148,906	638	41,542	16,806	3,331,277	
Indirect Costs	36,534	3,029,925	275,540	2,061,635	1,707,535	1,072,870	2,218,968	638,292	296,327	1,105,686	138,277	100,276	1,949	1,114,653	964,944	270,820	1,989,325	98,405	251,662	752,107	272,501	201,766	72,791	18,672,787	
<b>Total Costs</b>	<b>107,708</b>	<b>8,939,955</b>	<b>804,994</b>	<b>6,163,220</b>	<b>4,941,239</b>	<b>3,188,579</b>	<b>6,549,500</b>	<b>1,881,266</b>	<b>857,029</b>	<b>3,274,084</b>	<b>394,172</b>	<b>291,065</b>	<b>6,962</b>	<b>3,204,965</b>	<b>2,442,267</b>	<b>844,698</b>	<b>6,036,202</b>	<b>250,189</b>	<b>709,447</b>	<b>3,463,443</b>	<b>682,636</b>	<b>599,195</b>	<b>223,207</b>	<b>55,856,023</b>	
<b>Net Surplus/(Deficit)</b>	<b>(60,081)</b>	<b>304,283</b>	<b>1,888,278</b>	<b>341,606</b>	<b>(1,480,444)</b>	<b>(576,563)</b>	<b>(3,709,753)</b>	<b>(1,057,208)</b>	<b>(164,247)</b>	<b>(968,497)</b>	<b>292,477</b>	<b>(100,178)</b>	<b>(269)</b>	<b>(2,899,856)</b>	<b>2,614,739</b>	<b>(581,340)</b>	<b>(397,319)</b>	<b>101,073</b>	<b>(608,934)</b>	<b>(499,454)</b>	<b>(471,504)</b>	<b>(459,290)</b>	<b>710,532</b>	<b>(7,781,950)</b>	
<b>Cost Recovery</b>	<b>44.2%</b>	<b>103.4%</b>	<b>334.6%</b>	<b>105.5%</b>	<b>70.0%</b>	<b>81.9%</b>	<b>43.4%</b>	<b>43.8%</b>	<b>80.8%</b>	<b>70.4%</b>	<b>174.2%</b>	<b>65.6%</b>	<b>96.1%</b>	<b>9.5%</b>	<b>207.1%</b>	<b>31.2%</b>	<b>93.4%</b>	<b>140.4%</b>	<b>14.2%</b>	<b>85.6%</b>	<b>30.9%</b>	<b>23.3%</b>	<b>418.3%</b>	<b>86.07%</b>	

Figure 3: Fee Revenue and Program Costs by Fee Schedule, FYE 2017-2019, 3-Year Average

	A - Hearing Board	B - Combustion of Fuel	C - Storage Organic Liquid	D - Gasoline Dispensing / Bulk Terminals	E - Solvent Evaporation	F - Miscellaneous	G1 - Miscellaneous	G2 - Miscellaneous	G3 - Miscellaneous	G4 - Miscellaneous	G5 - Miscellaneous	H - Semiconductor	I - Drycleaners	K - Waste Disposal	L - Asbestos	N - Toxic Inventory (AB2588)	P - Major Facility Review (Title V)	R - Registration	S - Naturally Occurring Asbestos	T - GreenHouse Gas	V - Open Burning	W - Refinery Emissions Tracking	X - Community Air Monitoring	Total	
Revenues	22,923	7,920,402	2,189,106	5,736,757	2,823,092	1,982,551	2,481,798	650,061	635,241	1,210,547	718,798	168,356	4,454	159,372	4,387,279	268,240	5,397,772	278,599	91,026	2,629,967	177,519	201,285	1,038,541	41,173,687	
Schedule M	0	676,296	205,639	32,594	31,872	753,812	84,019	13,837	4,129	258,966	120,150	0	0	112,147	0	0	0	1,441	0	0	0	0	0	0	2,294,901
Reg 3- 312 - Bubble	0	382,759	182,101	21,304	12,701	43,794	45,413	18,158	13,141	64,204	13,078	201	4,537	110	0	0	0	558	0	0	0	0	0	0	802,058
Reg 3- 327 - Renewal Processing	0	318,734	44,762	219,539	211,637	145,415	46,920	7,895	1,006	1,022	1,056	5,885	1,806	4,228	0	0	0	8,559	0	0	0	0	0	0	1,018,464
Reg 3- 311 - Banking	0	13,312	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13,312
<b>Total Revenue</b>	<b>22,923</b>	<b>9,311,503</b>	<b>2,621,608</b>	<b>6,010,195</b>	<b>3,079,302</b>	<b>2,925,573</b>	<b>2,658,149</b>	<b>689,950</b>	<b>653,516</b>	<b>1,534,739</b>	<b>853,082</b>	<b>174,442</b>	<b>10,798</b>	<b>275,857</b>	<b>4,387,279</b>	<b>268,240</b>	<b>5,397,772</b>	<b>289,158</b>	<b>91,026</b>	<b>2,629,967</b>	<b>177,519</b>	<b>201,285</b>	<b>1,038,541</b>	<b>45,302,422</b>	
Direct Costs																									
Direct Labor	87,863	5,207,508	408,889	3,776,161	2,392,210	1,693,044	3,366,754	752,538	413,754	1,795,291	205,756	175,929	8,628	1,253,014	1,386,782	288,379	3,518,663	199,071	275,024	1,577,642	334,785	276,526	197,033	29,591,245	
Services and Supplies	3,222	394,927	22,228	332,682	149,335	145,450	262,324	65,327	29,638	216,275	12,012	8,826	394	88,231	109,172	17,486	340,749	10,928	20,491	582,878	32,483	23,761	24,181	2,893,001	
Capital Outlay	0	482,898	32,210	346,812	204,803	146,233	394,677	70,623	38,133	220,071	15,075	12,722	2,510	135,886	153,306	23,994	318,018	1,347	29,922	178,994	3,779	41,803	24,878	2,878,694	
Indirect Costs	52,344	3,161,086	258,496	2,296,770	1,513,246	998,097	2,057,059	450,666	267,299	1,056,336	134,506	110,872	5,265	802,166	1,098,563	164,659	2,072,453	163,066	180,016	924,193	279,575	165,118	121,449	18,333,302	
<b>Total Costs</b>	<b>143,428</b>	<b>9,246,418</b>	<b>721,823</b>	<b>6,752,424</b>	<b>4,259,595</b>	<b>2,982,824</b>	<b>6,080,815</b>	<b>1,339,155</b>	<b>748,824</b>	<b>3,287,973</b>	<b>367,350</b>	<b>308,350</b>	<b>16,798</b>	<b>2,279,298</b>	<b>2,747,823</b>	<b>494,517</b>	<b>6,249,883</b>	<b>374,413</b>	<b>505,453</b>	<b>3,263,707</b>	<b>650,623</b>	<b>507,208</b>	<b>367,541</b>	<b>53,696,241</b>	
<b>Total Surplus/(Deficit)</b>	<b>(120,505)</b>	<b>65,084</b>	<b>1,899,786</b>	<b>(742,229)</b>	<b>(1,180,293)</b>	<b>(57,252)</b>	<b>(3,422,665)</b>	<b>(649,205)</b>	<b>(95,308)</b>	<b>(1,753,234)</b>	<b>485,732</b>	<b>(133,907)</b>	<b>(6,000)</b>	<b>(2,003,441)</b>	<b>1,639,456</b>	<b>(226,278)</b>	<b>(852,111)</b>	<b>(85,255)</b>	<b>(414,427)</b>	<b>(633,740)</b>	<b>(473,104)</b>	<b>(305,923)</b>	<b>671,001</b>	<b>(8,393,819)</b>	
<b>Cost Recovery</b>	<b>16%</b>	<b>101%</b>	<b>363%</b>	<b>89%</b>	<b>72%</b>	<b>98%</b>	<b>44%</b>	<b>52%</b>	<b>87%</b>	<b>47%</b>	<b>232%</b>	<b>57%</b>	<b>64%</b>	<b>12%</b>	<b>160%</b>	<b>54%</b>	<b>86%</b>	<b>77%</b>	<b>18%</b>	<b>81%</b>	<b>27%</b>	<b>40%</b>	<b>283%</b>	<b>84.37%</b>	



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## **STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

**May 21, 2020**

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## **1. EXECUTIVE SUMMARY**

Due to the coronavirus disease (COVID-19) pandemic and its financial and economic impacts, the Air District staff's proposed fee increases have changed substantially over time during this year's rule development process.

Air District staff originally prepared proposed amendments to Air District Regulation 3: Fees for Fiscal Year Ending (FYE) 2021 (i.e., July 1, 2020 to June 30, 2021) that would increase revenue to enable the Bay Area Air Quality Management District (Air District) to continue to effectively implement and enforce regulatory programs for stationary sources of air pollution. The original recommendations for proposed increases to the existing Fee Schedules and proposed new fees for the Criteria Pollutant and Toxics Reporting Regulation and Assembly Bill 617 (AB617) are in Appendix A: Pre-Pandemic Draft Staff Report.

On April 15, 2020, the Air District held its first public hearing to receive testimony on the proposed fee amendments. Staff presented the original proposed amendments but based on the evolving shelter in place and economic uncertainty resulting from the COVID-19 pandemic, staff proposed postponing fee increases to the Board of Directors (Board). Instead, staff proposed reviewing fee increases later in 2020 when the economic picture for regulated facilities is clearer. However, based on a desire to ensure cost recovery on those essential businesses that continued to operate during the shelter in place order the Board of Directors requested a fee analysis on specific Fee Schedules (A, G3, M, N, P and W).

At the Budget and Finance Committee Meetings on April 22, 29, and May 20, 2020, staff and the Board discussed no fewer than eight fee options. Ultimately, the Board approved holding existing fees at the current rates and adopting a new AB617 fee to be charged to Title V facility owners only. Additionally, the Board of Directors required that the staff reevaluate proposed fee amendments based on the economic conditions and facility activity in October 2020.

A recently completed 2020 Cost Recovery Study (a copy of which is available on request) shows that for the most-recently completed fiscal year (FYE 2019), fee revenue recovered 86 percent of program activity costs. Cost recovery may decrease going forward as the Air District fills its vacancies.

Over the past several years, the Air District has continued to implement cost containment and efficiency-based strategies. Some of these strategies include: unfilled vacancies, timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level. The Air District is actively transitioning to the New Production System, which currently includes an on-line portal for the regulated community for high-volume categories including gas stations, dry cleaners, auto body shops, other permit registrations, and asbestos

notifications. This system is expanding to additional facility types. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents. Future projections indicate that possible reduction in revenue such as AB617 funding will require reductions in expenditures. Apportionment of such reductions are at the discretion of the Board of Directors and the Executive Officer.

For larger facilities, the proposed fee amendments would increase annual permit renewal fees between 2.7 and 5.7 percent due to differences in the facility's size, type of emission sources, pollutant emission rates and applicable fee schedules. The proposed fee amendments would increase overall Air District fee revenue in FYE 2021 by approximately \$1.0 million relative to fee revenue that would be expected without the amendments.

Air District staff recommends that the Board of Directors consider adoption of the revised proposed amendments to Regulation 3: Fees with an effective date of July 1, 2020, and approve the filing of a CEQA Notice of Exemption following the 2<sup>nd</sup> public hearing scheduled to consider this matter on June 3, 2020.

## **2. BACKGROUND**

State law authorizes the Air District to assess fees to generate revenue to recover the reasonable costs of regulatory program activities for stationary sources of air pollution. The largest portion of Air District fees is collected under provisions that allow the Air District to impose permit fees sufficient to recover the costs of program activities related to permitted sources. The Air District is also authorized to assess fees for: (1) area-wide or indirect sources of emissions which are regulated, but for which permits are not issued by the Air District, (2) sources subject to the requirements of the State Air Toxics Hot Spots Program (Assembly Bill 2588), and (3) activities related to the Air District's Hearing Board involving variances or appeals from Air District decisions on the issuance of permits. The Air District has established, and regularly updates, a fee regulation (Air District Regulation 3: Fees) under these authorities.

The Air District has analyzed whether fees result in the collection of a sufficient and appropriate amount of revenue in comparison to the costs of related program activities. In 1999, a comprehensive review of the Air District's fee structure and revenue was completed by the firm KPMG Peat Marwick LLP (*Bay Area Air Quality Management District Cost Recovery Study, Final Report: Phase One – Evaluation of Fee Revenues and Activity Costs*, KPMG Peat Marwick LLP, February 16, 1999). This 1999 Cost Recovery Study indicated that fee revenue did not nearly offset the full costs of program activities associated with sources subject to fees as authorized by State law. Property tax revenue (and in some years, reserve funds) had been used to close this cost recovery gap.

The Air District Board of Directors adopted an across-the-board fee increase of 15 percent, the maximum allowed by State law for permit fees, for FYE 2000 as a step toward

more complete cost recovery. The Air District also implemented a detailed employee time accounting system to improve the ability to track costs by program activities moving forward. In each of the next five years, the Air District adjusted fees only to account for inflation (with the exception of FYE 2005, in which the Air District also approved further increases in Title V permit fees and a new permit renewal processing fee).

In 2004, the Air District funded an updated Cost Recovery Study. The accounting firm Stonefield Josephson, Inc. completed this study in March 2005 (*Bay Area Air Quality Management District Cost Recovery Study, Final Report*, Stonefield Josephson, Inc., March 30, 2005). This 2005 Cost Recovery Study indicated that a significant cost recovery gap continued to exist. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data. Finally, the contractor provided a model that could be used by Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

For the five years following the completion of the 2005 Cost Recovery Study (i.e., FYE 2006 through 2010), the Air District adopted fee amendments that increased overall projected fee revenue by an average of 8.9 percent per year. To address fee equity issues, the various fees were not all increased in a uniform manner. Rather, individual fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. In FYE 2009, the Air District's fee amendments also included a new greenhouse gas (GHG) fee schedule. The GHG fee schedule recovers costs from stationary source activities related to the Air District's Climate Protection Program. In FYE 2011, the Air District adopted an across-the-board 5 percent fee increase, except for the Title V fee schedule (Schedule P) which was increased by 10 percent (the Air District's 2010 Cost Recovery Study indicated that Fee Schedule P recovered only 46 percent of program activity costs).

In September 2010, the Air District contracted with the firm Matrix Consulting Group to complete an updated analysis of cost recovery that could be used in developing fee amendments for FYE 2012 and beyond. This study also included a review of the Air District's current cost containment strategies and provided recommendations to improve the management of the Air District's costs and the quality of services provided to stakeholders. The study was completed in March 2011 (*Cost Recovery and Containment Study, Bay Area Air Quality Management District, Final Report*, Matrix Consulting Group, March 9, 2011). The 2011 Cost Recovery and Containment Study concluded that, for FYE 2010, overall fee revenue recovered 64 percent of related program activity costs. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data and provided a methodology for Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

The results of the 2011 Cost Recovery and Containment Study were used to establish fee amendments for FYE 2012 that were designed to increase overall fee revenue by 10 percent (relative to fee revenue that would result without the fee amendments). To



address fee equity issues, the various fees were not all increased in a uniform manner. Rather, existing fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. Based on this approach, the fee rates in several fee schedules were not increased, while the fee rates in other fee schedules were increased by 10, 12, or 14 percent.

One of the recommendations made by Matrix Consulting Group in their 2011 Cost Recovery and Containment Study indicated that the Air District should consider the adoption of a Cost Recovery Policy to guide future fee amendments. Air District staff initiated a process to develop such a Policy in May 2011, and a Stakeholder Advisory Group was convened to provide input in this regard. A Cost Recovery Policy was adopted by the Air District's Board of Directors on March 7, 2012 (see Appendix B). This policy specified that the Air District should amend its fee regulation in a manner sufficient to increase overall recovery of regulatory program activity costs to a minimum of 85 percent. The policy also indicated that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

The Matrix Consulting Group was retained by the BAAQMD in September 2017 to provide a cost recovery and containment study for the fiscal year ended June 30, 2017 to update the study done in 2011. This assessment used multiple analytical tools to understand the current process for allocation of indirect costs, current cost recovery levels, and recommendations for cost recovery and savings. The primary purpose of this study was to evaluate the indirect overhead associated with the BAAQMD and the cost recovery associated with the fees charged by the BAAQMD. The project team evaluated the Air District's current programs to classify them as direct or indirect costs, as well as the time tracking data associated with each of the different fee schedules. The report also provides specific recommendations related to direct and indirect cost recovery for the BAAQMD, as well as, potential cost efficiencies.

Staff has updated the cost recovery analysis for the most recently completed fiscal year (FYE 2019) using the methodology established by Matrix Consulting Group. The 2020 Cost Recovery Study indicates that the overall cost recovery rate for FYE 2019 was 86 percent, although as the Air District tries to fill its vacancies, the cost recovery will go down. Progress towards the 85% minimum target is reported to the Board annually by staff and is periodically reviewed by outside consultants.

### **3. PROPOSED FEE AMENDMENTS FOR FYE 2020**

#### **3.1 PROPOSED RULE AMENDMENTS**

The complete text of the proposed changes to Air District Regulation 3: Fees, has been prepared in strikethrough (deletion of existing text) and underline (new text) format, and is included in Appendix C. Proposed fee increases have been rounded to the nearest

whole dollar.

### **AB 617 Community Health Impact Fees for Title V Facilities:**

In the implementation of AB 617 (C. Garcia, Chapter 136, Statutes of 2017), the Air District's Community Health Protection Program works with Bay Area communities to improve community health by reducing exposure to air pollutants in neighborhoods most impacted by air pollution. Air District staff are working closely with the California Air Resources Board (CARB), other local air districts, community groups, community members, environmental organizations, regulated industries, and other key stakeholders to reduce harmful air pollutants. A new community health impact fee is proposed to help recover costs of program implementation.

CARB provides funding to the air districts for the implementation of AB 617. Currently, the funds provided do not cover the entire cost of program implementation. Costs for the implementation of AB 617 may be split into three different types. The first of these are fee recoverable activities, such as rule development of stationary sources, CTR or inventory reporting of stationary sources, and compliance and enforcement of stationary sources. The second type of activities are not fee recoverable, such as community outreach and engagement, capacity building and mobile source modeling and inventory. Third, there are a number of tasks that are partially fee recoverable. Some examples of these partially fee-recoverable tasks include the following: conducting detailed, community-scale modeling, managing community steering committees, and conducting community-scale source apportionment analyses.

The Air District expects its cost for implementation of the Community Health Protection Program to be \$10 million. The partially fee recoverable work is estimated at \$8 million. In order to separate the costs of program implementation directly associated with facility emissions in the partially recoverable fee segment, the Air District looked at health impacting pollutants emitted by mobile, stationary, and area sources. Based on this analysis, permitted stationary sources contribute 26% of PM<sub>2.5</sub>, which is a primary driver of the health risk that created the need for AB 617. Therefore, the amount of directly fee recoverable work related to permitted sources should be 26% of the partially fee recoverable program costs at a minimum – ( $\$8 \text{ million} \times 0.26 = \$2.1 \text{ million}$ ). As the Air District develops more detailed facility specific health impacts for local communities through the AB617 Community Emission Reduction Program process, fees will be increased or decreased proportionally.

CARB will be funding the AB 617 program with \$9 million. Therefore, only approximately \$1 million needs to be raised to cover partially fee recoverable AB 617 activities (out of \$2.1 million).

The recommended AB 617 fee with a \$100,000 per facility owner cap charged to Title V facilities would increase fee revenues by approximately \$1.0 million and would not impact small or medium businesses which may be affected by the pandemic. Only the largest

emitters of criteria pollutants and toxic air contaminants are required to obtain federal Title V permits. AB 617 fees will be paid by these facility owners that have the most impact on air pollution in the Bay Area.

### **Other changes to Section 3-327:**

The proposed amendment will add references in Section 3-327 to Schedule W (Petroleum Refining Emissions Tracking Fees) and Schedule X (Major Stationary Source Community Air Monitoring Fees) since fees assessed during permit renewal are typically listed in this section.

### **Section 3-336: Open Burning Operation Fees**

Section 3-336 is revised to reflect recent changes to the Air District Regulation 5 Open Burning regarding prescribed burning.

### **Fee Schedules:**

#### **Schedule N: Toxic Inventory Fees**

Schedule N is to cover the costs for the California Air Resources Board's (CARB's) AB 2588 program fees as well as the Engineering Division staff required to work on the AB 2588 toxics emissions inventories, Rule 11-18 implementation costs for facility emissions review, and health risk assessments (HRAs) for facilities that are exempt from Rule 11-18. The Air District's costs for conducting New Source Review HRAs for permit applications are not fully covered by the HRA fees in the individual schedules. Schedule N covers this deficit between fee schedule HRA fees and actual costs.

Schedule N fees are spread out across all permitted facilities based on weighted emissions of toxic air contaminants. Facilities with higher emissions of toxic air contaminants are charged higher Schedule N fees. The language in Fee Schedule N (Toxic Inventory Fees) has been revised to clarify the methodology used by the Air District to calculate the facility's weighted toxic inventory.

#### **Schedule V: Open Burning**

Schedule V would not be increased, although the cost recovery methodology would have allowed a 15 percent increase. This will limit the burden on public agencies' and other entities conducting prescribed burns for wildfire prevention. The language in Schedule V was amended to reflect recent Regulation 5 amendments.

## **4. FEE REVENUE AND COSTS OF PROGRAM ACTIVITIES**

On an overall basis, the 2020 Cost Recovery Study (a copy of which is available on request) concluded that, for FYE 2019, fee revenue recovered 86.1 percent of regulatory program activity costs, with revenue of \$48.1 million and costs of \$55.9 million. This

resulted in a shortfall, or cost recovery gap, of \$7.8 million which was filled by county tax revenue. The proposed fee amendments for FYE 2021 are projected to increase overall Air District fee revenue by approximately \$1.0 million relative to fee revenue levels that would be expected without the amendments. Revenue in FYE 2021 is expected to remain below the Air District's regulatory program costs for both permitted and non-permitted sources.

For years, the Air District has implemented aggressive cost containment measures that included reducing capital expenditures and maintaining a hiring freeze that resulted in historically high staff vacancy rates. The Air District has continued to implement cost containment and efficiency-based strategies. Some of these strategies include: unfilled vacancies, timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level. The Air District is actively transitioning to the New Production System, which currently includes an on-line portal for the regulated community for high-volume categories including gas stations, dry cleaners, auto body shops, other permit registrations, and asbestos notifications. This system will be expanding to additional facility types. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents.

The Air District continues its commitment to fulfill its mission, goals and objectives, through activities which focus on core and mandated programs, fiscally conservative internal controls, long range financial planning and the development of short and long-term sustainable approaches toward achieving cleaner air to protect the public's health and the environment. However, cuts in funding such as that associated with AB617 would place severe strain on the Air District's ability to maintain current staffing levels.

In the FYE 2021 Budget, the Air District proposes several actions in addressing the current economic slowdown related to the COVID-19 pandemic. The following actions were taken to develop the FY 2021 Proposed Budget:

- No fee increases to the existing Fee Schedules
- Proposed adoption of new fee schedule for AB 617 program
- Budget 405 of the 415 Full Time Equivalent (FTE) positions
- No increase to Services and Supplies budget for District programs
- Delay building improvements to the Richmond Office
- Continue to address unfunded liabilities
- Use of \$5.2 million of reserves to balance the budget

Currently, the Air District authorized staffing level is 415 FTEs, an increase of 10 FTEs over the FYE 2020 original budget. During December 2019, the Board approved 10 additional FTEs to continue the work related to AB617, as well as, restore and maintain core programs of the Air District. However, given the current fiscal outlook, the budget

proposes funding and filling 405 of the 415; projecting a 2% vacancy savings of \$1.5 million.

The Air District's five-year projections anticipate revenue is insufficient to meet projected expenditures. Appendix F of the Air District's Proposed Budget for FYE 2021 provides a General Fund Five-Year Projection. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budget. If the economic slowdown remains or worsens, the forecast assumes the Air District will fall below its 20% reserve policy by FYE 2024, with the assumption that AB617 funding from the state of California persists. If the AB617 funding does not persist, severe strain will be placed on the Air District's ability to maintain current staffing levels. While there is a healthy reserve to address the current fiscal challenges for the upcoming budget year, the Air District must be fiscally prudent with its reserves to weather a potential long-term economic recovery. The Air District's annual obligation, premiums in employee health benefits, pension costs and OPEB obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2019 actuarial valuation study for OPEB, the Air District's plan is approximately 75% funded; leaving an unfunded liability of 25% or \$18.4 million. As a part of the FYE 2016 Budget, the Board adopted a minimum OPEB funding target policy of 90%. The FYE 2021 Budget includes the continuation of this funding with a \$4.0 million contribution.

The Air District's pension obligation is also growing, especially with recent changes in actuarial assumptions by CalPERS. As a result, CalPERS anticipates increased employer rates over the next 5 years. Based on the June 30, 2018 CalPERS actuarial valuation study, the Air District is currently funded at approximately 74%; leaving an unfunded liability of 26% or approximately \$86 million. Given these potential impacts, the FYE 2021 Budget includes continuation of \$1.0 million in discretionary contributions, which will be used for the sole purpose of reducing the unfunded liability to minimize the impact of future rate increases for the Air District.

## **5. STATUTORY AUTHORITY FOR PROPOSED FEE INCREASES**

The Air District is a regional regulatory agency, and its fees are used to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District's fees fall into the category specified in Section 1(e) of Article XIII C of the California Constitution which specifies that charges of this type assessed to regulated entities to recover regulatory program activity costs are not taxes. The amount of fee revenue collected by the Air District has been clearly shown to be much less than the costs of the Air District's regulatory program activities both for permitted and non-permitted sources.

The Air District's fee regulation, with its various fee schedules, is used to allocate regulatory program costs to fee payers in a manner which bears a fair or reasonable relationship to the payer's burden on, or benefits received from, regulatory activities.

Permit fees are based on the type and size of the source being regulated, with minimum and maximum fees being set in recognition of the practical limits to regulatory costs that exist based on source size. Add-on fees are used to allocate costs of specific regulatory requirements that apply to some sources but not others (e.g., health risk screening fees, public notification fees, alternative compliance plan fees). Emissions-based fees are used to allocate costs of regulatory activities not reasonably identifiable with specific fee payers.

Since 2006, the Air District has used annual analyses of cost recovery performed at the fee-schedule level, which is based on data collected from a labor-tracking system, to adjust fees. These adjustments are needed as the Air District's regulatory program activities change over time based on changes in statutes, rules and regulations, enforcement priorities, and other factors.

State law authorizes air districts to adopt fee schedules to cover the costs of various air pollution programs. California Health and Safety Code (H&S Code) section 42311(a) provides authority for an air district to collect permit fees to cover the costs of air district programs related to permitted stationary sources. H&S Code section 42311(f) further authorizes the Air District to assess additional permit fees to cover the costs of programs related to toxic air contaminants. H&S Code section 41512.7(b) limits the allowable percentage increase in fees for authorities to construct and permits to operate to 15 percent per year.

H&S Code section 44380(a) authorizes air districts to adopt a fee schedule that recovers the costs to the air district and State agencies of the Air Toxics Hot Spots Program (AB 2588). The section provides the authority for the Air District to collect toxic inventory fees under Schedule N.

H&S Code section 42311(h) authorizes air districts to adopt a schedule of fees to cover the reasonable costs of the Hearing Board incurred as a result of appeals from air district decisions on the issuance of permits. Section 42364(a) provides similar authority to collect fees for the filing of applications for variances or to revoke or modify variances. These sections provide the authority for the Air District to collect Hearing Board fees under Schedule A.

H&S Code section 42311(g) authorizes air districts to adopt a schedule of fees to be assessed on area-wide or indirect sources of emissions, which are regulated but for which permits are not issued by the air district, to recover the costs of air district programs related to these sources. This section provides the authority for the Air District to collect asbestos fees (including fees for Naturally Occurring Asbestos operations), soil excavation reporting fees, registration fees for various types of regulated equipment, for Indirect Source Review, and fees for open burning.

The proposed fee amendments are in accordance with all applicable authorities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the

Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. Permit fee revenue (after adoption of the proposed amendments) would still be well below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted area wide sources would be below the Air District's costs of regulatory programs related to these sources. Hearing Board fee revenue would be below the Air District's costs associated with Hearing Board activities related to variances and permit appeals. Fee increases for authorities to construct and permits to operate would be less than 15 percent per year.

## **6. ASSOCIATED IMPACTS AND OTHER RULE DEVELOPMENT REQUIREMENTS**

### **6.1 EMISSIONS IMPACTS**

There will be no direct change in air emissions as a result of the proposed amendments.

### **6.2 ECONOMIC IMPACTS**

The Air District must, in some cases, consider the socioeconomic impacts and incremental costs of proposed rules or amendments. Section 40728.5(a) of the California H&S Code requires that socioeconomic impacts be analyzed whenever an air district proposes the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations. The proposed fee amendments will not significantly affect air quality or emissions limitations, and so a socioeconomic impact analysis is not required.

Section 40920.6 of the H&S Code specifies that an air district is required to perform an incremental cost analysis for a proposed rule, if the purpose of the rule is to meet the requirement for best available retrofit control technology or for a feasible measure. The proposed fee amendments are not best available retrofit control technology requirements, nor are they a feasible measure required under the California Clean Air Act; therefore, an incremental cost analysis is not required.

The proposed fee amendments are not expected to have any financial impact on small businesses because the only fees proposed apply to Title V facilities, which are all categorized as large facilities.

For larger facilities, such as refineries and power plants, increases in annual permit renewal fees would cover a range due to differences in the facility's size, mix of emission sources, pollutant emission rates and applicable fee schedules. As shown in Table 1, the FYE 2021 annual permit fee increase for the five Bay Area refineries would range from approximately 2.7 to 5.2 percent. The annual permit fee increases for power generating facilities shown in Table 2 would be 5.7 percent.

The annual permit fee increases for landfills, wastewater treatment facilities, and all the other Title V facilities would also be 5.7 percent, since it is projected that the \$100,000

maximum cap on the proposed AB 617 fees will only apply to the five largest facilities, the refineries. Projected FYE 2021 fee increases are based on FYE 2020 material throughput data. Tables 1 and 2 also include current Permit to Operate fees paid and historical annual fee increases.

**Table 1. Refinery Permit to Operate Fee Comparison**

Facility Owner	Last Renewal Fee	Projected AB 617 Fee w/ Cap	2021 Projected Fee	% Increase
Chevron	\$3,663,915	\$100,000	\$3,763,915	2.7%
Shell	\$3,538,352	\$100,000	\$3,638,352	2.8%
Phillips 66	\$2,604,273	\$100,000	\$2,704,273	3.8%
Valero	\$2,714,222	\$100,000	\$2,814,222	3.7%
Tesoro	\$2,905,005	\$100,000	\$3,005,005	3.4%

**Table 2. Power Plant Permit to Operate Fee Comparison**

	Annual % Permit Fee Increase/Decrease (Fiscal Year Ending)					2020 Permit Fee
	2017	2018	2019	2020	2021 Projected	
Delta Energy	-0.8	-7.0	-13.5	5.8	5.7	\$ 460,000
Los Medanos	-6.0	7.3	15.0	6.9	5.7	\$ 400,000
Gateway	8.5	-7.6	12.0	6.0	5.7	\$ 360,000
Crockett Cogen	0.8	2.5	0	5.8	5.7	\$ 240,000

### 6.3 ENVIRONMENTAL IMPACTS

The California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., and the CEQA Guidelines, 14 CCR 15000 et seq., require a government agency that undertakes or approves a discretionary project to prepare documentation addressing the potential impacts of that project on all environmental media. Certain types of agency actions are, however, exempt from CEQA requirements. The proposed fee amendments



are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines, which state: "CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies...." (See also Public Resources Code Section 21080(b) (8)).

Section 40727.2 of the H&S Code imposes requirements on the adoption, amendment, or repeal of air district regulations. It requires an air district to identify existing federal and air district air pollution control requirements for the equipment or source type affected by the proposed change in air district rules. The air district must then note any differences between these existing requirements and the requirements imposed by the proposed change. This fee proposal does not impose a new standard, make an existing standard more stringent, or impose new or more stringent administrative requirements. Therefore, section 40727.2 of the H&S Code does not apply.

#### **6.4 STATUTORY FINDINGS**

Pursuant to H&S Code section 40727, regulatory amendments must meet findings of necessity, authority, clarity, consistency, non-duplication, and reference. The proposed amendments to Regulation 3:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

#### **7. RULE DEVELOPMENT PROCESS**

In response to comments received during the FYE 2020 Budget and Fee Regulation Amendments process, on September 20, 2019, the Air District established a Budget Advisory Group, which is made up of the following members: Air District Finance, Engineering, and Legal staff, and representatives from the California Council of Environmental and Economic Balance and the Western States Petroleum Association. The Budget Advisory Group was formed to promote greater participation and input in the annual Budget and Fee Regulation Amendments process. The Budget Advisory Group has met at the Air District offices on January 27, 2020 and March 16, 2020.

On February 3, 2020, the Air District issued a notice for a public workshop to discuss with interested parties an initial proposal to amend Regulation 3, Fees. Distribution of this

notice included all Air District-permitted and registered facilities, asbestos contractors, and a number of other potentially interested stakeholders. The notice was also posted on the Air District website. A public workshop and simultaneous webcast were held on February 18, 2020 to discuss the initial Regulation 3 fee proposal.

On March 25, 2020 Air District staff provided a briefing on the proposed fee amendments to the Air District Board of Directors' Budget and Finance Committee.

Under H&S Code section 41512.5, the adoption or revision of fees for non-permitted sources requires two public hearings that are held at least 30 days apart from one another. This provision applies to Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees, and Schedule V: Open Burning. A Public Hearing Notice for the proposed Regulation 3 was published on March 12, 2020 and posted on the Air District website. An initial public hearing to consider testimony on the proposed amendments was held on April 15, 2020. The proposed amendments were further discussed at the April 22, 29, and May 20, 2020 Budget & Finance Committee meetings. Written public hearing comments were due by May 8, 2020. A second public hearing, to consider adoption of the proposed fee amendments, has been scheduled for June 3, 2020, or as soon thereafter as the matter may be heard. If adopted, the amendments would be made effective on July 1, 2020.

## **8. PUBLIC COMMENTS**

### **8.1 Public Workshop/Budget & Finance Committee Meeting Comments – Regulation 3, Fees**

The Air District held a public workshop on February 18, 2020 to discuss draft amendments to Regulation 3: Fees. There were four attendees plus the webcast audience. The Air District also held Budget and Finance Committee Meetings on March 25, 2020, April 22, 2020, April 29, 2020, and May 20, 2020 to discuss the proposed fee regulation amendments. Oral comments received at these meetings included testimony about certain fee schedule expenditures and general requests for increased transparency of Air District expenditures. Written comments were received on the Regulation 3, Fees proposal as follows:

#### WSPA Comments dated March 20, 2020

Comments and responses are posted at <http://www.baaqmd.gov/reg3>.

#### CCEEB Comments dated March 20, 2020

Comments and responses are posted at <http://www.baaqmd.gov/reg3>.

### **8.2 Public Hearing Comments – Regulation 3, Fees**

Comments and responses are posted at <http://www.baaqmd.gov/reg3>.

## **9. CONCLUSIONS**

Air District staff finds that the proposed fee amendments meet the findings of necessity, authority, clarity, consistency, non-duplication and reference specified in H&S Code section 40727. The proposed amendments:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

The proposed fee amendments will be used by the Air District to recover the costs of regulatory activities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. After adoption of the proposed amendments, permit fee revenue would still be below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted sources would be below the Air District's costs of regulatory programs related to these sources. Fee increases for authorities to construct and permits to operate would not exceed 15 percent per year as required under H&S Code section 41512.7. The proposed amendments to Regulation 3 are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

#### **APPENDIX A PRE-PANDEMIC DRAFT STAFF REPORT**



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **DRAFT STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

**April 17, 2020**

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## 1. EXECUTIVE SUMMARY

Air District staff has prepared proposed amendments to Air District Regulation 3: Fees for Fiscal Year Ending (FYE) 2021 (i.e., July 1, 2020 to June 30, 2021) that would increase revenue to enable the Bay Area Air Quality Management District (Air District) to continue to effectively implement and enforce regulatory programs for stationary sources of air pollution. The proposed fee amendments for FYE 2021 are consistent with the Air District's Cost Recovery Policy, which was adopted on March 7, 2012 by the Air District's Board of Directors (see Appendix A). This policy stated that the Air District should amend its fee regulation in a manner sufficient to increase overall recovery of regulatory program activity costs to achieve a minimum of 85 percent. The policy also indicates that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

A recently completed 2020 Cost Recovery Study (a copy of which is available on request) shows that for the most-recently completed fiscal year (FYE 2019), fee revenue recovered 86 percent of program activity costs. Cost recovery will decrease going forward as the Air District fills its vacancies.

Over the past several years, the Air District has continued to implement cost containment and efficiency-based strategies. Some of these strategies include: unfilled vacancies, timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level. The Air District is actively transitioning to the New Production System, which currently includes an on-line portal for the regulated community for high-volume categories including gas stations, dry cleaners, auto body shops, other permit registrations, and asbestos notifications. This system is expanding to additional facility types. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents. Future projections anticipate adequate revenue to meet projected expenditures with the assumption of continued attention to cost and permit fee analysis. The Air District continues to be fiscally prudent by maintaining its reserves. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets.

The results of the 2020 Cost Recovery Study (including FYE 2017-2019 data) were used to establish proposed fee amendments for each existing fee schedule based on the degree to which existing fee revenue recovers the regulatory program activity costs associated with the schedule. Based on this approach, the fee rates in certain fee schedules would be raised by the annual increase in the Bay Area Consumer Price Index (3.1%), while other fee schedules would be increased by 7, 8, 9, or 15 percent. Several fees that are administrative in nature (e.g. permit application filing fees and permit renewal processing fees) would be increased by 3.1 percent.

The proposed fee amendments would not increase annual permit renewal fees for most small businesses that require Air District permits, with the exception of gas stations (e.g., a typical gas station would have an increase of \$48 in annual permit renewal fees), auto body shops, which would have an increase of \$91, and facilities with backup generators, which would have an increase of \$61 per engine. For larger facilities, increases in annual permit renewal fees would range between 8.5 and 13.1 percent due to differences in the facility's size, type of emission sources, pollutant emission rates and applicable fee schedules. In accordance with State law, the Air District's amendments to Regulation 3 cannot cause an increase in overall permit fees for any facility by more than 15 percent in any calendar year. The proposed fee amendments would increase overall Air District fee revenue in FYE 2021 by approximately \$2.74 million relative to fee revenue that would be expected without the amendments.

The Board of Directors received testimony on April 15, 2020 regarding the proposed amendments to Regulation 3: Fees. Air District staff recommends that the Board of Directors consider adoption of the proposed amendments to Regulation 3: Fees with an effective date of July 1, 2020, and approve the filing of a CEQA Notice of Exemption following the 2<sup>nd</sup> public hearing scheduled to consider this matter on June 3, 2020.

## **2. BACKGROUND**

State law authorizes the Air District to assess fees to generate revenue to recover the reasonable costs of regulatory program activities for stationary sources of air pollution. The largest portion of Air District fees is collected under provisions that allow the Air District to impose permit fees sufficient to recover the costs of program activities related to permitted sources. The Air District is also authorized to assess fees for: (1) area-wide or indirect sources of emissions which are regulated, but for which permits are not issued by the Air District, (2) sources subject to the requirements of the State Air Toxics Hot Spots Program (Assembly Bill 2588), and (3) activities related to the Air District's Hearing Board involving variances or appeals from Air District decisions on the issuance of permits. The Air District has established, and regularly updates, a fee regulation (Air District Regulation 3: Fees) under these authorities.

The Air District has analyzed whether fees result in the collection of a sufficient and appropriate amount of revenue in comparison to the costs of related program activities. In 1999, a comprehensive review of the Air District's fee structure and revenue was completed by the firm KPMG Peat Marwick LLP (*Bay Area Air Quality Management District Cost Recovery Study, Final Report: Phase One – Evaluation of Fee Revenues and Activity Costs*, KPMG Peat Marwick LLP, February 16, 1999). This 1999 Cost Recovery Study indicated that fee revenue did not nearly offset the full costs of program activities associated with sources subject to fees as authorized by State law. Property tax revenue (and in some years, reserve funds) had been used to close this cost recovery gap.

The Air District Board of Directors adopted an across-the-board fee increase of 15 percent, the maximum allowed by State law for permit fees, for FYE 2000 as a step toward



more complete cost recovery. The Air District also implemented a detailed employee time accounting system to improve the ability to track costs by program activities moving forward. In each of the next five years, the Air District adjusted fees only to account for inflation (with the exception of FYE 2005, in which the Air District also approved further increases in Title V permit fees and a new permit renewal processing fee).

In 2004, the Air District funded an updated Cost Recovery Study. The accounting firm Stonefield Josephson, Inc. completed this study in March 2005 (*Bay Area Air Quality Management District Cost Recovery Study, Final Report*, Stonefield Josephson, Inc., March 30, 2005). This 2005 Cost Recovery Study indicated that a significant cost recovery gap continued to exist. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data. Finally, the contractor provided a model that could be used by Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

For the five years following the completion of the 2005 Cost Recovery Study (i.e., FYE 2006 through 2010), the Air District adopted fee amendments that increased overall projected fee revenue by an average of 8.9 percent per year. To address fee equity issues, the various fees were not all increased in a uniform manner. Rather, individual fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. In FYE 2009, the Air District's fee amendments also included a new greenhouse gas (GHG) fee schedule. The GHG fee schedule recovers costs from stationary source activities related to the Air District's Climate Protection Program. In FYE 2011, the Air District adopted an across-the-board 5 percent fee increase, except for the Title V fee schedule (Schedule P) which was increased by 10 percent (the Air District's 2010 Cost Recovery Study indicated that Fee Schedule P recovered only 46 percent of program activity costs).

In September 2010, the Air District contracted with the firm Matrix Consulting Group to complete an updated analysis of cost recovery that could be used in developing fee amendments for FYE 2012 and beyond. This study also included a review of the Air District's current cost containment strategies and provided recommendations to improve the management of the Air District's costs and the quality of services provided to stakeholders. The study was completed in March 2011 (*Cost Recovery and Containment Study, Bay Area Air Quality Management District, Final Report*, Matrix Consulting Group, March 9, 2011). The 2011 Cost Recovery and Containment Study concluded that, for FYE 2010, overall fee revenue recovered 64 percent of related program activity costs. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data and provided a methodology for Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

The results of the 2011 Cost Recovery and Containment Study were used to establish fee amendments for FYE 2012 that were designed to increase overall fee revenue by 10 percent (relative to fee revenue that would result without the fee amendments). To

address fee equity issues, the various fees were not all increased in a uniform manner. Rather, existing fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. Based on this approach, the fee rates in several fee schedules were not increased, while the fee rates in other fee schedules were increased by 10, 12, or 14 percent.

One of the recommendations made by Matrix Consulting Group in their 2011 Cost Recovery and Containment Study indicated that the Air District should consider the adoption of a Cost Recovery Policy to guide future fee amendments. Air District staff initiated a process to develop such a Policy in May 2011, and a Stakeholder Advisory Group was convened to provide input in this regard. A Cost Recovery Policy was adopted by the Air District's Board of Directors on March 7, 2012 (see Appendix A). This policy specified that the Air District should amend its fee regulation in a manner sufficient to increase overall recovery of regulatory program activity costs to a minimum of 85 percent. The policy also indicated that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

The Matrix Consulting Group was retained by the BAAQMD in September 2017 to provide a cost recovery and containment study for the fiscal year ended June 30, 2017 to update the study done in 2011. This assessment used multiple analytical tools to understand the current process for allocation of indirect costs, current cost recovery levels, and recommendations for cost recovery and savings. The primary purpose of this study was to evaluate the indirect overhead associated with the BAAQMD and the cost recovery associated with the fees charged by the BAAQMD. The project team evaluated the Air District's current programs to classify them as direct or indirect costs, as well as the time tracking data associated with each of the different fee schedules. The report also provides specific recommendations related to direct and indirect cost recovery for the BAAQMD, as well as, potential cost efficiencies.

Staff has updated the cost recovery analysis for the most recently completed fiscal year (FYE 2019) using the methodology established by Matrix Consulting Group. The 2020 Cost Recovery Study indicates that the overall cost recovery rate for FYE 2019 was 86 percent, although as the Air District tries to fill its vacancies, the cost recovery will go down. Progress towards the 85% minimum target is reported to the Board annually by staff and is periodically reviewed by outside consultants.

### **3. PROPOSED FEE AMENDMENTS FOR FYE 2020**

#### **3.1 OVERVIEW OF PROPOSED AMENDMENTS**

A 2020 cost recovery study was used to establish proposed fee amendments for existing fee schedules based on the degree to which existing fee revenue recovers the activity costs associated with the schedule. Based on this approach, the fee rates in certain fee

schedules would be increased by 7, 8, 9, or 15 percent. Other fee schedules would be raised by 3.1%, the annual increase from 2018 to 2019 in the Bay Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) as reported by the United States Bureau of Labor Statistics. The specific basis for these proposed fee amendments is summarized in Table 1 as follows:

**Table 1. Proposed Fee Changes Based on Cost Recovery by Fee Schedule**

Revenue from Fee Schedule	Change in Fees	Fee Schedules
95 – 110% of costs	3.1% increase*	B, D, E, F, M
85 – 94% of costs	7% increase	G3, P
75-84% of costs	8% increase	T
50-74% of costs	9% increase	G2, H, I, N
Less than 50% of costs	15% increase*	A, G1, G4, K, S, W

\*2018 Matrix Consulting Group Cost Recovery & Containment Study recommendations.

**Note:** For Schedules D and E, a 3.1% increase is proposed, although cost recovery would have allowed a 7 to 9% increase. Schedule D covers gas stations and Schedule E covers autobody shops, and many are small businesses. Schedule D had 89% cost recovery and Schedule E had 72% cost recovery from FYE 2017 to 2019.

In addition to the proposed amendments to fee schedules, Air District staff is proposing to increase several administrative fees that appear in the Standards section of Regulation 3 by 3.1 percent. This includes permit application filing fees and permit renewal processing fees. Existing permit fees are well below the point of full cost recovery, and these fee increases are proposed to help the Air District reduce its cost recovery gap.

### 3.2 PROPOSED RULE AMENDMENTS

The complete text of the proposed changes to Air District Regulation 3: Fees, has been prepared in strikethrough (deletion of existing text) and underline (new text) format, and is included in Appendix B. Proposed fee increases have been rounded to the nearest whole dollar.

- Section 3-302: Fees for New and Modified Sources

The proposed amendment to Section 3-302 is a 3.1 percent increase in the filing fee for permit applications for new/modified sources and abatement devices, from \$508 to \$524 based on the CPI-W.

- Section 3-302.3: Fees for Abatement Devices

The proposed amendment to Section 3-302.3 is a 3.1 percent increase (based on the CPI-W) in the filing fee, from \$508 to \$524, and the not to exceed value of \$10,588 was not increased.

- Section 3-311: Emission Banking Fees

The proposed amendment to Section 3-311 is a 3.1 percent increase (based on the CPI-W) in the filing fee for banking applications, from \$508 to \$524.

- Section 3-312: Emission Caps and Alternative Compliance Plans

The proposed amendment to Section 3-312.2 is a 3.1 percent increase (based on the CPI-W) in the annual fees for Alternative Compliance Plans (ACPs) from \$1,286 to \$1,326 for each source in the ACP, with the not-to-exceed amount increase from \$12,860 to \$13,259.

- Section 3-320: Toxic Inventory Fees

The proposed amendment to Section 3-320 is a 3.1 percent increase (based on the CPI-W) from \$10,056 to \$10,368, which specifies the maximum fee for small businesses in Schedule N.

### **Criteria Pollutant and Toxics Emissions Reporting Regulation Fees:**

As part of Assembly Bill 617 (AB 617), the California Air Resources Board (CARB) recently adopted the Criteria and Toxics Reporting (CTR) Regulation for the reporting of criteria air pollutants and toxic air contaminants for stationary sources. To learn more about the CTR Regulation, visit <https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting>. In order to cover the implementation and on-going costs associated with these new requirements, the Air District is proposing a new fee for each facility subject to the CTR Regulation. CTR reporting fees would be charged during permit renewal.

The Air District is tasked with implementing the CTR Regulation in the Bay Area and estimates the following costs. Eight (8) full-time employees would be needed for this work: Six (6) in Engineering, one (1) in Information Technology, and one (1) in Compliance & Enforcement (C&E) to design, program, implement, and maintain the changes necessary to comply with the new CARB reporting requirements for permitted sources. Air District staff estimated this need considering both initial costs and on-going costs.

The analysis concluded that for the first year, three (3) engineers and one (1) programmer would be required to design & redesign data systems, change data management practices, and modify current business processes in order to compress the work of

updating the inventory over 12-months into a 5-month time period. The Air District will need to redesign and supplement the current annual data request process which is part of the current permit renewal process to obtain additional information required by the CTR Regulation. Air District staff also need to integrate new CTR reporting elements and format. Work to notify and assist facilities with these new requirements is factored into implementation.

Air District staff will also work with the other air districts, the California Air Pollution Control Officers Association, and industry to develop uniform emissions inventory guidelines to be used for reporting emissions to the state. Implementation of these guidelines may require extensive programming to add new or modify emission factors and or emission calculation methodologies into the data systems.

Total salary and benefits costs are estimated to be:

Four Air Quality Engineer II's at \$180/hour,  $4 \times \$180/\text{hour} \times 2,080 \text{ hours} = \$1,497,600$

One Programmer Analyst II at \$160/hour,  $\$160/\text{hour} \times 2,080 \text{ hours} = \$332,800$

One C&E Air Quality Specialist II at \$172/hour,  $\$172/\text{hour} \times 2,080 \text{ hours} = \$357,760$

Total estimated costs = \$2,188,160

Starting year two, an additional staff of three (3) from Engineering and one (1) from C&E will be needed to conduct extensive outreach to help the smaller facilities and small businesses comply with the CTR Regulation. Long term, all of the staff we are basing the fee on will be required for quality control and assurance, inventory entry and to ensure compliance. The Air District expects all permitted facilities to be subject to the CTR Regulation after CARB amends the regulation by the end of calendar year 2020.

Air District staff is proposing the tiered fees in the table below.

<b>Number of Permitted Sources per Facility</b>	<b>\$ per Permitted Source*</b>
1 to 4	25
5 to 9	75
10 to 14	150
15 to 19	200
20 to 24	250
25 and greater	300

\*The maximum CTR fee will be capped at \$50,000 per year.

Fees proposed are based on the number of sources at each facility, since the costs are commensurate with the number of sources at each facility. In general, the complexity of the facility and sources increases with an increasing number of sources at a facility. Complex sources require additional review and validation of emissions and emission trains for both criteria air pollutants and toxic air contaminants. Several complex facilities are required to install continuous emissions monitors (CEMs) to monitor pollutants and are required to perform annual source tests to determine emissions of different pollutants on many different sources. Thousands of data points from these CEMS must be verified and reviewed to verify emissions. Each source test must also be reviewed to determine source specific emission factors for the sources at the facility. These checks take additional time for both review and entry into the data system. Additional time is also required by our Planning department to prepare the larger facility inventories for submittal to CARB.

Smaller and less complex facilities are anticipated to only require validation and entry of activity levels of the facility. For these facilities, the application of emission factors will be used to determine emissions. However, if smaller and/or less complex facilities provide emission estimates or other data in addition to activity that require both Air District review and validation and entry into Air District systems, additional costs will be incurred. If this occurs, these costs may be recuperated within future revisions of Regulation 3.

### **AB 617 Community Health Impact Fees:**

In the implementation of AB 617 (C. Garcia, Chapter 136, Statutes of 2017), the Air District's Community Health Protection Program works with Bay Area communities to improve community health by reducing exposure to air pollutants in neighborhoods most impacted by air pollution. Air District staff are working closely with the California Air Resources Board (CARB), other local air districts, community groups, community members, environmental organizations, regulated industries, and other key stakeholders to reduce harmful air pollutants. A new community health impact fee is proposed to help recover costs of program implementation.

CARB provides funding to the air districts for the implementation of AB 617. Currently, the funds provided do not cover the entire cost of program implementation. Costs for the implementation of AB 617 may be split into three different types. The first of these are fee recoverable activities, such as rule development of stationary sources, CTR or inventory reporting of stationary sources, and compliance and enforcement of stationary sources. The second type of activities are not fee recoverable, such as community outreach and engagement, capacity building and mobile source modeling and inventory. . Third, there are a number of tasks that are partially fee recoverable. Some examples of these partially fee-recoverable tasks include the following: conducting detailed, community-scale modeling, managing community steering committees, and conducting community-scale source apportionment analyses.

The Air District expects its partially fee recoverable costs to be \$8 million for the Community Health Protection Program. Based on an Air District Assessment, Inventory, and Modeling section emission inventory analysis, permitted stationary sources contribute 26% of PM2.5, which is the primary driver of health risk and created the need for AB 617. . Therefore, the Air District's need is: \$8 million x 0.26 = \$2.1 million.

Because all permitted facilities or stationary sources contribute to emissions in the communities, the proposed fee would be charged to all permitted and registered facilities during permit renewal. All permitted sources create some portion of the air pollution problem in every community. It is reasonable and appropriate for the Air District to recover a portion of the costs of the Community Health Protection Program from these sources.

Based on the estimated cost of \$2.1 million, Air District staff is proposing a fee of 5.7% of each facility's total annual permit/registration renewal fees with a maximum cap of \$70,000 per year, which is projected to recover the estimated Air District costs in excess of direct funding from CARB for non-recoverable AB 617 activities.

#### **Other changes to Section 3-327:**

The proposed amendment will add references in Section 3-327 to Schedule W (Petroleum Refining Emissions Tracking Fees) and Schedule X (Major Stationary Source Community Air Monitoring Fees) since fees assessed during permit renewal are typically listed in this section. The processing fees for renewal of Permits to Operate specified in subsections 3-327.1 through 3-327.6 would be increased by 3.1 percent (based on the CPI-W).

- **Section 3-336: Open Burning Operation Fees**

Section 3-336 is revised to reflect recent changes to the Air District Regulation 5 Open Burning regarding prescribed burning.

- **Section 3-337: Exemption Fee**

The proposed amendment to Section 3-337 is a 3.1 percent increase (based on the CPI-W) in the filing fee for a certificate of exemption, from \$508 to \$524.

- **Section 3-341, Fee for Risk Reduction Plan**

Section 3-341 is revised to increase the Risk Reduction Plan submittal fees by 3.1 percent (based on the CPI-W).

- **Section 3-342, Fee for Facility-Wide Health Risk Assessment (HRA)**

Section 3-342 is revised to increase the HRA review fees by 3.1 percent (based on the CPI-W).

- Section 3-343: Fees for Air Dispersion Modeling

Section 3-343 is revised to increase the hourly charges for air dispersion modeling by 3.1 percent (based on the CPI-W) from \$213 to \$220.

### **Fee Schedules:**

#### **Schedule A: Hearing Board Fees**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule A would be increased by 15 percent. The schedules of fees for excess emissions (Schedule A: Table I) and visible emissions (Schedule A: Table II) would also be increased by 15 percent.

#### **Schedule B: Combustion of Fuel**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule B would be increased by 3.1 percent (based on the CPI-W).

#### **Schedule C: Stationary Containers for the Storage of Organic Liquids**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule C would not be increased, except for the base fee for a health risk assessment for a source covered by Schedule C, which would be increased by 3.1 percent from \$508 to \$524.

#### **Schedule D: Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals**

A 3.1 percent increase is proposed, although the cost recovery methodology would have allowed a 7% increase, except for the base fee for a health risk assessment for a source covered by Schedule D, which would be increased by 3.1 percent from \$508 to \$524. Schedule D covers gasoline stations and many are considered small businesses.

#### **Schedule E: Solvent Evaporating Sources**

A 3.1 percent increase is proposed, although the cost recovery methodology would have allowed a 9% increase, except for the base fee for a health risk assessment for a source covered by Schedule E, which would be increased by 3.1 percent from \$508 to \$524. Schedule E covers a wide range of coating operations, including auto body shops, which can be small businesses.



#### Schedule F: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule F would be increased by 3.1 percent. The base fee for a health risk screening analysis for a source covered by Schedule F would be increased by 3.1 percent, from \$508 to \$524. The base fee for a health risk screening analysis in Schedule F is included in the risk assessment fee (RAF) for the first toxic air contaminant (TAC) source in the application.

#### Schedule G-1: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-1 would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-1, which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-1 is included in the RAF for the first TAC source in the application.

#### Schedule G-2: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-2 would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-2 which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-2 is included in the RAF for the first TAC source in the application.

#### Schedule G-3: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-3 would be increased by 7 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-3, which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-3 is included in the RAF for the first TAC source in the application.

#### Schedule G-4: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-4 would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-4, which would be increased by 3.1 percent from \$508 to \$524. The base fee for a health risk screening analysis in Schedule G-4 is included in the RAF for the first TAC source in the application.

#### Schedule G-5: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-5 would not be increased.

### Schedule H: Semiconductor and Related Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule H would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule H, which would be increased by 3.1 percent from \$508 to \$524.

### Schedule I: Dry Cleaners

Based on the cost recovery methodology listed in Table 1, the fees in Schedule I would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule I, which would be increased by 3.1 percent from \$508 to \$524.

### Schedule K: Solid Waste Disposal Sites

Based on the cost recovery methodology listed in Table 1, the fees in Schedule K would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule K, which would be increased by 3.1 percent from \$508 to \$524.

### Schedule L: Asbestos Operations

Based on the cost recovery methodology listed in Table 1, the fees in Schedule L would not be increased.

### Schedule M: Major Stationary Source Fees

Schedule M is an emissions-based fee schedule that applies to various permitted facilities emitting 50 tons per year or more of organic compounds, sulfur oxides, nitrogen oxides, and/or PM<sub>10</sub>. Air District staff is proposing a 3.1 percent increase in the Schedule M fee rate based on the annual increase in the Bay Area Consumer Price Index.

### Schedule N: Toxic Inventory Fees

Schedule N is to cover the costs for the California Air Resources Board's (CARB's) AB 2588 program fees as well as the Engineering Division staff required to work on the AB 2588 toxics emissions inventories, Rule 11-18 implementation costs for facility emissions review, and health risk assessments (HRAs) for facilities that are exempt from Rule 11-18. The Air District's costs for conducting New Source Review HRAs for permit applications are not fully covered by the HRA fees in the individual schedules. Schedule N covers this deficit between fee schedule HRA fees and actual costs.

Schedule N fees are spread out across all permitted facilities based on weighted emissions of toxic air contaminants. Facilities with higher emissions of toxic air contaminants are charged higher Schedule N fees. The language in Fee Schedule N

(Toxic Inventory Fees) has been revised to clarify the methodology used by the Air District to calculate the facility's weighted toxic inventory.

#### Schedule P: Major Facility Review Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule P would be increased by 7 percent.

#### Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks

The fees in Schedule Q would not be increased since the Air District does not currently assess this fee.

#### Schedule R: Equipment Registration Fees

The fees in Schedule R would not be increased. Many of these facilities subject to equipment registration requirements are small businesses.

#### Schedule S: Naturally Occurring Asbestos Operations

Based on the cost recovery methodology listed in Table 1, the fees in Schedule S would be increased by 15 percent.

#### Schedule T: Greenhouse Gas Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule T would be increased by 8 percent.

#### Schedule U: Indirect Source Review Fees

The fees in Schedule U would not be increased since the Air District does not currently assess this fee.

#### Schedule V: Open Burning

Schedule V would not be increased, although the cost recovery methodology would have allowed a 15 percent. This will limit the burden on public agencies' and other entities conducting prescribed burns for wildfire prevention. The language in Schedule V was amended to reflect recent Regulation 5 amendments.

#### Schedule W: Petroleum Refining Emissions Tracking Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule W would be increased by 15 percent. Schedule W was based on estimated staff costs to review and approve the refinery emission inventories and crude slate information. However, the

first sets of inventories received were significantly more complex than anticipated and the Air District spent additional time and effort verifying emissions from the sources with the largest emissions than what was originally estimated when Schedule W was adopted. With each successive set of inventories, staff has continued concentration and verification of additional source categories. In addition, engineering staff have been updating and revising the Refinery Emissions Inventory Guidelines and working on the heavy liquid fugitive components study. These efforts were not envisioned at the time of the fee's introduction.

### Schedule X: Major Stationary Source Community Air Monitoring Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule X would not be increased.

## **5. FEE REVENUE AND COSTS OF PROGRAM ACTIVITIES**

On an overall basis, the 2020 Cost Recovery Study (a copy of which is available on request) concluded that, for FYE 2019, fee revenue recovered 86.1 percent of regulatory program activity costs, with revenue of \$48.1 million and costs of \$55.9 million. This resulted in a shortfall, or cost recovery gap, of \$7.8 million which was filled by county tax revenue. The proposed fee amendments for FYE 2021 are projected to increase overall Air District fee revenue by approximately \$2.52 million relative to fee revenue levels that would be expected without the amendments. Revenue in FYE 2021 is expected to remain below the Air District's regulatory program costs for both permitted and non-permitted sources.

For years, the Air District has implemented aggressive cost containment measures that included reducing capital expenditures and maintaining a hiring freeze that resulted in historically high staff vacancy rates.

In the FYE 2020 Budget, the Air District proposes to fill 410 Full Time Equivalent (FTE), with no increase in staffing level. Assembly Bill (AB) 617, passed by the Legislature and signed by the Governor in 2017, establishes new, comprehensive air quality planning requirements for the California Air Resources Board (CARB) and local air districts. The bill requires CARB and the Air District to engage with communities to analyze and reduce localized cumulative exposure to air pollution to improve health in the most disproportionately impacted communities. CARB and the Air District will: 1) identify impacted communities in the Bay Area; 2) develop and implement monitoring programs to better understand local air pollution sources and exposures, and; 3) develop and implement community action plans to reduce local emissions and exposures. Air District AB 617 implementation activities will cut across all divisions and will represent a major focus for the agency in FYE 2021 and beyond. Additional Air District initiatives include work on Methane Strategies, Organics Recovery and Diesel Free by '33.

Over the past several years, the Air District has continued to implement cost containment

and efficiency-based strategies. Some of these strategies include: unfilled vacancies, timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level. The Air District is actively transitioning to the New Production System, which currently includes an on-line portal for the regulated community for high-volume categories including gas stations, dry cleaners, auto body shops, other permit registrations, and asbestos notifications. This system will be expanding to additional facility types. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents.

The Air District continues to be fiscally prudent by maintaining its reserves. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets. While the increased pickup of pension costs by employees reduced the Air District's annual obligation, premiums in employee health benefit, pension costs and OPEB obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2017 actuarial valuation study for OPEB, the Air District's plan is approximately 68% funded; leaving an unfunded liability of 32% or \$19.0 million. As a part of the FYE 2016 Budget, the Board adopted a minimum OPEB funding target policy of 90%. The FYE 2020 Budget includes the continuation of this funding with a \$4.0 million contribution.

The Air District's pension obligation is also growing; especially with recent changes in actuarial assumptions by CalPERS. As a result, CalPERS anticipates increased employer rates over the next 5 years. Based on the June 30, 2017 CalPERS actuarial valuation study, the Air District is currently funded at approximately 75%; leaving an unfunded liability of 25% or approximately \$75 million. Given these potential impacts, the FYE 2020 Budget includes continuation of \$1.0 million in discretionary contributions, which will be used for the sole purpose of reducing the unfunded liability to minimize the impact of future rate increases for the Air District.

## **5. STATUTORY AUTHORITY FOR PROPOSED FEE INCREASES**

The Air District is a regional regulatory agency, and its fees are used to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District's fees fall into the category specified in Section 1(e) of Article XIII C of the California Constitution which specifies that charges of this type assessed to regulated entities to recover regulatory program activity costs are not taxes. The amount of fee revenue collected by the Air District has been clearly shown to be much less than the costs of the Air District's regulatory program activities both for permitted and non-permitted sources.

The Air District's fee regulation, with its various fee schedules, is used to allocate regulatory program costs to fee payers in a manner which bears a fair or reasonable

relationship to the payer's burden on, or benefits received from, regulatory activities. Permit fees are based on the type and size of the source being regulated, with minimum and maximum fees being set in recognition of the practical limits to regulatory costs that exist based on source size. Add-on fees are used to allocate costs of specific regulatory requirements that apply to some sources but not others (e.g., health risk screening fees, public notification fees, alternative compliance plan fees). Emissions-based fees are used to allocate costs of regulatory activities not reasonably identifiable with specific fee payers.

Since 2006, the Air District has used annual analyses of cost recovery performed at the fee-schedule level, which is based on data collected from a labor-tracking system, to adjust fees. These adjustments are needed as the Air District's regulatory program activities change over time based on changes in statutes, rules and regulations, enforcement priorities, and other factors.

State law authorizes air districts to adopt fee schedules to cover the costs of various air pollution programs. California Health and Safety Code (H&S Code) section 42311(a) provides authority for an air district to collect permit fees to cover the costs of air district programs related to permitted stationary sources. H&S Code section 42311(f) further authorizes the Air District to assess additional permit fees to cover the costs of programs related to toxic air contaminants. H&S Code section 41512.7(b) limits the allowable percentage increase in fees for authorities to construct and permits to operate to 15 percent per year.

H&S Code section 44380(a) authorizes air districts to adopt a fee schedule that recovers the costs to the air district and State agencies of the Air Toxics Hot Spots Program (AB 2588). The section provides the authority for the Air District to collect toxic inventory fees under Schedule N.

H&S Code section 42311(h) authorizes air districts to adopt a schedule of fees to cover the reasonable costs of the Hearing Board incurred as a result of appeals from air district decisions on the issuance of permits. Section 42364(a) provides similar authority to collect fees for the filing of applications for variances or to revoke or modify variances. These sections provide the authority for the Air District to collect Hearing Board fees under Schedule A.

H&S Code section 42311(g) authorizes air districts to adopt a schedule of fees to be assessed on area-wide or indirect sources of emissions, which are regulated but for which permits are not issued by the air district, to recover the costs of air district programs related to these sources. This section provides the authority for the Air District to collect asbestos fees (including fees for Naturally Occurring Asbestos operations), soil excavation reporting fees, registration fees for various types of regulated equipment, for Indirect Source Review, and fees for open burning.

The proposed fee amendments are in accordance with all applicable authorities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover

the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. Permit fee revenue (after adoption of the proposed amendments) would still be well below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted area wide sources would be below the Air District's costs of regulatory programs related to these sources. Hearing Board fee revenue would be below the Air District's costs associated with Hearing Board activities related to variances and permit appeals. Fee increases for authorities to construct and permits to operate would be less than 15 percent per year.

## **6. ASSOCIATED IMPACTS AND OTHER RULE DEVELOPMENT REQUIREMENTS**

### **6.1 EMISSIONS IMPACTS**

There will be no direct change in air emissions as a result of the proposed amendments.

### **6.2 ECONOMIC IMPACTS**

The Air District must, in some cases, consider the socioeconomic impacts and incremental costs of proposed rules or amendments. Section 40728.5(a) of the California H&S Code requires that socioeconomic impacts be analyzed whenever an air district proposes the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations. The proposed fee amendments will not significantly affect air quality or emissions limitations, and so a socioeconomic impact analysis is not required.

Section 40920.6 of the H&S Code specifies that an air district is required to perform an incremental cost analysis for a proposed rule, if the purpose of the rule is to meet the requirement for best available retrofit control technology or for a feasible measure. The proposed fee amendments are not best available retrofit control technology requirements, nor are they a feasible measure required under the California Clean Air Act; therefore, an incremental cost analysis is not required.

The financial impact of the proposed fee amendments on small businesses is expected to be minor. Many small businesses operate only one or two permitted sources, and generally pay only the minimum permit renewal fees. For the facilities shown in Table 4, increases in annual permit and registration renewal fees would be under \$100, except for a typical gasoline service station.

**Table 4. Changes in Annual Permit/Registration Renewal Fees for Typical Small Businesses**

Facility Type	Current Fees (prior to change)	Proposed Fees (post change)	Proposed Fee Increase	Proposed % Increase
Gas Station <sup>1,2</sup>	\$239	\$287	\$48	20%
Dry Cleaner (registered) <sup>1</sup>	\$259	\$274	\$15	6%
Auto Body Shop <sup>1,3</sup>	\$729	\$820	\$91	13%
Back-up Generator <sup>1,3</sup>	\$382	\$442	\$61	16%

*Notes:*

1. Assuming facility has only one source.
2. Assuming source has one single-product gasoline nozzle.
3. Assuming source qualifies for minimum fee.

For larger facilities, such as refineries and power plants, increases in annual permit renewal fees would cover a considerable range due to differences in the facility's size, mix of emission sources, pollutant emission rates and applicable fee schedules. As shown in Table 5, the FYE 2020 annual permit fee increase for the five Bay Area refineries would range from approximately 8.5 to 12.8 percent. The annual permit fee increases for power generating facilities shown in Table 6 would range from approximately 11.8 to 13.1 percent. Projected FYE 2021 fee increases are based on FYE 2020 material throughput data. Table 5 and 6 also include current Permit to Operate fees paid and historical annual fee increases.



**Table 5. Refinery Permit to Operate Fee Comparison**

	Annual % Permit Fee Increase/Decrease (Fiscal Year Ending)					2020 Permit Fee
	2017	2018	2019*	2020	2021 Projected	
Chevron	14.7	1.2	-0.5	0.8	8.5	\$3.7 M
Shell	15.0	4.0	5.6	0.9	9.7	\$3.5 M
Phillips 66	14.6	2.3	4.2	13.6	12.8	\$1.9 M
Valero	15.0	2.4	-0.2	22.5	11.6	\$2.3 M
Tesoro	2.2	-8.5	15	21.5	10.1	\$2.9 M

\*Permits to Operate extended from 8/1/18 to 12/1/2019 (16 months) to allow use of Rule 12-15 emission inventories to calculate emissions and permit renewal fees. Increase based on ratioed (12/16) amount.

**Table 6. Power Plant Permit to Operate Fee Comparison**

	Annual % Permit Fee Increase/Decrease (Fiscal Year Ending)					2020 Permit Fee
	2017	2018	2019	2020	2021 <i>Projected</i>	
Delta Energy	-0.8	-7.0	-13.5	5.8	11.4	\$ 460,000
Los Medanos	-6.0	7.3	15.0	6.9	11.7	\$ 400,000
Gateway	8.5	-7.6	12.0	6.0	11.6	\$ 360,000
Crockett Cogen	0.8	2.5	0	5.8	13.1	\$ 270,000

### 6.3 ENVIRONMENTAL IMPACTS

The California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., and the CEQA Guidelines, 14 CCR 15000 et seq., require a government agency that undertakes or approves a discretionary project to prepare documentation addressing the potential impacts of that project on all environmental media. Certain types of agency actions are, however, exempt from CEQA requirements. The proposed fee amendments are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines, which state: "CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies...." (See also Public Resources Code Section 21080(b) (8)).

Section 40727.2 of the H&S Code imposes requirements on the adoption, amendment, or repeal of air district regulations. It requires an air district to identify existing federal and air district air pollution control requirements for the equipment or source type affected by the proposed change in air district rules. The air district must then note any differences between these existing requirements and the requirements imposed by the proposed change. This fee proposal does not impose a new standard, make an existing standard more stringent, or impose new or more stringent administrative requirements. Therefore, section 40727.2 of the H&S Code does not apply.

### 6.4 STATUTORY FINDINGS

Pursuant to H&S Code section 40727, regulatory amendments must meet findings of

necessity, authority, clarity, consistency, non-duplication, and reference. The proposed amendments to Regulation 3:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

## **9. RULE DEVELOPMENT PROCESS**

In response to comments received during the FYE 2020 Budget and Fee Regulation Amendments process, on September 20, 2019, the Air District established a Budget Advisory Group, which is made up of the following members: The Board of Directors' Budget and Finance Committee chair and co-chair, Air District Finance, Engineering, and Legal staff, and representatives from the California Council of Environmental and Economic Balance and the Western States Petroleum Association. The Budget Advisory Group was formed to promote greater participation and input in the annual Budget and Fee Regulation Amendments process. The Budget Advisory Group has met at the Air District offices on January 27, 2020 and March 16, 2020.

On February 3, 2020, the Air District issued a notice for a public workshop to discuss with interested parties an initial proposal to amend Regulation 3, Fees. Distribution of this notice included all Air District-permitted and registered facilities, asbestos contractors, and a number of other potentially interested stakeholders. The notice was also posted on the Air District website. A public workshop and simultaneous webcast were held on February 18, 2020 to discuss the initial Regulation 3 fee proposal.

On March 25, 2020 Air District staff provided a briefing on the proposed fee amendments to the Air District Board of Directors' Budget and Finance Committee.

Under H&S Code section 41512.5, the adoption or revision of fees for non-permitted sources requires two public hearings that are held at least 30 days apart from one another. This provision applies to Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees, and Schedule V: Open Burning. A Public Hearing Notice for the proposed Regulation 3 was published on March 12, 2020 and posted on the Air District website. An initial public hearing to consider testimony on the proposed amendments was held on April 15, 2020. The proposed amendments will be further

discussed at the April 22, 2020, Budget & Finance Committee meeting. Written public hearing comments are due by May 8, 2020. A second public hearing, to consider adoption of the proposed fee amendments, has been scheduled for June 3, 2020, or as soon thereafter as the matter may be heard. If adopted, the amendments would be made effective on July 1, 2020.

## **10. PUBLIC COMMENTS**

### **8.1 Public Workshop Comments – Regulation 3, Fees**

The Air District held a public workshop on February 18, 2020 to discuss draft amendments to Regulation 3: Fees. There were four attendees plus the webcast audience. Written comments were received on the Regulation 3, Fees proposal as follows:

#### WSPA Comments dated March 20, 2020

Comments & Responses to be provided separately and posted.

#### CCEEB Comments dated March 20, 2020

Comments & Responses to be provided separately and posted.

### **8.2 Public Hearing Comments – Regulation 3, Fees**

[Comments & Responses to be inserted. Comments due by May 8, 2020.]

## **9. CONCLUSIONS**

Air District staff finds that the proposed fee amendments meet the findings of necessity, authority, clarity, consistency, non-duplication and reference specified in H&S Code section 40727. The proposed amendments:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

The proposed fee amendments will be used by the Air District to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. After adoption of the proposed amendments, permit fee revenue would still be below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted sources would be below the Air District's costs of regulatory programs related to these sources. Fee increases for authorities to construct and permits to operate would not exceed 15 percent per year as required under H&S Code section 41512.7. The proposed amendments to Regulation 3 are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines.



BAY AREA  
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## **STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

**APPENDIX B  
COST RECOVERY POLICY  
(Adopted March 7, 2012)**

## **COST RECOVERY POLICY FOR BAY AREA AIR QUALITY MANAGEMENT DISTRICT REGULATORY PROGRAMS**

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### **PURPOSE**

WHEREAS, the District has the primary authority for the control of air pollution from all sources of air emissions located in the San Francisco Bay Area, other than emissions from motor vehicles, in accordance with the provisions of Health & Safety Code sections 39002 and 40000.

WHEREAS, the District is responsible for implementing and enforcing various District, State, and federal air quality regulatory requirements that apply to non-vehicular sources.

WHEREAS, the District's regulatory programs involve issuing permits, performing inspections, and other associated activities.

WHEREAS, the District is authorized to assess fees to regulated entities for the purpose of recovering the reasonable costs of regulatory program activities, and these authorities include those provided for in California Health and Safety Code sections 42311, 42364, and 44380.

WHEREAS, the District's fees fall within the categories provided in Section 1(e) of Article XIII C of the California Constitution, which indicates that charges assessed to regulated entities to recover regulatory program activity costs, and charges assessed to cover the cost of conferring a privilege or providing a service, are not taxes.

WHEREAS, the District has adopted, and periodically amends, a fee regulation for the purpose of recovering regulatory program activity costs, and this regulation with its various fee schedules, is used to allocate costs to fee payers in a manner which bears a fair or reasonable relationship to the payer's burden on, or benefits received from, regulatory activities.

WHEREAS, the District analyzes whether assessed fees result in the collection of sufficient revenue to recover the costs of related program activities; these analyses have included contractor-conducted fee studies completed in 1999, 2005, and 2011, and annual District staff-conducted cost recovery updates completed in 2006 through 2010. Each fee study and cost recovery update completed revealed that District fee revenue falls significantly short of recovering the costs of related program activities.

WHEREAS, the District's most recently completed fee study (*Cost Recovery and Containment Study, Bay Area Air Quality Management District*, Final Report, Matrix Consulting Group, March 9, 2011) concluded that in Fiscal Year Ending (FYE) 2010, the District recovered approximately 62 percent of its fee-related activity costs, resulting in an under-recovery of costs (i.e., a cost recovery gap), and a subsidy to fee payers, of approximately \$16.8 million, and that this cost recovery gap resulted despite the implementation of a number of strategies to contain costs.

WHEREAS, cost recovery analyses have indicated that the District's Fee Schedule P: Major Facility Review Fees, which establishes fees for program activities associated with the Title V permit program, has under-recovered costs by an average of \$3.4 million per year over the period FYE 2004 through FYE 2010.

WHEREAS, the District's Board of Directors has recognized since 1999 that the District's cost recovery gap has been an issue that needs to be addressed, and since that time has adopted annual fee amendments in order to increase fee revenue.

WHEREAS, in addition to fee revenue, the District receives revenue from Bay Area counties that is derived from property taxes, and a large portion of this tax revenue has historically been used on an annual basis to fill the cost recovery gap.

WHEREAS, the tax revenue that the District receives varies on a year-to-year basis, and cannot necessarily be relied on to fill the cost recovery gap and also cover other District expenses necessitating, in certain years, the use of reserve funds.

WHEREAS, tax revenue that the District receives, to the extent that it is not needed to fill the cost recovery gap, can be used to fund initiatives or programs that may further the District's mission but that lack a dedicated funding source.

WHEREAS, it may be appropriate as a matter of policy to establish specific fee discounts for small businesses, green businesses, or other regulated entities or members of the public, where tax revenue is used to cover a portion of regulatory program activity costs, and the District's existing fee regulation contains several fee discounts of this type.

## **POLICY**

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Bay Area Air Quality Management District that:

**(1) Cost Containment** –In order to ensure that the costs of its regulatory programs remain reasonable, the District should continue to implement feasible cost containment measures, including the use of appropriate best management practices, without compromising the District's effective implementation and enforcement of applicable regulatory requirements. The District's annual budget documents should include a summary of cost containment measures that are being implemented.

**(2) Analysis of Cost Recovery** – The District should continue to analyze the extent to which fees recover regulatory program activity costs, both on an overall basis, and at the level of individual fee schedules. These cost recovery analyses should be periodically completed by a qualified District contractor, and should be updated on an annual basis by District staff using a consistent methodology.

**(3) Cost Recovery Goals** – It is the general policy of the District, except as otherwise noted below, that the costs of regulatory program activities be fully recovered by assessing fees to regulated entities. In order to move towards this goal, the District should amend its fee regulation over the next four years, in conjunction with the adoption of



budgets for Fiscal Year Ending (FYE) 2013 through FYE 2016, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85 percent. Amendments to specific fee schedules should also be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps. This includes Fee Schedule P: Major Facility Review Fees, which has been determined to under-recover costs by a significant amount. Newly adopted regulatory measures should include fees that are designed to recover increased regulatory program activity costs associated with the measure, unless the Board of Directors determines that a portion of those costs should be covered by tax revenue. Tax revenue should also continue to be used to subsidize existing fee discounts that the District provides (e.g., for small businesses, green businesses, and third-party permit appeals), and to cover the cost of the District's wood smoke enforcement program.

BE IT FURTHER RESOLVED that this resolution is non-binding in the case of unforeseen financial circumstances, and may also be reconsidered or updated by the District's Board of Directors.



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## **STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

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FEES  
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- 3-103 Exemption, Abatement Devices
- 3-104 Deleted August 2, 1995
- 3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank  
Operation Fees
- 3-106 Deleted December 2, 1998
- 3-107 Exemption, Sources Exempt from Permit Requirements

**3-200 DEFINITIONS**

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- 3-202 Gasoline Dispensing Facility
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- 3-205 Authority to Construct
- 3-206 Modification
- 3-207 Permit to Operate Fee
- 3-208 Deleted June 4, 1986
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- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987
- 3-227 Toxic Air Contaminant, or TAC
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- 3-229 Deleted December 2, 1998
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- 3-236 Deleted December 2, 1998
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- SCHEDULE C STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS
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- SCHEDULE M MAJOR STATIONARY SOURCE FEES
- SCHEDULE N TOXIC INVENTORY FEES
- SCHEDULE O DELETED May 19, 1999
- SCHEDULE P MAJOR FACILITY REVIEW FEES
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- SCHEDULE R EQUIPMENT REGISTRATION FEES
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- SCHEDULE X MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES

## REGULATION 3 FEES

(Adopted June 18, 1980)

### 3-100 GENERAL

**3-101 Description:** This regulation establishes the regulatory fees charged by the District.  
*(Amended 7/6/83; 11/2/83; 2/21/90; 12/16/92; 8/2/95; 12/2/98; 5/21/03; 5/21/08; 5/20/09; 6/19/13)*

**3-102 Deleted July 12, 1989**

**3-103 Exemption, Abatement Devices:** Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, P, and T.

*(Amended 6/4/86; 7/1/98; 6/7/00; 5/21/08)*

**3-104 Deleted August 2, 1995**

**3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

*(Adopted 1/5/94; Amended 5/21/03)*

**3-106 Deleted December 2, 1998**

**3-107 Exemption, Sources Exempt from Permit Requirements:** Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

*(Adopted June 7, 2000)*

### 3-200 DEFINITIONS

**3-201 Cancelled Application:** Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

*(Amended 6/4/86; 4/6/88)*

**3-202 Gasoline Dispensing Facility:** Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

*(Amended February 20, 1985)*

**3-203 Filing Fee:** A fixed fee for each source in an authority to construct.

*(Amended June 4, 1986)*

**3-204 Initial Fee:** The fee required for each new or modified source based on the type and size of the source. The fee is applicable to new and modified sources seeking to obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.

*(Amended June 4, 1986)*

- 3-205 Authority to Construct:** Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.  
*(Amended June 4, 1986)*
- 3-206 Modification:** See Section 1-217 of Regulation 1.
- 3-207 Permit to Operate Fee:** The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.  
*(Amended 6/4/86; 7/15/87; 12/2/98; 6/7/00)*
- 3-208 Deleted June 4, 1986**
- 3-209 Small Business:** A business with no more than 10 employees and gross annual income of no more than \$750,000 that is not an affiliate of a non-small business.  
*(Amended 6/4/86; 6/6/90; 6/7/00; 6/15/05; 6/16/10)*
- 3-210 Solvent Evaporating Source:** Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.  
*(Amended July 3, 1991)*
- 3-211 Source:** See Section 1-227 of Regulation 1.
- 3-212 Deleted August 2, 1995**
- 3-213 Major Stationary Source:** For the purpose of Schedule M, a major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM<sub>10</sub> in an amount calculated by the APCO equal to or exceeding 50 tons per year.  
*(Adopted 11/2/83; Amended 2/21/90; 6/6/90; 8/2/95; 6/7/00)*
- 3-214 Deleted October 20, 1999, effective March 1, 2000**
- 3-215 Deleted October 20, 1999, effective March 1, 2000**
- 3-216 Deleted October 20, 1999, effective March 1, 2000**
- 3-217 Deleted October 20, 1999, effective March 1, 2000**
- 3-218 Deleted October 20, 1999, effective March 1, 2000**
- 3-219 Deleted October 20, 1999, effective March 1, 2000**
- 3-220 Deleted October 20, 1999, effective March 1, 2000**
- 3-221 Deleted October 20, 1999, effective March 1, 2000**
- 3-222 Deleted October 20, 1999, effective March 1, 2000**
- 3-223 Start-up Date:** Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.  
*(Adopted 6/4/86; Amended 6/6/90)*
- 3-224 Permit to Operate:** Written authorization from the APCO pursuant to Section 2-1-302.  
*(Adopted 6/4/86; Amended 6/7/00)*
- 3-225 Deleted June 3, 2015**
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987:** The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information from industry on emissions of potentially toxic air contaminants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.  
*(Adopted 10/21/92; Amended 6/15/05)*
- 3-227 Toxic Air Contaminant, or TAC:** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in Table 2-5-1 of Regulation 2, Rule 5.  
*(Adopted 10/21/92; Amended 6/15/05)*

- 3-228 Deleted December 2, 1998  
 3-229 Deleted December 2, 1998  
 3-230 Deleted December 2, 1998  
 3-231 Deleted December 2, 1998  
 3-232 Deleted December 2, 1998  
 3-233 Deleted December 2, 1998  
 3-234 Deleted December 2, 1998  
 3-235 Deleted December 2, 1998  
 3-236 Deleted December 2, 1998  
 3-237 **PM<sub>10</sub>**: See Section 2-1-229 of Regulation 2, Rule 1.  
*(Adopted June 7, 2000)*
- 3-238 **Risk Assessment Fee**: Fee for a new or modified source of toxic air contaminants for which a health risk assessment (HRA) is required under Regulation 2-5-401, for an HRA required under Regulation 11, Rule 18, or for an HRA prepared for other purposes (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402).  
*(Adopted June 15, 2005; Amended: June 21, 2017)*
- 3-239 **Toxic Surcharge**: Fee paid in addition to the permit to operate fee for a source that emits one or more toxic air contaminants at a rate which exceeds a chronic trigger level listed in Table 2-5-1.  
*(Adopted June 15, 2005)*
- 3-240 **Biogenic Carbon Dioxide**: Carbon dioxide emissions resulting from materials that are derived from living cells, excluding fossil fuels, limestone and other materials that have been transformed by geological processes. Biogenic carbon dioxide originates from carbon (released in the form of emissions) that is present in materials that include, but are not limited to, wood, paper, vegetable oils, animal fat, and food, animal and yard waste.  
*(Adopted May 21, 2008)*
- 3-241 **Green Business**: A business or government agency that has been certified under the Bay Area Green Business Program coordinated by the Association of Bay Area Governments and implemented by participating counties.  
*(Adopted June 16, 2010)*
- 3-242 **Incident**: A non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage.  
*(Adopted June 19, 2013)*
- 3-243 **Incident Response**: The District's response to an incident. The District's incident response may include the following activities: i) inspection of the incident-emitting equipment and facility records associated with operation of the equipment; ii) identification and analysis of air quality impacts, including without limitation, identifying areas impacted by the incident, modeling, air monitoring, and source sampling; iii) engineering analysis of the specifications or operation of the equipment; and iv) administrative tasks associated with processing complaints and reports.  
*(Adopted June 19, 2013)*
- 3-244 **Permit to Operate Renewal Date**: The first day of a Permit to Operate's Permit Renewal Period.  
*(Adopted June 19, 2013)*
- 3-245 **Permit Renewal Period**: The length of time the source is authorized to operate pursuant to a Permit to Operate.  
*(Adopted June 19, 2013)*
- 3-300 **STANDARDS**
- 3-301 **Hearing Board Fees**: Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A.  
*(Amended June 7, 2000)*
- 3-302 **Fees for New and Modified Sources**: Applicants for authorities to construct and permits to operate new sources shall pay for each new source: a filing fee of \$508, the initial fee, the risk



assessment fee, the permit to operate fee, and toxic surcharge (given in Schedules B, C, D, E, F, H, I or K). Applicants for authorities to construct and permits to operate modified sources shall pay for each modified source, a filing fee of \$508, the initial fee, the risk assessment fee, and any incremental increase in permit to operate and toxic surcharge fees. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. If any person requests more than three HRA scenarios required pursuant to Regulation 2, Rule 5 in any single permit application, they shall pay an additional risk assessment fee for each of these scenarios. Except for gasoline dispensing facilities (Schedule D) and semiconductor facilities (Schedule H), the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification. Where applicable, fees for new or modified sources shall be based on maximum permitted usage levels or maximum potential to emit including any secondary emissions from abatement equipment. The fee rate applied shall be based on the fee rate in force on the date the application is declared by the APCO to be complete according to 2-1-402, excluding 2-1-402.3 fees. The APCO may reduce the fees for new and modified sources by an amount deemed appropriate if the owner or operator of the source attends an Industry Compliance School sponsored by the District.

302.1 **Small Business Discount:** If an applicant qualifies as a small business and the source falls under schedules B, C, D (excluding gasoline dispensing facilities), E, F, H, I or K, the filing fee, initial fee, and risk assessment fee shall be reduced by 50%. All other applicable fees shall be paid in full. If an applicant also qualifies for a Green Business Discount, only the Small Business Discount (i.e., the 50% discount) shall apply.

302.2 Deleted July 3, 1991

302.3 **Fees for Abatement Devices:** Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a \$508 filing fee and initial and risk assessment fees that are equivalent to 50% of the initial and risk assessment fees for the source being abated, not to exceed a total of \$10,588. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 **Fees for Reactivated Sources:** Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, risk assessment, permit, and toxic surcharge fees.

302.5 Deleted June 3, 2015

302.6 **Green Business Discount:** If an applicant qualifies as a green business, the filing fee, initial fee, and risk assessment fee shall be reduced by 10%. All other applicable fees shall be paid in full.

*(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**3-303 Back Fees:** An applicant required to obtain a permit to operate existing equipment in accordance with District regulations shall pay back fees equal to the permit to operate fees and toxic surcharges given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The applicant shall also pay back fees equal to toxic inventory fees pursuant to Section 3-320 and Schedule N. The maximum back fee shall not exceed a total of five years' permit, toxic surcharge, and toxic inventory fees. An owner/operator required to register existing equipment in accordance with District regulations shall pay back fees equal to the annual renewal fee given in Schedule R prorated from the effective date of registration requirements, up to a maximum of five years.

*(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87, 6/6/90; 7/3/91; 10/8/97; 6/15/05; 5/20/09)*

**3-304 Alteration:** Except as provided below, an applicant to alter an existing permitted source shall pay the filing fee and 50% of the initial fee for the source, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. For gasoline dispensing facilities subject to Schedule D, an applicant for an alteration shall pay a fee of 1.75 times the filing fee.

304.1 **Schedule D Fees:** Applicants for alteration to a gasoline dispensing facility subject to Schedule D shall pay a fee of 1.75 times the filing fee.

304.2 Schedule G Fees: Applicants for alteration to a permitted source subject to Schedule G-3, G-4, or G-5 shall pay the filing fee, 100% of the initial fee,<sup>7</sup> and, if District regulations require a health risk assessment of the alteration, the risk assessment fee provided for in Schedule G-2. The applicant shall pay the permit renewal and the toxic surcharge fees applicable to the source under Schedules G-3, G-4, or G-5.

*(Amended 6/4/86; 11/15/00; 6/2/04; 6/3/15, 6/15/16, 6/6/18, 6/5/19)*

**3-305 Cancellation or Withdrawal:** There will be no refund of the initial fee and filing fee if an application is cancelled or withdrawn. There will be no refund of the risk assessment fee if the risk assessment has been conducted prior to the application being cancelled or withdrawn. If an application for identical equipment is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

*(Amended 7/6/83; 4/6/88; 10/8/97; 6/15/05, 6/21/17)*

**3-306 Change in Conditions:** If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

1.1 The condition change applies to a single source or a group of sources with shared permit conditions.

1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.

1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, or PM<sub>10</sub> at any source or the emission of a toxic air contaminant above the trigger levels identified in Table 2-5-1

1.4 The condition change does not require a public notice.

306.2 Other Condition Changes: Applicant shall pay the filing, initial, and risk assessment fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees and toxic surcharges.

*(Amended 7/6/83; 6/4/86; 6/6/90; 10/8/97; 6/7/00; 6/15/05, 6/21/17)*

**3-307 Transfers:** The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Upon submittal of a \$102 transfer of ownership fee, permits are re-issued to the new owner/operator of record with no change in expiration dates.

*(Amended 2/20/85; 6/4/86; 11/5/86; 4/6/88; 10/8/97, 5/1/02; 5/21/03; 6/02/04; 6/19/13; 6/4/14, 6/15/16)*

**3-308 Change of Location:** An applicant who wishes to move an existing source, which has a permit to operate, shall pay no fee if the move is on the same facility. If the move is not on the same facility, the source shall be considered a new source and subject to Section 3-302. This section does not apply to portable permits meeting the requirements of Regulation 2-1-220 and 413.

*(Amended 7/6/83; 6/4/86; 6/15/05)*

**3-309** Deleted June 21, 2017

*(Amended 5/19/99; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

**3-310 Fee for Constructing Without a Permit:** An applicant for an authority to construct and a permit to operate a source, which has been constructed or modified without an authority to construct, shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees pursuant to Section 3-303, and a late fee equal to 100% of the initial fee. A modified gasoline dispensing facility subject to Schedule D that is not required to pay an initial fee shall pay fees for a modified source pursuant to Section 3-302, back fees, and a late fee equal to 100% of the filing fee.

310.2 Sources previously exempt from permit requirements that lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee and toxic surcharge for the coming year and any back fees pursuant to Section 3-303.

310.3 Sources previously exempt from permit requirements that lose their exemption due to

a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.

310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.

*(Amended 7/6/83; 4/18/84; 6/4/86; 6/6/90; 7/3/91; 8/2/95; 10/8/97; 6/02/04; 6/15/05; 6/6/12)*

**3-311 Emission Banking Fees:** An applicant to bank emissions for future use, to convert an emission reduction credit (ERC) into an Interchangeable Emission Reduction Credit (IERC), or to transfer ownership of ERCs shall pay the following fees:

311.1 Banking ERCs: An applicant to bank emissions for future use shall pay a filing fee of \$508 per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.2 Converting Existing ERCs: An applicant to convert an existing ERC into an IERC shall pay a filing fee of \$508 per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.3 Transferring ERC Ownership: An applicant to transfer an ERC it currently owns to another owner shall pay a filing fee of \$508.

*(Amended 7/6/83; 6/4/86; 7/15/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03;*

*6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**3-312 Emission Caps and Alternative Compliance Plans:** Any facility which elects to use an alternative compliance plan contained in:

312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.

312.2 Regulation 2, Rule 9, or Regulation 9, Rule 10 shall pay an annual fee of \$1,286 for each source included in the alternative compliance plan, not to exceed \$12,860.

*(Adopted 5/19/82; Amended 6/4/86; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/23/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**3-313 Deleted May 19, 1999**

**3-314 Deleted August 2, 1995**

**3-315 Costs of Environmental Documentation:** An applicant for an Authority to Construct shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing any environmental evaluation and preparing and filing any documents pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq), including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or filing any environmental evaluation or documentation.

*(Adopted 12/18/85; Amended 5/1/02; 6/3/15)*

**3-316 Deleted June 6, 1990**

**3-317 Asbestos Operation Fees:** After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.

*(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)*

**3-318 Public Notice Fee, Schools:** Pursuant to Section 42301.6(b) of the Health and Safety Code, an applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:

318.1 A fee of \$2,272 per application, and

318.2 The District's cost exceeding \$2,272 of preparing and distributing the public notice.

318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.

*(Adopted 11/1/89; Amended 10/8/97; 7/1/98; 5/19/99; 6/7/00; 5/21/03; 6/2/04; 6/16/10, 6/15/16, 6/21/17, 6/6/18)*

**3-319 Major Stationary Source Fees:** Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM<sub>10</sub> shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

*(Adopted 6/6/90; Amended 8/2/95; 6/7/00)*

**3-320 Toxic Inventory Fees:** Any facility that emits one or more toxic air contaminants in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate, toxic surcharge, and other fees otherwise authorized to be collected from such facilities.

320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of \$10,056 per year.

*(Adopted 10/21/92; Amended 5/19/99; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 5/4/11, 6/15/16, 6/21/17, 6/5/19)*

**3-321 Deleted December 2, 1998**

**3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.

*(Adopted 1/5/94; Amended 8/2/95; 5/21/03)*

**3-323 Pre-Certification Fees:** An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.

*(Adopted June 7, 1995)*

**3-324 Deleted June 7, 2000**

**3-325 Deleted December 2, 1998**

**3-326 Deleted December 2, 1998**

**3-327 Permit to Operate, Renewal Fees:** After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the renewal of a permit to operate is the permit to operate fee and toxic surcharge listed in Schedules B, C, D, E, F, H, I, and K, prorated for the period of coverage. When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. The permit renewal invoice shall also specify any applicable major stationary source fees based on Schedule M, toxic inventory fees based on Schedule N, major facility review fees based on Schedule P, greenhouse gas fees based on Schedule T, petroleum refining emissions tracking fees based on Schedule W, and community air monitoring fees based on Schedule X. Where applicable, renewal fees shall be based on actual usage or emission levels that have been reported to or calculated by the District.

In addition, the facility shall also pay a processing fee at the time of renewal that covers each Permit Renewal Period as follows:

327.1 \$100 for facilities with one permitted source, including gasoline dispensing facilities,

327.2 \$198 for facilities with 2 to 5 permitted sources,

327.3 \$395 for facilities with 6 to 10 permitted sources,

327.4 \$593 for facilities with 11 to 15 permitted sources,

327.5 \$787 for facilities with 16 to 20 permitted sources,

327.6 \$984 for facilities with more than 20 permitted sources.

Also, each permitted facility subject to Schedule P (Major Facility Review Fees) shall pay an Assembly Bill 617 community health impact fee of 5.7 percent of the facility's total renewal fee, up to a maximum fee of \$100,000 per year per facility owner.

*(Adopted 6/7/00; Amended 6/2/04; 6/16/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/3/20)*

**3-328 Fee for OEHHA Risk Assessment Reviews:** Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard

Assessment (OEHHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

*(Adopted June 7, 2000)*

**3-329 Fees for New Source Review Health Risk Assessment:** Any person required to submit a health risk assessment (HRA) pursuant to Regulation 2-5-401 shall pay an appropriate Risk Assessment Fee pursuant to Regulation 3-302 and Schedules B, C, D, E, F, H, I or K. In addition, any person that requests that the District prepare or review an HRA (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402) shall pay a Risk Assessment Fee. A Risk Assessment Fee shall be assessed for each source that is proposed to emit a toxic air contaminant (TAC) at a rate that exceeds a trigger level in Table 2-5-1: Toxic Air Contaminant Trigger Levels. If a project requires an HRA due to total project emissions, but TAC emissions from each individual source are less than the Table 2-5-1 trigger levels, a Risk Assessment Fee shall be assessed for the source in the project with the highest TAC emissions.

*(Adopted June 15, 2005; Amended 6/21/17)*

**3-330 Fee for Renewing an Authority to Construct:** An applicant seeking to renew an authority to construct in accordance with Regulation 2-1-407 shall pay a fee of 50% of the initial fee in effect at the time of the renewal. If the District determines that an authority to construct cannot be renewed, any fees paid under this section shall be credited in full against the fee for a new authority to construct for functionally equivalent equipment submitted within six months of the date the original authority to construct expires.

*(Adopted June 15, 2005)*

**3-331 Registration Fees:** Any person who is required to register equipment under District rules shall submit a registration fee, and any annual fee thereafter, as set out in Schedule R. The APCO may reduce registration fees by an amount deemed appropriate if the owner or operator of the equipment attends an Industry Compliance School sponsored by the District.

*(Adopted June 6, 2007; Amended 6/16/10)*

**3-332 Naturally Occurring Asbestos Fees:** After July 1, 2007, any person required to submit or amend an Asbestos Dust Mitigation Plan (ADMP) pursuant to Title 17 of the California Code of Regulations, Section 93105, Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations shall pay the fee(s) set out in Schedule S.

*(Adopted June 6, 2007; Amended 6/5/19)*

**3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees:** Any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR permit, an initial synthetic minor operating permit, or a revision to a synthetic minor operating permit, shall pay the applicable fees set forth in Schedule P.

*(Adopted May 21, 2008)*

**3-334 Greenhouse Gas Fees:** Any permitted facility with greenhouse gas emissions shall pay a fee based on Schedule T. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities, and shall be included as part of the annual permit renewal fees.

*(Adopted May 21, 2008)*

**3-335 Indirect Source Review Fees:** Applicants that must file an Air Quality Impact Assessment pursuant to District rules for a project that is deemed to be an indirect source shall pay a fee based on Schedule U.

*(Adopted May 20, 2009)*

**3-336 Open Burning Operation Fees:** Effective July 1, 2013, any person required to provide notification to the District prior to burning; submit a petition to conduct a Filmmaking or Public Exhibition fire; receive an acreage burning allocation to conduct a Stubble fire; or submit a smoke management plan and receive an acreage burning allocation to conduct a Wildland Vegetation Management (Prescribed Burning) fire or Marsh Management fire shall pay the fee given in Schedule V.

*(Adopted June 19, 2013; Amended 6/3/20)*

- 3-337 Exemption Fee:** An applicant who wishes to receive a certificate of exemption shall pay a filing fee of \$508 per exempt source.  
*(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/21/17,)*
- 3-338 Incident Response Fee:** Any facility required to obtain a District permit, and any District-regulated area-wide or indirect source, that is the site where an incident occurs to which the District responds, shall pay a fee equal to the District's actual costs in conducting the incident response as defined in Section 3-243, including without limitation, the actual time and salaries, plus overhead, of the District staff involved in conducting the incident response and the cost of any materials.(Adopted June 19, 2013)
- 3-339 Petroleum Refining Emissions Tracking Fees:** Any person required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15 shall pay the applicable fees set forth in Schedule W.  
*(Adopted 6/15/16)*
- 3-340 Major Stationary Source Community Air Monitoring Fees:** Any major stationary source emitting 35 tons per year of organic compounds, sulfur oxides, nitrogen oxides, carbon monoxide or PM<sub>10</sub> shall pay a community air monitoring fee based on Schedule X. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.  
*(Adopted 6/15/16)*
- 3-341 Fee for Risk Reduction Plan:** Any person required to submit a Risk Reduction Plan in accordance with Regulation 11, Rule 18 shall pay the applicable fees set forth below:
- 341.1 \$1,559 for facilities with one source subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
  - 341.2 \$3,117 for facilities with 2 to 5 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.3 \$6,234 for facilities with 6 to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.4 \$12,468 for facilities with 11 to 15 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.5 \$24,936 for facilities with 16 to 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.6 \$33,248 for facilities with more than 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18.
- (Adopted 6/21/17, Amended 6/5/19, 6/3/20)*
- 3-342 Fee for Facility-Wide Health Risk Assessment:** Any person required to undergo a health risk assessment (HRA) to assess compliance with the Regulation 11, Rule 18 risk action levels shall pay a risk assessment fee for each source pursuant to Regulation 3-329 and Schedules B, C, D, E, F, H, I or K. The maximum fee required for any single HRA of a facility conducted pursuant to Regulation 11, Rule 18 shall not exceed a total of \$155,850.  
If a facility retains a District-approved consultant to complete the required facility-wide HRA, the facility shall pay a fee to cover the District's costs of performing the review of the facility-wide HRA, including the costs of any outside consulting assistance which the District may employ in connection with any such review, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the facility-wide HRA. The total HRA review cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of \$213 per hour. Facilities shall pay an HRA review fee as indicated below and the District's cost exceeding the applicable HRA review fees indicated below for performing the review of the facility-wide HRA:
- 342.1 \$2,598 for facilities with one to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
  - 342.2 \$6,857 for facilities with 11 to 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 342.3 \$14,546 for facilities with more than 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of performing the review of the facility-wide HRA.

*(Adopted 6/21/17, Amended 6/6/18, 6/5/19)*

**3-343 Fees for Air Dispersion Modeling:** An applicant for an Authority to Construct or Permit to Operate shall pay, in addition to the fees required under Section 3-302 and 3-329 and in any applicable schedule, the District's costs of performing any air dispersion modeling needed to determine compliance with any District regulatory requirement. The total air dispersion modeling fee cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of \$213 per hour. This fee shall also apply for costs incurred in reviewing air dispersion modeling submittals by applicants and the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the air dispersion modeling.

*(Adopted 6/5/19)*

### **3-400 ADMINISTRATIVE REQUIREMENTS**

**3-401 Permits:** Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.

**3-402 Single Anniversary Date:** The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.

**3-403 Change in Operating Parameters:** See Section 2-1-404 of Regulation 2, Rule 1.

**3-404 Deleted June 7, 2000**

**3-405 Fees Not Paid:** If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:

405.1 Authority to Construct: The application will be cancelled, but can be reactivated upon payment of fees.

405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will be notified that operation, including startup, is not authorized.

2.1 Fees received during the first 30 days following the due date must include a late fee equal to 10 percent of all fees specified on the invoice.

2.2 Fees received more than 30 days after the due date must include a late fee equal to 25 percent of all fees specified on the invoice.

405.3 Renewal of Permit to Operate: The owner or operator of a facility must renew the Permit to Operate in order to continue to be authorized to operate the source. Permit to Operate Fees for the Permit Renewal Period shall be calculated using fee schedules in effect on the Permit to Operate Renewal Date. The permit renewal invoice will include all fees to be paid in order to renew the Permit to Operate, as specified in Section 3-327. If not renewed as of the date of the next Permit Renewal Period, a Permit to Operate lapses and further operation is no longer authorized. The District will notify the facility that the permit has lapsed. Reinstatement of lapsed Permits to Operate will require the payment of all unpaid prior Permit to Operate fees and associated reinstatement fees for each unpaid prior Permit Renewal Period, in addition to all fees specified on the permit renewal invoice.

405.4 Reinstatement of Lapsed Permit to Operate: To reinstate a Permit to Operate, the owner or operator must pay all of the following fees:

4.1 The applicable Permit to Operate Fees for the current year, as specified in Regulation 3-327, and the applicable reinstatement fee, if any, calculated as follows:

4.1.1 Fees received during the first 30 days following the due date must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 10 percent of all fees specified on the invoice.

4.1.2 Fees received more than 30 days after the due date, but less than one

year after the due date, must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 25 percent of all fees specified on the invoice.

- 4.2 The applicable Permit to Operate Fees specified in Regulation 3-327 for each prior Permit Renewal Period for which all Permit to Operate Fees and associated reinstatement fees have not been paid. Each year's Permit to Operate Fee shall be calculated at the fee rates in effect on that year's Permit to Operate Renewal Date. The reinstatement fee for each associated previously-unpaid Permit to Operate Fee shall be calculated in accordance with Regulation 3-405.4.1 and 4.1.2.

Each year or period of the lapsed Permit to Operate is deemed a separate Permit Renewal Period. The oldest outstanding Permit to Operate Fee and reinstatement fees shall be paid first.

- 405.5 Registration and Other Fees: Persons who have not paid the fee by the invoice due date, shall pay the following late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.
- 5.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 10 percent of all fees specified on the invoice.
- 5.2 Fees received more than 30 days after the due date must include an additional late fee equal to 25 percent of all fees specified on the invoice.

*(Amended 7/6/83; 6/4/86; 11/5/86; 2/15/89; 6/6/90; 7/3/91; 8/2/95; 12/2/98; 6/15/05; 6/7/06; 6/6/12; 6/19/13; 6/4/14, 6/6/18, 6/5/19)*

**3-406 Deleted June 4, 1986**

**3-407 Deleted August 2, 1995**

**3-408 Permit to Operate Valid for 12 Months:** A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

*(Amended 6/4/86; Amended 6/7/00)*

**3-409 Deleted June 7, 2000**

**3-410 Deleted August 2, 1995**

**3-411 Advance Deposit of Funds:** The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

*(Adopted 12/18/85; Amended 8/2/95)*

**3-412 Deleted December 2, 1998**

**3-413 Toxic "Hot Spots" Information and Assessment Act Revenues:** No later than 120 days after the adoption of this regulation, the APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

*(Adopted October 21, 1992)*

**3-414 Deleted December 2, 1998**

**3-415 Failure to Pay - Further Actions:** When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

- 415.1 Issuance of a Notice to Comply.
- 415.2 Issuance of a Notice of Violation.
- 415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person who is delinquent for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.



415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

*(Adopted 8/2/95; Amended 12/2/98; 6/15/05)*

**3-416 Adjustment of Fees:** The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

*(Adopted October 8, 1997)*

**3-417 Temporary Amnesty for Unpermitted and Unregistered Sources:** The APCO has the authority to declare an amnesty period, during which the District may waive all or part of the back fees and/or late fees for sources that are currently operating without valid Permits to Operate and/or equipment registrations.

*(Adopted June 16, 2010)*

**3-418 Temporary Incentive for Online Production System Transactions:** The APCO has the authority to declare an incentive period for transactions made using the online production system, during which the District may waive all or any part of the fees for these transactions.

*(Adopted 6/6/18)*

**SCHEDULE A  
HEARING BOARD FEES<sup>1</sup>**

Established by the Board of Directors December 7, 1977 Resolution No. 1046  
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

		Large Companies	Small Business	Third Party
1.	For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance ..... Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of .....	\$6,086  \$3,047	\$910  \$307	
2.	For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance ..... Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of .....	\$3,654  \$1,824	\$910  \$307	
3.	For each application to modify a variance in accordance with §42356 ... Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of .....	\$2,424  \$1,824	\$307  \$307	
4.	For each application to extend a variance, in accordance with §42357 .. Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of .....	\$2,424  \$1,824	\$307  \$307	
5.	For each application to revoke a variance .....	\$3,654	\$307	
6.	For each application for approval of a Schedule of Increments of Progress in accordance with §41703 .....	\$2,424	\$307	
7.	For each application for variance in accordance with §41703, which exceeds 90 days ..... Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of .....	\$6,086  \$3,047	\$910  \$307	
8.	For each application for variance in accordance with §41703, not to exceed 90 days ..... Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of .....	\$3,654  \$1,824	\$910  \$307	
9.	For each Appeal (Permit, Banking, Title V).....	\$6,086 per hearing day	\$3,047 per hearing day	\$3,047 for entire appeal period
10.	For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6.....	\$3,047	\$612	
11.	For each application to Modify or Terminate an abatement order .....	\$6,086 per hearing day	\$3,047 per hearing day	
12.	For each application for an interim variance in accordance with §42351	\$3,047	\$612	
13.	For each application for an emergency variance in accordance with §42359.5 .....	\$1,519	\$307	

		Large Companies	Small Business	Third Party
14.	For each application to rehear a Hearing Board decision in accordance with §40861 .....	100% of previous fee charged	100% of previous fee charged	
15.	Excess emission fees.....	See Attachment I	See Attachment I	
16.	Miscellaneous filing fee for any hearing not covered above	\$3,047	\$910	\$910
17.	For each published Notice of Public Hearing.....	Cost of Publication	\$0	\$0
18.	Court Reporter Fee (to be paid only if Court Reporter required for hearing) .....	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket	\$0	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket

NOTE 1 Any applicant who believes they have a hardship for payment of fees may request a fee waiver from the Hearing Board pursuant to Hearing Board Rules.  
*(Amended 10/8/97; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE A  
ATTACHMENT I  
EXCESS EMISSION FEE**

**A. General**

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

**B. Excess Visible Emission Fee**

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

**C. Applicability**

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

**D. Fee Determination**

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

#### **E. Small Businesses**

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

#### **F. Group, Class and Product Variance Fees**

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

#### **G. Adjustment of Fees**

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

#### **H. Fee Payment/Variance Invalidation**

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I  
SCHEDULE OF EXCESS EMISSIONS FEES**

Air Contaminants	All at \$5.83 per pound
Organic gases, except methane and those containing sulfur Carbon Monoxide Oxides of nitrogen (expressed as nitrogen dioxide) Gaseous sulfur compounds (expressed as sulfur dioxide) Particulate matter	
Toxic Air Contaminants	All at \$29.00 per pound
Asbestos Benzene Cadmium Carbon tetrachloride Chlorinated dioxins and dibenzofurans (15 species) Diesel exhaust particulate matter Ethylene dibromide Ethylene dichloride Ethylene oxide Formaldehyde Hexavalent chromium Methylene chloride Nickel Perchloroethylene 1,3-Butadiene Inorganic arsenic Beryllium Polynuclear aromatic hydrocarbons (PAH) Vinyl chloride Lead 1,4-Dioxane Trichloroethylene	

**TABLE II  
SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity}^* \text{ equivalent} - 20) \times \text{number of days allowed in variance} \times \$5.96$$

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity}^* \text{ equivalent} - 40) \times \text{number of days allowed by variance} \times \$5.96$$

- \* Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

(Adopted 6/7/00; Amended 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19)

**SCHEDULE B  
COMBUSTION OF FUEL**  
(Adopted June 18, 1980)

For each source that burns fuel, which is not a flare and not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity (expressed as higher heating value, HHV) of the source.

1. INITIAL FEE: \$67.61 per MM BTU/HOUR
  - a. The minimum fee per source is: \$361
  - b. The maximum fee per source is: \$126,117
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$508 plus \$67.61 per MM BTU/hr
  - b. Minimum RAF for first TAC source: \$869
  - c. RAF for each additional TAC source: \$67.61 per MM BTU/hr
  
  - d. Minimum RAF per additional TAC source: \$361\*
  - e. Maximum RAF per source is: \$126,117

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE: \$33.79 per MM BTU/HOUR
  - a. The minimum fee per source is: \$256
  - b. The maximum fee per source is: \$63,058
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
  
6. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.
  
7. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU of higher heat value  
One MM BTU/HR = 1.06 gigajoules/HR

*(Amended 6/5/85; 6/4/86; 3/4/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE C**  
**STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS**  
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

1. INITIAL FEE: 0.185 cents per gallon
  - a. The minimum fee per source is: \$204
  - b. The maximum fee per source is: \$27,858
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$508 plus 0.185 cents per gallon
  - b. Minimum RAF for first TAC source: \$678
  - c. RAF for each additional TAC source: 0.185 cents per gallon \*
  - d. Minimum RAF per additional TAC source: \$204 \*
  - e. Maximum RAF per source is: \$27,858

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: 0.093 cents per gallon
  - a. The minimum fee per source is: \$147
  - b. The maximum fee per source is: \$13,928
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18,6/5/19)*



**SCHEDULE D**  
**GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES,**  
**BULK PLANTS AND TERMINALS**  
(Adopted June 18, 1980)

A. All gasoline dispensing facilities shall pay the following fees:

1. INITIAL FEE: \$350.79 per single product nozzle (spn)  
\$350.79 per product for each multi-product nozzle (mpn)
2. PERMIT TO OPERATE FEE: \$134.36 per single product nozzle (spn)  
\$134.36 per product for each multi-product nozzle (mpn)
3. Initial fees and permit to operate fees for hardware modifications at a currently permitted gasoline dispensing facility shall be consolidated into a single fee calculated according to the following formula:

$$\$485.14 \times \left\{ \left[ (mpn_{\text{proposed}})(\text{products per nozzle}) + spn_{\text{proposed}} \right] - \left[ (mpn_{\text{existing}})(\text{products per nozzle}) + spn_{\text{existing}} \right] \right\}$$

*mpn* = multi-product nozzles  
*spn* = single product nozzles

The above formula includes a toxic surcharge.

If the above formula yields zero or negative results, no initial fees or permit to operate fees shall be charged.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will not be subject to initial fees or permit to operate fees.

4. RISK ASSESSMENT FEE (RAF) of \$508 per application, if required pursuant to Regulation 3-329 or 3-342 [including increases in permitted throughput for which a health risk assessment is required.]
  5. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.
- B. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:

1. INITIAL FEE: \$4,607.65 per single product loading arm  
\$4,607.65 per product for multi-product arms
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$5,217
  - b. RAF for each additional TAC source: \$4,608 \*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$1,284 per single product loading arm  
\$1,284 per product for multi-product arms
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

- C. Fees in (A) above are in lieu of tank fees. Fees in (B) above are in addition to tank fees.
- D. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE E**  
**SOLVENT EVAPORATING SOURCES**  
(Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
  - a. The fee per source is: \$1,752 per 1,000 gallons
  - b. The minimum fee per source is: \$872
  - c. The maximum fee per source is: \$69,611
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application:\$508 plus initial fee
  - b. Minimum RAF for first TAC source: \$1,436
  - c. RAF for each additional TAC source: equal to initial fee \*
  - d. Minimum RAF per additional TAC source: \$872 \*
  - e. Maximum RAF per source is: \$69,611

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE:
  - a. The fee per source is: \$872 per 1,000 gallons
  - b. The minimum fee per source is: \$629
  - c. The maximum fee per source is: \$34,803
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 5/19/82; 10/17/84; 6/5/85; 6/4/86; 10/8/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE F**  
**MISCELLANEOUS SOURCES**  
(Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, (except for those sources in the special classification lists, G-1 - G-5) the fees are:

1. INITIAL FEE: \$661
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first (toxic air contaminant) TAC source in application: \$1,241
  - b. RAF for each additional TAC source: \$661\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$480
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1. List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, G-4, and G-5.

G-1 FEES FOR SCHEDULE G-1. For each source in a G-1 classification, fees are:

1. INITIAL FEE: \$4,992
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$5,665
  - b. RAF for each additional TAC source: \$4,992\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$2,492
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-2 FEES FOR SCHEDULE G-2. For each source in a G-2 classification, fees are:

1. INITIAL FEE: \$6,953
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$7,662
  - b. RAF for each additional TAC source: \$6,953\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$3,474
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-3 FEES FOR SCHEDULE G-3. For each source in a G-3 classification, fees are:

1. INITIAL FEE: \$36,691
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$37,290

- b. RAF for each additional TAC source: \$36,691 \*
  - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$18,342
  4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
- G-4 FEES FOR SCHEDULE G-4. For each source in a G-4 classification, fees are:
1. INITIAL FEE: \$91,933
  2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
    - a. RAF for first toxic air contaminant (TAC) source in application: \$92,643
    - b. RAF for each additional TAC source: \$91,933\*
      - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  3. PERMIT TO OPERATE FEE: \$45,964
  4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
- G-5 FEES FOR SCHEDULE G-5. For each source in a G-5 classification, fees are:
1. INITIAL FEE: \$51,731
  2. RISK ASSESSMENT FEE (RAF) is only applicable for new and modified sources of toxic air contaminants (TACs) for which a health risk assessment is required under Regulation 2-5-401.
    - a. RAF for first TAC source in application: \$52,193
    - b. RAF for each additional TAC source: \$51,731\*
      - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  3. PERMIT TO OPERATE FEE: \$25,865
  4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

*(Amended 5/19/82; 6/5/85; 6/4/86; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE G-1**  
(Adopted June 18, 1980)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Asphalt Roofing Manufacturing – Asphalt Dipping	Asphalt Roofing or Related Materials
Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns)	Any Materials except cement, lime, or coke
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more	Any Inorganic Materials
Chemical Manufacturing, Organic – Latex Dipping	Any latex materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more	Any Organic Materials
Compost Operations – Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods	Any waste materials such as yard waste, food waste, agricultural waste, mixed green waste, bio-solids, animal manures, etc.
Crushers	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Electroplating Equipment	Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome
Foil Manufacturing – Any Converting or Rolling Lines	Any Metal or Alloy Foils

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Galvanizing Equipment	Any
Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators	Any Dry Materials
Glass Manufacturing – Mixers	Any Dry Materials
Glass Manufacturing – Molten Glass Holding Tanks	Any molten glass
Grinders	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Incinerators – Crematory	Human and/or animal remains
Incinerators – Flares	Any waste gases
Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)	Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste
Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)	Pathological waste only
Loading and/or Unloading Operations – Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol)	Any Organic Materials except gasoline or gasohol
Petroleum Refining – Alkylation Units	Any Hydrocarbons
Petroleum Refining – Asphalt Oxidizers	Any Hydrocarbons
Petroleum Refining – Benzene Saturation Units/Plants	Any Hydrocarbons
Petroleum Refining – Catalytic Reforming Units	Any Hydrocarbons
Petroleum Refining – Chemical Treating Units including alkane, naphthenic acid, and naptha merox treating, or similar processes	Any Hydrocarbons
Petroleum Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes	Any Hydrocarbons
Petroleum Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)	Any Hydrocarbons

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Petroleum Refining – Hydrogen Manufacturing	Hydrogen or Any Hydrocarbons
Petroleum Refining – Hydrotreating or Hydrofining	Any Hydrocarbons
Petroleum Refining – Isomerization	Any Hydrocarbons
Petroleum Refining – MTBE Process Units/Plants	Any Hydrocarbons
Petroleum Refining – Sludge Converter	Any Petroleum Waste Materials
Petroleum Refining – Solvent Extraction	Any Hydrocarbons
Petroleum Refining – Sour Water Stripping	Any Petroleum Process or Waste Water
Petroleum Refining – Storage (enclosed)	Petroleum Coke or Coke Products
Petroleum Refining – Waste Gas Flares (not subject to Regulation 12, Rule 11)	Any Petroleum Refining Gases
Petroleum Refining – Miscellaneous Other Process Units	Any Hydrocarbons
Remediation Operations, Groundwater – Strippers	Contaminated Groundwater
Remediation Operations, Soil – Any Equipment (excluding sub-slab depressurization equipment)	Contaminated Soil
Spray Dryers	Any Materials
Sterilization Equipment	Ethylene Oxide
Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at petroleum refineries (see G-2 for Petroleum Refining - Oil-Water Separators)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at petroleum refineries (see G-2 for Petroleum Refining – Strippers)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial - Storage Ponds, excluding storage ponds at petroleum refineries (see G-2 for Petroleum Refining – Storage Ponds)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Municipal – Preliminary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Primary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Digesters	Municipal Wastewater
Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)	Sewage Sludge



**SCHEDULE G-2**  
(Adopted June 6, 1990)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Asphalt Roofing Manufacturing – Asphalt Blowing	Asphalt Roofing or Related Materials
Asphaltic Concrete Manufacturing – Aggregate Dryers	Any Dry Materials
Asphaltic Concrete Manufacturing – Batch Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Drum Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers	Any Dry Materials or Asphaltic Concrete Products
Concrete or Cement Batching Operations – Mixers	Any cement, concrete, or stone products or similar materials
Furnaces – Electric	Any Mineral or Mineral Product
Furnaces – Electric Induction	Any Mineral or Mineral Product
Furnaces – Glass Manufacturing	Soda Lime only
Furnaces – Reverberatory	Any Ores, Minerals, Metals, Alloys, or Related Materials
Incinerators – Hazardous Waste including any unit required to have a RCRA permit	Any Liquid or Solid Hazardous Wastes
Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators)	Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste)
Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)	Any Metals or Alloys
Petroleum Refining – Stockpiles (open)	Petroleum Coke or coke products only
Petroleum Refining, Wastewater Treatment – Oil-Water Separators	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Storage Ponds	Wastewater from petroleum refineries only
Pickling Lines or Tanks	Any Metals or Alloys
Sulfate Pulping Operations – All Units	Any
Sulfite Pulping Operations – All Units	Any

(Amended June 7, 2000)

**SCHEDULE G-3**  
(Adopted June 18, 1980)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Furnaces – Electric Arc	Any Metals or Alloys
Furnaces – Electric Induction	Any Metals or Alloys
Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)	Any Medical or Infectious Wastes
Loading and/or Unloading Operations – Marine Berths	Any Organic Materials
Petroleum Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers)	Any Hydrocarbons
Petroleum Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)	Any Petroleum Crude Oils
Phosphoric Acid Manufacturing – All Units (by any process)	Phosphoric Acid

*(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00; 6/15/05; 5/2/07)*

**SCHEDULE G-4**  
(Adopted June 6, 1990)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Acid Regeneration Units	Sulfuric or Hydrochloric Acid only
Annealing Lines (continuous only)	Metals and Alloys
Calcining Kilns (see G-1 for Calcining Kilns processing other materials)	Cement, Lime, or Coke only
Fluidized Bed Combustors	Solid Fuels only
Nitric Acid Manufacturing – Any Ammonia Oxidation Processes	Ammonia or Ammonia Compounds
Petroleum Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns	Petroleum Coke and Coke Products
Petroleum Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units)	Any Hydrocarbons
Petroleum Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants	Any Petroleum Refining Gas
Sulfuric Acid Manufacturing – Any Chamber or Contact Process	Any Solid, Liquid or Gaseous Fuels Containing Sulfur

*(Amended June 7, 2000)*

**SCHEDULE G-5**

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Petroleum Refinery Flares (subject to Regulation 12, Rule 11)	Any Petroleum Vent Gas (as defined in section 12-11-210 and section 12-12-213)

*(Adopted May 2, 2007)*

**SCHEDULE H**  
**SEMICONDUCTOR AND RELATED OPERATIONS**  
(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

- a. The minimum fee per source is: \$760
- b. The maximum fee per source is: \$60,818

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);  
Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

\$514 per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

\$1,527 per 1,000 gallon

2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.

- a. RAF for first toxic air contaminant (TAC) source in application: \$508 plus initial fee
- b. Minimum RAF for first TAC source: \$1,322
- c. RAF for each additional TAC source: equal to initial fee \*
- d. Minimum RAF per additional TAC source: \$760 \*
- e. Maximum RAF per source is: \$60,818

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:

- a. The minimum fee per source is: \$550
- b. The maximum fee per source is: \$30,404

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);  
Solvent Spray Stations (as defined in Regulation 8-30-221);

Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

\$258 per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

\$760 per 1,000 gallon

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

5. The fee for each source will be rounded to the whole dollar. Fees for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 1/9/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/20/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE I  
 DRY CLEANERS  
 (Adopted July 6, 1983)**

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: \$700
  - b. If the washing or drying capacity exceeds 100 pounds: \$700 plus  
 For that portion of the capacity exceeding 100 pounds: \$20.95 per pound
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$508 plus initial fee
  - b. Minimum RAF for first TAC source: \$1,245
  - c. RAF for each additional TAC source: equal to initial fee\*
  - d. Minimum RAF per additional TAC source: \$700\*
  
- \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: \$511
  - b. If the washing or drying capacity exceeds 100 pounds: \$511 plus  
 For that portion of the capacity exceeding 100 pounds: \$10.52 per pound
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 10/17/84; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE K**  
**SOLID WASTE DISPOSAL SITES**  
(Adopted July 15, 1987)

1. INITIAL FEE:
  - a. Landfill (Decomposition Process) \$5,808
  - b. Active Landfill (Waste and Cover Material Dumping Process) \$2,903
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$2,903
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$508 plus initial fee
  - b. RAF for each additional TAC source: equal to initial fee\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE:
  - a. Landfill (Decomposition Process) \$2,903
  - b. Active Landfill (Waste and Cover Material Dumping Process) \$1,451
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$1,451
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Evaluation of Reports and Questionnaires:
  - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) \$3,200
  - b. Evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$1,604
  - c. Evaluation of Solid Waste Air Assessment Test Report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$1,604
  - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 \$1,180
  - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34, Sections 406 or 407 \$3,375
  - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 \$1,180
  - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 \$2,953
  
6. Fees for each source will be rounded off to the nearest dollar. The fee for sources will be rounded up or down to the nearest dollar.
  
7. For the purposes of this fee schedule, landfill shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

*(Amended 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/6/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19)*



**SCHEDULE L**  
**ASBESTOS OPERATIONS**  
(Adopted July 6, 1988)

1. Asbestos Operations conducted at single family dwellings are subject to the following fees:
  - a. OPERATION FEE:     \$185   for amounts 100 to 500 square feet or linear feet.  
                              \$679   for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
                              \$988   for amounts 1001 square feet or liner feet to 2000 square feet or linear feet.  
                              \$1,358 for amounts greater than 2000 square feet or linear feet.
  - b. Cancellation:         \$90    of above amounts non-refundable for notification processing.
2. Asbestos Operations, other than those conducted at single family dwellings, are subject to the following fees:
  - a. OPERATION FEE:     \$524   for amounts 100 to 159 square feet or 100 to 259 linear feet or 35 cubic feet  
                              \$754   for amounts 160 square feet or 260 linear feet to 500 square feet or linear feet or greater than 35 cubic feet.  
                              \$1,098 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
                              \$1,620 for amounts 1001 square feet or liner feet to 2500 square feet or linear feet.  
                              \$2,309 for amounts 2501 square feet or linear feet to 5000 square feet or linear feet.  
                              \$3,169 for amounts 5001 square feet or linear feet to 10000 square feet or linear feet.  
                              \$4,031 for amounts greater than 10000 square feet or linear feet.
  - b. Cancellation:         \$248   of above amounts non-refundable for notification processing.
3. Demolitions (including zero asbestos demolitions) conducted at a single-family dwelling are subject to the following fee:
  - a. OPERATION FEE:     \$90
  - b. Cancellation:         \$90    (100% of fee) non-refundable, for notification processing.
4. Demolitions (including zero asbestos demolitions) other than those conducted at a single family dwelling are subject to the following fee:
  - a. OPERATION FEE:     \$372
  - b. Cancellation:         \$248   of above amount non-refundable for notification processing.
5. Asbestos operations with less than 10 days prior notice (excluding emergencies) are subject to the following additional fee:
  - a. OPERATION FEE:     \$619
6. Asbestos demolition operations for the purpose of fire training are exempt from fees.

*(Amended 9/5/90; 1/5/94; 8/20/97; 10/7/98; 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/5/19)*

**SCHEDULE M**  
**MAJOR STATIONARY SOURCE FEES**  
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM<sub>10</sub>, the fee shall be based on the following:

- |    |                   |                  |
|----|-------------------|------------------|
| 1. | Organic Compounds | \$124.51 per ton |
| 2. | Sulfur Oxides     | \$124.51 per ton |
| 3. | Nitrogen Oxides   | \$124.51 per ton |
| 4. | PM <sub>10</sub>  | \$124.51 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM<sub>10</sub>, if occurring in an amount less than 50 tons per year, shall not be counted.

*(Amended 7/3/91; 6/15/94; 7/1/98; 5/9/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE N**  
**TOXIC INVENTORY FEES**  
(Adopted October 21, 1992)

For each stationary source emitting substances covered by California Health and Safety Code Section 44300 *et seq.*, the Air Toxics "Hot Spots" Information and Assessment Act of 1987, which have trigger levels listed in Table 2-5-1, a fee based on the weighted emissions of the facility shall be assessed based on the following formulas:

1. A fee of \$5 for each gasoline product dispensing nozzle in a Gasoline Dispensing Facility; or
2. A fee calculated by multiplying the facility's weighted toxic inventory ( $w_i$ ) by the following factor:

Air Toxic Inventory Fee Factor	\$0.80 per weighted pound per year
--------------------------------	------------------------------------

Using the last reported data, the facility's weighted toxic inventory ( $w_i$ ) is calculated as a sum of the individual TAC emissions multiplied by either the inhalation cancer potency factor for the TAC (see Regulation 2, Rule 5, Table 2-5-1, column 10) times 28.6 if the emission is a carcinogen, or by the reciprocal of the chronic inhalation reference exposure level for the TAC (see Regulation 2, Rule 5, Table 2-5-1, column 8) if the emission is not a carcinogen.

3. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above and rounded down to the nearest dollar for amounts 50 cents and lower.

*(Amended 12/15/93; 6/15/05; 5/2/07; 6/16/10; 5/4/11; 6/4/14; 6/3/15, 6/15/16,6/6/18,6/5/19, 6/3/20)*

**SCHEDULE P**  
**MAJOR FACILITY REVIEW FEES**  
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2, Rule 6, shall pay annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay the fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

- a. MFR SOURCE FEE ..... \$869 per source
- b. MFR EMISSIONS FEE..... \$34.20 per ton of regulated air pollutants emitted

Each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

- c. MFR/SYNTHETIC MINOR MONITORING FEE ..... \$8,688 per monitor per pollutant

2. SYNTHETIC MINOR APPLICATION FEES

Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit shall pay application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

- a. SYNTHETIC MINOR FILING FEE ..... \$1,210 per application
- b. SYNTHETIC MINOR INITIAL PERMIT FEE ..... \$869 per source
- c. SYNTHETIC MINOR REVISION FEE..... \$869 per source modified

3. MFR APPLICATION FEES

Each facility that applies for or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit shall pay, with the application and in addition to any other fees required by this regulation, the MFR filing fee and any applicable fees listed in 3b-h below. The fees in 3b apply to each source in the initial permit. The fees in 3g apply to each source in the renewal permit, The fees in 3d-f apply to each source affected by the revision or reopening.

- a. MFR FILING FEE ..... \$1,210 per application
- b. MFR INITIAL PERMIT FEE..... \$1,210 per source
- c. MFR ADMINISTRATIVE AMENDMENT FEE ..... \$342 per application
- d. MFR MINOR REVISION FEE ..... \$1,718 per source modified
- e. MFR SIGNIFICANT REVISION FEE ..... \$3,203 per source modified
- f. MFR REOPENING FEE ..... \$1,050 per source modified
- g. MFR RENEWAL FEE..... \$510 per source

Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.

- h. MFR PERMIT SHIELD FEE ..... \$1,809 per shielded source or group of sources

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

MFR PUBLIC NOTICE FEE ..... Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

a. MFR PUBLIC HEARING FEE ..... Cost of Public Hearing not to exceed \$14,784

b. NOTICE OF PUBLIC HEARING FEE ..... Cost of distributing Notice of Public Hearing

6. POTENTIAL TO EMIT DEMONSTRATION FEE

Each facility that makes a potential to emit demonstration under Regulation 2-6-312 in order to avoid the requirement for an MFR permit shall pay the following fee:

a. PTE DEMONSTRATION FEE ..... \$207 per source, not to exceed \$20,323

*(Amended 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE Q**  
**EXCAVATION OF CONTAMINATED SOIL AND**  
**REMOVAL OF UNDERGROUND STORAGE TANKS**  
(Adopted January 5, 1994)

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:

- a. OPERATION FEE: \$168

*(Amended 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/4/14; 6/3/15, 6/15/16)*

**SCHEDULE R  
EQUIPMENT REGISTRATION FEES**

1. Persons operating commercial cooking equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Conveyorized Charbroiler REGISTRATION FEE: \$744 per facility
  - b. Conveyorized Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
  - c. Under-fired Charbroiler REGISTRATION FEE: \$744 per facility
  - d. Under-fired Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
  
2. Persons operating non-halogenated dry cleaning equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Dry Cleaning Machine REGISTRATION FEE: \$371
  - b. Dry Cleaning Machine ANNUAL RENEWAL FEE: \$259
  
3. Persons operating diesel engines who are required to register equipment as required by District or State rules are subject to the following fees:
  - a. Diesel Engine REGISTRATION FEE: \$250
  - b. Diesel Engine ANNUAL RENEWAL FEE: \$166
  - c. Diesel Engine ALTERNATIVE COMPLIANCE PLAN FEE (for each plan submitted under District Regulation 11-17-402): \$250
  
4. Persons operating boilers, steam generators and process heaters who are required to register equipment by District Regulation 9-7-404 are subject to the following fees:
  - a. REGISTRATION FEE \$137 per device
  - b. ANNUAL RENEWAL FEE: \$115 per device
  
5. Persons owning or operating graphic arts operations who are required to register equipment by District Regulation 8-20-408 are subject to the following fees:
  - a. REGISTRATION FEE: \$446
  - b. ANNUAL RENEWAL FEE: \$278
  
6. Persons owning or operating mobile refinishing operations who are required to register by District Regulation 8-45-4 are subject to the following fees:
  - a. REGISTRATION FEE \$209
  - b. ANNUAL RENEWAL FEE \$123

*(Adopted 7/6/07; Amended 12/5/07; 5/21/08; 7/30/08; 11/19/08; 12/3/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18)*

**SCHEDULE S**  
**NATURALLY OCCURRING ASBESTOS OPERATIONS**

1. ASBESTOS DUST MITIGATION PLAN INITIAL REVIEW AND AMENDMENT FEES:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for initial review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): \$635

Any person submitting a request to amend an existing ADMP shall pay the following fee: \$325

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: \$4,900

3. INSPECTION FEE:

The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District after July 1, 2012 in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: \$144 per hour

*(Adopted 6/6/07; Amended 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*



**SCHEDULE T  
GREENHOUSE GAS FEES**

For each permitted facility emitting greenhouse gases, the fee shall be based on the following:

1. Carbon Dioxide Equivalent (CDE) Emissions \$0.120 per metric ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. The annual emissions of each greenhouse gas (GHG) listed below shall be determined by the APCO for each permitted (i.e., non-exempt) source. For each emitted GHG, the CDE emissions shall be determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility shall be based on the sum of the CDE emissions for all GHGs emitted by the facility, except that no fee shall be assessed for emissions of biogenic carbon dioxide.

**Global Warming Potential Relative to Carbon Dioxide\***

GHG	CAS Registry Number	GWP**
Carbon Dioxide	124-38-9	1
Methane	74-82-8	34
Nitrous Oxide	10024-97-2	298
Nitrogen Trifluoride	7783-54-2	17,885
Sulfur Hexafluoride	2551-62-4	26,087
HCFC-22	75-45-6	2,106
HCFC-123	306-83-2	96
HCFC-124	2837-89-0	635
HCFC-141b	1717-00-6	938
HCFC-142b	75-68-3	2,345
HCFC-225ca	422-56-0	155
HCFC-225cb	507-55-1	633
HFC-23	75-46-7	13,856
HFC-32	75-10-5	817
HFC-125	354-33-6	3,691
HFC-134a	811-97-2	1,549
HFC-143a	420-46-2	5,508
HFC-152a	75-37-6	167
HFC-227ea	431-89-0	3,860
HFC-236fa	690-39-1	8,998
HFC-245fa	460-73-1	1,032
HFC-365mfc	406-58-6	966
HFC-43-10-mee	138495-42-8	1,952
PFC-14	75-73-0	7,349
PFC-116	76-16-4	12,340
PFC-218	76-19-7	9,878
PFC-318	115-25-3	10,592

\* Source: Myhre, G., et al., 2013: Anthropogenic and Natural Radiative Forcing (and Supplementary Material). In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., et al. (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available from [www.ipcc.ch](http://www.ipcc.ch).

\*\* GWPs compare the integrated radiative forcing over a specified period (i.e. 100 years) from a unit mass pulse emission to compare the potential climate change associated with emissions of different GHGs. GWPs listed include climate-carbon feedbacks.

*(Adopted 5/21/08; Amended 5/20/09; 6/16/10; 6/4/14; 6/3/15; 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE U  
INDIRECT SOURCE REVIEW FEES**

The applicant for any project deemed an indirect source pursuant to District rules shall be subject to the following fees:

1. APPLICATION FILING FEE

When an applicant files an Air Quality Impact Assessment as required by District rules, the applicant shall pay a non-refundable Application Filing Fee as follows:

- |  |       |
|--|-------|
| a. Residential project:                  | \$615 |
| b. Non-residential or mixed use project: | \$918 |

2. APPLICATION EVALUATION FEE

Every applicant who files an Air Quality Impact Assessment as required by District rules shall pay an evaluation fee for the review of an air quality analysis and the determination of Offsite Emission Reduction Fees necessary for off-site emission reductions. The Application Evaluation fee will be calculated using the actual staff hours expended and the prevailing weighted labor rate. The Application Filing fee, which assumes eight hours of staff time for residential projects and twelve hours of staff time for non-residential and mixed use projects, shall be credited towards the actual Application Evaluation Fee.

3. OFFSITE EMISSION REDUCTION FEE

(To be determined)

*(Adopted 5/20/09; Amended 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

**SCHEDULE V  
OPEN BURNING**

1. Any prior notification required by Regulation 5, Section 406 is subject to the following fee:
  - a. OPERATION FEE: \$138
  - b. The operation fee paid as part of providing notification to the District prior to burning will be determined for each property, as defined in Regulation 5, Section 217, and will be valid for one year from the fee payment date when a given fire is allowed, as specified in Regulation 5, Section 401 for the following fires:

<b>Regulation 5 Section – Fire</b>	<b>Burn Period</b>
401.1 - Disease and Pest	January 1 – December 31
401.2 - Crop Replacement <sup>1</sup>	October 1 – April 30
401.3 - Orchard Pruning and Attrition <sup>2</sup>	November 1 – April 30
401.4 - Double Cropping Stubble	June 1 – August 31
401.6 - Hazardous Material <sup>1</sup>	January 1 – December 31
401.7 - Fire Training	January 1 – December 31
401.8 - Flood Debris	October 1 – May 31
401.9 - Irrigation Ditches	January 1 – December 31
401.10 - Flood Control	January 1 – December 31
401.11 - Range Management <sup>1</sup>	July 1 – April 30
401.12 - Forest Management <sup>1</sup>	November 1 – April 30
401.14 - Contraband	January 1 – December 31

<sup>1</sup> Any Forest Management fire, Range Management fire, Hazardous Material fire not related to Public Resources Code 4291, or any Crop Replacement fire for the purpose of establishing an agricultural crop on previously uncultivated land, that is expected to exceed 10 acres in size or burn piled vegetation cleared or generated from more than 10 acres is defined in Regulation 5, Section 213 as a type of Prescribed Burning and, as such, is subject to the Prescribed Burning operation fee in Section 3 below.

<sup>2</sup> Upon the determination of the APCO that heavy winter rainfall has prevented this type of burning, the burn period may be extended to no later than June 30.

- c. Any person who provided notification required under Regulation 5, Section 406, who seeks to burn an amount of material greater than the amount listed in that initial notification, shall provide a subsequent notification to the District under Regulation 5, Section 406 and shall pay an additional open burning operation fee prior to burning.
2. Any Marsh Management fire conducted pursuant to Regulation 5, Section 401.13 is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
  - a. OPERATION FEE:
 

\$495	for 50 acres or less
\$673	for more than 50 acres but less than or equal to 150 acres
\$849	for more than 150 acres
  - b. The operation fee paid for a Marsh Management fire will be valid for a Fall or Spring burning period, as specified in Regulation 5, Subsection 401.13. Any burning subsequent to either of these time periods shall be subject to an additional open burning operation fee.
3. Any Wildland Vegetation Management fire (Prescribed Burning) conducted pursuant to Regulation 5, Section 401.15 is subject to the following fee, which will be determined for each prescribed burning project by the proposed acreage to be burned:
  - a. OPERATION FEE:
 

\$602	for 50 acres or less
\$816	for more than 50 acres but less than or equal to 150 acres
\$1,062	for more than 150 acres

- b. The operation fee paid for a prescribed burn project will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
- 4. Any Filmmaking fire conducted pursuant to Regulation 5, Section 401.16 and any Public Exhibition fire conducted pursuant to Regulation 5, Section 401.17 is subject to the following fee:
  - a. OPERATION FEE: \$714
  - b. The operation fee paid for a Filmmaking or Public Exhibition fire will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
- 5. Any Stubble fire conducted pursuant to Regulation 5, Section 401.5 that requires a person to receive an acreage burning allocation prior to ignition is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
  - a. OPERATION FEE:
 

\$353	for 25 acres or less
\$495	for more than 25 acres but less than or equal to 75 acres
\$602	for more than 75 acres but less than or equal to 150 acres
\$708	for more than 150 acres
  - b. The operation fee paid for a Stubble fire will be valid for one burn period, which is the time period beginning September 1 and ending December 31, each calendar year. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
- 6. All fees paid pursuant to Schedule V are non-refundable.
- 7. All fees required pursuant to Schedule V must be paid before conducting a fire.

*(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/3/20)*

**SCHEDULE W**  
**PETROLEUM REFINING EMISSIONS TRACKING FEES**

1. ANNUAL EMISSIONS INVENTORIES:

Any Petroleum Refinery owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- |                                      |          |
|--------------------------------------|----------|
| a. Initial submittal:                | \$58,860 |
| b. Each subsequent annual submittal: | \$29,430 |

Any Support Facility owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- |                                      |         |
|--------------------------------------|---------|
| a. Initial submittal:                | \$3,597 |
| b. Each subsequent annual submittal: | \$1,799 |

2. AIR MONITORING PLANS:

Any person required to submit an air monitoring plan in accordance with Regulation 12, Rule 15, Section 403 shall pay a one-time fee of \$8,175.

*(Adopted 6/15/16, 6/5/19)*

**SCHEDULE X  
MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES**

For each major stationary source, emitting 35 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide and/or PM<sub>10</sub> within the vicinity of a District proposed community air monitoring location, the fee shall be based on the following:

- |    |                   |                 |
|----|-------------------|-----------------|
| 1. | Organic Compounds | \$60.61 per ton |
| 2. | Sulfur Oxides     | \$60.61 per ton |
| 3. | Nitrogen Oxides   | \$60.61 per ton |
| 4. | Carbon Monoxide   | \$60.61 per ton |
| 5. | PM <sub>10</sub>  | \$60.61 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, or PM<sub>10</sub>, if occurring in an amount less than 35 tons per year, shall not be counted.

*(Adopted: 6/15/16; Amended: 6/21/17)*

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Public Hearing to Consider Adoption of the Air District's Proposed Budget for Fiscal  
Year Ending (FYE) 2021

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RECOMMENDED ACTION

Recommend Board of Directors conduct its second and final public hearing and consider adoption of a resolution to approve the Budget for the Fiscal Year Ending (FYE) 2021 and various budget related actions.

BACKGROUND

Pursuant to Health and Safety Code Section 40131, the Executive Officer/APCO will present the FYE 2021 proposed budget to the Board of Directors for adoption.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed consolidated budget for FYE 2021 is \$241,582,710 which includes General Fund Budget of \$106,474,611.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze  
Reviewed by: Jeff McKay

Attachment 22A: Draft Resolution to Approve the Budget for the Fiscal Year Ending June 30, 2021 (FYE 2020-2021) and Various Budget Related Actions

Attachment 22B: Bay Area Air Quality Management District Salary Schedule for Management and Confidential Classes

Attachment 22C: Proposed FYE 2021 budget available at:  
<http://www.baaqmd.gov/publications/annual-budget>

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**Resolution No. -**

**A Resolution to Approve the Budget for the Fiscal Year Ending June 30, 2021  
(FY 2020-2021) and Various Budget Related Actions**

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District (Air District) has the statutory authority and direction to set the Air District's financial budget pursuant to Health & Safety Code Sections 40130-40131 and 40270-40276;

WHEREAS, by Resolution No. 2019-09, the Board of Directors adopted the Air District Budget for Fiscal Year (FY) 2019-2020 on June 5, 2019, pursuant to the above-mentioned statutory authority;

WHEREAS, the Board of Directors, in connection with that action, approved the following budget related actions:

- A. Transfer Funds from Encumbered Balance of Appropriations to the Next Fiscal Year for Continuation of Projects/Programs
- B. Transfer Funds from Unencumbered Balance of Appropriations to the General Reserve;
- C. Fund the General Reserve from Year to Year;
- D. Authorize Modification to Name and Purpose of certain Designated Reserve Funds;
- E. Authorize Disposal of Surplus Government Property;
- F. Approve Salary Ranges for District Employees; and
- G. Approve Proposed District Budget for FY 2019-2020;

WHEREAS, Air District staff has determined through its annual budget review and analysis that similar actions are necessary in connection with the adoption of a budget for FY 2020-2021 and that all of these actions be incorporated into a single resolution;

WHEREAS, the Budget and Finance Committee of the Board of Directors reviewed the proposed FY 2020-2021 District Budget at public meetings held on March 25, 2020, April 22, 2020, April 29, 2020 and May 20, 2020, and recommended that the Board of Directors approve as submitted;

WHEREAS, an initial public hearing was duly noticed and held on May 6, 2020, at a Special Meeting of the Board of Directors held pursuant to Health & Safety Code Section 40131, for the purpose of reviewing the Air District's proposed FY 2020-2021 Budget and of providing the public with an opportunity to comment upon the proposed District Budget;

WHEREAS, at the May 6, 2020 Special Meeting of the Board of Directors, the Proposed FY 2020-2021 Air District Budget was set for a further hearing and proposed adoption at the Regular Meeting of the Board of Directors to be held on June 3, 2020;



WHEREAS, in connection with the public hearing and consideration of the Proposed FY 2020-2021 District Budget on June 3, 2020, the Board of Directors decided to take the following actions related to the FY 2019-2020 District Budget:

**A. CARRYFORWARD ENCUMBERED BALANCE OF APPROPRIATIONS TO THE NEXT FISCAL YEAR FOR CONTINUATION OF PROJECTS/PROGRAMS NOT COMPLETED IN THE CURRENT FISCAL YEAR**

WHEREAS, the Air District Budget FY2019-2020 has appropriated funds committed for projects/programs not completed in the current fiscal year that will carry over to the next fiscal year;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby directs Air District staff, that in the event there is encumbered balance of appropriations from FY 2019-2020 for continuation of projects, to transfer such appropriations to the 2020-2021 fiscal year budget as needed for completion of projects/programs;

**B. TRANSFER FUNDS FROM UNENCUMBERED BALANCE OF APPROPRIATIONS TO THE GENERAL RESERVE**

WHEREAS, the Proposed Air District Budget provides sufficient funds for the operation of the Air District for FY 2020-2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby directs Air District staff, that in the event there is an unencumbered balance of appropriations from FY 2019-2020, to transfer such excess balance to the General Reserve.

**C. FUND THE GENERAL RESERVE FROM YEAR TO YEAR**

WHEREAS, the Board of Directors on June 12, 1958, created a General Reserve in the Air District's budget and transferred certain funds into it;

WHEREAS, the Air District has operated for much of its existence with a General Reserve in its fiscal year budget;

WHEREAS, the Air District retained the consulting firm of KPMG LLP in 1998-99 to conduct a permit fee cost recovery study of the Air District;

WHEREAS, KPMG LLP determined through their study of Air District finances that the General Reserve was inadequately funded and therefore recommended that the General Reserve be funded to a level consistent with generally accepted governmental practices;

WHEREAS, Air District staff concurred with this finding and recommendation from KPMG LLP;

WHEREAS, the Board of Directors concurs with the recommendation of KPMG LLP, Air District staff and its Budget and Finance Committee that maintaining a healthy and properly funded General Reserve in the Air District's budget is a prudent and financially sound decision;

WHEREAS, as a part of the adoption of the 2015-16 Budget, the Board of Director approved an Economic Contingency Reserve Policy of 20% of the General Fund Budget;

NOW THEREFORE, BE IT FURTHER RESOLVED that the General Reserve be continued for FY 2020-2021, and thereafter until discontinued by resolution of the Board of Directors.

**D. AUTHORIZE DISPOSAL OF SURPLUS GOVERNMENT PROPERTY**

WHEREAS, the Air District Budget for FY 2020-2021 provides for the replacement of certain equipment and other property that has either become obsolete and surplus or will become obsolete and surplus;

WHEREAS, Air District staff has determined that certain equipment or other property will no longer be economically feasible to maintain or repair, and that some equipment will become obsolete and not useful for Air District purposes;

WHEREAS, from time to time during the course of the coming fiscal year it may be advantageous to the Air District to sell or dispose of such equipment or other property;

WHEREAS, the Board of Directors desires to authorize the Executive Officer/APCO, or his or her designee, to sell or dispose of such surplus or obsolete equipment or other property pursuant the requirements and guidelines of Government Code Sections 25363 and 25504;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Executive Officer/APCO, or his or her designee, to sell or dispose of surplus or obsolete equipment or other property during FY 2020-2021.

**E. SALARY RANGES FOR DISTRICT EMPLOYEES**

WHEREAS, the Board of Directors established Salary Ranges and Classifications on June 10, 1962, pursuant to Resolution No. 270 and has from time to time amended those Salary Ranges and Classifications;

WHEREAS, the Air District Budget for FY 2020-2021 includes funds for Board of Director discretionary use in adjusting salaries and fringe benefits for Air District employees;

WHEREAS, the successor Memorandum of Understanding (the “MOU”) with the employees represented by the recognized employee organization Bay Area Air Quality Management District Employees Association (“EA”) is set to expire on June 30, 2020, and a successor MOU is being negotiated and completion is anticipated in the FY 2020-2021 period;

WHEREAS, the successor MOU between the District and EA is set to expire on June 30, 2020 and all provisions shall supersede the provisions of the July 1, 2017 to June 30, 2020 agreement;

WHEREAS, management employees and confidential employees are not represented by a recognized employee organization;

WHEREAS, the FY 2019-2020 salary schedule attached hereto remains unchanged for FY 2020-2021 pending the completion of negotiations; whereby any proposed salary adjustments will be presented to the Board of Directors for approval at such time.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors approves the salary schedules attached hereto effective July 1, 2020 which provides no salary increases.

**F. APPROVE FUNDING FOR OTHER POST RETIREMENT BENEFITS (OPEB) AND CALPERS PENSION BENEFITS (CalPERS) FOR FY 2020-2021**

WHEREAS, as a part of the adoption of the FY 2016 and FY 2017 Budgets, the Board of Directors approved a policy to prefund OPEB to achieve 90% funding with no target date;

WHEREAS, as a part of the adoption of the FY 2019 Budget, the Board of Directors approved recommendation to amend the funding policy for the CalPERS pension plan to achieve 90% funding within 20 years;

NOW, THEREFORE, BE IT FURTHER RESOLVED that as a part of the FY 2020-2021 Proposed Budget, the Board of Directors approved a recommendation for continuation of prefunding OPEB and CalPERS in the amount of \$4.0 million and \$1.0 million, respectively.

**G. APPROVE PROPOSED AIR DISTRICT BUDGET FOR FY 2020-2021**

WHEREAS, on May 6, 2020, and June 3, 2020, public proceedings have been held in a manner and form required by Health & Safety Code Section 40131 for the adoption of the FY 2020-2021 Budget of the Bay Area Air Quality Management District;

WHEREAS, the Board of Directors has considered the Proposed Budget for the fiscal year ending June 30, 2021, as well as the report on this proposed budget from the Budget and Finance Committee of the Board of Directors which considered the Proposed FY 2020-2021 Air District Budget at their meetings of March 25, 2020, April 22, 2020, April 29, 2020 and May 20, 2020;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Proposed Air District Budget for FY Ending 2020-2021 in the total consolidated amount of Two Hundred Forty-One Million, Five Hundred Eighty-Two Thousand, Seven Hundred and Ten Dollars (\$241,582,710), specifying by appropriation classification – personnel, services and supplies, capital outlay, program distributions and transfers –is hereby adopted by the Board of Directors of the Bay Area Air Quality Management District to become effective as of July 1, 2020.

DRAFT

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of \_\_\_\_\_, seconded by \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 2020

by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
ROD SINKS  
Chairperson of the Board of Directors

\_\_\_\_\_  
KAREN MITCHOFF  
Secretary of the Board of Directors

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**SALARY SCHEDULE FOR MANAGEMENT AND CONFIDENTIAL CLASSES**  
 Annually/Monthly/Bi-weekly/Hourly effective July 1, 2020 (Proposed)

**ID-JDE MANAGEMENT****Per Employment Agreement**

1B101 Executive Officer/Air Pollution Control Officer	308114.82
	25676.24
	11850.57
	148.13
1B102 Counsel	307382.40
	25615.20
	11822.40
	147.78

**ID-JDE MANAGEMENT**

<b>ID-JDE MANAGEMENT</b>	<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
3M101 Air Monitoring Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38
3M102 Air Quality Engineering Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38
3M103 Air Quality Planning Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38
3M104 Air Quality Program Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38
8M101 Assistant Counsel I	149M	140261.82	147274.92	154638.66	162370.59	170489.12
		11688.49	12272.91	12886.56	13530.88	14207.43
		5394.69	5664.42	5947.64	6245.02	6557.27
		67.43	70.81	74.35	78.06	81.97
7M101 Assistant Counsel II	153M	157326.97	165193.32	173452.98	182125.63	191231.91
		13110.58	13766.11	14454.42	15177.14	15935.99
		6051.04	6353.59	6671.27	7004.83	7355.07
		75.64	79.42	83.39	87.56	91.94
3M121 Assistant Manager	147M	135904.95	142700.20	149835.21	157326.97	165193.32
		11325.41	11891.68	12486.27	13110.58	13766.11
		5227.11	5488.47	5762.89	6051.04	6353.59
		65.34	68.61	72.04	75.64	79.42
3M117 Audit & Special Projects Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38

## ID-JDE MANAGEMENT(CONTINUED)

	Range	Step A	Step B	Step C	Step D	Step E
3M105 Business Manager	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
2M111 Communications Officer	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
1M101 Deputy Air Pollution Control Officer	160M	186623.24 15551.94 7177.82 89.72	195954.40 16329.53 7536.71 94.21	205752.12 17146.01 7913.54 98.92	216039.72 18003.31 8309.22 103.87	226841.71 18903.48 8724.68 109.0585
1M102 Deputy Executive Officer	169M	232443.58 19370.30 8940.14 111.75	244065.76 20338.81 9387.14 117.34	256269.05 21355.75 9856.50 123.21	269082.50 22423.54 10349.33 129.37	282536.63 23544.72 10866.79 135.83
2M110 Director/Officer	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
2M101 Director of Administration	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
2M102 Director of Enforcement	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
2M103 Director of Engineering	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
2M108 Director of Strategic Incentives	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
2M104 Director of Information Services	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
2M105 Director of Planning and Research	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
2M107 Director of Technical Services	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27

ID-JDE MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M119 Engineering Project Processing Manager	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
3M113 Executive Operations Manager	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
3M107 Finance Manager	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
3M106 Fleet and Facilities Manager	134M	98970.29 8247.52 3806.55 47.58	103918.80 8659.90 3996.88 49.96	109114.74 9092.90 4196.72 52.46	114570.48 9547.54 4406.56 55.08	120299.00 10024.92 4626.88 57.84
2M111 Health Officer	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
3M118 Human Resources Manager	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
3M108 Human Resources Officer	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
3M109 Information Systems Manager	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
2M109 Information Technology Officer	156M	168155.25 14012.94 6467.51 80.84	176563.01 14713.58 6790.89 84.89	185391.16 15449.26 7130.43 89.13	194660.72 16221.73 7486.95 93.59	204393.76 17032.81 7861.30 98.27
3M110 Manager (Laboratory)	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
3M120 Manager	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38
3M115 Manager of Executive Operations	148M	139261.13 11605.09 5356.20 66.95	146224.19 12185.35 5624.01 70.30	153535.40 12794.62 5905.21 73.82	161212.17 13434.35 6200.47 77.51	169272.78 14106.06 6510.49 81.38



ID-JDE MANAGEMENT(CONTINUED)	Range	Step A	Step B	Step C	Step D	Step E
3M111 Meteorology and Data Analysis Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38
3M112 Research and Modeling Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38
6M101 Senior Assistant Counsel	157M	173452.98	182125.63	191231.91	200793.51	210833.18
		14454.42	15177.14	15935.99	16732.79	17569.43
		6671.27	7004.83	7355.07	7722.83	8108.97
		83.39	87.56	91.94	96.54	101.36
6M102 Senior Policy Advisor	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38
3M116 Strategic Facilities Planning Manager	148M	139261.13	146224.19	153535.40	161212.17	169272.78
		11605.09	12185.35	12794.62	13434.35	14106.06
		5356.20	5624.01	5905.21	6200.47	6510.49
		66.95	70.30	73.82	77.51	81.38

## ID-JDE CONFIDENTIAL

	Range	Step A	Step B	Step C	Step D	Step E
7C007 Administrative Secretary (Confidential)	118	65035.91 5419.66 2501.38 31.27	68287.70 5690.64 2626.45 32.83	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01
5C101 Clerk of the Boards	132	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48
8C004 Executive Secretary I	128	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51
7C001 Executive Secretary II	132	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48
8C101 Human Resources Analyst I	130	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93
7C103 Human Resources Analyst II	134	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15
8C001 Human Resources Technician I	122	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90
7C002 Human Resources Technician II	126	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20
7C003 Legal Office Services Specialist	124	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00
8C002 Legal Secretary I	116	61938.96 5161.58 2382.27 29.78	65035.91 5419.66 2501.38 31.27	68287.70 5690.64 2626.45 32.83	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20
7C004 Legal Secretary II	120	68287.70 5690.64 2626.45 32.83	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91
8C003 Office Assistant I (HR)	104	46219.81 3851.65 1777.68 22.22	48530.80 4044.23 1866.57 23.33	50957.34 4246.44 1959.90 24.50	53505.20 4458.77 2057.89 25.72	56180.46 4681.71 2160.79 27.01

## ID-JDE CONFIDENTIAL(CONTINUED)

	Range	Step A	Step B	Step C	Step D	Step E
7C005 Office Assistant II (HR)	108	50957.34	53505.20	56180.46	58989.49	61938.96
		4246.44	4458.77	4681.71	4915.79	5161.58
		1959.90	2057.89	2160.79	2268.83	2382.27
		24.50	25.72	27.01	28.36	29.78
7C102 Paralegal	124	75287.19	79051.55	83004.13	87154.34	91512.05
		6273.93	6587.63	6917.01	7262.86	7626.00
		2895.66	3040.44	3192.47	3352.09	3519.69
		36.20	38.01	39.91	41.90	44.00
6C102 Senior Human Resources Analyst	138	105936.64	111233.47	116795.15	122634.91	128766.65
		8828.05	9269.46	9732.93	10219.58	10730.55
		4074.49	4278.21	4492.12	4716.73	4952.56
		50.93	53.48	56.15	58.96	61.91
6C001 Senior Executive Secretary	134	96087.66	100892.04	105936.64	111233.47	116795.15
		8007.30	8407.67	8828.05	9269.46	9732.93
		3695.68	3880.46	4074.49	4278.21	4492.12
		46.20	48.51	50.93	53.48	56.15
5C102 Supervising Human Resources Analyst	142	116795.15	122634.91	128766.65	135204.98	141965.23
		9732.93	10219.58	10730.55	11267.08	11830.44
		4492.12	4716.73	4952.56	5200.19	5460.20
		56.15	58.96	61.91	65.00	68.25

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**SALARY SCHEDULE FOR TECHNICAL/GENERAL AND PROFESSIONAL EMPLOYEES**  
 Effective July 1, 2020 per Memorandum of Understanding dated June , 2020 (Proposed)

ID-JDE PROFESSIONAL	Range	Step A	Step B	Step C	Step D	Step E
7P001 Accountant I	123	73472.78	77146.42	81003.74	85053.92	89306.62
		6122.73	6428.87	6750.31	7087.83	7442.22
		2825.88	2967.17	3115.53	3271.30	3434.87
		35.32	37.09	38.94	40.89	42.94
7P014 Accountant II	127	81003.74	85053.92	89306.62	93771.95	98460.55
		6750.31	7087.83	7442.22	7814.33	8205.05
		3115.53	3271.30	3434.87	3606.61	3786.94
		38.94	40.89	42.94	45.08	47.34
7P002 Advanced Projects Advisor	144	122634.91	128766.65	135204.98	141965.23	149063.49
		10219.58	10730.55	11267.08	11830.44	12421.96
		4716.73	4952.56	5200.19	5460.20	5733.21
		58.96	61.91	65.00	68.25	71.67
8P001 Air Quality Chemist I	127	81003.74	85053.92	89306.62	93771.95	98460.55
		6750.31	7087.83	7442.22	7814.33	8205.05
		3115.53	3271.30	3434.87	3606.61	3786.94
		38.94	40.89	42.94	45.08	47.34
7P003 Air Quality Chemist II	131	89306.62	93771.95	98460.55	103383.58	108552.76
		7442.22	7814.33	8205.05	8615.30	9046.06
		3434.87	3606.61	3786.94	3976.29	4175.11
		42.94	45.08	47.34	49.70	52.19
8P002 Air Quality Engineer I	132	91512.05	96087.66	100892.04	105936.64	111233.47
		7626.00	8007.30	8407.67	8828.05	9269.46
		3519.69	3695.68	3880.46	4074.49	4278.21
		44.00	46.20	48.51	50.93	53.48
7P004 Air Quality Engineer II	136	100892.04	105936.64	111233.47	116795.15	122634.91
		8407.67	8828.05	9269.46	9732.93	10219.58
		3880.46	4074.49	4278.21	4492.12	4716.73
		48.51	50.93	53.48	56.15	58.96
8P003 Air Quality Meteorologist I	131	89306.62	93771.95	98460.55	103383.58	108552.76
		7442.22	7814.33	8205.05	8615.30	9046.06
		3434.87	3606.61	3786.94	3976.29	4175.11
		42.94	45.08	47.34	49.70	52.19
7P005 Air Quality Meteorologist II	135	98460.55	103383.58	108552.76	113980.39	119679.41
		8205.05	8615.30	9046.06	9498.37	9973.28
		3786.94	3976.29	4175.11	4383.86	4603.05
		47.34	49.70	52.19	54.80	57.54
7P006 Atmospheric Modeler	140	111233.47	116795.15	122634.91	128766.65	135204.98
		9269.46	9732.93	10219.58	10730.55	11267.08
		4278.21	4492.12	4716.73	4952.56	5200.19
		53.48	56.15	58.96	61.91	65.00
8P004 Environmental Planner I	130	87154.34	91512.05	96087.66	100892.04	105936.64
		7262.86	7626.00	8007.30	8407.67	8828.05
		3352.09	3519.69	3695.68	3880.46	4074.49
		41.90	44.00	46.20	48.51	50.93

ID-JDE PROFESSIONAL(continued)	Range	Step A	Step B	Step C	Step D	Step E
7P007 Environmental Planner II	134	96087.66	100892.04	105936.64	111233.47	116795.15
		8007.30	8407.67	8828.05	9269.46	9732.93
		3695.68	3880.46	4074.49	4278.21	4492.12
		46.20	48.51	50.93	53.48	56.15
7P008 Legislative Analyst	138	105936.64	111233.47	116795.15	122634.91	128766.65
		8828.05	9269.46	9732.93	10219.58	10730.55
		4074.49	4278.21	4492.12	4716.73	4952.56
		50.93	53.48	56.15	58.96	61.91
7P009 Librarian	128	83004.13	87154.34	91512.05	96087.66	100892.04
		6917.01	7262.86	7626.00	8007.30	8407.67
		3192.47	3352.09	3519.69	3695.68	3880.46
		39.91	41.90	44.00	46.20	48.51
4P001 Principal Accountant	135	98460.55	103383.58	108552.76	113980.39	119679.41
		8205.05	8615.30	9046.06	9498.37	9973.28
		3786.94	3976.29	4175.11	4383.86	4603.05
		47.34	49.70	52.19	54.80	57.54
4P002 Principal Air and Meteorological Monitoring Specialist	143	119679.41	125663.38	131946.55	138543.88	145471.07
		9973.28	10471.95	10995.55	11545.32	12122.59
		4603.05	4833.21	5074.87	5328.61	5595.04
		57.54	60.42	63.44	66.61	69.94
4P005 Principal Air Quality Chemist	139	108552.76	113980.39	119679.41	125663.38	131946.55
		9046.06	9498.37	9973.28	10471.95	10995.55
		4175.11	4383.86	4603.05	4833.21	5074.87
		52.19	54.80	57.54	60.42	63.44
4P003 Principal Air Quality Engineer	144	122634.91	128766.65	135204.98	141965.23	149063.49
		10219.58	10730.55	11267.08	11830.44	12421.96
		4716.73	4952.56	5200.19	5460.20	5733.21
		58.96	61.91	65.00	68.25	71.67
4P004 Principal Environmental Planner	142	116795.15	122634.91	128766.65	135204.98	141965.23
		9732.93	10219.58	10730.55	11267.08	11830.44
		4492.12	4716.73	4952.56	5200.19	5460.20
		56.15	58.96	61.91	65.00	68.25
7P010 Research Analyst	130	87154.34	91512.05	96087.66	100892.04	105936.64
		7262.86	7626.00	8007.30	8407.67	8828.05
		3352.09	3519.69	3695.68	3880.46	4074.49
		41.90	44.00	46.20	48.51	50.93
6P001 Senior Advanced Projects Advisor	148	135204.98	141965.23	149063.49	156516.67	164342.50
		11267.08	11830.44	12421.96	13043.06	13695.21
		5200.19	5460.20	5733.21	6019.87	6320.87
		65.00	68.25	71.67	75.25	79.01
6P002 Senior Air Quality Chemist	135	98460.55	103383.58	108552.76	113980.39	119679.41
		8205.05	8615.30	9046.06	9498.37	9973.28
		3786.94	3976.29	4175.11	4383.86	4603.05
		47.34	49.70	52.19	54.80	57.54

<b>ID-JDE PROFESSIONAL(continued)</b>		<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
6P003	Senior Air Quality Engineer	140	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91	135204.98 11267.08 5200.19 65.00
6P004	Senior Air Quality Meteorologist	139	108552.76 9046.06 4175.11 52.19	113980.39 9498.37 4383.86 54.80	119679.41 9973.28 4603.05 57.54	125663.38 10471.95 4833.21 60.42	131946.55 10995.55 5074.87 63.44
6P005	Senior Atmospheric Modeler	144	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91	135204.98 11267.08 5200.19 65.00	141965.23 11830.44 5460.20 68.25	149063.49 12421.96 5733.21 71.67
6P006	Senior Environmental Planner	138	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91
7P011	Statistician	137	103383.58 8615.30 3976.29 49.70	108552.76 9046.06 4175.11 52.19	113980.39 9498.37 4383.86 54.80	119679.41 9973.28 4603.05 57.54	125663.38 10471.95 4833.21 60.42
5P001	Supervising Air Quality Engineer	144	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91	135204.98 11267.08 5200.19 65.00	141965.23 11830.44 5460.20 68.25	149063.49 12421.96 5733.21 71.67
5P002	Supervising Air Quality Meteorologist	143	119679.41 9973.28 4603.05 57.54	125663.38 10471.95 4833.21 60.42	131946.55 10995.55 5074.87 63.44	138543.88 11545.32 5328.61 66.61	145471.07 12122.59 5595.04 69.94
5P003	Supervising Environmental Planner	142	116795.15 9732.93 4492.12 56.15	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91	135204.98 11267.08 5200.19 65.00	141965.23 11830.44 5460.20 68.25
7P012	Toxicologist	144	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91	135204.98 11267.08 5200.19 65.00	141965.23 11830.44 5460.20 68.25	149063.49 12421.96 5733.21 71.67
<b>ID-JDE TECHNICAL/GENERAL</b>		<b>Range</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>
8T001	Accounting Assistant I	106	48530.80 4044.23 1866.57 23.33	50957.34 4246.44 1959.90 24.50	53505.20 4458.77 2057.89 25.72	56180.46 4681.71 2160.79 27.01	58989.49 4915.79 2268.83 28.36
7T001	Accounting Assistant II	110	53505.20 4458.77 2057.89 25.72	56180.46 4681.71 2160.79 27.01	58989.49 4915.79 2268.83 28.36	61938.96 5161.58 2382.27 29.78	65035.91 5419.66 2501.38 31.27

ID-JDE	TECHNICAL/GENERAL(cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T002	Administrative Analyst	131	89306.62 7442.22 3434.87 42.94	93771.95 7814.33 3606.61 45.08	98460.55 8205.05 3786.94 47.34	103383.58 8615.30 3976.29 49.70	108552.76 9046.06 4175.11 52.19
7T003	Administrative Secretary	118	65035.91 5419.66 2501.38 31.27	68287.70 5690.64 2626.45 32.83	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01
8T002	Air Quality Case Settlement Specialist I	126	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20
7T004	Air Quality Case Settlement Specialist II	130	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93
8T003	Air Quality Inspector I	124	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00
7T005	Air Quality Inspector II	128	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51
8T004	Air Quality Instrument Specialist I	124	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00
7T006	Air Quality Instrument Specialist II	128	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51
8T005	Air Quality Laboratory Technician I	122	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90
7T007	Air Quality Laboratory Technician II	126	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20
8T006	Air Quality Permit Technician I	122	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90

ID-JDE	TECHNICAL/GENERAL(cont'd)	Range	Step A	Step B	Step C	Step D	Step E
7T008	Air Quality Permit Technician II	126	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20
8T007	Air Quality Specialist I	130	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93
7T009	Air Quality Specialist II	134	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15
7T010	Air Quality Technical Assistant	118	65035.91 5419.66 2501.38 31.27	68287.70 5690.64 2626.45 32.83	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01
8T008	Air Quality Technician I	122	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90
7T011	Air Quality Technician II	126	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20
8T014	Assistant Staff Specialist I	122	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90
7T033	Assistant Staff Specialist II	126	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20
7T012	Building Maintenance Mechanic	114	58989.49 4915.79 2268.83 28.36	61938.96 5161.58 2382.27 29.78	65035.91 5419.66 2501.38 31.27	68287.70 5690.64 2626.45 32.83	71702.09 5975.17 2757.77 34.47
7T013	Data Entry Operator	111	54826.52 4568.88 2108.71 26.36	57567.84 4797.32 2214.15 27.68	60446.24 5037.19 2324.86 29.06	63468.55 5289.05 2441.10 30.51	66641.98 5553.50 2563.15 32.04



ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T010 Data Support Supervisor	142	116795.15	122634.91	128766.65	135204.98	141965.23
		9732.93	10219.58	10730.55	11267.08	11830.44
		4492.12	4716.73	4952.56	5200.19	5460.20
		56.15	58.96	61.91	65.00	68.25
7T014 Database Specialist	135	98460.55	103383.58	108552.76	113980.39	119679.41
		8205.05	8615.30	9046.06	9498.37	9973.28
		3786.94	3976.29	4175.11	4383.86	4603.05
		47.34	49.70	52.19	54.80	57.54
7T015 Deputy Clerk of the Boards	123	73472.78	77146.42	81003.74	85053.92	89306.62
		6122.73	6428.87	6750.31	7087.83	7442.22
		2825.88	2967.17	3115.53	3271.30	3434.87
		35.32	37.09	38.94	40.89	42.94
7T028 Facilities Maintenance Worker	108	50957.34	53505.20	56180.46	58989.49	61938.96
		4246.44	4458.77	4681.71	4915.79	5161.58
		1959.90	2057.89	2160.79	2268.83	2382.27
		24.50	25.72	27.01	28.36	29.78
5T008 Facilities Services Supervisor	130	87154.34	91512.05	96087.66	100892.04	105936.64
		7262.86	7626.00	8007.30	8407.67	8828.05
		3352.09	3519.69	3695.68	3880.46	4074.49
		41.90	44.00	46.20	48.51	50.93
7T031 Fiscal Services Coordinator	139	108552.76	113980.39	119679.41	125663.38	131946.55
		9046.06	9498.37	9973.28	10471.95	10995.55
		4175.11	4383.86	4603.05	4833.21	5074.87
		52.19	54.80	57.54	60.42	63.44
8T009 Mechanic I	121	69974.07	73472.78	77146.42	81003.74	85053.92
		5831.17	6122.73	6428.87	6750.31	7087.83
		2691.31	2825.88	2967.17	3115.53	3271.30
		33.64	35.32	37.09	38.94	40.89
7T016 Mechanic II	125	77146.42	81003.74	85053.92	89306.62	93771.95
		6428.87	6750.31	7087.83	7442.22	7814.33
		2967.17	3115.53	3271.30	3434.87	3606.61
		37.09	38.94	40.89	42.94	45.08
8T010 Office Assistant I	104	46219.81	48530.80	50957.34	53505.20	56180.46
		3851.65	4044.23	4246.44	4458.77	4681.71
		1777.68	1866.57	1959.90	2057.89	2160.79
		22.22	23.33	24.50	25.72	27.01
7T017 Office Assistant II	108	50957.34	53505.20	56180.46	58989.49	61938.96
		4246.44	4458.77	4681.71	4915.79	5161.58
		1959.90	2057.89	2160.79	2268.83	2382.27
		24.50	25.72	27.01	28.36	29.78
5T001 Office Services Supervisor	116	61938.96	65035.91	68287.70	71702.09	75287.19
		5161.58	5419.66	5690.64	5975.17	6273.93
		2382.27	2501.38	2626.45	2757.77	2895.66
		29.78	31.27	32.83	34.47	36.20
7T029 Organizational Development and Training Specialist	134	96087.66	100892.04	105936.64	111233.47	116795.15
		8007.30	8407.67	8828.05	9269.46	9732.93
		3695.68	3880.46	4074.49	4278.21	4492.12
		46.20	48.51	50.93	53.48	56.15

## ID-JDE TECHNICAL/GENERAL (cont'd)

	Range	Step A	Step B	Step C	Step D	Step E
7T018 Permit Coordinator	134	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15
6T009 Principal Air Quality Instrument Specialist	136	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15	122634.91 10219.58 4716.73 58.96
4T001 Principal Air Quality Specialist	142	116795.15 9732.93 4492.12 56.15	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91	135204.98 11267.08 5200.19 65.00	141965.23 11830.44 5460.20 68.25
8T011 Programmer Analyst I	127	81003.74 6750.31 3115.53 38.94	85053.92 7087.83 3271.30 40.89	89306.62 7442.22 3434.87 42.94	93771.95 7814.33 3606.61 45.08	98460.55 8205.05 3786.94 47.34
7T019 Programmer Analyst II	131	89306.62 7442.22 3434.87 42.94	93771.95 7814.33 3606.61 45.08	98460.55 8205.05 3786.94 47.34	103383.58 8615.30 3976.29 49.70	108552.76 9046.06 4175.11 52.19
8T012 Public Information Officer I	127	81003.74 6750.31 3115.53 38.94	85053.92 7087.83 3271.30 40.89	89306.62 7442.22 3434.87 42.94	93771.95 7814.33 3606.61 45.08	98460.55 8205.05 3786.94 47.34
7T020 Public Information Officer II	131	89306.62 7442.22 3434.87 42.94	93771.95 7814.33 3606.61 45.08	98460.55 8205.05 3786.94 47.34	103383.58 8615.30 3976.29 49.70	108552.76 9046.06 4175.11 52.19
7T027 Purchasing Agent	122	71702.09 5975.17 2757.77 34.47	75287.19 6273.93 2895.66 36.20	79051.55 6587.63 3040.44 38.01	83004.13 6917.01 3192.47 39.91	87154.34 7262.86 3352.09 41.90
7T021 Radio/Telephone Operator	113	57567.84 4797.32 2214.15 27.68	60446.24 5037.19 2324.86 29.06	63468.55 5289.05 2441.10 30.51	66641.98 5553.50 2563.15 32.04	69974.07 5831.17 2691.31 33.64
5T002 Radio/Telephone Operator Supervisor	119	66641.98 5553.50 2563.15 32.04	69974.07 5831.17 2691.31 33.64	73472.78 6122.73 2825.88 35.32	77146.42 6428.87 2967.17 37.09	81003.74 6750.31 3115.53 38.94
7T022 Receptionist	104	46219.81 3851.65 1777.68 22.22	48530.80 4044.23 1866.57 23.33	50957.34 4246.44 1959.90 24.50	53505.20 4458.77 2057.89 25.72	56180.46 4681.71 2160.79 27.01

## ID-JDE TECHNICAL/GENERAL (cont'd)

	Range	Step A	Step B	Step C	Step D	Step E
7T023 Secretary	112	56180.46 4681.71 2160.79 27.01	58989.49 4915.79 2268.83 28.36	61938.96 5161.58 2382.27 29.78	65035.91 5419.66 2501.38 31.27	68287.70 5690.64 2626.45 32.83
6T001 Senior Accounting Assistant	114	58989.49 4915.79 2268.83 28.36	61938.96 5161.58 2382.27 29.78	65035.91 5419.66 2501.38 31.27	68287.70 5690.64 2626.45 32.83	71702.09 5975.17 2757.77 34.47
6T002 Senior Air Quality Inspector	132	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48
6T003 Senior Air Quality Instrument Specialist	132	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48
6T007 Senior Air Quality Permit Technician	130	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93
6T004 Senior Air Quality Specialist	138	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91
6T006 Senior Air Quality Technician	130	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93
6T005 Senior Public Information Officer	135	98460.55 8205.05 3786.94 47.34	103383.58 8615.30 3976.29 49.70	108552.76 9046.06 4175.11 52.19	113980.39 9498.37 4383.86 54.80	119679.41 9973.28 4603.05 57.54
6T008 Senior Staff Specialist	138	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15	122634.91 10219.58 4716.73 58.96	128766.65 10730.55 4952.56 61.91
8T013 Staff Specialist I	130	87154.34 7262.86 3352.09 41.90	91512.05 7626.00 3519.69 44.00	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93
7T032 Staff Specialist II	134	96087.66 8007.30 3695.68 46.20	100892.04 8407.67 3880.46 48.51	105936.64 8828.05 4074.49 50.93	111233.47 9269.46 4278.21 53.48	116795.15 9732.93 4492.12 56.15

ID-JDE TECHNICAL/GENERAL (cont'd)	Range	Step A	Step B	Step C	Step D	Step E
5T003 Supervising Air Quality Inspector	136	100892.04	105936.64	111233.47	116795.15	122634.91
		8407.67	8828.05	9269.46	9732.93	10219.58
		3880.46	4074.49	4278.21	4492.12	4716.73
		48.51	50.93	53.48	56.15	58.96
5T004 Supervising Air Quality Instrument Specialist	136	100892.04	105936.64	111233.47	116795.15	122634.91
		8407.67	8828.05	9269.46	9732.93	10219.58
		3880.46	4074.49	4278.21	4492.12	4716.73
		48.51	50.93	53.48	56.15	58.96
5T005 Supervising Air Quality Specialist	142	116795.15	122634.91	128766.65	135204.98	141965.23
		9732.93	10219.58	10730.55	11267.08	11830.44
		4492.12	4716.73	4952.56	5200.19	5460.20
		56.15	58.96	61.91	65.00	68.25
5T006 Supervising Public Information Officer	139	108552.76	113980.39	119679.41	125663.38	131946.55
		9046.06	9498.37	9973.28	10471.95	10995.55
		4175.11	4383.86	4603.05	4833.21	5074.87
		52.19	54.80	57.54	60.42	63.44
5T009 Supervising Staff Specialist	142	116795.15	122634.91	128766.65	135204.98	141965.23
		9732.93	10219.58	10730.55	11267.08	11830.44
		4492.12	4716.73	4952.56	5200.19	5460.20
		56.15	58.96	61.91	65.00	68.25
5T007 Supervising Systems Analyst	139	108552.76	113980.39	119679.41	125663.38	131946.55
		9046.06	9498.37	9973.28	10471.95	10995.55
		4175.11	4383.86	4603.05	4833.21	5074.87
		52.19	54.80	57.54	60.42	63.44
7T024 Systems Analyst	135	98460.55	103383.58	108552.76	113980.39	119679.41
		8205.05	8615.30	9046.06	9498.37	9973.28
		3786.94	3976.29	4175.11	4383.86	4603.05
		47.34	49.70	52.19	54.80	57.54
7T025 Systems Quality Assurance Specialist	135	98460.55	103383.58	108552.76	113980.39	119679.41
		8205.05	8615.30	9046.06	9498.37	9973.28
		3786.94	3976.29	4175.11	4383.86	4603.05
		47.34	49.70	52.19	54.80	57.54
7T026 Web Master	135	98460.55	103383.58	108552.76	113980.39	119679.41
		8205.05	8615.30	9046.06	9498.37	9973.28
		3786.94	3976.29	4175.11	4383.86	4603.05
		47.34	49.70	52.19	54.80	57.54



**BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

**PROPOSED BUDGET  
FOR  
FISCAL YEAR ENDING 2021**

The Bay Area Air Quality Management District  
is committed to  
PROTECT AND IMPROVE PUBLIC HEALTH, AIR QUALITY, AND  
THE GLOBAL CLIMATE

CORE VALUES

- Excellence*** Air District programs and policies are founded on science, developed with technical expertise, and executed with quality.
- Leadership*** The Air District will be at the forefront of air quality improvement and will pioneer new strategies to achieve healthy air and protect the climate.
- Collaboration*** Involving, listening, and engaging all stakeholders, including partner agencies, to create broad acceptance for healthy air solutions.
- Dedication*** Committed staff that live and believe the Air District's mission.
- Equity*** All Bay Area residents have the right to breathe clean air.

# Bay Area Air Quality Management District

For Fiscal Year Ending June 30, 2021

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# BUDGET MESSAGE

Jack P. Broadbent, Executive Officer/APCO

## EXECUTIVE SUMMARY

This document presents the proposed budget for the Bay Area Air Quality Management District (Air District) for Fiscal Year Ending (FYE) 2021. The Air District continues its commitment to fulfill its mission, goals and objectives, through activities which focus on core and mandated programs, fiscally conservative internal controls, long range financial planning and the development of short and long-term sustainable approaches toward achieving cleaner air to protect the public's health and the environment. However, cuts in funding such as that associated with AB617 would place severe strain on the Air District's ability to maintain current staffing levels.

The increase over the prior year budget is minimal, as the District took several actions to address the current economic slowdown related to the COVID-19 pandemic. In developing the FYE 2021 Proposed Budget no increases are proposed for the District's Existing Fee Schedules, no increases to Services and Supplies budgets are proposed, building improvements to the Richmond Office are postponed, and the budget is balanced with the use of \$5.2 million from reserves.

The proposed budget for FYE 2021 reflects the priorities established at the Board of Directors (Board) retreat of January 29, 2020, which includes maintenance and enhancement of Air District core functions as well as work on the following key policy initiatives:

Assembly Bill 617 Implementation– Assembly Bill (AB) 617, passed by the Legislature and signed by the Governor in 2017, establishes new, comprehensive air quality planning requirements for the California Air Resources Board (CARB) and local air districts. The bill requires CARB and the Air District to engage with communities to analyze and reduce localized cumulative exposure to air pollution to improve health in the most disproportionately impacted communities. CARB and the Air District will: 1) identify impacted communities in the Bay Area; 2) develop and implement monitoring programs to better understand local air pollution sources, air quality and exposures, and; 3) develop and implement community action plans to reduce local emissions and exposures. Air District AB 617 implementation activities will cut across all divisions and will represent a major focus for the agency in FYE 2019 and beyond.

Diversity, Equity and Inclusion -The work of the Air District requires diverse perspectives, talents, and life experiences to solve some of the most complex technical air quality issues that we face. Key initiatives for the Office of Diversity, Equity & Inclusions will be the development and implementation of an agency-wide Equity Action Plan that encompasses equity tools to provide a blueprint of systems and structures for each department to operationalize equity. Continued internal capacity building through training of all staff in racial equity content and advancing equity in the development of structures, policies, practices and procedures.

Climate Protection Program – Staff will continue to administer the \$4.5 million Climate Protection Grant Program established by the Board of Directors. The grant program provides resources to local governments to support implementation of local climate action plans and programs and allows innovative projects to scale up in other jurisdictions. Staff will also continue building decarbonization efforts and launch a climate and food campaign.

Toxics Risk Reduction Rule Implementation – On November 15, 2017, the Air District Board of Directors adopted Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18). Under this rule, facility-wide health risk assessments (HRAs) will be required for about 350 existing Air District facilities to determine if they are required to reduce their risk. As part of the implementation of Rule 11-18, the Air District is currently evaluating health risks for 35 facilities that are likely to have the highest health impacts. These sites include refineries, cement manufacturing, metal melting, large chemical plants, large

power plants, and landfills. The remaining facilities will be evaluated in later years as part of rule implementation plan.

2017 Clean Air Plan – The Air District will continue to implement the 2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 Plan), adopted by the Board of Directors in April 2017. The 2017 Plan identifies Air District projects and programs to reduce emissions of ozone precursors, fine particulates, air toxics and greenhouse gases (GHG), to improve air quality, public health and the global climate. Implementation activities cut across the agency and include rule development, permitting, enforcement, grants and incentives, collaboration with state, regional and local partners, research and technical analyses, community engagement, and public education. Plan measures that benefit AB 617 communities will be prioritized.

Climate Tech Finance Loan Program – The Air District’s first loan and loan guarantee program supports the Bay Area’s industrial and municipal facilities in implementing emerging technologies that can reduce their greenhouse gas emissions, support more efficient operations and lower costs. In FYE 2021, the Air District will continue to leverage partnerships with state agencies and private lenders to identify and fund climate projects through outreach, matchmaking, and technical support.

Grants for Zero Emissions Mobile Source Projects – The Air District’s grants programs will be prioritizing and targeting projects that achieve zero-and near-zero emissions reductions from replacement of older on- and off-road mobile sources, fleet expansion for on-road cars, trucks and buses, and single-occupancy vehicle trip reduction strategies that target the region’s residents and commuters. In addition, funding for early actions will also be prioritized for communities that are identified through the Community Air Quality Protection AB 617 process.

Clean Cars for All Program – The Air District has expanded the Clean Cars for All program to provide grants for low-income residents across the Bay Area to access clean transportation options, including plug-in hybrid vehicles, battery electric vehicles, or transit. This program and other electric vehicle incentive programs will be complemented by expanded public outreach and partnership activities.

## **INCENTIVE REVENUES**

### Transportation Fund for Clean Air (TFCA)

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its nine-county jurisdiction to fund projects that reduce on-road motor vehicle emissions. The Air District allocates these funds to eligible projects through the Transportation Fund for Clean Air (TFCA) program. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242. The Air District expends a portion of the funds collected for administrative purposes and provides the remainder of the funds to project sponsors that implement eligible projects or programs.

Sixty percent (60%) of the TFCA funds received are awarded directly by the Air District to eligible District programs (e.g., Spare the Air) and to a program referred to as the TFCA Regional Fund. The remaining forty percent (40%) of TFCA funds are forwarded to the designated congestion management agency within each Bay Area county to be distributed through the TFCA County Program Manager Fund program. Funding from the TFCA is used to support eligible zero-emissions on-road passenger vehicle, truck, and bus replacement and fleet expansion projects, and single-occupancy vehicle trip reduction strategies that target the region’s residents and commuters.

### Mobile Source Incentive Fund (MSIF)

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District’s Mobile Source Incentive Fund (MSIF). The Health & Safety Code stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible for funding under the following programs: Carl Moyer Program, Lower Emission School Bus Program, Light-Duty Vehicle Scrap Program, and Agricultural Assistance Program. Funds may also be used for alternative fuel and electric infrastructure projects. The Air District

provides these incentives to public and private entities for the implementation of eligible projects within the region. The Air District expends a portion of the funds collected for administrative purposes and provides the remainder to project sponsors that implement eligible projects. After successful reauthorization efforts in 2013, funding for the program will be available until 2024. Revenues from this funding source are separate from the General Fund budget for accounting purposes.

#### Carl Moyer Program (CMP)

The Air District has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board, since the program began in fiscal year 1998-1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines and forklifts. Funds available through the CMP are a result of State legislation and are administered through CARB. After successful reauthorization efforts in 2013, funding for the program will be available until 2024.

#### California Goods Movement Bond (CGMB)

In November 2006, California voters authorized the Legislature to appropriate \$1 billion in bond funding to quickly reduce air pollution emissions and health risk from freight movement along California's priority trade corridors. On February 28, 2008, The California Air Resources Board approved an allocation of \$140 million from projected bond sales for emission reduction projects in the Bay Area trade corridor. To date, this program has funded projects to reduce emissions from over 2,000 diesel trucks and install shore power infrastructure at 12 berths at the Port of Oakland. The District is currently administering the final round of CGMB funding.

#### Community Protection Air Quality Grant Program (AB 617/134)

The Air District will be awarding \$40 million from AB 134 (2017) for emissions reduction projects that provide early actions of the AB 617 process through a Community Air Quality Protection Grant Program. Consistent with the AB 134 legislation, this funding will be primarily administered through the CMP to help target reductions in exposure to diesel emissions in identified local communities.

#### Volkswagen Environmental Mitigation Trust (VW Trust)

The VW Trust is an element of the settlement with VW for their use of an illegal defeat device and is intended to fully mitigate the lifetime excess oxides of nitrogen (NOx) emissions caused by VW's actions. CARB is the designated Lead Agency acting on the State's behalf as beneficiary to implement California's share of VW Trust funds for eligible project categories. The Air District has been selected by the California Air Resources Board to administer VW Trust funding on a statewide-basis, including \$70 million for zero-emission freight and marine projects and \$10 million for light-duty zero emission vehicle infrastructure projects. These funds will be administered over ten years starting from May 2018 until May 2028.

### **FINANCIAL SUMMARY**

The Proposed Consolidated Budget Expenditures for FY 2021 is \$241.6 million; a decrease of \$11.1 million, or 4.4% under prior year. Of the \$241.6 million, \$135.1 million is classified as Special Revenue Funds for various grant related incentive programs and \$106.5 million for General Fund programs.

#### General Fund Summary

Total FY 2021 Proposed General Fund Budget is expected to increase by \$1.9 million or 1.8% over the prior year. This increase is minimal, as the District took several actions in addressing the current economic slowdown related to the COVID-19 pandemic. The following actions were taken to develop the FY 2021 Proposed Budget:

- No fee increases to the District's Existing Fee Schedules
- Proposed adoption of new fee schedule for AB 617 program
- Budget 405 of the 415 Full Time Equivalent (FTE) positions

- No increase to Services and Supplies budget for District programs
- Delay building improvements to the Richmond Office
- Continue to address unfunded liabilities
- Use of \$5.2 million of reserves to balance the budget

The proposed budget is balanced, reflecting a \$5.2 million transfer from General Fund reserves to cover the projected operating budget gap. The FYE 2021 Proposed Budget includes an economic contingency reserve policy of 20% of operating budget. This policy allows for a sound financial footing and provides the District the ability to operate for a minimum of three months in the event of a total loss of projected revenue. See Appendix C for further details on the District's Fund Reserves.

## **GENERAL FUND REVENUES AND EXPENDITURES**

Details of the FYE 2021 General Fund Revenues and Expenditures by major categories are displayed in Appendix D, Figure 1 and Figure 2, including 3 years of prior year actuals and the approved budget for FYE 2021.

### Fee Revenue

This budget year, the Air District proposes adoption of an AB 617 fee schedule and postponement of fee increases to existing permitted-fee schedules as allowed under the *Health and Safety Code*. Increases in permit related fees reflects the Board's adoption of a cost recovery policy in accordance with the recommendations of the cost recovery study undertaken in 2010. An independent review of the Air District's cost recovery and containment process was completed in 2018. The Air District proposes delaying fee increases until further review and analysis can be conducted. If approved, the proposed fee schedule will become effective on July 1, 2020.

### County Revenue

The County revenue budget is based on property values in the nine Bay Area counties. For the FYE 2021 budget, staff is projecting a \$2.6 million or 7.1% increase in property taxes receipts over the FYE 2020 Budget primarily due to increased property valuations.

### Other Sources of General Fund Revenue

Federal grants from the EPA and other state/federal agencies show an increase of \$4.7 million or 72.7%. We anticipate continued funding from the State will increase from \$4.8 million to \$9.0 million for AB 617 implementation efforts. However, this funding may be in jeopardy. As in the past, should the Air District receive supplemental Federal grants, the amounts will be presented to the Air District's Board for approval. The State Subvention grant for FYE 2021 is budgeted at \$1.7 million based on actual collections in prior year. Penalties and Settlements fluctuate from time to time; and the FYE 2021 projection is \$1.5 million. Transfer from various grant sources of \$2.7 million will support indirect costs and other eligible activities supporting these grant programs.

### Operating Expenditures

The FYE 2021 General Fund Proposed Operating Budget (net personnel & capital) of \$27.2 million decreased by \$0.04 million over the FYE 2020 Approved Budget primarily due to no growth to address the financial impacts related to the economic slowdown from COVID-19. A summary of the General Fund Expenditures by Division from FYE 2019 (actual expenditures) through FYE 2021 (projected expenditures) is displayed in Table XI. In addition, the General Fund Expenditures by major categories from FYE 2017 (actuals) through FYE 2021 (projected expenditures) are displayed in Appendix E, Figure 2.

### Personnel Expenditures

Currently, the Air District authorized staffing level is 415 FTEs, an increase of 10 FTEs over the FYE 2020 original budget. During December 2019, the Board approved 10 additional FTEs to continue the work related to AB617, as well as, restore and maintain core programs of the Air District. However, given the current fiscal outlook, the budget proposes funding and filling 405 of the 415; projecting a 2% vacancy savings of \$1.5 million.

The FYE 2021 budget also projects a cost of living adjustment of 3.1% based on the annual average increase in CPI for the Bay Area region, which is, however, dependent on the terms of a potential Memorandum of Understanding with the Employee's Association.

#### Capital Expenditures

The budget for FYE 2021 funds capital expenditures of \$4.2 million. The capital budget is distributed across various General Fund programs. Table XIII provides details of the individual capital items.

### **PLANNING FOR THE FUTURE AND COST CONTAINMENT**

The Air District's Five-year projections anticipate revenue is insufficient to meet projected expenditures. Appendix F provides a General Fund Five-Year Projection. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets. If the economic slowdown remains or worsens, the forecast assumes the Air District will fall below its 20% reserve policy by FYE 2024, with the assumption that AB617 funding from the state of California persists. If the AB617 funding does not persist, severe strain will be placed on the District's ability to maintain current staffing levels. While there is a healthy reserve to address the current fiscal challenges for the upcoming budget year, the Air District must be fiscally prudent with its reserves to weather a potential long-term economic recovery.

The Air District's annual obligation, premiums in employee health benefits, pension costs and OPEB obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2019 actuarial valuation study for OPEB, the Air District's plan is approximately 75% funded; leaving an unfunded liability of 25% or \$18.4 million. As a part of the FYE 2016 Budget, the Board adopted a minimum OPEB funding target policy of 90%. The FYE 2021 Budget includes the continuation of this funding with a \$4.0 million contribution.

The Air District's pension obligation is also growing; especially with recent changes in actuarial assumptions by CalPERS. As a result, CalPERS anticipates increased employer rates over the next 5 years. Based on the June 30, 2018 CalPERS actuarial valuation study, the Air District is currently funded at approximately 74%; leaving an unfunded liability of 26% or approximately \$86 million. Given these potential impacts, the FYE 2021 Budget includes continuation of \$1.0 million in discretionary contributions, which will be used for the sole purpose of reducing the unfunded liability to minimize the impact of future rate increases for the Air District.

# District-Wide Revenue and Expenditure Budgets



TABLE I: Consolidated Expenditures and Revenues by Major Categories

	2019			2020			2021		
	GENERAL FUND	SPECIAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	SPECIAL FUNDS	TOTAL FUNDS	GENERAL FUND	SPECIAL FUNDS	TOTAL FUNDS
<b>REVENUES</b>									
County Revenues	35,823,934		35,823,934	36,186,420		36,186,420	38,770,162		38,770,162
Permits / Fees	52,499,600		52,499,600	48,456,606		48,456,606	41,623,723		41,623,723
Grant Revenues	6,475,311	63,871,745	70,347,056	6,501,565	148,045,010	154,546,575	11,225,783	135,108,099	146,333,882
Other Revenues	6,903,088		6,903,088	6,014,260		6,014,260	4,618,711		4,618,711
	101,701,933	63,871,745	165,573,678	97,158,851	148,045,010	245,203,861	96,238,379	135,108,099	231,346,478
Reimbursements Programs	2,292,759		2,292,759	2,349,776		2,349,776	2,375,664		2,375,664
Transfer In	1,717,691		1,717,691	1,106,205	47,631	1,153,836	2,700,886		2,700,886
Transfer from / (to) Reserves	(2,460,828)		(2,460,828)	4,000,000		4,000,000	5,159,682		5,159,682
<b>Total REVENUES</b>	<b>103,251,555</b>	<b>63,871,745</b>	<b>167,123,300</b>	<b>104,614,832</b>	<b>148,092,641</b>	<b>252,707,473</b>	<b>106,474,611</b>	<b>135,108,099</b>	<b>241,582,710</b>
<b>EXPENDITURES</b>									
Personnel & Benefits	61,550,466	4,157,142	65,707,608	67,884,113	6,233,072	74,117,185	74,994,648	6,219,921	81,214,569
Services & Supplies	22,187,146	6,766,856	28,954,002	27,278,972	11,018,440	38,297,412	27,243,515	11,989,599	39,233,114
Capital Expenditures	17,104,099		17,104,099	9,404,116		9,404,116	4,236,448		4,236,448
Other Financing Uses	919,322		919,322						
	101,761,033	10,923,998	112,685,031	104,567,201	17,251,512	121,818,713	106,474,611	18,209,520	124,684,131
Program Distributions	1,490,522	51,230,056	52,720,578		129,734,924	129,734,924		114,197,693	114,197,693
Transfer Out		1,717,691	1,717,691	47,631	1,106,205	1,153,836		2,700,886	2,700,886
<b>Total EXPENDITURES</b>	<b>103,251,555</b>	<b>63,871,745</b>	<b>167,123,300</b>	<b>104,614,832</b>	<b>148,092,641</b>	<b>252,707,473</b>	<b>106,474,611</b>	<b>135,108,099</b>	<b>241,582,710</b>

TABLE II: Consolidated Revenues

	Audited Program	Approved Program	Proposed Program	FTE/Dollar	Percent
	Expenditures	Budget	Budget	Change	Change
	2019	2020	2021	\$	%
<b>County Revenues</b>					
Alameda	6,219,340	6,407,278	6,761,810	354,532	5.5%
Contra Costa	3,937,334	4,348,666	4,581,797	233,131	5.4%
Marin	1,608,627	1,602,308	1,676,343	74,035	4.6%
Napa	1,126,069	965,511	1,171,563	206,052	21.3%
San Francisco	5,369,698	5,652,990	5,843,403	190,413	3.4%
San Mateo	4,876,953	4,719,052	5,021,259	302,207	6.4%
Santa Clara	10,194,485	10,166,103	10,697,367	531,264	5.2%
Solano	862,298	866,834	1,133,592	266,758	30.8%
Sonoma	1,629,130	1,457,678	1,883,028	425,350	29.2%
<b>Total County Revenues</b>	<b>35,823,934</b>	<b>36,186,420</b>	<b>38,770,162</b>	<b>2,583,742</b>	<b>7.1%</b>
<b>Permits / Fees</b>					
Annual Plant Renewal	37,232,065	35,556,045	31,222,640	(4,333,405)	(12.2)%
Title V	6,597,440	5,982,811	5,085,389	(897,422)	(15.0)%
Asbestos	4,434,539	3,250,000	1,625,000	(1,625,000)	(50.0)%
Toxic Billing	475,140	65,000	628,357	563,357	866.7%
Registration Fees	206,826	324,965	276,220	(48,745)	(15.0)%
Hearing Board Fees	41,674	15,000	12,750	(2,250)	(15.0)%
Greenhouse Gas Fees	3,511,916	3,262,785	2,773,367	(489,418)	(15.0)%
<b>Total Permit Fees</b>	<b>52,499,600</b>	<b>48,456,606</b>	<b>41,623,723</b>	<b>(6,832,883)</b>	<b>(14.1)%</b>
<b>Grant Revenues</b>					
Federal Grant	2,473,732	1,701,565	2,225,783	524,218	30.8%
Other Grants	4,001,579	4,800,000	9,000,000	4,200,000	87.5%
<b>Total Grant Revenue</b>	<b>6,475,311</b>	<b>6,501,565</b>	<b>11,225,783</b>	<b>4,724,218</b>	<b>72.7%</b>
<b>Other Revenues</b>					
Penalties & Settlements	2,369,125	2,750,000	1,500,000	(1,250,000)	(45.5)%
State Subvention	1,734,548	1,734,600	1,736,000	1,400	0.1%
PERP (Portable Equip Prog)	673,508	450,000	450,000		
Interest Income	1,622,927	979,660	832,711	(146,949)	(15.0)%
Miscellaneous Income	502,980	100,000	100,000		
<b>Total Other Revenues</b>	<b>6,903,088</b>	<b>6,014,260</b>	<b>4,618,711</b>	<b>(1,395,549)</b>	<b>(23.2)%</b>
<b>Total Operating Revenues</b>	<b>101,701,933</b>	<b>97,158,851</b>	<b>96,238,379</b>	<b>(920,472)</b>	<b>(0.9)%</b>
<b>Reimbursement Programs</b>					
CMAQ Funding	1,074,268	1,000,000	1,000,000		
DHS Biowatch Funding	1,218,491	1,349,776	1,375,664	25,888	1.9%
<b>Total Reimbursement Programs</b>	<b>2,292,759</b>	<b>2,349,776</b>	<b>2,375,664</b>	<b>25,888</b>	<b>1.1%</b>
Transfer from / (to) Reserves	(2,460,828)	4,000,000	5,159,682	1,159,682	29.0%
Transfer In	1,717,691	1,106,205	2,700,886	1,594,681	144.2%
<b>Total General Fund Revenues</b>	<b>103,251,555</b>	<b>104,614,832</b>	<b>106,474,611</b>	<b>1,859,779</b>	<b>1.8%</b>
<b>Special Revenue Funds</b>					
<b>Grant Programs</b>					
Carl Moyer Program (CMP)	16,729,318	48,536,139	51,064,990	2,528,851	5.2%
Mobile Source Incentive Fund (MSIF)	17,233,899	12,548,948	12,799,080	250,132	2.0%
California Goods Movement Bond (CGMB)	7,467,285	102,369	10,250,000	10,147,631	9,912.8%
Transportation Fund for Clean Air (TFCA)	10,986,897	22,939,116	20,320,567	(2,618,549)	(11.4)%
Other Grants Revenues	11,230,781	17,185,536	21,156,449	3,970,913	23.1%
Vehicle Mitigation (VW Trust)	223,565	46,732,902	19,517,013	(27,215,889)	(58.2)%
Transfer In		47,631		(47,631)	(100.0)%
<b>Total Special Revenue Funds</b>	<b>63,871,745</b>	<b>148,092,641</b>	<b>135,108,099</b>	<b>(12,984,542)</b>	<b>(8.8)%</b>
<b>Total Revenues District Wide</b>	<b>167,123,300</b>	<b>252,707,473</b>	<b>241,582,710</b>	<b>(11,124,763)</b>	<b>(4.4)%</b>

TABLE III: Consolidated Expenditures

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	353.33	405.00	415.00	10.00	2.5%
<b>Personnel Expenditures</b>					
Permanent Salaries	41,904,470	48,646,340	52,734,079	4,087,739	8.4%
Overtime Salaries	423,725	370,580	429,430	58,850	15.9%
Temporary Salaries	527,686	77,554	377,054	299,500	386.2%
Payroll Taxes	848,496	702,636	753,511	50,875	7.2%
Pension Benefits	7,675,964	10,676,826	11,666,066	989,240	9.3%
FICA Replacement Benefits	656,513	710,379	778,723	68,344	9.6%
Group Insurance Benefits	8,900,404	10,340,442	10,796,422	455,980	4.4%
Employee Transportation Subsidy	537,151	567,644	901,382	333,738	58.8%
Workers' Compensation	168,297	230,001	229,998	(3)	
Other Post Employment Benefits	4,000,002	3,999,997	4,000,000	3	
Board Stipends	64,900	92,000	92,000		
Vacancy Savings		(2,297,214)	(1,544,096)	753,118	(32.8)%
<b>Total Personnel Expenditures</b>	<b>65,707,608</b>	<b>74,117,185</b>	<b>81,214,569</b>	<b>7,097,384</b>	<b>9.6%</b>
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	167,261	309,322	311,867	2,545	0.8%
Travel Out-of-State	242,774	221,510	232,710	11,200	5.1%
Training & Education	388,832	732,839	738,079	5,240	0.7%
Repair & Maintenance (Equipment)	649,660	1,005,367	1,008,618	3,251	0.3%
Communications	596,616	806,731	833,431	26,700	3.3%
Building Maintenance	216,134	454,641	299,853	(154,788)	(34.0)%
Utilities	140,868	244,816	261,452	16,636	6.8%
Postage	52,277	167,240	148,740	(18,500)	(11.1)%
Printing & Reproduction	207,688	456,839	440,103	(16,736)	(3.7)%
Equipment Rental	61,816	35,000	38,000	3,000	8.6%
Rents & Leases	1,869,431	3,305,664	3,262,464	(43,200)	(1.3)%
Professional Services & Contracts	21,942,574	27,866,254	29,080,483	1,214,229	4.4%
General Insurance	365,712	419,000	407,036	(11,964)	(2.9)%
Shop & Field Supplies	481,760	615,386	587,411	(27,975)	(4.5)%
Laboratory Supplies	107,639	214,529	184,537	(29,992)	(14.0)%
Gasoline & Variable Fuel	237,219	265,000	265,000		
Computer Hardware & Software	307,349	866,915	819,414	(47,501)	(5.5)%
Stationery & Office Supplies	47,368	136,400	146,200	9,800	7.2%
Books & Journals	56,222	49,056	51,313	2,257	4.6%
Minor Office Equipment	87,704	124,903	116,403	(8,500)	(6.8)%
Miscellaneous Expenses	5,801				
Non-capital assets	721,297				
Other Financing Resources	919,322				
<b>Total Services &amp; Supplies Expenditures</b>	<b>29,873,324</b>	<b>38,297,412</b>	<b>39,233,114</b>	<b>935,702</b>	<b>2.4%</b>
<b>Capital Expenditures</b>					
Leasehold Improvements		4,000,000		(4,000,000)	(100.0)%
Building & Grounds	13,185,057	75,000		(75,000)	(100.0)%
Office Equipment		60,000		(60,000)	(100.0)%
Computer & Network Equipment	3,383,829	2,945,000	2,890,000	(55,000)	(1.9)%
Motorized Equipment	52,717		60,000	60,000	
Lab & Monitoring Equipment	405,742	1,924,116	886,448	(1,037,668)	(53.9)%
Communications Equipment		400,000	400,000		
PM 2.5 Equipment	76,754				
<b>Total Capital Expenditures</b>	<b>17,104,099</b>	<b>9,404,116</b>	<b>4,236,448</b>	<b>(5,167,668)</b>	<b>(55.0)%</b>
<b>Total Expenditures</b>	<b>112,685,031</b>	<b>121,818,713</b>	<b>124,684,131</b>	<b>2,865,418</b>	<b>2.4%</b>
Transfer In/Out	1,717,691	1,153,836	2,700,886	1,547,050	134.1%
Program Distribution	52,720,578	129,734,924	114,197,693	(15,537,231)	(12.0)%
<b>"Total Expenditures - District Wide"</b>	<b>167,123,300</b>	<b>252,707,473</b>	<b>241,582,710</b>	<b>(11,124,763)</b>	<b>(4.4)%</b>

TABLE IV: General Fund

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	327.54	367.93	379.58	11.65	3.17%
<b>Revenues</b>					
Revenues Other Than Transfers	101,533,864	103,508,627	103,773,725	265,098	0.3%
Transfer In	1,717,691	1,106,205	2,700,886	1,594,681	144.2%
<b>Total Revenues - General Fund</b>	103,251,555	104,614,832	106,474,611	1,859,779	1.8%
<b>Personnel Expenditures</b>					
Permanent Salaries	39,135,386	44,519,694	48,577,383	4,057,689	9.1%
Overtime Salaries	307,040	333,580	422,430	88,850	26.6%
Temporary Salaries	515,617	77,554	377,054	299,500	386.2%
Payroll Taxes	805,980	643,062	694,502	51,440	8.0%
Pension Benefits	7,212,142	9,812,278	10,763,501	951,223	9.7%
FICA Replacement Benefits	626,086	645,358	712,159	66,801	10.4%
Group Insurance Benefits	8,486,122	9,699,290	10,206,952	507,662	5.2%
Employee Transportation Subsidy	501,689	515,687	824,334	308,647	59.9%
Workers' Compensation	159,895	208,949	210,339	1,390	0.7%
Other Post Employment Benefits	3,735,609	3,633,875	3,658,090	24,215	0.7%
Board Stipends	64,900	92,000	92,000		
Vacancy Savings		(2,297,214)	(1,544,096)	753,118	(32.8)%
<b>Total Personnel Expenditures</b>	61,550,466	67,884,113	74,994,648	7,110,535	10.5%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	145,865	234,022	235,067	1,045	0.4%
Travel Out-of-State	229,064	202,510	202,010	(500)	(0.2)%
Training & Education	377,536	707,639	703,579	(4,060)	(0.6)%
Repair & Maintenance (Equipment)	649,660	1,005,367	1,008,618	3,251	0.3%
Communications	592,873	801,731	826,431	24,700	3.1%
Building Maintenance	216,134	454,641	299,853	(154,788)	(34.0)%
Utilities	140,661	244,816	261,452	16,636	6.8%
Postage	52,277	153,240	139,740	(13,500)	(8.8)%
Printing & Reproduction	206,083	426,339	409,603	(16,736)	(3.9)%
Equipment Rental	61,816	35,000	38,000	3,000	8.6%
Rents & Leases	1,869,431	3,305,664	3,262,464	(43,200)	(1.3)%
Professional Services & Contracts	15,238,021	17,102,354	17,318,723	216,369	1.3%
General Insurance	365,712	419,000	407,036	(11,964)	(2.9)%
Shop & Field Supplies	481,098	606,886	578,911	(27,975)	(4.6)%
Laboratory Supplies	107,639	214,529	184,537	(29,992)	(14.0)%
Gasoline & Variable Fuel	237,219	265,000	265,000		
Computer Hardware & Software	300,417	798,715	796,915	(1,800)	(0.2)%
Stationery & Office Supplies	44,616	131,050	141,100	10,050	7.7%
Books & Journals	56,222	47,966	50,473	2,507	5.2%
Minor Office Equipment	87,704	122,503	114,003	(8,500)	(6.9)%
Miscellaneous Expenses	5,801				
Non-capital assets	721,297				
Other Financing Resources	919,322				
<b>Total Services &amp; Supplies Expenditures</b>	23,106,468	27,278,972	27,243,515	(35,457)	(0.1)%
<b>Capital Expenditures</b>					
Leasehold Improvements		4,000,000		(4,000,000)	(100.0)%
Building & Grounds	13,185,057	75,000		(75,000)	(100.0)%
Office Equipment		60,000		(60,000)	(100.0)%
Computer & Network Equipment	3,383,829	2,945,000	2,890,000	(55,000)	(1.9)%
Motorized Equipment	52,717		60,000	60,000	
Lab & Monitoring Equipment	405,742	1,924,116	886,448	(1,037,668)	(53.9)%
Communications Equipment		400,000	400,000		
PM 2.5 Equipment	76,754				
<b>Total Capital Expenditures</b>	17,104,099	9,404,116	4,236,448	(5,167,668)	(55.0)%
<b>Transfer In/Out</b>		47,631		(47,631)	(100.0)%
<b>Total Expenditures</b>	101,761,033	104,614,832	106,474,611	1,859,779	1.8%
<b>Program Distribution</b>	1,490,522				
<b>Total Expenditures - General Fund</b>	103,251,555	104,614,832	106,474,611	1,859,779	1.8%

TABLE V: Carl Moyor Program (CMP)

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	8.35	8.74	11.04	2.30	26.3%
<b>Revenues</b>					
Admin Revenue	1,919,269	1,870,131	2,293,809	423,678	22.7%
Program Income	14,810,049	46,666,008	48,771,181	2,105,173	4.5%
<b>Total Revenue - Carl Moyor</b>	16,729,318	48,536,139	51,064,990	2,528,851	5.2%
<b>Personnel Expenditures</b>					
Permanent Salaries	897,562	1,000,362	1,304,746	304,384	30.4%
Overtime Salaries		35,000		(35,000)	(100.0)%
Temporary Salaries	1,889				
Payroll Taxes	13,572	14,825	18,523	3,698	24.9%
Pension Benefits	101,385	211,001	280,794	69,793	33.1%
FICA Replacement Benefits	9,794	15,331	20,721	5,390	35.2%
Group Insurance Benefits	133,426	174,779	182,483	7,704	4.4%
Employee Transportation Subsidy	10,624	12,250	23,985	11,735	95.8%
Workers' Compensation	2,723	4,963	6,120	1,157	23.3%
Other Post Employment Benefits	85,665	86,321	106,437	20,116	23.3%
Board Stipends					
<b>Total Personnel Expenditures</b>	1,256,640	1,554,832	1,943,809	388,977	25.0%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		4,000	4,000		
Travel Out-of-State		3,000	3,000		
Training & Education		1,500	1,500		
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction	215	2,000	2,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	40,807	300,000	334,700	34,700	11.6%
General Insurance					
Shop & Field Supplies	157	2,000	2,000		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software		1,000	1,000		
Stationery & Office Supplies	761	600	600		
Books & Journals		200	200		
Minor Office Equipment		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>	41,940	315,300	350,000	34,700	11.0%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	620,689				
<b>Total Expenditures</b>	1,919,269	1,870,132	2,293,809	423,677	22.7%
<b>Program Distribution</b>	14,810,049	46,666,008	48,771,181	2,105,173	4.5%
<b>Total Expenditures - Carl Moyor</b>	16,729,318	48,536,140	51,064,990	2,528,850	5.2%

TABLE VI: Mobile Source Incentive Fund (MSIF)

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	1.15	2.43	3.80	1.37	56.4%
<b>Revenues</b>					
Admin Revenue	5,292,171	784,209	799,080	14,871	1.9%
Program Income	11,941,728	11,764,739	12,000,000	235,261	2.0%
<b>Total Revenues - MSIF</b>	17,233,899	12,548,948	12,799,080	250,132	2.0%
<b>Personnel Expenditures</b>					
Permanent Salaries	135,359	269,727	415,258	145,531	54.0%
Overtime Salaries	13				
Temporary Salaries					
Payroll Taxes	2,230	3,858	5,875	2,017	52.3%
Pension Benefits	55,614	57,156	88,910	31,754	55.6%
FICA Replacement Benefits	1,568	4,262	7,140	2,878	67.5%
Group Insurance Benefits	21,319	44,144	61,749	17,605	39.9%
Employee Transportation Subsidy	1,826	3,406	8,264	4,858	142.6%
Workers' Compensation	410	1,380	2,108	728	52.8%
Other Post Employment Benefits	12,919	24,000	36,672	12,672	52.8%
Board Stipends					
<b>Total Personnel Expenditures</b>	231,258	407,933	625,976	218,043	53.5%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	1,615	8,000	8,000		
Travel Out-of-State					
Training & Education	750	5,000	5,000		
Repair & Maintenance (Equipment)					
Communications	114				
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction		3,000	3,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	4,935,794	7,320,000	7,238,300	(81,700)	(1.1)%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	2,773	4,000	4,000		
Stationery & Office Supplies		500	500		
Books & Journals		200	200		
Minor Office Equipment		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>	4,941,046	7,341,700	7,260,000	(81,700)	(1.1)%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	119,867	234,675	113,104	(121,571)	(51.8)%
<b>Total Expenditures</b>	5,292,171	7,984,308	7,999,080	14,772	0.2%
<b>Program Distribution</b>	11,941,728	4,564,639	4,800,000	235,361	5.2%
<b>Total Expenditures - MSIF</b>	17,233,899	12,548,947	12,799,080	250,133	2.0%

TABLE VII: California Goods Movement Bond (CGMB)

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	0.14	0.84	0.85	0.01	1.2%
<b>Revenues</b>					
Admin Revenue	104,427	102,369	250,000	147,631	144.2%
Program Income	7,362,858		10,000,000	10,000,000	
Transfer In		47,631		(47,631)	(100.0)%
<b>Total Revenues - CGMB</b>	<b>7,467,285</b>	<b>150,000</b>	<b>10,250,000</b>	<b>10,100,000</b>	<b>6,733.3%</b>
<b>Personnel Expenditures</b>					
Permanent Salaries	46,962	89,195	104,132	14,937	16.7%
Overtime Salaries					
Temporary Salaries					
Payroll Taxes	829	1,275	1,481	206	16.2%
Pension Benefits	29,473	18,787	22,552	3,765	20.0%
FICA Replacement Benefits	549	1,473	1,595	122	8.3%
Group Insurance Benefits	7,429	17,450	15,526	(1,924)	(11.0)%
Employee Transportation Subsidy	982	1,177	1,846	669	56.8%
Workers' Compensation	142	477	471	(6)	(1.3)%
Other Post Employment Benefits	4,483	8,296	8,193	(103)	(1.2)%
Board Stipends					
<b>Total Personnel Expenditures</b>	<b>90,849</b>	<b>138,130</b>	<b>155,796</b>	<b>17,666</b>	<b>12.8%</b>
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		2,000	2,000		
Travel Out-of-State					
Training & Education		1,500	1,500		
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities	207				
Postage					
Printing & Reproduction		500	500		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	12,895	50,000	65,500	15,500	31.0%
General Insurance					
Shop & Field Supplies		3,000	3,000		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	693	1,500	1,500		
Stationery & Office Supplies		1,000	1,000		
Books & Journals					
Minor Office Equipment					
<b>Total Services &amp; Supplies Expenditures</b>	<b>13,795</b>	<b>59,500</b>	<b>75,000</b>	<b>15,500</b>	<b>26.1%</b>
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	<b>(217)</b>	<b>(47,631)</b>	<b>19,204</b>	<b>66,835</b>	<b>(140.3)%</b>
<b>Total Expenditures</b>	<b>104,427</b>	<b>149,999</b>	<b>250,000</b>	<b>100,001</b>	<b>66.7%</b>
<b>Program Distribution</b>	<b>7,362,858</b>		<b>10,000,000</b>	<b>10,000,000</b>	
<b>Total Expenditures - CGMB</b>	<b>7,467,285</b>	<b>149,999</b>	<b>10,250,000</b>	<b>10,100,001</b>	<b>6,733.4%</b>

TABLE VIII: Transportation Fund for Clean Air (TFCA)

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	10.14	12.52	9.73	(2.79)	(22.3)%
<b>Revenues</b>					
Admin Revenue	3,605,489	1,628,618	1,768,618	140,000	8.6%
Program Income	7,381,408	21,310,498	18,551,949	(2,758,549)	(12.9)%
<b>Total Revenues - TFCA</b>	10,986,897	22,939,116	20,320,567	(2,618,549)	(11.4)%
<b>Personnel Expenditures</b>					
Permanent Salaries	1,029,742	1,383,962	1,102,681	(281,281)	(20.3)%
Overtime Salaries	111,128		5,000	5,000	
Temporary Salaries	6,418				
Payroll Taxes	16,007	19,797	15,670	(4,127)	(20.8)%
Pension Benefits	203,704	291,783	240,995	(50,788)	(17.4)%
FICA Replacement Benefits	11,403	21,960	17,860	(4,100)	(18.7)%
Group Insurance Benefits	155,084	218,358	155,724	(62,634)	(28.7)%
Employee Transportation Subsidy	14,274	17,548	20,674	3,126	17.8%
Workers' Compensation	3,126	7,110	5,275	(1,835)	(25.8)%
Other Post Employment Benefits	98,378	123,654	91,742	(31,912)	(25.8)%
Board Stipends					
<b>Total Personnel Expenditures</b>	1,649,264	2,084,172	1,655,621	(428,551)	(20.6)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	6,318	18,400	19,900	1,500	8.2%
Travel Out-of-State	7,545	9,000	14,400	5,400	60.0%
Training & Education	8,464	14,200	16,500	2,300	16.2%
Repair & Maintenance (Equipment)					
Communications	3,629	4,000	5,000	1,000	25.0%
Building Maintenance					
Utilities					
Postage		14,000	9,000	(5,000)	(35.7)%
Printing & Reproduction	1,390	25,000	25,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	1,249,517	1,392,500	1,730,860	338,360	24.3%
General Insurance					
Shop & Field Supplies	505	3,500	3,500		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	3,466	7,400	13,000	5,600	75.7%
Stationery & Office Supplies	1,291	3,000	3,000		
Books & Journals		440	440		
Minor Office Equipment		400	400		
<b>Total Services &amp; Supplies Expenditures</b>	1,282,125	1,491,840	1,841,000	349,160	23.4%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	674,098	521,329	2,215,712	1,694,383	325.0%
<b>Total Expenditures</b>	3,605,487	4,097,341	5,712,333	1,614,992	39.4%
<b>Program Distribution</b>	7,381,408	18,841,777	14,608,234	(4,233,543)	(22.5)%
<b>Total Expenditures - TFCA</b>	10,986,895	22,939,118	20,320,567	(2,618,551)	(11.4)%



**TABLE IX: Other Grants Revenues**

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	5.39	7.42	5.72	(1.70)	(22.9)%
<b>Revenues</b>					
Admin Revenue	1,496,768	1,773,036	3,138,171	1,365,135	77.0%
Program Income	9,734,013	15,412,500	18,018,278	2,605,778	16.9%
<b>Total Revenues - Other Grants</b>	11,230,781	17,185,536	21,156,449	3,970,913	23.1%
<b>Personnel Expenditures</b>					
Permanent Salaries	574,227	798,591	708,555	(90,036)	(11.3)%
Overtime Salaries	2,426	2,000	2,000		
Temporary Salaries	3,762				
Payroll Taxes	8,623	11,449	10,048	(1,401)	(12.2)%
Pension Benefits	67,536	168,064	157,495	(10,569)	(6.3)%
FICA Replacement Benefits	6,227	13,015	11,273	(1,742)	(13.4)%
Group Insurance Benefits	84,908	82,919	90,921	8,002	9.7%
Employee Transportation Subsidy	6,788	10,400	13,048	2,648	25.5%
Workers' Compensation	1,742	4,214	3,330	(884)	(21.0)%
Other Post Employment Benefits	54,813	73,283	57,902	(15,381)	(21.0)%
Board Stipends					
<b>Total Personnel Expenditures</b>	811,052	1,163,935	1,054,572	(109,363)	(9.4)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	3,973	15,300	15,300		
Travel Out-of-State	6,165	7,000	13,300	6,300	90.0%
Training & Education	2,082	3,000	10,000	7,000	233.3%
Repair & Maintenance (Equipment)					
Communications		1,000	2,000	1,000	100.0%
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction					
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	430,745	1,278,000	2,040,000	762,000	59.6%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software		54,300	2,999	(51,301)	(94.5)%
Stationery & Office Supplies	700	250		(250)	(100.0)%
Books & Journals		250		(250)	(100.0)%
Minor Office Equipment					
<b>Total Services &amp; Supplies Expenditures</b>	443,665	1,359,100	2,083,599	724,499	53.3%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
General Equipment					
PM 2.5 Equipment					
Biotech Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	242,051				
<b>Total Expenditures</b>	1,496,768	2,523,035	3,138,171	615,136	24.4%
<b>Program Distribution</b>	9,734,013	14,662,500	18,018,278	3,355,778	22.9%
<b>Total Expenditures - Other Grants Revenues</b>	11,230,781	17,185,535	21,156,449	3,970,914	23.1%

TABLE X: Vehicle Mitigation (VW Trust)

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>	0.62	5.12	4.25	(0.87)	(17.0)%
<b>Revenues</b>					
Admin Revenue	223,565	1,732,902	1,517,013	(215,889)	(12.5)%
Program Income		45,000,000	18,000,000	(27,000,000)	(60.0)%
<b>Total Revenues - VM</b>	223,565	46,732,902	19,517,013	(27,215,889)	(58.2)%
<b>Personnel Expenditures</b>					
Permanent Salaries	85,232	584,809	521,324	(63,485)	(10.9)%
Overtime Salaries	3,118				
Temporary Salaries					
Payroll Taxes	1,255	8,370	7,412	(958)	(11.4)%
Pension Benefits	6,110	117,757	111,819	(5,938)	(5.0)%
FICA Replacement Benefits	886	8,980	7,975	(1,005)	(11.2)%
Group Insurance Benefits	12,116	103,502	83,067	(20,435)	(19.7)%
Employee Transportation Subsidy	968	7,176	9,231	2,055	28.6%
Workers' Compensation	259	2,908	2,355	(553)	(19.0)%
Other Post Employment Benefits	8,135	50,568	40,964	(9,604)	(19.0)%
Board Stipends					
<b>Total Personnel Expenditures</b>	118,079	884,070	784,147	(99,923)	(11.3)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	9,490	27,600	27,600		
Travel Out-of-State					
Training & Education					
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction					
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	34,795	423,400	352,400	(71,000)	(16.8)%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software					
Stationery & Office Supplies					
Books & Journals					
Minor Office Equipment					
<b>Total Services &amp; Supplies Expenditures</b>	44,285	451,000	380,000	(71,000)	(15.7)%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
General Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	61,203	397,832	352,866	(44,966)	(11.3)%
<b>Total Expenditures</b>	223,567	1,732,902	1,517,013	(215,889)	(12.5)%
<b>Program Distribution</b>		45,000,000	18,000,000	(27,000,000)	(60.0)%
<b>Total Expenditures - VM</b>	223,567	46,732,902	19,517,013	(27,215,889)	(58.2)%

TABLE XI: General Fund Expenditures by Division

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Executive Office</b>					
Executive Office	5,313,000	5,738,062	6,452,419	714,357	12.4%
Bay Area Regional Collaborative (BARC)	255,434	255,000	255,000		
Diversity Equity & Inclusion	445,248	852,186	811,576	(40,610)	(4.8)%
Board of Directors	570,142	373,327	597,816	224,489	60.1%
Hearing Board	38,900	78,500	63,588	(14,912)	(19.0)%
Advisory Council	33,692	432,097	450,561	18,464	4.3%
My Air Online	4,863,391	3,558,076	4,208,378	650,302	18.3%
Website Development & Maintenance	1,347,253	1,436,079	1,545,317	109,238	7.6%
Finance	1,984,104	2,159,493	3,028,617	869,124	40.2%
<b>Total Executive Office</b>	<b>14,851,164</b>	<b>14,882,820</b>	<b>17,413,272</b>	<b>2,530,452</b>	<b>17.0%</b>
<b>Administrative Resources</b>					
Payroll	271,971	284,040	487,443	203,403	71.6%
Benefits Administration	2,969,551	3,127,974	3,568,597	440,623	14.1%
Organizational Development	275,220	351,109	468,316	117,207	33.4%
Employment Relations	806,956	608,700	694,635	85,935	14.1%
Recruitment & Testing	474,959	637,512	764,848	127,336	20.0%
Facilities	14,047,076	5,158,694	1,351,009	(3,807,685)	(73.8)%
Communications	699,751	922,623	775,747	(146,876)	(15.9)%
Headquarters East (Richmond)	240,562	1,300,000	200,000	(1,100,000)	(84.6)%
Purchasing	777,784	1,008,426	1,002,477	(5,949)	(0.6)%
Headquarters West (Beale Street)	2,340,439	2,110,000	3,410,000	1,300,000	61.6%
Fleet Services	1,060,546	1,367,881	1,547,566	179,685	13.1%
<b>Total Administrative Resources</b>	<b>23,964,815</b>	<b>16,876,959</b>	<b>14,270,638</b>	<b>(2,606,321)</b>	<b>(15.4)%</b>
<b>Legal Services</b>					
Legal Counsel	1,704,661	2,038,167	2,360,298	322,131	15.8%
Hearing Board Proceedings	36,576	108,878	3,562	(105,316)	(96.7)%
Penalties Enforcement & Settlement	701,216	736,315	877,954	141,639	19.2%
Litigation	387,964	601,205	458,057	(143,148)	(23.8)%
<b>Total Legal Services</b>	<b>2,830,417</b>	<b>3,484,565</b>	<b>3,699,871</b>	<b>215,306</b>	<b>6.2%</b>
<b>Communications Office</b>					
Media Relations	1,639,177	1,466,909	1,676,002	209,093	14.3%
Intermittent Control	1,345,608	1,497,345	1,492,866	(4,479)	(0.3)%
Spare The Air (CMAQ)	1,080,398	1,000,000	1,000,000		
<b>Total Communications Office</b>	<b>4,065,183</b>	<b>3,964,254</b>	<b>4,168,868</b>	<b>204,614</b>	<b>5.2%</b>
<b>Technology Implementation Office</b>					
Greenhouse Gas Technologies - Stationary	1,670,009	812,065	961,985	149,920	18.5%
<b>Total Technology Implementation Office</b>	<b>1,670,009</b>	<b>812,065</b>	<b>961,985</b>	<b>149,920</b>	<b>18.5%</b>
<b>Strategic Incentives</b>					
Grant Program Development	188,352	571,975	664,807	92,832	16.2%
<b>Total Strategic Incentives</b>	<b>188,352</b>	<b>571,975</b>	<b>664,807</b>	<b>92,832</b>	<b>16.2%</b>
<b>Compliance &amp; Enforcement</b>					
Enforcement	4,487,387	4,985,461	5,986,617	1,001,156	20.1%
Compliance Assistance & Operations	2,510,416	3,422,078	2,751,416	(670,662)	(19.6)%
Compliance Assurance	6,077,712	7,384,063	6,898,256	(485,807)	(6.6)%
<b>Total Compliance &amp; Enforcement</b>	<b>13,075,515</b>	<b>15,791,602</b>	<b>15,636,289</b>	<b>(155,313)</b>	<b>(1.0)%</b>
<b>Engineering</b>					
Permit Evaluation	6,074,369	7,865,320	7,655,342	(209,978)	(2.7)%
Permit Renewals	429,129				
Air Toxics	1,189,712	1,201,152	1,812,531	611,379	50.9%
Permit Operations	636,421	1,202,115	1,274,958	72,843	6.1%
Title V	698,524	1,495,238	1,362,671	(132,567)	(8.9)%
Engineering Special Projects	944,101	964,866	1,343,090	378,224	39.2%
<b>Total Engineering</b>	<b>9,972,256</b>	<b>12,728,691</b>	<b>13,448,592</b>	<b>719,901</b>	<b>5.7%</b>

TABLE XI: General Fund Expenditures by Division

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Assessment, Inventory &amp; Model</b>					
Source Inventories	1,063,333	1,409,476	1,516,899	107,423	7.6%
Air Quality Modeling Support	779,909	1,102,905	1,127,026	24,121	2.2%
Air Quality Modeling & Research	722,830	772,326	805,396	33,070	4.3%
Community Air Risk Evaluation	807,013	1,029,603	1,105,786	76,183	7.4%
<b>Total Assessment, Inventory &amp; Model</b>	<b>3,373,085</b>	<b>4,314,310</b>	<b>4,555,107</b>	<b>240,797</b>	<b>5.6%</b>
<b>Planning &amp; Climate Protection</b>					
Air Quality Plans	1,260,328	994,250	1,595,158	600,908	60.4%
Implement Plans, Policies and Measures	1,117,985	1,117,537	1,584,718	467,181	41.8%
Climate Protection	2,666,747	2,139,791	1,975,739	(164,052)	(7.7)%
<b>Total Planning &amp; Climate Protection</b>	<b>5,045,060</b>	<b>4,251,578</b>	<b>5,155,615</b>	<b>904,037</b>	<b>21.3%</b>
<b>Community Engagement &amp; Policy</b>					
Community Health Protection Office	1,951,716	3,062,908	3,703,403	640,495	20.9%
Rule Development	1,803,373	2,116,703	1,965,469	(151,234)	(7.1)%
<b>Total Community Engagement &amp; Policy</b>	<b>3,755,089</b>	<b>5,179,611</b>	<b>5,668,872</b>	<b>489,261</b>	<b>9.4%</b>
<b>Information Services</b>					
Information Management Records & Content	788,355	1,524,639	1,038,794	(485,845)	(31.9)%
Legacy Systems Support	604,541	1,815,031	1,488,918	(326,113)	(18.0)%
IT Engineering & Operations	2,841,833	3,501,668	3,765,753	264,085	7.5%
<b>Total Information Services</b>	<b>4,234,729</b>	<b>6,841,338</b>	<b>6,293,465</b>	<b>(547,873)</b>	<b>(8.0)%</b>
<b>Meteorology, Measurement &amp; Rules</b>					
Ambient Air Monitoring	5,144,383	7,520,703	6,923,072	(597,631)	(7.9)%
Laboratory	1,333,133	2,103,091	1,732,106	(370,985)	(17.6)%
Source Test	2,347,339	2,999,569	2,908,587	(90,982)	(3.0)%
Meteorology	1,138,381	1,864,532	909,066	(955,466)	(51.2)%
Air Monitoring Instrument Performance Evaluation	570,481	620,158	634,654	14,496	2.3%
BioWatch Monitoring	1,222,462	1,349,777	1,375,803	26,026	1.9%
Technical Infrastructure and Data Management	336,687	684,411	728,103	43,692	6.4%
Ambient Air Quality Analysis	5,480	22,400	869,935	847,535	3,783.6%
<b>Total Meteorology, Measurement &amp; Rules</b>	<b>12,098,346</b>	<b>17,164,641</b>	<b>16,081,326</b>	<b>(1,083,315)</b>	<b>(6.3)%</b>
Vacancy Savings		(2,297,214)	(1,544,096)	753,118	(32.8)%
Other Financing Resources	919,322				
Program Distribution	1,490,522				
Transfer In/Out	1,717,691	47,631		(47,631)	(100.0)%
<b>Total Expenditures - General Fund Divisions</b>	<b>103,251,555</b>	<b>104,614,826</b>	<b>106,474,611</b>	<b>1,859,785</b>	<b>1.8%</b>

# Capital Expenditure

**TABLE XII  
CAPITAL EXPENDITURE SUMMARY**

The list below includes all capital expenditures budgeted for FYE 2021

	<u>Description</u>	<u>PGM</u>	<u>Capital Type</u>	<u>Amount</u>	<u>Program Total</u>	<u>Division Total</u>
1	One (1) Ambient Air Monitoring Analyzers	802	Lab & Monitoring	330,815		
2	One (1) Particle Speciation Module for PTR/MS	802	Lab & Monitoring	100,000		
3	One (1) Equipment for Testing & Evaluation Lab	802	Lab & Monitoring	250,000	680,815	
4	Two (2) Source Test Analyzers	804	Motorized Equipment	50,000		
5	One (1) Automated Calibration Gas Dilution Manifolds	804	Lab & Monitoring	15,233		
6	Two (2) Automated Isokinetic Sampling Consoles	804	Lab & Monitoring	20,000		
7	One (1) GDF Field Testing Van	804	Lab & Monitoring	60,000	145,233	
8	One (1) Air Monitoring Instrumentation (auditing)	807	Lab & Monitoring	20,400	20,400	<b>846,448</b>
9	One (1) Optical Gas Imaging Camera	403	Lab & Monitoring	100,000	100,000	<b>100,000</b>
10	One (1) Storage Server	603	Computer & Network	40,000	40,000	<b>40,000</b>
11	Computer and Equipment	726	Computer & Network Equipment	100,000		
12	Capital Lease for Servers, Telecommunications & Hardware	726	Communications Equipment	400,000	500,000	<b>500,000</b>
13	Public Permitting & Compliance Systems	125	Computer & Network Equipment	2,750,000	2,750,000	<b>2,750,000</b>
<b>Total Capital Expenditures</b>						<b>4,236,448</b>

**TABLE XII  
CAPITAL EXPENDITURE DETAILS**

The list below includes all capital expenditures budgeted for FYE 2021

	<u>Item Description</u>	<u>Cost</u>	<u>Program/ Capital Type</u>
1	<u>One (1) Ambient Air Monitoring Analyzers</u> Replacements / upgrades for aging air monitoring equipment.	\$330,815	802/Lab & Monitoring
2	<u>One (1) Particle Speciation Module for PTR/MS</u> Air Monitoring equipment for particle speciation.	\$100,000	802/Lab & Monitoring
3	<u>One (1) Equipment for Testing &amp; Evaluation Lab</u> Equipment for training and advanced monitoring method evaluation	\$250,000	802/Lab & Monitoring
4	<u>Two (2) Source Test Analyzers</u> Replacements for current equipment that reached the end of its useful life.	\$50,000	804/Motorized Equipment
5	<u>One (1) Automated Calibration Gas Dilution Manifolds</u> Automated calibration gas dilution systems for the source test vans to improve efficiency and prevent an increase in current calibration gas inventories while implementing enhanced QA/QC procedures.	\$15,233	804/Lab & Monitoring
6	<u>Two (2) Automated Isokinetic Sampling Consoles</u> Computer controlled and automated isokinetic sampling console to improve source test efficiency, accuracy and QA/QC for particulate and air toxics sampling.	\$20,000	804/Lab & Monitoring
7	<u>One (1) GDF Field Testing Van</u> Replacement field testing van for Gasoline Dispensing Facility (GDF) program. Current vehicle has high mileage and is due to be taken out of service.	\$60,000	804/Lab & Monitoring
8	<u>One (1) Air Monitoring Instrumentation (auditing)</u> Computerized gas dilution system for current equipment that reached the end of its useful life.	\$20,400	807/Lab & Monitoring
9	<u>One (1) Optical Gas Imaging Camera</u> The Optical Gas Imaging Camera is needed for leak detection and repair (LDAR) program for various compliance programs.	\$100,000	403/Lab & Monitoring
10	<u>One (1) Storage Server</u> In support of the AB617 program, the Modeling and Analysis Section analyzes ambient data, conducts regional and local-scale modeling, and prepares data for health impact analyses.	\$40,000	603/Computer & Network
11	<u>Computer and Equipment</u> Computer & Software Implementation Recordkeeping System	\$100,000	726/Computer & Network Equipment
12	<u>Capital Lease for Servers, Telecommunications &amp; Hardware</u> Lease payment on the District's Capital Lease for Computer, Networking & Telephony equipment	\$400,000	726/Communications Equipment
13	<u>Public Permitting &amp; Compliance Systems</u> Development and implementation of permitting and enforcement software functionality for medium and complex facilities, including data cleanup and consolidation activities.	\$2,750,000	125/Computer & Network Equipment
	<b>Total Capital Expenditures</b>	<b>\$4,236,448</b>	

# General Fund Program Narratives and Expenditure Details

Note: Definitions are provided on page 200-202  
And are an integral part of this budget document.



## Executive Division

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Under the leadership and direction of the Executive Officer/APCO and the Board of Directors, the Executive Office guides the Bay Area Air Quality Management District (Air District) in meeting its mission of protecting and improving public health, air quality, and the global climate. To fulfill this mission, the Air District builds its programs and policies on sound science, develops them with technical expertise and rigor, and executes them with quality. Air District programs and policies include both traditional air quality management approaches and new strategies for achieving clean air.

In FYE 2021, the Air District will continue to implement State and Federal regulations and directives, and will also continue to implement and develop the following key initiatives:

- Clean Air Plan Implementation
- Climate Action Work Program
- Assembly Bill (AB) 617 Implementation
- Wildfire Air Quality Response Program
- Diesel Free by '33 Campaign
- Technology Implementation Office
- Wood Smoke Program and Rule Amendments
- My Air Online Program
- Clean Air Foundation
- Spare the Air Everyday Campaign
- Public Participation Plan Implementation
- Diversity, Equity, and Inclusion Office

The Executive Office is responsible for developing and maintaining strategic partnerships to achieve clean air. These partnerships include but are not limited to collaboration with: community groups, non-profits, peer regional agencies (Metropolitan Transportation Commission, Association of Bay Area Governments & Bay Conservation and Development Commission), regulatory agencies (U.S. Environmental Protection Agency and California Air Resources Board), and associations (California Air Pollution Control Officers Association, Air and Waste Management Association & National Association of Clean Air Agencies), as well as the State Legislature. In FYE 2021, these key partnerships will also address regional coordination of climate protection activities, and implementation of State initiatives such as SB1339, SB375, and AB32 at the regional level.

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
Administration and Direction of Air District Programs.	
<b>Description of Program:</b>	
This budget program is responsible for providing overall administration and direction to Air District staff. Through this budget program, the Executive Officer/APCO interprets and oversees implementation of Board directives and policies and administers the business of the Air District.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Implement and develop key initiatives to meet Air District goals and objectives.	
Coordinate development of Air District's legislative agenda and implement strategy for achieving Air District's legislative goals.	
Coordinate Air District activities with staff, stakeholders, and community groups.	
Help sponsor stakeholder events in support of Air District Initiatives.	
Monitor actions of and serve as liaison to regional governmental agencies (e.g. MTC, ABAG, BCDC), federal and statewide governmental organizations (e.g. U.S. EPA, CARB, CAPCOA), as well as the state legislature, and representatives of the regulated community.	
Compliance and enforcement actions.	
Administer and manage the Bay Area Clean Air Foundation.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Rule Development and Amendments	Ongoing
Issue all non-Title V permits on a timely basis (within a 45 day period)	Ongoing
Production System Implementation	Ongoing
Clean Air Plan Implementation	Ongoing
Assembly Bill (AB) 617 Implementation	Ongoing
Public Participation Plan Implementation	Ongoing
Adopt District Budget for FYE 2021	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		13.61	16.33	16.88	0.55	3.4%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	2,508,506	2,648,451	3,154,527	506,076	19.1%
Overtime Salaries	51150	2,537		2,500	2,500	
Temporary Salaries	51200	48,738				
Payroll Taxes	51300	38,811	38,052	47,964	9,912	26.0%
Pension Benefits	51400	469,146	567,392	704,807	137,415	24.2%
FICA Replacement Benefits	51500	27,781	28,644	31,682	3,038	10.6%
Group Insurance Benefits	51600	376,237	296,577	336,667	40,090	13.5%
Employee Transportation Subsidy	51700	32,174	22,888	36,673	13,785	60.2%
Workers' Compensation	51800	7,401	9,274	9,358	84	0.9%
Other Post Employment Benefits	51850	239,554	161,284	162,741	1,457	0.9%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		3,750,885	3,772,562	4,486,919	714,357	18.9%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	29,193	21,000	21,000		
Travel Out-of-State	52220	109,097	45,000	45,000		
Training & Education	52300	59,302	30,500	30,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500	15,332	5,000	5,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800	187				
Printing & Reproduction	52900	4,076	2,500	2,500		
Equipment Rental	53100					
Rents & Leases	53200	11,072	100,000	100,000		
Professional Services & Contracts	53300	1,560,541	1,760,000	1,760,000		
General Insurance	53400					
Shop & Field Supplies	53500	206				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	5,658	1,000	1,000		
Books & Journals	54100	2,525	500	500		
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		1,797,189	1,965,500	1,965,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(235,082)				
<b>Total Expenditures</b>		5,312,992	5,738,062	6,452,419	714,357	12.4%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Gregory Nudd	
<b>Program Purpose:</b>	
The Bay Area Regional Collaborative (BARC) is a consortium of Board/Commission representatives from the Bay Area Air Quality Management District, Metropolitan Transportation Commission, Association of Bay Area Governments, and Bay Conservation and Development Commission. The BARC addresses cross-cutting issues of regional significance through collaboration and coordination.	
<b>Description of Program:</b>	
The BARC has selected Climate Change as the primary focus of its work. The four regional agencies work together to create coordinated policies, increase efficiencies, leverage resources, and provide better services to local governments that are grappling with climate mitigation and adaptation issues. This program includes Air District financial support for the BARC's assistance to coordinate the Bay Area Clean Air Plan and Regional Climate Action Strategy with the climate policies and programs of the other regional agencies.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Provide support for the BARC Executive Director and Program Associate to implement the BARC work plan	
Provide support for limited professional services as needed for the BARC work plan	
Participate in BARC meetings, Executive Director meetings, and cross-agency staff teams	
Coordinate with BARC and member agency staff on climate change issues	
<b>Major Objectives</b>	<b>Delivery Date</b>
Work with BARC and member agency staff to coordinate implementation of the Clean Air Plan/Regional Climate Action Strategy and the Sustainable Communities Strategy	Ongoing
Work with BARC and member agency staff to integrate the Air District's Planning Healthy Places guidance into the Sustainable Communities Strategy Work with BARC and member agency staff to coordinate technical assistance to cities and counties regarding climate action plans	Ongoing
Work with BARC and member agency staff to coordinate technical assistance to cities and counties regarding climate action plans	Ongoing

	Audited Program Expenditures		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2020	2021	\$	%
<b>Number of Positions (FTE)</b>						
<b>Personnel Expenditures</b>						
Permanent Salaries	51100					
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300					
Pension Benefits	51400					
FICA Replacement Benefits	51500					
Group Insurance Benefits	51600					
Employee Transportation Subsidy	51700					
Workers' Compensation	51800					
Other Post Employment Benefits	51850					
Board Stipends	51900					
<b>Total Personnel Expenditures</b>						
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	255,434	255,000	255,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>						
	255,434	255,000		255,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>						
	255,434	255,000		255,000		

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Mary Ann Okpalaugo	
<b>Program Purpose:</b>	
Reflects the Air District's leadership and commitment to diversity, equity and inclusion within the agency and the Bay Area.	
<b>Description of Program:</b>	
The Air District's Office of DE&I is responsible for developing and integrating principles, practices and strategies for diversity, equity, and inclusion. The primary focus of activities is to review Air District programs, policies, procedures, initiatives and funding to ensure that the vital work of bringing a clear equity lens to the Air District's mission of "protecting public health, air quality and the global climate" is achieved.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Facilitate Strategy Initiatives: Communication, Education and Awareness; Employment Practices and Recruiting; Empowerment; Community Outreach and Brand Awareness	
Review Enhanced Complaint Response and Investigation Process	
Leverage Workforce Diversity and Empower Diverse Perspectives throughout Training & Leadership Development	
Establish Practices that Promote Inclusive Voices to Shift Leadership Pipeline	
Oversee Internal Government Alliance on Race & Equity 2020 Learning and Implementation Cohorts	
<b>Major Objectives</b>	<b>Delivery Date</b>
Development of Equity Action Plan	Ongoing
Develop Strategy to Expand Diversity and Inclusion to Recruiting and Promotional Opportunities to Build Pipeline	Ongoing
Implementation of Equity Action Plan	Ongoing
Oversee the Local and Regional Government Alliance on Racial Equity Program 2019 Implementation Cohorts	December 2020

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.40	1.87	2.22	0.35	18.7%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	308,110	245,622	327,730	82,108	33.4%
Overtime Salaries	51150	1,150		2,000	2,000	
Temporary Salaries	51200					
Payroll Taxes	51300	4,606	3,521	4,670	1,149	32.6%
Pension Benefits	51400	35,036	54,425	75,214	20,789	38.2%
FICA Replacement Benefits	51500	3,200	3,280	4,174	894	27.3%
Group Insurance Benefits	51600	45,480	36,786	43,379	6,593	17.9%
Employee Transportation Subsidy	51700	3,630	2,621	4,832	2,211	84.4%
Workers' Compensation	51800	935	1,062	1,233	171	16.1%
Other Post Employment Benefits	51850	29,407	18,469	21,444	2,975	16.1%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		431,554	365,786	484,676	118,890	32.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,152	6,200	6,600	400	6.5%
Travel Out-of-State	52220	1,342	8,200	11,600	3,400	41.5%
Training & Education	52300	10,503	65,000	48,000	(17,000)	(26.2)%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1,558	6,000	6,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	46,987	400,000	254,000	(146,000)	(36.5)%
General Insurance	53400		500		(500)	(100.0)%
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	536	500	700	200	40.0%
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		62,078	486,400	326,900	(159,500)	(32.8)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(48,384)				
<b>Total Expenditures</b>		445,248	852,186	811,576	(40,610)	(4.8)%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
Oversee Activities of the Board of Directors.	
<b>Description of Program:</b>	
Administration of activities of the Board of Directors.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Prepare and distribute all meeting materials, including agendas, minutes and correspondence for Board of Directors regular and special meetings, approximately 20 per year. Prepare all logistics for Board of Directors regular and special meetings, including scheduling, polling, providing refreshments, preparation of facilities, and legal noticing requirements, approximately 20 per year. Prepare and distribute all agenda materials and logistics for Board of Directors Committee meetings, approximately 20 per year. Receive, route, and appropriately address all correspondence directed to the Board. Track, process and issue monthly travel reimbursement and per diem payments for each member of the Board of Directors. Prepare all travel logistics for Board of Directors participation at the Annual Air & Waste Management Association (A&WMA) Conference. Maintain archive of Board materials, including minutes, agendas, correspondence and adopted resolutions. Maintain the Air District's website as it relates to the Board of Directors membership, calendar, meeting materials and minutes. Assure timely filing of Statement of Economic Interests with the California Fair Political Practices Commission.	
Prepare all logistics for Board of Directors regular and special meetings, including scheduling, polling, providing refreshments, preparation of facilities, and legal noticing requirements, approximately 20 per year.	
Prepare and distribute all agenda materials and logistics for Board of Directors Committee meetings, approximately 20 per year. Receive, route, and appropriately address all correspondence directed to the Board.	
Receive, route, and appropriately address all correspondence directed to the Board.	
Track, process and issue monthly travel reimbursement and per diem payments for each member of the Board of Directors.	
Prepare all travel logistics for Board of Directors participation at the Annual Air & Waste Management Association (A&WMA) Conference.	
Maintain archive of Board materials, including minutes, agendas, correspondence and adopted resolutions.	
Maintain the Air District's website as it relates to the Board of Directors membership, calendar, meeting materials and minutes.	
Assure timely filing of Statement of Economic Interests with the California Fair Political Practices Commission.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate all Board and Committee meetings.	Ongoing
Coordinate Board Ethics Training and Unconscious Bias Training.	Ongoing
Coordinate New Board Member Orientation.	Ongoing
Coordinate transition to new Chair of the Board of Directors.	Annually
Coordinate Board of Directors Annual Retreat.	Annually
Update of Board Committee assignments.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.08	1.44	2.57	1.13	78.5%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	290,044	154,663	305,807	151,144	97.7%
Overtime Salaries	51150	3,157				
Temporary Salaries	51200					
Payroll Taxes	51300	4,273	2,212	4,370	2,158	97.6%
Pension Benefits	51400	32,922	31,714	64,779	33,065	104.3%
FICA Replacement Benefits	51500	3,069	2,526	4,828	2,302	91.1%
Group Insurance Benefits	51600	41,780	24,154	45,222	21,068	87.2%
Employee Transportation Subsidy	51700	3,934	2,018	5,588	3,570	176.9%
Workers' Compensation	51800	880	818	1,426	608	74.3%
Other Post Employment Benefits	51850	27,687	14,222	24,796	10,574	74.3%
Board Stipends	51900	60,600	60,000	60,000		
<b>Total Personnel Expenditures</b>		468,346	292,327	516,816	224,489	76.8%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	19,834	14,000	18,000	4,000	28.6%
Travel Out-of-State	52220	37,130	16,000	12,000	(4,000)	(25.0)%
Training & Education	52300	30,041	30,000	28,000	(2,000)	(6.7)%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	13,565	21,000	23,000	2,000	9.5%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	78				
Books & Journals	54100	1,148				
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		101,796	81,000	81,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		570,142	373,327	597,816	224,489	60.1%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
Records, documents, and maintains records of actions of the quasi-judicial Hearing Board.	
<b>Description of Program:</b>	
The Hearing Board is a quasi-judicial body that rules on particular cases that affect only individual facilities. It is authorized to hear requests for variance relief, permit revocation, abatement orders, and appeals by permit applicants, or by interested third parties, concerning the issuance or denial of permits.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Prepare logistics for all Hearing Board meetings, including scheduling, polling, providing refreshments, preparation of facilities, and legal noticing requirements. Develop and maintain Hearing Board calendar and schedules.	
Develop and maintain Hearing Board calendar and schedules.	
Attend all hearings of the Hearing Board.	
Draft selected Orders for Hearing Board review and signature.	
Print and reproduce Hearing Board notices.	
Maintain Record of Actions (Docket Book).	
Prepare and maintain docket files for each hearing.	
Collect required fees from Applicants.	
Follow-up on actions resulting from Hearing Board Orders/decisions.	
Process incoming documents and inquiries.	
Make arrangements for all off-site hearings.	
Research, compile and prepare reports for presentation to the Board of Directors and others as requested by the Hearing Board.	
Arrange for Hearing Board members attendance at Hearing Board Conferences and CARB Trainings.	
Track, process and issue monthly travel reimbursement and per diem payments for each member of the Hearing Board.	
Archive Hearing Board Dockets and related documents.	
Maintain the Air District's website as it pertains to the Hearing Board membership, calendar, and decisions/orders.	
Coordinate recruitment and orientation of new Hearing Board members as necessary.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate Hearing Board Activities	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.19	0.24	0.12	(0.12)	(50.0)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	20,649	25,123	14,867	(10,256)	(40.8)%
Overtime Salaries	51150	116				
Temporary Salaries	51200					
Payroll Taxes	51300	345	359	211	(148)	(41.2)%
Pension Benefits	51400	3,977	5,052	3,115	(1,937)	(38.3)%
FICA Replacement Benefits	51500	231	421	242	(179)	(42.5)%
Group Insurance Benefits	51600	3,152	3,203	2,057	(1,146)	(35.8)%
Employee Transportation Subsidy	51700	249	336	280	(56)	(16.7)%
Workers' Compensation	51800	63	136	72	(64)	(47.1)%
Other Post Employment Benefits	51850	1,971	2,370	1,244	(1,126)	(47.5)%
Board Stipends	51900	4,300	32,000	32,000		
<b>Total Personnel Expenditures</b>		35,053	69,000	54,088	(14,912)	(21.6)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,170	1,000		(1,000)	(100.0)%
Travel Out-of-State	52220	1,239		1,000	1,000	
Training & Education	52300	790	1,000	1,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		1,500	1,500		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	648	5,000	5,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		250	250		
Books & Journals	54100		500	500		
Minor Office Equipment	54200		250	250		
<b>Total Services &amp; Supplies Expenditures</b>		3,847	9,500	9,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		38,900	78,500	63,588	(14,912)	(19.0)%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
The Advisory Council studies and makes recommendations on specific matters referred from the Board of Directors or the Air Pollution Control Officer. Matters can include technical, social, economic and environmental aspects of air quality issues.	
<b>Description of Program:</b>	
The Advisory Council is comprised of 7 members, appointed by the Board of Directors. SB1415 requires that the Advisory Council members be skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution. The Council advises and consults with the Board of Directors and Executive Officer and makes recommendations and reports on matters that affect both policy and the legislative agenda. The Council will meet approximately (4) times per year. The meeting may include presentations by speakers who are experts in a specific topic. Presentations, materials and recommendations received are discussed and a report is prepared for the Board of Directors.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Prepare and distribute all meeting materials, including agendas and minutes for Advisory Council regular and special meetings, approximately 4 per year.	
Prepare logistics for all Advisory Council regular and special meetings, including scheduling, polling, providing refreshments, preparation of facilities, providing stenographer, and legal noticing requirements, approximately 4 per year.	
Make travel, registration and payment arrangements for Advisory Council participation at the annual Air and Waste Management Association Conference.	
Maintain archive of Advisory Council materials, including minutes, agendas, and presentations.	
Maintain the District's website as it relates to the Advisory Council membership, calendar, meeting materials and minutes.	
Attend all regular and Committee meetings of the Advisory Council.	
Track, process and issue quarterly travel reimbursement for each member of the Advisory Council.	
Coordinate recruitment of new Advisory Council members as necessary.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate activities of the Advisory Council.	Ongoing
Conduct approximately four (4) meetings, based on the topics selected by the Board of Directors and Executive Officer..	Ongoing
Discuss the presentations, materials and recommendations received at the meetings, and prepare and present a report to the Board of Directors.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.13	0.06	0.16	0.10	166.7%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	10,928	6,147	18,378	12,231	199.0%
Overtime Salaries	51150	30				
Temporary Salaries	51200					
Payroll Taxes	51300	156	88	260	172	195.5%
Pension Benefits	51400	1,341	1,245	3,873	2,628	211.1%
FICA Replacement Benefits	51500	112	105	317	212	201.9%
Group Insurance Benefits	51600	1,508	801	2,642	1,841	229.8%
Employee Transportation Subsidy	51700	119	84	367	283	336.9%
Workers' Compensation	51800	33	34	94	60	176.5%
Other Post Employment Benefits	51850	1,043	593	1,630	1,037	174.9%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		15,270	9,097	27,561	18,464	203.0%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	2,023	4,000	4,000		
Travel Out-of-State	52220	7,135	11,000	10,000	(1,000)	(9.1)%
Training & Education	52300	3,638	2,000	3,000	1,000	50.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		1,000	1,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	5,626	405,000	405,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		18,422	423,000	423,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		33,692	432,097	450,561	18,464	4.3%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Joy Chan	
<b>Program Purpose:</b>	
This program provides design, development, implementation and business systems support for the District's online services.	
<b>Description of Program:</b>	
This program is responsible for software development and implementation of online enterprise software systems for the District. These include public websites as well as online systems supporting permitting, compliance, incentives and presentation of data to the public.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Permitting and compliance development and implementation.	
Public facing data system development and implementation.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Design and implementation of public facing data system.	Daily
Support Databank and IRIS data transfer to the permitting and compliance systems.	Daily
Implementation of software development lifecycle standards	Daily

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		7.84	3.04	5.42	2.38	78.3%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,058,088	460,145	823,418	363,273	78.9%
Overtime Salaries	51150	18,416				
Temporary Salaries	51200					
Payroll Taxes	51300	15,986	6,607	11,804	5,197	78.7%
Pension Benefits	51400	129,019	93,106	172,889	79,783	85.7%
FICA Replacement Benefits	51500	11,517	5,332	10,177	4,845	90.9%
Group Insurance Benefits	51600	156,763	60,874	105,531	44,657	73.4%
Employee Transportation Subsidy	51700	13,281	4,261	11,780	7,519	176.5%
Workers' Compensation	51800	3,210	1,726	3,006	1,280	74.2%
Other Post Employment Benefits	51850	101,000	30,025	52,273	22,248	74.1%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,507,280	662,076	1,190,878	528,802	79.9%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		5,000		(5,000)	(100.0)%
Travel Out-of-State	52220					
Training & Education	52300		15,000	15,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,223		2,500	2,500	
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		1,000		(1,000)	(100.0)%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	55	150,000	150,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	13,092	100,000	100,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		208,941	271,000	267,500	(3,500)	(1.3)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115	3,147,170	2,625,000	2,750,000	125,000	4.8%
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		3,147,170	2,625,000	2,750,000	125,000	4.8%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		4,863,391	3,558,076	4,208,378	650,302	18.3%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Anja Page	
<b>Program Purpose:</b>	
The Air District Websites support and maintain the agency’s web presence to provide the public with information about air quality, including health alerts and real-time air quality data, plans and technical information, as well as access to registrations, permits, regulations and other information for business and industry constituents.	
<b>Description of Program:</b>	
Development, support, and maintenance of the Air District’s web content management system (Sitecore) and websites, including BAAQMD.gov and SparetheAir.org.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Collaborate on efforts to increase multilingual translation, accessibility, and legal compliance for Air District websites	
Support, assist, and train Division Content Editors in the use of the web content management system	
Ensure content meets grammatical conventions, reading-level standards, and consistency requirements	
Develop, test, and implement new features and website components while providing technical support for online services	
Maintain and manage website systems with ongoing upgrades and improvements	
Monitor visitor usage through statistics and logs to inform priorities and decisions on feature development	
Document website processes, issue resolution, and functionality	
<b>Major Objectives</b>	<b>Delivery Date</b>
Work to improve functionality, increase visitor engagement, and prioritize content and relevant information	Ongoing
Continuously enhance the translation strategy for multilingual access and usage strategies for insights on visitor needs	Ongoing
Complete ongoing refinements to development plans, content strategies, feature roadmaps, and guidelines	Ongoing
Increase access to websites and online services across a broad range of devices and systems	Ongoing
Continuously improve performance, website structure, information access, usability, and user experience	Ongoing



# Website Development & Maintenance

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.02	1.84	2.19	0.35	19.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	276,477	250,653	325,341	74,688	29.8%
Overtime Salaries	51150					
Temporary Salaries	51200	5,005				
Payroll Taxes	51300	4,262	3,595	4,633	1,038	28.9%
Pension Benefits	51400	48,212	53,516	72,034	18,518	34.6%
FICA Replacement Benefits	51500	3,064	3,227	4,121	894	27.7%
Group Insurance Benefits	51600	41,836	35,710	44,448	8,738	24.5%
Employee Transportation Subsidy	51700	3,332	2,579	4,771	2,192	85.0%
Workers' Compensation	51800	839	1,045	1,217	172	16.5%
Other Post Employment Benefits	51850	26,392	18,173	21,171	2,998	16.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		409,419	368,498	477,736	109,238	29.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		6,000	6,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,174	2,000	2,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	960,155	917,581	917,581		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	19,934	142,000	142,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		982,263	1,067,581	1,067,581		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(44,429)				
<b>Total Expenditures</b>		1,347,253	1,436,079	1,545,317	109,238	7.6%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Stephanie Osaze	
<b>Program Purpose:</b>	
The Finance/Accounting Program is responsible for maintaining the fiscal stewardship and financial accountability of the District. test type	
<b>Description of Program:</b>	
This program includes receipt and disbursement of District funds, and associated accounting activities. Accounting staff ensure that all receipts and expenditures are consistent with the approved District budget. The program is also responsible for the fiscal maintenance of TFCA, MSIF, CMP, Goods Movement as well as Federal and State grant funding.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Reconcile various grants and assist in preparation of reimbursement request reports.	
Reconcile receipts and disbursements with County Treasurer's Office Reports.	
Prepare quarterly comparison statements for the Budget and Finance Committee presentation.	
Prepare for the annual audit of the District's financial records.	
Analyze and Prepare the annual cost recovery for permitted sources	
Process receipts (checks/credit card payments) on a daily basis. (avg. 1,200 checks/mo).	
Prepare annual proposed budget book.	
Process vendor invoices on a daily basis	
<b>Major Objectives</b>	<b>Delivery Date</b>
Provide budget variance reports to Program Managers within 30 days of period end.	Monthly
Provide timely financial reports to Division Directors/Officer using Qwestica	Ongoing
Complete Annual Financial Report.	Annually
Ensure timely payment of accounts payable.	Daily
Record timely processing of check and credit card receipts.	Daily
Continue implementation of Qwestica Phase 2 and other budget feature enhancements	December 2020
Develop a JDE User Manual for Finance Office	December 2020
Update the Air District's Annual Financial Plan	Annually

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		9.97	9.95	13.05	3.10	31.2%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	958,057	1,039,109	1,460,006	420,897	40.5%
Overtime Salaries	51150	245		1,000	1,000	
Temporary Salaries	51200			220,000	220,000	
Payroll Taxes	51300	14,821	14,853	20,669	5,816	39.2%
Pension Benefits	51400	182,535	224,620	321,619	96,999	43.2%
FICA Replacement Benefits	51500	10,582	17,453	24,488	7,035	40.3%
Group Insurance Benefits	51600	144,031	188,789	262,674	73,885	39.1%
Employee Transportation Subsidy	51700	15,170	13,946	28,345	14,399	103.2%
Workers' Compensation	51800	2,894	5,651	7,233	1,582	28.0%
Other Post Employment Benefits	51850	91,064	98,272	125,783	27,511	28.0%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,419,399	1,602,693	2,471,817	869,124	54.2%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	8,123	3,000	6,700	3,700	123.3%
Travel Out-of-State	52220		3,000	1,500	(1,500)	(50.0)%
Training & Education	52300	12,205	6,000	5,000	(1,000)	(16.7)%
Repair & Maintenance (Equipment)	52400		1,000	800	(200)	(20.0)%
Communications	52500	184	1,000	1,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	6,748	8,000	8,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	667,393	526,000	532,300	6,300	1.2%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	3,212	2,000	1,500	(500)	(25.0)%
Stationery & Office Supplies	53900	1,919	3,000		(3,000)	(100.0)%
Books & Journals	54100	157	800		(800)	(100.0)%
Minor Office Equipment	54200	382	3,000		(3,000)	(100.0)%
<b>Total Services &amp; Supplies Expenditures</b>		700,323	556,800	556,800		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Transfer In/Out</b>		(135,618)				
<b>Total Expenditures</b>		1,984,104	2,159,493	3,028,617	869,124	40.2%

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## Administrative Resources Division

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The Administrative Resources Division provides administrative and operational support functions for the Air District, and is comprised of the Executive Operations Office, Business Office, Fleet and Facilities Office, Finance Office and the Human Resources Office.

The Executive Operations Office is responsible for providing overall administration and direction to Air District staff. Through this office, the Executive Officer/APCO interprets and oversees implementation of Board directives and policies and administers the business of the Air District.

The Business Office is responsible for contracts, purchasing, non-workers compensation risk management, and office support services.

The Fleet and Facilities Office is responsible for the acquisition and maintenance of the vehicle fleet, planning, maintenance and operations of Air District facilities, and general security/safety. Testing

The Human Resources Office is responsible for personnel matters including payroll and benefits, labor and employee relations, recruitment and testing, processing personnel actions, employee performance appraisal and recognition programs, organizational development and training, health and safety compliance, workers compensation and special events coordination.

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Administer payroll for District employees.	
<b>Description of Program:</b>	
The Payroll Program includes administering all aspects of the Air District's payroll, leave accruals, disability payments, and other related benefits dealing with payroll. It includes maintaining and utilizing the current Dayforce payroll system.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Process biweekly payroll.	
Maintain payroll and time keeping system.	
Monitor leave accruals.	
Audit payroll records.	
Customize payroll system to improve process and workflow.	
Generate payroll reports.	
Respond to employment verifications and other external request for payroll information.	
Monitor and comply with federal, state, and local regulations related to payroll.	
Implement self-service features of payroll system.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Administer and process biweekly payroll in an efficient and effective manner. Assists with problem solving on all aspects of payroll.	Ongoing
Implement new features of the payroll and timekeeping system and customize system to improve process and workflow.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.78	0.93	2.08	1.15	123.7%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	95,225	104,057	238,351	134,294	129.1%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	1,426	1,489	3,376	1,887	126.7%
Pension Benefits	51400	16,496	22,551	52,815	30,264	134.2%
FICA Replacement Benefits	51500	1,023	1,631	3,906	2,275	139.5%
Group Insurance Benefits	51600	13,953	20,296	40,256	19,960	98.3%
Employee Transportation Subsidy	51700	1,168	1,303	4,521	3,218	247.0%
Workers' Compensation	51800	289	528	1,154	626	118.6%
Other Post Employment Benefits	51850	9,084	9,185	20,064	10,879	118.4%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		138,664	161,040	364,443	203,403	126.3%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220	2,221	1,400	1,400		
Training & Education	52300		1,600	1,600		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	146,633	120,000	120,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		148,854	123,000	123,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(15,547)				
<b>Total Expenditures</b>		271,971	284,040	487,443	203,403	71.6%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Administer benefits, workers' compensation, and safety programs for District employees.	
<b>Description of Program:</b>	
The Benefits Administration Program includes administering all aspect of employee and retiree benefits, workers' compensation, safety, ergonomics and special events. It includes maintaining and utilizing the human resources information systems.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Administer benefits for employees and retirees in compliance with policies and procedures.	
Administer health, dental, vision, life and long term disability plans.	
Administer retirement and pension plans.	
Administer flexible spending accounts, employee assistance program, and transit subsidy.	
Administer onboarding and separation.	
Maintain human resources information systems.	
Administer workers' compensation program.	
Administer safety and ergonomics program.	
Conduct a variety of benefits, safety, special trainings and events.	
Administer requirements for respiratory fitness medical examinations.	
Monitor and comply with federal, state, and local regulations related to benefits.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Administer employee benefit program.	Ongoing
Develop and administer the worker's compensation, safety and ergonomic program.	Ongoing
Provide management and employee consultation regarding benefits administration.	Ongoing
Review and perform cost benefit analysis of existing benefit contracts and consider alternative plans.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		1.29	0.89	2.41	1.52	170.8%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	132,404	91,908	242,279	150,371	163.6%
Overtime Salaries	51150	1,122				
Temporary Salaries	51200	1,773				
Payroll Taxes	51300	204,360	1,314	3,420	2,106	160.3%
Pension Benefits	51400	24,646	19,082	50,791	31,709	166.2%
FICA Replacement Benefits	51500	195,756	1,561	4,526	2,965	189.9%
Group Insurance Benefits	51600	2,625,604	2,772,567	3,006,753	234,186	8.4%
Employee Transportation Subsidy	51700	1,698	1,247	5,240	3,993	320.2%
Workers' Compensation	51800	41,817	505	1,337	832	164.8%
Other Post Employment Benefits	51850	13,715	8,790	23,251	14,461	164.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		3,242,895	2,896,974	3,337,597	440,623	15.2%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,129	2,600	2,600		
Travel Out-of-State	52220		1,400	1,400		
Training & Education	52300	11,215	66,000	54,000	(12,000)	(18.2)%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	51,623	126,000	138,000	12,000	9.5%
General Insurance	53400					
Shop & Field Supplies	53500	19,957	35,000	35,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		83,924	231,000	231,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(362,957)				
<b>Total Expenditures</b>		2,963,862	3,127,974	3,568,597	440,623	14.1%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Provide appropriate workplace learning and organization development to increase organizational effectiveness and results through training and development activities. Administer wellness events and activities to increase the well-being of the staff.	
<b>Description of Program:</b>	
The District's training and development program includes career developmental training for all non-management employees; and career developmental training, skills enhancement, safety, knowledge transfer, and succession planning for supervisory and management employees. It includes analysis of needs assessments and implementation of workforce development activities as part of an overall strategy to retain a top performing and motivated workforce. The program also includes the administration and coordination of wellness activities and events.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Provide District-wide and Division-specific trainings as requested or needed.	
Develop leadership development program and mentorship program as part of overall succession planning.	
Provide Ethics, Harassment Prevention, and any required trainings.	
Provide coaching and development support to management and staff as needed.	
Administer the performance evaluation program.	
Administer the educational reimbursement program.	
Coordinate and implement the various wellness activities and events.	
Coordinate the employee engagement program.	
Monitor and comply with federal, state, and local regulations related to training.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop and administer the training programs for all staff level focusing in the changing needs and priorities of the Air District.	Ongoing
Develop a leadership and mentorship program as part of succession planning.	Ongoing
Develop and administer the wellness program.	Ongoing
Administer the performance evaluation online system.	Ongoing
Coordinate the employee engagement program	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.84	1.04	1.55	0.51	49.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	91,978	110,205	194,694	84,489	76.7%
Overtime Salaries	51150	133				
Temporary Salaries	51200					
Payroll Taxes	51300	1,478	1,576	2,763	1,187	75.3%
Pension Benefits	51400	20,162	23,812	42,062	18,250	76.6%
FICA Replacement Benefits	51500	1,033	1,824	2,908	1,084	59.4%
Group Insurance Benefits	51600	14,052	16,371	21,723	5,352	32.7%
Employee Transportation Subsidy	51700	1,365	1,458	3,367	1,909	130.9%
Workers' Compensation	51800	279	591	859	268	45.3%
Other Post Employment Benefits	51850	8,780	10,272	14,940	4,668	45.4%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		139,260	166,109	283,316	117,207	70.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	805	2,600	1,400	(1,200)	(46.2)%
Travel Out-of-State	52220		1,400	1,200	(200)	(14.3)%
Training & Education	52300	128,967	181,000	182,400	1,400	0.8%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	21,761				
General Insurance	53400					
Shop & Field Supplies	53500	40				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		151,573	185,000	185,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(15,613)				
<b>Total Expenditures</b>		275,220	351,109	468,316	117,207	33.4%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Provide management and staff support in the area of employment relations.	
<b>Description of Program:</b>	
The Employment Relations Program includes the following District activities: employee relations, labor relations, classification and compensation, Equal Employment Opportunity (EEO) programs, personnel regulatory compliance, research and recordkeeping.	
<b>Justification of Change Request:</b>	
None	
<b>Activities</b>	
Administer, interpret, and implement the Memorandum of Understanding (MOU) and Personnel Policies and Procedures of the Administrative Code.	
Provide management and staff consultation.	
Administer EEO Policy.	
Meet with Employee Association on appropriate subjects.	
Provide support of grievance/arbitration processes.	
Maintain accurate employment records.	
Provide discipline counseling.	
Monitor and comply with federal, state, and local regulations related to labor.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Administer, interpret, implement and comply with the MOU and Administrative Code.	Ongoing
Continue positive relations with the Employees' Association.	Ongoing
Monitor and comply with federal, state, and local regulations.	Ongoing
Administer the Equal Employment Opportunity policy.	Ongoing
Ensure reliability of employment history and data.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		1.70	1.49	1.77	0.28	18.79%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	228,478	196,589	258,439	61,850	31.46%
Overtime Salaries	51150	833				
Temporary Salaries	51200	62,158				
Payroll Taxes	51300	3,385	2,819	3,679	860	30.5%
Pension Benefits	51400	43,587	43,024	58,698	15,674	36.4%
FICA Replacement Benefits	51500	2,386	2,614	3,337	723	27.7%
Group Insurance Benefits	51600	32,520	29,004	31,491	2,487	8.6%
Employee Transportation Subsidy	51700	2,591	2,088	3,863	1,775	85.0%
Workers' Compensation	51800	661	846	986	140	16.5%
Other Post Employment Benefits	51850	20,811	14,716	17,142	2,426	16.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		397,410	291,700	377,635	85,935	29.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	4,024	6,000	6,000		
Travel Out-of-State	52220					
Training & Education	52300	9,558	9,000	9,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	866				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	439,654	301,000	301,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		500	500		
Books & Journals	54100		500	500		
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		454,102	317,000	317,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(44,556)				
<b>Total Expenditures</b>		806,956	608,700	694,635	85,935	14.12%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Administer a merit based recruitment and selection process for external and internal candidates to fill vacant positions.	
<b>Description of Program:</b>	
The Recruitment and Testing Program includes the following activities: testing of internal and external candidates, outreaching and advertising the positions as a choice of employment, maintaining the recruiting online system, and maintaining equal employment policy and compliance with all laws, policies, and requirements.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Conduct testing, including application screening, panel and hiring interviews, testing, etc.	
Advertise and outreach vacant positions in various mediums.	
Work with hiring managers to determine recruitment strategies.	
Perform background checks, reference checks, DMV checks and physical abilities checks.	
Participate in local, state and federal job fairs and similar outreach activities.	
Contract professional services for specialized executive management recruitments.	
Maintain online applicant tracking system.	
Monitor and comply with federal, state, and local regulations related to testing	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct merit based testing for internal and external candidates.	Ongoing
Comply with all applicable recruitment policies, requirements and law.	Ongoing
Conduct regional, statewide and nationwide outreach to attract quality candidates.	Ongoing
Maintain Air District's Equal Opportunity Policy for recruitment and testing.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.51	3.10	3.40	0.30	9.68%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	262,344	329,488	424,406	94,918	28.81%
Overtime Salaries	51150					
Temporary Salaries	51200	13,588				
Payroll Taxes	51300	3,994	4,711	6,023	1,312	27.8%
Pension Benefits	51400	52,810	69,630	95,493	25,863	37.1%
FICA Replacement Benefits	51500	2,885	5,438	6,380	942	17.3%
Group Insurance Benefits	51600	39,238	57,823	56,806	(1,017)	(1.8)%
Employee Transportation Subsidy	51700	4,331	4,345	7,385	3,040	70.0%
Workers' Compensation	51800	793	1,760	1,884	124	7.0%
Other Post Employment Benefits	51850	24,951	30,617	32,771	2,154	7.0%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		404,934	503,812	631,148	127,336	25.3%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	645				
Travel Out-of-State	52220	2,144	2,700	2,700		
Training & Education	52300	3,600	1,000	1,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	63,915	50,000	50,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	45,121	80,000	80,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		115,425	133,700	133,700		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(45,400)				
<b>Total Expenditures</b>		474,959	637,512	764,848	127,336	19.97%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
Facilities Planning and Maintenance of existing Air District owned facilities, leased satellite offices, equipment and supplies.	
<b>Description of Program:</b>	
The Facilities Office provides for the day to day operations of the Air District's offices at 375 Beale Street and 4114 Lakeside Drive and all leased satellite offices. The development of safety protocols is ongoing, security, and maintenance of existing infrastructure and equipment is ongoing and includes satellite offices.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Work with BAHA and consultants on facility related projects in reference to shared space and services at 375 Beale Street.	
Respond to emergency facility repair requests.	
Oversee general contractors for the construction of offices and cubicles. Procure furniture and reconfigure cubicle spaces. Oversee electricians and plumbers.	
Routine maintenance at offsite facilities: performing preventive and scheduled maintenance as well as maintenance performed in response to signs of wear and tear observed during planned maintenance activities.	
Special AD events and workshop logistics.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Work with BAHA and consultants on facility related projects in reference to shared space and services at 375 Beale Street.	Ongoing
Respond to emergency facility repair requests.	Ongoing
Oversee general contractors for the construction of offices and cubicles. Procure furniture and reconfigure cubicle spaces. Oversee electricians and plumbers.	Ongoing
Routine maintenance at offsite facilities: performing preventive and scheduled maintenance as well as maintenance performed in response to signs of wear and tear observed during planned maintenance activities.	Ongoing
Special Air District events and workshop logistics	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.75	2.33	3.33	1.00	42.92%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	239,785	219,468	343,864	124,396	56.68%
Overtime Salaries	51150	8,976		9,000	9,000	
Temporary Salaries	51200					
Payroll Taxes	51300	3,724	3,132	4,858	1,726	55.1%
Pension Benefits	51400	38,701	47,137	79,018	31,881	67.6%
FICA Replacement Benefits	51500	2,658	4,087	6,250	2,163	52.9%
Group Insurance Benefits	51600	36,222	50,769	60,334	9,565	18.8%
Employee Transportation Subsidy	51700	2,880	3,266	7,235	3,969	121.5%
Workers' Compensation	51800	727	1,323	1,846	523	39.5%
Other Post Employment Benefits	51850	22,889	23,012	32,104	9,092	39.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		356,562	352,194	544,509	192,315	54.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	3,690				
Travel Out-of-State	52220					
Training & Education	52300	16				
Repair & Maintenance (Equipment)	52400		28,000	30,000	2,000	7.1%
Communications	52500	669				
Building Maintenance	52600	194,432	345,000	205,000	(140,000)	(40.6)%
Utilities	52700	20,496	67,000	67,000		
Postage	52800					
Printing & Reproduction	52900	147		200	200	
Equipment Rental	53100	2,704		3,000	3,000	
Rents & Leases	53200	76,117		1,235	1,235	
Professional Services & Contracts	53300	236,264	257,000	390,565	133,565	52.0%
General Insurance	53400					
Shop & Field Supplies	53500	240	3,500	3,500		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200	86,995	106,000	106,000		
Non-capital assets	54600	1,010				
<b>Total Services &amp; Supplies Expenditures</b>		622,780	806,500	806,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100		4,000,000		(4,000,000)	(100.0)%
Building & Grounds	60105	13,107,711				
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		13,107,711	4,000,000		(4,000,000)	(100.0)%
<b>Transfer In/Out</b>		(39,977)				
<b>Total Expenditures</b>		14,047,076	5,158,694	1,351,009	(3,807,685)	(73.81)%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Satnam Hundel	
<b>Program Purpose:</b>	
Maintenance of the day-to-day communication and reproduction operations of the Air District.	
<b>Description of Program:</b>	
The day-to-day administrative operations include: sorting and distribution of incoming and outgoing mail, and processing reproduction and subscription requests.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Process incoming and outgoing mail.	
Maintain subscription service for Air District publications.	
Process reproduction requests, including document binding and package preparation.	
Prepare, reproduce and mail board packets, asbestos reports, permits, permit invoices, data update forms, and other materials as requested.	
Receive and deliver incoming packages and deliveries.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Process incoming and outgoing mail as well as packages.	Ongoing
Process reproduction requests.	Ongoing
Manage contracts, RFPs/RFQs, fleet services, business supplies, mailroom, and facilities operations.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.48	2.67	1.01	(1.66)	(62.17)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	179,930	201,971	117,623	(84,348)	(41.76)%
Overtime Salaries	51150	3,132				
Temporary Salaries	51200	14,946				
Payroll Taxes	51300	2,708	2,871	1,667	(1,204)	(41.9)%
Pension Benefits	51400	35,148	41,558	25,527	(16,031)	(38.6)%
FICA Replacement Benefits	51500	1,933	4,683	1,904	(2,779)	(59.3)%
Group Insurance Benefits	51600	26,326	39,912	16,478	(23,434)	(58.7)%
Employee Transportation Subsidy	51700	2,092	3,742	2,204	(1,538)	(41.1)%
Workers' Compensation	51800	546	1,516	562	(954)	(62.9)%
Other Post Employment Benefits	51850	17,173	26,370	9,782	(16,588)	(62.9)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		283,934	322,623	175,747	(146,876)	(45.5)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300	40	2,000	2,500	500	25.0%
Repair & Maintenance (Equipment)	52400	200				
Communications	52500	184,743	235,000	234,500	(500)	(0.2)%
Building Maintenance	52600					
Utilities	52700					
Postage	52800	51,048	92,000	92,000		
Printing & Reproduction	52900					
Equipment Rental	53100	59,112	35,000	35,000		
Rents & Leases	53200					
Professional Services & Contracts	53300	152,451	236,000	236,000		
General Insurance	53400					
Shop & Field Supplies	53500	15				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	42				
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		447,651	600,000	600,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(31,834)				
<b>Total Expenditures</b>		699,751	922,623	775,747	(146,876)	(15.92)%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
This program will pay operating and maintenance costs associated with the Air District's office space located in Richmond, CA.	
<b>Description of Program:</b>	
This program will pay for the reconfiguring the Richmond Office and all costs associated with building maintenance of the facility, including shared costs associated with the Condominium Association. This year includes costs associated with building out Phase 2 and 3 of the Richmond Office.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Payment towards the Air District's financing obligation (COPS).	
<b>Major Objectives</b>	<b>Delivery Date</b>
Make monthly payments of \$100,000 towards the financing obligations for the FYE 2019/2020	Monthly

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Other Post Employment Benefits	51850				
Board Stipends	51900				
<b>Total Personnel Expenditures</b>					
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400	2,506			
Communications	52500				
Building Maintenance	52600				
Utilities	52700	2,790	11,000	11,000	
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200	1,300,000		(1,300,000)	(100.0)%
Professional Services & Contracts	53300	157,920	189,000	189,000	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>					
	163,216	1,300,000	200,000	(1,100,000)	(84.6)%
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105	77,346			
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
	77,346				
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>					
	240,562	1,300,000	200,000	(1,100,000)	(84.62)%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Satnam Hundel	
<b>Program Purpose:</b>	
Provide for the purchasing of equipment and supplies and the negotiating of service contracts.	
<b>Description of Program:</b>	
The purchasing section is responsible for the procurement of services, equipment and supplies. The section facilitates the administration of limited access license agreements, lease agreements, professional service contracts, and request for proposals/qualifications. The section is also responsible for the property management administration of various insurance policies, and the coordination of the disposal of surplus equipment.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Process purchase order requests.	
Approve the purchase of necessary office supplies as requested by District personnel.	
Administer District service contracts and negotiate lease renewals.	
Process service requests on equipment under maintenance.	
Deliver requested office supplies.	
Negotiate best price on sale of surplus equipment.	
Manage District insurance policies	
<b>Major Objectives</b>	<b>Delivery Date</b>
Process purchase order requests.	Daily
Approve the purchase of necessary office supplies as requested by District personnel.	Ongoing
Administer District service contracts, leases, and limited access license agreements.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.92	2.87	2.51	(0.36)	(12.54)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	326,688	327,913	328,330	417	0.13%
Overtime Salaries	51150	1,415				
Temporary Salaries	51200	5,171				
Payroll Taxes	51300	5,053	4,693	4,664	(29)	(0.6)%
Pension Benefits	51400	55,114	71,267	74,489	3,222	4.5%
FICA Replacement Benefits	51500	3,598	5,034	4,721	(313)	(6.2)%
Group Insurance Benefits	51600	49,027	52,820	46,464	(6,356)	(12.0)%
Employee Transportation Subsidy	51700	4,068	4,023	5,465	1,442	35.8%
Workers' Compensation	51800	991	1,630	1,394	(236)	(14.5)%
Other Post Employment Benefits	51850	31,183	28,346	24,250	(4,096)	(14.5)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		482,308	495,726	489,777	(5,949)	(1.2)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		1,200	1,500	300	25.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	6,927	42,500	44,164	1,664	3.9%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400	325,199	364,000	352,036	(11,964)	(3.3)%
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	17,425	105,000	115,000	10,000	9.5%
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		349,551	512,700	512,700		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(54,075)				
<b>Total Expenditures</b>		777,784	1,008,426	1,002,477	(5,949)	(0.59)%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
This program will pay for sharing of limited business operations and technology functions between the Air District, Metropolitan Transportation Commission, and the Association of Bay Area Governments at 375 Beale Street. This program will also pay for the lease payments associated with the Air District's financing ownership interest of its portion of the facility.	
<b>Description of Program:</b>	
Shared services between the Air District, Metropolitan Transportation Commission and the Association of Bay Area Governments, including personnel and shared business operations, IT license and maintenance agreements required for a shared services component for the agencies and payments related to its lease payments through the issuance of a private placement of Certificate of Participation Notes (COPS) with the Bay Area Housing Authority.	
<b>Justification of Change Request:</b>	
The shared services component includes general services and technology functions: personnel, conference room scheduling, conference room set-up, video conferencing, webcasting, copy/print/mail production and distribution, shared fleet management, shuttle service, wellness center; email, calendaring, telephone systems, wireless network, internet connectivity, printing, electronic file storage, server rooms maintenance. Beginning in FYE 2019, the lease payments associated with paying down the COPS are being paid through this program.	
<b>Activities</b>	
Maintain service level agreements with partner agencies	
Maintain communication plan for building protocols	
Maintain and develop training materials for new technologies and services available at 375 Beale Street	
Maintain Shared Services Budget and Responsibilities	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain service level agreements with partner agencies	Ongoing
Maintain communication plan for building protocols	Ongoing
Maintain and develop training materials for new technologies and services available at 375 Beale Street	Ongoing
Maintain Shared Services Budget and Responsibilities	Ongoing



	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Other Post Employment Benefits	51850				
Board Stipends	51900				
<b>Total Personnel Expenditures</b>					
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200	280,678	1,300,000	1,300,000	
Professional Services & Contracts	53300	2,059,761	2,110,000		
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>	2,340,439	2,110,000	3,410,000	1,300,000	61.6%
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	2,340,439	2,110,000	3,410,000	1,300,000	61.61%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
Fleet maintenance and inspection to ensure safe and reliable transportation.	
<b>Description of Program:</b>	
The vehicle maintenance section includes the maintenance of the District's 123-vehicle fleet, vehicle financing, tracking and diagnostics fuel records of District vehicles. All vehicle maintenance is outsourced for service. As of FYE 2018/19, ninety-four (94) vehicles are leased from Enterprise Fleet Services on a Full Maintenance Program. One (1) Electric vehicle is leased from Nissan Motor Acceptance Corporation where routine services are covered by the vehicle warranty plan; one (1) Hydrogen Fuel Cell vehicle is leased from Anderson Honda Motors Co. Inc; and twenty-seven (27) vehicles are owned by the District and are included in the Enterprise Maintenance Management Program in which Enterprise assists the District in handling all scheduled and non-scheduled repairs.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Perform factory-recommended preventive and routine vehicle maintenance.	
Maintain service support for response to emergency calls within one hour.	
Manage insurance contracts on District vehicles; process damage claims.	
Train staff in new technology in vehicle maintenance, evaluation and repairs.	
Modify and maintain up-to-date vehicle maintenance procedures.	
Oversee Enterprise-leased vehicles maintenance appointments.	
Perform yearly smog checks and reports on District vehicles.	
Quarterly Fuel Reporting.	
Vehicle disposal and purchasing.	
Cost management and billing.	
Plan and prepare annual budget, expenditures and analyze all financial objectives	
Create/update fleet policy and procedures, to include vehicle assignment, personal use, replacement policy, accident reporting process, and other procedures	
<b>Major Objectives</b>	<b>Delivery Date</b>
Completion of yearly maintenance on all District vehicles.	Annually
Completion of annual smog check for District vehicles.	Annually
Reduce the District vehicles carbon foot print with alternative fuel options such as Hybrid Vehicles, Electric Vehicles (EVs), and Hydrogen Fuel Cell	Ongoing

# Fleet Services

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		1.07	1.44	2.83	1.39	96.53%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	129,174	175,467	299,450	123,983	70.66%
Overtime Salaries	51150					
Temporary Salaries	51200	3,237				
Payroll Taxes	51300	1,990	2,513	4,233	1,720	68.4%
Pension Benefits	51400	23,739	37,541	66,139	28,598	76.2%
FICA Replacement Benefits	51500	1,429	2,526	5,323	2,797	110.7%
Group Insurance Benefits	51600	19,464	34,776	39,344	4,568	13.1%
Employee Transportation Subsidy	51700	4,063	2,018	6,162	4,144	205.4%
Workers' Compensation	51800	392	818	1,572	754	92.2%
Other Post Employment Benefits	51850	12,331	14,222	27,343	13,121	92.3%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		195,819	269,881	449,566	179,685	66.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	3,056				
Travel Out-of-State	52220	325				
Training & Education	52300		3,000	3,000		
Repair & Maintenance (Equipment)	52400	11,769	12,500	12,500		
Communications	52500	605				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	540,477	750,000	750,000		
Professional Services & Contracts	53300	36	12,500	12,500		
General Insurance	53400	40,513	55,000	55,000		
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700	237,184	265,000	265,000		
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		833,965	1,098,000	1,098,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120	52,717				
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		52,717				
<b>Transfer In/Out</b>		(21,955)				
<b>Total Expenditures</b>		1,060,546	1,367,881	1,547,566	179,685	13.14%

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## Legal Services Division

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The District Counsel provides legal advice, counseling and representation to the Board of Directors and its Committees, the Executive Officer/APCO, District staff, and the Advisory Council in the execution of their respective statutory mandates and responsibilities. The District Counsel also represents, or manages outside counsel, representing the District in all litigation involving the District and in matters before the District's Hearing Board. The District Counsel primarily practices in the areas of general civil law, Federal, State and local air pollution control law, administrative law, Federal and State civil litigation, government law and the California Environmental Quality Act (CEQA).

The District Counsel will continue to implement significant changes in the Mutual Settlement and Civil Penalty Programs; such efforts over the past several fiscal years have been very effective in improving these programs. Efforts by District Counsel's attorneys and the Mutual Settlement Program staff have resulted in a nearly complete effort of resolving the existing inventory of enforcement cases. In addition, implementation of a Small Claims Court program for some enforcement cases in which settlement could not be reached through pre-litigation negotiation has been highly successful. The efforts to be undertaken this fiscal year are once again designed to properly implement legal requirements regarding settlements, deter repeat violations, impose civil penalties commensurate with the nature of the air quality violation involved, remove the economic benefit of violations, and encourage rule compliance by the regulated community. This fiscal year, District Counsel will continue the development and improvement of the Mutual Settlement Program. The District Counsel will also continue to coordinate with, and provide training for, Compliance and Enforcement Division staff regarding case development. These efforts will ensure that effective enforcement cases are built from the beginning of investigations, and will result in more effective settlements and prosecutions. The District Counsel's attorneys will continue their focus on civil penalty enforcement investigations and actions, including civil litigation and, where appropriate, Hearing Board enforcement proceedings.

District Counsel's attorneys will continue to advise District staff on rulemaking, permitting and air quality planning activities. In this regard, District Counsel will continue its efforts to coordinate closely with the District's staff on these issues to minimize challenges to District decision-making. District Counsel will also continue to represent the Executive Officer/APCO before the Hearing Board, counsel the Board of Directors and its Committees as to their legal authority and duties and interact with EPA, CARB, other Air Districts and private attorneys on various matters. District Counsel will continue to use outside labor/employment law firms to handle the specialized practice of labor and employment law counseling, negotiations and litigation. Due in large part to the efforts of attorneys in the District Counsel's office, the vast majority of the litigation pending against the District was resolved in FYE 2005. Cases filed in the intervening years have been more efficiently addressed and resolved. In addition to continuing to provide pre-litigation counseling, and to handle litigation matters internally, the District Counsel will continue to manage the efforts of outside counsel as appropriate in litigation, employment, and specialized counseling matters.

The District Counsel will continue to provide the Board of Directors, the Executive Officer/APCO and District staff with exemplary legal counsel and representation.

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To advise, counsel and assist the Board of Directors, the Executive Officer/APCO, and District staff on all legal matters related to the Air District's clean air mission and operations.	
<b>Description of Program:</b>	
The Air District Counsel provides a wide variety of legal services to the Board of Directors, the Executive Officer/APCO, Advisory Council, and District staff. Those services include advising and counseling on issues arising under Federal and State air pollution laws, the Brown Act, the California Environmental Quality Act (CEQA), the Public Records Act, and conflict of interest laws. Attorneys in the District Counsel's office prepare and review complex contracts, provide legal opinions and advice on rule development, and governmental and general law issues, such as enforcement, permitting and air quality planning matters. Work in the District Counsel's office also includes the development and implementation of legal policy documents for the District.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Staff all Board of Director and Board Committee meetings and provide legal advice and direction, as necessary, at such meetings.	
Draft all necessary resolutions for adoption by the Board of Directors.	
Provide all legal opinions, reports and correspondence requested by the Board of Directors, the Advisory Council and the Executive Officer/APCO. Provide all legal opinions, reports and correspondence requested by the Board of Directors, the Advisory Council and the Executive Officer/APCO. Review and comment on all legislative proposals affecting the District. Provide legal advice and review of all rule adoptions and amendments including CEQA analysis. Staff all meetings with District staff, members of the public, representatives of other public agencies, environmental groups, industry, the press and legislative representatives involving District permitting, rule development or enforcement. Provide legal advice, direction and contract drafting to administration of TFCA. Advise and assist the Executive Officer/APCO and District staff in legal matters involving contracts, the Public Records Act, conflicts of interest, leases and copyrights. Provide all staff support functions associated with the above activities. Advise Air District staff and the Board of Directors on all issues related to the Federal Clean Air Act, California Clean Air Act and associated State and Federal regulations.	
Provide all legal opinions, reports and correspondence requested by the Board of Directors, the Advisory Council and the Executive Officer/APCO.	
Review and comment on all legislative proposals affecting the District.	
Provide legal advice and review of all rule adoptions and amendments including CEQA analysis.	
Staff all meetings with District staff, members of the public, representatives of other public agencies, environmental groups, industry, the press and legislative representatives involving District permitting, rule development or enforcement.	
Provide legal advice, direction and contract drafting to administration of TFCA.	
Advise and assist the Executive Officer/APCO and District staff in legal matters involving contracts, the Public Records Act, conflicts of interest, leases and copyrights.	
Provide all staff support functions associated with the above activities.	
Advise Air District staff and the Board of Directors on all issues related to the Federal Clean Air Act, California Clean Air Act and associated State and Federal regulations.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not Applicable	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		6.69	7.70	9.11	1.41	18.3%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,192,163	1,368,819	1,562,537	193,718	14.2%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	18,386	19,682	23,099	3,417	17.4%
Pension Benefits	51400	228,080	294,242	356,514	62,272	21.2%
FICA Replacement Benefits	51500	13,007	13,506	17,111	3,605	26.7%
Group Insurance Benefits	51600	176,903	143,204	180,786	37,582	26.2%
Employee Transportation Subsidy	51700	15,275	10,792	19,806	9,014	83.5%
Workers' Compensation	51800	3,616	4,373	5,054	681	15.6%
Other Post Employment Benefits	51850	113,783	76,049	87,891	11,842	15.6%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,761,213	1,930,667	2,252,798	322,131	16.7%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	4,218	3,000	3,000		
Travel Out-of-State	52220	6,349	4,000	4,000		
Training & Education	52300	11,117	6,500	6,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500	3,509	5,000	5,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1,459	4,000	4,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	58,342	45,000	44,000	(1,000)	(2.2)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	840		1,000	1,000	
Books & Journals	54100	48,896	40,000	40,000		
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		134,730	107,500	107,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(191,282)				
<b>Total Expenditures</b>		1,704,661	2,038,167	2,360,298	322,131	15.8%

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To represent the Air District in all proceedings involving variances, orders of abatement, permit appeals and permit revocations before the Air District's Hearing Board.	
<b>Description of Program:</b>	
The Air District Counsel provides all necessary legal representation and counsel for the District in variance, order of abatement, permit appeal and permit revocation actions before the Air District's Hearing Board. Permit holders may seek variance relief from the Hearing Board when they are unable to meet a District rule or permit requirement as long as state law requirements are met. The District may seek orders of abatement against facilities for on-going violations, or seek to revoke those facilities' permits. The Air District Counsel also represents the District in appeals by applicants or third parties to permit, emission reduction credit, and interchangeable emission reduction credit decisions made by the District. In addition, the Air District Counsel works with the Hearing Board's members and staff to improve the Hearing Board's rules and procedures.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Review and advise Air District staff regarding the legal and factual sufficiency of variance requests.	
Prepare and/or review all required written correspondence, pleadings and orders.	
Represent the Air District in all Hearing Board matters, including preparing all written submissions for these cases.	
Prepare Air District witnesses for hearings.	
Provide staff support functions associated with the above activities.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.13	0.41	0.01	(0.40)	(97.6)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	21,211	76,881	2,458	(74,423)	(96.8)%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	367	1,106	35	(1,071)	(96.8)%
Pension Benefits	51400	9,118	16,744	572	(16,172)	(96.6)%
FICA Replacement Benefits	51500	241	719	23	(696)	(96.8)%
Group Insurance Benefits	51600	3,289	8,571	321	(8,250)	(96.3)%
Employee Transportation Subsidy	51700	261	575	27	(548)	(95.3)%
Workers' Compensation	51800	64	233	7	(226)	(97.0)%
Other Post Employment Benefits	51850	2,025	4,049	119	(3,930)	(97.1)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		36,576	108,878	3,562	(105,316)	(96.7)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		36,576	108,878	3,562	(105,316)	(96.7)%

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To remove the economic benefit from, and provide a credible and effective deterrence to, violations of Air District Rules by reaching settlements or pursuing penalty enforcement actions fairly and consistently.	
<b>Description of Program:</b>	
The Air District Counsel, in cooperation with the Enforcement and Compliance Division, enforces the Air District's rules by reaching informal settlements through the Mutual Settlement Program, by pursuing administrative enforcement actions (orders of abatement and revocation of permits), by filing and prosecuting civil penalty actions, or by referring cases to other agencies for consideration of civil or criminal enforcement actions within those agencies' jurisdiction.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Administer Mutual Settlement Program.	
Pursue Small Claims Court actions to collect civil penalties.	
Provide full time clerical staff support for this program.	
Prepare witnesses and documentary evidence for administrative hearings and civil litigation associated with actions to recover civil penalties.	
Meet and confer with District staff and defendants to discuss settlement or to advance litigation.	
Represent the District in all court hearings, settlement conferences and civil discovery.	
Coordinate the referral of cases for civil and criminal prosecution to District Attorney offices and other agencies with jurisdiction over air quality issues.	
Prepare all correspondence and prepare and file all pleadings in civil and administrative actions.	
Settle or pursue enforcement actions on all Notices of Violation (NOVs).	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

# Penalties Enforcement & Settlement

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.43	3.54	3.89	0.35	9.9%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	473,633	506,023	596,526	90,503	17.9%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	7,377	7,261	8,604	1,343	18.5%
Pension Benefits	51400	90,255	109,289	135,208	25,919	23.7%
FICA Replacement Benefits	51500	5,286	6,209	7,307	1,098	17.7%
Group Insurance Benefits	51600	71,929	59,798	76,360	16,562	27.7%
Employee Transportation Subsidy	51700	6,087	4,962	8,458	3,496	70.5%
Workers' Compensation	51800	1,437	2,010	2,158	148	7.4%
Other Post Employment Benefits	51850	45,212	34,963	37,533	2,570	7.4%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		701,216	730,515	872,154	141,639	19.4%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		2,800	2,800		
Travel Out-of-State	52220					
Training & Education	52300		2,000	2,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100		1,000	1,000		
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>			5,800	5,800		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		701,216	736,315	877,954	141,639	19.2%

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To represent and oversee the Air District representation in State and Federal courts.	
<b>Description of Program:</b>	
Individuals, corporations and organizations may sue the Air District in State or Federal court over District actions; he District Counsel represents the District in such matters. The District Counsel also directs the efforts of outside counsel handling such litigation and advising the District in specialized legal areas such as labor law, employment law and tort actions.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Represent Air District in State court actions.	
Represent Air District in Federal court actions.	
Provide litigation status reports to Air District Board of Directors.	
Legal research for litigation matters.	
Monitor and direct activities of outside counsel in general litigation and specialized legal areas such as labor law, employment law and tort actions.	
Provide clerical support for litigation matters.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		1.21	1.28	0.68	(0.60)	(46.9)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	230,304	249,616	148,436	(101,180)	(40.5)%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	3,567	3,592	2,286	(1,306)	(36.4)%
Pension Benefits	51400	45,856	54,313	33,914	(20,399)	(37.6)%
FICA Replacement Benefits	51500	2,596	2,245	1,288	(957)	(42.6)%
Group Insurance Benefits	51600	35,397	28,976	16,343	(12,633)	(43.6)%
Employee Transportation Subsidy	51700	2,829	1,794	1,491	(303)	(16.9)%
Workers' Compensation	51800	699	727	381	(346)	(47.6)%
Other Post Employment Benefits	51850	21,982	12,642	6,618	(6,024)	(47.7)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		343,230	353,905	210,757	(143,148)	(40.4)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	60				
Travel Out-of-State	52220					
Training & Education	52300	160	3,000	3,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		2,300	2,300		
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	40,990	235,000	235,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100	3,211		4,000	4,000	
Minor Office Equipment	54200	313	7,000	3,000	(4,000)	(57.1)%
<b>Total Services &amp; Supplies Expenditures</b>		44,734	247,300	247,300		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		387,964	601,205	458,057	(143,148)	(23.8)%

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## Communications Office

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The Communications Office coordinates all agency media outreach, Air District messaging, crisis communications, media relations as well as print, digital and social media outreach for the Air District. The Office provides media and public outreach about the Air District's programs, operations and emergency response.

The Office manages advertising and outreach for Spare the Air, the Employer Program, and the Commuter Benefits Program. The Office oversees the Air District and Spare the Air social media sites, strategies and programs. The Office maintains the Spare the Air website and related sites and the Spare the Air mobile apps. The Office represents the Air District at community events for Spare the Air throughout the region.

Office functions include production of publications and digital collateral for the general public and target audiences. This includes publishing newsletters, the annual report, videos and collateral materials. The office also provides and oversees graphic design services and provides Air District tours for international delegations, organizations and school groups.

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristine Roselius	
<b>Program Purpose:</b>	
Act as the Air District's main point of contact to the public through media and social media. Increase public awareness and understanding of the roles that the public and the Air District have in creating behavior change and reducing air pollution and the impacts of climate change.	
<b>Description of Program:</b>	
Provide proactive media outreach about air quality issues, Air District programs and the purpose and functions of the agency through printed materials, media events, promotional materials, baaqmd.gov website, press releases, publications, videos, podcasts and social media. Develop graphically appealing and compelling images and infographics to better message Air District efforts on social media, presentations and displays.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Maintain up-to-date and relevant air quality information on the Air District website.	
Develop video and audio podcasts about air quality issues and the Air District's programs and rules	
Develop wildfire messaging, procedures, graphics, printed and web materials	
Produce publications including plans, brochures, booklets and other Air District documents.	
Issue press releases and host media events highlighting Air District accomplishments.	
Coordinate the Air District presence at events and fairs throughout the region.	
Develop and implement media, social media and communication strategies around major Air District policies and issues.	
Develop and maintain effective working relationships with members of the media and social media influencers.	
Track and analyze print, internet, radio, social media and television coverage of the Air District.	
Provide development opportunities for staff related to activities and objectives of the Air District.	
Develop emergency response internal, media and social media outreach procedures	
Develop crisis communications internal, media and social media outreach procedures	
Development and management of Air District social media sites	
Support Air District's Emergency Operations Plan	
<b>Major Objectives</b>	<b>Delivery Date</b>
Produce Air District Annual Report.	June 2021
Publish quarterly Air Currents newsletter.	June 2021
Develop media response / operating procedures, Air District media policy, and social media policy.	Ongoing
Conduct media training for public information officers and other Air District staff.	Ongoing
Develop video podcasts, video news releases / statements, infographics and display graphics for Air District programs / events.	Ongoing
Develop and grow Air District social media platforms.	Ongoing
Crisis communications and emergency response for air quality incidents.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		5.86	5.23	5.82	0.59	11.3%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	756,266	594,118	751,397	157,279	26.5%
Overtime Salaries	51150	6,705		7,000	7,000	
Temporary Salaries	51200	107,153				
Payroll Taxes	51300	11,730	8,502	10,733	2,231	26.2%
Pension Benefits	51400	140,635	129,335	170,715	41,380	32.0%
FICA Replacement Benefits	51500	8,387	9,173	10,923	1,750	19.1%
Group Insurance Benefits	51600	114,132	99,327	88,758	(10,569)	(10.6)%
Employee Transportation Subsidy	51700	9,403	7,330	12,643	5,313	72.5%
Workers' Compensation	51800	2,294	2,970	3,226	256	8.6%
Other Post Employment Benefits	51850	72,190	51,654	56,107	4,453	8.6%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,228,895	902,409	1,111,502	209,093	23.2%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	5,968	14,000	14,000		
Travel Out-of-State	52220	3,925	6,000	6,000		
Training & Education	52300	10,508	16,500	16,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500	11,734	47,000	47,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800		4,000	4,000		
Printing & Reproduction	52900	9,718	42,000	42,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	438,851	420,000	420,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	18,670	11,000	11,000		
Stationery & Office Supplies	53900	3,221	4,000	4,000		
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		502,595	564,500	564,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(92,313)				
<b>Total Expenditures</b>		1,639,177	1,466,909	1,676,002	209,093	14.3%

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristine Roselius	
<b>Program Purpose:</b>	
The Spare the Air winter program informs the public about the Wood Burning Rule, the health impacts of wood smoke pollution and alternative, cleaner forms of heat and change-out incentives.	
<b>Description of Program:</b>	
The Wood Burning Rule was passed in 2008 and wood burning is banned between November and February when a Winter Spare the Air Alert is called. The Spare the Air winter campaign informs the public about the health impacts of wood smoke both inside and outside the home. A seasonal messaging/advertising campaign is developed and delivered to the public through regional advertising, media outreach, neighborhood events and through seasonal door-to-door outreach and survey campaign.	
<b>Justification of Change Request:</b>	
None	
<b>Activities</b>	
Develop and disseminate a Spare the Air campaign to inform the public about the health impacts of wood smoke.	
Prepare and issue media releases, respond to media inquiries and plan media events/deskside & editorial board visits.	
Conduct public opinion surveys to evaluate program and measure behavior change.	
Manage and update the sparetheair.org, baaqmd.gov and sparetheairnow.org websites as well as social media sites including Twitter, Linked In, Pinterest and Facebook.	
Manage notification methods for Spare the Air Alerts, including automated phone alerts, text and email alerts, online banners, iPhone/Android app and widget.	
Deliver public outreach, advertising and media relations campaigns.	
Provide public outreach at community events throughout the Bay Area.	
Door to door outreach/surveys	
Provide overview of campaign to Executive Committee and Board of Directors.	
Provide outreach to local government leaders and community organizations and the general public about the Winter Spare the Air program.	
Promote cleaner heating options and available incentives.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Launch Spare the Air winter season.	November 2020
Execute and evaluate Spare the Air winter season public outreach campaign.	June 2021
Develop video podcasts, video news releases / statements, displays and infographics for Spare the Air winter programs / events.	Ongoing
Respond to public inquiries, provide informational speeches and presentations.	Ongoing
Publicize cleaner heating options.	June 2021
Monitor and measure campaign effectiveness via public opinion surveys.	March 2021
Develop Spare the Air winter season summary.	April 2021
Issue Alert advisories when air quality is forecast to reach unhealthy levels.	Ongoing
Provide information about the health impacts of wood smoke to the public, community organizations and local government leaders.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		1.19	2.18	1.99	(0.19)	(8.7)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	118,453	249,361	246,123	(3,238)	(1.3)%
Overtime Salaries	51150	23,321				
Temporary Salaries	51200					
Payroll Taxes	51300	1,758	3,569	3,505	(64)	(1.8)%
Pension Benefits	51400	23,787	54,506	55,723	1,217	2.2%
FICA Replacement Benefits	51500	1,247	3,823	3,750	(73)	(1.9)%
Group Insurance Benefits	51600	17,093	35,262	34,051	(1,211)	(3.4)%
Employee Transportation Subsidy	51700	1,379	3,055	4,341	1,286	42.1%
Workers' Compensation	51800	359	1,238	1,108	(130)	(10.5)%
Other Post Employment Benefits	51850	11,306	21,531	19,265	(2,266)	(10.5)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		198,703	372,345	367,866	(4,479)	(1.2)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	322				
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,146,532	1,125,000	1,125,000		
General Insurance	53400					
Shop & Field Supplies	53500	51				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		1,146,905	1,125,000	1,125,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,345,608	1,497,345	1,492,866	(4,479)	(0.3)%

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristine Roselius	
<b>Program Purpose:</b>	
The Spare the Air program encourages the public to reduce their driving, a major source of Bay Area air pollution, and promotes the use of public transit, biking, walking, carpooling, trip reduction and other behavior changes that reduce pollution from automobiles.	
<b>Description of Program:</b>	
The Spare the Air Program provides health alerts and informs Bay Area residents about air pollution and encourages them to reduce single occupancy driving, especially during their commute to and from work, to improve air quality. The Spare the Air program will also help to promote the Commuter Benefits Program which supports the overall goal of reducing the number of vehicles on Bay Area roads.	
When air quality is forecast to be unhealthy, the Air District issues Spare the Air Alerts. Outreach to the public is conducted through an advertising and media relations campaign as well as through social media sites such as Twitter and Facebook.	
<b>Justification of Change Request:</b>	
No change.	
<b>Activities</b>	
Conduct campaign to educate the public about individual choices to reduce air pollution.	
Prepare and issue media releases, respond to media inquiries and plan media events.	
Conduct public opinion surveys to evaluate program and measure behavior change.	
Manage, re-design and update website landing pages and provide regular updates, measurements and responses for social media sites such as Twitter, Pinterest and Facebook.	
Provide public outreach at community events throughout the Bay Area.	
Notify the public of Spare the Air Alerts through AirAlerts, text alerts, the media, sparettheair.org, baaqmd.gov, the iPhone/Android app and social media sites.	
Manage public outreach campaigns for advertising, social media and media relations.	
Provide overview of campaign to Executive Committee and Board of Directors.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop the 2020 Spare the Air campaign.	Ongoing
Launch 2020 Spare the Air ozone season.	Ongoing
Monitor and measure campaign effectiveness via public opinion surveys.	October 2020
Manage the 2020 Spare the Air advertising, media relations and social media campaign.	Ongoing
Promote Spare the Air clean air activities at public events.	Ongoing
Develop video podcasts, video news releases / statements, displays and infographics for Spare the Air program / events.	October 2020

		Audited Program	Approved	Proposed	FTE/Dollar	Percent
		Expenditures	Program Budget	Program Budget	Change	Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>						
<b>Personnel Expenditures</b>						
Permanent Salaries	51100					
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300					
Pension Benefits	51400					
FICA Replacement Benefits	51500					
Group Insurance Benefits	51600					
Employee Transportation Subsidy	51700					
Workers' Compensation	51800					
Other Post Employment Benefits	51850					
Board Stipends	51900					
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,080,398	1,000,000	1,000,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		1,080,398	1,000,000	1,000,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,080,398	1,000,000	1,000,000		

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## Technology Implementation Office

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The Technology Implementation Office (TIO) mission is to advance emerging, cost-effective solutions to achieve greenhouse gas emissions reductions for the transportation and industrial source sectors. TIO will connect climate technologies and customers by providing financial incentives (through grants and loans) as well as technical and matchmaking support. Climate technology areas include zero emissions vehicles and infrastructure, zero emissions energy storage and backup systems, composting, and waste-to-energy projects (co-digestion, waste treatment, anaerobic digestion, combined heat and power). By supporting the scale-up of climate technologies, TIO can help achieve state and regional greenhouse gas emissions targets, reduce emissions in impacted communities, while also making technologies cost-effective even in regions without strong climate policies.

<b>Managing Division:</b>	
Technology Implementation Office	
<b>Contact Person:</b>	
Derrick Tang	
<b>Program Purpose:</b>	
The Climate Tech Finance program advances emerging and cost-effective solutions to achieve greenhouse gas emissions reduction. The program's goal is to support the 2017 Clean Air Plan goal of a carbon-free Bay Area by 2050 and mainstream technologies so they can be scaled up throughout and beyond the Bay Area.	
<b>Description of Program:</b>	
The program cultivates partnerships and provides financing to incentivize greenhouse gas emissions reductions for stationary and industrial sources.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Oversee loan and loan guarantee partnership and projects.	
Perform evaluations of climate technologies.	
Identify technologies and customers and provide technical support and financing to implement technologies.	
Convene stakeholders for technology matchmaking and peer-to-peer information exchanges.	
Provide technical resources to partners and the District.	
<b>Major Objectives</b>	<b>Delivery Date</b>
1. Provide loans and loan guarantees for implementing new technologies.	Ongoing
2. Convene stakeholders for regular technology matchmaking events to showcase emerging technologies among potential facility customers.	Quarterly
3. Develop strategic plan and materials to pursue additional partnerships, funding, and programming.	December 2020



# Greenhouse Gas Technologies - Stationary

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.88	3.40	3.51	0.11	3.2%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	353,615	402,097	481,373	79,276	19.7%
Overtime Salaries	51150	2,112	25,000	25,000		
Temporary Salaries	51200			50,000	50,000	
Payroll Taxes	51300	5,299	6,119	6,848	729	11.9%
Pension Benefits	51400	46,470	80,579	103,085	22,506	27.9%
FICA Replacement Benefits	51500	3,800	5,963	6,590	627	10.5%
Group Insurance Benefits	51600	51,747	40,531	65,266	24,735	61.0%
Employee Transportation Subsidy	51700	4,112	4,765	7,628	2,863	60.1%
Workers' Compensation	51800	1,073	1,931	1,946	15	0.8%
Other Post Employment Benefits	51850	33,753	33,580	33,849	269	0.8%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		501,981	600,565	781,585	181,020	30.1%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	2,059	6,000	7,000	1,000	16.7%
Travel Out-of-State	52220	7,243	9,500	8,500	(1,000)	(10.5)%
Training & Education	52300	5,665	10,000	10,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,365	1,500	1,500		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1,868				
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,146,630	180,000	150,000	(30,000)	(16.7)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,760	4,000	3,000	(1,000)	(25.0)%
Stationery & Office Supplies	53900	438	250	400	150	60.0%
Books & Journals	54100		250		(250)	(100.0)%
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		1,168,028	211,500	180,400	(31,100)	(14.7)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,670,009	812,065	961,985	149,920	18.5%

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## Strategic Incentives Division

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The Strategic Incentives Division administers grant programs to facilitate the execution of projects and programs focused primarily on the reduction of emissions from mobile sources in the Bay Area. The primary grant programs include the Transportation Fund for Clean Air (TFCA), the Carl Moyer Program (CMP), the Mobile Source Incentive Fund (MSIF), the Lower-Emission School Bus Program (LESBP), in addition to other miscellaneous grant programs. These programs support the implementation of transportation and mobile source measures, as well as other incentive-based initiatives that improve air quality in the region. In FYE 2021 the Strategic Incentives Division will administer more than \$100 million in new grant revenue funds.

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Expand availability of funding for emission reduction projects in the Bay Area by identifying and securing new sources of funding. Manage advanced technology demonstration projects through grants secured.	
<b>Description of Program:</b>	
This program, established in 2010, is focused on identifying and securing new sources of funding for the Bay Area region. In FYE 2021, staff will pursue funding from Federal, State, local governments and other funding sources. Over time, this program aims to expand the availability of grant funding in the region in order to create additional opportunities for Bay Area businesses and residents to implement projects that reduce criteria pollutants, greenhouse gases, and toxic air contaminants from mobile and stationary sources.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Identify new sources of funding and prepare grant applications to secure new funding sources.	
Form partnerships to leverage Air District funding resources.	
Manage Air District funded programs, e.g., Woodsmoke Reduction Incentive Program: conduct outreach, evaluate applications and award funding to eligible recipients, and process reimbursement requests.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Form partnerships to leverage Air District funding sources.	Ongoing
Identify new sources of funding and prepare grant applications to secure new funding sources.	Ongoing
Conduct outreach, evaluate applications and award Woodsmoke Reduction Incentive Program funding to eligible recipients, and process reimbursement requests.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.99	2.68	3.35	0.67	25.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	113,479	325,087	377,300	52,213	16.1%
Overtime Salaries	51150	85				
Temporary Salaries	51200					
Payroll Taxes	51300	1,791	4,656	5,350	694	14.9%
Pension Benefits	51400	28,834	68,130	82,777	14,647	21.5%
FICA Replacement Benefits	51500	1,306	4,700	6,286	1,586	33.7%
Group Insurance Benefits	51600	17,768	56,955	70,972	14,017	24.6%
Employee Transportation Subsidy	51700	1,413	3,756	7,276	3,520	93.7%
Workers' Compensation	51800	344	1,522	1,857	335	22.0%
Other Post Employment Benefits	51850	10,832	26,469	32,289	5,820	22.0%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		175,852	491,275	584,107	92,832	18.9%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		13,200	13,200		
Travel Out-of-State	52220		8,000	8,000		
Training & Education	52300		7,500	7,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	12,500	51,000	51,000		
General Insurance	53400					
Shop & Field Supplies	53500		1,000	1,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		12,500	80,700	80,700		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		188,352	571,975	664,807	92,832	16.2%

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## Compliance & Enforcement Division

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The Compliance & Enforcement Division ensures the Air District will realize the emission reductions achieved by the air quality regulations adopted by the Board of Directors, and permit conditions issued by the Executive Officer/APCO. Compliance with District, State, and Federal regulations is achieved by a Compliance Assistance Program that assists industry in understanding requirements, a Compliance Assurance (inspection) Program and an Enforcement Program that provides an effective deterrence to non-compliance. The Division promotes voluntary compliance through its compliance assistance programs to assist companies comply with regulations. When non-compliance is discovered, enforcement is applied at a level appropriate to the nature and extent of the violation. The Division will continue to work closely with industry, community groups, and environmental groups to review and enhance air quality compliance and enforcement programs, to provide the highest level of service.

For FYE 2021, the Division will continue to implement the Air District's comprehensive strategy to reduce residential wood smoke through enforcement, outreach and compliance assistance of the Wood Smoke Rule (Regulation 6, Rule 3). The Division will continue to implement the District's Mobile Source Compliance Plan (MSCP), a program for enforcement of CARB Diesel Particulate Matter (DPM) regulations from mobile sources. The Division will continue to minimize petroleum refinery flare use through the Flare Minimization Plans for all five Bay Area refineries. The Division will continue to assist cross-divisional efforts in AB617 to develop and implement new enforcement strategies to address community concerns in West Oakland and Richmond. The Division will continue the implementation and enforcement of the District's Commuter Benefits regulation, which targets employers with more than 50 employees within the Air District's jurisdiction. And, the Division will continue to ensure the Air District's Wildfire Air Quality Response Program achieves its mission through establishing program elements to prepare, prevent and respond to wildfire smoke impacts within the region. Other significant air programs requiring Division resources include investigations of Title V deviation reporting, the Portable Equipment Registration Program (PERP), Asbestos projects (renovations, demolitions and naturally occurring asbestos – NOA), compliance determinations for State Air Toxics Control Measures (ATCMs) and Federal Maximum Available Control Technology (MACTs) for air toxics.

Division programs will continue to focus on activities that support the District's commitment to achieving clean air to protect public health and the environment as follows:

- The Compliance Assistance Program will continue to develop Compliance Advisories for use by the Inspection staff, industry and the public. These will include several related to new and amended regulations and state Air Toxics Control Measures for stationary sources and some mobile sources. The program encompasses inspector training, support for various Division programs, dispatch activities, Compliance Assistance Advisories, and Industry Compliance Schools. The small business incentive program will provide financial incentives for small businesses to attend District-run Industry Compliance Schools to learn practical information on how to comply with District regulations and how compliance benefits not only their business, but also their community.
- The Compliance Assurance Program will continue both announced and unannounced inspections of air pollution sources to ensure compliance. Targeted strategies will be used to focus inspections to find non-compliance and reduce excess emissions. Sources include: Title V and Synthetic Minors permits, petroleum refineries, chemical plants, dry cleaners, gasoline dispensing facilities, autobody shops, asbestos renovations and demolitions, agricultural and prescribed burning, and other permitted sources. Staff will continue to plan, prepare, and respond to air pollution incidents and to work closely with other response agencies.
- The Enforcement Program will continue with a focus on major facility (Title V, Synthetic Minor) auditing and will strive to ensure compliance with all air quality regulations. Staff will work with the Legal Division to provide a strong deterrent to non-compliance and to apply the appropriate level of enforcement, proportional to the level of non-compliance. The Division will vigorously pursue violators who show a disregard for the law and well-being of the public. Air pollution complaints will be investigated to provide a high level of service to the public. Wood smoke patrols for excessive opacity and curtailment violations will be conducted for the twelfth winter of the wood smoke regulation.

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
John Marvin	
<b>Program Purpose:</b>	
Enforce applicable Federal, State, and District air pollution regulations and permit conditions.	
<b>Description of Program:</b>	
<p>The Enforcement Program consists of activities designed to respond when sources are found in violation of applicable Federal, State and Air District regulations and permit conditions. A strong, technically-based enforcement program provides both an essential deterrent to continued or future non-compliance as well as consistency in enforcement practices throughout the regulated community. This program includes all Division activities necessary to address non-compliance, including issuing Notices of Violation (NOV) and Notices to Comply (NTC), identifying causes and solutions for non-compliance, developing enforcement cases for legal action, and providing testimony during hearings and court cases. Other elements of the program include responding to the public's air pollution complaints, returning sources to compliance, and supporting the enforcement of the variance and abatement order process. In addition, the toxic air contaminant activities, such as mobile source enforcement of diesel particulate matter ATCMs and asbestos demolition/renovation enforcement, ensure compliance with Federal, State and District regulations to protect the public from exposure to known carcinogens. Oversight of the Division's Safety Program is coordinated with the training functions in Program 402.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Investigate and enforce air quality violations; issue and process NOVs and NTCs; re-inspect sources to verify compliance status after issuance. Work with Legal Division to procure penalty settlement and/or successful prosecution.	
Receive and investigate citizen inquiries and general air pollution complaints. Respond to these complaints as soon as possible where highest priority response is given to ongoing complaints alleged against potential nuisance sites.	
Prepare enforcement cases in coordination with Legal Division; conduct/coordinate investigations to support their development for legal actions.	
CARB Mobile Source regulations enforcement in CARE impacted areas with special focus on AB617 communities of West Oakland and Richmond.	
Refinery Flares: review, comment, approve and enforce provisions in Regulation 12, Rules 11 and 12.	
Participate in interagency environmental task force programs to coordinate District enforcement activities with other County/State/Federal governmental agencies.	
Provide staff at community meetings to present information on the complaint process, enforcement activities, etc.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		26.97	27.47	33.34	5.87	21.4%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	2,832,442	2,904,030	3,544,902	640,872	22.1%
Overtime Salaries	51150	80,490	117,000	117,000		
Temporary Salaries	51200	22,415	5,500	10,000	4,500	81.8%
Payroll Taxes	51300	43,699	43,295	50,130	6,835	15.8%
Pension Benefits	51400	515,549	619,216	784,005	164,789	26.6%
FICA Replacement Benefits	51500	31,281	48,184	62,330	14,146	29.4%
Group Insurance Benefits	51600	426,136	541,345	626,050	84,705	15.6%
Employee Transportation Subsidy	51700	34,219	38,502	72,147	33,645	87.4%
Workers' Compensation	51800	8,592	15,600	18,409	2,809	18.0%
Other Post Employment Benefits	51850	270,334	271,309	320,164	48,855	18.0%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		4,265,157	4,603,981	5,605,137	1,001,156	21.7%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	7,588	18,800	18,800		
Travel Out-of-State	52220		1,450	1,450		
Training & Education	52300	1,114	6,790	6,790		
Repair & Maintenance (Equipment)	52400		108,000	108,000		
Communications	52500	111,133	137,000	137,000		
Building Maintenance	52600	1,690	2,500	2,500		
Utilities	52700	1,722	4,000	4,000		
Postage	52800					
Printing & Reproduction	52900	143	2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200	60,092	71,850	71,850		
Professional Services & Contracts	53300	38	9,590	9,590		
General Insurance	53400					
Shop & Field Supplies	53500	24,550	16,500	16,500		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	1,317	2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>		209,387	381,480	381,480		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	12,843				
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		12,843				
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		4,487,387	4,985,461	5,986,617	1,001,156	20.1%

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Juan Ortellado	
<b>Program Purpose:</b>	
Promote compliance with Air District regulations through program development and industry/source education.	
<b>Description of Program:</b>	
<p>The Compliance Assistance and Operations Program provides both industry and Compliance and Enforcement Division (Division) staff with the necessary tools to promote compliance with air quality requirements. The Program also provides educational materials and conducts outreach to the public to promote compliance with the woodsmoke reduction program. Maintaining both an online and phone Woodsmoke Complaint System for the public to register complaints. The Program also manages a dispatch system for all general complaints from the public. Industry Compliance School (ICS), including a Small Business ICS incentive program, is offered for businesses. Compliance Advisories, fact sheets and other educational materials are provided to industry and trade associations. Regulatory questions are answered via a dedicated compliance assistance telephone line. In-service training ensures consistent and appropriate inspection activities. Mobile source compliance activities are conducted pursuant to the Air District's Mobile Source Compliance Plan. Partnerships with other public agencies promote multi-media pollution prevention through local Green Business programs and other activities.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
<p>Compliance Assistance to Industry: provide small- and medium-sized businesses with specialized educational and technical assistance to achieve and maintain compliance. Develop Compliance Assistance materials for specific business sectors and the public (woodsmoke). Provide compliance assistance during routine inspections and following enforcement action. Compliance assistance is also provided for all air quality complaints for the public through dispatch or other 1-800 or 1-877 telephone line systems. Outreach is conducted for compliance assistance for several programs, including mass-mailings of woodsmoke reduction program brochures and educational materials in sensitive wood smoke areas. Division staff identify and translate Compliance Assistance materials for small businesses and other industry sectors where non-English speaking operators need additional assistance.</p>	
<p>Develop and maintain Division Policies and Procedures and other documents/processes to ensure consistent application of enforcement activities. Conduct ICS for small businesses and other regulated industries. Build partnerships with other public and community organizations to strengthen compliance assistance activities. Conduct compliance assistance and enforcement activities for the woodsmoke reduction and mobile source enforcement programs. Maintain compliance assistance hotline during core business hours.</p>	
<p>Training and Safety: provide staff with pertinent classes, educational materials and a robust safety curriculum to support core activities. Maintain ongoing Safety Training and implement new OSHA requirements as needed.</p>	
<p>Operations: develop and maintain air programs to support Air District and California Air Resources Board (CARB) rule requirements, including but not limited to woodsmoke, flare monitoring, asbestos demolition/renovation, naturally occurring asbestos, boilers, open burning, reportable compliance activities. soil aeration and mobile source(s) compliance. Provide equipment and capital management for communication, computers and related devices. Provide multilingual services to access all Division programs. Review, analyze and process petitions, plans, complaints, Reportable Compliance Activities (RCAs - e.g., breakdowns, Ground-level monitor (GLM) releases, non-operational monitors, pressure relief valve releases) and other notifications received.</p>	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		16.77	20.79	15.06	(5.73)	(27.6)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,623,451	2,055,143	1,603,894	(451,249)	(22.0)%
Overtime Salaries	51150	6,779		5,000	5,000	
Temporary Salaries	51200	23,791		25,000	25,000	
Payroll Taxes	51300	25,068	29,353	22,678	(6,675)	(22.7)%
Pension Benefits	51400	330,101	438,493	352,050	(86,443)	(19.7)%
FICA Replacement Benefits	51500	17,981	36,466	28,261	(8,205)	(22.5)%
Group Insurance Benefits	51600	244,738	391,144	316,608	(74,536)	(19.1)%
Employee Transportation Subsidy	51700	20,464	29,139	32,712	3,573	12.3%
Workers' Compensation	51800	4,925	11,807	8,347	(3,460)	(29.3)%
Other Post Employment Benefits	51850	154,973	205,333	145,166	(60,167)	(29.3)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		2,452,271	3,196,878	2,539,716	(657,162)	(20.6)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	2,947	9,200	9,200		
Travel Out-of-State	52220		7,000	7,000		
Training & Education	52300	9,202	17,000	17,000		
Repair & Maintenance (Equipment)	52400		4,000	4,000		
Communications	52500	26,142	128,000	128,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800	1,042	15,000	1,500	(13,500)	(90.0)%
Printing & Reproduction	52900	596	8,000	8,000		
Equipment Rental	53100					
Rents & Leases	53200		500	500		
Professional Services & Contracts	53300	14,363	30,000	30,000		
General Insurance	53400					
Shop & Field Supplies	53500	60				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		1,000	1,000		
Stationery & Office Supplies	53900	3,793	4,000	4,000		
Books & Journals	54100					
Minor Office Equipment	54200		1,500	1,500		
<b>Total Services &amp; Supplies Expenditures</b>		58,145	225,200	211,700	(13,500)	(6.0)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		2,510,416	3,422,078	2,751,416	(670,662)	(19.6)%

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Tracy Lee & Edward Giacometti	
<b>Program Purpose:</b>	
A robust inspection program aimed to ensure facilities operating in the Bay Area comply with all applicable Air District, State and Federal regulations to protect air quality and public health.	
<b>Description of Program:</b>	
The program involves conducting comprehensive compliance inspections and investigations of stationary sources ranging from large industrial facilities such as refineries, chemical plants, wastewater treatment, landfills, power plants and metal facilities to smaller businesses such as gas stations, auto body shops, and dry cleaners. The program also includes enforcement of State Airborne Toxic Control Measures for sources that generate asbestos and diesel particulate. Beyond routine inspections to ensure equipment, emission monitoring, abatement and controls operate in compliance with regulatory requirements, the program involves responding to major incidents and potential air emission releases of hazardous chemicals and pollutants. Facilities discovered to be in violation are required to initiate timely corrective actions, minimize offsite community impacts and take steps to resolve air quality violations. Enforcement actions may require enhanced communications and coordination with other local agencies and first responders that result in joint investigations and enforcement case development.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Refinery Inspection Program for Regulatory and Title 5 Permit Compliance.	
Title V Inspections Program / EPA Grant / Aerometric Information Retrieval System (AIRS) and audits.	
Synthetic Minor Inspection Program.	
Initiate response to major air pollution incidents as soon as possible, and within minutes of notification, provide technical assistance and support to first response agencies during and after incidents; prepare incident reports.	
Asbestos, Grant, diesel PM, and Refrigeration Management Inspections Program.	
Conduct targeted auto body painting facility inspections.	
State Portable Equipment Inspection Program.	
Gasoline Dispensing Facilities (GDFs) Inspections Program.	
Inspection Communications / Computer Programs.	
Conduct targeted prescribed burns Title 17/ Regulation 5 Open Burning inspections.	
Perform analysis as required to track and analyze existing process safety management (PSM) programs, Federal and State risk management programs (RMP/RMPP); work with other agencies to improve programs.	
Participate in interagency activities, such as County environmental task forces, incident response teams, and other activities relating to prevention, preparedness and emergency response.	
Conduct targeted inspections at refinery/chemical plants and general facilities.	
Staff air quality related community meetings to provide information on District Programs	
<b>Major Objectives</b>	<b>Delivery Date</b>
Refinery Inspection Program: Conduct compliance inspections and program audits of refineries and determine if Title V Permit Compliance are being met.	Annually
Prepare and submit required reports to EPA, Negotiation of EPA 105 Grant Program Outputs.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		36.15	42.45	37.73	(4.72)	(11.1)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	3,882,228	4,615,210	4,216,227	(398,983)	(8.6)%
Overtime Salaries	51150	35,023		8,000	8,000	
Temporary Salaries	51200	18,419				
Payroll Taxes	51300	60,483	66,009	59,772	(6,237)	(9.4)%
Pension Benefits	51400	787,090	988,656	939,421	(49,235)	(5.0)%
FICA Replacement Benefits	51500	43,263	74,459	70,802	(3,657)	(4.9)%
Group Insurance Benefits	51600	589,202	830,247	730,863	(99,384)	(12.0)%
Employee Transportation Subsidy	51700	47,330	59,498	81,955	22,457	37.7%
Workers' Compensation	51800	11,781	24,107	20,912	(3,195)	(13.3)%
Other Post Employment Benefits	51850	370,666	419,259	363,686	(55,573)	(13.3)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		5,845,485	7,077,445	6,491,638	(585,807)	(8.3)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	12,417	10,000	10,000		
Travel Out-of-State	52220		2,550	2,550		
Training & Education	52300	3,427	5,168	5,168		
Repair & Maintenance (Equipment)	52400	15,676	60,000	60,000		
Communications	52500	13,226	65,000	65,000		
Building Maintenance	52600	4,840	4,000	4,000		
Utilities	52700	9,940	3,000	3,000		
Postage	52800					
Printing & Reproduction	52900	322	1,000	1,000		
Equipment Rental	53100					
Rents & Leases	53200	94,282	89,100	89,100		
Professional Services & Contracts	53300	313	15,500	15,500		
General Insurance	53400					
Shop & Field Supplies	53500	8,634	26,000	26,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700	35				
Computer Hardware & Software	53800	10,146	23,000	23,000		
Stationery & Office Supplies	53900	1,262	2,300	2,300		
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		174,520	306,618	306,618		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	57,707		100,000	100,000	
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>		57,707		100,000	100,000	
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		6,077,712	7,384,063	6,898,256	(485,807)	(6.6)%

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## Engineering Division

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Engineering Division (Division) gives high priority to the timely review of New Source Review permit applications and permit renewals. The typical application evaluation includes analyzing emissions impacts and determining compliance with applicable air quality requirements, including Best Available Control Technology (BACT), 'No Net Increase' offset requirements, New Source Review (NSR) of Toxic Air Contaminants (TACs) and California Environmental Quality Act (CEQA). There are about 10,000 facilities with about 23,000 devices and operations that have Air District permits. The Division processes, reviews, issues, and renews Title V (Major Facility Review) permits for about 85 facilities.

The Division is working on projects associated with the petroleum refineries, including developing improved emission factors for fugitive emission leaks from heavy liquid service components and implementing the Regulation 12, Rule 15 emission inventory guidelines.

The Division implements Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities. The Division expects to refine toxic emissions and prioritization scores for approximately 350 facilities and expects to conduct refined site-wide health risk assessments (HRAs) for about 200 facilities. HRA results will determine if the facilities are subject to the risk reduction requirements of this rule.

The Division implements the State Air Toxics "Hot Spots" Program, which applies to existing facilities that emit Toxic Air Contaminants (TACs). Based on the annual TACs emissions inventory, the Division calculates prioritization scores for facilities, conducts HRAs for high priority facilities, and reports HRA results to CARB.

In December 2018, CARB adopted a Criteria Air Pollutants and Toxic Air Contaminants Reporting (CTR) Regulation, which became effective on January 1, 2020. The purpose of the regulation is to establish a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants for specified permitted facilities. The Division has been actively working with other agencies in the development of the new regulation & uniform emissions inventory guidelines, and in the implementation of the regulation. The implementation will require significant changes to the Air District's permit renewal process systems and operations.

Due to PG&E Public Safety Power Shutoffs (PSPS), an increase in the number of applications for backup generators and from PG&E for substation backup and distributed generation is expected. The Division participates with other agencies on uniform permitting policies and emission impacts from PSPS events.

The Division is participating in the Air District's Assembly Bill 617 (AB 617) implementation, which includes a new Community Health Protection Program to benefit communities most directly affected by air pollution. The Division participates in the workgroups for the CARB BARCT/BACT Technology Clearinghouse, Technical Assessment Coordination, Emissions Inventory with CARB and other air districts, and the community workgroups. Through CAPCOA, a uniform method of calculating emissions is being developed.

The Division continues to transition to the Production System, which includes an online system for the regulated community. These tools will increase consistency, efficiency, and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and renew permits through an online interface.

The Division provides technical support to other divisions, agencies and programs, including rule development, emissions inventory, compliance and enforcement, the Technology Implementation Office, and the Air District's Regional Climate Action Plan. Key rule development efforts include amendments to Regulation 3 (Fees), amendments to Regulation 13 (climate pollutants), amendments to organic recovery rules, amendments to petroleum refining rules, and amendments to rules to implement Expedited Best Available Retrofit Control Technology (BARCT).

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Nicolas Maiden	
<b>Program Purpose:</b>	
Evaluate all Non-Title V permit applications. Review and process data updates and permit renewals.	
<b>Description of Program:</b>	
<p>The Permit Evaluation Program involves activities related to the evaluation of permit applications submitted to the District (except Title V permit applications, which are covered under Program 506). This includes applications for: (1) new/modified sources subject to District New Source Review requirements, (2) emissions banking, (3) Interchangeable Emission Reduction Credits (IERCs), and (4) Prevention of Significant Deterioration (PSD) &amp; Acid Rain permits. Staff calculates emissions and evaluates compliance with regulatory requirements, including case-by-case Best Available Control Technology (BACT) and offset determinations. The program includes California Environmental Quality Act (CEQA) review and Climate Protection activities related to permitted sources.</p> <p>The Permit Renewal Program involves activities related to the annual renewal of District permits. The permit renewal process involves collection of data needed to update the Air District's emissions inventory, review of permit conditions, preparation of permit fee invoices, reconciliation of discrepancies and issuance of permit documents. Information gathered during this process is used for planning and rule development may also result in enforcement action or additional permitting.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Evaluate all non-Title V permit applications (1,500 estimated).	
Complete CEQA-review functions.	
Provide technical support to all divisions including estimating emissions, rule/condition interpretations and rule development.	
Assist other agencies, industry and the public.	
Participate in cross-agency committees such as California Air Pollution Controls Officers Association (CAPCOA). Engineering Managers' Subcommittee and National Association of Clean Air Agencies (NACAA).	
Support implementation of rules (e.g., Refinery Regulations, GHG Regulations).	
Request, enter and review annual data update requests. Review and maintain permit conditions. Review permit renewal invoice program.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Ensure the timely workflow of the permit renewal program	Ongoing
Implement Regulation 12-15 Petroleum Refining Emissions Tracking Emission Inventory Guidelines	June 2021



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		34.53	38.44	37.71	(0.73)	(1.9)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	4,058,246	4,747,328	4,803,370	56,042	1.2%
Overtime Salaries	51150	37,793	40,000	40,000		
Temporary Salaries	51200	49,889	64,048	64,048		
Payroll Taxes	51300	62,048	68,988	68,248	(740)	(1.1)%
Pension Benefits	51400	699,522	1,324,517	1,066,004	(258,513)	(19.5)%
FICA Replacement Benefits	51500	44,561	67,425	70,533	3,108	4.6%
Group Insurance Benefits	51600	607,361	678,451	659,162	(19,289)	(2.8)%
Employee Transportation Subsidy	51700	54,094	53,878	81,643	27,765	51.5%
Workers' Compensation	51800	12,307	21,830	20,832	(998)	(4.6)%
Other Post Employment Benefits	51850	387,244	379,654	362,301	(17,353)	(4.6)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		6,013,065	7,446,119	7,236,141	(209,978)	(2.8)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	3,019	13,000	13,000		
Travel Out-of-State	52220	1,621				
Training & Education	52300	1,857	2,464	2,464		
Repair & Maintenance (Equipment)	52400					
Communications	52500		110	110		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	2,728				
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	33,575	401,059	401,059		
General Insurance	53400					
Shop & Field Supplies	53500	9,970				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	8,534	2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100		200	200		
Minor Office Equipment	54200		368	368		
<b>Total Services &amp; Supplies Expenditures</b>		61,304	419,201	419,201		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		6,074,369	7,865,320	7,655,342	(209,978)	(2.7)%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Fred Tanaka	
<b>Program Purpose:</b>	
Not applicable.	
<b>Description of Program:</b>	
Not applicable.	
<b>Justification of Change Request:</b>	
Program 502 was merged with program 501	
<b>Activities</b>	
Not applicable.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable	Ongoing

# Permit Renewals

502

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.22				
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	256,997				
Overtime Salaries	51150	4,810				
Temporary Salaries	51200	11,448				
Payroll Taxes	51300	4,215				
Pension Benefits	51400	78,542				
FICA Replacement Benefits	51500	3,053				
Group Insurance Benefits	51600	41,498				
Employee Transportation Subsidy	51700	3,254				
Workers' Compensation	51800	780				
Other Post Employment Benefits	51850	24,532				
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		429,129				
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		429,129				

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Sanjeev Kamboj	
<b>Program Purpose:</b>	
To develop and implement an effective air toxics control strategy that integrates Federal, State, and local requirements.	
<b>Description of Program:</b>	
The Air Toxics Program involves the integration of Federal and State air toxics mandates with local goals that have been established by the Air District's Board of Directors. The program includes air toxics new source review (NSR), reduction of risk from existing facilities (Regulation 11, Rule 18), air toxics control measures, the Air Toxics "Hot Spots" Program, which includes maintaining an air toxics emissions inventory and research for alternative methods of reducing emissions. Staff conducts health risk assessments (HRAs), provides guidance on toxic emission calculations, controls, and impacts, maintains the toxic emission inventory, and assists with incident and compliance evaluation, as needed.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Perform HRAs, as required, for permit applications involving new or modified sources (estimated 300 HRAs per year).	
Implement Regulation 11, Rule 18, Reduction of risk from air toxic emissions at existing facilities. Refine toxics emission inventory, update prioritization scores, and perform refined facility-wide HRAs to determine if these facilities are subject to Rule 11-18 (approximately 185 facility-wide HRAs over 4 years). Conduct HRAs for alternative scenarios and proposed revisions, as needed, to support implementation and verification of risk reduction measures.	
Review health risk assessments and Prevention of Significant Deterioration (PSD) modeling analyses for major permit applications.	
Maintain air toxics emissions inventory.	
Complete annual air toxics prioritization, Assembly Bill 2588 (AB2588), and review any new health risk assessments that may be required (estimate of 165 sites remain high-priority and need HRAs, these sites are exempt from Rule 11-18). Coordinate public notification and risk reduction audits.	
Collect gas dispensing facility (GDF) risk data to incorporate 2015 OEHHA HRA guidelines for gas stations in the Toxics NSR Rule 2-5.	
Conduct studies that reduce toxic air pollution.	
Support rule development efforts for reducing PM2.5 once health effect values for PM2.5 become available from Office of Environmental Health Hazard Assessment (OEHHA).	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement Phase 1 of Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities.	Ongoing
Conduct HRAs and other modeling analyses for new source review projects that trigger Rule 2-5 or PSD requirements.	Ongoing
Produce annual stationary source toxic emissions inventory to California Air Resources Board (CARB) and EPA which includes sitewide HRAs.	September 2020
Publish Toxic Emission Factor Guidelines and 1-Hour Toxic Inventory Guidelines	December 2020
Rule Development amendments for Regulation 2, Rule 5 including changes to GDF HRA procedures	June 2021
Publish periodic Air Toxic Emissions and Air Toxics Control Program reports.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		5.81	5.30	7.96	2.66	50.2%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	780,676	779,321	1,186,241	406,920	52.2%
Overtime Salaries	51150	255	8,000	8,000		
Temporary Salaries	51200					
Payroll Taxes	51300	12,278	11,302	16,912	5,610	49.6%
Pension Benefits	51400	177,002	170,984	269,617	98,633	57.7%
FICA Replacement Benefits	51500	8,748	9,297	14,946	5,649	60.8%
Group Insurance Benefits	51600	119,125	100,174	159,039	58,865	58.8%
Employee Transportation Subsidy	51700	9,495	7,428	17,300	9,872	132.9%
Workers' Compensation	51800	2,368	3,010	4,414	1,404	46.6%
Other Post Employment Benefits	51850	74,513	52,346	76,772	24,426	46.7%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,184,460	1,141,862	1,753,241	611,379	53.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	61	1,300	1,300		
Travel Out-of-State	52220		750	750		
Training & Education	52300	4,631	4,600	4,600		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		39,940	39,940		
Printing & Reproduction	52900		7,000	7,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	560	1,000	1,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		4,000	4,000		
Stationery & Office Supplies	53900		300	300		
Books & Journals	54100					
Minor Office Equipment	54200		400	400		
<b>Total Services &amp; Supplies Expenditures</b>		5,252	59,290	59,290		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,189,712	1,201,152	1,812,531	611,379	50.9%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Fred Tanaka	
<b>Program Purpose:</b>	
Develop and maintain permit systems & provide administrative services	
<b>Description of Program:</b>	
The Permit Operations program involves the collection, updating and maintenance of data from permitted sources of air pollution, and the development and maintenance of systems to manage these data. Data include source/device locations, operational data, emission factors, emissions inventory, emissions banking and "no net increase" tracking. Additional program activities include maintaining procedures, coordination & tracking of permit-related activities, general administrative activities and customer support.	
<b>Justification of Change Request:</b>	
Not applicable	
<b>Activities</b>	
Process and maintain data from permitted facilities.	
Update and correct data from permitted facilities.	
Maintain and update database systems.	
Maintain program forms.	
Manage and improve data quality.	
Provide administrative support.	
Maintain permit tracking and management programs.	
Maintain emissions bank and small facility bank.	
Maintain division pages on website.	
Manage division records including metadata and documents.	
Provide customer support.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Produce annual stationary source emissions inventory to California Air Resources Board (CARB) and EPA	February 2021

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.61	7.08	7.58	0.50	7.1%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	393,056	708,561	756,821	48,260	6.8%
Overtime Salaries	51150	13,793	5,000	5,000		
Temporary Salaries	51200	17,797				
Payroll Taxes	51300	6,024	10,195	10,682	487	4.8%
Pension Benefits	51400	74,287	151,237	163,732	12,495	8.3%
FICA Replacement Benefits	51500	4,262	12,419	14,228	1,809	14.6%
Group Insurance Benefits	51600	58,006	138,240	138,147	(93)	(0.1)%
Employee Transportation Subsidy	51700	5,403	9,923	16,469	6,546	66.0%
Workers' Compensation	51800	1,192	4,021	4,202	181	4.5%
Other Post Employment Benefits	51850	37,519	69,926	73,084	3,158	4.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		611,339	1,109,522	1,182,365	72,843	6.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300	802				
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	2,787	75,166	75,166		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	13,353	12,255	12,255		
General Insurance	53400					
Shop & Field Supplies	53500	193	4,151	4,151		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		1,021	1,021		
Stationery & Office Supplies	53900	7,947				
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		25,082	92,593	92,593		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		636,421	1,202,115	1,274,958	72,843	6.1%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Sanjeev Kamboj	
<b>Program Purpose:</b>	
Implementation of Federal Operating Permit Program for Major Facilities.	
<b>Description of Program:</b>	
The Title V program involves activities related to Title V of the Federal Clean Air Act (CAA), which requires the Air District to issue federally enforceable permits to major and other designated facilities. The program is intended to enhance compliance with the CAA via permits that explicitly include all Federal, State, and Air District requirements applicable to sources of air pollution at subject facilities.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Evaluate and process Title V applications (initial, renewal, revision, administrative amendment and reopening).	
Conduct Title V outreach activities and public hearings, as needed.	
Provide Title V training to the Air District staff.	
Track EPA rulemaking related to Title V, Section 112, compliance monitoring and acid rain.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement streamlining measures and ensure timely issuance of the Title V applications.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.84	5.15	4.27	(0.88)	(17.1)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	455,669	660,087	573,371	(86,716)	(13.1)%
Overtime Salaries	51150	1,352	66,330	66,330		
Temporary Salaries	51200		8,006	8,006		
Payroll Taxes	51300	7,267	10,539	8,154	(2,385)	(22.6)%
Pension Benefits	51400	97,636	143,095	129,964	(13,131)	(9.2)%
FICA Replacement Benefits	51500	5,146	9,033	8,017	(1,016)	(11.2)%
Group Insurance Benefits	51600	70,024	102,013	80,872	(21,141)	(20.7)%
Employee Transportation Subsidy	51700	6,563	7,218	9,280	2,062	28.6%
Workers' Compensation	51800	1,382	2,925	2,368	(557)	(19.0)%
Other Post Employment Benefits	51850	43,495	50,864	41,181	(9,683)	(19.0)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		688,534	1,060,110	927,543	(132,567)	(12.5)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		378	378		
Travel Out-of-State	52220					
Training & Education	52300		907	907		
Repair & Maintenance (Equipment)	52400					
Communications	52500		530	530		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	9,990	28,873	28,873		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300		402,723	402,723		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		919	919		
Stationery & Office Supplies	53900					
Books & Journals	54100		613	613		
Minor Office Equipment	54200		185	185		
<b>Total Services &amp; Supplies Expenditures</b>		9,990	435,128	435,128		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		698,524	1,495,238	1,362,671	(132,567)	(8.9)%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Fred Tanaka	
<b>Program Purpose:</b>	
Develop the infrastructure for consistent and efficient permit evaluation and processing, and complete projects intended to develop and improve programs within the Engineering Division.	
<b>Description of Program:</b>	
<p>The Engineering Special Projects program involves activities that are intended to ensure consistent, efficient, and high-quality, permit evaluation and processing. This includes the development of permit rules, policies, procedures, training and tools within the division. The program involves the deployment of the Production System and other tools including an online portal for customer to submit information electronically. Goals of the program include the reduction of time and effort needed to evaluate and issue permit applications, and the improvement of the quality of permit services provided such as training and tools for internal and external customers. In addition, new programs or changes to existing programs are developed and implemented.</p> <p>The program also implements public noticing, public records fulfillment and other projects not specified in other Division programs. Planning and implementation of AB 617 activities are also handled in this program.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Develop and maintain District permit rules, policies and procedures.	
Update permitting tools such as Permit Handbook, Best Available Control Technology (BACT) and Toxic Best Available Control Technology (TBACT) Workbook documents.	
Review and improve the point source emissions inventory.	
Manage training program.	
Coordinate Public Noticing activities.	
Process Public Records Requests for division records.	
Develop/update permitting programs including emissions factors, standard permit conditions, permit handbook chapters, BACT workbook and other manuals to streamline permitting and increase consistency.	
Develop and implement AB 617 work including inventory, rule development, reporting, technology clearinghouse development, community risk reduction and re-envisioning of permitting in impacted communities.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Complete and submit Interchangeable Emission Reduction Credit (IERC) report to California Air Resources Board (CARB).	March 2021
Complete and submit Offset Equivalence report for EPA.	March 2021

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		4.12	3.67	5.56	1.89	51.5%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	507,031	479,821	726,736	246,915	51.5%
Overtime Salaries	51150	1,696	5,000	5,000		
Temporary Salaries	51200	5,413				
Payroll Taxes	51300	7,808	6,951	10,341	3,390	48.8%
Pension Benefits	51400	77,561	102,313	162,588	60,275	58.9%
FICA Replacement Benefits	51500	5,671	6,437	10,444	4,007	62.2%
Group Insurance Benefits	51600	77,270	73,769	112,066	38,297	51.9%
Employee Transportation Subsidy	51700	8,655	5,144	12,088	6,944	135.0%
Workers' Compensation	51800	1,538	2,084	3,084	1,000	48.0%
Other Post Employment Benefits	51850	48,394	36,247	53,643	17,396	48.0%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		741,037	717,766	1,095,990	378,224	52.7%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		5,000	5,000		
Travel Out-of-State	52220	399				
Training & Education	52300	5,746	65,000	65,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	7,710	5,000	5,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	100,119	50,200	52,100	1,900	3.8%
Equipment Rental	53100					
Rents & Leases	53200	1,000				
Professional Services & Contracts	53300	73,009	50,000	50,000		
General Insurance	53400					
Shop & Field Supplies	53500	10,266	10,000	10,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	4,769	60,000	60,000		
Stationery & Office Supplies	53900	46				
Books & Journals	54100		400		(400)	(100.0)%
Minor Office Equipment	54200		1,500		(1,500)	(100.0)%
<b>Total Services &amp; Supplies Expenditures</b>		203,064	247,100	247,100		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		944,101	964,866	1,343,090	378,224	39.2%

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## Assessment, Inventory & Model Division

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The Assessment, Inventory, and Modeling Division prepares comprehensive source emission inventories for the Bay Area, conducts air quality modeling at both regional and community scales, and prepares technical assessments that combine modeling and measurements. Division staff coordinates and implements programs to improve and report estimates of emissions of criteria pollutants, toxic air contaminants, and climate forcing pollutants. Division staff assesses emissions, concentrations, and exposures of toxic air contaminants, particulate matter, ozone and their precursors, to support targeted strategies that reduce impacts of air pollution both regionally and within communities, especially where AB 617 community action plans are being developed. Division staff reviews and provides guidance on environmental health risk assessments within environmental review documents prepared pursuant to California Environmental Quality Act (CEQA). In FYE 2021, staff will continue to implement the multi-pollutant Bay Area 2017 Clean Air Plan (2017 Plan), which addresses ozone, particulate matter, toxic air contaminants and greenhouse gases (GHGs). The 2017 Plan includes goals to attain all ambient air quality standards, eliminate disparities in health risk from air pollution, and reduce regional GHG emissions 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. To meet the requirements of AB 617, staff will work to produce technical assessments to support community air quality action plans, including: identifying and prioritizing impacted communities, coordinating with community co-leads Steering Committees to reduce emissions and exposures, and providing tools and products that inform local strategies. In FYE 2021, staff will analyze aerometric data, conduct regional modeling, and apply statistical analyses to support the District's grant programs, rule development, permitting, climate protection, and planning activities. Staff will conduct source apportionment analyses and hybrid photochemical and dispersion modeling, characterize emissions and air quality, and assess air quality health impacts to support AB 617. Staff will continue to work with CARB, U.S. EPA, NOAA, NASA, Northern California air districts, and other stakeholders on the regional modeling, focused mainly on ozone, air toxics and PM. These studies involve field measurements, use of satellite data, emissions inventory development, modeling, and analysis of air quality and pollutant transport in North Central California. Staff will further improve modeling emissions estimates and continue conducting data analysis and modeling to better understand formation of fine and ultrafine PM, ozone and air toxics, and their health impacts in the Bay Area. Staff will investigate transport of pollutants between the Bay Area and neighboring regions and intercontinental transport of pollutants. In FYE 2021, Division staff will continue work with other divisions on the technical analysis, outreach, and risk reduction components of the CARE Program. AB 617 will require an expansion of the CARE program's technical work, including: updates to regional-scale air toxics emissions estimates and modeling; an expanded program focused on local-scale emissions inventory development and modeling of air toxics and fine particulate matter; assessment via measurements and analyses in impacted communities of fine particulate matter and air toxic emissions and modeling; identifying impacted communities; and working with State agencies, cities, counties, local stakeholders and others to develop and implement community action plans. Division staff supports the work of other Divisions in reviewing health risk assessments within CEQA documents to provide comments where assessments are inconsistent with Air District guidance. Many programs in the Division are supported by updating and reporting inventories of air pollutant emissions. In FYE 2021, Division staff will work with other divisions to review emissions inventory products and develop a quality assurance plan for them. Updated emissions methods and databases are needed for assessing impacts of pollution sources and to meet reporting and rule development requirements of the District. New requirements from CARB, posed by AB 617 and the Criteria and Toxic Report Rule, require annual emissions reports for toxics and criteria pollutants for major emitters and improved consistency in methods for estimating emissions across California's air districts. In FYE 2021, staff will conduct measurement studies of methane and other GHGs to support rule-making and compliance and enforcement efforts; and refine and maintain the Bay Area GHG emission inventory and improve GHG emissions forecasts. Staff will coordinate with other Divisions to develop improved methane emissions from the waste sector, including composting.

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Song Bai	
<b>Program Purpose:</b>	
Compile source inventories for criteria pollutants, toxic air contaminants (TACs) and greenhouse gases (GHGs) for planning, rule development, exposure assessments, and public information; assess emissions estimates to support programs to reduce health risks from air pollution and to reduce levels of climate-forcing pollutants.	
<b>Description of Program:</b>	
Staff assigned to this program compiles inventories of air pollution emissions (criteria pollutants, TAC, and GHGs) from industrial sources, motor vehicles, commercial and agricultural activities, consumer products, and natural sources, which are used for air quality planning, rules development, and air quality progress tracking. To meet State requirements, the Source Inventories Program reports permitted source emissions to the California Air Resources Board (CARB) annually; CARB's newly adopted Criteria and Toxics Reporting (CTR) Regulation requires additional staff time and resources to report emissions from permitted facilities using methods standardized across California air districts. Staff estimates emissions for local-scale exposure assessments and Community Action Plans required by Assembly Bill (AB) 617. Staff also prepares and maintains GHG emission inventories and forecasts for the region, with near-term focus on volatile organic compounds (VOC) and methane from permitted facilities.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Develop emissions inventories and improve the District's ability to assess emissions estimates.	
Prepare and improve emissions estimates to report to CARB; coordinate with Engineering Division to ensure consistent reporting under state requirements and the new CTR regulation.	
Refine and evaluate emissions estimates to support Air District programs, with emphasis on methane, TAC, and fine particulate matter and incorporation of new measurement and analysis techniques.	
Provide inventory information to support Air District staff in various programs, including assessment of AB 617 communities and development of local air quality Action Plans.	
Provide inventory information and emissions estimates under public record request.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop activity datasets and methods for hyper-local emissions estimates to support AB 617.	June 2021
Prepare and transmit source emissions estimates to meet State annual reporting requirements.	June 2021
Improve emissions methods by incorporating measurements and/or new models to develop VOC and methane emissions estimates for Bay Area refinery sector and waste sector.	June 2021

# Source Inventories

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		4.49	6.20	6.09	(0.11)	(1.8)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	590,513	832,239	898,869	66,630	8.0%
Overtime Salaries	51150	2,344		5,000	5,000	
Temporary Salaries	51200					
Payroll Taxes	51300	9,103	11,934	12,817	883	7.4%
Pension Benefits	51400	112,361	176,007	197,397	21,390	12.2%
FICA Replacement Benefits	51500	6,522	10,875	11,439	564	5.2%
Group Insurance Benefits	51600	88,760	130,475	141,500	11,025	8.4%
Employee Transportation Subsidy	51700	7,069	8,690	13,241	4,551	52.4%
Workers' Compensation	51800	1,792	3,521	3,379	(142)	(4.0)%
Other Post Employment Benefits	51850	56,369	61,235	58,757	(2,478)	(4.0)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		874,833	1,234,976	1,342,399	107,423	8.7%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,209	3,900	3,900		
Travel Out-of-State	52220	3,825	3,100	3,100		
Training & Education	52300	14,771	23,000	23,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	168,555	120,900	120,700	(200)	(0.2)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		22,000	22,000		
Stationery & Office Supplies	53900	140		200	200	
Books & Journals	54100		600	600		
Minor Office Equipment	54200		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>		188,500	174,500	174,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,063,333	1,409,476	1,516,899	107,423	7.6%

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Saffet Tanrikulu	
<b>Program Purpose:</b>	
Provide technical support to the District's initiatives and collaborative activities through modeling and air quality analyses.	
<b>Description of Program:</b>	
This program provides technical support to various District activities, including: Assembly Bill 617 related programs, the Air Quality Planning Program, Strategic Incentives Division programs, the Climate Protection Program, the Spare the Air Program, the ambient data Quality Assurance (QA)/Quality Control (QC) Program, the Central California Air Quality Studies (CCAQS), and the California Baseline Ozone Transport Study (CABOTS). It also manages the District's modeling- and data analysis-related contracts; participates in the District's rule development, permit modeling, air monitoring and emissions inventory/exposure assessment activities; and responds to requests from District staff and the public for ambient data. It also collaborates with federal and state agencies to assess pollutant exposure, health impacts and international pollutant transport.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Support Assembly Bill 617: perform PM and air toxics modeling; assess air quality and health impacts.	
Support District's Air Quality Planning Program: conduct data analysis and modeling.	
Support the Strategic Incentives Division: create and update pollutant concentration maps.	
Manage the District's data analysis and modeling-related contracts.	
Perform air quality modeling and data analysis to support the District's rulemaking activities.	
Support permitting activities: Prepare meteorological inputs for AERMOD to support permit modeling.	
Participate in CARB's Central California Air Quality Study programs.	
Perform quality assurance and quality control on District's meteorological data.	
Participate in NASA's effort to estimate wildfire health impacts.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Perform PM and air toxics modeling and analyses to assess pollutant formation in the Bay Area.	Ongoing
Update health impact analyses of ozone and PM.	Ongoing
Perform source apportionment analyses to quantify the contribution of various emission sources.	Ongoing
Verify the District's aerometric data for 2019.	Ongoing
Perform WRF/CMAQ modeling and analyses to support the District's rule development efforts.	Ongoing
Update emissions modeling data, e.g., conduct modeling with improved condensable PM emissions estimates.	Ongoing
Develop a conceptual model for pollutant formation.	Ongoing
Update health risk analysis for air toxics and other pollutants.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.00	3.75	3.70	(0.05)	(1.3)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	380,735	497,760	531,902	34,142	6.9%
Overtime Salaries	51150			5,000	5,000	
Temporary Salaries	51200					
Payroll Taxes	51300	5,917	7,137	7,582	445	6.2%
Pension Benefits	51400	72,448	106,284	117,522	11,238	10.6%
FICA Replacement Benefits	51500	4,255	6,578	6,943	365	5.5%
Group Insurance Benefits	51600	57,970	70,063	71,667	1,604	2.3%
Employee Transportation Subsidy	51700	5,876	5,256	8,036	2,780	52.9%
Workers' Compensation	51800	1,155	2,130	2,051	(79)	(3.7)%
Other Post Employment Benefits	51850	36,341	37,037	35,663	(1,374)	(3.7)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		564,697	732,245	786,366	54,121	7.4%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		1,380	1,380		
Travel Out-of-State	52220	2,611	3,780	3,780		
Training & Education	52300	765	7,000	7,000		
Repair & Maintenance (Equipment)	52400		8,000	8,000		
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	211,732	280,000	280,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900		500	500		
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		215,108	300,660	300,660		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115		70,000	40,000	(30,000)	(42.9)%
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>			70,000	40,000	(30,000)	(42.9)%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		779,805	1,102,905	1,127,026	24,121	2.2%

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Saffet Tanrikulu	
<b>Program Purpose:</b>	
Perform air quality modeling and data analyses to evaluate emission control strategies to attain and maintain air quality standards.	
<b>Description of Program:</b>	
This program maintains and applies state-of-the-science meteorological, emissions inventory and air quality models to investigate the formation of ozone, fine and ultrafine particulate matter (PM2.5 and PM0.1), and toxic air contaminants in the Bay Area; assesses the attainment status of the Bay Area with respect to Federal and State standards; supports Federal and State air quality plan development activities; quantifies the transport of ozone, PM and toxic air contaminants and their precursors within the Bay Area as well as between the Bay Area and neighboring districts; and quantifies the health impacts of ozone, PM, and toxic air contaminants. This program also includes analyses of ambient data, preparation of model inputs, monetary valuation of air pollution impacts in the Bay Area, maintenance of the District's cluster computer system, development of graphics and statistical programs to evaluate model inputs and outputs, and collaboration with modeling and air quality planning staff of CARB, U.S. EPA, NOAA, NASA, neighboring districts, industry, academia and other stakeholders.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Maintain and apply emissions inventory models to prepare inputs to air quality models.	
Maintain and apply air pollution health impacts and monetary valuation models.	
Prepare ambient data for model inputs and evaluation of model outputs.	
Conduct ambient data analyses for ozone, PM2.5, PM0.1 and toxic air contaminants.	
Evaluate and improve model performance for multi-pollutant applications.	
Maintain the District's cluster computer system on which models are run.	
Develop in-house staff expertise related to modeling and air quality analysis.	
Analyze the Bay Area's status relative to national and state ambient air quality standards.	
Conduct source apportionment studies and trend analyses.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Evaluate and improve CMAQ model performance.	Ongoing
Maintain and evaluate dispersion models.	Ongoing
Evaluate and improve WRF meteorological model performance.	Ongoing
Evaluate and update BenMAP for assessing health impacts of pollutants.	Ongoing
Maintain the meteorological and air quality database for modeling.	Ongoing
Update analysis of CMAQ sensitivity to emission reductions for PM and toxics.	Ongoing
Update and improve emissions estimates for modeling.	Ongoing
Maintain modeling computers, update modeling software and computer libraries.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.81	3.65	3.60	(0.05)	(1.4)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	486,125	496,621	517,615	20,994	4.2%
Overtime Salaries	51150			5,000	5,000	
Temporary Salaries	51200					
Payroll Taxes	51300	7,466	7,123	7,373	250	3.5%
Pension Benefits	51400	89,841	106,633	114,667	8,034	7.5%
FICA Replacement Benefits	51500	5,314	6,402	6,755	353	5.5%
Group Insurance Benefits	51600	72,341	76,129	73,293	(2,836)	(3.7)%
Employee Transportation Subsidy	51700	6,961	5,116	7,819	2,703	52.8%
Workers' Compensation	51800	1,475	2,073	1,995	(78)	(3.8)%
Other Post Employment Benefits	51850	46,399	36,049	34,699	(1,350)	(3.7)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		715,922	736,146	769,216	33,070	4.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	27	1,600	1,600		
Travel Out-of-State	52220		2,080	2,080		
Training & Education	52300	350	2,000	2,000		
Repair & Maintenance (Equipment)	52400	4,427	10,000	10,000		
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		3,500	3,500		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300		9,500	9,500		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,104	7,500	7,500		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		6,908	36,180	36,180		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		722,830	772,326	805,396	33,070	4.3%

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Song Bai	
<b>Program Purpose:</b>	
Evaluate community health risks from ambient toxic air contaminants (TACs), fine particulate matter (PM) and other pollutants. Develop mitigation strategies and measures for local sources and locations with higher exposures and risk levels and vulnerable populations.	
<b>Description of Program:</b>	
The District's CARE program targets community risk reduction activities and actively supports the development of local air quality Action Plans required by Assembly Bill 617. The CARE program coordinates emissions estimation, air modeling and monitoring, analysis of health records and socio-economic datasets, and exposure and health assessments to identify areas with vulnerable populations and relatively high air pollution. Information derived from these activities is used for risk reduction activities, such as rulemaking, grant and incentive programs, local air quality plans, collaboration with public health professionals, advocacy of State and local regulatory programs, and community engagement processes.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Conduct local-scale modeling and analyses to support assessment of AB 617 communities and development of action plans.	
Develop and improve modeling methods to identify emission sources affecting impacted communities and improve data analysis.	
Compile demographic, business, and activity data; enhance data visualization/analysis for community partnerships and local planning guidance.	
Develop mitigation strategies for development near busy roadways and other air pollution sources.	
Participate in outreach and assist in evaluating community risks and hazards, through measurement and modeling programs.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct community-scale assessments in Richmond and other communities; collaborate with other District Divisions to develop community prioritization methods.	June 2021
Develop and document improved methodology/tools for community-scale modeling to support AB 617 Community Action Plan development.	June 2021
Work collaboratively across Air District Divisions to build Technical Assessments Teams.	June 2021

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.54	3.28	3.50	0.22	6.7%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	474,691	499,095	549,743	50,648	10.1%
Overtime Salaries	51150	1,183		5,000	5,000	
Temporary Salaries	51200	26,018				
Payroll Taxes	51300	7,260	7,166	7,860	694	9.7%
Pension Benefits	51400	79,995	105,018	118,419	13,401	12.8%
FICA Replacement Benefits	51500	5,189	5,753	6,576	823	14.3%
Group Insurance Benefits	51600	70,710	70,316	71,461	1,145	1.6%
Employee Transportation Subsidy	51700	5,653	4,597	7,611	3,014	65.6%
Workers' Compensation	51800	1,448	1,863	1,942	79	4.2%
Other Post Employment Benefits	51850	45,561	32,395	33,774	1,379	4.3%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		717,708	726,203	802,386	76,183	10.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	59	1,900	2,300	400	21.1%
Travel Out-of-State	52220		2,000	2,600	600	30.0%
Training & Education	52300	275	11,000	8,500	(2,500)	(22.7)%
Repair & Maintenance (Equipment)	52400		5,000	5,000		
Communications	52500	2,667	1,000	3,000	2,000	200.0%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	71,965	260,700	260,200	(500)	(0.2)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	13,977	19,000	19,000		
Stationery & Office Supplies	53900	77	200	200		
Books & Journals	54100	285	500	500		
Minor Office Equipment	54200		100	100		
<b>Total Services &amp; Supplies Expenditures</b>		89,305	303,400	303,400		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		807,013	1,029,603	1,105,786	76,183	7.4%

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## Planning & Climate Protection Division

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The Planning and Climate Protection Division develops and implements local community emissions reduction plans per AB 617, prepares plans to meet State and Federal air quality standards, and coordinates and implements climate protection activities. Division staff analyze ambient conditions and local and regional toxic air contaminants, particulate matter, ozone and their precursors, and greenhouse gas emissions to develop and implements program to reduce impacts on people and the planet. Division staff works with cities, counties and other agencies to encourage transportation and land use decisions that improve air quality and protect the climate, and prepares, reviews and provides guidance on environmental documents prepared pursuant to California Environmental Quality Act (CEQA).

In FYE 2021, staff will continue to implement the multi-pollutant Bay Area 2017 Clean Air Plan (2017 Plan), which addresses ozone, particulate matter, toxic air contaminants and greenhouse gases (GHGs). The 2017 Plan includes goals to attain all ambient air quality standards, eliminate disparities in health risk from air pollution, and reduce regional GHG emissions 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. To meet the requirements of AB 617 staff will work in close coordination with community partners and steering committees in West Oakland and the Richmond-San Pablo Area to identify and prioritize pollution and exposure reduction strategies, conduct community engagement, implement measures to reduce emissions and exposure, and provide land use guidance. Staff will continue to work on updating and implementing the CEQA Thresholds and Guidelines in partnership with local lead agencies, regional agencies, and others. Staff will provide technical assistance to cities and counties on advancing climate protection activities and improving local plans to address air quality and environmental justice elements per SB 1000. Staff will track the development of new national ambient air quality standards and address any associated planning requirements as needed. Staff will continue to work with Cal EPA, the California Air Resources Board (CARB), and Federal, State, regional and local agencies to reduce emissions associated with ports and goods movement and implement other mobile source programs.

In FYE 2021, staff will implement GHG emission reduction measures identified in the 2017 Plan, guided by staff's work to implement region-wide strategies to reduce methane, CO<sub>2</sub> and F-gases. Staff will: administer the Climate Protection Grant Program; develop and implement the Building Decarbonization Program; support the Diesel Free by '33 initiative; complete an update to CEQA Thresholds for GHGs; work with local governments and community choice energy programs to develop low-carbon alternatives for emergency back-up power and use of battery storage and microgrids; convene a region-wide event on climate change and food for food industry professionals and local governments, including low-carbon diets and reducing food waste; develop best practices and resources for local governments related to VMT reduction and organic waste diversion per SB 1383; develop rules and rule amendments to reduce GHGs; work with CARB to coordinate state and regional climate programs; assist local governments with the development and implementation of climate action plans and local GHG reduction strategies; develop model ordinances and best practices to accelerate local policy adoption for reducing GHGs; collaborate with regional agency partners to develop a strong Plan Bay Area 2050; work with partner agencies to implement regional GHG reduction strategies through the Bay Area Regional Collaborative.

<b>Managing Division:</b>	
Planning & Climate Protection Division	
<b>Contact Person:</b>	
Wendy Goodfriend	
<b>Program Purpose:</b>	
Prepare and track regional plans to attain and maintain State and National ambient air quality standards and lead development of community emission reduction plans per AB 617.	
<b>Description of Program:</b>	
Historically, this program has focused on preparing regional air quality plans to attain or maintain State and National air quality standards. This work has including preparation and submission of State Triennial Updates (i.e., Clean Air Plan) and SIP related documents. Currently, this program is working closely with the most overburdened communities and impacted neighborhoods across the region to implement Assembly Bill 617 through the Air District’s Community Health Protection Program. District staff are working closely with community co-leads, Steering Committees and community members to develop community emission reduction plans that incorporate local scale emissions and exposure analyses and diverse and varied strategies to improve community health by reducing exposure to air pollutants. Preparing regional and local air quality plan requires collaboration across the Air District, and trusted partnerships with local, regional and State agencies, community groups and community members. As part of this program, District staff prepare and obtain certification of CEQA documents as necessary; track the effectiveness of air quality plans; track, comment and ensure compliance with State and National air quality planning requirements; and report to CARB and EPA on status and progress.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Lead the development of community emission reduction plans in AB 617 communities.	
Prepare and obtain certification of CEQA documents for any AB 617 community action plans.	
Lead the development of initial community profiles and land use maps for year 2-5 AB 617 communities.	
Support capacity building activities in year 2-5 AB 617 communities.	
Participate in planning activities related to State and Federal ambient air quality standards.	
Track development of new or amended State or Federal ambient air quality standards.	
Prepare documents or technical analyses to meet any new or amended State or Federal planning requirements for ozone and PM2.5.	
Maintain the Air District website with current air quality planning requirements and/or information related to proposed revisions to State or Federal ambient air quality standards.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Lead the development of a community emission reduction plan for the Richmond-San Pablo area.	Ongoing
Lead the preparation of CEQA documents for the Richmond-San Pablo area community emission reduction plan.	June 2021
Lead the development of initial community profiles and land use maps for select year 2-5 AB 617 communities.	June 2021
Prepare and submit planning documents to CARB and EPA as required.	June 2021



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		6.36	4.27	6.81	2.54	59.5%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	864,546	498,042	920,324	422,282	84.8%
Overtime Salaries	51150	2,390		3,000	3,000	
Temporary Salaries	51200	6,200				
Payroll Taxes	51300	13,041	7,130	13,118	5,988	84.0%
Pension Benefits	51400	127,354	106,582	206,804	100,222	94.0%
FICA Replacement Benefits	51500	9,310	7,490	12,788	5,298	70.7%
Group Insurance Benefits	51600	127,132	71,008	134,759	63,751	89.8%
Employee Transportation Subsidy	51700	10,275	5,985	14,802	8,817	147.3%
Workers' Compensation	51800	2,623	2,425	3,777	1,352	55.8%
Other Post Employment Benefits	51850	82,528	42,173	65,686	23,513	55.8%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,245,399	740,835	1,375,058	634,223	85.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,227	2,215	2,100	(115)	(5.2)%
Travel Out-of-State	52220	1,262		2,000	2,000	
Training & Education	52300	2,271	1,200	2,400	1,200	100.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500	7,654		2,100	2,100	
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	50		11,000	11,000	
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	2,428	250,000	200,000	(50,000)	(20.0)%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	37				
Stationery & Office Supplies	53900			500	500	
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		14,929	253,415	220,100	(33,315)	(13.1)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,260,328	994,250	1,595,158	600,908	60.4%

<b>Managing Division:</b>	
Planning & Climate Protection Division	
<b>Contact Person:</b>	
Wendy Goodfriend	
<b>Program Purpose:</b>	
Implement regional and local land use, mobile source and transportation plans, policies and measures.	
<b>Description of Program:</b>	
<p>This program focuses on working with state, regional and local agencies and community organizations to encourage and facilitate implementation of mobile source and transportation measures to attain and maintain ambient air quality standards and reduce emissions and exposure to fine particulate matter and toxic air contaminants in overburdened communities. Support and assistance are provided to land use and transportation planning agencies to help them avoid potential land use conflicts and ensure sensitive receptors are not located near local sources of air pollution. On an ongoing basis, potential air quality and greenhouse gas impacts of land use and transportation plans and projects as disclosed through CEQA and other environmental review are reviewed and comments are provided to local lead agencies. The program also works closely with state, regional and local agencies, community organizations and the private sector to reduce emissions from ports and goods movement operations, including participation in AB 617 and relevant CARB rulemaking as well as implementing relevant guidelines, plans and programs.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Assist with the implementation of community emission reduction plans in AB 617 designated communities.	
Provide technical assistance and support to cities, counties and other lead agencies in developing high quality environmental analyses pursuant to CEQA.	
Collaborate with MTC to develop and implement a Plan Bay Area 2050 that encourages air quality improvement co-benefits.	
Implement transportation, building and energy measures in the 2017 Clean Air Plan in collaboration with other regional and local entities.	
Implement, evaluate and improve the Commuter Benefits Program in collaboration with MTC and the Compliance and Enforcement Division.	
Participate in Transportation Conformity Task Forces and provide consultation regarding general conformity review of non-transportation projects.	
Track CARB actions related to on-road and off-road mobile sources and fuels, attend workshops and hearings and prepare comments as appropriate.	
Work with Federal, State, regional and local agencies on mobile source programs, e.g., ports, goods movement, railroads, shipping.	
Track CEQA projects within the SFBAAB, review priority projects and plans, and provide comments to lead agencies.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Lead the implementation of the West Oakland Community Action Plan with community co-leads, Steering Committee, subcommittees and agency staff.	March 2021
Update the Air District's CEQA Thresholds of Significance for air quality and climate change impacts.	June 2021
Develop updated CEQA Air Quality Guidelines that provide guidance on air quality and GHG analyses, healthy development best practices, and CEQA exemptions and streamlining.	March 2021
Work with MTC on Plan Bay Area 2050 to advance Air District AB 617 and 2017 Clean Air Plan goals and objectives.	June 2021
Continue to track, review and comment on CEQA projects and provide technical assistance on air quality and greenhouse gas impact analyses.	June 2021

# Implement Plans, Policies and Measures

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		4.59	4.62	6.70	2.08	45.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	642,082	630,900	928,123	297,223	47.1%
Overtime Salaries	51150	4,354	3,000	3,000		
Temporary Salaries	51200					
Payroll Taxes	51300	10,073	9,092	13,218	4,126	45.4%
Pension Benefits	51400	117,053	137,415	208,967	71,552	52.1%
FICA Replacement Benefits	51500	7,209	8,103	12,572	4,469	55.2%
Group Insurance Benefits	51600	98,320	80,948	142,645	61,697	76.2%
Employee Transportation Subsidy	51700	7,853	6,475	14,552	8,077	124.7%
Workers' Compensation	51800	1,948	2,624	3,713	1,089	41.5%
Other Post Employment Benefits	51850	61,292	45,630	64,578	18,948	41.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		950,184	924,187	1,391,368	467,181	50.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	3,305	2,300	2,100	(200)	(8.7)%
Travel Out-of-State	52220	1,328	1,300	1,700	400	30.8%
Training & Education	52300	3,440	3,400	5,000	1,600	47.1%
Repair & Maintenance (Equipment)	52400					
Communications	52500	765				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	296	4,000	600	(3,400)	(85.0)%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	158,551	181,900	182,450	550	0.3%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800			1,000	1,000	
Stationery & Office Supplies	53900	116	450	500	50	11.1%
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		167,801	193,350	193,350		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,117,985	1,117,537	1,584,718	467,181	41.8%

<b>Managing Division:</b>	
Planning & Climate Protection Division	
<b>Contact Person:</b>	
Abby Young	
<b>Program Purpose:</b>	
Set the strategic direction for and coordinate agency-wide efforts to accelerate the reduction of climate pollutants and integrate climate protection into Air District programs to reduce criteria and toxic air pollutants.	
<b>Description of Program:</b>	
Air District climate protection activities for FYE 2021 will be coordinated by the Climate Protection Section and will include: implementing activities identified in the regional CO <sub>2</sub> - Methane- and F-Gas- reduction strategies; administering and assessing results from the 2018 Climate Protection Grant Program; supporting the development of proposed rules to reduce GHGs; developing and leading regional campaign to decarbonize new and existing buildings, including supporting local initiatives, building upon Climate Protection Grant projects and investigating rulemaking; supporting local implementation of GHG reductions by developing model policies, best practices and toolkits through efforts such as the Building Decarbonization program and the Diesel Free By '33 initiative; working with local governments and community choice energy programs to develop low-carbon alternatives for emergency back-up power and use of battery storage and microgrids; collaborating with MTC to include robust VMT reduction in Plan Bay Area; working with local governments and stakeholder groups to develop public outreach and education initiatives on the topic of low-GHG diets and reducing food waste; continued collaboration with local, regional, state, and national agencies on climate protection efforts; and continued integration of climate protection strategies in existing Air District programs, such as AB 617.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Provide local governments with policy resources to accelerate local building decarbonization efforts.	
Coordinate the integration of climate protection strategies in existing Air District programs.	
Collaborate with other divisions on emissions studies to support rule-making and policy development.	
Continue implementing and assess 2018 Climate Protection Grant Program projects for potential replicability.	
Develop program and convene regional event promoting low-GHG diet alternatives and reduce food waste.	
Support community choice energy programs in developing cost-effective, low-carbon emergency power alternatives.	
Support local GHG reduction in organic waste reduction, and active and low-carbon transportation.	
Develop technical and policy tools for the Diesel Free By '33 initiative.	
Provide leadership through convening events, providing networking and information-sharing for local governments and stakeholders.	
Participate in Statewide and regional climate protection programs with BARC, MTC, ABAG, and BCDC.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement GHG reduction strategies identified in the 2017 Clean Air Plan.	June 2021
Launch the Building Decarbonization Initiative with a suite of online policy support tools.	June 2021
Convene region-wide event on climate-friendly food and food waste reduction.	June 2021
Collaborate with MTC on including robust VMT-reduction measures in Plan Bay Area 2050.	June 2021
Administer the 2018 Climate Protection Grant Program.	June 2021
Develop and implement activities to support the Diesel Free initiative	June 2021
Implement strategies to divert organics from the waste stream.	June 2021

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		7.58	8.98	7.60	(1.38)	(15.4)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,007,410	1,223,483	1,118,505	(104,978)	(8.6)%
Overtime Salaries	51150	766				
Temporary Salaries	51200					
Payroll Taxes	51300	15,685	17,548	15,961	(1,587)	(9.0)%
Pension Benefits	51400	198,776	259,342	243,845	(15,497)	(6.0)%
FICA Replacement Benefits	51500	11,201	15,751	14,262	(1,489)	(9.5)%
Group Insurance Benefits	51600	152,298	156,890	129,176	(27,714)	(17.7)%
Employee Transportation Subsidy	51700	12,881	12,586	16,509	3,923	31.2%
Workers' Compensation	51800	3,056	5,100	4,212	(888)	(17.4)%
Other Post Employment Benefits	51850	96,160	88,691	73,259	(15,432)	(17.4)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,498,233	1,779,391	1,615,729	(163,662)	(9.2)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	5,959	4,300	5,160	860	20.0%
Travel Out-of-State	52220	4,007	7,500	6,750	(750)	(10.0)%
Training & Education	52300	3,653	6,100	6,100		
Repair & Maintenance (Equipment)	52400	3,716				
Communications	52500	2,079				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	72	100	1,200	1,100	1,100.0%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,148,655	340,000	340,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		1,800		(1,800)	(100.0)%
Stationery & Office Supplies	53900	359	300	500	200	66.7%
Books & Journals	54100		100	100		
Minor Office Equipment	54200	14	200	200		
<b>Total Services &amp; Supplies Expenditures</b>		1,168,514	360,400	360,010	(390)	(0.1)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		2,666,747	2,139,791	1,975,739	(164,052)	(7.7)%

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## Community Engagement & Policy Division

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The Community Engagement and Policy Division engages the public in Air District programs and policies. The Community Engagement Program is the Air District's main point of contact with the public and employs inclusive and equitable community engagement strategies to increase awareness, foster relationships, and ensure opportunities for stakeholder participation in planning and decision-making. Staff particularly seek opportunities for those that have been historically excluded, discriminated against, under-represented, or under-resourced to participate and shape Air District decisions that impact their lives and improve public health. The Rule Development Program is responsible for the development of regulations to implement Air District plans to attain Federal and State air quality standards, and to protect public health. Additionally, staff review existing regulations and develop revisions to improve clarity, efficiency and effectiveness.

<b>Managing Division:</b>	
Community Engagement & Policy Division	
<b>Contact Person:</b>	
Elizabeth Yura	
<b>Program Purpose:</b>	
Act as the District's main point of contact with the public to increase awareness, foster relationships, and ensure opportunities for stakeholder participation in planning and decision-making.	
<b>Description of Program:</b>	
The Community Engagement Office also facilitates stakeholder engagement in Air District programs; plays a key role in AB 617 implementation; develops and supports implementation of community engagement best practices; oversees the Community Grant Program; manages issue-specific advisory groups, and oversees Supplemental Environmental Programs and Resource Teams.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
AB 617: Work in partnership with community groups and across Air District divisions to implement AB 617 West Oakland Action Plan, Richmond-San Pablo Monitoring and Action Plan, and other community engagement activities.	
Bay Air Center: Support communities with technical guidance, training, and relevant resources to build capacity.	
Youth Engagement: Refine and implement youth engagement strategy.	
Community Grant Program: Support design and implementation of strategies to foster community participation.	
Develop and train staff on Public Participation Continuum/Community Engagement Principles.	
Supplemental Environmental Projects (SEP): Manage program to install air filtration systems at schools.	
Transformative Climate Communities: Manage contract and support implementation of climate-protective projects.	
Represent Air District with stakeholders, community organizations and regional collaborations, including race and equity programs/initiatives.	
Provide direction to the Air District's Spare the Air Resource teams.	
Facilitate informational presentations by Air District staff to students and community groups.	
Engage Limited English Proficient populations in Air District programs and decisions.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement multiple aspects of AB 617 and track progress.	Ongoing
Implement coordinated youth engagement strategy and Marie Harrison Scholarship Program.	June 2021
Continue Community Grant Program.	June 2021
Develop Public Participation Continuum/Community Engagement Principles.	June 2021
Implement first CARB SEP for filtration systems at elementary schools in AB 617 priority communities.	June 2021
Coordinate District presence at diverse public events.	June 2021



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		7.79	9.10	12.65	3.55	39.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	932,546	1,152,105	1,558,350	406,245	35.3%
Overtime Salaries	51150	5,948		15,000	15,000	
Temporary Salaries	51200	22,146				
Payroll Taxes	51300	14,404	16,510	22,182	5,672	34.4%
Pension Benefits	51400	157,664	247,814	337,165	89,351	36.1%
FICA Replacement Benefits	51500	10,367	15,962	23,744	7,782	48.8%
Group Insurance Benefits	51600	141,249	164,417	232,205	67,788	41.2%
Employee Transportation Subsidy	51700	11,469	12,755	27,483	14,728	115.5%
Workers' Compensation	51800	2,832	5,168	7,013	1,845	35.7%
Other Post Employment Benefits	51850	89,094	89,877	121,961	32,084	35.7%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,387,719	1,704,608	2,345,103	640,495	37.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,093	7,800	5,500	(2,300)	(29.5)%
Travel Out-of-State	52220	4,054	8,000	4,800	(3,200)	(40.0)%
Training & Education	52300	14,675	17,500	16,500	(1,000)	(5.7)%
Repair & Maintenance (Equipment)	52400					
Communications	52500	10,833	2,000	13,000	11,000	550.0%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	3,331	6,000	3,000	(3,000)	(50.0)%
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	655,525	1,313,000	1,313,000		
General Insurance	53400					
Shop & Field Supplies	53500	1,929	2,500	1,000	(1,500)	(60.0)%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	683	1,500	1,500		
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		692,123	1,358,300	1,358,300		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(128,126)				
<b>Total Expenditures</b>		1,951,716	3,062,908	3,703,403	640,495	20.9%

<b>Managing Division:</b>	
Community Engagement & Policy Division	
<b>Contact Person:</b>	
Victor Douglas	
<b>Program Purpose:</b>	
The primary purpose of this program is to develop control measures and regulations to reduce air pollutant emissions in the Bay Area.	
<b>Description of Program:</b>	
The Rule Development Program is responsible for the development of regulations to implement Air District plans to attain federal and State air quality standards, and to protect public health. In addition to development of rules derived from planning documents, staff assists with the preparation of air quality plans. Other measures are developed under the direction of the Board of Directors to further protect public health and safety and reduce emissions of greenhouse gases. In addition, staff reviews existing regulations and develops revisions to improve clarity, efficiency and effectiveness. For each control measure, staff assesses potential emission reductions, technological feasibility, socioeconomic impacts, cost-effectiveness, and environmental impacts under CEQA. Staff conducts public workshops and other public involvement processes, prepares staff reports, and makes presentations and recommendations to the Board of Directors at public hearings and committee meetings. Staff also manages and coordinates the rule development process for other Divisions. In this fiscal year, the program will continue to develop rules pursuant to the 2017 Clean Air Plan, AB 617 BARCT Schedule, Methane and PM Strategies as directed by the Board of Directors.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Develop amendments to Rule 6-5: Refinery Fluid Catalytic Cracking Units to reduce PM	
Develop amendments to Rule 8-5: Organic Liquid Storage Tanks and Rule 8-8: Refinery Wastewater Treatment to reduce VOCs and toxic emissions	
Develop amendments to Rule 9-14: Petroleum Coke Calcining Operations to reduce NOx emissions	
Finalize a new Rule 13-5: Refinery Hydrogen Systems to reduce methane and VOCs.	
Finalize new rules to reduce methane and VOCs from organic materials handling and composting (Rules 13-2 & 13-3)	
Develop suite of rulemaking actions to reduce sulfur emissions from the refining sector.	
Develop rules to reduce methane and VOC emissions from landfills (Rule 8-34) and sewage treatment (Rule 13-4)	
Manage rule development process led by staff in other Sections and Divisions.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop amendments to Rule 6-5: Refinery Fluid Catalytic Cracking Units	November 2020
Develop amendments to Rule 8-5: Organic Liquid Storage Tanks	September 2020
Develop amendments to Rule 8-8: Refinery Wastewater Treatment Operations	September 2020
Develop amendments to Rule 9-14: Petroleum Coke Calcining to reduce NOx emissions	Ongoing
Finalize Rules 13-2 & 13-3 to reduce methane and VOCs from organic materials handling / composting	Ongoing
Finalize a new Rule 13-5: Refinery Hydrogen Systems to reduce methane and VOCs.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		9.13	9.95	8.53	(1.42)	(14.3)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,152,662	1,291,943	1,190,803	(101,140)	(7.8)%
Overtime Salaries	51150	14,896	10,000	12,000	2,000	20.0%
Temporary Salaries	51200					
Payroll Taxes	51300	17,635	18,664	16,956	(1,708)	(9.2)%
Pension Benefits	51400	199,924	274,241	262,688	(11,553)	(4.2)%
FICA Replacement Benefits	51500	12,589	17,453	16,023	(1,430)	(8.2)%
Group Insurance Benefits	51600	171,503	165,558	140,445	(25,113)	(15.2)%
Employee Transportation Subsidy	51700	14,130	13,946	18,546	4,600	33.0%
Workers' Compensation	51800	3,497	5,651	4,732	(919)	(16.3)%
Other Post Employment Benefits	51850	110,031	98,272	82,301	(15,971)	(16.3)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,696,867	1,895,728	1,744,494	(151,234)	(8.0)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,302	7,750	8,250	500	6.5%
Travel Out-of-State	52220	1,878	3,775	3,650	(125)	(3.3)%
Training & Education	52300	1,435	7,850	8,200	350	4.5%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	19,486	35,000	35,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	80,340	160,400	161,325	925	0.6%
General Insurance	53400					
Shop & Field Supplies	53500	1,110	500	500		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	955	5,000	3,000	(2,000)	(40.0)%
Stationery & Office Supplies	53900		500	750	250	50.0%
Books & Journals	54100		200	300	100	50.0%
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		106,506	220,975	220,975		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,803,373	2,116,703	1,965,469	(151,234)	(7.1)%

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## Information Services Division

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The Information Services Division focuses on Information technology operations, engineering, user support and the management of District records.

Under this Division, Engineering and Operations Program staff provide design, implementation, security and maintenance of all computer server infrastructures including but not limited to email, telecommunications, network, file storage, business continuity/disaster recovery, and remote connectivity. The support team in this program provides user support to District staff for all technologies and user support to outside members of the regulated community that utilize on-line District technologies.

Records Management Program Staff (RM) are responsible for storing, maintaining, securing, and providing copies of Air District official documents. These documents are made available for public, regulated community and internal request in accordance with Policy and Procedures.

In FY2021, the RM program procured Hyland OnBase software and is working to implement and deploy the system to meet the needs and requirements of the District. RM provides assistance for staff from each Division individually as official records are migrated to OnBase. RM digitizes paper documents as needed for all Divisions.

<b>Managing Division:</b>	
Information Services Division	
<b>Contact Person:</b>	
Magen Holloway	
<b>Program Purpose:</b>	
To provide archival and retrieval services for the District's records produced by various Divisions.	
<b>Description of Program:</b>	
The Records Management Program (RM) is responsible for maintaining the Air District official records for each Division. These documents are made available for public, industry and internal request in accordance to the APCO Policy and Procedures.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Manage and Support of Physical and Electronic Storage of District Records.	
RM is configuring and implementing the new OB software with the assistance of consultants from Xerox. The Xerox is contracted to configure Air District records and corresponding Record Retention in OB. Xerox will also migrate historic records from AppXtender software and the Air District shared drives.	
Train Division Records Custodians on new OB software.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Configure new OB software.	June 2021
Train staff on use of OB software.	June 2021
Migrate records from shared drives to OB software	June 2021

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.77	4.03	2.80	(1.23)	(30.5)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	307,766	480,380	361,250	(119,130)	(24.8)%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	4,776	6,879	5,130	(1,749)	(25.4)%
Pension Benefits	51400	58,591	102,124	77,748	(24,376)	(23.9)%
FICA Replacement Benefits	51500	3,414	7,069	5,267	(1,802)	(25.5)%
Group Insurance Benefits	51600	46,431	74,748	58,993	(15,755)	(21.1)%
Employee Transportation Subsidy	51700	3,822	5,648	6,096	448	7.9%
Workers' Compensation	51800	934	2,289	1,556	(733)	(32.0)%
Other Post Employment Benefits	51850	29,379	39,802	27,054	(12,748)	(32.0)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		455,113	718,939	543,094	(175,845)	(24.5)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		3,000	3,000		
Travel Out-of-State	52220					
Training & Education	52300		5,100	15,100	10,000	196.1%
Repair & Maintenance (Equipment)	52400					
Communications	52500	4,713	7,700	7,800	100	1.3%
Building Maintenance	52600	2,710	10,200	10,200		
Utilities	52700	4,993	3,700	3,800	100	2.7%
Postage	52800					
Printing & Reproduction	52900	33,662	95,000	69,800	(25,200)	(26.5)%
Equipment Rental	53100					
Rents & Leases	53200	66,076	90,000	110,000	20,000	22.2%
Professional Services & Contracts	53300	173	195,000	195,000		
General Insurance	53400					
Shop & Field Supplies	53500		20,000	10,000	(10,000)	(50.0)%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	315	60,000	65,000	5,000	8.3%
Stationery & Office Supplies	53900		6,000	6,000		
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		160,415	495,700	495,700		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110		60,000		(60,000)	(100.0)%
Computer & Network Equipment	60115	198,309	250,000		(250,000)	(100.0)%
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>		198,309	310,000		(310,000)	(100.0)%
<b>Transfer In/Out</b>		(25,482)				
<b>Total Expenditures</b>		788,355	1,524,639	1,038,794	(485,845)	(31.9)%

<b>Managing Division:</b>	
Information Services Division	
<b>Contact Person:</b>	
Blair Adams	
<b>Program Purpose:</b>	
This program provides design, implementation and support services for the District's permitting business function, including the transition from the legacy systems to the Production System.	
<b>Description of Program:</b>	
This program is responsible for software design, validation and implementation of the Production System for permitting activities such as processing permit applications, registrations and permit renewal. The Production System will replace existing systems (e.g., Databank, IRIS, current online registration systems). Implementation of the system includes providing a help desk and support tools to enhance the customer experience to use the online system.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Designs for permitting functionality and features	
User Acceptance Testing of functionality and features	
Legacy data review and cleanup	
Customer Help Desk	
Customer tools to enhance system usability	
Staff Training	
<b>Major Objectives</b>	<b>Delivery Date</b>
Production System design and testing	Daily
Implementation of functionality to internal customers	Daily
Implementation of functionality to external customers	Daily



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		2.44	9.26	6.60	(2.66)	(28.7)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	322,696	1,153,895	928,608	(225,287)	(19.5)%
Overtime Salaries	51150	1,530				
Temporary Salaries	51200					
Payroll Taxes	51300	5,188	16,533	13,216	(3,317)	(20.1)%
Pension Benefits	51400	121,977	245,656	212,306	(33,350)	(13.6)%
FICA Replacement Benefits	51500	3,633	16,242	12,389	(3,853)	(23.7)%
Group Insurance Benefits	51600	49,412	177,010	144,766	(32,244)	(18.2)%
Employee Transportation Subsidy	51700	3,940	12,979	14,340	1,361	10.5%
Workers' Compensation	51800	979	5,259	3,659	(1,600)	(30.4)%
Other Post Employment Benefits	51850	30,803	91,457	63,634	(27,823)	(30.4)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		540,158	1,719,031	1,392,918	(326,113)	(19.0)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		15,000	15,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,411	1,000	1,500	500	50.0%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	62,972	55,000	55,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		25,000	24,500	(500)	(2.0)%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		64,383	96,000	96,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		604,541	1,815,031	1,488,918	(326,113)	(18.0)%

<b>Managing Division:</b>	
Information Services Division	
<b>Contact Person:</b>	
John Chiladakis	
<b>Program Purpose:</b>	
Provide computer and telecommunications infrastructure. Provide service and support for staff.	
<b>Description of Program:</b>	
Operate, engineer, purchase, install, upgrade, maintain, and repair new software systems, computer networks, network servers, telephone systems, voicemail systems, firewalls, personal computers, workstations, file and database server hardware, and operating system and application software.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Operation and system administration of HP-3000 servers.	
Administration of Cisco telephone and voice mail system.	
Administration of Simplivity and other VMWare servers.	
Configuration and administration of network routers, switches, firewalls and internet access.	
Operation and system administration of HP-9000 servers.	
Support and administer DNS servers.	
Administration of desktop operating system and applications software.	
Administration of Windows Active Directory and servers.	
Administration of NetApp SAN storage system.	
Purchase, installation, upgrade, maintenance, and repair of desktop workstations and printers.	
Administration of MS Exchange-Online, Internet and remote access systems.	
Administration of Multi-Agency Shared Services Printing and Scanning systems	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain computer operations availability for 10 hours/day, 5 days/week.	Daily
Provide communications availability for 10 hours/day, 5 days/week.	Daily
Maintain LAN operations availability for 10 hours/day, 5 days/week.	Daily
Maintain network routers and firewall.	Weekly
Provide system connectivity support for JD Edwards.	Monthly
Support, troubleshoot and maintain desktop workstations.	Weekly
Support and upgrade remote access capabilities.	Monthly
Maintain voice messaging system, including menus and changes for field staff.	Monthly

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		9.00	9.00	10.00	1.00	11.1%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,110,263	1,190,099	1,342,633	152,534	12.8%
Overtime Salaries	51150	4,387				
Temporary Salaries	51200					
Payroll Taxes	51300	17,242	17,063	19,171	2,108	12.4%
Pension Benefits	51400	215,198	262,421	303,125	40,704	15.5%
FICA Replacement Benefits	51500	12,337	15,786	18,764	2,978	18.9%
Group Insurance Benefits	51600	168,008	176,185	199,912	23,727	13.5%
Employee Transportation Subsidy	51700	13,818	12,614	21,720	9,106	72.2%
Workers' Compensation	51800	3,368	5,111	5,542	431	8.4%
Other Post Employment Benefits	51850	105,984	88,889	96,386	7,497	8.4%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,650,605	1,768,168	2,007,253	239,085	13.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		5,000	5,000		
Travel Out-of-State	52220					
Training & Education	52300		25,000	25,000		
Repair & Maintenance (Equipment)	52400	489,275	593,000	593,000		
Communications	52500	16,126	10,000	17,000	7,000	70.0%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	226,220	395,000	395,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	168,949	230,500	223,500	(7,000)	(3.0)%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		1,337,939	1,258,500	1,258,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105		75,000		(75,000)	(100.0)%
Office Equipment	60110					
Computer & Network Equipment	60115	38,350		100,000	100,000	
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130		400,000	400,000		
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>		38,350	475,000	500,000	25,000	5.3%
<b>Transfer In/Out</b>		(185,061)				
<b>Total Expenditures</b>		2,841,833	3,501,668	3,765,753	264,085	7.5%

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## Meteorology & Measurement Division

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The Meteorology and Measurement Division consists of eight individual sections that provide technical support, air quality and meteorological data, chemical analysis and forecasting services to the Compliance & Enforcement, Engineering, Planning, Legal, Rules and Communications and Community Engagement Divisions.

The Air Monitoring Section provides the data to determine if the Air District is in attainment with state and federal standards, and provides a scientific basis for other Air District programmatic decisions. New and continuing activities include:

- Continuing development, operation, maintenance, evaluation and improvement of over 30 air monitoring locations throughout the Bay Area
- Work with industry, community groups and other interested parties to determine appropriate locations for community monitoring systems developed as part of the overall Refinery Strategy and Regulation 12, Rule 15 as well as monitoring associated with Assembly Bill 617 (AB 617).

The Laboratory Services Section provides analytical services and expertise in support of Air District goals and programs. New and continuing activities include:

- Providing gravimetric, ion, OC/EC and metals analysis on PM2.5 filter samples.
- Continuation of upgrades to laboratory analytical instruments to enhance the laboratory's ability to analyze for additional organic and toxic compounds.

The Source Test Section tests emissions from stationary sources to determine compliance with Air District regulations. New and continuing activities include:

- Additional and enhanced compliance testing on sources of volatile organic compounds, accuracy tests on the continuous emission monitoring network and PM2.5 testing at affected sources.
- Providing technical support and data associated with AB 617 and other programs for Air District Divisions to facilitate decision making.

The Meteorology and Data Analysis Section provides Spare the Air, burn and other air quality forecasting in addition to analysis and validation of aerometric and meteorological data that supports Air District programs. New and continuing activities include:

- Daily air quality forecasting for the Spare the Air program and enhanced burn forecasting for the Air District's Open Burning Regulation.
- Development of enhanced data analysis capabilities in support of AB 617 and other programs.

The Performance Evaluation Section performs independent performance evaluation of the Air District's air monitoring and meteorological networks, in addition to specific outside networks of value to Air District activities, to ensure high quality data and compliance with EPA requirements. New and continuing activities include:

- Performance evaluations of air monitoring instruments at Air District and refinery locations.
- Maintenance of the Air District's and other important meteorological networks.

The BioWatch Monitoring Section operates and maintains a monitoring network for the Department of Homeland Security.

The Data Management and Communications provides IT support for the Division.

- Manage data, communications systems and operate and maintain data bases to decrease downtime and increase cost effectiveness.

The Mobile Monitoring Section will provide mobile measurements and generate data in support of Air District activities including when incidents occur. These new activities will include:

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Steven Randall	
<b>Program Purpose:</b>	
Provide the data required to determine and measure progress towards the Bay Area's attainment of National and State ambient air quality standards, perform monitoring as part of AB 617 as well as determine and measure progress of other Air District programs.	
<b>Description of Program:</b>	
The primary function of the Air Monitoring Section is to operate and maintain a network of air quality and meteorological measurement sites that provide data required to determine attainment status of both National and State ambient air quality standards, new and modified regulations and National and State sampling strategies, as well as provide more targeted community level air quality assessment monitoring in support of AB617 activities and refinery communities. Additionally, a network of toxics gaseous and particulate monitors collect data to develop trends and help define risk, and for National and State programs. Air monitoring and meteorological data, as well as sampling projects such as the Precursor Air Monitoring Stations (PAMS) and PM2.5 speciation sampling, are also used for Air Quality Index (AQI) forecasts, Clean Air Plan (CAP) modeling, Prevention of Significant Deterioration (PSD) modeling, Refinery Community Monitoring, AB 617 monitoring and Environmental Impact Reports (EIRs).	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Operate and maintain the air monitoring network to provide a minimum of 90% valid data each quarter to determine the attainment status for National and State ambient air quality standards.	
Operate and maintain non-criteria pollutant monitors to provide data on ozone precursors, data for ozone forecasting, and data for fine particulate forecasting.	
Operate a PAMS network that meets EPA requirements.	
Operate a gaseous toxics network to provide data for State and Air District programs.	
Operate a network of fine particulate (PM2.5), black carbon, and particulate matter speciation samplers and analyzers in support of the determination of compliance with the National Ambient Air Quality Standards for PM2.5, wood smoke trends, and other area wide particulate matter studies.	
Operate three Near Road monitoring stations as mandated by EPA; two in the San Francisco-Oakland-Fremont CBSA, and one in the San Jose-Sunnyvale-Santa Clara CBSA; Operate an additional site along the Interstate 580 corridor.	
Aid in the development and evaluation of emerging technologies for air quality measurements.	
Implement community level air quality screening, monitoring, and assessment tools and procedures in support of AB617 and Rule 12-15.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Collect and process data that has been subjected to rigorous Quality Control (QC) as part of National, State and Air District programs.	Ongoing
Implementation of community level screening and air quality assessment in support of AB 617 and Reg 12-15	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		24.54	29.95	27.60	(2.35)	(7.8)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	2,536,745	3,112,150	3,081,122	(31,028)	(1.0)%
Overtime Salaries	51150	1,441	8,500	8,500		
Temporary Salaries	51200	4,396				
Payroll Taxes	51300	39,091	44,606	43,660	(946)	(2.1)%
Pension Benefits	51400	435,875	647,339	666,717	19,378	3.0%
FICA Replacement Benefits	51500	27,899	52,533	51,796	(737)	(1.4)%
Group Insurance Benefits	51600	379,816	546,155	490,304	(55,851)	(10.2)%
Employee Transportation Subsidy	51700	30,440	41,978	59,955	17,977	42.8%
Workers' Compensation	51800	7,697	17,009	15,298	(1,711)	(10.1)%
Other Post Employment Benefits	51850	242,181	295,802	266,058	(29,744)	(10.1)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		3,705,581	4,766,072	4,683,410	(82,662)	(1.7)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	4,456	25,144	25,144		
Travel Out-of-State	52220	20,935	10,500	19,000	8,500	81.0%
Training & Education	52300	3,031	2,000	2,000		
Repair & Maintenance (Equipment)	52400	22,932	74,067	75,918	1,851	2.5%
Communications	52500	4,796				
Building Maintenance	52600	11,664	68,103	58,103	(10,000)	(14.7)%
Utilities	52700	77,461	120,151	120,151		
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	339,132	487,549	487,549		
Professional Services & Contracts	53300	259,374	379,438	379,438		
General Insurance	53400					
Shop & Field Supplies	53500	280,853	317,923	317,407	(516)	(0.2)%
Laboratory Supplies	53600	27,797	72,329	74,137	1,808	2.5%
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100		1,643		(1,643)	(100.0)%
Minor Office Equipment	54200					
Non-capital assets	54600					
		23,438				
<b>Total Services &amp; Supplies Expenditures</b>		1,075,869	1,558,847	1,558,847		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	286,179	1,195,784	680,815	(514,969)	(43.1)%
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140	76,754				
<b>Total Capital Expenditures</b>		362,933	1,195,784	680,815	(514,969)	(43.1)%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		5,144,383	7,520,703	6,923,072	(597,631)	(7.9)%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Mairi Beacon	
<b>Program Purpose:</b>	
Provide laboratory, analytical, and technical services and support to other Air District Divisions and Sections.	
<b>Description of Program:</b>	
The primary function of the Laboratory Program is to provide laboratory analyses, analytical services and technical support to other Divisions, Sections and special programs in completing their objectives. The Laboratory Program evaluates and implements analytical methods as required by new, analytical capabilities or amendments and additions to Air District regulations. The analytical services of the program provide technical information for enforcement action, permit evaluation, and regulatory standard development. Close liaison is maintained with other air pollution agencies and technical groups.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Perform gravimetric analyses on various filter media for BAAQMD and other agencies.	
Perform speciation analyses on various filter media including ion, carbon, and metals.	
Perform analyses associated with the Air District's toxics network.	
Perform analyses in support of Compliance and Enforcement and Source Test actions.	
Perform analyses of incident samples collected by the Air District.	
Perform analyses to provide comparative data for new and proposed field instrumentation.	
Identify and recommend analytical methods to support various Air District actions.	
Provide information on suitability of analyses proposed by outside laboratories.	
Participate in internal and external laboratory audits.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Provide gravimetric and speciation data to MQA and AAQA.	Ongoing
Provide analytical data in support of Compliance and Enforcement actions.	Ongoing
Provide analytical data in support of the Source Test section.	Ongoing
Provide Air Monitoring Special Projects group and other agencies comparative data for the evaluation of new instrumentation.	Ongoing
Participate in internal and external safety evaluations and reporting.	Ongoing
Participate in internal and external laboratory audits.	Ongoing
Provide technical expertise and advice to other Air District divisions regarding laboratory methods and capabilities.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		6.02	7.23	7.97	0.74	10.2%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	735,212	899,225	997,416	98,191	10.9%
Overtime Salaries	51150		1,700	2,000	300	17.6%
Temporary Salaries	51200	45,916				
Payroll Taxes	51300	11,243	12,908	14,167	1,259	9.8%
Pension Benefits	51400	137,642	194,920	223,753	28,833	14.8%
FICA Replacement Benefits	51500	8,010	12,681	14,963	2,282	18.0%
Group Insurance Benefits	51600	109,047	141,810	160,863	19,053	13.4%
Employee Transportation Subsidy	51700	11,299	10,134	17,319	7,185	70.9%
Workers' Compensation	51800	2,230	4,106	4,419	313	7.6%
Other Post Employment Benefits	51850	70,176	71,407	76,856	5,449	7.6%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,130,775	1,348,891	1,511,756	162,865	12.1%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	33	200	200		
Travel Out-of-State	52220		5,000	5,000		
Training & Education	52300	575	1,500	7,000	5,500	366.7%
Repair & Maintenance (Equipment)	52400	86,310	73,000	78,000	5,000	6.8%
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	14,795	22,500	25,150	2,650	11.8%
General Insurance	53400					
Shop & Field Supplies	53500	1,480	3,000	3,000		
Laboratory Supplies	53600	79,527	132,000	100,000	(32,000)	(24.2)%
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800			2,000	2,000	
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		182,720	237,200	220,350	(16,850)	(7.1)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	19,638	517,000		(517,000)	(100.0)%
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		19,638	517,000		(517,000)	(100.0)%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,333,133	2,103,091	1,732,106	(370,985)	(17.6)%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Jerry Bovee	
<b>Program Purpose:</b>	
Provide source testing and technical expertise to Air District Divisions.	
<b>Description of Program:</b>	
The primary functions of the Source Test Section are to: conduct analytical source tests; conduct performance audits on Continuous Emissions Monitors (CEMs); review third party source tests; research and develop new analytical source test procedures: and, provide technical expertise and advice to other Divisions. These data are used to produce engineering studies to determine compliance status for specific source categories, determine whether to issue Permits to Operate, update the emissions inventory, determine actual abatement control effectiveness, provide data & technical assistance for Air District studies including AB 617, and develop applicable standards and produce emissions data for new or revised regulations.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Conduct at least 90 instrumental gaseous source tests.	
Conduct up to 45 particulate or gaseous toxics source tests.	
Conduct at least 150 Field Accuracy Tests (FATs) on CEM systems.	
Conduct up to 24 source tests at gasoline bulk terminals and bulk plants.	
Conduct at least 400 source tests on gasoline cargo tanks.	
Conduct up to 30 Enhanced Vapor Recovery source tests at Gasoline Distribution Facilities (GDF)	
Evaluate up to 450 indicated excesses and other CEM-related call-ins.	
Maintain an electronic list of all source tests conducted at Title V facilities.	
Provide source testing to support rule development and implementation efforts.	
Manage South Bay Odor Study contracts and deliverables	
Provide Rule 12-15 refinery fence line monitoring program oversight	
<b>Major Objectives</b>	<b>Delivery Date</b>
Prepare reports on emissions from various source categories.	Ongoing
Prepare reports on particulate/gaseous toxic emissions from specific sources.	Ongoing
Prepare quarterly and annual summary of CEM data from specific sources.	Ongoing
Prepare reports on VOC emissions from gasoline bulk terminals and plants.	Ongoing
Prepare reports on VOC emissions from gasoline cargo tanks.	Ongoing
Provide monthly reports on indicated excesses from CEM systems.	Ongoing
Prepare reports on compliance rates and emissions, based on outside contractor tests.	Ongoing
Participate in source attribution studies associated with AB 617	Ongoing
Implement new emission testing methods and technologies	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		11.70	12.95	12.00	(0.95)	(7.3)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,343,639	1,532,626	1,505,486	(27,140)	(1.8)%
Overtime Salaries	51150	3,176	7,500	7,500		
Temporary Salaries	51200					
Payroll Taxes	51300	20,729	22,054	21,376	(678)	(3.1)%
Pension Benefits	51400	240,845	329,604	335,231	5,627	1.7%
FICA Replacement Benefits	51500	14,850	22,715	22,522	(193)	(0.8)%
Group Insurance Benefits	51600	202,229	282,182	264,279	(17,903)	(6.3)%
Employee Transportation Subsidy	51700	16,119	18,151	26,070	7,919	43.6%
Workers' Compensation	51800	4,076	7,354	6,652	(702)	(9.5)%
Other Post Employment Benefits	51850	128,248	127,901	115,688	(12,213)	(9.5)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,973,911	2,350,087	2,304,804	(45,283)	(1.9)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	6,426	3,000	3,000		
Travel Out-of-State	52220	4,945	4,000	4,000		
Training & Education	52300	5,478	11,350	11,850	500	4.4%
Repair & Maintenance (Equipment)	52400	2,589	5,000	5,000		
Communications	52500					
Building Maintenance	52600	798	8,800	8,800		
Utilities	52700	22,770	16,950	17,250	300	1.8%
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	241,997	290,250	288,750	(1,500)	(0.5)%
Professional Services & Contracts	53300	33,973	55,000	55,500	500	0.9%
General Insurance	53400					
Shop & Field Supplies	53500	26,955	54,000	54,000		
Laboratory Supplies	53600		10,200	10,400	200	2.0%
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		359,178	458,550	458,550		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120			60,000	60,000	
Lab & Monitoring Equipment	60125	14,250	190,932	85,233	(105,699)	(55.4)%
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		14,250	190,932	145,233	(45,699)	(23.9)%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		2,347,339	2,999,569	2,908,587	(90,982)	(3.0)%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Charles Knoderer	
<b>Program Purpose:</b>	
Provide air quality and open burning forecasts, support for wildfire impacts, and collect, validate, analyze, and disseminate aerometric and meteorological data.	
<b>Description of Program:</b>	
The primary function of the Meteorological Section is to provide air quality forecasts, including open burn, and mandated Air Quality Index (AQI) forecasts, special forecasts for programs such as mandatory curtailment of wood burning, forecasts for wildfire smoke impacts, and episode/alert forecasts. Data analysis objectives include the validation, compilation and interpretation of meteorological and air quality data, and distribution of data to various data systems. Other objectives include evaluation for legal actions and determination of long-term air quality trends.	
<b>Justification of Change Request:</b>	
The Overtime Budget (51155) was increased to account for inflation. This includes additional meetings to coordinate open burning with other agencies (such as CalFire and ARB) and additional forecast responsibilities due to increased wildfire impacts on local air quality. The budget for Professional Services (53300) was increased due to inflationary pressure and contractual agreements. The budget for Out-of-State Travel (52225) was reduced because of reorganization with the M&M division, moving the Air Quality Analysis group to 811.	
<b>Activities</b>	
Provide support for tracking and forecasting smoke plume impacts during wildfire events.	
Provide reliable and timely Air Quality forecasts to the Air District and the public on weekdays, weekends and holidays.	
Review prescribed and marsh burn plans. Issue the daily open burn decision to Regional, State, and National Fire Agencies and the public. Allocate and distribute burn acreage for prescribed, marsh, and Sonoma County stubble burning.	
Quality assure EPA mandated air quality data and provide to EPA within 90 days of the end of a quarter.	
Prepare and provide the Annual Air Monitoring Network Report to EPA, CARB and the public.	
Develop forecasting techniques for winter particulate and summer ozone seasons, including statistical regression equations and develop and maintain the databases these methods are based upon.	
Review air quality and meteorological data from the five oil refinery Ground Level Monitoring (GLM) Networks and evaluate Excess Reports for the Compliance & Enforcement Division regarding compliance with Air District Regulations 1 & 9.	
Respond to record requests for information on air quality and meteorological data from the public. Provide presentations for Air District functions including Board and Committee meetings, and community outreach and public information meetings.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Provide daily air quality forecasts and burn acreage allocations to meet Air District needs. Provide additional support during wildfire impacts.	Ongoing
Submit quality assured air quality data to EPA's AQS Database.	Quarterly
Provide air quality, meteorological, and GLM data in electronic format to requestors.	Monthly
Prepare and submit Annual Air Monitoring Network Plan to EPA, CARB and the public.	June 2021
Continue improvements to databases for air quality and meteorological data.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		5.47	8.68	3.55	(5.13)	(59.1)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	691,159	1,135,154	481,900	(653,254)	(57.5)%
Overtime Salaries	51150	6,327	30,000	30,600	600	2.0%
Temporary Salaries	51200					
Payroll Taxes	51300	10,451	16,708	6,854	(9,854)	(59.0)%
Pension Benefits	51400	98,821	230,635	103,887	(126,748)	(55.0)%
FICA Replacement Benefits	51500	7,508	15,225	6,667	(8,558)	(56.2)%
Group Insurance Benefits	51600	102,278	156,979	63,137	(93,842)	(59.8)%
Employee Transportation Subsidy	51700	8,945	12,166	7,717	(4,449)	(36.6)%
Workers' Compensation	51800	2,097	4,929	1,969	(2,960)	(60.1)%
Other Post Employment Benefits	51850	65,969	85,728	34,247	(51,481)	(60.1)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		993,555	1,687,524	736,978	(950,546)	(56.3)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	6,608	2,000	2,000		
Travel Out-of-State	52220	2,219	20,000	15,000	(5,000)	(25.0)%
Training & Education	52300	2,713				
Repair & Maintenance (Equipment)	52400		12,000	12,000		
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	1,848				
Professional Services & Contracts	53300	120,091	119,008	119,008		
General Insurance	53400					
Shop & Field Supplies	53500	7,886	4,000	4,080	80	2.0%
Laboratory Supplies	53600	315				
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	3,146	20,000	20,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		144,826	177,008	172,088	(4,920)	(2.8)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,138,381	1,864,532	909,066	(955,466)	(51.2)%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Charles Knoderer	
<b>Program Purpose:</b>	
Provide independent performance evaluation services for the Air Monitoring Section and evaluate equipment and siting for air quality monitoring performed by industry and/or their consultants within the Air District's boundaries.	
<b>Description of Program:</b>	
The primary function of the Performance Evaluation (PE) Section is to ensure the accuracy of data collected throughout the Air District's air monitoring network. The PE Section is also responsible for audits and data evaluation of the H2S and SO2 ground level monitors (GLMs) and operation of H2S and SO2 mobile sampling units for odor complaint investigations and episodic sampling. Provide episodic ambient air-sampling after incidents at local refineries and chemical plants. Measure pollutants significant enough to cause wide-spread complaints.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Conduct performance evaluation audits on ambient air monitoring equipment as required by EPA and California Air Resources Board (CARB) regulations, and create accuracy records for reporting to EPA.	
Conduct performance evaluation audits on industry SO2 and H2S GLMs and prepare summary reports of the audits.	
Conduct performance evaluation audits on non-criteria pollutant monitors and prepare summary reports of the audits.	
Participate in inter-agency performance evaluation program conducted by EPA and CARB at Air District sites.	
Perform source-oriented sampling and mobile monitoring during complaint, odor, and episode conditions to provide data required for enforcement action. Between incidents, maintain the instruments and vehicles, as needed.	
Participate in interdivisional teams working on improving Air District regulations and the Manual of Procedures, special studies and customer service.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain the directory of information on network drives for Air District access to all Quality Assurance (QA) data and activities.	Ongoing
Maintain criteria pollutant calibration standards and calibrators to meet EPA requirements.	Ongoing
Revise Standard Operating Procedures (SOPs) to reflect changes in procedures.	Ongoing

# Air Monitoring Instrument Performance Evaluation

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.15	3.12	3.12		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	347,589	357,401	371,888	14,487	4.1%
Overtime Salaries	51150	2,822	2,550		(2,550)	(100.0)%
Temporary Salaries	51200					
Payroll Taxes	51300	5,410	5,152	5,281	129	2.5%
Pension Benefits	51400	65,254	77,181	82,993	5,812	7.5%
FICA Replacement Benefits	51500	3,877	5,472	5,857	385	7.0%
Group Insurance Benefits	51600	52,794	75,192	69,785	(5,407)	(7.2)%
Employee Transportation Subsidy	51700	4,199	4,373	6,781	2,408	55.1%
Workers' Compensation	51800	1,055	1,772	1,730	(42)	(2.4)%
Other Post Employment Benefits	51850	33,180	30,815	30,089	(726)	(2.4)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		516,180	559,908	574,404	14,496	2.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	658	455	455		
Travel Out-of-State	52220	1,830	2,125	2,500	375	17.6%
Training & Education	52300		110		(110)	(100.0)%
Repair & Maintenance (Equipment)	52400	10,260	6,400	6,400		
Communications	52500					
Building Maintenance	52600		11,250	11,250		
Utilities	52700	489				
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	2,311	2,550	2,550		
General Insurance	53400					
Shop & Field Supplies	53500	18,739	16,800	16,535	(265)	(1.6)%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100		160	160		
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		39,176	39,850	39,850		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	15,125	20,400	20,400		
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		15,125	20,400	20,400		
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		570,481	620,158	634,654	14,496	2.3%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Charles Knoderer	
<b>Program Purpose:</b>	
Operate and maintain the Bay Area BioWatch network for the Federal Department of Homeland Security (DHS) in cooperation with the EPA.	
<b>Description of Program:</b>	
The BioWatch Monitoring Program consists of a network of sample collection units located throughout the Bay Area. Filter media are collected and replaced on a daily basis. Exposed filter housing are delivered to an outside laboratory for analysis. The network operates 24-hours a day, 365 days a year. This program is fully funded by a Department of Homeland Security grant and any budgetary changes were made to more accurately reflect the grant request.	
<b>Justification of Change Request:</b>	
All funding changes are covered by the DHS grant award.	
<b>Activities</b>	
Operate and maintain BioWatch collection sites to provide exposed filter media for laboratory analysis.	
Provide training and contract oversight for the BioWatch program.	
Implement Consequence Management Plan for the BioWatch program.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Provide oversight of facilities and equipment.	Ongoing
Assure program requirements for computer entry, sampling, and filter delivery are met.	Ongoing
Assure impacted Air Monitoring and contractor staff are notified in the event of positive results.	Ongoing



		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.07	0.06	0.09	0.03	50.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	11,405	12,294	13,721	1,427	11.6%
Overtime Salaries	51150		4,000		(4,000)	(100.0)%
Temporary Salaries	51200					
Payroll Taxes	51300	178	235	198	(37)	(15.7)%
Pension Benefits	51400	2,453	2,743	2,970	227	8.3%
FICA Replacement Benefits	51500	126	105	184	79	75.2%
Group Insurance Benefits	51600	1,722	859	1,065	206	24.0%
Employee Transportation Subsidy	51700	138	84	213	129	153.6%
Workers' Compensation	51800	35	34	54	20	58.8%
Other Post Employment Benefits	51850	1,089	593	944	351	59.2%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		17,146	20,947	19,349	(1,598)	(7.6)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700		30,015	35,251	5,236	17.4%
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	76,108	50,065	63,480	13,415	26.8%
Professional Services & Contracts	53300	1,129,208	1,238,750	1,246,788	8,038	0.6%
General Insurance	53400					
Shop & Field Supplies	53500		8,000	8,935	935	11.7%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		1,205,316	1,328,830	1,356,454	27,624	2.1%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,222,462	1,349,777	1,375,803	26,026	1.9%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Steven Randall	
<b>Program Purpose:</b>	
Provide air monitoring and meteorological station infrastructure and communication support for the Division. Manage and operate the Division's Data Management System, Laboratory information system, and support the development of required analytical and operational tools.	
<b>Description of Program:</b>	
The Infrastructure and Records Management Section provides network support for Source Test, Air Monitoring, Meteorology, Laboratory and Performance Evaluation Sections. This includes software development, hardware purchases and support, and telecommunications for remote air monitoring and meteorology stations. This Section also supports and maintains data export facilities from the Data Management System.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Maintain computer hardware and infrastructure for remote Meteorology and Measurements Division locations.	
Manage contracts for telecommunication, software development and other Meteorology and Measurements Division IT related tasks.	
Manage software development projects dealing with Meteorology and Measurements Division data retrieval and ensure they are compatible with other integrated software packages.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Manage software and telecommunication contracts for Meteorology and Measurements Division.	Ongoing
Develop software for Meteorology and Measurements Division data retrieval and storage.	Ongoing
Procure computer related hardware for unique Meteorology and Measurements Division tasks.	Ongoing
Maintain IT infrastructure between the Air District office and remote air monitoring, meteorology and other Meteorology and Measurements Division sites.	Ongoing
Support the Air District's real-time air quality and meteorology web page.	Ongoing

# Technical Infrastructure and Data Management

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		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.11	1.55	1.72	0.17	11.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	31,817	215,800	243,501	27,701	12.8%
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	545	3,096	3,467	371	12.0%
Pension Benefits	51400	17,154	47,998	56,221	8,223	17.1%
FICA Replacement Benefits	51500	383	2,719	3,235	516	19.0%
Group Insurance Benefits	51600	5,291	33,127	37,052	3,925	11.8%
Employee Transportation Subsidy	51700	421	2,172	3,745	1,573	72.4%
Workers' Compensation	51800	97	880	955	75	8.5%
Other Post Employment Benefits	51850	3,037	15,309	16,617	1,308	8.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		58,745	321,101	364,793	43,692	13.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500	96,299	97,891	97,891		
Building Maintenance	52600		4,788		(4,788)	(100.0)%
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	80,552	76,350		(76,350)	(100.0)%
Professional Services & Contracts	53300	10,071	63,500	144,641	81,141	127.8%
General Insurance	53400					
Shop & Field Supplies	53500	62,484	67,306	67,303	(3)	
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	28,500	52,975	52,975		
Stationery & Office Supplies	53900	36	500	500		
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		277,942	363,310	363,310		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		336,687	684,411	728,103	43,692	6.4%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Katherine Hoag	
<b>Program Purpose:</b>	
Summarize, analyze, and interpret air quality measurement data and provide technical support to communities.	
<b>Description of Program:</b>	
<p>The primary purpose of the Air Quality Analysis Section is to characterize regional and local air quality using observed meteorological and air quality data, including preparing air quality summaries, determining compliance with National or State standards, and analyzing long-term trends to assess progress. District air monitoring program support includes developing an annual summary of the Air District’s fixed-site air monitoring network, and a long-term assessment of the network’s effectiveness every five years. This section is also responsible for reviewing or designing studies to characterize local air quality and providing analyses to assist developing air quality improvement strategies. This section provides technical support to community-led air quality efforts including leading the AB 617 Monitoring Plan area efforts and contributing to community capacity building efforts and other Community Health Protection Program work.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Air District coordinator for the Bay Air Center.	
Conduct exceptional event notifications or justification packages as needed.	
Coordinate with Community Engagement to provide support for technical community projects, including community-based participatory research projects using air sensors, and providing context to monitoring data.	
Coordinate with other agencies or researchers conducting measurements in the Bay Area.	
Coordinate with other divisions on AB 617 activities, using observed air quality data to develop technical products supporting community selection and local-scale air quality assessments of priority areas to inform emission or exposure reduction strategies or progress.	
Develop or review internal and external monitoring plans and/or air quality reports, including for NOA and DTSC mitigation projects.	
Perform routine and event-driven air quality summaries and analyses to support other Air District programs.	
Technical lead for AB 617 Air Monitoring Plan Area activities, including the development and implementation of the plan, capacity building for the community partners and analyzing monitoring data.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate or support AB617-related activities, including capacity building in priority areas, technical support for District and CARB grants, air quality assessments, and community air monitoring.	Ongoing
Prepare and submit 5-Year Network Assessment to EPA, CARB and the public.	July 2020
Prepare and submit Annual Air Monitoring Network Plan to EPA, CARB and the public.	Annually
Prepare local air quality data reports for AB 617 priority areas.	Ongoing
Prepare Regional Air Quality Data reports summarizing compliance with standards and long-term trends.	Ongoing
Richmond-San Pablo AB 617 Monitoring Plan development and implementation.	Ongoing

	Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>			3.88	3.88	
<b>Personnel Expenditures</b>					
Permanent Salaries	51100		580,402	580,402	
Overtime Salaries	51150		20,000	20,000	
Temporary Salaries	51200				
Payroll Taxes	51300		8,274	8,274	
Pension Benefits	51400		121,825	121,825	
FICA Replacement Benefits	51500		7,290	7,290	
Group Insurance Benefits	51600		61,712	61,712	
Employee Transportation Subsidy	51700		8,437	8,437	
Workers' Compensation	51800		2,153	2,153	
Other Post Employment Benefits	51850		37,442	37,442	
Board Stipends	51900				
<b>Total Personnel Expenditures</b>			847,535	847,535	
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300	800	10,000	9,200	1,150.0%
Repair & Maintenance (Equipment)	52400	5,400		(5,400)	(100.0)%
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300		7,400	7,400	
General Insurance	53400				
Shop & Field Supplies	53500	5,480	16,200	(16,200)	(100.0)%
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800		3,000	3,000	
Stationery & Office Supplies	53900		500	500	
Books & Journals	54100		1,500	1,500	
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>	5,480	22,400	22,400		
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	5,480	22,400	869,935	847,535	3,783.6%

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# Special Revenue Fund Program Narratives and Expenditure Details

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristine Roselius	
<b>Program Purpose:</b>	
The Spare the Air program encourages the public to reduce their driving, a major source of Bay Area air pollution, and promotes the use of public transit, biking, walking, carpooling, trip reduction and other behavior changes that reduce pollution from automobiles. The program provides outreach to employers/employees for the Spare the Air Employer and Commuter Benefits Programs. Employers are targeted specifically due to their significant influence on the commute behaviors of their employees.	
<b>Description of Program:</b>	
The Spare the Air program works with the public to reduce air pollution by promoting employer commute programs and making clean air choices including taking public transportation, ridesharing and trip linking; this program complements Program 305. Funds will be used for electronic notification systems, employer outreach, partnerships and Commuter Benefits Program outreach, as well as staff time associated with the Spare the Air programs and grass roots education.	
<b>Justification of Change Request:</b>	
Budget increase to cover costs of rebranding and streamlining Spare the Air program, app re-design and website updates.	
<b>Activities</b>	
Inform employees about commuter incentive programs and individual choices to reduce air pollution.	
Promote employer transportation programs to reduce the number of single occupancy vehicles commuting to work.	
Prepare and issue media releases, respond to media inquiries and plan employer workshops and events.	
Conduct employer opinion surveys to evaluate Spare the Air program and measure behavior change.	
Support Resource Team activities, projects and promotions.	
Manage and update program websites as well as social media sites.	
Provide public outreach at employer events throughout the Bay Area.	
Notify the media and employers of Spare the Air Alerts through AirAlerts, press releases, websites, apps and social media sites.	
Manage employer outreach & advertising campaign.	
Provide outreach to employers, in concert with MTC, for the Commuter Benefits Program.	
Provide overview of campaign to the Executive Committee and Board of Directors.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Support Air Quality Resource Teams.	June 2021
Manage Spare the Air Employer Program.	June 2021
Conduct employer workshops and develop employer outreach materials, webinars and website information for new employer commute incentives rule.	Ongoing
Coordinate Air District presence at public events, including community events and fairs.	June 2021
Develop video podcasts, video news releases / statements, displays and infographics for Employer Program and Commuter Benefits Program / events.	June 2021
Add new visualization, app integration and other features to improve user experience on sparetheair.org website	June 2021



# Intermittent Control (TFCA)

306

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		3.82	4.78	3.83	(0.95)	(19.87)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	318,945	529,944	445,225	(84,719)	(15.99)
Overtime Salaries	51150	107,662				
Temporary Salaries	51200	3,239				
Payroll Taxes	51300	5,145	7,581	6,320	(1,261)	(16.63)
Pension Benefits	51400	78,519	114,371	98,386	(15,985)	(13.98)
FICA Replacement Benefits	51500	3,637	8,384	7,263	(1,121)	(13.37)
Group Insurance Benefits	51600	49,351	83,191	68,325	(14,866)	(17.87)
Employee Transportation Subsidy	51700	3,889	6,700	8,408	1,708	25.49
Workers' Compensation	51800	968	2,715	2,145	(570)	(20.99)
Other Post Employment Benefits	51850	30,445	47,210	37,310	(9,900)	(20.97)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		601,800	800,096	673,382	(126,714)	(15.84)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	934				
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		5,000		(5,000)	(100.00)
Printing & Reproduction	52900	1,390	15,000	15,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	1,094,859	1,005,000	1,305,000	300,000	29.85
General Insurance	53400					
Shop & Field Supplies	53500	58				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		1,097,241	1,025,000	1,320,000	295,000	28.78
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		311,929	360,043	303,022	(57,021)	(15.84)
<b>Total Expenditures</b>		2,010,970	2,185,139	2,296,404	111,265	5.09

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Implementation of the Carl Moyer Program (CMP), which provides grants for the execution of projects that reduce emissions from primarily heavy-duty engines.	
<b>Description of Program:</b>	
<p>The Air District has participated in the CMP, in cooperation with the California Air Resources Board (CARB), since the program began in fiscal year 1998-1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, and stationary agricultural pump engines. Air District staff conducts outreach and solicits grant applications, reviews the grant applications according to established criteria, recommends allocation of the funding, monitors progress in implementing funded projects, and reports on the use of funds. This program also includes assessment of mobile source technologies in support of the grant-making function.</p> <p>The Air District has been allocated \$50 million from AB 134 (2017) and \$40 million from SB 856 (2018) for emissions reduction projects that provide early actions of the AB 617 process through a Community Air Quality Protection Grant Program. Consistent with legislation, grant funding will be primarily administered through the CMP and Proposition 1B Goods Movement Program. The AB 134 funds must be spent by June 2021, and SB 856 funds must be spent by June 2022.</p>	
<b>Justification of Change Request:</b>	
Increased expenditure to address the program administrative needs for increased revenue.	
<b>Activities</b>	
Develop policies and procedures for the administration of the CMP.	
Conduct outreach to interested parties and provide application assistance.	
Evaluate grant applications for eligibility with CMP guidelines.	
Conduct inspections of the baseline and funded project equipment.	
Prepare grant award recommendations and coordinate the execution of funding agreements for the selected projects.	
Administer and monitor projects that have been awarded CMP grants.	
Prepare and submit reports to CARB on the implementation of the CMP.	
Monitor, inspect, and audit current and previously funded programs and projects to assure compliance with State and District guidelines, policies, and statutory and regulatory requirements.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Finalize policies and procedures for the new CMP funding cycle, consistent with CARB guidelines.	July 2020
Open up a solicitation for the new CMP funding cycle.	August 2020
Evaluate grant applications and prepare grant award recommendations for Board of Directors approval.	Ongoing
Issue funding agreements (contracts) for CMP grants awarded.	Ongoing
Submit reports to CARB on the District's implementation of the CMP.	August 2020
Process payments, review project reports, inspect and close out on-going projects.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		8	9	11	2	26.32
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	897,562	1,000,362	1,304,746	304,384	30.43
Overtime Salaries	51150		35,000		(35,000)	(100.00)
Temporary Salaries	51200	1,889				
Payroll Taxes	51300	13,572	14,825	18,523	3,698	24.94
Pension Benefits	51400	101,385	211,001	280,794	69,793	33.08
FICA Replacement Benefits	51500	9,794	15,331	20,721	5,390	35.16
Group Insurance Benefits	51600	133,426	174,779	182,483	7,704	4.41
Employee Transportation Subsidy	51700	10,624	12,250	23,985	11,735	95.80
Workers' Compensation	51800	2,723	4,963	6,120	1,157	23.31
Other Post Employment Benefits	51850	85,665	86,321	106,437	20,116	23.30
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,256,640	1,554,832	1,943,809	388,977	25.02
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		4,000	4,000		
Travel Out-of-State	52220		3,000	3,000		
Training & Education	52300		1,500	1,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	215	2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	40,807	300,000	334,700	34,700	11.57
General Insurance	53400					
Shop & Field Supplies	53500	157	2,000	2,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		1,000	1,000		
Stationery & Office Supplies	53900	761	600	600		
Books & Journals	54100		200	200		
Minor Office Equipment	54200		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>		41,940	315,300	350,000	34,700	11.01
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>	70005	620,689				
<b>Total Expenditures</b>		1,919,269	1,870,132	2,293,809	423,677	22.65

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Administer motor vehicle registration fee surcharge revenues to reduce on-road vehicle emissions.	
<b>Description of Program:</b>	
<p>In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its jurisdiction to fund projects that reduce on-road motor vehicle emissions. The Air District allocates these funds to eligible projects through its Transportation Fund for Clean Air (TFCA) program and a portion of the funds collected are expended for administrative purposes. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242. Sixty percent of the funds are awarded directly by the Air District to eligible Air District programs (e.g., Spare the Air) and through the TFCA Regional Fund program. The remaining 40% are forwarded to the nine designated Bay Area congestion management agencies and distributed through the County Program Manager Fund program.</p> <p>The TFCA provides grants to reduce emissions of criteria pollutants through trip reduction projects and clean-air vehicle-based projects.</p>	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Prepare recommendations for updates to program policies for consideration by the Board of Directors; update program guidance and administrative operating procedures; and develop solicitation packages and conduct outreach.	
Review and evaluate project applications to determine their eligibility, and prepare recommendations for award of eligible projects for approval by the Board of Directors.	
Prepare contracts, amendments, and correspondence; review progress reports, inspect, and audit programs and projects to assure compliance with District policies and statutory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare technical, financial, and staff reports and attend meetings.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Complete updates to the FYE 2022 County Program Manager policies for Board of Directors consideration and distribute guidance and application package to Program Managers	December 2020
Obtain Board of Director approval of proposed FYE 2022 expenditure reports and execute funding agreements with the nine County Program Managers.	June 2021
Open solicitations for FYE 2021 Regional Fund; conduct outreach, review applications, and obtain Board of Directors approval for eligible projects; and execute agreements with grantees.	Ongoing
Prepare FYE 2020 TFCA Report on Regional Fund Expenditures and Effectiveness.	December 2020
Conduct audit of TFCA funded projects and programs completed by 6/30/2019.	December 2020

# Transportation Fund for Clean Air Administration (TFCA)

308

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		5.83	6.78	5.46	(1.32)	(19.47)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	655,849	734,463	601,647	(132,816)	(18.08)
Overtime Salaries	51150	3,466		5,000	5,000	
Temporary Salaries	51200					
Payroll Taxes	51300	10,031	10,504	8,559	(1,945)	(18.52)
Pension Benefits	51400	120,143	151,392	129,770	(21,622)	(14.28)
FICA Replacement Benefits	51500	7,162	11,892	9,741	(2,151)	(18.09)
Group Insurance Benefits	51600	97,490	117,864	79,670	(38,194)	(32.41)
Employee Transportation Subsidy	51700	9,730	9,503	11,276	1,773	18.66
Workers' Compensation	51800	1,992	3,850	2,877	(973)	(25.27)
Other Post Employment Benefits	51850	62,688	66,963	50,037	(16,926)	(25.28)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		968,551	1,106,431	898,577	(207,854)	(18.79)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	5,384	12,400	13,900	1,500	12.10
Travel Out-of-State	52220	7,545	9,000	14,400	5,400	60.00
Training & Education	52300	8,464	14,200	16,500	2,300	16.20
Repair & Maintenance (Equipment)	52400					
Communications	52500	885	1,000	2,000	1,000	100.00
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	146,318	387,500	425,860	38,360	9.90
General Insurance	53400					
Shop & Field Supplies	53500	447	3,500	3,500		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	3,466	7,400	13,000	5,600	75.68
Stationery & Office Supplies	53900	1,291	3,000	3,000		
Books & Journals	54100		440	440		
Minor Office Equipment	54200		400	400		
<b>Total Services &amp; Supplies Expenditures</b>		173,800	440,840	495,000	54,160	12.29
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>	70005	321,264	81,347	1,875,041	1,793,694	2,204.99
<b>Total Expenditures</b>		1,463,615	1,628,618	3,268,618	1,640,000	100.70

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Administer funding from motor vehicle surcharge revenues, authorized by AB 923, for emission reduction projects.	
<b>Description of Program:</b>	
<p>Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge for motor vehicles within the Air District's jurisdiction up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF).</p> <p>MSIF funds can be allocated to the following eligible projects and programs, according to established criteria: the Lower-Emission School Bus Program, a passenger vehicle retirement program, projects eligible for Carl Moyer Program funds, and selected agricultural projects. Staff recommends funding allocations to eligible projects and programs for approval by the Board of Directors, monitors progress in implementing funded projects, reports on the use of the funds, and coordinates verification of requirements compliance. This program also includes assessment of mobile source and transportation technologies and programs in support of the grant-making function.</p>	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Recommend funding allocations to the Board of Directors.	
Conduct outreach to interested parties and provide application assistance.	
Evaluate grant applications for eligibility with applicable guidelines.	
Conduct inspections of the baseline and funded project equipment.	
Prepare grant award recommendations and coordinate the execution of funding agreements for the selected projects.	
Administer and monitor projects that have been awarded grants.	
Prepare and submit reports to the California Air Resources Board (CARB) on the expenditure of MSIF funds.	
Monitor, inspect, and audit current and previously funded programs and projects to assure compliance with State and District guidelines, policies, and statutory and regulatory requirements.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Report MSIF expenditures to CARB.	August 2020
Define allocation of available funds to eligible projects and programs.	March 2021
Conduct outreach, and solicit project applications.	Ongoing
Obtain Board of Directors approval of project recommendations.	Ongoing
Prepare and coordinate execution of funding agreements.	Ongoing
Process payments, review project reports, inspect and close out on-going projects.	Ongoing
Monitor the progress of funded projects.	Ongoing

# Mobile Source Incentive Fund (MSIF)

310

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.81	2.06	2.50	0.44	21.36
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	110,586	235,581	288,146	52,565	22.31
Overtime Salaries	51150	13				
Temporary Salaries	51200					
Payroll Taxes	51300	1,854	3,371	4,082	711	21.09
Pension Benefits	51400	51,665	49,983	60,819	10,836	21.68
FICA Replacement Benefits	51500	1,297	3,613	4,700	1,087	30.09
Group Insurance Benefits	51600	17,632	39,031	44,490	5,459	13.99
Employee Transportation Subsidy	51700	1,531	2,887	5,440	2,553	88.43
Workers' Compensation	51800	335	1,170	1,388	218	18.63
Other Post Employment Benefits	51850	10,554	20,346	24,142	3,796	18.66
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		195,467	355,982	433,207	77,225	21.69
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,615	8,000	8,000		
Travel Out-of-State	52220					
Training & Education	52300	750	5,000	5,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	114				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		3,000	3,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	41,648	120,000	38,300	(81,700)	(68.08)
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,773	4,000	4,000		
Stationery & Office Supplies	53900		500	500		
Books & Journals	54100		200	200		
Minor Office Equipment	54200		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>		46,900	141,700	60,000	(81,700)	(57.66)
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		101,316	234,675	26,358	(208,317)	(88.77)
<b>Total Expenditures</b>		343,683	732,357	519,565	(212,792)	(29.06)

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Accelerate the removal of high-emitting vehicles from the on-road motor vehicle fleet within the District's jurisdiction.	
<b>Description of Program:</b>	
The program removes high-emitting motor vehicles from the region's roadways by purchasing and scrapping eligible vehicles from registered owners on a voluntary basis.	
<b>Justification of Change Request:</b>	
No change.	
<b>Activities</b>	
Implement procurement process for vehicle scrapping services.	
Oversee contractor's purchase and scrapping of vehicles.	
Respond to inquiries regarding Vehicle Buy-Back Program.	
Implement procurement process for direct mail campaign services.	
Oversee contractor's direct mailings.	
Acquire and update Department of Motor Vehicles (DMV) database used for direct mail annually.	
Develop and update Vehicle Buy-Back outreach materials.	
Conduct site visits of dismantling yards and dismantler offices.	
Manage suppression list and update DMV database.	
Review and approve scrapping contractor invoices.	
Review and approve direct mail contractor invoices.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement the Vehicle Buy-Back program, monitor contractor performance, review/ pay program invoices.	Ongoing
Report program expenditures to the California Air Resources Board (CARB)	August 2020



# Vehicle Buy Back (MSIF)

312

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.34	0.37	1.30	0.93	251.35
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	24,773	34,146	127,112	92,966	272.26
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	376	487	1,793	1,306	268.17
Pension Benefits	51400	3,949	7,173	28,091	20,918	291.62
FICA Replacement Benefits	51500	271	649	2,440	1,791	275.96
Group Insurance Benefits	51600	3,687	5,113	17,259	12,146	237.55
Employee Transportation Subsidy	51700	295	519	2,824	2,305	444.12
Workers' Compensation	51800	75	210	720	510	242.86
Other Post Employment Benefits	51850	2,365	3,654	12,530	8,876	242.91
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		35,791	51,951	192,769	140,818	271.06
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	4,894,146	7,200,000	7,200,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		4,894,146	7,200,000	7,200,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		18,551		86,746	86,746	
<b>Total Expenditures</b>		4,948,488	7,251,951	7,479,515	227,564	3.14

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Administer new, one-time pass through, sources of funding to implement emissions reductions projects	
<b>Description of Program:</b>	
Each year the Air District receives grant revenues from sources such as the Bay Area Clean Air Foundation, State of California, Federal government, and settlement agreements that augment and complement funding from its other perennial sources of funding. Grant funding from these sources is often awarded to the District through a competitive solicitation process that results in funding that can be used to support specific projects for a limited and specified period (e.g., 1 to 2 years).	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Develop policies and guidelines, issue calls for projects, conduct workshops, attend meetings, and outreach to potential project sponsors.	
Review, evaluate and rank project applications to determine their eligibility and award amount, and prepare associated project documents (contracts, letters, reports, and communications).	
Prepare recommendations for award of eligible projects for approval by the Air District's Board of Directors.	
Monitor, inspect, and audit funded programs and projects to assure compliance of applicable grant agreements, guidelines, policies, and statutory and regulatory requirements.	
Review progress reports, process reimbursement requests, and ensure project files are complete and up to date.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop policies and guidelines, issue calls for projects, conduct workshops, attend meetings, and outreach to potential project sponsors.	Ongoing
Review and evaluate applications, prepare recommendations for award of eligible projects, prepare associated project documents (contracts, letters, reports, and communications).	Ongoing
Monitor, inspect, and audit funded programs and projects; review progress reports, process reimbursement requests, and ensure project files are complete and up to date; and prepare technical, financial, and staff reports.	Ongoing

# Miscellaneous Incentive Program (Other Grant)

316

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.79	0.84	0.22	(0.62)	(73.81)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	97,552	97,120	63,397	(33,723)	(34.72)
Overtime Salaries	51150	316				
Temporary Salaries	51200					
Payroll Taxes	51300	1,478	1,390	902	(488)	(35.11)
Pension Benefits	51400	13,227	20,056	13,504	(6,552)	(32.67)
FICA Replacement Benefits	51500	1,054	1,473	934	(539)	(36.59)
Group Insurance Benefits	51600	14,367	13,972	8,961	(5,011)	(35.86)
Employee Transportation Subsidy	51700	1,149	1,177	1,081	(96)	(8.16)
Workers' Compensation	51800	296	477	276	(201)	(42.14)
Other Post Employment Benefits	51850	9,312	8,296	4,795	(3,501)	(42.20)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		138,751	143,961	93,850	(50,111)	(34.81)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		6,300	6,300		
Travel Out-of-State	52220			6,300	6,300	
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	71,622	4,000		(4,000)	(100.00)
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		71,622	10,300	12,600	2,300	22.33
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		22,355				
<b>Total Expenditures</b>		232,728	154,261	106,450	(47,811)	(30.99)

<b>Managing Division:</b>	
Technology Implementation Office	
<b>Contact Person:</b>	
Anthony Fournier	
<b>Program Purpose:</b>	
Administer funding, outreach, and planning to accelerate the adoption of light-duty (passenger) electric vehicles (EVs) and EV infrastructure in the Bay Area.	
<b>Description of Program:</b>	
The Air District's 2017 Clean Air Plan established a goal of 90% of Bay Area vehicles being zero emissions by 2050. To support this goal, this program incentives publicly available charging infrastructure, vehicle fleets, and electric vehicles for low-income consumers. This program includes the Charge! program for EV infrastructure, Clean Fleets for light-duty vehicle fleets, and the Clean Cars For All program for income-eligible residents in impacted communities. To complement and increase utilization of the incentives programs, this program also includes outreach, regional coordination, and planning to remove potential barriers and accelerate EV deployment throughout the Bay Area.	
<b>Justification of Change Request:</b>	
Grant funding from the California Air Resources Board and Federal Highway Administration to expand incentives for income-eligible consumers (ARB) and support outreach, partnerships, and planning (FHWA).	
<b>Activities</b>	
Administer grant programs, including updating policies and guidelines, conducting outreach, preparing program documents and communications, processing reimbursement requests, tracking project status, and conducting audits, for Charge!, Clean Fleets, and Clean Cars For All.	
Organize and participate in workgroups and events to increase awareness about EVs, support deployment, sharing best practices, and regional coordination.	
Conduct analyses and planning to inform Air District strategy and programs.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Complete awards for first two funding cycles and begin third cycle available for Clean Cars For All program, including outreach to eligible communities and residents.	June 2021
Complete cycle of Charge! Program on online grant management system.	June 2021
Develop implementation tools based on Bay Area EV Acceleration Plan	June 2021
Organize quarterly Bay Area EV Coordinating Council meetings	Ongoing

# Light Duty Electric Vehicle Program (Other Grant)

317

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		4.60	6.08	5.50	(0.58)	(9.54)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	476,675	641,671	645,158	3,487	0.54
Overtime Salaries	51150	2,110	2,000	2,000		
Temporary Salaries	51200	3,762				
Payroll Taxes	51300	7,145	9,203	9,146	(57)	(0.62)
Pension Benefits	51400	54,309	134,731	143,991	9,260	6.87
FICA Replacement Benefits	51500	5,173	10,665	10,339	(326)	(3.06)
Group Insurance Benefits	51600	70,541	58,908	81,960	23,052	39.13
Employee Transportation Subsidy	51700	5,639	8,522	11,967	3,445	40.42
Workers' Compensation	51800	1,446	3,453	3,054	(399)	(11.56)
Other Post Employment Benefits	51850	45,501	60,049	53,107	(6,942)	(11.56)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		672,301	929,202	960,722	31,520	3.39
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	3,973	9,000	9,000		
Travel Out-of-State	52220	6,165	7,000	7,000		
Training & Education	52300	2,082	3,000	10,000	7,000	233.33
Repair & Maintenance (Equipment)	52400					
Communications	52500		1,000	2,000	1,000	100.00
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	359,123	524,000	540,000	16,000	3.05
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		54,300	3,000	(51,300)	(94.48)
Stationery & Office Supplies	53900	700	250		(250)	(100.00)
Books & Journals	54100		250		(250)	(100.00)
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		372,043	598,800	571,000	(27,800)	(4.64)
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		219,696				
<b>Total Expenditures</b>		1,264,040	1,528,002	1,531,722	3,720	0.24

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Juan Ortellado	
<b>Program Purpose:</b>	
Conduct enhanced inspection patrols to report smoking vehicles and to promote repair or retirement of these vehicles for the protection of public health. Conduct enhanced inspections to enforce drayage truck and related truck/mobile source regulations at, and adjacent to, the Port of Oakland.	
<b>Description of Program:</b>	
The enhanced mobile source inspection program is conducted to reduce particulate matter (PM) emissions throughout the Bay Area, and of PM and other emissions specifically at, and adjacent to, the Port of Oakland. Enhanced enforcement patrols are conducted for smoking vehicles. All Air District inspectors patrol for smoking vehicles on the road, between performing inspections and answering complaints. Smoking vehicles are reported to Air District dispatchers; owner information is extracted from Department of Motor Vehicles (DMV) records. Letters are sent to owners to request that they repair or retire the respective vehicles; compliance assistance materials are included. Enhanced enforcement of the State drayage truck regulation (DTR) and related truck/mobile source regulations is conducted at, and adjacent to, the Port of Oakland. Targeted enforcement includes ensuring compliance with required upgrades and modifications to engine model year 2010 and newer for drayage trucks. Enhanced patrols and enforcement are conducted to ensure that illegal dray-off activities and excess idling are not performed. Compliance checks of mobile source equipment and vehicles are conducted to verify adherence to State regulations. Compliance assistance materials are developed; outreach is conducted with truckers and other mobile source operators regarding regulation(s) requirements, compliance deadlines and the availability of Air District grants and incentives.	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Smoking Vehicles: Conduct inspection patrols for smoking vehicles. Vehicle owners are identified using DMV records. Notification letters are sent to vehicle owners to inform them of the vehicle's excess emissions and to request that they repair the vehicle or contact assistance programs to retire the vehicle.	
Port Trucks Compliance Assurance: Conduct enhanced mobile source inspections at and adjacent to the Port of Oakland for compliance with the State DTR and related truck/mobile source regulations. Additional inspections are conducted and targeted at ensuring upgrades and modifications to engine model year 2010 and newer trucks in compliance with the requirements of Phase 1 and Phase 2 of the California Air Resources Board's DTR. Additional focused inspections are conducted for compliance with dray-off provisions of the regulation and to ensure that non-compliant trucks do not enter the Port. Air District staff also verify compliance with State mobile source regulations pursuant to the Air District's Mobile Source Compliance Plan.	
Port Trucks Enforcement: Conduct investigations and inspections, issue and process Notice of Violations for trucks and other mobile sources found in non-compliance.	
Port Trucks Compliance Assistance: Develop fact sheets, posters and other outreach materials to provide to Port operators and truckers on regulatory requirements, upcoming compliance dates and the availability of Air District grants. Develop compliance assistance materials for related mobile source regulatory requirements. Provide compliance assistance during inspections and following enforcement actions; provide bilingual assistance where needed. Identify and translate compliance assistance materials. Participate in Trucker Workgroup meetings at the Port, as needed.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

# Enhanced Mobile Source Inspections (TFCA)

318

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.06	0.16	0.04	(0.12)	(75.00)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	6,064	13,304	3,593	(9,711)	(72.99)
Overtime Salaries	51150					
Temporary Salaries	51200	163				
Payroll Taxes	51300	93	189	50	(139)	(73.54)
Pension Benefits	51400	842	2,822	780	(2,042)	(72.36)
FICA Replacement Benefits	51500	66	281	87	(194)	(69.04)
Group Insurance Benefits	51600	901	2,781	711	(2,070)	(74.43)
Employee Transportation Subsidy	51700	72	224	100	(124)	(55.36)
Workers' Compensation	51800	18	91	26	(65)	(71.43)
Other Post Employment Benefits	51850	579	1,580	445	(1,135)	(71.84)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		8,798	21,272	5,792	(15,480)	(72.77)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500	2,744	3,000	3,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800		4,000	4,000		
Printing & Reproduction	52900		8,000	8,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	8,340				
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		11,084	15,000	15,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		4,561	9,572	2,606	(6,966)	(72.77)
<b>Total Expenditures</b>		24,443	45,844	23,398	(22,446)	(48.96)

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Juan Ortellado	
<b>Program Purpose:</b>	
Implementation of the Commuter Benefits Program, per the requirements of Air District Regulation 14-1.	
<b>Description of Program:</b>	
As part of the implementation of the Commuter Benefits Program, staff plans to continue performing education, outreach, monitoring and tracking of approximately 10,000 Bay Area employers subject to the Program. Enforcement actions will be taken as appropriate.	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Perform outreach to affected employers.	
Continue education campaign for affected employers.	
Perform tracking and monitoring of program.	
Facilitate data reporting and storage for affected employers.	
Coordinate activities with Metropolitan Transportation Commission's 511.org.	
Prepare and implement a compliance and enforcement system.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct outreach and education.	Ongoing
Prepare and implement a compliance and enforcement system.	Ongoing



# Commuter Benefits Program (TFCA)

319

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.43	0.80	0.40	(0.40)	(50.00)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	48,884	106,249	52,216	(54,033)	(50.86)
Overtime Salaries	51150					
Temporary Salaries	51200	3,016				
Payroll Taxes	51300	738	1,523	741	(782)	(51.35)
Pension Benefits	51400	4,200	23,198	12,059	(11,139)	(48.02)
FICA Replacement Benefits	51500	538	1,403	769	(634)	(45.19)
Group Insurance Benefits	51600	7,342	14,522	7,018	(7,504)	(51.67)
Employee Transportation Subsidy	51700	583	1,121	890	(231)	(20.61)
Workers' Compensation	51800	148	454	227	(227)	(50.00)
Other Post Employment Benefits	51850	4,666	7,901	3,950	(3,951)	(50.01)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		70,115	156,371	77,870	(78,501)	(50.20)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		6,000	6,000		
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		5,000	5,000		
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300					
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>			11,000	11,000		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		36,344	70,367	35,042	(35,325)	(50.20)
<b>Total Expenditures</b>		106,459	237,738	123,912	(113,826)	(47.88)

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
The purpose of this program is to protect public health by reducing emissions associated with goods movement activities.	
<b>Description of Program:</b>	
In 2007, the California State Legislature enacted Senate Bill 88 authorizing \$1 billion in bond funding over four years for projects to protect public health from emissions associated with goods movement activities. In FYE 2020 staff will continue administration of the Year 5 round of program funding, monitor progress in implementing funded projects, work to ensure projects are completed as required, disburse grant funds by the specified deadlines, and report on project status and use of funds.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Develop policies and procedures for the administration of the Goods Movement Bond Program (GMP).	
Conduct outreach to interested parties and provide application assistance.	
Evaluate grant applications for eligibility with GMP guidelines.	
Conduct inspections of the baseline and funded project equipment.	
Prepare grant award recommendations and coordinate the execution of funding agreements for the selected projects.	
Administer and monitor projects that have been awarded GMP grants.	
Prepare and submit reports to the California Air Resources Board (CARB) on the implementation of the GMP.	
Monitor, inspect, and audit current and previously funded programs and projects to assure compliance with State and Air District guidelines, policies, and statutory and regulatory requirements.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Monitor Year 5 projects, ensure projects are completed and paid on schedule.	December 2020
Conduct project inspections, review applications, and prepare reports for submittal to CARB.	December 2020
Monitor the performance of previously funded GMP projects.	Ongoing

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.14	0.84	0.85	0.01	1.19
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	46,962	89,195	104,132	14,937	16.75
Overtime Salaries	51150					
Temporary Salaries	51200					
Payroll Taxes	51300	829	1,275	1,481	206	16.16
Pension Benefits	51400	29,473	18,787	22,552	3,765	20.04
FICA Replacement Benefits	51500	549	1,473	1,595	122	8.28
Group Insurance Benefits	51600	7,429	17,450	15,526	(1,924)	(11.03)
Employee Transportation Subsidy	51700	982	1,177	1,846	669	56.84
Workers' Compensation	51800	142	477	471	(6)	(1.26)
Other Post Employment Benefits	51850	4,483	8,296	8,193	(103)	(1.24)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		90,849	138,130	155,796	17,666	12.79
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		2,000	2,000		
Travel Out-of-State	52220					
Training & Education	52300		1,500	1,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700	207				
Postage	52800					
Printing & Reproduction	52900		500	500		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	12,895	50,000	65,500	15,500	31.00
General Insurance	53400					
Shop & Field Supplies	53500		3,000	3,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	693	1,500	1,500		
Stationery & Office Supplies	53900		1,000	1,000		
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		13,795	59,500	75,000	15,500	26.05
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(217)	(47,631)	19,204	66,835	(140.32)
<b>Total Expenditures</b>		104,427	149,999	250,000	100,001	66.67

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
The purpose of this program is to administer the Volkswagen Environmental Mitigation Trust funds to mitigate the lifetime excess oxides of nitrogen (NOx) emissions caused by VW's use of an illegal defeat device.	
<b>Description of Program:</b>	
<p>On May 25, 2018, the California Air Resources Board (CARB) approved the Volkswagen Environmental Mitigation Trust (VW Trust) Beneficiary Mitigation Plan and approved the selection of the Bay Area Air District to administer Trust funding on a statewide-basis for the zero-emission freight and marine and the light-duty zero emission vehicle infrastructure categories.</p> <p>The Trust is an element of the settlement with VW for their use of an illegal defeat device and is intended to fully mitigate the lifetime excess oxides of nitrogen (NOx) emissions caused by VW's actions. CARB is the designated Lead Agency acting on the State's behalf as beneficiary to implement California's \$423 million in VW Trust funds for eligible project categories, including \$77 million to fund zero-emission freight and marine projects, such as forklifts and port cargo handling equipment, airport ground support equipment, oceangoing vessel shore power, zero-emission ferry, tugboat, and towboat repowers, and \$11 million to fund light-duty electric vehicle charging and hydrogen fueling infrastructure projects.</p> <p>In FYE 2021 staff will work with CARB and other air districts to update the Implementation Manual, issue project solicitations, evaluate project applications, recommend award for funding, execute contracts with grantees, monitor project progress, and report the use of funds, conduct public outreach, maintain a Program website and a grants management system, etc.</p>	
<b>Justification of Change Request:</b>	
<b>Activities</b>	
Update Program Implementation Manual.	
Conduct outreach, workgroup meetings, webinars.	
Maintain grants management system.	
Maintain program website and program hotline.	
Develop program solicitation package and open the solicitation.	
Evaluate applications and prepare recommendations for awards.	
Contract with selected grantees.	
Inspect and monitor projects.	
Review project invoices and process payments.	
Prepare and submit funding disbursement requests and reports to CARB.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct outreach and workgroup meetings	Ongoing
Maintain grants management system, program website and hotline	Ongoing
Update Program Implementation Manual as needed	Ongoing
Evaluate project applications, recommend award for funding, execute contracts with grantees, monitor project progress, review reimbursement request and process payments	Ongoing
Submit reports and funding disbursement requests to CARB	Ongoing

# Vehicle Mitigation (VW Trust)

324

		Audited Program Expenditures	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.62	5.12	4.25	(0.87)	(16.99)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	85,232	584,809	521,324	(63,485)	(10.86)
Overtime Salaries	51150	3,118				
Temporary Salaries	51200					
Payroll Taxes	51300	1,255	8,370	7,412	(958)	(11.45)
Pension Benefits	51400	6,110	117,757	111,819	(5,938)	(5.04)
FICA Replacement Benefits	51500	886	8,980	7,975	(1,005)	(11.19)
Group Insurance Benefits	51600	12,116	103,502	83,067	(20,435)	(19.74)
Employee Transportation Subsidy	51700	968	7,176	9,231	2,055	28.64
Workers' Compensation	51800	259	2,908	2,355	(553)	(19.02)
Other Post Employment Benefits	51850	8,135	50,568	40,964	(9,604)	(18.99)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		118,079	884,070	784,147	(99,923)	(11.30)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	9,490	27,600	27,600		
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	34,795	423,400	352,400	(71,000)	(16.77)
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		44,285	451,000	380,000	(71,000)	(15.74)
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		61,203	397,832	352,866	(44,966)	(11.30)
<b>Total Expenditures</b>		223,567	1,732,902	1,517,013	(215,889)	(12.46)

<b>Managing Division:</b>	
Community Engagement & Policy Division	
<b>Contact Person:</b>	
Elizabeth Yura	
<b>Program Purpose:</b>	
This program will implement a Supplemental Environmental Project (SEP) funded by the California Air Resources Board (CARB). The goal of the program is to provide high efficiency indoor air filtration systems in some of the most impacted communities in the Bay Area.	
<b>Description of Program:</b>	
In 2018 the Air District applied for a Supplemental Environmental Project grant from CARB and received \$2,000,000 to provide air filtration systems at sensitive receptor facilities in disproportionately impacted and disadvantaged communities in the Bay Area. During FY21 the program will focus on providing filtration to public elementary schools in priority communities identified through AB 617. The Air District will manage a contract to support installation and maintenance of air filtration systems.	
<b>Justification of Change Request:</b>	
The Air District received the funds in early 2019, and there will be no impact on the Air District's general fund.	
<b>Activities</b>	
Supplemental Environmental Project (SEP): Program to install air filtration systems at schools in AB 617 priority communities.	
Manage contract with IQAir for filtration system installation and 5-year maintenance at priority schools identified through site assessments.	
Provide program and contract oversight.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement first CARB SEP for filtration systems at elementary schools in AB 617 priority communities	June 2021

Community Engagement - Special Project (Other Grant)

325

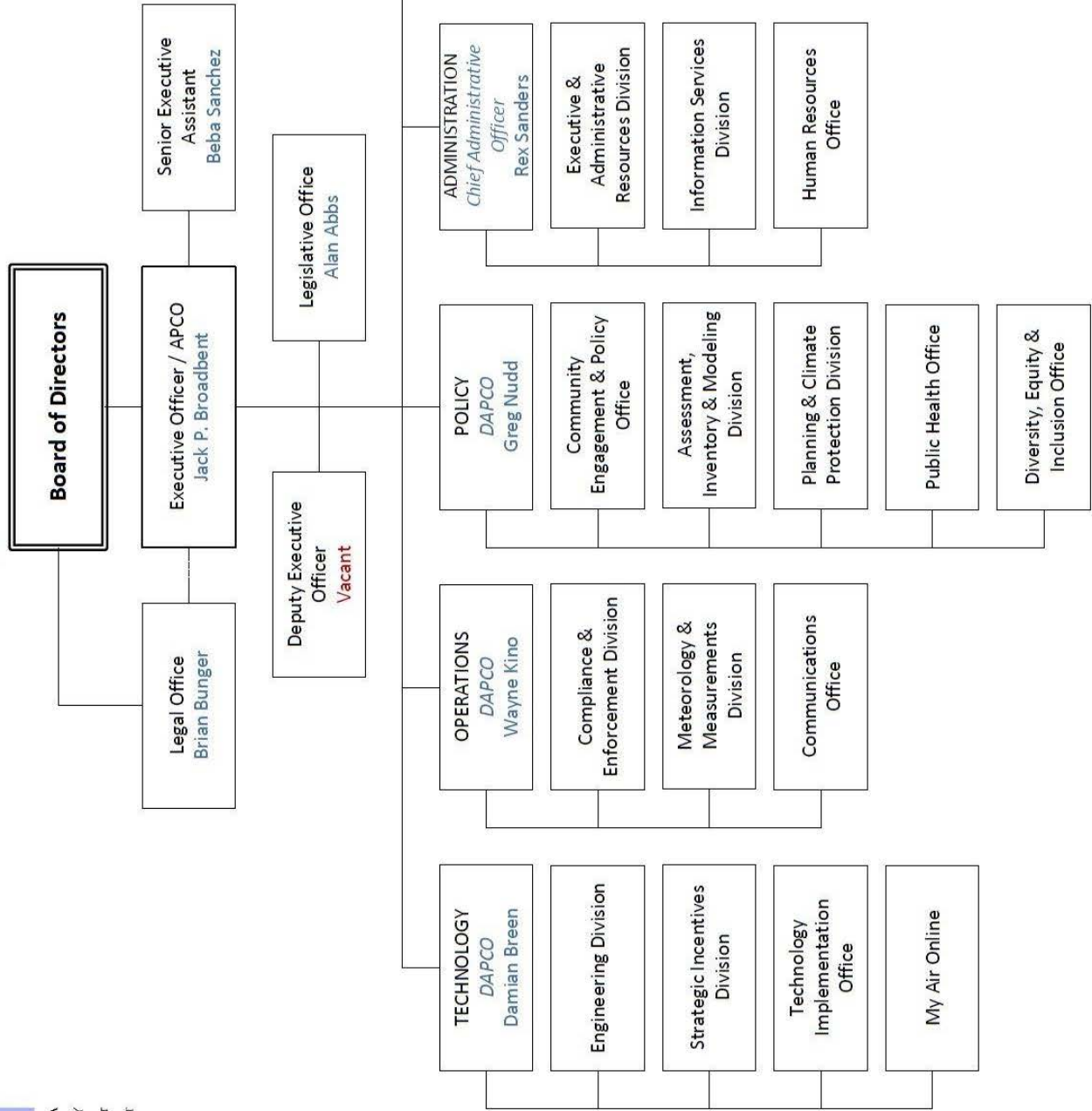
	Audited Program	Approved	Proposed	FTE/Dollar	Percent
	Expenditures	Program Budget	Program Budget	Change	Change
	2019	2020	2021	\$	%
<b>Number of Positions (FTE)</b>		0.50		(0.50)	(100.00)
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	59,800		(59,800)	(100.00)
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300	856		(856)	(100.0)
Pension Benefits	51400	13,277		(13,277)	(100.0)
FICA Replacement Benefits	51500	877		(877)	(100.0)
Group Insurance Benefits	51600	10,039		(10,039)	(100.0)
Employee Transportation Subsidy	51700	701		(701)	(100.0)
Workers' Compensation	51800	284		(284)	(100.0)
Other Post Employment Benefits	51850	4,938		(4,938)	(100.0)
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		90,772		(90,772)	(100.0)
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	750,000	1,500,000	750,000	100.0
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>		750,000	1,500,000	750,000	100.0
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		840,772	1,500,000	659,228	78.41

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# Appendices

# Bay Area Air Quality Management District Organizational Chart



Jack P. Broadbent  
Executive Officer/APCO  
Updated: 02/06/2020

## APPENDIX A

## APPENDIX B

### SELECTED LEGAL REQUIREMENTS

The following highlights selected major legal requirements regarding the use and collection of funds that are considered when developing and reviewing the Air District's budget:

1. Federal law requires that the Air District collect fees from affected facilities to fund the implementation of Title V of the Federal Clean Air Act (42 U.S.C. Section 7401, *et seq.* and implementing regulations in 40 CFR Parts 60 and 70). Implementation of Title V includes all activities involved in the review, issuance, and enforcement of Title V Permits. "Affected facilities" include all major stationary sources as defined in the Federal Clean Air Act.
2. Revenue received by the Air District pursuant to *California Health and Safety Code* Section 44220, *et seq.* (Transportation Fund for Clean Air (TFCA)) may only be used to fund approved projects, and certain expenditures incurred for administration of the TFCA program, including audits. The expenditures for the administration of TFCA grants are contained in the Transportation Fund for Clean Air Administration.
3. Permit fee revenue may only be used to fund activities associated with the permitting, monitoring, and enforcement of regulations affecting permitted stationary sources. Past audits of District activities have shown that the Air District's programs meet this test.
4. Funding from several sources, including grants, is restricted, and thus may only be used to fund certain activities. Air District accounts are periodically audited to ensure that such funds are used appropriately.
5. *California Health and Safety Code* Section 40131(a)(3) requires that two public hearings be held regarding the adoption of the District budget. The first hearing is for the exclusive purpose of reviewing the budget and providing the public with the opportunity to comment upon the proposed budget. This hearing must be separate from the hearing at which the District adopts its budget. The adoption hearing may not be held any sooner than two weeks after the first hearing. Thirty (30) days public notice must be given before the first public hearing.
6. The Maintenance of Effort (MOE) level refers to a Federal EPA Section 105 grant condition. This condition states that, "No agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year unless the Administrator, after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of Government." Depending on the expenditures reported on the Federal Status Report (FSR) at the conclusion of the federal FYE 2020, receipt of the Federal grant funds for FYE 2021 could be delayed or jeopardized because of this MOE requirement.

## APPENDIX C

### GENERAL FUND RESERVES AND LIABILITIES

FUND BALANCES	6/30/2019 Audited	6/30/2020 Projected	6/30/2021 Projected
DESIGNATED: *			
Economic Contingency	19,084,769	20,082,966	21,294,922
Napa/Sonoma Fireplace Replacement Grant	1,000,000	0	0
Pension Liability	2,000,000	2,000,000	2,000,000
Technology Implementation Office	0	3,350,000	3,350,000
Woodsmoke Grant	1,000,000	1,000,000	1,000,000
<b>TOTAL DESIGNATED</b>	<b>\$23,084,769</b>	<b>\$26,432,966</b>	<b>\$27,644,922</b>
UNDESIGNATED	22,332,606	12,444,186	6,072,548
<b>TOTAL DESIGNATED &amp; UNDESIGNATED</b>	<b>\$45,417,375</b>	<b>\$38,876,864</b>	<b>\$33,717,182</b>
BUILDING PROCEEDS:	209,489	0	0
<b>TOTAL FUND BALANCE</b>	<b>\$45,626,864</b>	<b>\$38,876,864</b>	<b>\$33,717,182</b>
* Designated Fund Balances are subject to change at Board's discretion.			
<b>UNFUNDED LIABILITIES (Based on recent Actuarial Valuation Report)</b>			
CalPERS Pension Retirement			86,309,901
Other Post Employment Benefits			18,840,854
<b>TOTAL UNFUNDED LIABILITIES</b>			<b>\$105,150,755</b>
<b>CERTIFICATE OF PARTICIPATION NOTES (Est. @June 2019)</b>			<b>\$27,130,400</b>

## APPENDIX C

### GENERAL FUND RESERVES AND LIABILITIES

APPENDIX C depicts the actual unrestricted funds at the end of FYE 2019, as well as, the projected amount for FYE 2020 and FYE 2021. For FYE 2020, a recommendation of \$4.0 million is to fund building improvements for the Air District's Richmond Office. For FYE 2021, a recommendation of \$5.2 million is to balance the operating budget for the Air District. In an effort to remain fiscally prudent, the District established an economic contingency reserve policy (greater than 20% of General Fund operating expense) to ensure the stability of services for a period of time and the ability to set aside fund for anticipated projects and future obligations. During the budget process, staff recommends designations for the remaining fund reserves. The following is a brief description summarizing designated categories as shown in the table on the previous page:

- Economic Contingency was established in FYE2008 at the request of the Board for unplanned expenditures and/or unanticipated loss in revenues. In FYE2016, the Board approved a 20% reserve policy as a funding target.
- Napa/Sonoma Fireplace Replacement Grant establish in FYE 2019 to assist fire victims rebuild home fireplaces with cleaner heating options.
- Pension Liability established in FYE2018 to reduce future rate increases to pension benefits over time.
- Technology Implementation Office establish in FYE2019 to fund projects using a revolving loan arrangement to leverage funding.
- Wood Smoke Grant established in FYE2018 to extend the grants program especially to high wood smoke areas.
- Building Proceeds established in FYE2015 from the sale of 939 Ellis Building and will be used towards the acquisition of 375 Beale and associated obligations.

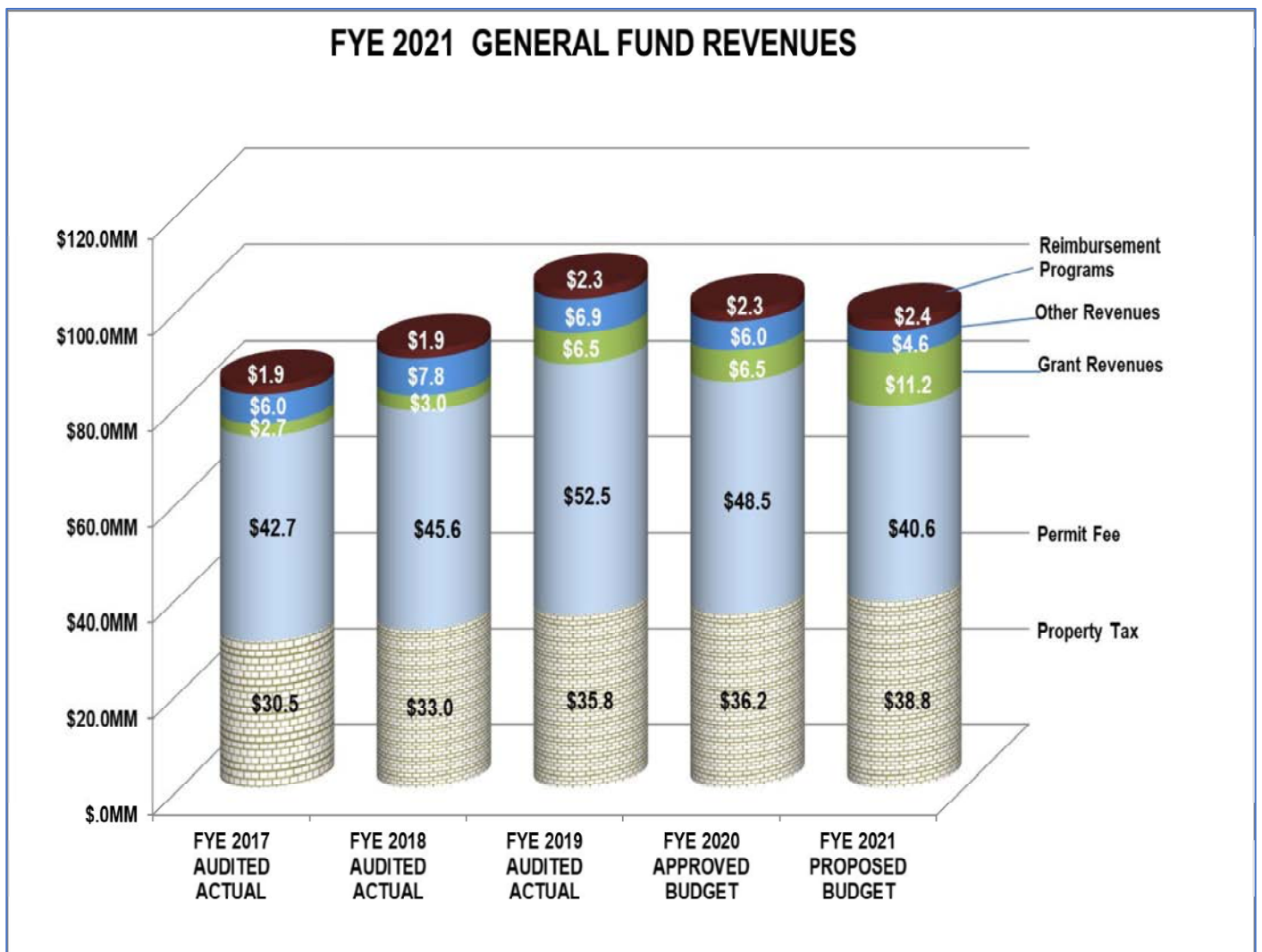
# APPENDIX D

## Figure 1

### General Fund Revenue Trends

Figure 1 below graphically displays the trends in the sources of revenue used to fund expenditures each year from FYE 2017 through FYE2019 along with the adopted and approved budgets for FYE 2020 and FYE 2021, respectively.

As seen from Figure 1, permit fees are the District's largest single source of revenue. Permit fees fluctuates from FYE 2017 through FYE 2019 as a result of certain fees being billed based on economic activities and the proposed fee increases to each individual fee schedule. Projected fees are expected to decrease due to proposed postponement of fee increase to existing fee schedules. There is one proposed new fee schedule for the Air District AB617 Community Protection Program. County revenues experienced significant increases over the past three years as a result of increased property valuation and construction activities in the Bay Area. This revenue source is expected to continue to grow in FYE 2021. Other General Fund sources of revenue have experience slight growth as well over the year, mainly related to AB617 State funding.

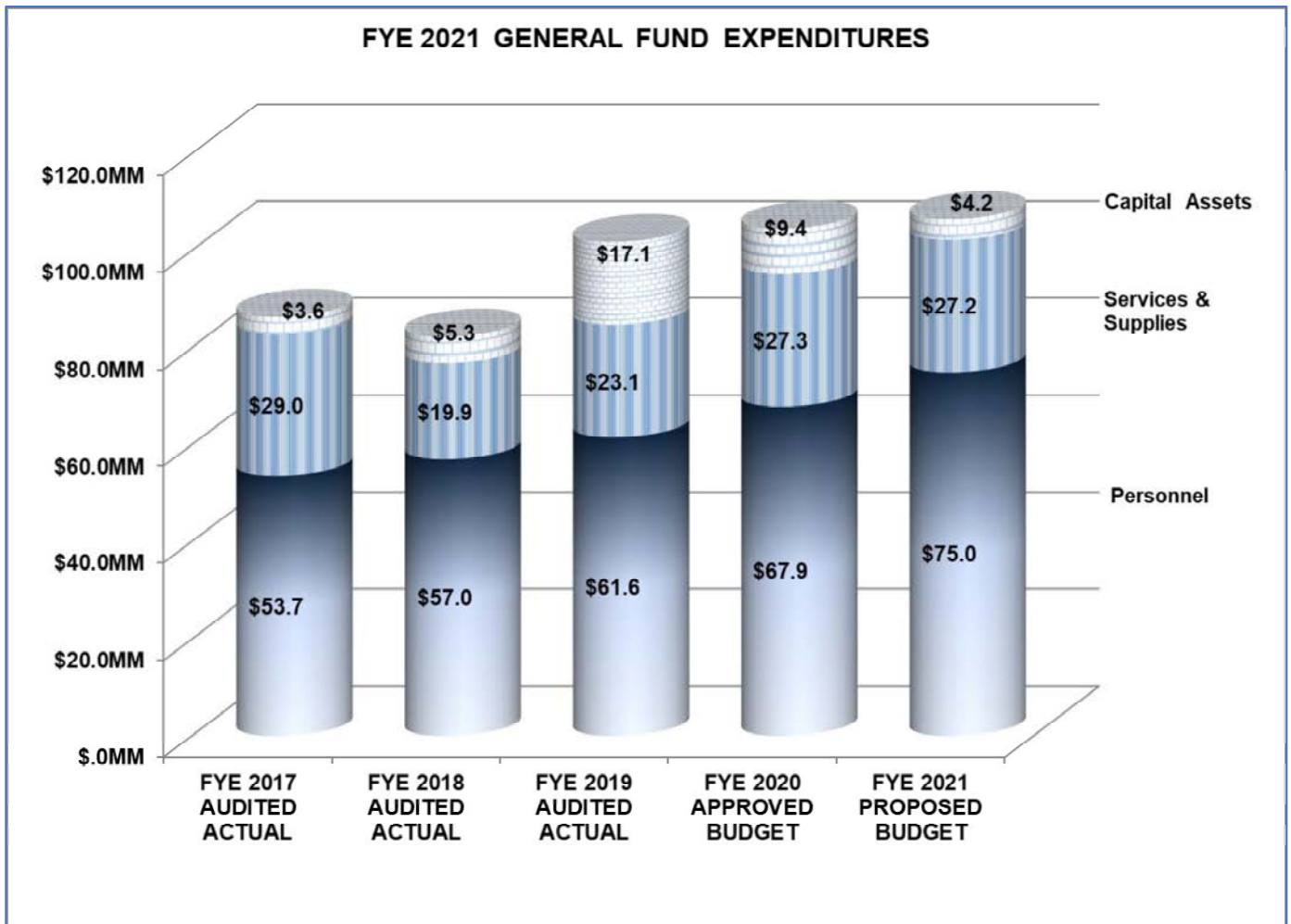


# APPENDIX E

## Figure 2

### General Fund Expenditure Trends

Below Figure 2 shows the trends in actual expenditures from FYE 2017 through FYE 2019 along with the approved expenditure budgets for FYE 2020 and FYE 2021, respectively. From FYE 2017 through FYE 2021, total General Fund have risen at an average rate of 5.9% per year from \$86.3 million to \$106.5 million due to increased Personnel Costs, Services and Capital Programs expenditures. The FYE 2021 General Fund Proposed Budget shows a projected \$35,000 decrease in expenditures over FYE 2020 as the Air District implements spending reduction measures to offset projected revenue loss as economic conditions decline from impacts of the COVID-19 pandemic.



## APPENDIX F

### General Fund 5 Year Projection

	FYE 2019 Audited	FYE 2020 Adopted	FYE 2021 Projected	FYE 2022 Projected	FYE 2023 Projected	FYE 2024 Projected
<b>REVENUES</b>						
Property Tax	\$35,823,934	\$36,186,420	\$38,770,162	\$40,772,650	\$42,599,510	\$43,845,162
Permits/Fees	\$52,499,600	\$48,456,606	\$41,623,723	\$43,585,971	\$44,916,198	\$46,229,099
Grant Revenues	\$4,766,491	\$4,051,341	\$4,601,447	\$4,637,462	\$4,673,837	\$4,710,576
AB 617 Funding	\$3,995,451	\$4,800,000	\$9,000,000	\$9,000,000	\$9,000,000	\$9,000,000
Other Revenues	\$6,909,204	\$6,014,260	\$4,618,711	\$4,675,367	\$4,733,144	\$4,792,067
	\$103,994,680	\$99,508,627	\$98,614,043	\$102,671,451	\$105,922,690	\$108,576,904
Transfer from Special Funds	\$1,717,691	\$1,106,205	\$2,700,886	\$2,754,904	\$2,810,002	\$2,866,202
Use of / (Transfer to) Fund Balance	\$ (2,460,828)	\$4,000,000	\$5,159,682	\$5,787,013	\$5,608,869	\$5,685,618
<b>TOTAL REVENUES</b>	<b>\$103,251,543</b>	<b>\$104,614,832</b>	<b>\$106,474,611</b>	<b>\$111,213,368</b>	<b>\$114,341,561</b>	<b>\$117,128,724</b>
<b>EXPENDITURES</b>						
Personnel & Benefits (net Pension/OPEB)	\$48,000,386	\$51,681,324	\$57,597,447	\$59,215,208	\$60,878,470	\$62,622,539
Retirement Pension	\$7,212,142	\$9,812,280	\$10,763,501	\$13,022,306	\$13,574,510	\$15,382,525
Other Post Employment Benefits (OPEB)	\$6,337,935	\$6,390,512	\$6,633,700	\$7,952,422	\$8,249,654	\$6,847,501
Services and Supplies	\$24,596,982	\$27,278,966	\$27,243,515	\$26,702,254	\$27,231,326	\$27,780,407
Capital Expenditures	\$17,104,098	\$9,404,116	\$4,236,448	\$4,321,177	\$4,407,600	\$4,495,753
	\$103,251,543	\$104,567,198	\$106,474,611	\$111,213,368	\$114,341,561	\$117,128,724
Transfer Out	\$0	\$47,634	\$0	\$0	\$0	\$0
<b>TOTAL EXPENDITURES</b>	<b>\$103,251,543</b>	<b>\$104,614,832</b>	<b>\$106,474,611</b>	<b>\$111,213,368</b>	<b>\$114,341,561</b>	<b>\$117,128,724</b>
<b>GENERAL FUND RESERVES</b>						
	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Beginning Balance	\$50,470,741	\$45,626,864	\$38,876,864	\$33,717,182	\$27,930,169	\$22,321,299
(Use of) / Transfer to Fund Balance	\$ (4,843,877)	(\$6,750,000)	(\$5,159,682)	(\$5,787,013)	(\$5,608,869)	(\$5,685,618)
<b>Ending General Fund Reserves</b>	<b>\$45,626,864</b>	<b>\$38,876,864</b>	<b>\$33,717,182</b>	<b>\$27,930,169</b>	<b>\$22,321,299</b>	<b>\$16,635,681</b>
<b>20% Minimum Reserve Policy</b>	<b>\$20,650,309</b>	<b>\$20,122,966</b>	<b>\$21,294,922</b>	<b>\$22,242,674</b>	<b>\$22,868,312</b>	<b>\$23,425,745</b>



## APPENDIX F

### Figure 3 and Budget Assumptions

#### Revenue Assumptions

- a. **Property Tax** continues to grow as the Bay Area experiences robust construction and housing markets. The five-year forecast assumes continued growth of approximately 4% in revenues for year 2020 and 2021; thereafter, only a 2-3% inflationary growth in years 2022 through 2025.
- b. **Permit Fee** revenues are expected to decrease for year 2021 as a result of current economic conditions from COVID-19. In year 2022 through 2025, the annual forecasted increase is approximately 3% as a result of the Air District's Cost Recovery policy, which allows the Air District to increase its fee schedule to recover costs for permit related activities. The current cost recovery level of 84% is expected to drop in the year 2021 due to declining revenue collected from permitted sources. Projections suggest cost recovery attainment of 70% level before the end of the five-year forecast, as costs outpace revenues.
- c. **Grant Revenues** remain stable based on year 2021 funding with no expected new grants anticipated through 2025.
- d. **Assembly Bill 617** funding of \$4.8 million increased to \$9.0 million from the State continues for the next 5 years.
- e. **Other Revenues** mainly account for penalties, State subvention, and interest income. These revenues are expected to remain stable.

#### Expenditure Assumptions

- a. **Personnel** costs are projected to increase for the five-year period with a 3% annual cost of living adjustment, a slight increase in health premiums, and the funding and filling of 405 of the 415 authorized. Staffing level of 405 positions is anticipated for the next 5 years.
- b. **Retirement Pension** costs are rising due to recent discount rate reduction by CalPERS and escalating unfunded liability payments. The forecast assumes implementation of the Air District's approved policy to make discretionary payments to CalPERS to reduce the unfunded actuarial liability (UAL).
- c. **Other Post-Employment Benefits (OPEB)** for retiree medical benefits are projected to be approximately 100% funded by FYE 2024. After that, the \$4.0 million in discretionary funding will shift towards the CalPERS Pension Plan to reduce the UAL.
- d. **Services and Supplies** costs are projected to remain flat for year 2021, assuming only an inflationary increase of approximately 1-2% for year 2022 through 2025.
- e. **Capital Expenditures** assumes ongoing capital equipment and one-time funding in FYE 2020 to pay for office improvement to Headquarters East in Richmond. FYE 2021 assumes normal capital equipment replacement only with an inflationary increase.

**General Fund Reserves** are used to fund one-time costs, and to cover temporary revenue shortfalls. The Air District plan to use approximately \$5.2 million in reserves for FYE 2021 to balance the budget for anticipated revenue shortfall. Based on current assumptions, reserves are expected to stay fall below the minimum policy level in year 2024 due to economic downturn. Air District will need to close monitor the budget and be fiscally prudent to whether the current economic downturn.

# APPENDIX G

## Definitions

**AB 434 (Assembly Bill 434) ±** This enacted bill resulted in *California Health and Safety Code* Section 44241 which authorizes the District to levy a fee on motor vehicles registered in the District. The revenue must be used to fund specified programs aimed at the reduction of air pollution from motor vehicles. The bill allows the District to allocate not more than five percent (5%) of the fees distributed for administrative costs. See TFCA (Transportation Fund for Clean Air).

**AB 617 (Assembly Bill 617)** This enacted bill requires the state board to develop a uniform statewide system of annually reporting of emissions of criteria air pollutants and toxic air contaminants for use by certain categories of stationary sources.

**AB 923 (Assembly Bill 923) ±** This enacted bill allows an additional \$2 surcharge on Motor Vehicle Registration fees for MSIF (Mobile Source Incentive Fund).

**AHM (Acutely Hazardous Material) ±** Those materials that have been defined as such by either State or Federal regulations as being hazardous to human health.

**AIRS (Aerometric Information Retrieval System) ±** Computerized information system as delineated by the EPA (Environmental Protection Agency).

**APCO – Air Pollution Control Officer –** Appointed by the Board of Directors.

**Appropriation –** A legal authorization to incur obligations and to make expenditures for specific purposes.

**Association of Bay Area Governments (ABAG) –** Regional agency covering the nine counties of the Bay Area, responsible for population projections, various services for local agencies, and co-lead agency for federal air quality planning.

**A&WMA (Air & Waste Management Association) –** The international nonprofit organization of regulatory, business, academic and research communities for air and waste management professionals.

**BACT (Best Available Control Technology) ±** The lowest achievable emission rate to be applied to new and modified stationary sources pursuant to the District's New Source Review permitting program.

**Board ±** Board of Directors and also Hearing Board. The Board of Directors is the governing body of the District. The Hearing Board is appointed by the Board of Directors. (See Programs 121 and 122).

**California Clean Air Act 1988 ±** Statutory scheme to reduce air pollution from stationary and mobile sources as set forth in *California Health and Safety Code* Section 39600 et seq.

**Capital Expenditures ±** An amount spent to acquire land, building, equipment, vehicles etc. in order to increase capacity or efficiency by the District for more than 1 year. Such purchases are capitalized or depreciated over the useful land, except for land.

**Carl Moyer Program ±** Provides grants to public and private entities to reduce emissions of oxides of nitrogen, reactive organic gases and particulate matter from existing heavy-duty engines by either replacing or retrofitting them.

**CAPCOA (California Air Pollution Control Officers Association) ±** Organization comprised of local air pollution control officials; human resource and fiscal staff are also members.

**CARB or ARB (California Air Resources Board) –** The State agency responsible for setting California Ambient Air Quality Standards (CAAQS) and motor vehicle emission standards, and for overseeing implementation of the California Clean Air Act.

**CEC (California Energy Commission) ±** The state agency responsible for energy policy and planning.

**CEMS ± (Continuous Emissions Monitoring Systems) ±** Technology that allows the District to measure certain emissions on a continuous basis.

**CEQA (California Environmental Quality Act) ±** State law that requires public agencies to analyze environmental impacts of proposed projects and plans. (*California Public Resources Code* Section 21000 et seq.)

**CFC (Chlorofluorocarbon) ±** Any of a group of compounds that contain carbon, chlorine, fluorine and sometimes hydrogen and are used as refrigerants, cleaning solvents, and aerosol propellants and in the manufacture of plastic foams.

**Clean Air Act Amendments of 1990 ±** Revisions to the Federal legislation governing air quality planning and control programs to meet National ambient air quality standards.

**CMA (Congestion Management Agency) ±** Countywide agency responsible for preparing and implementing congestion management programs.

**CMAQ ± (Congestion Mitigation and Air Quality) -** The District receives funding under this grant to fund the Spare the Air campaign.

**Contractual Services ±** Services rendered to a government by private firms, individuals, or other governmental agencies.

**COLA (Cost of Living Adjustment) ±** An adjustment to salaries based on the increased cost of living as defined by the percent change in the U.S. Department of Labor's Consumer Price Index.

**DAPCO (Deputy Air Pollution Control Officer) ±** Deputy Officer to the APCO.

**Environmental Justice ±** The fair treatment of people of all races and incomes with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment implies that no person or group of people should shoulder a disproportionate share of negative environmental and economic impacts resulting from the execution of environmental programs.

**EPA (Environmental Protection Agency) ±** Federal agency that oversees air, water and waste management. An assistance grant is provided to various agencies in their efforts to reduce air pollution.

**EPA 103 Grant –** Provides funding for all aspects of operating the PM<sub>2.5</sub> fine particulate monitoring program as well as BioWatch, the National Air Toxic Trends Study (NATTS) Program and other supplemental study programs awarded by the EPA.

**EPA 105 Grant –** Grant pursuant to federal Clean Air Act Section 105.

**Fiscal Year ±** A twelve-month period designated as the operating year for accounting and budgeting purposes in an organization; July 1 through June 30 is the fiscal year for the District.

**FICA (Federal Insurance Corporation Act) Replacement Benefits ±** In 1981, District employees elected to terminate participation in Social Security. FICA costs listed in the budget reflect the replacement benefit premiums paid in lieu of Social Security.

**Fixed Assets ±** Assets of long-term character that are intended to continue to be held or used, such as land, buildings, machinery, furniture and other equipment.

**FTE (Full-time Equivalent Position) ±** A position converted to the decimal equivalent of a full-time position based on 2,080 hours of work per year.

**Fund ±** A fiscal entity with revenues and expenditures that are segregated for the purpose of carrying out a specific purpose or activity.

**Fund Reserves ± Designated ±** That portion of the fund reserve designated by the governing body to indicate tentative plans for financial resource utilization in a future period.

**Fund Reserves ± Reserved –** That portion of the fund reserve obligated by the issuance of purchase orders or contracts (encumbrances), or otherwise obligated and unavailable to meet the District's operating expenditures.

**Fund Reserves ± Undesignated ±** That portion of the unreserved fund reserve that represents the accumulated surplus which, as specified in the *California Government Code*, is restricted to the following uses: to meet cash requirements before the proceeds from revenues are available, to meet emergency expenditures, and at the end of each fiscal year to meet current year operating or subsequent year budget deficits.

**Fund Reserves ±** The equity accounts for the governmental fund types.

**Group Insurance Benefits –** benefits provided to BAAQMD employees, including medical, dental, vision, and life insurance as well as State Disability Insurance, Section 125 cafeteria plan, Long Term Care and Long Term Disability, Section 457 deferred compensation plan, and COBRA program.

**IRIS (Integrated Reporting Information System) ±** The name of the District's database conversion project.

**MACT (Maximum Achievable Control Technology) ±** EPA standards mandated by the 1990 amendments to the Federal Clean Air Act for control of toxic air contaminants.

**Metropolitan Transportation Commission (MTC) ±** Bay Area regional agency responsible for transportation planning, financing and coordination; co-lead agency for Federal air quality planning.

**MSIF (Mobile Source Incentive Fund) –** The Air District's grant program for allocating revenues from an additional motor vehicle registration fee surcharge for implementation of eligible projects.

**NOV (Notice of Violation) –** A written citation informing a facility, or individual, that it has violated a specific air quality regulation or rule.

**OVA (Organic Vapor Analyzer) ±** Hand-held analyzer used to detect organic vapor leaks from valves and other chemical and refinery equipment.

**PERP (Portable Equipment Registration Program) –** a program established by CARB allowing the operation of portable equipment in any air district throughout the state without individual local district permits.

**PERS (Public Employees Retirement System) –** The retirement system contracted by the District to provide retirement benefits to employees

**Program Budget ±** A budget that allocates financial resources to functions or activities of government, rather than to specific types of expenditure, or to specific departments.

**PSM (Process Safety Management) ±** Federal OSHA regulation that requires industrial safety audits.

**Request for Proposals (RFP) ±** A document requesting bids to provide specified services or supplies.

**RMPP (Risk Management and Prevention Plan) ±** State Program that the District monitors to prevent accidental releases of hazardous materials.

**SIP (State Implementation Plan) ±** Bay Area portion of California plan to attain and maintain national ambient air quality standards.

**State Subvention Revenue ±** Pursuant to Part 2, Chapter 5 of the *California Health and Safety Code*, the California Air Resources Board must subvene and distribute funds to Districts engaged in the reduction of air contaminants. The distribution is based on a per-capita basis of population contained in the District.

**T-BACT (Toxic Best Available Control Technology) ±** The lowest achievable emission rate for toxic air contaminants at new or modified stationary sources.

**TCM (Transportation Control Measure) ±** A strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions.

**TFCA (Transportation Fund for Clean Air) ±** The District's grant program for allocating revenues from a motor vehicle registration fee surcharge to public agencies for implementation of eligible projects that reduce motor vehicle emissions.

**UNIX ±** A computer operating system.

**UTM –** A coordinate system for geographical locations.

**Vehicle Buy Back –** The District's sponsored incentive program for the scrapping of 1985 and older models funded under TFCA. The program will pay eligible owners \$650 to contract with a specific auto dismantler to have their vehicle dismantled.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Health & Zip Code: Environmental Health Inequities from Dr. Anthony Iton

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Dr. Anthony Iton, M.D., J.D., MPH, is Senior Vice President for Healthy Communities at The California Endowment, a private, statewide health foundation whose mission is to expand access to affordable, quality health care for underserved individuals and communities, and to promote fundamental improvements in the health status of all Californians.

Dr. Iton previously served as the Alameda County Public Health Department Director and Health Officer. Dr. Iton's primary interest is the health of disadvantaged populations and the socioeconomic contributions of race, class, wealth, education, geography, and employment to health status.

DISCUSSION

Dr. Iton has asserted that public health practitioners and agencies are confronted with the enduring consequences of structural poverty, institutional racism and other forms of systemic injustice. Dr. Iton emphasizes that where you live should not predict how long you will live, but it does.

Dr. Iton finds that when it comes to your health, your zip code is more important than your genetic code. Understanding the concept of how socioeconomic and environmental factors play a major role in population health is the most effective way to reshape our traditional health narrative. Dr. Iton will discuss why this is the case and will provide a presentation to the Board of Directors on *Health & Zip Code: Environmental Health Inequities*.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tim Williams  
Reviewed by: Mary Ann Okpalaugo

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Air District Print and Online Annual Report

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The new 2019 Annual Report includes a print version in addition to a dynamic interactive online Annual Report highlighting the accomplishments of the Air District over the past year. The theme of this year's report is "Coming Together" which expresses the crucial nature of partnering with the community and other stakeholders to achieve air quality goals. The website includes animated imagery and graphics in an easily accessible format for desktop and mobile. The site also features original video content including an Executive Officer's message, staff statements on major projects, and a video highlighting the West Oakland Community Action Plan that conveys the collaborative nature of the project through the voices of Steering Committee members.

DISCUSSION

The Communications Officer will present the interactive Annual Report website and the West Oakland Community Action Plan video and provide copies of the print version to all Board members.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for the annual report was included in the Fiscal Year Ending (FYE) 2020 budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tina Landis  
Reviewed by: Kristine Roselius



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2020

Re: Process for Appointment to the Air District's Advisory Council

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Pursuant to Section 40261 of the California Health and Safety Code, the Air District is required to maintain an Advisory Council consisting of seven members. Further, section 40262 requires that the member be "skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution." Advisory Council members serve a term of two years and may be reappointed up to 6 terms. One of the members is unable to continue with their service.

DISCUSSION

Staff will initiate a recruitment to fill the spot left vacant by resignation. The vacancy announcement will be posted on the Air District website with additional outreach through the following:

- Bay Area Newspapers including: Contra Costa Times, Oakland Tribune, Marin Independent Journal, Napa Valley Register, Press Democrat (Santa Rosa), San Francisco Chronicle, San Jose Mercury, San Mateo Times, and Times Herald (Vallejo)
- California Air Pollution Control Officers Association (CAPCOA)
- Governmentjobs.com
- Ecojobs.com
- Ecoemploy.com
- Craiglists.org
- Bay Area Cities & Counties mailing lists
- Previous Advisory Council Candidates
- Board Members

Staff will recommend a candidate during an upcoming Personnel Committee meeting.

The remaining six members represent an extraordinary resource to the Air District and have provided invaluable service over the last two years. Staff will recommend their reappointment. The members backgrounds are provided below.

**Stan Hayes (Current Chair)**

*Principal, Environ*

Stan Hayes is an engineer with more than 30 years of experience in environmental science and engineering, with particular emphasis on air impact analysis, including emissions estimation, air quality modeling, strategic and regulatory policy analysis, compliance assessment, exposure and health risk assessment and air monitoring and meteorological data analysis. He is the primary author of more than 60 scientific papers and presentations, as well as several hundred technical reports on air-related subjects. He has provided litigation support in cases involving a broad range of industrial facilities and has provided expert testimony in court and before federal, state and local regulatory agencies. He is a Fellow of the Air & Waste Management Association, for whom he has chaired or co-chaired national and international specialty conferences on climate change, greenhouse gas reporting and homeland security. He is a member and past chair of the advisory council of the Bay Area Air Quality Management District. Upon invitation, he has given scientific briefings to members of the California legislature and political leaders elsewhere. Stan earned an MS in aeronautics and astronautics and a BS in mechanical engineering, both from Stanford University.

**Michael T. Kleinman (Current Vice Chair)**

*Professor Environmental Toxicology  
Co-Director of the Air Pollution Health Effects Laboratory  
Adjunct Professor in College of Medicine  
University of California, Irvine (UCI)*

Michael T. Kleinman is UCI Professor of Environmental Toxicology and Co-Director of the Air Pollution Health Effects Laboratory in the Department of Community and Environmental Medicine, Adjunct Professor in College of Medicine [Ph.D. in Environmental Health Sciences from New York University, NY]. Professor Kleinman brings to the ORU expertise in the health effects of air pollution on animals and humans, as well as the development of analytical techniques for assessing biological and physiological responses to exposure to environmental contaminants and for determining concentrations of important chemical species in air. Environmental pollutants represent important potential causes of preventable neurological, cardiological and pulmonary diseases. The research in Dr. Kleinman's laboratory uses immunological and molecular methods to examine the mechanisms by which toxic agents affect the lung and heart. Current studies include the effects of ambient particles on blood pressure and heart rate in sensitive animal models. Other studies examine the link between asthma and environmental exposures to ambient particles near real- world pollutant sources, such as freeways in Los Angeles. Research focuses on mechanisms of cardiopulmonary injury following inhalation of toxic compounds. State-of-the-art methods are used to evaluate the roles of free radicals and oxidative stress in sensitive human volunteers and laboratory animals. In vitro

methods are used to evaluate specific mechanisms. Dr. Kleinman's current studies involve the inhalation exposures to manufactured and combustion-generated nanomaterials fine and coarse particles using state of the art field exposure systems and real-time physiological monitoring methods. Recent findings demonstrate that fine and ultrafine particles near heavily trafficked roads increase the risk of developing airway allergies but this allergenic potential is attenuated at greater distances downwind of the source. The chemical and physical changes in the aerosol responsible for the heightened allergenicity of the near-source particles is an important focus of Dr. Kleinman's research. Biological mechanisms related to oxidative stress have been identified after particulate matter exposure and Dr. Kleinman's team is also pursuing how these mechanisms affect pathological and physiological changes in the heart and lungs. Other interests include analytical and atmospheric chemistry, environmental sampling and analysis, and the application of mathematical and statistical methods to environmental and occupational assessments of exposure and risk.

### **Tim Lipman**

*Co-Director*

*UC Berkeley Transportation Sustainability Research Center*

At UC Berkeley Timothy E. Lipman is an energy and environmental technology, economics, and policy researcher and lecturer with the University of California, Berkeley. He is serving as Co-Director for the campus' Transportation Sustainability Research Center (TSRC), based at the Institute of Transportation Studies, and also served as Director of the U.S. Department of Energy Pacific Region Clean Energy Application Center (PCEAC). Tim's research focuses on electric-drive vehicles, fuel cell technology, combined heat and power systems, biofuels, renewable energy, and electricity and hydrogen energy systems infrastructure. Lipman received his Ph.D. degree in Environmental Policy Analysis with the Graduate Group in Ecology at UC Davis (1999). He also has received an M.S. degree in the technology track of the Graduate Group in Transportation Technology and Policy, also at UC Davis (1998), and a B.A. from Stanford University (1990). His Ph.D. dissertation titled "Zero-Emission Vehicle Scenario Cost Analysis Using A Fuzzy Set-Based Framework" received the University of California Transportation Center's 'Charlie Wootan' Ph.D. dissertation award for 1999. He is also a 2005 Climate Change Fellow with the Woods Institute at Stanford University, and he also received a 2004 Institute of Transportation Engineers service award, a 1998 NSF IGERT teaching fellowship, a 1997 University of California Transportation Center Dissertation Grant, a 1996 ENO Foundation Fellowship, a 1995 University of California Transportation Center Dissertation Grant, and a 1994 Chevron Foundation Fellowship. A native of Golden, Colorado, he graduated Cum Laude from Colorado Academy in 1986. Most of his research projects are related to the transformation of energy systems to support motor vehicles and buildings, examining how both incremental and "leap frog" technologies can be applied to reduce greenhouse gas emissions and other negative environmental and social impacts of energy use. A central concept for his research is that the electrification of the transportation sector can realize synergy with a concentrated effort to reduce the carbon intensity of the electrical grid, yielding benefit for the electricity sector as well as the expanded use of electricity, hydrogen, and biofuels.

## **Jane CS Long**

*Associate Director for Energy and Environment, retired  
Lawrence Livermore National Lab*

Dr. Jane Long retired from Lawrence Livermore National Laboratory where she was the Principal Associate Director at Large, Fellow in the LLNL Center for Global Strategic Research, and the Associate Director for Energy and Environment. She is currently a chairman of the California Council on Science and Technology's committees on California's Energy Future and assessment of hydraulic fracturing. Her current work involves strategies for dealing with climate change including reinvention of the energy system, geoengineering, and adaptation. Dr. Long was the Dean of the Mackay School of Mines, University of Nevada, Reno, and Department Chair for the Energy Resources Technology and the Environmental Research Departments at Lawrence Berkeley National Lab. She holds a bachelor's degree in engineering from Brown University, and Masters and PhD from UC Berkeley. Dr. Long is a fellow of the American Association for the Advancement of Science and was named Alum of the Year in 2012 by the Brown University School of Engineering. Dr. Long is an Associate of the National Academies of Science (NAS) and a Senior Fellow and council member of the California Council on Science and Technology (CCST) and the Breakthrough Institute.

## **Linda Rudolph**

*Director of the Center of Climate Change and Health, Public Health Institute*

- Previous Deputy Director for Chronic Disease Prevention and Public Health in the California Department of Public Health (CDPH)
- Previous Health Officer and Public Health Director for the City of Berkeley
- Founding Chair of the Strategic Growth Council's Health in All Policies Task Force
- Founding Chair California Climate Action Team's Public Health Work Group
- Previous Chief Medical Officer for Medi-Cal Managed Care
- Previous Medical Director for the California Division of Workers' Compensation
- Doctorate of Medicine, University of California San Francisco
- Master of Public Health, Epidemiology, University of California Berkeley

## **Gina Solomon**

*Clinical Professor of Medicine, University of California, San Francisco  
Principal Investigator, Public Health Institute*

- Environmental Protection Agency's Board of Scientific Counselors
- National Academy of Science (NAS) Board on Environmental Studies and Toxicology
- NAS Committee on Emerging Science for Environmental Health Decisions
- Previous Senior Scientist at the Natural Resources Defense Council
- Previous Deputy Secretary for Science and Health at the Cal EPA

- Published work includes cumulative impacts and environmental justice, new tools in toxicology, the health effects of diesel exhaust, endocrine disrupting chemicals, pesticides, refinery safety, and the health effects of climate change
- Doctorate of Medicine, Yale University School of Medicine
- Master of Public Health, Harvard School of Public Health

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Jeff McKay