



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
MEETING
JULY 7, 2021**

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

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY
CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA
WEBPAGE AT**

www.baaqmd.gov/bodagendas

- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE
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<https://bayareametro.zoom.us/j/84102393977>

(408) 638-0968 or (669) 900-6833

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- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A
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BOARD OF DIRECTORS MEETING AGENDA

WEDNESDAY
JULY 7, 2021
9:30 A.M.

Chairperson, Cindy Chavez

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

PLEDGE OF ALLEGIANCE

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 at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.

***Public Comment on Agenda Items** The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda for the meeting, will have three minutes each to address the Board. No speaker who has already spoken on that item will be entitled to speak to that item again.*

CONSENT CALENDAR (ITEMS 2-11)

Staff/Phone (415) 749-

2. Minutes of the Board of Directors Regular Meeting of June 16, 2021, and Board of Directors Special Meeting of June 25, 2021

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Regular Meeting of June 16, 2021, and Board of Directors Special Meeting of June 25, 2021.

3. Board Communications Received from June 16, 2021, through July 6, 2021

J. Broadbent/5052

jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from June 16, 2021, through July 6, 2021, if any, will be distributed to the Board Members by way of email.

4. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of May 2021
J. Broadbent/5052
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 May 2021.

5. Authorization to Execute Contract with the University of Washington to Estimate Sources of Fine Particulate Matter Health Burdens and Exposure Inequities in all Bay Area Communities
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract with the University of Washington for the application of advanced modeling tools to estimate sources of fine particulate matter health burdens and exposure inequities in all Bay Area communities in an amount not to exceed \$418,528.

6. Projects and Contracts with Proposed Grant Awards Over \$100,000
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider approving the award of the Carl Moyer Program and TFCA funding to projects with proposed grant awards in excess of \$100,000 and authorize the Executive Officer/APCO to execute grant agreements for the recommended projects.

7. Adoption of Proposed Amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider adoption of proposed amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees, Parts 6.7 – The Mobile Source and Climate Impacts Committee and 6.8 – The Community Equity, Health, and Justice Committee.

8. Stationary Source and Climate Impacts Committee Meeting
CO-CHAIRS: J. Bauters and K. Mitchoff
J. Broadbent/5052
jbroadbent@baaqmd.gov

- 8.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of June 21, 2021

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

- 8.2 Report of the Stationary Source and Climate Impacts Committee Meeting of June 21, 2021

9. Richmond Area Community Emissions Reduction Plan Steering Committee Meeting
CO-CHAIRS: Alfredo Angulo and Y'Anad Burrell V. Eady/4646
veady@baaqmd.gov

- 9.1 **ACTION REQUESTED:** Receive Committee Chair Summary Reports of April 19, 2021, May 17, 2021, and June 21, 2021

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

<https://www.baaqmd.gov/community-health/community-health-protection-program>

- 9.2 Report of the Richmond Area Community Emissions Reduction Plan Steering Committee Meetings of April 19, 2021, May 17, 2021, and June 21, 2021

10. Mobile Source and Climate Impacts Committee Meeting
CO-CHAIRS: D. Canepa and K. Rice J. Broadbent/5052
jbroadbent@baaqmd.gov

- 10.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of June 24, 2021

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

www.baaqmd.gov/bodagendas

- 10.2 Report of the Mobile Source and Climate Impacts Committee Meeting of June 24, 2021

The Committee recommends Board of Directors approval of the following:

A) ACTION REQUESTED: Projects and Contracts with Proposed Grant Awards Over \$100,000

- 1) *Approve recommended projects with proposed grant awards over \$100,000, including a policy waiver to allow the Transportation Fund for Clean Air Regional Fund to be used as match for two recommended school bus projects;*
- 2) *Waive Policy #2, regarding Cost-Effectiveness, of the Transportation Fund for Clean Air Regional Fund to allow the replacement of diesel buses with electric zero-emission buses to be fully reimbursable with Air District grant funding; and*
- 3) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

B) ACTION REQUESTED: Light-duty Electric Vehicle Charging Programs and Charge! Projects

- 1) *Approve the Charge! Program rank list and recommended projects with proposed grant awards; and*
- 2) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

11. Community Equity, Health and Justice Committee Meeting
CO-CHAIRS: D. Hurt and T. Jue

J. Broadbent/5052
jbroadbent@baaqmd.gov

- 11.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of July 1, 2021

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

www.baaqmd.gov/bodagendas

- 11.2 Report of the Community Equity, Health and Justice Committee Meeting of July 1, 2021

END OF CONSENT CALENDAR

PRESENTATIONS

Staff/Phone (415) 749-

12. **ACTION REQUESTED:** Consider Recommendation of Advisory Council Interview Panel to Reappoint Three Incumbents and Approve Appointment of Four Candidates to the Advisory Council

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider the recommendation of the Advisory Council Interview Panel to reappoint three incumbents and approve appointment of four candidates to the Air District's Advisory Council.

13. Update of Wildfire Programs and Messaging

- A. **ACTION REQUESTED:** Update on Wildfire Program, Request to Accept State Funding and to Move Funding from Current Reserves into the Fiscal Year Ending (FYE) 2022 Budget

D. Breen/5041
dbreen@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to enter into a contract with the California Air Resources Board to accept Cleaner Air Centers – Assembly Bill 836 Funding in an amount not to exceed \$5 million; authorize \$1 million reserve for “Woodsmoke” in the Fiscal Year Ending (FYE) 2022 Budget be redesignated to fund a Wildfire Preparedness Program; and authorize the Executive Officer/APCO to enter into or expand contracts or agreements with Bay Area Counties and the Red Cross to expend this funding.

- B. Update on Wildfire Smoke Mask Messaging

J. Cutino/5115
jcutino@baaqmd.gov

Staff will provide an update on wildfire smoke mask messaging and seek the Board of Directors' input on the proposed messaging.

For more information on the Air District's Wildfire Response Program, please visit the Air District website: <https://www.baaqmd.gov/about-air-quality/wildfire-air-quality-response-program/wildfire-safety>

14. **ACTION REQUESTED:** James Cary Smith Community Grant Program **V. Eady/4646**
veady@baaqmd.gov

The Board of Directors will receive an update on the Air District's James Cary Smith Community Grant Program and proposed adjustments to the program to enhance accessibility and equity. The Board of Directors will consider authorizing the release of Grant Guidelines for the James Cary Smith Community Grant Program during the summer of 2021.

END OF PRESENTATIONS

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Board.

BOARD MEMBERS' COMMENTS

16. *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

17. Report of the Executive Officer/APCO

18. Chairperson's Report

19. Time and Place of Next Meeting:

Wednesday, July 21, 2021, at 8:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

20. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
yjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
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 Air 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 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, Terri Levels, at (415) 749-4667 or by email at tlevels@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

JULY 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation – CANCELLED	Wednesday	7	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Meeting	Wednesday	7	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source and Climate Impacts Committee	Monday	19	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation – CANCELLED & RESCHEDULED TO WEDNESDAY, JULY 7, 2021 at 9:00 A.M.	Wednesday	21	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Special Meeting	Wednesday	21	8:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee – CANCELLED	Wednesday	21	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee - CANCELLED	Wednesday	21	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Thursday	22	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

AUGUST 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	4	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health and Justice Committee - CANCELLED	Thursday	5	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source and Climate Impacts Committee - CANCELLED	Monday	16	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee - CANCELLED	Wednesday	18	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Thursday	26	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

SEPTEMBER 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation	Wednesday	1	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Meeting	Wednesday	1	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health and Justice Committee	Thursday	2	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee	Wednesday	15	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	15	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source and Climate Impacts Committee - CANCELLED & RESCHEDULED TO MONDAY, JULY 27, 2021 at 9:00 A.M.	Thursday	20	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source and Climate Impacts Committee	Thursday	23	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source and Climate Impacts Committee	Monday	27	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Minutes of the Board of Directors Regular Meeting of June 16, 2021, and Board of
Directors Special Meeting of June 25, 2021

RECOMMENDED ACTIONS

Approve the attached draft minutes of the Board of Directors Regular Meeting of June 16, 2021, and Board of Directors Special Meeting of June 25, 2021.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting of June 16, 2021, and Board of Directors Special Meeting of June 25, 2021.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Board of Directors Regular Meeting of June 16, 2021

Attachment 2B: Draft Minutes of the Board of Directors Special Meeting of June 25, 2021

AGENDA: 2A – ATTACHMENT

Draft Minutes - Board of Directors Regular Meeting of June 16, 2021

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

Board of Directors Regular Meeting
Wednesday, June 16, 2021

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

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

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Cindy Chavez, called the meeting to order at 9:31 a.m.

Roll Call:

Present: Chairperson Cindy Chavez; Vice Chairperson Karen Mitchoff; Secretary John Bauters; and Directors Margaret Abe-Koga, Teresa Barrett, David Canepa, Rich Constantine; Pauline Russo Cutter, John Gioia, Carole Groom, Erin Hannigan, David Haubert, David Hudson, Davina Hurt, Nate Miley, Rob Rennie, Katie Rice, Mark Ross, Brad Wagenknecht, and Lori Wilson.

Absent: Directors Lynda Hopkins, Tyrone Jue, Myrna Melgar, Shamann Walton.

CLOSED SESSION (9:36 a.m.)

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

Agency Negotiators: *Jack P. Broadbent, Executive Officer/Air Pollution Control Officer (APCO)
John Chiladakis, Acting Chief Administrative Officer
Terri Levels, People and Engagement Officer*

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

Public Comments

Public comments were given by Will Skinner.

REPORTABLE ACTION: Alexander Crockett, Assistant District Counsel, reported that the Board will proceed to a vote on Item 16 (Consider Approving Proposed Contract Terms Resulting from Labor Negotiations and Associated Terms for Management and Confidential Employees.)

OPEN SESSION (10:05 a.m.)

CONSENT CALENDAR (ITEMS 3 – 24)

3. Minutes of the Board of Directors Special Budget Hearing Meeting of May 5, 2021, Special Meeting of May 5, 2021, and Meeting of June 2, 2021
4. Board Communications Received from May 5, 2021, through June 15, 2021
5. Air District Personnel on Out-of-State Business Travel
6. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of April 2021
7. Quarterly Report of the Executive Office and Division Activities for the Months of January 2021- March 2021
8. Quarterly Report of California Air Resources Board Representative – Honorable Davina Hurt
9. Authorization to Amend Contract with Sharon Beals
10. Notice of Proposed Amendments to the Air District’s Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees
11. Participation in Community Air Protection Program Fiscal Year Ending (FYE) 2021
12. Authorization to Amend Contract with Enforce, LLC
13. Authorization to Amend Contract with Moore Iacofano Goltsman, Inc.
14. Authorization for Procurement for Replacement of Computer Workstations
15. Authorization for Funding to the Partnership Agreement with the Metropolitan Transportation Commission (MTC) for Additional Training and Database Development

16. Consider Approving Proposed Contract Terms Resulting from Labor Negotiations and Associated Terms for Management and Confidential Employees
 - A. Consider Approving the Proposed Memorandum of Understanding between the Bay Area Air Quality Management 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
 - B. Consider Pay Equity Adjustments for Select Job Classifications
 - C. Consider Consolidating the Air Quality Inspector and Air Quality Instrument Specialist Job Classification Series into the Air Quality Specialist Job Classification Series
17. Authorization to Amend Contract with Aclima
18. Community Equity, Health and Justice Committee Meeting
 - 18.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of May 6, 2021
 - 18.2 Report of the Community Equity, Health and Justice Committee Meeting of May 6, 2021 (**DIRECTOR HUDSON PULLED ITEM 18.2 FROM CONSENT CALENDAR**)

The Committee recommends Board of Directors' approval of the following:

ACTION REQUESTED: Consideration of AB 617 Richmond-North Richmond-San Pablo Community Emissions Reduction Plan Steering Committee Proposed Stipend for Co-Chairs

The Committee recommends the Board of Directors approve stipend amounts for Co-Chairs be set to \$100 per Community Emissions Reduction Plan Steering Committee meeting attended, and an additional \$300 per month.

19. Stationary Source and Climate Impacts Committee Meeting
 - 19.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of May 17, 2021
 - 19.2 Report of the Stationary Source and Climate Impacts Committee Meeting of May 17, 2021
20. Administration Committee Meeting
 - 20.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of May 19, 2021

20.2 Report of the Administration Committee Meeting of May 19, 2021

The Committee recommends Board of Directors' approval of the following:

A) ACTION REQUESTED: Community Benefit Fund

The Committee recommends the Board of Directors approve a modification to the Proposed Fiscal Year ending (FYE) 2022 budget Reserves Designations to increase the Community Benefit designation from \$1M to \$3M, reducing the Pandemic Contingency designation from \$10M to \$8M, and require that Air District staff give regular updates on the Community Benefit Fund to the Committee.

B) ACTION REQUESTED: Cost Recovery

The Committee recommends the Board of Directors approve a target for a 100% cost recovery policy.

C) ACTION REQUESTED: Review Workplan to Initiate Management Audit

The Committee recommends the Board of Directors approve the proposed Workplan to initiate a management audit and the scope of work to procure services for a management audit, acknowledging the following priorities: evaluate the Air District's current hiring process, analyze Air District divisions that are asking for the greatest numbers of new staffing positions, include a risk assessment within the audit. The selection team of the auditor will include Board Members Carole Groom and Margaret Abe-Koga, as well as one community member appointed by the Community Equity, Health, and Justice Committee, and another appointed by the Stationary Source and Impacts Committee.

21. Legislative Committee Meeting

21.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of May 19, 2021

21.2 Report of the Legislative Committee Meeting of May 19, 2021

The Committee recommends Board of Directors approval of the following:

ACTION REQUESTED: State Legislative Update and Consideration of New Bills

The Committee recommends the Board of Directors adopts the position of SUPPORT on Senate Bill 771 (Becker).

22. Mobile Source and Climate Impacts Committee Meeting

22.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of May 27, 2021

22.2 Report of the Mobile Source and Climate Impacts Committee Meeting of May 27, 2021

The Committee recommends Board of Directors approval of the following:

A) ACTION REQUESTED: Projects and Contracts with Proposed Grant Awards Over \$100,000

- 1) *The Committee recommends the Board of Directors 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.*

B) ACTION REQUESTED: Updates to the Transportation Fund for Clean Air (TFCA) Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending (FYE) 2022

- 1) *The Committee recommends the Board of Directors approve the proposed updates to TFCA Regional Fund Policies and Evaluation Criteria for FYE 2022.*

23. Technology Implementation Office Committee Meeting

23.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of May 28, 2021

23.2 Report of the Technology Implementation Office Committee Meeting of May 28, 2021

24. Community Equity, Health and Justice Committee Meeting

24.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of June 3, 2021

24.2 Report of the Community Equity, Health and Justice Committee Meeting of June 3, 2021

Public Comments on Consent Calendar Items 3 through 18.1, and Items 19 through 24

No requests received.

Board Comments on Consent Calendar Items 3 through 18.1, and Items 19 through 24

None.

Board Action on Consent Calendar Items 3 through 18.1, and Items 19 through 24

Director Wagenknecht made a motion, seconded by Director Cutter, to **approve** Consent Calendar Items 3 through 18.1, and Items 19 through 24; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hannigan, Haubert, Hudson, Hurt, Mitchoff, Rennie, Rice, Wagenknecht, Wilson.
NOES: None.
ABSTAIN: None.
ABSENT: Hopkins, Jue, Melgar, Miley, Ross, Walton.

Public Comments on Item 18.2

No requests received.

Board Comments on Item 18.2

The Board and staff discussed varying opinions about whether the Richmond-North Richmond-San Pablo Community Emissions Reduction Plan Steering Committee Co-Chairs should receive additional compensation beyond the \$100 stipend per meeting.

Board Action on Item 18.2

Secretary Bauters made a motion, seconded by Director Gioia, to **approve** Consent Calendar Item 18.2; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hannigan, Haubert, Hurt, Mitchoff, Rennie, Rice, Ross, Wagenknecht, Wilson.
NOES: Hudson.
ABSTAIN: None.
ABSENT: Hopkins, Jue, Melgar, Miley, Walton.

END OF CONSENT CALENDAR

PUBLIC HEARINGS

25. 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

Fred Tanaka, Air Quality Engineering Manager, gave the staff presentation *Proposed Amendments to Regulation 3: Fees*, including: outcome; outline; requested action; cost recovery background; trends in cost recovery from regulatory fees; Draft Fee Amendments (proposed changes to fee schedules; other proposed amendments; public comments received; impact on large facilities and small businesses; rule development schedule; and feedback requested/prompt.

Chair Chavez opened the second of two required Public Hearings to Receive Testimony on Proposed Amendments to Air District Regulation 3: Fees.

NOTED PRESENT: Director Miley was noted present at 10:30 a.m.

Public Comments

Public comments were given by Bob Brown, Western States Petroleum Association; Jed Holtzman, 350 Bay Area; Dr. Stephen Rosenblum, Palo Alto resident; and Christine Wolf, California Council for Environmental and Economic Balance.

Chair Chavez closed the Public Hearing.

Board Comments

The Board and staff discussed whether the Board officially approved a 100% cost recovery policy in the Consent Calendar (Item 20.2B); a cost recovery study that is to be conducted at the Air District; and concerns about the burdens on small businesses due to Air District fee increases.

Board Action

Director Wagenknecht made a motion, seconded by Vice Chair Mitchoff, to **approve** the proposed amendments to Air District Regulation 3: Fees, effective on July 1, 2021, and **approve** the filing of a California Environmental Quality Act Notice of Exemption; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hannigan, Haubert, Hudson, Hurt, Miley, Mitchoff, Rennie, Rice, Ross, Wagenknecht, Wilson.
NOES: None.
ABSTAIN: None.
ABSENT: Hopkins, Jue, Melgar, Walton.

26. Public Hearing to Consider Adoption of the Air District's Proposed Budget for Fiscal Year Ending (FYE) 2022

Dr. Jeff McKay, Chief Financial Officer, gave the staff presentation *First Public Hearing on the Proposed Air District Budget for FYE 2022*, including: outcome; outline; requested action; financial history – actual reserves and policy trends, cost recovery trends, fees and cost recovery overview; possible path to 100% cost recovery; next steps on cost recovery; current FY budget overview; FY 21-22 Proposed Budget overview; breakdown of \$10.5 million budget increase; new staffing request (General Fund and grant funded); hiring plan and management audit; funding of retirement liabilities; Community Benefit Funding; pandemic contingency reserves; revised reserve recommendations; reserves designations; revised reserves designations; FY 21-22 Proposed Budget summary; and feedback requested/prompt.

Chair Chavez opened the second of two required public hearings for the exclusive purpose of considering testimony on the Air District's Proposed Budget for FYE 2022.

Public Comments

No requests received.

Chair Chavez closed the Public Hearing.

Board Comments

The Board and staff discussed whether the Board officially approved a 100% cost recovery policy in the Consent Calendar (Item 20.2B); the Air District's California Public Employees' Retirement System retirement pension funding policy; the request for a comparison of Bay Area Air Quality Management District costs, annual budgets, and full-time equivalent data versus those of other California air districts; distinct changes in the Proposed Budget for FYE 2022 and whether Air District staff comfortable with today's proposal; whether the proposed budget was designed to protect the Air District from future downturns; and permitted facilities (by sector) that are not contributing to, but would benefit from, increases in Air District fees.

Board Action

Director Constantine made a motion, seconded by Director Hurt, to **approve** the proposed Budget for the Fiscal Year Ending (FYE) 2022 and various budget related actions; and the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hannigan, Haubert, Hudson, Hurt, Miley, Mitchoff, Rennie, Rice, Ross, Wagenknecht, Wilson.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Hopkins, Jue, Melgar, Walton.

END OF PUBLIC HEARINGS

PRESENTATION

27. Wildfire Season Preview

Dr. Ranyee Chiang, Director of Metrology and Measurement, gave the staff presentation *Wildfire Seasons Preview*, including: outcome; outline; requested action; wildfires in California have intensified; 2021 fire season outlook; 2021 fire season likely to start earlier; air monitoring; air quality can change rapidly and varies from one location to another; forecasting during wildfire incidents; communications; where can the public get air quality data; how to prepare for wildfire smoke; reducing wildfire risk; and protecting indoor air quality.

Public Comments

No requests received.

Board Comments

The Board and staff discussed how some existing electrical and filtration systems are not compatible with High Efficiency Particulate Air purifiers or Minimum Efficiency Reporting Value filters; whether the Air District will encourage the public to wear respirators during anticipated wildfire activity; the suggestion that the Air District creates a public video to demonstrate how to properly put on a respirator; the number of filters that will be funded under the Home Air Filtration Program and Regional Asthma Management and Prevention program; the need to educate the public about the effects of Particulate Matter and harm reduction; the request for an Air District-issued list of recommendations to the public regarding wildfire season safety, similar to that of the United States Centers for Disease Control and Prevention; difficulties that result when different Bay Area counties give conflicting messages about respirators during wildfire activity; and how mask requirements from the pandemic may affect people's feelings about wearing respirators during wildfires.

Board Action

Vice Chair Mitchoff made a motion, seconded by Director Wagenknecht, to **authorize** the Executive Officer/APCO to enter into agreements with Home filter manufacturers Helen of Troy and Winix, Inc. in amounts not to exceed \$250,000 to purchase home air filters for the Home Air Filtration Program, and **expand** a current agreement with the Public Health Institute's Regional Asthma Management and Prevention program to distribute these filters; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hannigan, Hudson, Hurt, Miley, Mitchoff, Rennie, Rice, Ross, Wagenknecht, Wilson.
NOES: None.
ABSTAIN: None.
ABSENT: Haubert, Hopkins, Jue, Melgar, Walton.

END OF PRESENTATION

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

BOARD MEMBERS' COMMENTS

29. Board Members' Comments

Director Bauters wished any lesbian, gay, bisexual, and transgender Air District employees happy Pride Month, and he offered himself as a resource for those who have concerns about revealing their sexual or gender identity.

OTHER BUSINESS

30. Report of the Executive Officer/APCO

Jack P. Broadbent, Executive Officer/APCO, reported that meteorologists predict that the Bay Area will exceed the ozone National Ambient Air Quality Standards, and "Spare the Air" alerts will be called on June 17 and 18, 2021.

31. Chairperson's Report

Chair Chavez announced the following tentative Board meeting schedule:

- Friday, June 25, 2021, at 3:30 p.m. The only item on this meeting's agenda will be Closed Session, during which, performance evaluations for the Executive Officer/APCO and District Counsel will be discussed.
- Wednesday, July 7, 2021, at 9:30 a.m.
- Wednesday, July 21, 2021, at 8:30 a.m., to consider amendments to Regulation 6-5 (Particulate Emissions from Refinery Fluidized Catalytic Cracking Units)

32. Time and Place of Next Meeting

The next Board was to be Wednesday, July 7, 2021, at 9:30 a.m. Before the meeting concluded, as part of Item 31 (Chairperson's Report), Chair Chavez announced that the Board will next meet on Friday, June 25, 2021, at 3:30 p.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

33. Adjournment

The meeting adjourned at 1:22 p.m.

Marcy Hiratzka
Clerk of the Boards

AGENDA: 2B – ATTACHMENT

Draft Minutes - Board of Directors Special Meeting of June 25, 2021

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

Board of Directors Special Meeting
Friday, June 25, 2021

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

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

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Cindy Chavez, called the meeting to order at 3:30 p.m.

Roll Call:

Present: Chairperson Cindy Chavez; Vice Chairperson Karen Mitchoff; Secretary John Bauters; and Directors Teresa Barrett, David Canepa, John Gioia, Carole Groom, Erin Hannigan, David Hudson, Davina Hurt, Tyrone Jue, Rob Rennie, Katie Rice, Mark Ross, Brad Wagenknecht, Shamann Walton, and Lori Wilson.

Absent: Directors Margaret Abe-Koga, Rich Constantine, Pauline Russo Cutter, David Haubert, Lynda Hopkins, Myrna Melgar, and Nate Miley.

CLOSED SESSION (3:35 p.m.)

2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND EMPLOYMENT Pursuant to Government Code Section 54957 (b)(1)**

Title: Chief Executive Officer/Air Pollution Control Officer

Title: District Counsel

REPORTABLE ACTION: Chair Chavez announced that there was no reportable action.

3. **CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6**

Agency designated representatives: Cindy Chavez, John Chiladakis, Charles Sakai, Sloan Sakai Yeung & Wong LLP

Unrepresented employees: Chief Executive Officer/Air Pollution Control Officer, and District Counsel

REPORTABLE ACTION: Chair Chavez announced that there was no reportable action.

OPEN SESSION (5:24 p.m.)

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No comments received.

BOARD MEMBERS' COMMENTS

5. **Board Members' Comments**

None.

OTHER BUSINESS

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

Wednesday, July 7, 2021, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

7. **Adjournment**

The meeting adjourned at 5:25 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Board Communications Received from June 16, 2021, through July 6, 2021

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from June 16, 2021, through July 6, 2021, 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 Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of May
2021

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 month 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. Bunger

Attachment 4A: Notices of Violations for the Month of May 2021

AGENDA: 4A - ATTACHMENT

NOTICES OF VIOLATIONS ISSUED

The following Notice(s) of Violations were issued in May 2021:

Alameda						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
DeSilva Gates Construction	B7755	Dublin	A60253A	5/5/2021	11-2-401.5	Failure to revise start date.
DeSilva Gates Construction	B7755	Dublin	A60254A	5/5/2021	11-2-401.5	Failure to revise start date.
Lexus of Fremont	Z9073	Fremont	A59831A	5/11/2021	2-1-307	PC20853 No Low perm hoses installed.
PW Stephens	Z9074	Fremont	A59116A	5/11/2021	11-2-303.6	No Negative Air.
Stone City Corp.	Z9167	Fremont	A59118A	5/20/2021	11-2-401.5	Failure to revise start date.
SW Building Design	Z9113	Dublin	A59117A	5/13/2021	11-2-401.5	Failure to Revise Start Date.
Tesla, Inc.	A1438	Fremont	A60209A	5/25/2021	2-6-307	Late submittal of source test report for NPS, SPS body, and plastics pain line.
Tesla, Inc.	A1438	Fremont	A60210A	5/25/2021	2-6-307	Source test exceedance os-7733 NST-6211, OS-7996 NST-6211B, and OST-7997 NST-6247B.
Vision Recycling	E3581	Newark	A60207A	5/6/2021	2-1-301	no A/C or P/O for grinding operations & stockpiles.
Vision Recycling	E3581	Newark	A60207B	5/6/2021	2-1-302	no A/C or P/O for grinding operations & stockpiles.

Contra Costa						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
A-Street Union 76	Z9120	Antioch	A59659A	5/10/2021	2-1-307	Failure to conduct periodic source testing per Permit to Operate and Auth. to construct #499757.
City of Antioch	B3787	Antioch	A59654A	5/18/2021	2-1-307	Failure to conduct periodic source testing per permit.
Oakhurst CC	Z9110	Clayton	A59661A	5/19/2021	2-1-307	Failure to Submit source testing results within required timeframe per permit.
Reabold CA Inc. Venturini-Ginocchio Site	E4863	Brentwood	A58271A	5/11/2021	2-1-301	No authority to construct. Operating an oil production facility w/o Air District A/C & P/O.
Reabold CA Inc. Venturini-Ginocchio Site	E4863	Brentwood	A58271B	5/11/2021	2-1-302	No Permit to Operate. Operating an oil production facility w/o Air District A/C & P/O.
Sunstate Equipment	Z9013	Pacheco	A59658A	5/4/2021	8-7-302.5	Failure to maintain phones II system in proper operating condition.
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A56448A	5/26/2021	6-1-301	Visible emissions greater than R# 1.5 for 14 minutes.
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58272A	5/26/2021	2-1-301	Sources not abated by 19-14 as required (emissions in flares).
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58272B	5/26/2021	2-1-302	Sources not abated by 19-14 as required (emissions in flares).

Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58273A	5/26/2021	2-6-309	Failure to submit application to operate in "terminal mode".
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58274A	5/26/2021	6-1-301	Emissions related to flare (not vapor recovery system).
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58274B	5/26/2021	10	Emissions related to flare (not vapor recovery system).
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58275A	5/26/2021	8-44-304.1	Emissions routed to flare & not to FGS.
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58275B	5/26/2021	8-44-304.2	Emissions routed to flare & not to FGS.
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58276A	5/26/2021	9-2-301	GLM excess recorded b/w 6/4/18 - 7/30/18.

Marin						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Redwood Landfill Inc.	A1179	Novato	A59864A	5/20/2021	8-34-301.2	Component Leak > 1,000ppm.
Napa						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Syar Industries Inc.	A2158	Napa	A59657A	5/3/2021	2-1-307	Failure to conduct periodic source testing.

San Francisco						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Kaiser Permanente Medical Center	A3926	San Francisco	A59364A	5/5/2021	2-1-302	Expired permit to operate.
One Embarcadero Center/Boston Properties, Inc.	B0703	San Francisco	A60434A	5/25/2021	9-7-506	No source test 2019, 2020.
One Embarcadero Center/Boston Properties, Inc.	B0703	San Francisco	A60435A	5/25/2021	9-7-506	No source test 2019, 2020.
PPF Paramount One Market Plaza, LP	B0672	San Francisco	A60436A	5/26/2021	9-7-506	No source test 2019, 2020; Failed NOx emissions test 02/01/2021.
PPF Paramount One Market Plaza, LP	B0672	San Francisco	A60436B	5/26/2021	9-7-307.3	No source test 2019, 2020; Failed NOx emissions test 02/01/2021.
PPF Paramount One Market Plaza, LP	B0672	San Francisco	A60437A	5/26/2021	9-7-506	No source test 2019, 2020; Failed NOx emissions test 02/01/2021.
PPF Paramount One Market Plaza, LP	B0672	San Francisco	A60437B	5/26/2021	9-7-307.3	No source test 2019, 2020; Failed NOx emissions test 02/01/2021.
PPF Paramount One Market Plaza, LP	B0672	San Francisco	A60438A	5/26/2021	9-7-506	No source test 2019, 2020; Failed NOx emissions test 02/01/2021.
PPF Paramount One Market Plaza, LP	B0672	San Francisco	A60438B	5/26/2021	9-7-307.3	No source test 2019, 2020; Failed NOx emissions test 02/01/2021.
PPF Paramount One Market Plaza, LP	B0672	San Francisco	A60439A	5/26/2021	9-7-506	No source test 2019, 2020.

Recology San Francisco (Sustainable Crushing)	E3782	San Francisco	A59181A	5/5/2021	2-1-301	In reference to cancelled permit application #28416 on 04/27/21.
Recology San Francisco (Sustainable Crushing)	E3782	San Francisco	A59181B	5/5/2021	2-1-302	In reference to cancelled Permit application #28416 on 04/27/21.
San Francisco USD	X3022	San Francisco	A60255A	5/5/2021	11-2-401.5	Failure to revise start date.
Tamm Auto Service Corp.	Z9151	San Francisco	A59683A	5/27/2021	8-7-302.1	Uncertified breakaway installed on pump #4.

San Mateo						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Com	Z9014	San Carlos	A60128A	5/4/2021	11-2-401.3	Expire job #.
HL Enterprises, Inc.	Z9165	Redwood City	A59637A	5/19/2021	8-7-302.1	Operating uncertified Phase II whip hoses on Disp. #1 & 5.
Lake Merced Country Club	Z9115	Daly City	A59682A	5/12/2021	2-1-307	Static pressure test not performed within 12 months.

Santa Clara						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Bottomley Distributing	Z9179	Milpitas	A59832A	5/19/2021	2-1-307	no 2017 & 2019 source test & Dec 2020 source test < 40 hours.
Coyote Creek Golf Course	Z9125	Morgan Hill	A59833A	5/25/2021	2-1-307	No annual source test 2015-2020.
Glencore Recycling	A1732	San Jose	A60208A	5/24/2021	2-1-301	No Auth. to construct. Operating equipment (i.e., mixer, screener/conveyer) without a permit.

Glencore Recycling	A1732	San Jose	A60208B	5/24/2021	2-1-302	No permit to operate.
International Disposal Corp of CA	A9013	Milpitas	A55721A	5/27/2021	2-1-307	Failure to immediately initiate corrective action, maintain records, hourly temps > 180 F over 6 hour.
J & M Termite Control, Inc.	Z9087	Mountain View	A60256A	5/17/2021	11-2-401.3	Failure to notify.
Mountain View Los Altos High School District	Z9163	Mountain View	A60440A	5/28/2021	10	School District failed to submit an ADMP before starting construction on 10/14/2019, NOA discovered.
San Jose Water Company	Z9111	San Jose	A60201A	5/19/2021	2-1-307	Failure to meet Permit Condition PC# 20853 Sec.3.
San Jose Water Company	Z9111	San Jose	A60201B	5/19/2021	8-7-301.1	Uncertified phase I equipment. Uncertified hose per NVR-1 (Phase II((SRVR).
Santa Clara Unified School District	X3062	Santa Clara	A60200A	5/13/2021	2-1-307	Failure to conduct source test (TP 201.313) within 12mo. Period.
Valero of Santa Clara	Z9153	Santa Clara	A60202A	5/26/2021	8-7-302.1	Use of non-certified (non-low prem) hoses on all dispensers.

Solano						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
State of California Highway Patrol	A4212	Vallejo	A59663A	5/26/2021	2-1-307	Failure to conduct periodic source testing per permit.

Sonoma						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Republic Services of Sonoma County, Inc.	A2254	Petaluma	A59863A	5/10/2021	8-34-303	Wells 49a, 94a, 215, 218 above standard.
Republic Services of Sonoma County, Inc.	A2254	Petaluma	A59863B	5/10/2021	10	CCR 17 95465(a)(2).

District Wide						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comment
Hertz Corporation	Z7318	Esterio	A60199A	5/5/2021	8-7-301.5	Defective vapor adapter / poppet.
Iraj Sufapour	Z9118	Pacific Palisades	A59660A	5/12/2021	2-1-307	Failure to conduct periodic source testing per P/O.
MG2	Z9155	Seattle	A59500A	5/12/2021	11-2-401.5	ASB118969 - 401.5 Failure to Revise.

SETTLEMENTS FOR \$10,000 OR MORE REACHED

There were 4 settlements for \$10,000 or more completed in May 2021.

- 1) On May 5, 2021, the Air District reached a settlement with Gas & Shop/Andy's BP, Inc. for \$10,000, regarding the allegations contained in the following one Notice of Violation:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A58542A	5/8/2019	2/5/2019	2-1-301	Unpermitted modification of gasoline tank to diesel tank (needs permit application)

- 2) On May 6, 2021, the Air District reached a settlement with Tesla, Inc. for \$1,000,000 regarding the allegations contained in the following thirty-two Notices of Violation:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A55779A	1/25/2017	10/12/2016	2-6-307	PC #2602 part J.7.
A55780A	3/2/2017	11/13/2015	2-6-307	DC# 25573, Title V Deviation #4394.
A55789A	5/7/2018	4/3/2018	2-6-307	PC #26027, Sections E.10 & G.10.
A55790A	5/7/2018	7/9/2017	2-1-301	No authority to construct.
A55790B	5/7/2018		2-1-302	No permit to operate.
A55790C	5/7/2018	7/9/2017	2-6-307	Violation of AC permit condition #26027 failure to conduct ST and modifying source.
A55791A	6/4/2018	5/26/2018	2-1-301	No P/O and No A/C.
A55791B	6/4/2018	5/26/2018	2-1-302	No P/O and No A/C.
A55792A	8/24/2018	6/1/2018	2-1-301	No authority to construct.
A55792B	8/24/2018	6/1/2018	2-1-302	No permit to operate.
A55793A	8/24/2018	4/1/2018	2-1-301	No A/C, no PO for paint hospital hangar op.
A55793B	8/24/2018	4/1/2018	2-1-302	No A/C, no PO for paint hospital hangar op.
A55794A	8/24/2018	8/24/2016	2-6-307	PC #9172, Part 3, no records of coating usage.
A55795A	3/8/2019		2-6-307	PC #26027 Part A2.16.

A55796A	3/8/2019	5/30/2018	2-6-307	Standard condition F- late reporting of 30-day title v-dev report, dev #5136 + 5137.
A55797A	5/9/2019	5/1/2018	2-6-307	Dev# 5164, Failure of POC source test PC#26027, Part A.2.2.
A55798A	5/9/2019	5/7/2018	2-1-320	Dev #5295 Solvent Change.
A55799A	1/30/2020	7/24/2019	2-6-307	Dev# 5571, RCA 07N00.
A55800A	5/9/2019	1/1/2019	2-6-307	Re:PC#9158, Part 4a Deviation#5336 Clarify occurrence date of violation to 1/1/19.
A55801A	5/9/2019	1/22/2019	2-6-307	2-6-307 PC#9158 Part 7 Dev #5397 ST NOX exceedance.
A55802A	5/9/2019	3/23/2019	2-6-307	Standard Condition F,PC# 9158 Part 2a - Operation of A-1002 below 1400°F.
A55802B	5/9/2019	3/23/2019	1-523.3	PC# 9158 Part 2a - Operation of A-1002 below 1400°F.
A57013A	1/16/2019	2/15/2018	2-1-301	Deviation 5090, 5091, 5095 and 5227.
A57013B	1/16/2019	2/15/2018	2-1-302	Deviation 5090, 5091, 5095 and 5227.
A57014A	1/16/2019	4/4/2018	2-6-307	Deviation 5136, 5137.
A57015A	1/16/2019	6/1/2017	2-1-301	Violation notice pertains to Title V dev. #5268 and should not include dev. #5282.
A57015B	1/16/2019	6/1/2017	2-1-302	Violation notice pertains to Title V dev. #5268 and should not include dev. #5282.
A57016A	1/16/2019	9/18/2018	2-6-307	Deviations #5248, #5267.
A57017A	1/16/2019	10/23/2017	2-6-307	Deviation #5058(5022).
A57018A	1/16/2019	12/1/2017	2-6-307	Deviation #5092.
A58769A	6/18/2020	3/27/2020	2-6-307	Abatement equipment A1002 did not operate during periods of truck line production per PC#9158(12).
A58769B	6/18/2020	3/27/2020	1-523.3	Add Regulation 1-523.3.
A58770A	8/31/2020	7/16/2020	2-6-307	Failure to meet permit conditions S-1002 was not abated at all times of operation (dev#6016).

A58770B	8/31/2020	7/16/2020	1-523.3	RCA was not reported within 96 hours of occurrence.
A58771A	10/5/2020	8/18/2020	2-6-307	S-1002 was not abated at all times of operation by A-30192 (RCA#07U71 & RCA#07U80).
A59578A	1/30/2020	8/3/2019	2-6-307	Dev# 5606, RCA# 07N20.
A59579A	1/30/2020	7/3/2019	1-523.3	RCA# 07N29 (Late RCA reporting & no Title V Dev reporting).
A59579B	1/30/2020		2-6-307	Dev# 5601.
A59580A	1/30/2020	9/12/2019	2-6-307	RCA number's 07N88, 07N90 & 07N93 Standard Condition F (Breakdown denial) & no Title V Dev reporting.
A59583A	2/7/2020	6/25/2019	2-6-307	Dev# 5548 Failure to retain records (Air Audit).
A59584A	2/7/2020	6/25/2019	2-1-301	Dev# 5550 No PTO for totes (Air Audit).
A59584B	2/7/2020	6/25/2019	2-1-302	Dev# 5550 No PTO for totes (Air Audit).
A59584C	2/7/2020	6/25/2019	2-6-307	Dev# 5550 No PTO for totes (Air Audit).
A59585A	2/7/2020	6/25/2019	2-1-301	Dev# 5551 No PTO for PERP (Air Audit).
A59585B	2/7/2020	6/25/2019	2-1-302	Dev# 5551 No PTO for PERP (Air Audit).
A59586A	2/7/2020	5/1/2019	2-6-307	Dev# 5553 More than 2 allowable temp excursions/month.

- 3) On May 13, 2021, the Air District reached a settlement with Schnitzer Steel for \$10,000, regarding the allegations contained in the following one Notice of Violation:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A56077A	7/7/2020	6/17/2020	5-301.1	Issued date amended to 7/7/20. Tin pile fire, no burn day.

- 4) On May 21, 2021, the Air District reached a settlement with Amphenol Thermometrics for \$40,000, regarding the allegations contained in the following one Notice of Violation:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A58755A	10/18/2019	7/3/2017	2-1-307	Exhaust gas flow of A-3 exceeded 16,000 cfm per PC# 1686.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Authorization to Execute Contract with the University of Washington to Estimate
Sources of Fine Particulate Matter Health Burdens and Exposure Inequities in all Bay
Area Communities

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to execute a contract with the University of Washington for the application of advanced modeling tools to estimate sources of fine particulate matter health burdens and exposure inequities in all Bay Area communities in an amount not to exceed \$418,528.

BACKGROUND

A year and a half after completing a modeling-based technical assessment for West Oakland, the Bay Area's first community for a Community Emissions Reduction Program (CERP), Air District staff are just now completing a modeling-based technical assessment for a second community. The detailed, block-by-block assessments completed for West Oakland and nearing completion for Richmond-North Richmond-San Pablo, provide information about what sources of directly emitted toxics and fine particulate matter (PM_{2.5}) in the community contribute most to *exposures* and *inequities in exposures*. While this block-by-block modeling approach is innovative and provides useful information for prioritizing actions and for communities to advocate for needed changes, staff recognizes that this approach has a long setup time and that most of the Bay Area's overburdened communities are still waiting for similar assessments.

Other air districts, such as the South Coast district, have completed technical assessments for more communities by basing them only on an inventory of pollutant emissions. But because impacts per ton of emissions vary greatly, depending on distances between people and emission sources, this approach is unsatisfactory for understanding which sources contribute most to actual impacts and exposure inequities.

Air District staff has decades of experience applying regional chemical transport models (CTMs) to support regional planning programs and rule development efforts. While such models cannot provide the detailed level of information that the block-by-block modeling approach provides, they can help to evaluate how both directly emitted PM_{2.5} and precursor gases contribute to PM_{2.5} levels, exposures, and exposure inequities in the Bay Area. However, because CTMs are complex, with long run times, this type of modeling can only provide limited insight into how different types of sources contribute to PM_{2.5} levels. For example, with traditional CTMs, exploring the individual contributions from many different source types takes too long to be practical.

To date, neither the block-by-block modeling approach or the traditional CTM modeling approach can provide detailed, but timely, information on what sources contribute most to PM_{2.5} exposures, health impacts, and inequities for communities not designated for CERPs. Recognizing the need to provide useful technical assessments for more communities sooner, with at least a preliminary level of information, Air District staff have been investigating methods for streamlining current approaches and, at the same time, are investigating new, more efficient tools for providing such assessments for more communities, more quickly.

DISCUSSION

Through this contract with the University of Washington, staff is seeking to leverage a new advanced modeling tool called the Intervention Model for Air Pollution (InMAP), which has been proven useful for evaluating inequalities in PM_{2.5} exposure and estimating the impacts of potential policy interventions. InMAP is built from a traditional CTM, but with reduced complexity. Because of its reduced complexity, it can be used to estimate what sources contribute most to PM_{2.5} exposures and inequities more efficiently than other approaches. Like traditional CTMs, InMAP can be used to estimate contributions from both direct sources of PM_{2.5} and from emissions of precursor gases. Unlike traditional CTMs, InMAP can also be used to efficiently explore the individual contributions from many different emission source types.

A Bay Area application of InMAP would draw from staff's decades of experience developing CTM emissions and other modeling inputs for the region. It would also draw from US Census data for groups of different ages, income levels, and race/ethnicity to assess exposure inequities. Staff anticipates that the InMAP approach will provide a wealth of information on PM_{2.5} exposures for *all Bay Area communities*, including assessments of exposure inequities and estimates of expected reductions in exposures from planned and considered emission-reduction measures.

The principal investigator for this contract, Dr. Julian Marshall at the University of Washington, is one of the developers of InMAP and has recently worked with Dr. Joshua Apte of the University of California at Berkeley to apply InMAP to analyses of environmental justice communities in California on behalf of the California Air Resources Board. With the expertise of Dr. Marshall and Dr. Apte, the University of Washington and its subcontractor UC Berkeley are uniquely qualified to develop an InMAP application for the Bay Area and to train District staff on applying this tool for future analyses.

Air District staff anticipate that modeling-based assessments developed via this contract will help provide useful information about PM_{2.5} sources driving exposures and inequities in the many Bay Area communities that have been identified as overburdened AB 617 communities but which are not yet designated for a Community Emissions Reduction Program.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for this contract is included in the approved budget for fiscal year ending (FYE) 2022.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Stephen Reid and Phil Martien
Reviewed by: Greg Nudd

Attachment 5A: Draft Professional Services Contract No. 2021.113 with University of Washington

AGENDA: 5A - ATTACHMENT

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

PROFESSIONAL SERVICES CONTRACT

CONTRACT NO. 2021.113

1. **PARTIES** – The parties to this Contract (“Contract”) are the Bay Area Air Quality Management District (“DISTRICT”) whose address is 375 Beale Street, Suite 600, San Francisco, CA 94105, and **University of Washington, Dept. of Civil & Environmental Engineering** (“CONTRACTOR”) whose address is 201 More Hall, Box 352700, Seattle, WA, 98195.
2. **RECITALS**
 - A. DISTRICT is the local agency with primary responsibility for regulating stationary source air pollution in the Bay Area Air Quality Management District in the State of California. DISTRICT is authorized to enter into this Contract under California Health and Safety Code Section 40701. DISTRICT desires to contract with CONTRACTOR for services described in the Scope of Work, attached hereto as Attachment A and made a part hereof by this reference. DISTRICT is entering into this Contract based on CONTRACTOR’s stated qualifications to perform the services.
 - B. All parties to this Contract have had the opportunity to have this contract reviewed by their attorney.
3. **PERFORMANCE REQUIREMENTS**
 - A. CONTRACTOR is authorized to do business in the State of California. CONTRACTOR attests that it is in good tax standing with federal and state tax authorities.
 - B. CONTRACTOR agrees to obtain any and all required licenses, permits, and all other appropriate legal authorizations from all applicable federal, state and local jurisdictions and pay all applicable fees.
 - C. CONTRACTOR shall comply with all laws and regulations that apply to its performance under this Contract, including any requirements to disclose potential conflicts of interest under DISTRICT’s Conflict of Interest Code.
 - D. CONTRACTOR shall not engage in any performance of work during the term of this contract that is in direct or indirect conflict with duties and responsibilities set forth in the Scope of Work.
 - E. CONTRACTOR shall exercise the degree of skill and care customarily required by accepted professional practices and procedures.
 - F. CONTRACTOR shall ensure that any subcontractors, employees and agents performing under this Contract comply with the performance standards set forth in paragraph D above.
4. **TERM** – The term of this Contract is from September 1, 2021 to December 31, 2022, unless further extended by amendment of this Contract in writing, or terminated earlier. CONTRACTOR shall not submit any invoice for services performed under this Contract until the Contract is fully executed.
5. **TERMINATION**
 - A. The DISTRICT may terminate this Contract at any time, at will, and without specifying any

reason, by notifying CONTRACTOR in writing. The notice of termination shall specify the effective date of termination, which shall be no less than thirty (30) calendar days from the date of delivery of the notice of termination, and shall be delivered in accordance with the provisions of section 10 below. Immediately upon receipt of the notice of termination, CONTRACTOR shall cease all work under this Contract, except such work as is specified in the notice of termination. CONTRACTOR shall deliver a final invoice for all remaining work performed but not billed, including any work specified in the termination notice, on or before ten (10) business days following the termination date.

- B. Either party may terminate this Contract for breach by the other party.
- i) Failure to perform any agreement or obligation contained in this Contract or failure to perform the services in a satisfactory manner shall constitute a breach of the Contract.
 - ii) The non-breaching party may terminate the Contract by delivery of a written notice of breach. The notice of breach shall specify the date of termination, which shall be no earlier than ten (10) business days from delivery of the notice of breach. In the alternative, at its sole discretion, the non-breaching party may require the breaching party to cure the breach. The notice of breach shall specify the nature of the breach and the date by which such breach must be cured.
 - iii) If CONTRACTOR fails to perform any obligation under this Contract, DISTRICT at its sole discretion, may perform, or cause the performance, of the obligation itself. In that event, DISTRICT shall deduct the costs to perform such obligation and any other costs to cure the breach from the payment otherwise due to CONTRACTOR for work performed under this Contract. DISTRICT's performance hereunder shall not be deemed a waiver or release of any obligation of, or default by, CONTRACTOR under this Contract.
 - iv) The notice of breach shall be provided in accordance with the notice requirements set forth in section 10.
 - v) The non-breaching party reserves all rights under law and equity to enforce this Contract and recover any damages.

6. INSURANCE

- A. CONTRACTOR shall maintain the following insurance:
- i) Workers' compensation and employers' liability insurance as required by California law or other applicable statutory requirements.
 - ii) Occurrence-based commercial general liability insurance or equivalent form with a limit of not less than one million dollars (\$1,000,000) each occurrence. Such insurance shall include DISTRICT and its officers, agents, and employees as additional insureds and shall be primary with respect to any insurance maintained by DISTRICT.
 - iii) Business automobile liability insurance or equivalent form with a limit of not less than one million dollars (\$1,000,000) each accident. Such insurance shall include coverage for owned, hired, and non-owned vehicles. If CONTRACTOR is a sole proprietor, CONTRACTOR may meet this insurance requirement with personal automobile liability insurance carrying a business use endorsement or by demonstrating to the satisfaction of DISTRICT that business use is covered under the CONTRACTOR's personal automobile liability insurance. A CONTRACTOR using only rental vehicles in performing work under this Contract may meet this insurance requirement by purchasing automobile liability insurance in the required coverage amount from the rental agency.
- B. All insurance shall be placed with insurers acceptable to DISTRICT.
- C. Prior to commencement of work under this Contract, CONTRACTOR shall furnish properly-

executed certificates of insurance for all required insurance. Upon request by DISTRICT, CONTRACTOR shall provide a complete copy of any required insurance policy. CONTRACTOR shall notify DISTRICT in writing thirty (30) days prior to cancellation or modification of any required insurance policy. Any such modifications are subject to pre-approval by DISTRICT.

- D. If CONTRACTOR fails to maintain the required insurance coverage set forth above, DISTRICT reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to CONTRACTOR or to terminate this Contract for breach.

7. INDEMNIFICATION

- A. CONTRACTOR shall indemnify and hold DISTRICT, its officers, employees and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance of this Contract but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of CONTRACTOR, its officers, agents, or employees.
- B. DISTRICT shall indemnify and hold CONTRACTOR, its officers, employees and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fee, or claims for injury or damages arising out of the performance of this Contract but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of DISTRICT, its officers, agents, or employees.

8. PAYMENT

- A. DISTRICT shall pay CONTRACTOR for services in accordance with the terms set forth in the Cost Schedule, which is attached hereto as Attachment B and incorporated herein by this reference.
- B. CONTRACTOR shall submit invoice(s) to DISTRICT for services performed. Each invoice shall specify the total cost of the services for which the invoice is submitted, shall reference tasks shown in the Scope of Work, the hours associated with same, or percentage completion thereof, and the amount of charge claimed, and, as appropriate, shall list any charges for equipment, material, supplies, travel, and subcontractors' services.
- C. DISTRICT's payment of invoices shall be subject to the following limitations and requirements:
 - i) Each invoice, including supporting documentation, shall be prepared in duplicate on CONTRACTOR's letterhead; shall list DISTRICT's contract number, the period covered by the invoice, and the CONTRACTOR's Social Security Number or Federal Employer Identification Number; and shall be submitted to: Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105, Attn: Contracts Manager.
 - ii) DISTRICT shall not pay interest, fees, handling charges, or the cost of money on the Contract.
 - iii) DISTRICT shall pay CONTRACTOR within thirty (30) calendar days after approval by DISTRICT of an itemized invoice.
- D. The total amount for which DISTRICT may be held liable for the performance of services specified in this Contract shall not exceed \$418,582.

9. DISPUTE RESOLUTION – A party that disputes a notice of breach must first seek mediation to resolve the dispute in accordance with the provisions set forth below.

- A. Upon receipt of a notice of breach of contract, the party may submit a demand for mediation to resolve whether or not a breach occurred. The party must state the basis of the dispute and deliver the demand within ten (10) business days of the date of receipt of the notice of breach.
 - B. The mediation shall take place at DISTRICT's office at 375 Beale Street, Suite 600, San Francisco, or at such other place as may be mutually agreed upon by the parties and the mediator.
 - C. The parties shall make good faith efforts to hold the mediation within thirty (30) days after receipt of the demand for mediation.
 - D. Each party shall bear its own mediation costs.
 - E. In the event the parties are unable to resolve the dispute, either party may file an action in a court of competent jurisdiction to enforce the Contract.
 - F. Maximum recovery under this section shall be limited to \$418,582. The mediation costs shall not reduce the maximum amount recoverable under this section.
10. NOTICES – All notices that are required under this Contract shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by e-mail, facsimile, or regular first class mail. In the case of e-mail and facsimile communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. E-mail and facsimile communications shall be deemed to have been received on the date of such transmission, provided such date was a business day and delivered prior to 4:00 p.m. PST. Otherwise, receipt of e-mail and facsimile communications shall be deemed to have occurred on the following business day. In the case of regular mail notice, notice shall be deemed to have been delivered on the mailing date and received five (5) business days after the date of mailing.

DISTRICT: Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Attn: Saffet Tanrikulu

CONTRACTOR: Univ. of Washington, Dept of Civil & Environmental Engineering
201 More Hall, Box 352700
Seattle, WA 98195
Attn: Sandra Ngo

11. ADDITIONAL PROVISIONS – All attachment(s) to this Contract are expressly incorporated herein by this reference and made a part hereof as though fully set forth.

12. EMPLOYEES OF CONTRACTOR

- A. CONTRACTOR shall be responsible for the cost of regular pay to its employees, as well as cost of vacation, vacation replacements, sick leave, severance pay, and pay for legal holidays.
- B. CONTRACTOR, its officers, employees, agents, or representatives shall not be considered employees or agents of DISTRICT, nor shall CONTRACTOR, its officers, employees, agents, or representatives be entitled to or eligible to participate in any benefits, privileges, or plans,

given or extended by DISTRICT to its employees.

- C. CONTRACTOR shall assign those employees listed in the Cost Schedule to perform work under this Contract. CONTRACTOR shall not assign different employees to perform this work without the express written permission of DISTRICT, which DISTRICT will not unreasonably withhold.
 - D. DISTRICT reserves the right to review the credentials to perform the work of any of CONTRACTOR's employees assigned herein and to disapprove CONTRACTOR's assignments. CONTRACTOR warrants that it will not employ any subcontractor(s) without prior written approval from DISTRICT.
13. CONFIDENTIALITY – In order to carry out the purposes of this Contract, CONTRACTOR may require access to certain of DISTRICT's confidential information (including trade secrets, inventions, confidential know-how, confidential business information, and other information that DISTRICT considers confidential) (collectively, "Confidential Information"). It is expressly understood and agreed that DISTRICT may designate in a conspicuous manner Confidential Information that CONTRACTOR obtains from DISTRICT, and CONTRACTOR agrees to:
- A. Observe complete confidentiality with respect to such information, including without limitation, agreeing not to disclose or otherwise permit access to such information by any other person or entity in any manner whatsoever, except that such disclosure or access shall be permitted to employees of CONTRACTOR requiring access in fulfillment of the services provided under this Contract.
 - B. Ensure that CONTRACTOR's officers, employees, agents, representatives, and independent contractors are informed of the confidential nature of such information and to assure by agreement or otherwise that they are prohibited from copying or revealing, for any purpose whatsoever, the contents of such information or any part thereof, or from taking any action otherwise prohibited under this section.
 - C. Not use such information or any part thereof in the performance of services to others or for the benefit of others in any form whatsoever whether gratuitously or for valuable consideration, except as permitted under this Contract.
 - D. Notify DISTRICT promptly and in writing of the circumstances surrounding any possession, use, or knowledge of such information or any part thereof by any person or entity other than those authorized by this section. Take at CONTRACTOR's expense, but at DISTRICT's option and in any event under DISTRICT's control, any legal action necessary to prevent unauthorized use of such information by any third party or entity which has gained access to such information at least in part due to the fault of CONTRACTOR.
 - E. Take any and all other actions necessary or desirable to assure such continued confidentiality and protection of such information during the term of this Contract and following expiration or termination of the Contract.
 - F. Prevent access to such materials by a person or entity not authorized under this Contract.
 - G. Establish specific procedures in order to fulfill the obligations of this section.
14. INTELLECTUAL PROPERTY RIGHTS – Title and full ownership rights to all intellectual property developed under this Contract shall at all times remain with DISTRICT, unless otherwise agreed to in writing.
15. PUBLICATION
- A. DISTRICT shall approve in writing any report or other document prepared by CONTRACTOR

in connection with performance under this Contract prior to dissemination or publication of such report or document to a third party. DISTRICT may waive in writing its requirement for prior approval.

- B. Until approved by DISTRICT, any report or other document prepared by CONTRACTOR shall include on each page a conspicuous header, footer, or watermark stating "DRAFT – Not Reviewed or Approved by BAAQMD," unless DISTRICT has waived its requirement for prior approval pursuant to paragraph A of this section.
- C. Information, data, documents, or reports developed by CONTRACTOR for DISTRICT, pursuant to this Contract, shall be part of DISTRICT's public record, unless otherwise indicated. CONTRACTOR may use or publish, at its own expense, such information, provided DISTRICT approves use of such information in advance. The following acknowledgment of support and disclaimer must appear in each publication of materials, whether copyrighted or not, based upon or developed under this Contract.

"This report was prepared as a result of work sponsored, paid for, in whole or in part, by the Bay Area Air Quality Management District (District). The opinions, findings, conclusions, and recommendations are those of the author and do not necessarily represent the views of the District. The District, its officers, employees, contractors, and subcontractors make no warranty, expressed or implied, and assume no legal liability for the information in this report."

- D. CONTRACTOR shall inform its officers, employees, and subcontractors involved in the performance of this Contract of the restrictions contained herein and shall require compliance with the above.
16. NON-DISCRIMINATION – In the performance of this Contract, CONTRACTOR shall not discriminate in its recruitment, hiring, promotion, demotion, and termination practices on the basis of race, religious creed, color, national origin, ancestry, sex, age, marital status, sexual orientation, medical condition, or physical or mental disability and shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Section 12900 et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, and all administrative rules and regulations issued pursuant to said Acts. CONTRACTOR shall also require each subcontractor performing work in connection with this Contract to comply with this section and shall include in each contract with such subcontractor provisions to accomplish the requirements of this section.
17. PROPERTY AND SECURITY – Without limiting CONTRACTOR'S obligations with regard to security, CONTRACTOR shall comply with all the rules and regulations established by DISTRICT for access to and activity in and around DISTRICT's premises.
18. ASSIGNMENT – No party shall assign, sell, license, or otherwise transfer any rights or obligations under this Contract to a third party without the prior written consent of the other party, and any attempt to do so shall be void upon inception.
19. WAIVER – No waiver of a breach, of failure of any condition, or of any right or remedy contained in or granted by the provisions of this Contract shall be effective unless it is in writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, whether or not similar, nor shall any

waiver constitute a continuing waiver unless the writing so specifies. Further, the failure of a party to enforce performance by the other party of any term, covenant, or condition of this Contract, and the failure of a party to exercise any rights or remedies hereunder, shall not be deemed a waiver or relinquishment by that party to enforce future performance of any such terms, covenants, or conditions, or to exercise any future rights or remedies.

20. ATTORNEYS' FEES – In the event any action is filed in connection with the enforcement or interpretation of this Contract, each party shall bear its own attorneys' fees and costs.
21. FORCE MAJEURE – Neither DISTRICT nor CONTRACTOR shall be liable for or deemed to be in default for any delay or failure in performance under this Contract or interruption of services resulting, directly or indirectly, from acts of God, enemy or hostile governmental action, civil commotion, strikes, lockouts, labor disputes, fire or other casualty, judicial orders, governmental controls, regulations or restrictions, inability to obtain labor or materials or reasonable substitutes for labor or materials necessary for performance of the services, or other causes, except financial, that are beyond the reasonable control of DISTRICT or CONTRACTOR, for a period of time equal to the period of such force majeure event, provided that the party failing to perform notifies the other party within fifteen calendar days of discovery of the force majeure event, and provided further that that party takes all reasonable action to mitigate the damages resulting from the failure to perform. Notwithstanding the above, if the cause of the force majeure event is due to party's own action or inaction, then such cause shall not excuse that party from performance under this Contract.
22. SEVERABILITY – If a court of competent jurisdiction holds any provision of this Contract to be illegal, unenforceable or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them will not be affected.
23. HEADINGS – Headings on the sections and paragraphs of this Contract are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Contract.
24. COUNTERPARTS/FACSIMILES/SCANS – This Contract may be executed and delivered in any number of counterparts, each of which, when executed and delivered, shall be deemed an original, and all of which together shall constitute the same contract. The parties may rely upon a facsimile copy or scanned copy of any party's signature as an original for all purposes.
25. GOVERNING LAW – Any dispute that arises under or relates to this Contract shall be governed by California law, excluding any laws that direct the application of another jurisdiction's laws. Venue for resolution of any dispute that arises under or relates to this Contract, including mediation, shall be San Francisco, California.
26. ENTIRE CONTRACT AND MODIFICATION – This Contract represents the final, complete, and exclusive statement of the agreement between the parties related to CONTRACTOR providing services to DISTRICT and supersedes all prior and contemporaneous understandings and agreements of the parties. No party has been induced to enter into this Contract by, nor is any party relying upon, any representation or warranty outside those expressly set forth herein. This Contract may only be amended by mutual agreement of the parties in writing and signed by

both parties.

27. SURVIVAL OF TERMS – The provisions of sections 7 (Indemnification), 13 (Confidentiality), 14 (Intellectual Property Rights), and 15 (Publication) shall survive the expiration or termination of this Contract.

IN WITNESS WHEREOF, the parties to this Contract have caused this Contract to be duly executed on their behalf by their authorized representatives.

BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

UNIVERSITY OF WASHINGTON, DEPT OF
CIVIL & ENVIRONMENTAL ENGINEERING

By: _____

Jack P. Broadbent
Executive Officer/APCO

By: _____

Sandra Ngo
Grants Manager

Date: _____

Date: _____

Approved as to form:
District Counsel

By: _____

Brian C. Bunger
District Counsel

ATTACHMENT A

SCOPE OF WORK

Application of the Intervention Model for Air Pollution (InMAP) in the San Francisco Bay Area

Background and Project Understanding

DISTRICT, through its Community Health Protection Program, is working with Bay Area communities to plan and implement Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017). This collaborative initiative is employing proven and innovative strategies to improve community health by reducing exposure to air pollutants in the most overburdened communities and impacted neighborhoods across the region. DISTRICT has been pursuing a process of developing community-scale, modeling-based assessments to estimate source contributions to impacts within individual communities (BAAQMD and WOEIP, 2019). However, DISTRICT is also interested in applying innovative approaches and modeling tools to identify effective exposure-reduction interventions in more communities sooner than current approaches accommodate.

InMAP is a reduced-complexity air quality model with flexible grid resolution that allows computational resources to be dedicated to areas that have highly spatially variable pollutant concentrations and population densities (Paoella et al. 2018). Reduced-complexity models are generally less accurate in terms of absolute concentrations of pollutants than conventional chemical transport models (CTMs). However, InMAP has been shown to reproduce the results of conventional models to a reasonable degree (Tessum, Hill, and Marshall 2017) and has been shown to be a flexible tool, applied in numerous studies, to assess exposure and the equity of exposure.

InMAP is well suited for modeling applications with the following requirements:

- Many model runs, such as those that include scenario assessment.
- Large modeling domains with higher spatial resolution compared to what is available in other models.
- Investigations of environmental injustice or equity issues.

As outlined in this Attachment A, Scope of Work, and in Attachment B, Cost Schedule, DISTRICT seeks to engage with CONTRACTOR to apply InMAP to the Bay Area.

CONTRACTOR's principal investigator is Dr. Julian Marshall who will seek assistance and direction from Drs. Joshua Apte at the University of California at Berkeley and Christopher Tessum at the University of Illinois to apply the InMAP model.

Project Tasks

Task 1. Develop Bay Area Community Multiscale Air Quality (CMAQ) modeling products

CONTRACTOR will partner with DISTRICT to develop needed 1-km modeling products (inputs and outputs) from the CMAQ model for the Bay Area for input to InMAP, using most recent model run and emissions inventory from DISTRICT. The actual model runs will be conducted by DISTRICT staff, using DISTRICT computers.

Timing: ~3 months after project kickoff

Task 2. Develop Bay Area demographic datasets

CONTRACTOR will use the most-recent (year-2010) US Census data to generate demographic datasets for the Bay Area including groups of different ages, income levels, and race/ethnicity. If year-2020 US Census data become publicly available in a finalized, robust, and well-vetted format prior to project kickoff, CONTRACTOR will consider, through discussions with DISTRICT, the possibility of revising the input census data (using year-2020 instead of year-2010).

Timing: ~3 months after project kickoff

Task 3. Engage with Bay Area community groups

Near the project start, and throughout the project, CONTRACTOR will engage with Bay Area community group members and with community advocates for the purpose of describing the proposed application of InMAP tool and gathering ideas to scope the information developed through this contract to help support community goals. This engagement effort will be led by DISTRICT staff with experience in community engagement.

Timing: At the project start and throughout the project.

Task 4. Develop early draft results

CONTRACTOR will develop early draft results. This effort will employ existing, available InMAP tools to generate first-draft results. The main goal is to have initial results to share internally, as a “prototype”, to give DISTRICT and Bay Area community groups a general sense of what the results will look like.

Timing: ~3 months after project kickoff.

Task 5. Develop a Source-Receptor (S-R) matrix for the Bay Area

CONTRACTOR will generate a Source-Receptor (S-R) matrix for the Bay Area

- The S-R matrix covers changes in concentration with primary PM_{2.5} emissions changes in pNH₄ concentration per unit NH₃ emitted, pSO₄ concentration per unit SO₂ emitted, pNO₃ concentration per unit NO_x emitted, and secondary organic aerosols (SOA) concentration per unit volatile organic compounds (VOC) emitted.

- DISTRICT will separately fund the cloud computing services needed to conduct these runs. Details for the model runs (e.g., spatial resolution for the S-R matrix) and the logistics for DISTRICT to approve and pay for these services will be determined at a later date.

Timing: within ~4 months of completion of Tasks 1 and 2

Task 6. Estimate PM exposures by demographic groups and by emissions source categories

CONTRACTOR will evaluate and map PM exposures by demographic groups and by emissions source categories. CONTRACTOR will develop screening-level products to assist the DISTRICT and community groups in understanding about emissions sources of concern in selected Bay Area Communities and prioritizing emission-reduction strategies. CONTRACTOR will develop Bay Area and subregional sets for metrics to map regional and subregional patterns of exposure. In consultation with DISTRICT, CONTRACTOR will consider the following emission-source categories:

- Selected categories of permitted facilities
- On-road mobile sources by heavy-duty and light-duty categories
- Off-road mobile sources by source category
- Residential wood burning
- Residential natural gas combustion
- Commercial cooking
- Construction
- Ships and port-related activities
- Agriculture

Timing: within ~5 months of completion of Task 5

Task 7. Training for DISTRICT in set-up and use of InMAP

CONTRACTOR will provide training for DISTRICT staff in set-up and use of InMAP.

Timing: To be mutually determined and agreed upon, but likely, after initial products are developed (e.g., after first-draft results from Tasks 5 or 6 are available)

Task 8. Documentation of methods, products, and datasets

CONTRACTOR will provide documentation of methods, products, and datasets of Task 6 deliverables.

Timing: within ~5 months of completion of Task 6

ATTACHMENT B

COST SCHEDULE

DISTRICT shall pay CONTRACTOR for the tasks described in Attachment A, Scope of Work and in accordance with the table below. CONTRACTOR's Principal Investigator is Dr. Julian Marshall. Payments shall be made in accordance with Section 8, Payment of this Contract.

Estimated Timeline and Tasks Costs

Tasks	Cost	Sep-21	Oct	Nov	Dec	Jan-22	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Task 1. Develop Bay Area CMAQ modeling products	\$50,230	■	■	■											
Task 2. Develop Bay Area demographic datasets	\$41,858	■	■	■											
Task 3. Engage with Bay Area community groups	\$83,716	■	■	■	■	■	■	■	■	■	■	■	■	■	
Task 4. Develop early draft results	\$41,858	■	■	■											
Task 5. Develop a Source-Receptor (S-R) matrix for the Bay Area	\$50,230			■	■	■	■								
Task 6. Estimate PM exposures by demographic groups and by emissions source categories	\$62,787						■	■	■	■	■				
Task 7. Training for Air District in set-up and use of InMA	\$20,929							■	■	■	■				
Task 8. Documentation of methods, products, and datasets	\$66,973										■	■	■	■	■
Project Budget	\$418,582														

Costs are inclusive of all personnel, fringe benefits, materials, travel, equipment, insurance, communications, indirect, facilities, and administrative costs that will be incurred over the course of the proposed project.

Total cost of Contract not to exceed \$418,582.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Projects and Contracts with Proposed Grant Awards Over \$100,000

RECOMMENDED ACTIONS

Recommend Board of Directors:

1. Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1, including a policy waiver to allow the Transportation Fund for Clean Air (TFCA) Regional Fund to be used as match for one recommended school bus project;
2. Waive TFCA Regional Fund Policy #2 (Cost-Effectiveness) and allow a project that will replace older diesel school buses with electric zero-emission buses to be fully reimbursable with Air District grant funding; and
3. 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 (NO_x), 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. Since 2018, this funding may also be used to incentivize the installation of infrastructure that will support the deployment of new zero-emissions vehicles and equipment.

Assembly Bill (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 March 4, 2020, the Board of Directors (Board) authorized the Air District's participation in Year 22 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, AB 617 directed the CARB, in conjunction with local air districts to establish the Community Air Protection Program (CAPP). 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. AB 617 includes a variety of strategies to address air quality issues in impacted communities, including community-level monitoring, uniform emission reporting across the State, stronger regulation of pollution sources, and incentives for reducing air pollution and public health impacts from mobile and stationary sources. Funding for incentives to support AB 617 communities was approved by the California Legislature beginning in fiscal year ending (FYE) 2018. Funding for the CAPP comes from the State's Greenhouse Gas Reduction Fund (GGRF), which is used to reduce criteria pollutants, toxic air contaminants, and greenhouse gases.

In May 2020, the Governor issued a revised budget that authorized up to \$200 million for a third cycle of CAPP incentive funding. On June 17, 2020, the Board authorized the Air District to accept, obligate, and expend up to \$40 million in Year-3 CAPP. These funds are primarily distributed through the Air District's Community Health Protection Grant Program to implement projects eligible under the CMP and optionally on-road truck replacements under the Proposition 1B Goods Movement Emission Reduction Program. Staff has also begun working with CARB to expand eligibility to include stationary source projects and projects that have been identified and prioritized by communities with a Community Emissions Reduction Program, pursuant to HSC Section 44391.2.

In February 2018, CARB developed the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program Guidelines that outlines requirements for eligible equipment, e.g., agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations. On October 21, 2019, CARB's Executive Officer approved an update to the FARMER Program Guidelines to include eligibility criteria for demonstration projects. 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 passed through to the designated County Program Manager in each of the nine counties within the Air District's jurisdiction that in turn award TFCA funds to eligible projects within their communities.

On April 15, 2020, and July 15, 2020, the Board authorized funding allocations for use of the sixty percent of the TFCA revenue in FYE 2021, cost-effectiveness limits for Air District-sponsored FYE 2021 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 3, 2020, the Board adopted policies and evaluation criteria for the FYE 2021 Regional Fund program.

Projects with grant award amounts over \$100,000 are brought to the Mobile Source and Climate Impacts Committee (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/entities. Along with recommendations for projects and grant awards over \$100,000, staff also updates the Committee on the status of incentive funding for the current fiscal year, including total funding awarded, incentive fund balance available for award, funds allocated by county and by equipment category type, and percentages of funding benefitting impacted and low-income communities. It should be noted that for each mobile source project, the allocation of emissions reduction benefits to counties or impacted communities is staff's best estimate based on the information provided to the Air District by the applicant at the time a project is evaluated.

DISCUSSION

Carl Moyer Program and Community Health Protection Grant Program:

For the FYE 2021 the Air District had approximately \$45.9 million available in CMP, MSIF, Community Health Protection (CHP) Grant Program, and FARMER funds for eligible projects, including approximately \$3.4 million from prior year funds. The Air District accepts project applications on a rolling basis and evaluates them on a first-come, first-served basis.

As of June 22, 2021, the Air District had received or evaluated 131 project applications. Of the applications that were evaluated between May 25 and June 22, 2021, four eligible projects have proposed grant awards over \$100,000. One off-road agricultural project will replace two pieces of mobile, diesel-powered equipment. One marine project will replace one charter fishing vessel diesel engine with a cleaner diesel engine. Two school bus projects will replace 5 diesel school buses and 4 compressed natural gas (CNG) school buses with 9 electric school buses and install supporting infrastructure. These projects will reduce 1.83 tons of NO_x, ROG, and PM per year. Staff recommends the allocation of \$4,160,236 for these projects from a combination of CMP, TFCA, FARMER, Community Health Protection, and MSIF revenues. Attachment 1, Table 1, provides additional information on these projects.

Attachment 2 lists all of the eligible projects that have been awarded by the Air District between July 1, 2020, and June 22, 2021, and includes information about equipment category, award amounts, estimated emissions reductions, county location, and whether the project benefits Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (Senate Bill (SB) 535) and/or low-income (AB 1550) communities. To date, approximately 74% of the funds¹ have been awarded or allocated to low-income residents or to projects that reduce emissions CARE areas, disadvantaged SB 535, and/or low-income AB 1550 communities.

Transportation Fund for Clean Air Program:

For the FYE 2021, the Air District had approximately \$31.44 million in TFCA monies available for eligible projects and programs consisting of new and prior-year revenues. The Air District accepts project applications for certain project categories on a rolling basis and evaluates them on a first-come, first-served basis.

As of June 22, 2021, the Air District had received 11 project applications. In addition, between May 25, 2021, and June 22, 2021, staff evaluated one school bus project, which is recommended in the CMP section above, that proposes to replace five diesel special needs school buses with electric special needs school buses and install charging infrastructure (Project # 22SBP40). Staff is recommending the allocation of up to \$1,232,175 in TFCA funding as matching funds for this project because the five buses do not qualify for full funding under the CMP guidelines. The project benefits disadvantaged and low-income communities in San Jose, and is recommended for \$889,832 in CMP, CHP and MSIF funding leaving a shortfall of \$1,232,175, which is recommended for match funding from the TFCA.

Table 1 provides additional information on the proposed awards for this school bus project.

¹ For the purpose of determining whether funding was awarded or allocated to low-income residents or to projects that reduce emissions in CARE, SB 535, and/or low-income AB 1550 communities, funds awarded and allocated to date does not include any amounts awarded to regional projects where all communities receive the benefit. It also does not include amounts awarded to projects where the location of the benefit is unknown until additional information becomes available.

Table 1: Proposed award for school bus project #22SBP40

Project Description	5 buses and charging infrastructure
Total Project Cost	\$2,123,974
Proposed CMP/CHP/MSIF Award	\$889,832
Proposed TFCA Award (5 buses only)	\$1,232,175
Total Proposed Award	\$2,122,007

This action requires a waiver of one Air District Board-adopted TFCA Regional Fund policy:

- TFCA Regional Fund Policy #2 Cost-Effectiveness: Although the FYE 2021 Regional Fund policies allow for 100% of the cost of school bus projects to be paid for with grant funding, the cost-effectiveness limit would be exceeded for five diesel bus replacement under project #22SBP40.

If the Board approves this recommendation, the emissions reductions would be entirely reported under the CMP program to prevent double counting.

In addition to the projects that are discussed in this report, a total of \$6,000,000 for light duty vehicle infrastructure projects from the recently closed *Charge!* program solicitation is pending Board approval. If any of these projects are found to meet the Carl Moyer Guidelines, up to \$1 million of eligible projects may be reimbursed through Moyer/MSIF funding. A list of ranked projects and proposed grant awards can be found in Attachment 4.

Attachment 3, Table 1, lists all eligible TFCA projects that have been evaluated and awarded between July 1, 2020 and June 22, 2021, including information about the project category, award amount, estimated emissions reduction, county location, and whether the project benefits Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (Senate Bill (SB) 535) and/or low-income (AB 1550) communities. To date, approximately 91% of the funds have been awarded or allocated to low-income residents or to projects that reduce emissions in CARE, disadvantaged SB 535, and/or low-income AB 1550 communities. This percentage will change over time as the remaining funds are awarded later in the fiscal year and as more complete information about the location of projects and program participants becomes available.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. The Air District distributes the CMP, MSIF, Community Health Protection Grant Program, and TFCA 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

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Reviewed by: Karen Schkolnick

Attachment 1: Projects with Grant Awards Greater than \$100,000

Attachment 2: CMP/MSIF, FARMER and Community Health Protection Grant Program Projects Awarded and Allocated between 7/1/20 and 6/22/21

Attachment 3: TFCA Projects Awarded and Allocated between 7/1/20 and 6/22/21

Attachment 4: Charge! Program Rank List, Evaluated between 3/18/21 and 6/2/21

Attachment 5: Summary of Funding Awarded and Allocated between 7/1/20 and 6/22/21

AGENDA 6 - ATTACHMENT 1

Table 1 - Carl Moyer Program/ Mobile Source Incentive Fund, FARMER, Community Health Protection Program, and TFCA projects with grant awards greater than \$100k (Evaluated between 5/25/21 and 6/22/21)

Project #	Applicant Name	Project Category	Project Description	Proposed Contract Award	Total Project Cost	Emission Reductions (tons per year)			County
						NO _x	ROG	PM	
22SBP40*	Franklin-McKinley School District	School Bus	Replace 5 diesel special needs school buses with 5 electric special needs school buses, and fund supporting infrastructure.	\$ 2,122,007	\$ 2,123,974	0.250	0.015	0.003	Santa Clara
22SBP105	Fremont Unified School District	School Bus	Replace 4 CNG school buses with 4 electric school buses, and fund supporting infrastructure.	\$ 1,731,969	\$ 1,733,249	0.414	0.036	0.018	Alameda
22MOY169	Kenzo Estate, Inc.	Ag/Off-road	Replace 2 agricultural Tier 3 diesel tractor engines with Tier 4 engines	\$ 132,260	\$ 165,326	0.223	0.020	0.015	Napa
22MOY158	Laurence J Collins	Marine	Replace one Tier 0 with a Tier 3 diesel engine on a commercial fishing vessel	\$ 174,000	\$ 217,919	0.790	0.018	0.028	San Francisco
4 Projects				\$ 4,160,236	\$ 4,240,468	1.678	0.089	0.063	

*The award amount includes a total of \$1,232,175 in TFCA funds.

AGENDA 6 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects
(Awarded and Allocated between 7/1/20 and 6/22/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
21MOY203	Ag/ off-road	Equipment Replacement	1	\$ 60,000.00	Rider Vineyards dba Joseph Rider	0.104	0.005	0.006	APCO	No	No	Napa
21MOY198	On-road	Equipment Replacement	1	\$ 10,000.00	EPP Transport, LLC	0.181	0.015	0.000	APCO	Yes	Yes	Alameda
21MOY206	Ag/ off-road	Equipment Replacement	2	\$ 90,840.00	Hudson Vineyards LLC	0.162	0.005	0.009	APCO	No	No	Napa
21MOY210	On-road	Equipment Replacement	1	\$ 20,000.00	Samuel's Trucking	0.466	0.039	0.003	APCO	Yes	Yes	Alameda
21MOY217	On-road	Equipment Replacement	1	\$ 25,000.00	Daxin Trucking, LLC.	0.566	0.048	0.000	APCO	Yes	Yes	Alameda
21MOY208	Ag/ off-road	Equipment Replacement	2	\$ 76,300.00	M. German & Son Partnership	0.345	0.055	0.028	APCO	No	No	Solano
21MOY209	Ag/ off-road	Equipment Replacement	1	\$ 48,800.00	Lum Family Farms Inc	0.145	0.026	0.018	APCO	No	No	Solano
21MOY214	Ag/ off-road	Equipment Replacement	5	\$ 255,400.00	Robledo Vineyard Mgmt LLC	0.563	0.092	0.061	10/7/2020	No	No	Sonoma/ Napa
21MOY212	On-road	Equipment Replacement	1	\$ 55,000.00	Ram Harak & Son Trucking	0.352	0.030	0.002	APCO	Yes	Yes	Alameda
21MOY235	Ag/ off-road	Equipment Replacement	1	\$ 51,366.00	Mertens Dairy	0.213	0.038	0.028	APCO	No	No	Sonoma
21MOY228	Ag/ off-road	Equipment Replacement	3	\$ 130,200.00	Turnbull Wine Cellars	0.191	0.037	0.026	10/7/2020	No	No	Napa
21MOY239	Ag/ off-road	Equipment Replacement	4	\$ 170,100.00	Michael Wolf Vineyard Services Inc.	0.206	0.016	0.021	10/7/2020	No	Yes	Napa
21MOY121	On-road	Equipment Replacement	1	\$ 15,000.00	Prabhjit	0.321	0.027	0.000	APCO	No	Yes	San Joaquin
21MOY218	Ag/ off-road	Equipment Replacement	2	\$ 76,100.00	Richard A. Zimmerman	0.194	0.030	0.017	APCO	No	No	Solano
21MOY240	On-road	Equipment Replacement	1	\$ 20,000.00	Sunny Trucking	0.301	0.025	0.000	APCO	No	Yes	San Joaquin
21MOY227	On-road	Equipment Replacement	1	\$ 40,000.00	Streamline Trans Inc., dba DM Trucking	0.836	0.071	0.006	APCO	Yes	Yes	Alameda
21MOY246	On-road	Equipment Replacement	1	\$ 30,000.00	All Transportation	0.375	0.032	0.000	APCO	Yes	No	Alameda
21MOY241	Ag/ off-road	Equipment Replacement	1	\$ 62,950.00	Wight Vineyard Management, Inc.	0.126	0.008	0.008	APCO	No	Yes	Napa
21MOY102	Off-Road	Equipment Replacement	1	\$ 48,850.00	San Mateo Union High School District	0.092	0.021	0.016	APCO	No	Yes	San Mateo
21MOY166	Ag/ off-road	2-for-1 Equipment Replacement	1	\$ 39,400.00	Beckstoffer Vineyards Napa Valley	0.250	0.037	0.025	APCO	No	No	Napa
21MOY223	On-road	Equipment Replacement	1	\$ 30,000.00	Oakland Container Trucking	0.525	0.038	0.000	APCO	Yes	Yes	Alameda
21MOY265	Ag/ off-road	Equipment Replacement	1	\$ 182,700.00	Paul P. Bianchi, Inc	1.251	0.138	0.079	11/18/2020	No	No	Sonoma

AGENDA 6 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 6/22/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/ SB535 Area	County
						NOx	ROG	PM				
21MOY245	Ag/ off-road	Equipment Replacement	4	\$ 143,400.00	Ilsley Brothers Farming, LLC	0.209	0.078	0.035	11/18/2020	No	No	Napa
21MOY236	Ag/ off-road	Equipment Replacement	1	\$ 604,150.00	Morrison Cazares Boyer Construction inc.	1.060	0.098	0.056	11/18/2020	No	No	Napa
21MOY232	Off-Road	Equipment Replacement	1	\$ 125,000.00	L.H. Voss Materials	0.725	0.036	0.018	11/18/2020	Yes	Yes	Alameda/ Contra Costa
21SBP196	School Bus	Equipment Replacement + Infrastructure	2	\$ 258,081.00	Fairfield-Suisun Unified School District	0.113	0.001	0.000	11/18/2020	No	Yes	Solano
21MOY249	On-road	Equipment Replacement	1	\$ 25,000.00	Jeevan Trucking Inc	0.478	0.040	0.000	APCO	Yes	Yes	Alameda
21MOY221	Ag/ off-road	Equipment Replacement	2	\$ 91,650.00	Robert J Camozzi II	0.211	0.024	0.021	APCO	No	No	Sonoma
21MOY257	On-road	Equipment Replacement	1	\$ 25,000.00	Harpinderpal Singh	0.466	0.035	0.000	APCO	Yes	Yes	Alameda
21MOY238	Ag/ off-road	Equipment Replacement	1	\$ 64,700.00	Foley Family Farms, LLC	0.141	0.018	0.012	APCO	No	No	Sonoma
21MOY281	Ag/ off-road	Equipment Replacement	1	\$ 42,200.00	Palm Drive Vineyards LLC	0.044	0.005	0.006	APCO	No	No	Sonoma
21MOY233	Ag/ off-road	Equipment Replacement	1	\$ 62,000.00	RR Farms	0.071	0.011	0.008	APCO	No	No	Sonoma
21MOY272	Ag/ off-road	Equipment Replacement	1	\$ 58,000.00	StoneMar Properties, LLC	0.100	0.005	0.006	APCO	No	No	Contra Costa
21MOY280	Ag/ off-road	Equipment Replacement	1	\$ 64,400.00	Barbour Vineyards Management LLC	0.113	0.007	0.007	APCO	No	No	Napa
21MOY274	Ag/ off-road	Equipment Replacement	3	\$ 120,500.00	Green Valley Cattle Co.	0.205	0.035	0.021	12/16/2020	No	No	Solano
21MOY251	Ag/ off-road	Equipment Replacement	1	\$ 50,300.00	Wild Oak Vineyards LLC	0.086	0.019	0.015	APCO	No	No	Solano
22MOY2	On-road	Equipment Replacement	1	\$ 35,000.00	Mandeep Singh	0.337	0.029	0.000	APCO	Yes	Yes	Alameda
22MOY4	Marine	Engine Replacement	1	\$ 128,000.00	Happy Hooker Sportfishing	0.307	-0.008	0.019	12/16/2020	Yes	Yes	Alameda
21MOY234	On-road	Engine Replacement	1	\$ 35,000.00	Jianye Trucking Inc.	0.674	0.057	0.000	APCO	Yes	Yes	Alameda
21MOY242	On-road	Engine Replacement	1	\$ 30,000.00	OJM Trucking Inc.	0.620	0.053	0.000	APCO	Yes	Yes	Alameda
22MOY3	Marine	Engine Replacement	2	\$ 1,166,000.00	San Francisco Water Emergency Transportation Authority	5.570	0.500	0.190	12/16/2020	Yes	Yes	San Francisco/ Alameda/ Contra Costa
21MOY172	Ag/ off-road	Engine Replacement	2	\$ 512,750.00	George Chiala Farms, Inc.	1.656	0.154	0.089	12/16/2020	No	No	Santa Clara
22MOY6	Ag/ off-road	Engine Replacement	1	\$ 185,400.00	Mazzetta Dairy	1.155	0.106	0.066	12/16/2020	No	No	Sonoma
21MOY226	Off-Road	Engine Replacement	2	\$ 141,000.00	Columbia Electric, Inc.	0.532	0.038	0.035	12/16/2020	Yes	Yes	Alameda/ Contra Costa/ Santa Clara
21MOY277	Off-Road	Engine Replacement	5	\$ 345,500.00	R.J.S. & Associates, Inc.	1.815	0.171	0.107	12/16/2020	Yes	Yes	Santa Clara/ Alameda

AGENDA 6 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 6/22/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22MOY13	Marine	Engine Replacement	1	\$ 140,000.00	Lion Fisheries, LLC.	0.898	-0.013	0.036	12/16/2020	No	No	San Mateo
21MOY237	Ag/ off-road	Engine Replacement	2	\$ 85,300.00	Dirt Farmer & Company, A California Corporation	0.272	0.054	0.037	APCO	No	No	Sonoma
21MOY225	On-road	Engine Replacement	1	\$ 35,000.00	Longs Mach	0.453	0.034	0.000	APCO	Yes	Yes	Alameda
21MOY264	On-road	Equipment Replacement	1	\$ 60,000.00	McKim Corp	2.260	0.160	0.014	APCO	No	Yes	Santa Clara
21MOY261	On-road	Equipment Replacement	1	\$ 20,000.00	Dhillon Trucking	0.654	0.097	0.029	APCO	Yes	No	Alameda
22MOY15	On-road	Equipment Replacement	1	\$ 35,000.00	NCH Trucking	0.635	0.054	0.005	APCO	Yes	No	Alameda
22MOY16	On-road	Equipment Replacement	1	\$ 30,000.00	Sahara Logistics INC DBA Ibrahim Trucking	0.410	0.035	0.000	APCO	Yes	No	Alameda
21MOY243	On-road	Equipment Replacement	1	\$ 40,000.00	Gill Freightliner	0.684	0.058	0.000	APCO	Yes	Yes	Alameda
22MOY17	Off-Road	Equipment Replacement	2	\$ 103,100.00	Robledo Inc.	0.313	0.048	0.028	1/20/2021	No	No	Solano
22MOY34	On-road	Equipment Replacement	1	\$ 55,000.00	26 Pawar Corporation	1.117	0.084	0.007	APCO	Yes	Yes	Santa Clara
22MOY1	Ag/ off-road	Equipment Replacement	1	\$ 33,000.00	Gerald & Kristy Spaletta	0.046	0.044	0.011	APCO	No	No	Sonoma
21MOY275	Off-Road	Equipment Replacement + Infrastructure	2	\$ 90,100.00	Pine Cone Lumber Co., Inc.	0.068	0.011	0.004	APCO	No	No	Santa Clara
21MOY271	On-road	Equipment Replacement	1	\$ 30,000.00	Sarbjit Singh Deol	0.325	0.028	0.000	APCO	Yes	Yes	Alameda
22MOY10	On-road	Equipment Replacement	1	\$ 10,000.00	Lam Le	0.153	0.012	0.000	APCO	Yes	Yes	Alameda
21MOY278	On-road	Equipment Replacement	1	\$ 40,000.00	Gurtej Atwal	0.764	0.052	0.006	APCO	No	No	Alameda
22MOY8	On-road	Equipment Replacement	1	\$ 25,000.00	MP Trucking	0.364	0.031	0.000	APCO	No	No	San Joaquin
22MOY35	On-road	Equipment Replacement	1	\$ 35,000.00	Sahara Logistics INC DBA Ibrahim Trucking	0.391	0.033	0.000	APCO	Yes	No	Alameda
21MOY285	On-road	Equipment Replacement	1	\$ 40,000.00	G S Trucking	0.658	0.056	0.004	APCO	Yes	Yes	Alameda
22MOY38	On-road	Equipment Replacement	1	\$ 20,000.00	Primo Express Transport, Inc	0.394	0.033	0.003	APCO	Yes	Yes	Contra Costa
21MOY283	On-road	Equipment Replacement	1	\$ 40,000.00	Sall Trucking	0.943	0.156	0.008	APCO	Yes	Yes	Alameda
22MOY25	On-road	Equipment Replacement	1	\$ 40,000.00	Sarbjit S Bains	0.687	0.058	0.005	APCO	No	Yes	Santa Clara
22MOY26	On-road	Equipment Replacement	1	\$ 25,000.00	Dharmender Singh Barn	0.530	0.045	0.000	APCO	Yes	No	Alameda
22MOY33	Off-Road	Equipment Replacement	3	\$ 153,600.00	Cornerstone Certified Vineyard	0.396	0.068	0.051	1/20/2021	No	No	Sonoma

AGENDA 6 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 6/22/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/ SB535 Area	County
						NOx	ROG	PM				
22MOY43	Off-Road	Equipment Replacement	3	\$ 128,300.00	Atlas Vineyard Management, Inc.	0.158	0.033	0.024	3/3/2021	No	No	Napa
22MOY18	Off-Road	Equipment Replacement	2	\$ 259,100.00	Willotta Ranch	1.073	0.130	0.073	1/20/2021	No	No	Solano
22MOY39	Off-Road	Equipment Replacement	1	\$ 53,200.00	Romero Vineyard Management LLC	0.066	0.016	0.012	APCO	No	No	Napa
22MOY19	Marine	Engine Replacement	6	\$ 3,715,000.00	San Francisco Water Emergency Transportation Authority	16.822	1.500	0.562	1/20/2021	Yes	Yes	San Francisco/ Alameda/ Contra Costa
22MOY30	Marine	Engine Replacement	2	\$ 298,000.00	A.C. Fishing Charters Inc., dba Tigerfish Sportfishing	0.515	0.002	0.027	1/20/2021	No	No	Alameda
22MOY21	Marine	Engine Replacement	1	\$ 120,000.00	Jerry Harold Pemberton	0.244	0.003	0.009	1/20/2021	No	No	San Mateo
22MOY24	Ag/ off-road	Engine Replacement	1	\$ 139,900.00	Stanley J Poncia	0.256	0.047	0.036	1/20/2021	No	Yes	Sonoma
21MOY134	Ag/ off-road	Equipment Replacement	1	\$ 34,000.00	Dutton Ranch Corp.	0.061	0.003	0.003	APCO	No	No	Sonoma
22MOY46	Ag/ off-road	Equipment Replacement	2	\$ 93,800.00	Shafer Vineyards	0.208	0.057	0.024	APCO	No	No	Napa
22MOY61	Ag/ off-road	Equipment Replacement	1	\$ 141,600.00	Larry's Produce LLC	0.360	0.039	0.023	3/3/2021	No	No	Solano
22MOY27	Ag/ off-road	Equipment Replacement	1	\$ 223,500.00	Mark and Lisa Shelley	1.205	0.111	0.069	3/3/2021	No	No	Sonoma
21SBP211	School Bus	Equipment Replacement + Infrastructure	3	\$ 560,575.00	Menlo Park City School District	0.160	0.011	0.001	3/3/2021	No	Yes	San Mateo
22MOY37	Ag/ off-road	Equipment Replacement	1	\$ 347,400.00	Morrison Chopping, LLC	2.073	0.199	0.108	3/3/2021	No	No	Sonoma
22MOY68	Ag/ off-road	Equipment Replacement	1	\$ 20,000.00	Roger King	0.013	0.010	0.003	APCO	No	No	Solano
22MOY51	Ag/ off-road	Equipment Replacement	1	\$ 30,100.00	Robert Lauritsen	0.024	0.023	0.006	APCO	No	No	Napa
22MOY55	Ag/ off-road	Equipment Replacement	1	\$ 56,200.00	Thomas W. Crane	0.137	0.021	0.012	APCO	No	No	Sonoma
22MOY60	Ag/ off-road	Equipment Replacement	1	\$ 33,800.00	Karl Bucher	0.019	0.017	0.005	APCO	No	Yes	Napa
22MOY58	Ag/ off-road	Equipment Replacement	1	\$ 42,000.00	Sweetlane Nursery and Vineyards, Inc. dba Grossi Farms	0.031	0.008	0.007	APCO	No	No	Sonoma
22MOY5	Marine	Engine Replacement	2	\$ 293,000.00	Golden Eye 2000	2.471	-0.025	0.097	TBD	Yes	Yes	Alameda
22MOY79	Ag/ off-road	Equipment Replacement	1	\$ 43,500.00	Loma del sol farming inc.	0.088	0.020	0.015	APCO	No	No	Sonoma
22MOY82	Ag/ off-road	Equipment Replacement	1	\$ 34,000.00	Gilardi's Family Farm	0.036	0.006	0.004	APCO	No	Yes	Sonoma
22MOY69	Ag/ off-road	Equipment Replacement	2	\$ 276,450.00	Ielmorini Custom Spreading, LLC	2.124	0.200	0.116	4/7/2021	No	Yes	Marin/ Sonoma
22MOY72	Ag/ off-road	Equipment Replacement	1	\$ 318,200.00	West Marin Compost LLC	0.945	0.042	0.024	4/7/2021	No	Yes	Marin

AGENDA 6 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 6/22/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/ SB535 Area	County
						NOx	ROG	PM				
22MOY80	Ag/ off-road	Equipment Replacement	5	\$ 300,900.00	Renteria Vineyard Management LLC	0.699	0.098	0.072	4/7/2021	No	No	Napa/ Sonoma
22SBP14	School Bus	Equipment Replacement + Infrastructure	2	\$ 622,556.00	Milpitas Unified School District	0.191	0.018	0.001	4/7/2021	No	Yes	Santa Clara
22MOY81	Ag/ off-road	Equipment Replacement	2	\$ 101,800.00	Stephen Tenbrink	0.285	0.033	0.022	4/7/2021	No	No	Solano
22MOY64	Ag/ off-road	Equipment Replacement	2	\$ 166,500.00	Joseph Rider	0.152	0.030	0.022	4/7/2021	No	No	Napa
22MOY77	Ag/ off-road	Equipment Replacement	1	\$ 38,750.00	Marc Mondavi	0.047	0.008	0.007	APCO	No	No	Napa
22MOY88	Ag/ off-road	Equipment Replacement	1	\$ 43,500.00	Anselmo Farms LLC	0.049	0.005	0.005	APCO	No	No	Solano
21MOY185	Ag/ off-road	Equipment Replacement	1	\$ 57,300.00	Wente Bros. dba. Wente Vineyards	0.213	0.034	0.026	APCO	Yes	No	Solano
22MOY85	Ag/ off-road	Equipment Replacement	1	\$ 218,350.00	Bordessa Family Dairies	0.717	0.066	0.041	5/5/2021	No	No	Sonoma
21MOY222	Ag/ off-road	Equipment Replacement	1	\$ 40,950.00	Jack Neal and Son Inc	0.092	0.015	0.011	APCO	No	No	Napa
22MOY87	Ag/ off-road	Equipment Replacement	1	\$ 60,000.00	Mike K. Waller	0.092	0.011	0.006	APCO	No	No	Solano
22MOY99	Ag/ off-road	Equipment Replacement	1	\$ 41,100.00	Daylight Vineyard Management, inc.	0.062	0.005	0.007	APCO	No	No	Sonoma
22MOY100	Ag/ off-road	Equipment Replacement	1	\$ 166,700.00	Poncía Fertilizer, Inc.	1.140	0.111	0.059	5/5/2021	No	Yes	Sonoma
22MOY67	Ag/ off-road	Equipment Replacement	2	\$ 107,400.00	Morrison Dairy	0.201	0.026	0.023	5/5/2021	No	No	Sonoma
22SBP9	School Bus	Equipment Replacement	4	\$ 827,820.00	Napa Valley Unified School District	0.564	0.055	0.000	5/5/2021	No	Yes	Napa
22MOY101	Marine	Equipment Replacement	2	\$ 2,886,000.00	Foss Maritime Company LLC	16.443	1.467	0.548	5/5/2021	Yes	Yes	Contra Costa / Alameda
22MOY65	Ag/ off-road	Equipment Replacement	1	\$ 28,000.00	Anthony Rossi	0.017	0.014	0.004	APCO	No	No	Napa
22MOY94	Ag/ off-road	Equipment Replacement	1	\$ 132,500.00	Lunny Ranch, LLC	0.215	0.022	0.014	6/16/2021	No	Yes	Marin
22MOY104	Ag/ off-road	Equipment Replacement	2	\$ 113,400.00	Bains Farms LLC	0.501	0.079	0.046	6/16/2021	No	No	Solano
22MOY75	On-road	Equipment Replacement	1	\$ 25,000.00	Gill Brothers Express Inc	1.097	0.081	0.007	APCO	Yes	Yes	Alameda
22MOY98	Off-Road	Equipment Replacement	1	\$ 44,000.00	St. Supery Inc.	0.049	0.008	0.005	APCO	No	No	Napa
22MOY111	On-road	Equipment Replacement	1	\$ 20,000.00	SAHIB SAFELINE	0.545	0.046	0.000	APCO	No	yes	Alameda
22MOY118	Marine	Equipment Replacement	2	\$ 3,700,000.00	Northwest Tug Leasing	20.875	2.599	0.409	6/16/2021	Yes	yes	Alameda/ Contra Costa/ San Francisco
22MOY129	Marine	Equipment Replacement	2	\$ 310,000.00	Mr. Morgan Fisheries Inc.	1.281	0.007	0.053	6/16/2021	No	No	San Mateo

AGENDA 6 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 6/22/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22MOY136	Marine	Equipment Replacement	1	\$ 105,000.00	Zachary Jason Medinas	0.895	0.005	0.034	6/16/2021	Yes	Yes	San Francisco/ Contra Costa
22MOY115	On-road	Equipment Replacement	1	\$ 20,000.00	SHG Transportation	0.545	0.046	0.000	APCO	Yes	No	Alameda
22MOY119	On-road	Equipment Replacement	1	\$ 25,000.00	BABAL TRANS INC	0.963	0.081	0.006	APCO	Yes	Yes	Santa Clara
22SBP71	School Bus	Equipment Replacement + Infrastructure	12	\$ 3,775,186.00	Petaluma City Schools	0.932	0.071	0.005	TBD	No	Yes	Sonoma
22MOY138	Off-Road	Equipment Replacement	3	\$ 711,800.00	Dave Soiland	2.035	0.165	0.097	TBD	No	No	Sonoma
22SBP84	School Bus	Equipment Replacement + Infrastructure	4	\$ 803,786.00	Rincon Valley Union School District	0.228	0.015	0.003	TBD	No	Yes	Sonoma
22MOY149	Off-Road	Equipment Replacement	1	\$ 170,500.00	Renati Dairy	0.522	0.068	0.048	TBD	No	No	Sonoma
22MOY127	Off-Road	Equipment Replacement	2	\$ 107,100.00	Napa Select Vineyard Services, Inc.	0.187	0.012	0.011	TBD	No	No	Napa
22MOY142	Off-Road	Equipment Replacement	2	\$ 105,500.00	Cobb Creek Holdings, LLC DBA CCH Ag Services	0.205	0.034	0.021	TBD	No	No	Napa
22MOY135	Marine	Equipment Replacement	1	\$ 155,000.00	William E. Smith	1.831	0.018	0.069	TBD	No	No	San Mateo
22MOY132	On-road	Equipment replacement	1	\$ 20,000.00	WeiLiang Trucking Inc	0.694	0.058	0.000	APCO	Yes	Yes	Alameda
22MOY123	On-road	Equipment replacement	1	\$ 25,000.00	LDH Transportation Inc	1.131	0.096	0.000	APCO	Yes	No	Alameda
22MOY145	Ag/ off-road	Equipment replacement	1	\$ 51,800.00	Petaluma Livestock Auction Yard INC	0.108	0.017	0.010	APCO	No	No	Sonoma
22SBP105	School Bus	Equipment replacement + Infrastructure	4	\$ 1,731,969.00	Fremont Unified School District	0.414	0.036	0.018	TBD	No	Yes	Alameda
22MOY169	Ag/ off-road	Equipment replacement	2	\$ 132,260.00	Kenzo Estate, Inc.	0.223	0.020	0.015	TBD	No	No	Napa
22SBP40	School Bus	Equipment replacement + Infrastructure	5	\$ 889,832.00	Franklin-McKinley School District	0.250	0.015	0.003	TBD	Yes	Yes	Santa Clara
22MOY158	Marine	Equipment replacement	1	\$ 174,000.00	Laurence J Collins	0.790	0.018	0.028	TBD	No	No	San Francisco

131 Projects 217 \$ 33,354,021 124.4 11.7 4.3

AGENDA 6 - ATTACHMENT 3

Table 1 - TFCA projects awarded and allocated (between 7/1/20 and 6/22/21)

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (tons per year)			Board/ APCO Approval Date	CARE Area	AB1550 / SB535 Area	County
					NO _x	ROG	PM				
20R30	Bicycle Facilities	Upgrade 12.6 miles of Class II bikeways to Class IV in Fremont	\$ 130,000	City of Fremont	0.005	0.006	0.014	7/15/20	No	No	Alameda
20R31	Bicycle Facilities	Install and maintain 520 electronic bicycle locker spaces at 22 Caltrain stations in San Francisco, San Mateo and Santa Clara counties	\$ 1,041,000	Peninsula Corridor Joint Powers Board	0.097	0.139	0.306	7/15/20	No	No	Multi-County
20R32	Bicycle Facilities	Install 1.9 miles of Class IV bikeways in Hayward	\$ 200,790	City of Hayward	0.040	0.055	0.134	10/7/20	Yes	Yes	Alameda
21R02	LD Vehicles	Vehicle Buy Back Program	\$ 300,000	BAAQMD	N/A**	N/A**	N/A**	6/3/20	N/A	N/A	Regional
21R04	LD Vehicles	Clean Cars For All	\$ 10,000,000	BAAQMD	N/A	N/A	N/A	7/15/20	TBD*	TBD*	Regional
21R05	LD Vehicles	Charge! Program §	\$ 6,000,000	BAAQMD	TBD*	TBD*	TBD*	Pending	TBD*	TBD*	Regional
20R35	On-road Trucks & Buses	Purchase four electric delivery vans and scrap six existing vehicles	\$ 116,000	Santa Clara VTA	0.061	0.017	0.005	11/18/20	TBD*	TBD*	Santa Clara
21R07 †	On-road Trucks & Buses	Purchase and deploy 30 hydrogen fuel cell drayage trucks	\$ 3,360,000	Center for Transportation and the Environment	2.148	0.140	0.005	5/5/21	Yes	Yes	Multi-County
21RSB01	School Bus	Match funding for Project #21SBP211 for the replacement of two diesel buses with electric school buses	\$ 732,552	BAAQMD	N/A**	N/A**	N/A**	3/3/21	No	Yes	San Mateo
21RSB02	School Bus	Match funding for Project #22SBP14 for the replacement of one diesel bus with a electric school bus	\$ 204,598	BAAQMD	N/A**	N/A**	N/A**	4/7/21	No	Yes	Santa Clara
21RSB03	School Bus	Match funding for Project #22SBP71 for the replacement of 12 diesel school buses with 12 electric school buses.	\$ 1,153,346	BAAQMD	N/A**	N/A**	N/A**	Pending	No	Yes	Sonoma
21RSB04	School Bus	Match funding for Project #22SBP84 for the replacement of 3 diesel school buses & 1 CNG school bus with 4 electric school buses.	\$ 892,045	BAAQMD	N/A**	N/A**	N/A**	Pending	No	Yes	Sonoma
21RSB05	School Bus	Match funding for Project #22SBP40 for the replacement of 5 diesel special needs school buses with 5 electric special needs school buses.	\$ 1,232,175	BAAQMD	N/A**	N/A**	N/A**	Pending	Yes	Yes	Santa Clara
20R14	Trip Reduction	State Route 37 Rideshare	\$ 184,500	Solano Transportation Authority	0.104	0.113	0.169	12/16/20	No	No	Multi-County
21R01	Trip Reduction	Enhanced Mobile Source & Commuter Benefits Enforcement	\$ 850,000	BAAQMD	TBD*	TBD*	TBD*	7/15/20	N/A	N/A	Regional
21R03	Trip Reduction	Spare The Air/Intermittent Control Programs	\$ 2,290,000	BAAQMD	TBD*	TBD*	TBD*	6/3/20	N/A	N/A	Regional
21R08	Trip Reduction	Bayside/Burlingame & Marsh Road Caltrain Shuttles	\$ 160,000	Peninsula Corridor Joint Powers Board	N/A ‡	N/A ‡	N/A ‡	6/16/21	No	No	San Mateo
21R09	Trip Reduction	San Jose State University Rideshare and Trip Reduction	\$ 280,000	San Jose State University	N/A ‡	N/A ‡	N/A ‡	6/16/21	Yes	Yes	Regional
21R10	Trip Reduction	PresidiGO Downtown Shuttles	\$ 240,000	Predisio Trust	N/A ‡	N/A ‡	N/A ‡	6/16/21	Yes	No	San Francisco
21R11	Trip Reduction	ACE Shuttles	\$ 1,818,660	Santa Clara Valley Transit Authority	N/A ‡	N/A ‡	N/A ‡	6/16/21	Yes	No	Santa Clara
Total	20 Projects		\$31,185,666		2.455	0.471	0.632				

*Funds have been allocated to these programs and projects and results will be determined at the end of project period.

**Emission reductions are fully reported under the Carl Moyer Program (CMP) to prevent double counting.

† TFCA portion only (does not include \$3,640,000 in funds from Alameda County Transportation Commission).

‡ Emission reductions will be reported as part of the Spare the Air program (Project #21R03).

§ \$1,000,000 of Award Amount may come from the Mobile Source Incentive Fund (MSIF)/CMP. See Attachment 4 for more information.

AGENDA 6 - ATTACHMENT 4

Table 1 - 2021 Charge! Program Rank List
Eligible Projects (Evaluated between 3/18/21 and 6/2/21)

Rank	Score	Project #	Applicant	Project Category	Project Description	Eligible Grant Award Amount	Total Project Cost	Emissions			County
								NOx	ROG	PM	
1	92.51	2103-17524	County of Solano	Light Duty (LD) Infrastructure	Install and operate 134 Level 2 (high) single port chargers with solar at 1 destination and 3 workplace facilities.	\$ 406,000	\$ 1,955,495	0.309	0.182	0.007	Solano
2	92.34	2103-17603	Bollinger Crest Apartment Investors, LP	LD Infrastructure	Install and operate 4 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 32,000	\$ 44,317	0.011	0.006	0.000	Contra Costa
3	91.90	2103-17345	City of San Ramon	LD Infrastructure	Install and operate 2 Level 2 (high) dual port chargers and 2 DCFC at 2 destination facilities.	\$ 44,000	\$ 277,045	0.024	0.014	0.001	Contra Costa
4	91.34	2103-17497	East Bay Community Energy Authority	LD Infrastructure	Install and operate 17 DCFC at 1 transportation corridor facility.	\$ 425,000	\$ 1,456,257	0.157	0.093	0.004	Alameda
5	90.56	2103-17554	West County Wastewater District	LD Infrastructure	Install and operate 2 Level 2 (high) dual port chargers with solar at 1 workplace facility.	\$ 12,000	\$ 251,320	0.006	0.003	0.000	Contra Costa
6	90.28	2103-17625	Silvergate Brentwood, LLC	LD Infrastructure	Install and operate 11 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 44,000	\$ 132,463	0.037	0.022	0.001	Contra Costa
7	90.17	2103-17315	EV Charging Solutions, Inc.	LD Infrastructure	Install and operate 142 DCFC and 169 Level 2 (high) single port chargers at 1 transit parking, 15 transportation corridor, and 23 destination facilities.	\$ 3,000,000	\$ 9,815,000	1.699	1.003	0.041	Regional
8	89.90	2103-17230	REEF Energy CA Operations LLC	LD Infrastructure	Install and operate 8 Level 2 (high) dual port chargers at 2 multi-unit dwelling facilities.	\$ 64,000	\$ 220,000	0.098	0.058	0.002	San Francisco
9	89.34	2103-17520	City of Dublin	LD Infrastructure	Install and operate 2 Level 2 (high) single port chargers and 5 Level 2 (high) dual port chargers at 2 destination facilities.	\$ 26,000	\$ 238,016	0.019	0.011	0.001	Alameda
10	88.56	2103-17065	Napa Valley Transportation Authority	LD Infrastructure	Install and operate 5 Level 2 (high) dual port chargers at 1 transit parking facility.	\$ 20,000	\$ 150,000	0.014	0.008	0.000	Napa
11	86.12	2103-17499	Alameda Multifamily Owner LLC	LD Infrastructure	Install and operate 8 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 64,000	\$ 154,045	0.023	0.013	0.001	Alameda
12	86.01	2101-15735	EVgo Services LLC	LD Infrastructure	Install and operate 96 DCFC at 11 transportation corridor facilities.	\$ 2,400,000	\$11,177,123	0.885	0.523	0.021	Regional
13	85.84	2103-17553	PowerFlex Systems, Inc.	LD Infrastructure	Install and operate 804 Level 2 (high) single port chargers at 3 destination, 9 multi-unit dwelling, and 16 workplace facilities.	\$ 3,000,000	\$ 6,000,140	1.674	0.989	0.040	Regional
14	84.45	2103-17359	The Shores at Marina Bay Community Association	LD Infrastructure	Install and operate 2 Level 2 (high) single port chargers and 4 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 48,000	\$ 113,000	0.005	0.003	0.000	Contra Costa
15	83.51	2103-17012	City of Milpitas	LD Infrastructure	Install and operate 4 Level 2 (high) single port chargers with solar at 1 destination facility.	\$ 16,000	\$ 443,516	0.009	0.005	0.000	Santa Clara
16	81.51	2103-17587	University Terrace Berkeley Homeowners Association	LD Infrastructure	Install and operate 10 Level 2 (high) single port chargers at 1 multi-unit dwelling facility.	\$ 53,086	\$ 58,985	0.010	0.006	0.000	Alameda
17	81.12	2102-16363	Mountain View Whisman School District	LD Infrastructure	Install and operate 24 Level 2 (high) single port chargers with solar at 10 workplace facilities.	\$ 76,000	\$ 840,094	0.055	0.033	0.001	Santa Clara
18	76.28	2102-16395	The Millennium Tower Association	LD Infrastructure	Install and operate 3 Level 2 (high) single port chargers at 1 multi-unit dwelling facility.	\$ 21,000	\$ 28,879	0.008	0.004	0.000	San Francisco
19	73.78	2103-17638	Intertie, Incorporated	LD Infrastructure	Install and operate 23 Level 2 (high) dual port chargers and 4 DCFC at 12 multi-unit dwelling facilities.	\$ 256,000	\$ 353,432	0.116	0.068	0.003	Regional
20	73.51	2103-17527	EVmatch, Inc.	LD Infrastructure	Install and operate 31 Level 2 (high) single port chargers at 15 multi-unit dwelling facilities.	\$ 217,000	\$ 238,700	0.031	0.018	0.001	Regional
21	72.67	2103-17604	Boston Properties Limited Partnership	LD Infrastructure	Install and operate 12 DCFC at 1 transportation corridor and three destination facilities.	\$ -	\$ 1,260,009	N/A	N/A	N/A	San Francisco
22	57.01	2103-17542	Ecology Action	LD Infrastructure	Install and operate 4 Level 2 (high) single port chargers at 1 multi-unit dwelling facility.	\$ -	\$ 22,500	N/A	N/A	N/A	Santa Clara
23	53.01	2103-17577	Cinnamon Energy Systems	LD Infrastructure	Install and operate 2 Level 2 (high) dual port chargers at 1 workplace facility.	\$ -	\$ 61,083	N/A	N/A	N/A	Santa Clara
24	43.06	2103-17580	Sonoma County Regional Parks	LD Infrastructure	Install and operate 1 DCFC charger at 1 destination facility.	\$ -	\$ 57,820	N/A	N/A	N/A	Sonoma
25	38.84	2103-17618	Acumen Building Enterprise, Inc.	LD Infrastructure	Install and operate 1 DCFC at 1 workplace facility.	\$ -	\$ 1,015,000	N/A	N/A	N/A	Alameda

AGENDA 6 - ATTACHMENT 5

Figures 1-3 Summary of funding awarded and allocated between 7/1/20 and 6/22/21 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)

Figure 1. Status of FYE 2021 funding by source includes funds awarded, recommended for award, and available

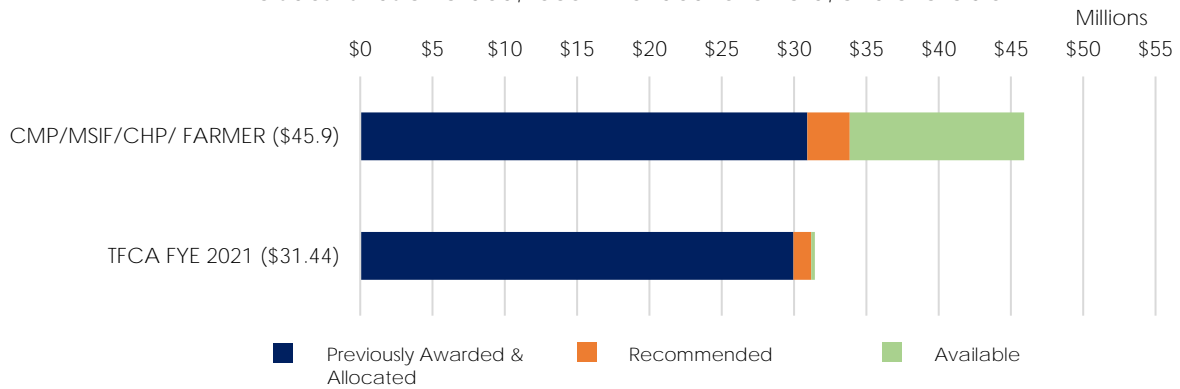


Figure 2. Funding awarded and allocated in FYE 2021 by county: includes funds awarded & recommended for award

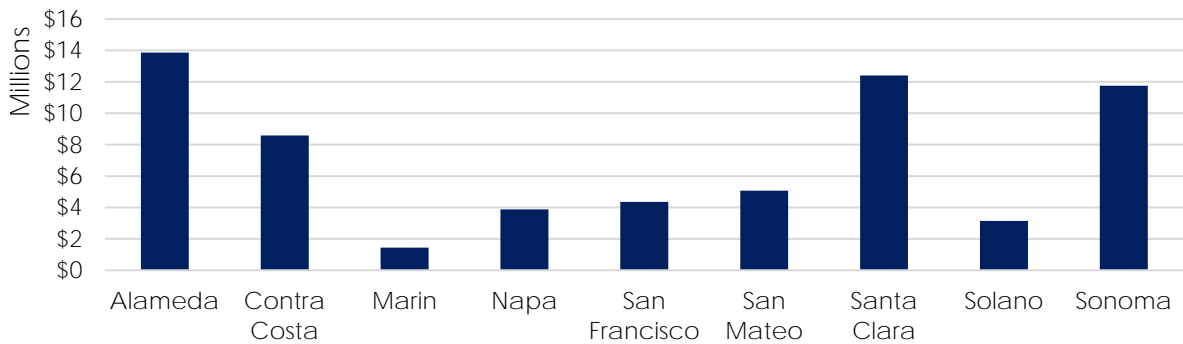
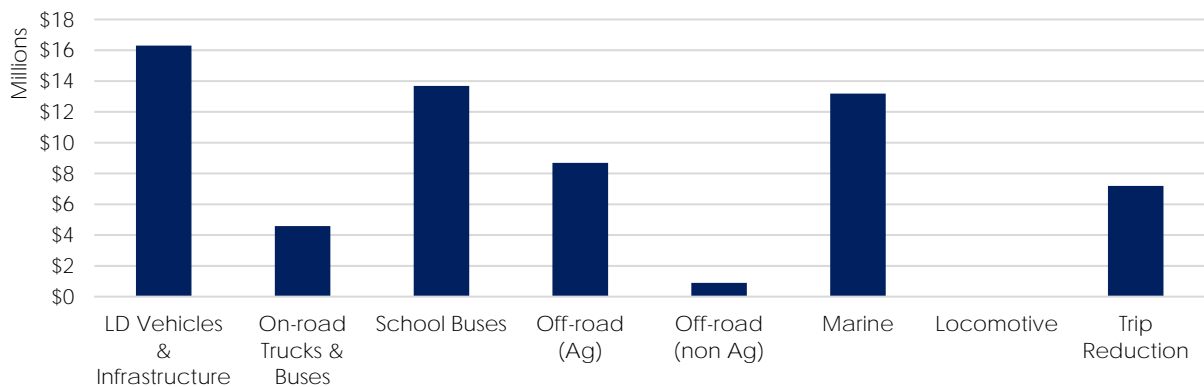


Figure 3. Funding awarded and allocated in FYE 2021 by project category includes funds awarded & recommended for award



BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Adoption of Proposed Amendments to the Air District's Administrative Code,
Division I: Operating Policies and Procedures, Section 6: Board of Directors,
Committees

RECOMMENDED ACTION

Recommend the Board of Directors consider adoption of the proposed amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees, Parts 6.7 - The Mobile Source and Climate Impacts Committee and 6.8 - The Community Equity, Health, and Justice Committee.

BACKGROUND

In accordance with provisions of the Administrative Code governing amendments to the Code, notice is hereby given that Board of Directors will consider adoption of the proposed amendments to the Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees, Parts 6.7 - The Mobile Source and Climate Impacts Committee and 6.8 - The Community Equity, Health, and Justice Committee.

These amendments will add additional statements to:

- Part 6.7 - The Mobile Source and Climate Impacts Committee - to incorporate equity principles in the operation of that Committee; and
- Part 6.8 - The Community Equity, Health, and Justice Committee - to explicitly recognize the Bay Area residents of any ability are among those the Committee will advise the Board of Directors on relative to equitable and inclusive actions the Air District can take to create healthy breathing environments.

This noticing action begins the process of amending the Air District's Administrative Code to incorporate the proposed amendments.

All amendments are reflected in the attached underline/strikethrough version of the Administrative Code.

DISCUSSION

Administrative Code Section 14.1, Amendments Mechanism, requires the noticing of proposed amendments at a preceding meeting of the Board of Directors before adoption can take place. The proposed amendments to the Administrative Code are attached for your review and consideration.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian C. Bunger, Veronica Eady and Damian Breen

Attachment 7A: Proposed Amended Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees

Attachment 7B: Proposed Amended Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees – Redline

Proposed Amended Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees

SECTION 6 BOARD OF DIRECTORS, COMMITTEES

6.1 SPECIAL COMMITTEES.

All special committees shall be appointed by the Chairperson, unless otherwise directed by the Board.

6.2 STANDING COMMITTEES.

Standing Committees of the Board of Directors shall be the following:

- (a) Administration Committee, consisting of the Chairperson of the Board, who shall be Chairperson of the Committee, the Vice-Chairperson of the Board, the Board Secretary, the last past Chairperson and up to seven (7) other Directors appointed by the Chairperson.
- (b) Legislative Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (c) Mobile Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (d) Community Equity, Health, and Justice Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (e) Stationary Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (f) The Chairperson shall be an ex-officio member of all Standing Committees of the Board of Directors.
- (g) Each Standing Committee shall have authority to make recommendations to the Board of Directors for action regarding matters within the scope of the Committee's jurisdiction. A standing committee may discuss but may not make recommendations to the Board of Directors regarding issues outside of its jurisdiction and shall refer such matters to the appropriate committee. Except as specified in this Division, or as otherwise specified by the Board of Directors, Standing Committees are not delegated decision-making authority.
- (h) In no event shall the number of members, including the Chairperson of the Board, appointed to a Committee, constitute a quorum of the Board of Directors.

6.3 ROTATION OF COMMITTEES.

The membership on committees shall ordinarily be rotated among the Counties so as to secure participation in the work of the District by as broad a representation as may be possible.

6.4 ADMINISTRATION COMMITTEE.

The Administration Committee will consider such matters of policy affecting the affairs of the District, as may arise from time to time when the Board of Directors is not in session. The Administration Committee shall consult with the officers of the District and, within the scope and limitations of resolutions or other policies adopted by the Board of Directors, shall implement and make more specific the policies and programs of the District and, within such limits determine policies for the officers of the District. The Administration Committee shall not have authority to authorize the expenditure of any moneys otherwise than is appropriated by the budget adopted by the Board of Directors or to alter, change, or reverse any policy established by the Board of Directors. (See Section I-6.7) The Administration Committee shall have the responsibility for overseeing and guiding staff activities relative to long range planning and for receiving short range and long range plan proposals submitted by the District staff, as well as goals and objectives of the District; and for endorsing each year a long-range plan to be submitted to the Board for its approval, and for its use in reviewing the Budget. The Administration Committee should review the goals and objectives, short- and long-range plans of the California Air Resources Board to the extent that they are known. The Administration Committee may receive and consider staff reports, presentations by staff members or other persons, and any other matter not requiring action by the Board. The Administration Committee shall subsequently report on such matters to the Board at a regular meeting of the Board.

The Administration Committee will also assist in the preparation of the annual budget for the District and to present the annual budget with recommendations to the District Board of Directors. The Administration Committee also is responsible for approving administrative policy proposed by the APCO in the area of finance, procurement, insurance, and related matters. At Budget review time each year, the Committee shall evaluate District goals and objectives and recommend to the Board of Directors any changes, deletions, and additions, which it determines to be appropriate.

The Administration Committee will also consider and recommend policies of the District relating to procurement of officers and employees, employment of officers and employees, discharge of officers and employees, salaries and working conditions, and the retaining of consultants. The Administration Committee shall keep itself informed as to the work of the Advisory Council and Hearing Board, to be informed about persons in the community who may be qualified to serve on the Advisory Council and Hearing Board, and to recommend to the Board of Directors selection of such persons whenever vacancies may, from time to time, occur in the Advisory Council and Hearing Board.

6.5 LEGISLATIVE COMMITTEE.

The Legislative Committee will consider and recommend legislative proposals for the District and consider and recommend a District position on all proposed legislation affecting the District. The Legislative Committee, in conjunction with District staff and the District Legislative Advocate, will keep itself informed on pending legislative matters and will meet and/or confer with appropriate legislators as necessary.

6.6 NOMINATING COMMITTEE. (Revised 10/4/95)

The Nominating Committee will consist of the Chairperson of the Board, the past Chairperson of the Board and three (3) appointees of the Chairperson of the Board, or in the event the past Chairperson of the Board is no longer serving on the Board, four (4) appointees of the Chairperson of the Board. The Nominating Committee shall be appointed no later than the second Board Meeting in November of each year and shall serve until the appointment of a new Committee. It is the function of the Nominating Committee to recommend to the Board the officers for each calendar year. In making its recommendation, the Committee shall not be bound by a recommendation of a previous Nominating Committee. The Committee need not follow a strict rule of rotation between supervisor and city members but may take into account their proportionate membership on the Board of Directors. Additionally, the Committee shall take into account the provisions of Section I-2.7.

6.7 MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE.

The Mobile Source and Climate Impacts Committee will consider and recommend policies and positions of the District relating to transportation planning and funding, on-road and off-road mobile sources, mobile source fuels and equity for impacted communities related to these sectors. The Committee will keep itself informed on actions or proposed actions by local, regional, state, and federal agencies affecting air pollutant emissions from mobile sources.

The Committee will also consider and recommend to the Board of Directors policies and positions of the District relating to climate protection activities and climate equity for impacted communities relative to mobile sources. The Committee will keep itself informed on actions and proposed actions by local, regional, state, federal, and international agencies and organizations relating to climate protection relative to mobile sources.

6.8 COMMUNITY EQUITY HEALTH AND JUSTICE COMMITTEE.

The Community Equity, Health, and Justice Committee will advise the Board of Directors regarding equitable and inclusive actions the Air District takes to create a healthy breathing environment for all people of the Bay Area, regardless of race, ethnicity, age, gender identity, national origin, immigration status, ability or sexual orientation. The Committee will oversee staff efforts in developing policies for both internal and external operations, which impact the Bay Area. Internal operations include applying an equity lens to programs, policies, practices, and procedures related to staffing, recruitment, promotions, inclusive practices in the workplace, contracting for capital projects and services, and continuous racial equity training. External operations include addressing disparities by applying an equity lens to Air District programs, policies, practices, and procedures. The Committee will prioritize traditionally marginalized and disinvested communities for investment opportunities to ensure communities highly impacted by air pollution receive program and policy prioritization.

The Committee will also recommend to the Board of Directors overall direction of the District's public engagement programs. In addition, the Committee hears proposals and makes recommendations to the Board of Directors regarding the selection of a contractor(s) to assist the District with aspects of the public engagement programs.

6.9 STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE.

The Stationary Source and Climate Impacts Committee will consider and recommend policies to the Board of Directors relating to stationary sources. The Committee shall recommend positions to the Board of Directors on stationary source policy issues affecting the implementation of the State and Federal Air Quality Management Plans and key planning policy issues, such as federal and state Air Quality Management Plan development and air quality and economic modeling. The Committee shall review and make recommendations to the Board of Directors regarding major stationary source programs, including: permitting, compliance, small business assistance, toxics, source education, and rule development. The Committee shall recommend to the Board of Directors positions concerning federal and state regulations that affect stationary sources. The Committee shall recommend policies to the Board of Directors for disbursement of supplemental environmental project grants.

The Committee will also consider and recommend to the Board of Directors policies and positions of the District relating to climate protection activities and funding relative to stationary sources. The Committee will keep itself informed on actions and proposed actions by local, regional, state, federal, and international agencies and organizations relating to climate protection relative to stationary sources.

6.10 QUORUM FOR COMMITTEES. (Revised 12/6/06)

There is no quorum requirement for a Committee meeting to be held, except that, for the purpose of making a Committee recommendation to the Board of Directors, there is established a quorum of five (5) Committee members.

6.11 COMMITTEE PROCEDURE. (Revised 12/6/06)

(a) Voting. Only members of the Committee shall be allowed to vote on Committee recommendations.

(b) Minority Report. Any Committee member can submit a Minority Report to accompany the Committee recommendation submitted to the Board of Directors, but may not use District staff to prepare such report.

Proposed Amended Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees

SECTION 6 BOARD OF DIRECTORS, COMMITTEES

6.1 SPECIAL COMMITTEES.

All special committees shall be appointed by the Chairperson, unless otherwise directed by the Board.

6.2 STANDING COMMITTEES.

Standing Committees of the Board of Directors shall be the following:

- (a) Administration Committee, consisting of the Chairperson of the Board, who shall be Chairperson of the Committee, the Vice-Chairperson of the Board, the Board Secretary, the last past Chairperson and up to seven (7) other Directors appointed by the Chairperson.
- (b) Legislative Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (c) Mobile Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (d) Community Equity, Health, and Justice Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (e) Stationary Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (f) The Chairperson shall be an ex-officio member of all Standing Committees of the Board of Directors.
- (g) Each Standing Committee shall have authority to make recommendations to the Board of Directors for action regarding matters within the scope of the Committee's jurisdiction. A standing committee may discuss but may not make recommendations to the Board of Directors regarding issues outside of its jurisdiction and shall refer such matters to the appropriate committee. Except as specified in this Division, or as otherwise specified by the Board of Directors, Standing Committees are not delegated decision-making authority.
- (h) In no event shall the number of members, including the Chairperson of the Board, appointed to a Committee, constitute a quorum of the Board of Directors.

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**COMMITTEE CHAIR SUMMARY REPORT OF THE STATIONARY SOURCE
AND CLIMATE IMPACTS COMMITTEE**

(Co-Chairs: John Bauters and Karen Mitchoff)

The Stationary Source and Climate Impacts Committee met on Monday, June 21, 2021, and approved the minutes of May 17, 2021. 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.

The Committee then reviewed and discussed the staff presentation *Facility Risk Reduction Program: Rule 11-18 Implementation Update*.

Finally, the Committee reviewed and discussed the staff presentation *Improving the Rule Development Process*.

The next meeting of this committee will be held on Monday, July 19, 2021 at 9:00 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. This concludes the report of the Stationary Source and Climate Impacts Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Report of the Stationary Source and Climate Impacts Committee Meeting of June 21,
2021

RECOMMENDED ACTIONS

The Stationary Source and Climate Impacts Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) Facility Risk Reduction Program: Regulation 11, Rule 18 (Rule 11-18) Implementation Update; and
 - 1) None; receive and file.
- B) Improving the Rule Development Process.
 - 1) None; receive and file.

BACKGROUND

The Committee met on Monday, June 21, 2021, and received the following reports:

- A) Facility Risk Reduction Program: Regulation 11, Rule 18 (Rule 11-18) Implementation Update; and
- B) Improving the Rule Development Process.

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 8.2A: 06/21/2021 – Stationary Source and Climate Impacts Committee Meeting
Agenda #3

Attachment 8.2B: 06/21/2021 – Stationary Source and Climate Impacts Committee Meeting
Agenda #4

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons John Bauters and Karen Mitchoff, and Members
of the Stationary Source and Climate Impacts Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 7, 2021

Re: Facility Risk Reduction Program: Regulation 11, Rule 18 (Rule 11-18)
Implementation Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

During the last 30 years, the Air District and our partner agencies have reduced the ambient cancer risk due to toxic air contaminants by more than 80%. However, the current ambient cancer risk of about 600 in a million is still too high, and some Air District communities have disproportionately higher health risks compared to other communities. The Air District is using all tools available to reduce Bay Area health risks and, especially, health risk disparities in overburdened communities.

The Air District's Facility Risk Reduction Program focuses on stationary sources at existing facilities. It seeks to identify facilities that pose elevated health risks to nearby residents and workers due to toxic emissions from stationary sources, and it requires risk reductions for facilities and sources with elevated health risks. Since many facilities with high health risks are located in overburdened communities, this program should help to reduce health risk disparities in overburdened communities.

The Facility Risk Reduction Program is implemented through Regulation 11, Rule 18 (or Rule 11-18) "Reduction of Risk from Air Toxic Emissions at Existing Facilities." Rule 11-18 requires that existing facilities either:

- (a) reduce all health risks from stationary sources below the rule's risk action levels, or
- (b) install best available retrofit control technology for toxics (TBARCT) on all significant sources of health risks.

Rule 11-18 contains the most stringent risk action levels in the nation for existing facilities located in urban areas. Effective January 1, 2020, the final risk action levels for facility health impacts are:

- cancer risk of 10 in a million,
- non-cancer chronic hazard index of 1.0, and
- non-cancer acute hazard index of 1.0.

DISCUSSION

The Air District will provide an overview of the Rule 11-18 requirements and the implementation process and will describe the facilities affected by this rule. The implementation process includes:

- (1) screening facilities to identify those that require a facility-wide health risk assessment (HRA),
- (2) collecting and validating emission inventories and other input data required for the HRA,
- (3) conducting and approving HRAs,
- (4) reviewing and approving risk reduction plans (RRPs), and
- (5) implementing and verifying risk reductions.

Facilities are screened on a routine basis using the facility's prioritization score. Any facility with a prioritization score greater than 10 will require a comprehensive facility wide HRA. Phase I facilities have the highest potential for elevated health risks and have a prioritization score greater than 250. The remaining sites with a prioritization score greater than 10 are Phase II facilities. Based on the most recent screening assessment, the Air District has 34 Phase I facilities and 290 Phase II facilities.

For each facility that is required to have a facility wide HRA, the Air District notifies the site about their Rule 11-18 requirements, collects all input data needed for the HRA, and conducts a thorough engineering review and update of the facility's toxic emission inventory, emission release parameters, and other HRA input data. A preliminary HRA is then conducted using this updated emission inventory and HRA input data. Once the Air District completes an HRA, the preliminary HRA is provided to the facility for a 90 day-comment period. After responding to facility comments, the draft HRA is posted on the website for a public comment period. The Air-District will respond to public comments before finalizing the HRA and determining the Rule 11-18 risk reduction requirements.

Initially, the review and approval processes above were expected to take about 18 months per facility. However, the data review process for some Phase I facilities, including the Bay Area's petroleum refineries, has been taking longer than anticipated due to delays in completing toxic emission inventory updates and competing staff priorities. In some cases, the Air District's engineering review uncovered data gaps, inconsistencies, and errors in the toxic emission inventory that must be resolved before completing the HRA. In addition, some facilities have been conducting source tests and other on-site measurements to improve their emissions inventories. Several sites have also requested authorities to construct for process changes or abatement devices that will reduce health impacts in their communities. The staff reviewing

these permit applications is also the staff that is reviewing the emission inventories. These unanticipated issues have resulted in additional review time to ensure we have the most complete and correct toxic emission inventories. The initial review time estimate also did not consider the additional time necessary for conducting public workshops.

The Air District has completed emission inventory updates for 20 of the 34 Phase I facilities and has completed nine (9) preliminary HRAs. For the preliminary HRAs, six (6) have been sent to sites for comment and three (3) are under-going final internal review. The Air District has also posted 3 HRAs for public comment.

On May 7, 2021, the Air District co-hosted a public workshop with Communities for a Better Environment (CBE) to present the draft HRA results for AB&I Foundry located in Oakland, CA. There were about 145 participants at this workshop. CBE members reported on the history of the area that led to housing in this industrial area and shared their personal health experiences resulting from air pollution and odors in this area. The Air District presented the draft HRA results for AB&I Foundry. Facility health impacts are 46 in a million-cancer risk, 1.6 chronic hazard index, and 5.8 acute hazard index. Since these health risks exceed Rule 11-18 risk action levels, our draft conclusion is that Rule 11-18 will require that AB&I Foundry reduce their health risks. Comments on the draft HRA were collected through June 3, 2021. All comments will be considered before this HRA is finalized.

The majority of the cancer risk is coming from uncontrolled pipe casting operations that emit hexavalent chromium, a toxic metal. Most of the non-cancer health impacts are coming from mold casting operations, which are also the main source of odors from this facility. During the workshop, commenters expressed serious concerns about the elevated level of cancer risk and odors near AB&I Foundry. Commenters were upset by length of time allowed by the rule for final implementation of risk reduction measures and asked the Air District to do more to reduce their exposure to health risks in the interim. Many commenters asked the Air District to shut the facility down. AB&I has completed a number of process and physical changes that have reduced toxic emissions from this facility. They have replaced mold binders with less toxic materials, added baghouses to control toxic metals, installed wind breaks and enclosures and improved housekeeping to reduce fugitive emissions. The Air District is continuing to work with AB&I to reduce odors and health impacts as quickly as possible. AB&I has announced that they plan to shut down the mold casting operations next year and that they plan to control the pipe casting machines by 2023, which is about 4 years sooner than the expected Rule 11-18 due date.

Staff has completed the updated inventory for 20 facilities and plans to complete the preliminary HRAs for these facilities by the end of the year. Preliminary HRAs for all 34 Phase I sites, draft HRAs for 24 sites, and final HRAs for 20 sites should be completed by the end of 2022. The remaining draft and final HRAs will be completed in 2023. The Air District is also developing procedures and other guidance as we prepare to move into the risk reduction stages for Phase I facilities. Staff estimates that about half (17) of the Phase I facilities will be required to submit risk reduction plans.

Meanwhile, the Air District will start the data collection process for Phase II facilities. Data collection for the Phase II facilities will be phased in over several years starting with facilities that have a prioritization score greater than 100. These facilities include wastewater treatment plants, landfills, concrete batch plants, energy plants, manufacturing operations, hospitals, universities, and crematories.

Overall, the implementation schedule for Phase I facilities has been delayed by about six to nine months. During the second and third quarter of 2020, the Air District received several COVID 19 related permit applications for crematories that were approaching their maximum permitted limits due to the pandemic. Several staff that are working on Rule 11-18 HRAs are also our crematory experts. We shifted staff priorities to respond to these crematory permit applications and several other important new source review applications regarding Bayview/Hunters Point projects and Schnitzer Steel's proposed Thermal Oxidizer to control organic emission excesses at that facility. Modeling staff also spent time investigating several permit reform concepts. The emission inventory improvements mentioned earlier, high priority new source review activities, and rule development work have resulted in delayed implementation of Rule 11-18. It is critical that Engineering hire the additional staff promised in the budget to keep this program on track.

The projected schedule in June 2020 had not anticipated conducting public workshops on the HRA results. Holding public workshops adds several additional months to the timeline for any individual facility to prepare, announce, and conduct the workshop, hold extended comment periods, and respond to a larger volume of comments. This additional workshop time for the refineries and other large facilities has been factored into our current projected timeline.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Carol Allen and Pam Leong

Reviewed by: Damian Breen

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons John Bauters and Karen Mitchoff, and Members of the Stationary Source and Climate Impacts Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: May 7, 2021

Re: Improving the Rule Development Process

RECOMMENDED ACTION

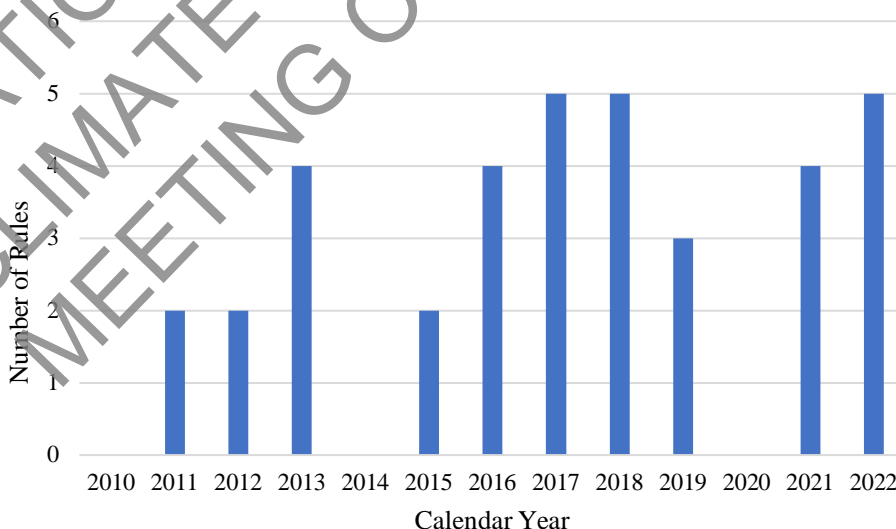
None; receive and file.

BACKGROUND

The Bay Area Air Quality Management District recognizes that changes need to be made to the rule development process to improve transparency with the Board of Directors (Board), advocates, and the regulated community. Changes also need to be made to ensure a more predictable and regular rule development schedule.

Over the past 10 years, the process has been highly uneven. This is due to both external factors, such as the requirement to develop an accelerated Best Available Retrofit Control Technology (BARCT) schedule under Assembly Bill (AB) 617, and internal factors, such as changing policy priorities, retirements, and competing needs for staff resources.

Figure 1: Rules Adopted and Proposed Since 2010



The urgent needs to address the climate crisis, risks of Particulate Matter (PM) pollution, and environmental injustice challenges the staff and the Board to develop an aggressive and sustainable rule development process.

DISCUSSION

There is a large batch of rule development projects in process now. Table 1 below shows the anticipated dates for Board hearings for the next 12 months:

Table 1: Rule Development Projects in Process

June 2021	Rule 6-5: Refinery Fluid Catalytic Crackers (AB 617 BARCT)
Nov 2021	Rule 13-5: Hydrogen Plants Regulation 1: Definition of Refinery (close potential loopholes)
Dec 2021	Rule 2-5: Toxic New Source Review (stricter permitting in impacted communities)
Feb 2022	Rule 9-4: Residential Furnaces Rule 9-6: Gas-Fired Water Heaters (setting zero emission standard)
Mar 2022	Rule 8-8: Petroleum Wastewater Treating (AB 617 BARCT)
Q2 2022	Rule 8-5: Organic Liquid Storage Leaks (AB 617 BARCT) Rule 8-18: Refinery Heavy Liquids Leaks (AB 617 BARCT)

Note that the projections for December 2021 and 2022 assume particular policy outcomes for certain rule development projects that are still in the workshop phase. These estimated completion dates would need to be re-evaluated if the Board, considering public input, directs staff to take a different direction on these rules.

Strategic Actions:

Staff will work with environmental and community advocates, the regulated community, and the Board to make structural changes to the rule development process to improve transparency and predictability and to ensure an aggressive yet sustainable rulemaking schedule. Staff intends to have these changes in place before the end of 2021.

Staff recommends making two key changes to the rule development process to enable this improvement:

1. Develop detailed White Papers before initiating rulemaking

Substantial technical analysis should be conducted prior to beginning a rule development effort. Past Air District practice was to do this work in the development of the Clean Air Plan. But that model hasn't been sufficiently agile to adjust to changing conditions. This is especially true as the Bay Area leads in new, innovative regulatory approaches to address issues like climate and environmental justice. These white papers would sometimes result in new rule making project or they may point to different policy interventions.

2. Public process to prioritize rulemaking efforts

Staff has compiled a list of many possible rulemaking efforts, as shown in Table 2 below, to address a wide range of policy issues. Some of these are covered in the Clean Air Plan, others arose from the West Oakland Community Action Plan, from analysis on other rulemaking projects, or from experience in implementing existing rules.

Table 2: Potential Sources for Rulemaking

Source/Rule Under Review	Considerations
Rule 9-13: Portland Cement Manufacturing	AB 617 BARCT – must be completed by end of 2023
Rule 9-14: Petroleum Coke Calcining Operations	AB 617 BARCT – must be completed by end of 2023
Construction & Concrete Batch Plants (i.e., dust)	West Oakland Community Action Plan (WOCAP) Further Study Measure (no timeline); reduces particulate matter in impacted communities
Rule 13-4: Sewage Treatment & Anaerobic Digestion	WOCAP #72 (development: 2020, action: 2021)
Rule 8-45: Autobody Repair	WOCAP #71 (development: 2023, action: 2024)
Rule 12-13: Foundry & Forging Operations	WOCAP #68 (development: 2024)
Rule 6-4: Metal Recycling & Shredding Operations	WOCAP #68 (development: 2024)
Rule 6-2: Commercial Cooking Equipment	WOCAP #87 (incentives or regulation – no timeline); reduces particulate matter, air toxics in impacted communities
Rule 6-3: Wood Burning Devices	WOCAP Further Study Measure (no timeline); reduces particulate matter, air toxics in impacted communities
Rule 9-7: Boilers, Steam Generators, & Process Heaters	Similar rules addressing NOx from furnaces and water heaters are scheduled for Board consideration in 2022
Regulation 2: Permitting (Rules 2-1 & 2-2: Particulate Matter in New Source Review)	Proposed amendments to Regulation 2 will be considered by the Board in 2021, but current amendments do not focus on particulate matter

A more public process, with Board guidance, would be helpful in determining staff priorities and also provide more transparency into the policy, timing, and resource trade-offs that must be considered. Potential prioritization criteria could include items such as potential for exposure reduction, regional/local emissions contribution, feasibility (cost, available control technologies, etc.), pollutant type, level of community concern, and source characteristics (location, number, etc.). Staff will work towards compiling potential criteria for public discussion later this summer/early fall.

3. Setting a General Rule Development Target

It may be helpful to set a goal for the number of rule development projects to be completed in a year. That goal should consider the level of complexity in the rules as highly complex and/or controversial rules require more time and resources. The mix of rules and the available resources will determine what's sustainable over time. Staff suggests that the Committee revisit this topic in early-2022, after the above processes have been implemented to determine if a goal for rulemaking projects should be instituted as part of the budget process.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Greg Nudd

STATIONARY SOURCE AND
CLIMATE IMPACTS COMMITTEE
MEETING OF 06/21/2021

**COMMITTEE SUMMARY REPORT OF THE RICHMOND AREA COMMUNITY EMISSIONS
REDUCTION PLAN STEERING COMMITTEE**

The Richmond Area Community Emissions Reduction Plan Steering Committee first met on Monday, April 19, 2021. This Brown Act meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the Committee participated by teleconference.

Kevin Olp, Senior Public Engagement Specialist at the Air District, welcomed Steering Committee members and members of the public and provided a brief overview on using Zoom video conferencing. Adan Schwarz, Assistant Air District Counsel, presented the fundamentals of the Brown Act.

The Committee members then introduced themselves, one by one, explaining their interest in applying for the Committee.

The Committee then received a presentation from Veronica Eady, Senior Deputy Executive Officer of Policy & Equity at the Air District. Ms. Eady presented on the background of the Air District, Assembly Bill 617 Community Health Protection Program, Community Emissions Reduction Plan development process, and purpose of the Steering Committee. Jack Broadbent, Executive Officer/Air Pollution Control Officer at the Air District, introduced himself and thanked the Steering Committee for their time and interest.

Finally, Mr. Olp presented on the responsibilities of the Committee Co-Chairpersons (yet to be nominated), and the self-nomination process that would occur during the May Steering Committee meeting.

[OVER]

The next meeting of the Richmond Area Community Emissions Reduction Plan Steering Committee was held on Monday, May 17, 2021, via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

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The Richmond Area Community Emissions Reduction Plan Steering Committee also met on Monday, May 17, 2021, and approved the minutes of April 19, 2021. 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.

The Committee then received a presentation from Kevin Olp, Senior Public Engagement Specialist at the Air District, entitled *Redlining, Racial Disparities in Pollution, and the Environmental Justice Movement*. Members of the public and of the Committee were invited to share their experiences in environmental advocacy in the Richmond Area.

The Committee members were then invited to self-nominate themselves for consideration for the two positions of Co-Chairperson. Five Committee members were prepared to self-nominate and gave two-minute speeches, describing their qualifications for the Committee to consider.

The Committee then used a web browser-based, real-time voting application called Mentimeter to conduct electronic voting of the five Committee members who wished to be considered for the two Co-Chairperson positions. The voting resulted in the selection of Mr. Alfredo Rafael Angulo Castro and Ms. Y'Anad Burrell.

Finally, Mr. Olp listed next steps for the Committee, including: Committee meeting schedule; surveys on electronic voting and time and compensation; and the creation of small groups for the Committee members.

The next meeting of the Richmond Area Community Emissions Reduction Plan Steering Committee will be held on Monday, June 21, 2021, at 6:00 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 Richmond Area Community Emissions Reduction Plan Steering Committee for meetings of April 19, 2021 and May 17, 2021.

- - - - -

The Richmond Area Community Emissions Reduction Plan Steering Committee also met on Monday, June 21, 2021, and approved the minutes, as amended, of May 16, 2021. This Brown Act meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the Committee participated by teleconference.

The Committee was then introduced to Air District staff members who will be working on the Path to Clean Air Community Emissions Reduction Plan process.

The Committee then received the staff presentation *Overview on the Charter Development Process*, regarding Charter development history, Charter elements, and the process for the Committee to review, amend, and adopt its Charter.

Finally, the Committee received the staff presentation *Overview of the Community Emissions Reduction Plan (CERP) Process, Vision, and Principles*, regarding the proposed planning process for the Path to Clean Air CERP.

The next meeting of the Richmond Area Community Emissions Reduction Plan Steering Committee will be held on Monday, July 19, 2021 at 4:00 p.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. This concludes the report of the Richmond Area Community Emissions Reduction Plan Steering Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Report of the Richmond Area Community Emissions Reduction Plan Steering
Committee Meeting of April 19, 2021, May 17, 2021 and June 21, 2021

RECOMMENDED ACTIONS

The Richmond Area Community Emissions Reduction Plan Steering Committee (Committee) recommends Board of Directors (Board) approval of the following:

April 19, 2021 Committee Meeting:

- A) Welcome and Meeting Procedures;
 - 1) None; receive and file.
- B) Steering Committee Introductions;
 - 1) None; receive and file.
- C) Introduction to the Air District and AB 617 Presentation; and
 - 1) None; receive and file.
- D) Selecting Steering Committee Co-Chair Positions.
 - 1) None; receive and file.

May 17, 2021 Committee Meeting:

- A) Redlining, Racial Disparities in Pollution and the Environmental Justice Movement;
 - 1) None; receive and file.
- B) Steering Committee Co-Chair Nomination Process; and
 - 1) None; receive and file.

C) Steering Committee Vote for C-Chair Positions.

1) None; receive and file.

June 21, 2021 Committee Meeting:

A) Introduction of Air District Staff;

1) None; receive and file.

B) Overview of the Charter Development Process; and

1) None; receive and file.

C) Overview of the Community Emission Reduction Plan Process, Vision and Principles.

1) None; receive and file.

BACKGROUND

The Committee met on the following dates and received the following reports:

April 19, 2021 Committee Meeting:

A) Welcome and Meeting Procedures;

B) Steering Committee Introductions;

C) Introduction to the Air District and AB 617 Presentation; and

D) Selecting Steering Committee Co-Chair Positions.

May 17, 2021 Committee Meeting:

A) Redlining, Racial Disparities in Pollution and the Environmental Justice Movement;

B) Steering Committee Co-Chair Nomination Process; and

C) Steering Committee Vote for C-Chair Positions.

June 21, 2021 Committee Meeting:

- A) Introduction of Air District Staff;
- B) Overview of the Charter Development Process; and
- C) Overview of the Community Emission Reduction Plan Process, Vision and Principles.

BUDGET CONSIDERATION/FINANCIAL IMPACT

April 19, 2021 Committee Meeting:

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

May 17, 2021 Committee Meeting:

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

June 21, 2021 Committee Meeting:

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

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor
Reviewed by: Vanessa Johnson

- Attachment 9.2A: 04/19/2021 – Richmond Area Community Emissions Reduction Plan Steering Committee Meeting Agenda
- Attachment 9.2B: 05/17/2021 – Richmond Area Community Emissions Reduction Plan Steering Committee Meeting Agenda #3
- Attachment 9.2C: 05/17/2021 – Richmond Area Community Emissions Reduction Plan Steering Committee Meeting Agenda #4
- Attachment 9.2D: 05/17/2021 – Richmond Area Community Emissions Reduction Plan Steering Committee Meeting Agenda #5
- Attachment 9.2E: 06/21/2021 – Richmond Area Community Emissions Reduction Plan Steering Committee Meeting Agenda #3
- Attachment 9.2F: 06/21/2021 – Richmond Area Community Emissions Reduction Plan Steering Committee Meeting Agenda #4
- Attachment 9.2G: 06/21/2021 – Richmond Area Community Emissions Reduction Plan Steering Committee Meeting Agenda #5



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Path to Clean Air Community Emissions Reduction Plan (CERP) Steering Committee Orientation Meeting

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

- **THE PUBLIC MAY OBSERVE THIS MEETING BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA WEBPAGE AVAILABLE AT**

www.baaqmd.gov/bodagendas

- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE FOLLOWING LINK OR BY PHONE**

Zoom Link: <https://zoom.us/j/94351133445>

Telephone (audio only): US: +1(669) 900-6833, passcode- 94351133445#

Webinar ID: 943 5113 3445

- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A COMMENT CAN USE THE "RAISE HAND" FEATURE BY DIALING "*9".**

RICHMOND AREA
EMISSIONS REDUCTION
COMMUNITY STEERING
COMMITTEE
MEETING OF 04/19/2021

MONDAY
APRIL 19, 2021
6:00 P.M.

AGENDA

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

PUBLIC MEETING PROCEDURE

Bay Area Air Quality Management District staff shall call the meeting to order and take roll of the Committee members.

Staff/Phone (415) 749-

2. **PUBLIC COMMENT ON AGENDA MATTERS**

Members of the public who wish to speak on matters on the agenda for the meeting, will have two minutes each to address the Committee.

3. **WELCOME AND MEETING PROCEDURES**

K. Olp/4764
kolp@baaqmd.gov

B. Bunger/4920
bbunger@baaqmd.gov

The Committee will be welcoming remarks and a brief presentation on using the Zoom platform from Kevin Olp. The Committee meeting will receive a presentation on the fundamentals of the Brown Act.

4. **STEERING COMMITTEE INTRODUCTIONS**

K. Malinowski/4646
kmalinowski@baaqmd.gov

The Committee members will each take a brief moment to introduce themselves.

5. **INTRODUCTION TO THE AIR DISTRICT AND AB 617 PRESENTATION**

V. Eady/4646
veady@baaqmd.gov

The Committee will receive a presentation from Veronica Eady on the Air District, AB 617, the CERP Development Process, and the purpose of the Steering Committee.

6. **SELECTING STEERING COMMITTEE CO-CHAIR POSITIONS**

K. Olp/4764
kolp@baaqmd.gov

The Committee will receive a presentation from Kevin Olp on the roles and responsibilities of the Co-chair positions and the self-nomination process in the May Steering Committee Meeting.

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

Members of the public who wish to speak on matters not on the agenda for the meeting, will have two minutes each to address the Committee.

9. **COMMITTEE MEMBER COMMENTS**

Any member of the Committee, 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)

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

Monday, May 17, 2021 at 6:00 p.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

11. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Air District Staff.

CONTACT: KEVIN OLP
SENIOR SPECIALIST, COMMUNITY ENGAGEMENT
OFFICE
375 BEALE STREET, SAN FRANCISCO, CA 94105
kolp@baaqmd.gov

(415) 516-4764
FAX: (415) 928-8560
BAAQMD homepage:
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 Air 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 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, Terri Levels, at (415) 749-4667 or by email at tlevels@baaqmd.gov.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer

Date: May 10, 2021

Re: Redlining, Racial Disparities in Pollution and the Environmental Justice Movement

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Redlining is a term that describes the practice of the federal and local governments undertook in the 1930s and 40s to racially segregate neighborhoods through denying public and private financial services to Black, Indigenous, and other people of color. These practices separated neighborhoods both race and environmental factors as criteria in deciding which neighborhoods to invest in and led to many of the pollution and health disparities we see affecting communities of color.

DISCUSSION

The Committee will receive a presentation on the history of how racial segregation created environmental and pollution exposure disparities, and how the environmental justice movement formed as a response to advocate for fair treatment and healthy and safe communities for all people, regardless of race or income.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer

Prepared by: Vanessa Johnson/Kevin Olp
Reviewed by: Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer

Date: May 10, 2021

Re: Steering Committee Co-Chair Nomination Process

RECOMMENDED ACTION

The Committee will consider a nomination process to serve as Co-Chair for the Path to Clean Air Steering Committee.

BACKGROUND

On April 19, 2021, the Bay Area Air Quality Management District (Air District) sent a survey to allow each Steering Committee member the opportunity to indicate their interest in the Co-Chair leadership positions, and so submit a written paragraph to describe their qualifications for the Steering Committee to consider. Below are the submissions received by the Steering Committee members.

DISCUSSION

The Steering Committee will discuss the process for self-nomination for a position as Co-Chair. Each member will each have two-minutes to share why they are interested in this leadership position.

STATEMENTS OF INTEREST**Nancy Aguirre**

I have years of experience supporting, validating, leading and working with people. As a coach, mentor, director, teacher, and small business owner, I have learned to inspire, challenge, stand with and stand up for others and myself while ensuring respect for all. I have learned to ask questions, validate feelings, and keep the program/agenda moving forward. I know from experience, being a Co-Chair is more than just following the rules of the committee, they also set the tone of the meeting and when necessary, have strong convictions in maintaining order. With our group of passionate and determined members I know I can help guide our energy towards focused work.

Alfredo Angulo

During my time with the Associated Student Union of Contra Costa College, I was part of multiple participatory governance committees. In these meetings, I learned the basics of running Brown Act meetings and parliamentary procedures. As EVP, I led multiple Executive Board meetings in the absence of the board president and assisted with the creation of agendas and minutes. Additionally, as I am a college student, I have a lot of time to invest into the work of the committee and won't struggle much to find time for the extra meetings.

Y'Anad Burrell

I would like to self-nominate as a Co-Chair of the BAAQMD CERP Steering Committee. I bring more than fourteen years of experience in public relations and strategic communications and more than seven years in community engagement and diversity, equity and inclusion consulting. I have the natural ability to reach across the isles to build bridges of consensus with the goal of ensuring the most vulnerable voices are heard and elevated. As a seasoned communicator and trusted messenger in the community, I will serve, as I've done on many commissions and boards, with integrity and through an equity lens. Also, I have more than fifteen years serving, chairing and co-chairing various commissions, including those throughout Contra Costa County and in the city of Richmond, CA.

Jeff Kilbreth

I believe that making this a "community-led" process will require the Co-Chairs to spend significant time (at least twenty hours per month, maybe more) interacting with BAAQMD staff, setting agendas and ensuring that reading materials and presentations are focused on the things we need to understand and discuss. I'm retired, so I have this kind of time. What I would bring to the job are three useful things:

1. Having read and debated the Environmental Impact Report for the Chevron "Modernization Project" and participated in the development of BAAQMD Rule 12-15 for improved reporting of emissions, I have a head start on understanding the Criteria Air Pollutants (CAPs) and the over one hundred Toxic Air Contaminants (TACs) that we hope to regulate more effectively. There is a learning curve just on how to pronounce some of them!
2. Experience facilitating a wide range of process improvement and goal setting processes as a management consultant and as a manager of software product management. Being responsible for the 5-year product roadmap for a software company has many similarities with developing a multi-year CERP roadmap. There is an art to balancing customer needs and business goals with what's possible and efficient and then coming up with the best sequence of releases. I also have an MBA and experience with financial analysis which allows me to understand important questions like "How much money does Chevron make every year out of the Richmond refinery? And how much is reasonable for them to spend on pollution reduction?"

3. I served on the Richmond Planning Commission for two years, so I have had a pretty good exposure to Richmond's zoning and urban planning goals as well as Richmond politics and the kind of development projects that do and don't come before the City. I expect that some of our CERP vision will focus on goals for future development and, of course, this is not really BAAQMD's responsibility. These goals will need to be transmitted to the cities of Richmond and San Pablo and to the County for North Richmond. I believe that our concerns are not just about the regulation of existing large stationary sources, so having experience in "local politics" is useful.

Phillip Mitchell

I would like to be a co-chair for the following reasons:

1. I have the ability to get things done.
2. I have the work ethic that it will take to get our goals accomplished.
3. I have the ability to lead diverse teams to come together for a common cause.
4. I am Passionate about being involved.
5. I was the Chairman of the City of Richmond Human Rights Human Relationship Committee. While Chairman I am proud to say that we helped to get state legislation passed to allow sex workers the opportunity to join a union.
6. I am passionate about clean air as I am a life long asthma sufferer.
7. I listen well.
8. I am a natural leader of men and women.
9. I respect all opinions.
10. I have the ability to work with different organizations.
11. I love being a part of our steering committee. I do not have a hidden agenda other than achieving tangible results.
12. Lastly, I have open availability to commit to putting in the time to get our work done.

Kevin Ruano Hernandez

I feel that I would be a good ideal candidate for this position because, since I have considered myself as an environmental activist. I have encountered many people and people who have benefited me on my conquest to achieving my environmental and personal goals. Despite my age, I have found myself involved in many community organizations and locals here in Richmond and San Pablo. My affiliations with nonprofits and other organizations have inspired me to public speaking and other skills. I have learned so much from the last years and have witnessed so much more in my lifetime. losing a friend due to respiratory illnesses and being diagnosed with Asthma at a young age that was caused by local polluters. Though many people may argue that I am too young for this position and to be a representative for this committee, looking at my past experiences and my recent experiences regarding my environmental research and activism have inspired me strongly how to become a leader and acknowledging that I do have flaws, however, I can take into consideration my community and the people around me to make the right decision and accomplish the goals I set since the beginning for myself; Environmental Justice.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer

Prepared by: Vanessa Johnson/Kevin Olp
Reviewed by: Veronica Eady

RICHMOND AREA COMMUNITY
EMISSIONS REDUCTION PLAN
STEERING COMMITTEE
MEETING OF 05/17/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer

Date: May 10, 2021

Re: Steering Committee Vote for Co-Chair Positions

RECOMMENDED ACTION

The Committee will vote to select two Co-Chairs to lead Steering Committee meetings.

BACKGROUND

On February 4, 2021, the Air District's Community Equity, Health, and Justice Committee voted to approve that the "voting members the Community Steering Committee (CSC), shall select two Co-Chairs from among the CSC members." This was adopted by the Board of Directors on February 4, 2021.

DISCUSSION

To date, every Community Emission Reduction Plan Community Steering Committee throughout the state has had some form of a Co-Chair structure to support Steering Committee processes. The Path to Clean Air Community Steering Committee Co-Chairs will be responsible for presiding over Community Steering Committee meetings and meeting regularly with Air District staff to plan agendas and prepare for facilitating and administering the Community Steering Committee meetings. Co-chairs will also provide direction for Air District staff to develop the Community Emissions Reduction Plan, as well as present for the Air District Board and Committee as needed.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer

Prepared by: Kevin Olp
Reviewed by: Greg Nudd

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Community Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Date: June 21, 2021

Re: Introduction of Air District Staff

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Air District staff will introduce themselves, describe the work their Divisions are responsible for, and why they are excited to be a part of this team.

DISCUSSION

None.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Prepared by: Kevin Olp
Reviewed by: Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Community Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Date: June 21, 2021

Re: Overview of the Charter Development Process

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Charter is a document that will help the Community Steering Committee deliver and uphold effective and consistent governance. The California Air Resources Board (CARB) Community Air Protection Blueprint (Blueprint) recommends “the air district should work with the steering committee to establish a charter to clearly set out the committee process and structure.”

The Draft Path to Clean Air Community Steering Committee Charter (AGENDA: 4A – ATTACHMENT) is based on the Charter developed by the Community Design Team for the Community Air Monitoring Program, which was adopted in April 2019 and amended in May 2019. This draft Charter was further revised by the CERP Community Design Team for the Community Emission Reduction Plan, which worked with Air District staff to review and propose edits over a period of time in 2020.

Necessary elements of the Charter were clarified when the Air District Board voted in a resolution to form a Community Steering Committee subject to Brown Act regulations in December 2020, and further specifies rules around Committee size, membership, and voting structure in meetings in early 2021.

Brown Act Charters from Sacramento

(http://www.airquality.org/AB617/Documents/Final%20Charter%20for%20Adoption%20Feb%202021_Clean.pdf) and Imperial County (https://c1b3e492-1448-4e62-b7f8-7aaf61550a90.filesusr.com/ugd/99eb03_645f259f6bb44a4f81bedd12dfc98ce6.pdf) are provided here for examples.

DISCUSSION

The Community Steering Committee will receive a presentation on the Charter development history, the Charter elements, and the process for the Committee to review, amend, and adopt the Charter.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Prepared by: Kevin Olp
Reviewed by: Veronica Eady

Attachment 4A: The Path to Clean Air in the Richmond-North Richmond-San Pablo Area
Community Steering Committee Charter and Participation Agreement

RICHMOND AREA COMMUNITY
EMISSIONS REDUCTION PLAN
STEERING COMMITTEE
MEETING OF 06/21/2021

**The Path to Clean Air in the Richmond-North Richmond-San Pablo Area
Community Steering Committee Charter and Participation Agreement**

Draft May 12, 2021

Statement of Purpose

The purpose of The Path to Clean Air Community Steering Committee in the Richmond-San Pablo-North Richmond Area is to remedy persistent air pollution exposures and excessive local health risks to people who live, work, and play in and around the Richmond-San Pablo-North Richmond study area. This objective will be accomplished by identifying community-prioritized goals and implementing strategies to reduce air pollution exposures in this study area.

Assembly Bill 617 (Garcia, C., Chapter 136, Statutes of 2017) is a State-mandated program that uses a community-based approach to reduce local air pollution in communities around the State that continue to experience disproportionate impacts from air pollution. The Richmond-North Richmond-San Pablo area's Path to Clean Air is the region's first effort under the AB 617 program to develop a Community Air Monitoring Plan (CAMP) to look for, identify, and understand areas of elevated air pollution exposure in Richmond, North Richmond, and San Pablo communities. The CAMP Community Steering Committee adopted the branding and name, "Path to Clean Air." With the completion of the Community Air Monitoring Plan the Path to Clean Air is beginning the next phase of the AB 617 Program, developing a Community Emissions and Exposure Reduction Plan (CERP). On March 3, 2021, the Air District Board of Directors voted to appoint a 31-member Community Steering Committee to help guide the development of a Community Emissions Reduction Plan for the Richmond-North Richmond-San Pablo area.

1. Steering Committee Activities

Path to Clean Air Richmond North Richmond-San Pablo Community Steering Committee members will participate in the development of the CERP and will act as liaisons between the community and stakeholders they represent by disseminating information, making decisions and providing input as appropriate. Steering Committee members will also receive regular updates on the implementation of the Community Air Monitoring Plan. The Richmond-North Richmond-San Pablo area CERP will need to be completed by February 2022 with plan implementation beginning in 2022. The CSC will be subject to the California Brown Act (California Government Code sections 54950, et seq.) and in conducting its meetings and deliberations, the CSC shall follow Robert's Rules of Order as nearly as possible.

2. Steering Committee Objectives

The Path to Clean Air Richmond-North Richmond-San Pablo Community Steering Committee will serve as outlined in the Statement of Purpose. The Steering Committee will develop a Community Emissions and Exposure Reduction Plan that identifies and develops strategies to address areas of elevated air pollution exposure in the Richmond-North Richmond-San Pablo area. The Steering Committee will disseminate information

and consider input from the broader community. The goal is for the implementation of the CERP to begin in 2022. After the CERP has been developed, the Steering Committee Co-chairs may elect to change the meeting schedule as needed to best support and provide guidance on implementation and develop progress reports, with the consent of a majority of the CERP Steering Committee.

3. Membership

Community Steering Committee (CSC) members will represent people who live in the Richmond-North Richmond-San Pablo area and other interested stakeholders affiliated with various sectors. These sectors can include community-based organizations, youth organizations, non-profits, faith leaders, education, government, health, and business representatives from the Richmond-North Richmond-San Pablo area. The CSC shall be comprised of an odd number of members between 27 and 31, with a minimum of 70% of members residing within the initial study area, and with two non-voting members representing local businesses and industrial companies (not business associations).

4. Roles and Responsibilities

Community Steering Committee Members: Steering Committee members will be responsible for assisting Air District and Co-chairs in developing the Richmond-North Richmond-San Pablo CERP, in accordance with the California Air Resources Board's Community Air Protection Blueprint¹. They will identify the scope of issues to be considered; inform technical analyses to understand these issues; co-develop with the Bay Area Air Quality Management District strategies to solve the issues identified; and ensure continued accountability for CERP implementation.

Co-chairs: The voting members of the Community Steering Committee shall select two Co-chairs from among the CSC members, and the voting members of the CSC shall select a Board Liaison from among the CSC members who shall provide informational reports to the Board of Directors. The Co-chair team will be responsible for developing meeting agendas, and for leading Steering Committee meetings.

5. Standard Steering Committee Meeting Procedures

Deliberation and Consensus: Decision-making will not proceed without a quorum of voting members. Steering Committee members are expected to attend a minimum of thirteen (13) of the possible eighteen (18) Steering Committee meetings (in their entirety) throughout the course of the CERP development and implementation. Community summits and townhall meetings may also be scheduled through the development of the plan and implementation, which members should also attend.

Steering Committee members may choose to recuse themselves from decisions at any time. Members **must** recuse themselves from decisions where there is a conflict of interest. The Political Reform Act requires that, "No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest" (Government Code Section 87100 et seq). Steering Committee

members who participate in this process are expected to sign the *Path to Clean Air in the Richmond-North Richmond-San Pablo Area Steering Committee Participation Agreement* (Page 6 of this Charter) which outlines the expected conduct of all Steering Committee members.

Open Meetings: The Community Steering Committee meetings must be open to the public, with materials publicly available in advance. Stakeholder input is welcome and encouraged.

Meeting Schedule and Agendas: Co-chairs and BAAQMD staff will develop meeting agenda. Individual Steering Committee members have the right to submit items for placement on the agenda.

Should the co-chairs or BAAQMD staff deny the member's request, the denial and the reasons for the denial must be submitted in writing to the requesting member and the entire Steering Committee no later than 6 business days in advance of the meeting for which the item has been requested. Failure to do so will cause the request to be automatically on the agenda of the meeting requested.

Steering Committee agendas will be posted on the District's website (<https://www.baaqmd.gov/community-health/community-health-protection-program/richmond-area-community-health-protection-program>) at least 72 hours prior to the meeting. Meeting minutes will also be posted on the District's website.

Ad-hoc Committees Members who wish to be further involved may choose to participate in ad-hoc committees.

6. Amendments

Amendments to this charter of the Steering Committee of the Path to Clean Air in the Richmond-San Pablo Area Partnership Agreement require approval by a quorum of voting members present.

7. Accessibility/Accommodation

The Steering Committee meetings and other outreach events associated with the committee must be held at transit accessible facilities that can accommodate members covered by the Americans with Disabilities Act. Language interpretation services will be provided as needed with a minimum 6 business days in advance of the request.

8. Dissemination of Materials

All documents, materials, and correspondences, produced by or submitted to CERP, Steering Committee, Air District staff, or facilitators, will be considered public information records and subject to the California Public Records Act regulations and procedures for disclosure and transparency.

9. Website

BAAQMD website will be updated twice a month, in preparation for the next Steering Committee meeting (uploaded material for discussion) and after each Steering Committee meeting, to include meeting summaries, notes, and optimally meeting recordings.”

The Path to Clean Air in Richmond-North Richmond-San Pablo Area Steering Committee Participation Agreement

By signing below, I agree to abide by all conditions of the Path to Clean Air in Richmond-North Richmond-San Pablo Area Steering Committee Charter. I also agree to the following principles, goals, and expected conduct to demonstrate how agencies, communities and other stakeholders working in concert can achieve meaningful improvements in public health for the Richmond-North Richmond-San Pablo area:

Adopt and support the principles of ensuring healthy air in the Richmond-North Richmond-San Pablo area: Our goal is to remedy persistent air pollution problems and excessive local health risk exposures to people who live, work and play in and around the Richmond-North Richmond-San Pablo study area.

We are committed to working collectively and cooperatively with all stakeholders within the community—people who live in the study area, businesses and organizations, youth groups, schools, local, regional and State governments, health agencies and faith-based organizations—to ensure all represented parties are heard and can agree on an outcome that protects public health.

- **Provide strategic guidance, vision, and oversight** including:
 - **Informing** the development of the Richmond-North Richmond-San Pablo Area Community Emissions Reduction Plan
 - **Tracking progress of the work** using agreed-upon indicators at Steering Committee and subcommittee levels.
 - **Using data** to inform future development of emission and exposure reduction strategies.
 - **Identifying effective goals** to bring about reduced health risk in Richmond/San Pablo/North Richmond study area.

Provide leadership and accountability by:

- **Identifying obstacles** to achieving the goal and develop solutions to overcome them. o **Considering how my own organization** or those in my network can align to the common goals and principles of the Steering Committee.
- **Serving as a vocal champion** of the collective impact effort in the community.
- **Working towards consensus** while recognizing that not everyone will agree on every issue and to resolve conflicts in a positive, swift and constructive manner.
- **Recusing** oneself from deliberations and decisions where a conflict of interest occurs.

Play an active role by:

- **Participating** according to Charter. Provision will be made for members to participate electronically.
- **Reviewing materials** prior to meetings and coming prepared for engaged discussion, active listening, and respectful dialogue.
- **Committing to scheduled Steering Committee meetings** and a few hours of preparation in between. Attending occasional community town hall meetings to share the work of the Steering Committee.

RICHMOND AREA COMMUNITY
EMISSIONS REDUCTION PLAN
STEERING COMMITTEE
MEETING OF 06/21/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Members of the Path to Clean Air Community Steering Committee

From: Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Date: June 21, 2021

Re: Overview of the Community Emission Reduction Plan Process, Vision and Principles

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The planning process will guide the work of the Community Steering Committee and the Air District in developing the Community Emissions Reduction Plan (CERP). The proposed planning process is grounded in best practices for air quality, land use and transportation planning and is responsive to the California Air Resource Board (CARB) Community Air Protection Blueprint (Blueprint). The Blueprint outlines the criteria for development of community emissions reduction programs. CARB staff is currently working with community members, air districts, the AB 617 Consultation Group, and other stakeholders, to revise and update the Blueprint. Once revisions are complete staff will evaluate if changes are needed in the proposed planning process.

DISCUSSION

The Community Steering Committee will receive a presentation on the proposed planning process that explains the purpose and core elements of the plan. The presentation and discussion will also include an overview of vision and principles, and the process for developing vision and principles for the Path to Clean Air CERP.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Veronica Eady
Senior Deputy Executive Officer of Policy & Equity

Prepared by: Kelly Malinowski
Reviewed by: Veronica Eady

**COMMITTEE CHAIR SUMMARY REPORT OF THE MOBILE SOURCE
AND CLIMATE IMPACTS COMMITTEE**

(Co-Chairs: David Canepa; Katie Rice)

The Mobile Source and Climate Impacts Committee met on Thursday, June 24, 2021, and approved the minutes of May 27, 2021. 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.

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

1. Approve recommended projects with proposed grant awards over \$100,000, including a policy waiver to allow the Transportation Fund for Clean Air Regional Fund to be used as match for two recommended school bus projects;
2. Waive Policy #2, regarding Cost-Effectiveness, of the Transportation Fund for Clean Air Regional Fund to allow the replacement of diesel buses with electric zero-emission buses to be fully reimbursable with Air District grant funding; and
3. 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 *Charge! Program*. The Committee recommends the Board:

1. Approve the Charge! Program rank list and recommended projects with proposed grant awards; and

[OVER]

2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.

Finally, the Committee reviewed and discussed the staff presentation *Bay Area Electric Vehicle Acceleration Plan*.

The next meeting of the Mobile Source and Climate Impacts Committee will be held on Thursday, July 22, 2021, 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 approves the Committee's recommended actions. This concludes the Chair Report of the Mobile Source and Climate Impacts Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Report of the Mobile Source and Climate Impacts Committee Meeting of June 24, 2021

RECOMMENDED ACTIONS

The Mobile Source and Climate Impacts Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) ACTION REQUESTED: 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 1; including a policy waiver to allow the Transportation Fund for Clean Air, or TFCA, Regional Fund to be used as match for two recommended school bus projects;
 - 2) Waive TFCA Regional Fund Policy #2, regarding Cost-Effectiveness, to allow a project that will replace older diesel school buses with electric zero-emission buses to be fully reimbursable with Air District grant funding; and
 - 3) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.
- B) ACTION REQUESTED: Light-duty Electric Vehicle Charging Programs and Charge! Projects; and
 - 1) Approve the Charge! Program rank list and recommended projects with proposed grant awards as shown in Attachment 1; and
 - 2) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.
- C) Bay Area Electric Vehicle (EV) Acceleration Plan Update.
 - 1) None; receive and file.

BACKGROUND

The Committee met on Thursday, May 27, 2021, and received the following reports:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,000;
- B) Light-duty Electric Vehicle Charging Programs and Charge! Projects; and
- C) Bay Area Electric Vehicle (EV) Acceleration Plan Update.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None. The Air District distributes the CMP, MSIF, Community Health Protection Grant Program, and TFCA funding to project sponsors on a reimbursement basis. Funding for administrative costs is provided by each funding source.
- B) None. The Air District distributes the TFCA, MSIF, and CMP funding to project sponsors on a reimbursement basis. Funding for administrative costs is provided by each funding source; and
- C) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflo
Reviewed by: Vanessa Johnson

Attachment 10.2A: 06/24/2021 – Mobile Source and Climate Impacts Committee Meeting Agenda
#3

Attachment 10.2B: 06/24/2021 – Mobile Source and Climate Impacts Committee Meeting Agenda
#4

Attachment 10.2C: 06/24/2021 – Mobile Source and Climate Impacts Committee Meeting Agenda
#5

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons David Canepa and Katie Rice, and Members
of the Mobile Source and Climate Impacts Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 9, 2021

Re: Projects and Contracts with Proposed Grant Awards Over \$100,000

RECOMMENDED ACTIONS

Recommend Board of Directors:

1. Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; including a policy waiver to allow the Transportation Fund for Clean Air, or TFCA, Regional Fund to be used as match for two recommended school bus projects;
2. Waive TFCA Regional Fund Policy #2, regarding Cost Effectiveness, to allow a project that will replace older diesel school buses with electric zero-emission buses to be fully reimbursable with Air District grant funding; and
3. 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. Since 2018, this funding may also be used to incentivize the installation of infrastructure that will support the deployment of new zero-emissions vehicles and equipment.

Assembly Bill (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 March 4, 2020, the Board of Directors (Board) authorized the Air District's participation in Year 22 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, AB 617 directed the CARB, in conjunction with local air districts to establish the Community Air Protection Program (CAPP). 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. AB 617 includes a variety of strategies to address air quality issues in impacted communities, including community-level monitoring, uniform emission reporting across the State, stronger regulation of pollution sources, and incentives for reducing air pollution and public health impacts from mobile and stationary sources. Funding for incentives to support AB 617 communities was approved by the California Legislature beginning in fiscal year ending (FYE) 2018. Funding for the CAPP comes from the State's Greenhouse Gas Reduction Fund (GGRF), which is used to reduce criteria pollutants, toxic air contaminants, and greenhouse gases.

In May 2020, the Governor issued a revised budget that authorized up to \$200 million for a third cycle of CAPP incentive funding. On June 17, 2020, the Board authorized the Air District to accept, obligate, and expend up to \$40 million in year 3 CAPP. These funds are primarily distributed through the Air District's Community Health Protection Grant Program to implement projects eligible under the CMP and optionally on-road truck replacements under the Proposition 1B Goods Movement Emission Reduction Program. Staff has also begun working with CARB to expand eligibility to include stationary source projects and projects that have been identified and prioritized by communities with a Community Emissions Reduction Program, pursuant to HSC Section 44291.2.

In February 2018, CARB developed the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program Guidelines that outlines requirements for eligible equipment, e.g. agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations. On October 21, 2019, CARB's Executive Officer approved an update to the FARMER Program Guidelines to include eligibility criteria for demonstration projects. 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 passed through to the designated County Program Manager in each of the nine counties within the Air District's jurisdiction that in turn award TFCA funds to eligible projects within their communities.

On April 15, 2020 and July 15, 2020, the Board authorized funding allocations for use of the sixty percent of the TFCA revenue in FYE 2021, cost-effectiveness limits for Air District-sponsored FYE 2021 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 3, 2020, the Board adopted policies and evaluation criteria for the FYE 2021 Regional Fund program.

Projects with grant award amounts over \$100,000 are brought to the Mobile Source and Climate Impacts 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/entities. Along with recommendations for projects and grant awards over \$100,000, staff also updates the Committee on the status of incentive funding for the current fiscal year, including total funding awarded, incentive fund balance available for award, funds allocated by county and by equipment category type, and percentages of funding benefitting impacted and low-income communities. It should be noted that for each mobile source project, the allocation of emissions reduction benefits to counties or impacted communities is staff's best estimate based on the information provided to the Air District by the applicant at the time a project is evaluated.

DISCUSSION

Carl Moyer Program and Community Health Protection Grant Program:

For the FYE 2021 the Air District had approximately \$45.9 million available in CMP, MSIF, Community Health Protection (CHP) Grant Program, and FARMER funds for eligible projects, including approximately \$3.4 million from prior year funds. The Air District accepts project applications on a rolling basis and evaluates them on a first-come, first-served basis.

As of May 25, 2021, the Air District had received or evaluated 124 project applications. Of the applications that were evaluated between April 26 and May 25, 2021, seven eligible projects have proposed grant awards over \$100,000. Four off-road agricultural projects will replace eight pieces of mobile, diesel-powered equipment. One marine project will replace one charter fishing vessel diesel engine with a cleaner diesel engine. Two school bus projects will replace 15 diesel school buses and 1 compressed natural gas (CNG) school bus with 16 electric school buses and install supporting infrastructure. These projects will reduce over 6.5 tons of NOx, ROG, and PM per year. Staff recommends the allocation of \$7,873,263 for these projects from a combination of CMP, TFCA, FARMER, Community Health Protection, and MSIF revenues. Attachment 1, Table 1, provides additional information on these projects.

In addition to the projects that are discussed in this report, a total of \$6,000,000, including \$1,000,000 in MSIF/CMP and up to \$5,000,000 in TFCA funding, is being proposed for award to light duty vehicle infrastructure projects from the recently closed *Charge!* program solicitation. Information on the results of that solicitation, including the projects being proposed for award, will be presented in a separate and subsequent report for the Committee and Board's consideration (Agenda item #4). If the Board approves these awards, staff will include project information in a subsequent monthly report to the Committee and Board.

Attachment 2 lists all of the eligible projects that have been awarded by the Air District between July 1, 2020, and May 25, 2021, and includes information about equipment category, award amounts, estimated emissions reductions, county location, and whether the project benefits Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (Senate Bill (SB) 535) and/or low-income (AB 1550) communities. To date, approximately 72% of the funds¹ have been awarded or allocated to low-income residents or to projects that reduce emissions CARE areas, disadvantaged SB 535, and/or low-income AB 1550 communities. This percentage will change over time as the remaining funds are awarded later in the fiscal year and as more complete information about the location of projects and program participants becomes available.

Transportation Fund for Clean Air Program:

For the FYE 2021, the Air District had approximately \$31.44 million in TFCA monies available for eligible projects and programs consisting of new and prior-year revenues. The Air District accepts project applications for certain project categories on a rolling basis and evaluates them on a first-come, first-served basis.

As of May 25, 2021, the Air District had received 11 project applications. In addition, staff evaluated two school bus projects, which are recommended in the CMP section above, that propose

¹ For the purpose of determining whether funding was awarded or allocated to low-income residents or to projects that reduce emissions in CARE, SB 535, and/or low-income AB 1550 communities, funds awarded and allocated to date does not include any amounts awarded to regional projects where all communities receive the benefit. It also does not include amounts awarded to projects where the location of the benefit is unknown until additional information becomes available.

to replace fifteen diesel school buses and one CNG school bus with electric school buses and install charging infrastructure (Project # 22SBP71 and 22SBP84). Staff is recommending the allocation of up to \$2,045,391 in TFCA funding as matching funds for these projects because the sixteen buses do not qualify for full funding under the CMP guidelines. Both school bus projects benefit low-income communities in Sonoma County. Project #22SBP71 is recommended for \$3,775,186 in CMP, CHP and MSIF funding leaving a shortfall of \$1,153,346, which is recommended for match funding from the TFCA. Project #22SBP84 is recommended for \$803,786 in CMP, CHP and MSIF funding leaving a shortfall of \$892,045, which is recommended for match funding from the TFCA.

This action requires a waiver of one Air District Board-adopted TFCA Regional Fund policy:

- **TFCA Regional Fund Policy #2 Cost-Effectiveness:** Although the FYE 2021 Regional Fund policies allow for 100% of the cost of school bus projects to be paid for with grant funding, the cost-effectiveness limit would be exceeded for one diesel bus replacement under project #22SBP84. The bus to be replaced is model year 2005 diesel bus and will be replaced with a zero-emission electric bus.

Tables 1a and 1b below provide additional information on the proposed awards for these school bus projects.

Table 1a: Proposed award for school bus project #22SBP71

Project Description	12 buses and charging infrastructure
Total Project Cost	\$4,928,532
Proposed CMP/CHP/MSIF Award	\$3,775,186
Proposed TFCA Award (12 buses only)	\$1,153,346
Total Proposed Award	\$4,928,532

Table 1b: Proposed award for school bus project #22SBP84

Project Description	4 buses and charging infrastructure
Total Project Cost	\$1,698,222
Proposed CMP/CHP/MSIF Award	\$803,786
Proposed TFCA Award (4 buses only)	\$892,045
Total Proposed Award	\$1,695,831

If the Board approves this recommendation, the emissions reductions would be entirely reported under the CMP program to prevent double counting.

As discussed above in the CMP section, up to \$5,000,000 in TFCA funding is being proposed for award to light duty vehicle infrastructure projects from a recently closed *Charge!* program solicitation.

Attachment 3, Table 1, lists all eligible TFCA projects that have been evaluated and awarded between July 1, 2020 and May 25, 2021, including information about the project category, award amount, estimated emissions reduction, county location, and whether the project benefits Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (Senate Bill (SB) 535) and/or low-income (AB 1550) communities. To date, approximately 90% of the funds have been awarded or allocated to low-income residents or to projects that reduce emissions in CARE, disadvantaged SB 535, and/or low-income AB 1550 communities. This percentage will change over time as the remaining funds are awarded later in the fiscal year and as more complete information about the location of projects and program participants becomes available.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Air District distributes the CMP, MSIF, Community Health Protection Grant Program, and TFCA 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: Minda Berbeco, Alona Davis, Linda Hu, Ken Mak, Chengfeng Wang, Chad White

Reviewed by: Karen Schkolnick

Attachment 1: Projects with grant awards greater than \$100,000

Attachment 2: CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated between 7/1/20 and 5/25/21

Attachment 3: TFCA projects awarded and allocated projects between 7/1/20 and 5/25/21

Attachment 4: Summary of funding awarded and allocated between 7/1/20 and 5/25/21

AGENDA 3 - ATTACHMENT 1

Table 1 - Carl Moyer Program/ Mobile Source Incentive Fund, FARMER, Community Health Protection Program, and TFCA projects with grant awards greater than \$100k (Evaluated between 4/26/21 and 5/25/21)

Project #	Applicant Name	Project Category	Project Description	Proposed Contract Award	Total Project Cost	Emission Reductions (tons per year)			County
						NO _x	ROG	PM	
22MOY135	William E. Smith	Marine	Replacement of one diesel Tier 0 engine with a Tier 3 engine in a charter fishing boat.	\$ 154,000	\$ 196,594	1.831	0.018	0.069	San Mateo
22MOY127	Napa Select Vineyard Services, Inc.	Off-Road/Ag	Replace one diesel Tier 3 ag tractor with one diesel Tier 4 final ag tractor and one diesel Tier 2 ag tractor with one diesel Tier 4 final ag tractor.	\$ 107,100	\$ 155,358	0.187	0.012	0.011	Napa
22MOY138	Dave Soiland	Off-Road/Ag	Replace one diesel ag excavator Tier-2 engine with one diesel ag excavator Tier-4 engine, one diesel ag loader Tier-1 engine with one diesel ag loader Tier-4 engine, and one diesel ag dozer Tier-0 engine with one diesel ag dozer Tier-4 engine	\$ 711,800	\$ 942,710	2.035	0.165	0.097	Sonoma
22MOY142	Cobb Creek Holdings, LLC DBA CCH Ag Services	Off-Road/Ag	Replace one diesel Tier 0 ag tractor with one diesel Tier 4 final ag tractor and one diesel Tier 1 ag telehandler with one diesel Tier 4 final ag telehandler	\$ 105,500	\$ 159,154	0.205	0.034	0.021	Napa
22MOY149	Renati Dairy	Off-Road/Ag	Replacement of one diesel Tier 0 ag wheel loader with one diesel Tier 4 final ag wheel loader	\$ 170,500	\$ 213,158	0.522	0.068	0.047	Sonoma
22SBP71*	Petaluma City Schools	School Bus	Replace 12 diesel school buses with 12 electric school buses, and fund supporting infrastructure.	\$ 4,928,532	\$ 4,928,532	0.932	0.071	0.005	Sonoma
22SBP84**	Rincon Valley Union School District	School Bus	Replace 3 diesel school buses and 1 CNG school bus with 4 electric school buses, and fund supporting infrastructure.	\$ 1,695,831	\$ 1,698,222	0.228	0.015	0.003	Sonoma
7 Projects				\$7,873,263 ***	\$ 8,293,728	5.939	0.383	0.253	

*The award amount includes a total of \$1,153,346 in TFCA funds.

**The award amount includes a total of \$892,045 in TFCA funds.

*** An additional \$6,000,000, consisting of \$1,000,000 of MSIF/CMP and \$5,000,000 in TFCA, is proposed for award through Agenda item #4 and if approved, will be reflected in a subsequent monthly report.

MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE MEETING OF 06/24/2021

AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects
(Awarded and Allocated between 7/1/20 and 5/25/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
21MOY203	Ag/ off-road	Equipment Replacement	1	\$ 60,000.00	Rider Vineyards dba Joseph Rider	0.104	0.005	0.006	APCO	No	No	Napa
21MOY198	On-road	Equipment Replacement	1	\$ 10,000.00	EPP Transport, LLC	0.181	0.015	0.000	APCO	Yes	Yes	Alameda
21MOY206	Ag/ off-road	Equipment Replacement	2	\$ 90,840.00	Hudson Vineyards LLC	0.162	0.005	0.009	APCO	No	No	Napa
21MOY210	On-road	Equipment Replacement	1	\$ 20,000.00	Samuel's Trucking	0.466	0.039	0.003	APCO	Yes	Yes	Alameda
21MOY217	On-road	Equipment Replacement	1	\$ 25,000.00	Daxin Trucking, LLC.	0.566	0.048	0.000	APCO	Yes	Yes	Alameda
21MOY208	Ag/ off-road	Equipment Replacement	2	\$ 76,300.00	M. German & Son Partnership	0.345	0.055	0.028	APCO	No	No	Solano
21MOY209	Ag/ off-road	Equipment Replacement	1	\$ 48,800.00	Lum Family Farms Inc	0.145	0.026	0.018	APCO	No	No	Solano
21MOY214	Ag/ off-road	Equipment Replacement	5	\$ 255,400.00	Robledo Vineyard Mgmt LLC	0.563	0.092	0.061	10/7/2020	No	No	Sonoma/ Napa
21MOY212	On-road	Equipment Replacement	1	\$ 55,000.00	Ram Harak & Son Trucking	0.352	0.030	0.002	APCO	Yes	Yes	Alameda
21MOY235	Ag/ off-road	Equipment Replacement	1	\$ 51,366.00	Mertens Dairy	0.213	0.038	0.028	APCO	No	No	Sonoma
21MOY228	Ag/ off-road	Equipment Replacement	3	\$ 130,200.00	Tumbull Wine Cellars	0.191	0.037	0.026	10/7/2020	No	No	Napa
21MOY239	Ag/ off-road	Equipment Replacement	4	\$ 170,100.00	Michael Wolf Vineyard Services Inc.	0.206	0.016	0.021	10/7/2020	No	Yes	Napa
21MOY121	On-road	Equipment Replacement	1	\$ 15,000.00	Prabhjit	0.321	0.027	0.000	APCO	No	Yes	San Joaquin
21MOY218	Ag/ off-road	Equipment Replacement	2	\$ 76,100.00	Richard A. Zimmerman	0.194	0.030	0.017	APCO	No	No	Solano
21MOY240	On-road	Equipment Replacement	1	\$ 20,000.00	Sunny Trucking	0.301	0.025	0.000	APCO	No	Yes	San Joaquin
21MOY227	On-road	Equipment Replacement	1	\$ 40,000.00	Streamline Trans Inc., dba DM Trucking	0.836	0.071	0.006	APCO	Yes	Yes	Alameda
21MOY246	On-road	Equipment Replacement	1	\$ 30,000.00	Ali Transportation	0.375	0.032	0.000	APCO	Yes	No	Alameda
21MOY241	Ag/ off-road	Equipment Replacement	1	\$ 62,950.00	Wight Vineyard Management, Inc.	0.126	0.008	0.008	APCO	No	Yes	Napa
21MOY102	Off-Road	Equipment Replacement	1	\$ 48,850.00	San Mateo Union High School District	0.092	0.021	0.016	APCO	No	Yes	San Mateo
21MOY166	Ag/ off-road	2-for-1 Equipment Replacment	1	\$ 39,400.00	Beckstoffer Vineyards Napa Valley	0.250	0.037	0.025	APCO	No	No	Napa
21MOY223	On-road	Equipment Replacement	1	\$ 30,000.00	Oakland Container Trucking	0.525	0.038	0.000	APCO	Yes	Yes	Alameda

AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 5/25/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
21MOY265	Ag/ off-road	Equipment Replacement	1	\$ 182,700.00	Paul P. Bianchi, Inc	1.251	0.138	0.079	11/18/2020	No	No	Sonoma
21MOY245	Ag/ off-road	Equipment Replacement	4	\$ 143,400.00	Ilsley Brothers Farming, LLC	0.209	0.078	0.035	11/18/2020	No	No	Napa
21MOY236	Ag/ off-road	Equipment Replacement	1	\$ 604,150.00	Morrison Cazares Boyer Construction inc.	1.060	0.098	0.056	11/18/2020	No	No	Napa
21MOY232	Off-Road	Equipment Replacement	1	\$ 125,000.00	L.H. Voss Materials	0.725	0.036	0.018	11/18/2020	Yes	Yes	Alameda/ Contra Costa
21SBP196	School Bus	Equipment Replacement + Infrastructure	2	\$ 258,081.00	Fairfield-Suisun Unified School District	0.113	0.001	0.000	11/18/2020	No	Yes	Solano
21MOY249	On-road	Equipment Replacement	1	\$ 25,000.00	Jeevan Trucking Inc	0.478	0.040	0.000	APCO	Yes	Yes	Alameda
21MOY221	Ag/ off-road	Equipment Replacement	2	\$ 91,650.00	Robert J Camozzi II	0.211	0.024	0.021	APCO	No	No	Sonoma
21MOY257	On-road	Equipment Replacement	1	\$ 25,000.00	Harpinderpal Singh	0.466	0.035	0.000	APCO	Yes	Yes	Alameda
21MOY238	Ag/ off-road	Equipment Replacement	1	\$ 64,700.00	Foley Family Farms, LLC	0.141	0.018	0.012	APCO	No	No	Sonoma
21MOY281	Ag/ off-road	Equipment Replacement	1	\$ 42,200.00	Palm Drive Vineyards LLC	0.044	0.005	0.006	APCO	No	No	Sonoma
21MOY233	Ag/ off-road	Equipment Replacement	1	\$ 62,000.00	RR Farms	0.071	0.011	0.008	APCO	No	No	Sonoma
21MOY272	Ag/ off-road	Equipment Replacement	1	\$ 58,000.00	StoneMar Properties, LLC	0.100	0.005	0.006	APCO	No	No	Contra Costa
21MOY280	Ag/ off-road	Equipment Replacement	1	\$ 64,400.00	Barbour Vineyards Management LLC	0.113	0.007	0.007	APCO	No	No	Napa
21MOY274	Ag/ off-road	Equipment Replacement	3	\$ 120,500.00	Green Valley Cattle Co.	0.205	0.035	0.021	12/16/2020	No	No	Solano
21MOY251	Ag/ off-road	Equipment Replacement	1	\$ 50,300.00	Wild Oak Vineyards LLC	0.086	0.019	0.015	APCO	No	No	Solano
22MOY2	On-road	Equipment Replacement	1	\$ 35,000.00	Mandeep Singh	0.337	0.029	0.000	APCO	Yes	Yes	Alameda
22MOY4	Marine	Engine Replacement	1	\$ 128,000.00	Happy Hooker Sportfishing	0.307	-0.008	0.019	12/16/2020	Yes	Yes	Alameda
21MOY234	On-road	Engine Replacement	1	\$ 35,000.00	Jianye Trucking Inc.	0.674	0.057	0.000	APCO	Yes	Yes	Alameda
21MOY242	On-road	Engine Replacement	1	\$ 30,000.00	OJM Trucking Inc.	0.620	0.053	0.000	APCO	Yes	Yes	Alameda
22MOY3	Marine	Engine Replacement	2	\$ 1,166,000.00	San Francisco Water Emergency Transportation Authority	5.570	0.500	0.190	12/16/2020	Yes	Yes	Alameda/ Contra Costa/ San Francisco
21MOY172	Ag/ off-road	Engine Replacement	2	\$ 512,750.00	George Chiala Farms, Inc.	1.656	0.154	0.089	12/16/2020	No	No	Santa Clara
22MOY6	Ag/ off-road	Engine Replacement	1	\$ 185,400.00	Mazzetta Dairy	1.155	0.106	0.066	12/16/2020	No	No	Sonoma

AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 5/25/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
21MOY226	Off-Road	Engine Replacement	2	\$ 141,000.00	Columbia Electric, Inc.	0.532	0.038	0.035	12/16/2020	Yes	Yes	Alameda/ Contra Costa/ Santa Clara
21MOY277	Off-Road	Engine Replacement	5	\$ 345,500.00	R.J.S. & Associates, Inc.	1.815	0.171	0.107	12/16/2020	Yes	Yes	Santa Clara/ Alameda
22MOY13	Marine	Engine Replacement	1	\$ 140,000.00	Lion Fisheries, LLC.	0.898	-0.013	0.036	12/16/2020	No	No	San Mateo
21MOY237	Ag/ off-road	Engine Replacement	2	\$ 85,300.00	Dirt Farmer & Company, A California Corporation	0.272	0.054	0.037	APCO	No	No	Sonoma
21MOY225	On-road	Engine Replacement	1	\$ 35,000.00	Longs Mach	0.453	0.034	0.000	APCO	Yes	Yes	Alameda
21MOY264	On-road	Equipment Replacement	1	\$ 60,000.00	McKim Corp	2.260	0.160	0.014	APCO	No	Yes	Santa Clara
21MOY261	On-road	Equipment Replacement	1	\$ 20,000.00	Dhillon Trucking	0.654	0.097	0.029	APCO	Yes	No	Alameda
22MOY15	On-road	Equipment Replacement	1	\$ 35,000.00	NCH Trucking	0.635	0.054	0.005	APCO	Yes	No	Alameda
22MOY16	On-road	Equipment Replacement	1	\$ 30,000.00	Sahara Logistics INC DBA Ibrahim Trucking	0.410	0.035	0.000	APCO	Yes	No	Alameda
21MOY243	On-road	Equipment Replacement	1	\$ 40,000.00	Gill Freightliner	0.684	0.058	0.000	APCO	Yes	Yes	Alameda
22MOY17	Off-Road	Equipment Replacement	2	\$ 103,100.00	Rubedo Inc.	0.313	0.048	0.028	1/20/2021	No	No	Solano
22MOY34	On-road	Equipment Replacement	1	\$ 55,000.00	26 Pawa Corporation	1.117	0.084	0.007	APCO	Yes	Yes	Santa Clara
22MOY1	Ag/ off-road	Equipment Replacement	1	\$ 33,000.00	Gerald & Kristy Spaletta	0.046	0.044	0.011	APCO	No	No	Sonoma
21MOY275	Off-Road	Equipment Replacement + Infrastructure	2	\$ 90,100.00	Pine Cone Lumber Co., Inc.	0.068	0.011	0.004	APCO	No	No	Santa Clara
21MOY271	On-road	Equipment Replacement	1	\$ 20,000.00	Sarbjit Singh Deol	0.325	0.028	0.000	APCO	Yes	Yes	Alameda
22MOY10	On-road	Equipment Replacement	1	\$ 10,000.00	Lam Le	0.153	0.012	0.000	APCO	Yes	Yes	Alameda
21MOY278	On-road	Equipment Replacement	1	\$ 40,000.00	Gurtej Atwal	0.764	0.052	0.006	APCO	No	No	Alameda
22MOY8	On-road	Equipment Replacement	1	\$ 25,000.00	MP Trucking	0.364	0.031	0.000	APCO	No	No	San Joaquin
22MOY35	On-road	Equipment Replacement	1	\$ 35,000.00	Sahara Logistics INC DBA Ibrahim Trucking	0.391	0.033	0.000	APCO	Yes	No	Alameda
21MOY285	On-road	Equipment Replacement	1	\$ 40,000.00	G S Trucking	0.658	0.056	0.004	APCO	Yes	Yes	Alameda
22MOY38	On-road	Equipment Replacement	1	\$ 20,000.00	Primo Express Transport, Inc	0.394	0.033	0.003	APCO	Yes	Yes	Contra Costa
21MOY283	On-road	Equipment Replacement	1	\$ 40,000.00	Sall Trucking	0.943	0.156	0.008	APCO	Yes	Yes	Alameda

AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 5/25/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22MOY25	On-road	Equipment Replacement	1	\$ 40,000.00	Sarbjit S Bains	0.687	0.058	0.005	APCO	No	Yes	Santa Clara
22MOY26	On-road	Equipment Replacement	1	\$ 25,000.00	Dharmender Singh Barn	0.530	0.045	0.000	APCO	Yes	No	Alameda
22MOY33	Off-Road	Equipment Replacement	3	\$ 153,600.00	Cornerstone Certified Vineyard	0.396	0.068	0.051	1/20/2021	No	No	Sonoma
22MOY43	Off-Road	Equipment Replacement	3	\$ 128,300.00	Atlas Vineyard Management, Inc.	0.158	0.033	0.024	3/3/2021	No	No	Napa
22MOY18	Off-Road	Equipment Replacement	2	\$ 259,100.00	Willotta Ranch	1.073	0.130	0.073	1/20/2021	No	No	Solano
22MOY39	Off-Road	Equipment Replacement	1	\$ 53,200.00	Romero Vineyard Management LLC	0.066	0.016	0.012	APCO	No	No	Napa
22MOY19	Marine	Engine Replacement	6	\$ 3,715,000.00	San Francisco Water Emergency Transportation Authority	16.822	1.500	0.562	1/20/2021	Yes	Yes	Alameda
22MOY30	Marine	Engine Replacement	2	\$ 298,000.00	A.C. Fishing Charters Inc., dba Tigerfish Sportfishing	0.515	0.002	0.027	1/20/2021	No	No	Alameda
22MOY21	Marine	Engine Replacement	1	\$ 120,000.00	Jerry Harold Pemberton	0.244	0.003	0.009	1/20/2021	No	No	San Mateo
22MOY24	Ag/ off-road	Engine Replacement	1	\$ 139,900.00	Stanley J Ponia	0.256	0.047	0.036	1/20/2021	No	Yes	Sonoma
21MOY134	Ag/ off-road	Equipment Replacement	1	\$ 34,000.00	Dutton Ranch Corp	0.061	0.003	0.003	APCO	No	No	Sonoma
22MOY46	Ag/ off-road	Equipment Replacement	2	\$ 93,800.00	Shaffer Vineyards	0.208	0.057	0.024	APCO	No	No	Napa
22MOY61	Ag/ off-road	Equipment Replacement	1	\$ 141,600.00	Larn's Produce LLC	0.360	0.039	0.023	3/3/2021	No	No	Solano
22MOY27	Ag/ off-road	Equipment Replacement	1	\$ 223,500.00	Mark and Lisa Shelley	1.205	0.111	0.069	3/3/2021	No	No	Sonoma
21SBP211	School Bus	Equipment Replacement + Infrastructure	3	\$ 560,575.00	Menlo Park City School District	0.160	0.011	0.001	3/3/2021	No	Yes	San Mateo
22MOY37	Ag/ off-road	Equipment Replacement	1	\$ 347,400.00	Morrison Chopping, LLC	2.073	0.199	0.108	3/3/2021	No	No	Sonoma
22MOY68	Ag/ off-road	Equipment Replacement	1	\$ 20,000.00	Roger King	0.013	0.010	0.003	APCO	No	No	Solano
22MOY51	Ag/ off-road	Equipment Replacement	1	\$ 30,100.00	Robert Lauritsen	0.024	0.023	0.006	APCO	No	No	Napa
22MOY55	Ag/ off-road	Equipment Replacement	1	\$ 56,200.00	Thomas W. Crane	0.137	0.021	0.012	APCO	No	No	Sonoma
22MOY60	Ag/ off-road	Equipment Replacement	1	\$ 33,800.00	Karl Bucher	0.019	0.017	0.005	APCO	No	Yes	Napa
22MOY58	Ag/ off-road	Equipment Replacement	1	\$ 42,000.00	Sweetlane Nursery and Vineyards, Inc. dba Grossi Farms	0.031	0.008	0.007	APCO	No	No	Sonoma
22MOY5	Marine	Engine Replacement	2	\$ 293,000.00	Golden Eye 2000	2.471	-0.025	0.097	TBD	Yes	Yes	Alameda

AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 5/25/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22MOY79	Ag/ off-road	Equipment Replacement	1	\$ 43,500.00	Loma del sol farming inc.	0.088	0.020	0.015	APCO	No	No	Sonoma
22MOY82	Ag/ off-road	Equipment Replacement	1	\$ 34,000.00	Gilardi's Family Farm	0.036	0.006	0.004	APCO	No	Yes	Sonoma
22MOY69	Ag/ off-road	Equipment Replacement	2	\$ 276,450.00	Ielmorini Custom Spreading, LLC	2.124	0.200	0.116	4/7/2021	No	Yes	Marin/ Sonoma
22MOY72	Ag/ off-road	Equipment Replacement	1	\$ 318,200.00	West Marin Compost LLC	0.945	0.042	0.024	4/7/2021	No	Yes	Marin
22MOY80	Ag/ off-road	Equipment Replacement	5	\$ 300,900.00	Renteria Vineyard Management LLC	0.699	0.098	0.072	4/7/2021	No	No	Napa/ Sonoma
22SBP14	School Bus	Equipment Replacement + Infrastructure	2	\$ 622,556.00	Milpitas Unified School District	0.191	0.018	0.001	4/7/2021	No	Yes	Santa Clara
22MOY81	Ag/ off-road	Equipment Replacement	2	\$ 101,800.00	Stephen Tenbrink	0.285	0.033	0.022	4/7/2021	No	No	Solano
22MOY64	Ag/ off-road	Equipment Replacement	2	\$ 166,500.00	Joseph Rider	0.152	0.030	0.022	4/7/2021	No	No	Napa
22MOY77	Ag/ off-road	Equipment Replacement	1	\$ 38,750.00	Marc Mondavi	0.047	0.008	0.007	APCO	No	No	Napa
22MOY88	Ag/ off-road	Equipment Replacement	1	\$ 43,500.00	Anselmo Farms LLC	0.049	0.005	0.005	APCO	No	No	Solano
21MOY185	Ag/ off-road	Equipment Replacement	1	\$ 57,300.00	Wente Bros. dba. Wente Vineyards	0.213	0.034	0.026	APCO	Yes	No	Solano
22MOY85	Ag/ off-road	Equipment Replacement	1	\$ 218,350.00	Bordessa Family Dairies	0.717	0.066	0.041	5/5/2021	No	No	Sonoma
21MOY222	Ag/ off-road	Equipment Replacement	1	\$ 40,950.00	Jack Neal and Son Inc	0.092	0.015	0.011	APCO	No	No	Napa
22MOY87	Ag/ off-road	Equipment Replacement	1	\$ 60,000.00	Mike K. Waller	0.092	0.011	0.006	APCO	No	No	Solano
22MOY99	Ag/ off-road	Equipment Replacement	1	\$ 41,100.00	Daylight Vineyard Management, inc.	0.062	0.005	0.007	APCO	No	No	Sonoma
22MOY100	Ag/ off-road	Equipment Replacement	1	\$ 166,700.00	Poncia Fertilizer, Inc.	1.140	0.111	0.059	5/5/2021	No	Yes	Sonoma
22MOY67	Ag/ off-road	Equipment Replacement	2	\$ 107,400.00	Morrison Dairy	0.201	0.026	0.023	5/5/2021	No	No	Sonoma
22SBP9	School Bus	Equipment Replacement	4	\$ 827,820.00	Napa Valley Unified School District	0.564	0.055	0.000	5/5/2021	No	Yes	Napa
22MOY101	Marine	Equipment Replacement	2	\$ 2,886,000.00	Foss Maritime Company LLC	16.443	1.467	0.548	5/5/2021	Yes	Yes	Contra Costa / Alameda
22MOY65	Ag/ off-road	Equipment Replacement	1	\$ 28,000.00	Anthony Rossi	0.017	0.014	0.004	APCO	No	No	Napa
22MOY94	Ag/ off-road	Equipment Replacement	1	\$ 132,500.00	Lunny Ranch, LLC	0.215	0.022	0.014	TBD	No	Yes	Marin
22MOY104	Ag/ off-road	Equipment Replacement	2	\$ 113,400.00	Bains Farms LLC	0.501	0.079	0.046	TBD	No	No	Solano

AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated
(between 7/1/20 and 5/25/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22MOY75	On-road	Equipment Replacement	1	\$ 25,000.00	Gill Brothers Express Inc	1.097	0.081	0.007	APCO	Yes	Yes	Alameda
22MOY98	Off-Road	Equipment Replacement	1	\$ 44,000.00	St. Supery Inc.	0.049	0.008	0.005	APCO	No	No	Napa
22MOY111	On-road	Equipment Replacement	1	\$ 20,000.00	SAHIB SAFELINE	0.545	0.046	0.000	APCO	No	yes	Alameda
22MOY118	Marine	Equipment Replacement	2	\$ 3,700,000.00	Northwest Tug Leasing	20.875	2.599	0.409	TBD	Yes	yes	Alameda
22MOY129	Marine	Equipment Replacement	2	\$ 310,000.00	Mr. Morgan Fisheries Inc.	1.281	0.007	0.053	TBD	No	No	San Mateo
22MOY136	Marine	Equipment Replacement	1	\$ 105,000.00	Zachary Jason Medinas	0.895	0.005	0.034	TBD	Yes	Yes	San Francisco
22MOY115	On-road	Equipment Replacement	1	\$ 20,000.00	SHG Transportation	0.545	0.046	0.000	APCO	Yes	No	Alameda
22MOY119	On-road	Equipment Replacement	1	\$ 25,000.00	BABAL TRANS INC	0.963	0.081	0.006	APCO	Yes	Yes	Santa Clara
22SBP71	School Bus	Equipment Replacement + Infrastructure	12	\$ 3,775,186.00	Petaluma City Schools	0.932	0.071	0.005	TBD	No	Yes	Sonoma
22MOY138	Off-Road	Equipment Replacement	3	\$ 711,800.00	Dave Soiland	2.035	0.165	0.097	TBD	No	No	Sonoma
22SBP84	School Bus	Equipment Replacement + Infrastructure	4	\$ 803,786.00	Rincon Valley Union School District	0.228	0.015	0.003	TBD	No	Yes	Sonoma
22MOY149	Off-Road	Equipment Replacement	1	\$ 170,500.00	Renati Dairy	0.522	0.068	0.048	TBD	No	No	Sonoma
22MOY127	Off-Road	Equipment Replacement	2	\$ 107,100.00	Napa Select Vineyard Services, Inc.	0.187	0.012	0.011	TBD	No	No	Napa
22MOY142	Off-Road	Equipment Replacement	2	\$ 103,500.00	Cobb Creek Holdings, LLC DBA CCH Ag Services	0.205	0.034	0.021	TBD	No	No	Napa
22MOY135	Marine	Equipment Replacement	1	\$ 154,000.00	William E. Smith	1.831	0.018	0.069	TBD	No	No	San Mateo

124 Projects 202 \$30,328,160* 120.8 11.4 4.3

* An additional \$6,000,000, consisting of \$1,000,000 of MSIF/CMP and \$5,000,000 in TFCA, is proposed for award through Agenda item #4 and if approved, will be reflected in a subsequent monthly report.

AGENDA 3 - ATTACHMENT 3

Table 1 - TFCA projects awarded and allocated (between 7/1/20 and 5/25/21)

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (tons per year)			Board/ APCO Approval Date	CARE Area	AB1550 / SB535 Area	County
					NO _x	ROG	PM				
20R30	Bicycle Facilities	Upgrade 12.6 miles of Class II bikeways to Class IV in Fremont	\$ 130,000	City of Fremont	0.005	0.006	0.014	7/15/20	No	No	Alameda
20R31	Bicycle Facilities	Install and maintain 520 electronic bicycle locker spaces at 22 Caltrain stations in San Francisco, San Mateo and Santa Clara counties	\$ 1,041,000	Peninsula Corridor Joint Powers Board	0.097	0.139	0.306	7/15/20	No	No	Multi-County
20R32	Bicycle Facilities	Install 1.9 miles of Class IV bikeways in Hayward	\$ 200,790	City of Hayward	0.040	0.055	0.134	10/7/20	Yes	Yes	Alameda
21R02	LD Vehicles	Vehicle Buy Back Program	\$ 300,000	BAAQMD	N/A**	N/A**	N/A**	6/3/20	N/A	N/A	Regional
21R04	LD Vehicles	Clean Cars For All	\$ 10,000,000	BAAQMD	N/A	N/A	N/A	7/15/20	TBD*	TBD*	Regional
20R35	On-road Trucks & Buses	Purchase four electric delivery vans and scrap six existing vehicles	\$ 116,000	Santa Clara VTA	0.061	0.017	0.005	11/18/20	TBD*	TBD*	Santa Clara
21R07 †	On-road Trucks & Buses	Purchase and deploy 30 hydrogen fuel cell drayage trucks	\$ 3,360,000	Center for Transportation and the Environment	2.148	0.140	0.005	5/5/21	Yes	Yes	Multi-County
21RSB01	School Bus	Match funding for Project #21SBP211 for the replacement of two diesel buses with electric school buses	\$ 732,552	BAAQMD	N/A**	N/A**	N/A**	3/3/21	No	Yes	San Mateo
21RSB02	School Bus	Match funding for Project #22SBP14 for the replacement of one diesel bus with a electric school bus	\$ 204,598	BAAQMD	N/A**	N/A**	N/A**	4/7/21	No	Yes	Santa Clara
21RSB03	School Bus	Match funding for Project #22SBP71 for the replacement of 12 diesel school buses with 12 electric school buses.	\$ 1,153,346	BAAQMD	N/A**	N/A**	N/A**	Pending	No	Yes	Sonoma
21RSB04	School Bus	Match funding for Project #22SBP84 for the replacement of 3 diesel school buses & 1 CNG school bus with 4 electric school buses.	\$ 892,045	BAAQMD	N/A**	N/A**	N/A**	Pending	No	Yes	Sonoma
20R14	Trip Reduction	State Route 37 Rideshare	\$ 184,500	Solano Transportation Authority	0.104	0.113	0.169	12/16/20	No	No	Multi-County
21R01	Trip Reduction	Enhanced Mobile Source & Commuter Benefits Enforcement	\$ 850,000	BAAQMD	TBD*	TBD*	TBD*	7/15/20	N/A	N/A	Regional
21R03	Trip Reduction	Spare The Air/Intermittent Control Programs	\$ 2,290,000	BAAQMD	TBD*	TBD*	TBD*	6/3/20	N/A	N/A	Regional
21R08	Trip Reduction	Bayside/Burlingame & Marsh Road Caltrain Shuttles	\$ 160,000	Peninsula Corridor Joint Powers Board	N/A ‡	N/A ‡	N/A ‡	Pending	No	No	San Mateo
21R09	Trip Reduction	San Jose State University Rideshare and Trip Reduction	\$ 280,000	San Jose State University	N/A ‡	N/A ‡	N/A ‡	Pending	Yes	Yes	Regional
21R10	Trip Reduction	PresidiGO Downtown Shuttles	\$ 240,000	Predisio Trust	N/A ‡	N/A ‡	N/A ‡	Pending	Yes	No	San Francisco
21R11	Trip Reduction	ACE Shuttles	\$ 1,818,660	Santa Clara Valley Transit Authority	N/A ‡	N/A ‡	N/A ‡	Pending	Yes	No	Santa Clara
Total			18 Projects	\$23,953,491***	2.455	0.471	0.632				

*Funds have been allocated to these programs and projects and results will be determined at the end of project period.

**Emission reductions are fully reported under the Carl Moyer Program to prevent double counting.

† TFCA portion only (does not include \$3,640,000 in funds from Alameda County Transportation Commission).

‡ Emission reductions will be reported as part of the Spare the Air program (Project #21R03).

*** An additional \$6,000,000, consisting of \$1,000,000 of MSIF/CMP and \$5,000,000 in TFCA, is proposed for award through Agenda item #4 and if approved, will be reflected in a subsequent monthly report.

AGENDA 3 - ATTACHMENT 4

Figures 1-3 Summary of funding awarded and allocated between 7/1/20 and 5/25/21 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)

Figure 1. Status of FYE 2021 funding by source

includes funds awarded, recommended for award, and available

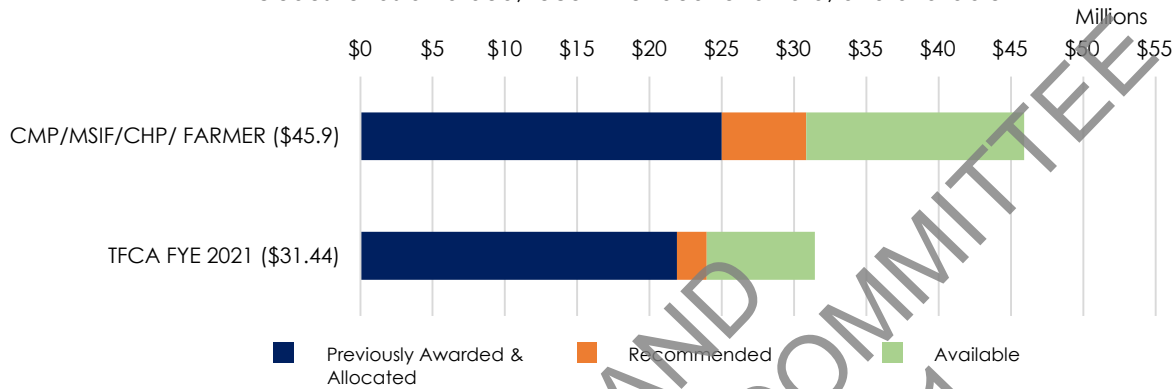


Figure 2. Funding awarded and allocated in FYE 2021 by county:

includes funds awarded & recommended for award

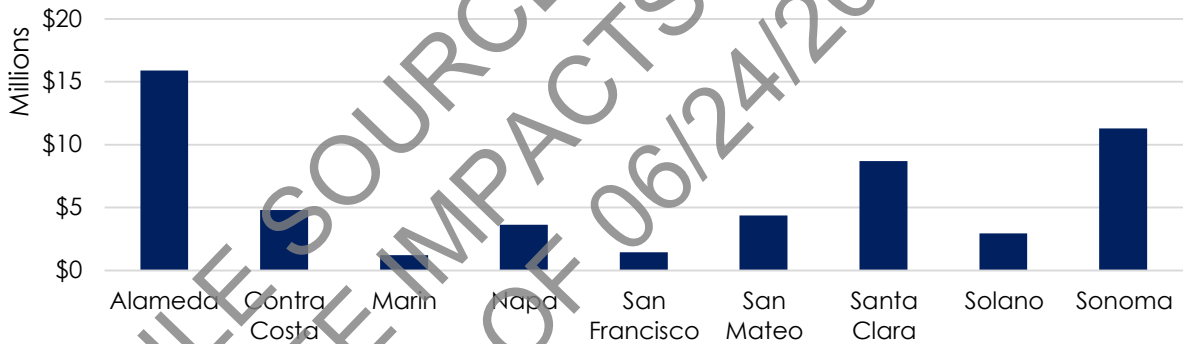
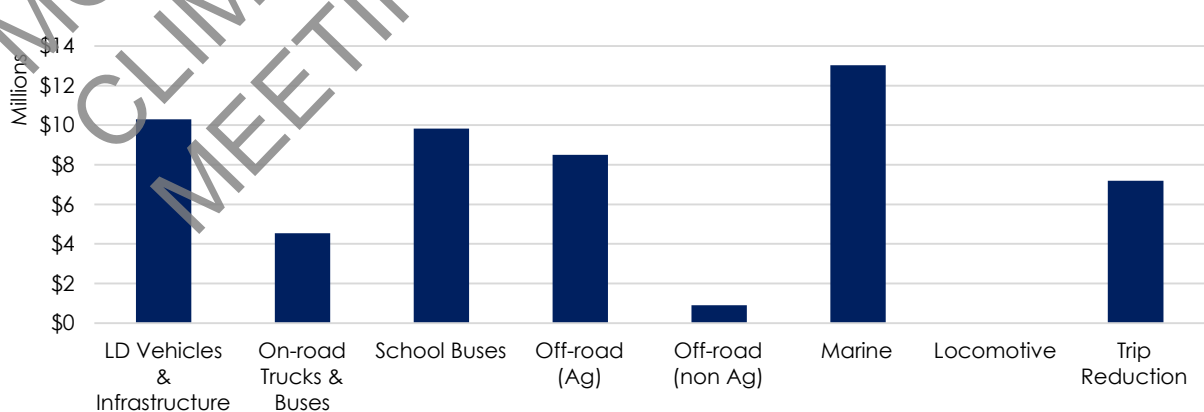


Figure 3 Funding awarded and allocated in FYE 2021 by project category

includes funds awarded & recommended for award



*An additional \$6,000,000, consisting of \$1,000,000 of MSIF/CMP and \$5,000,000 in TFCA, is proposed for award through Agenda item #4 and if approved, will be reflected in a subsequent monthly report.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons David Canepa and Katie Rice, and Members
of the Mobile Source and Climate Impacts Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 10, 2021

Re: Light-duty Electric Vehicle Charging Programs and Charge! Projects

RECOMMENDED ACTIONS

Recommend Board of Directors:

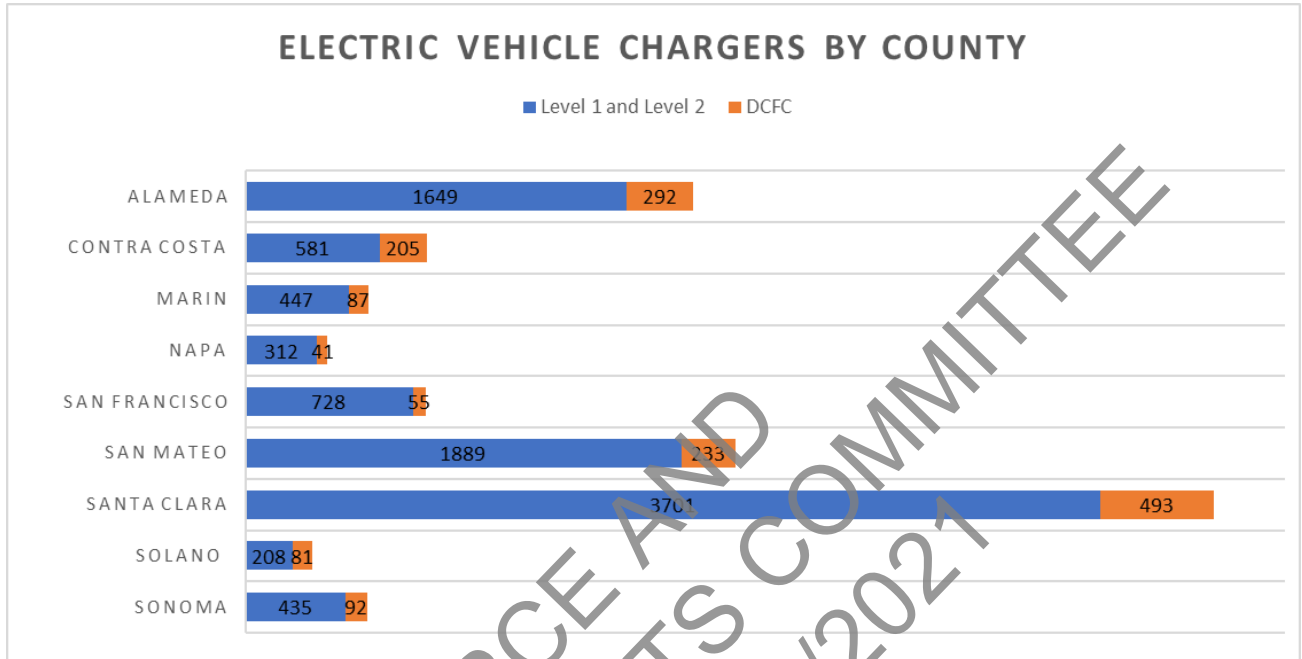
1. Approve the Charge! Program rank list and recommended projects with proposed grant awards as shown in Attachment 1; and
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.

BACKGROUND

Wide-scale adoption of electric vehicles (EVs) and electrification of all types of transportation are essential to achieving local, State, and Federal emission reduction targets for greenhouse gases and criteria pollutants. California has set a goal of 5 million EVs sold by 2030, and the Bay Area has set a target of 90% of vehicles in the Bay Area being zero emissions by 2050. The Bay Area and California also share the goal to cut greenhouse gas emissions to 80% below 1990 levels by 2050. As of August 2020, there were a total of 200,645 EVs registered and operating on Bay Area roads, representing 3.6% of the region's light-duty fleet according to data from the California Department of Motor Vehicles. Of those EV registrations in the Bay Area, 62% were battery electric vehicles (BEVs), 37% were plug-in hybrid vehicles (PHEVs), and 1% were fuel cell electric vehicles (FCEVs). Rapid growth in the EV market, particularly for BEVs, will be a significant part of achieving these goals.

To support the increase of EVs needed to achieve Bay Area and California goals, significant investments in EV infrastructure are needed. The National Renewable Energy Laboratory (NREL) EV Infrastructure Projection tool estimates that the Bay Area needs over 20,000 charging ports in 2019. However, as of June 1, 2021, there are currently only 11,530 (109 Level 1, 9,842 Level 2 and 1,579 DC Fast) publicly available charging ports across the Bay Area. Figure 1 shows a breakdown of these publicly available chargers by county in the Bay Area. The Bay Area only has roughly half of the chargers it needs to support targets by NREL.

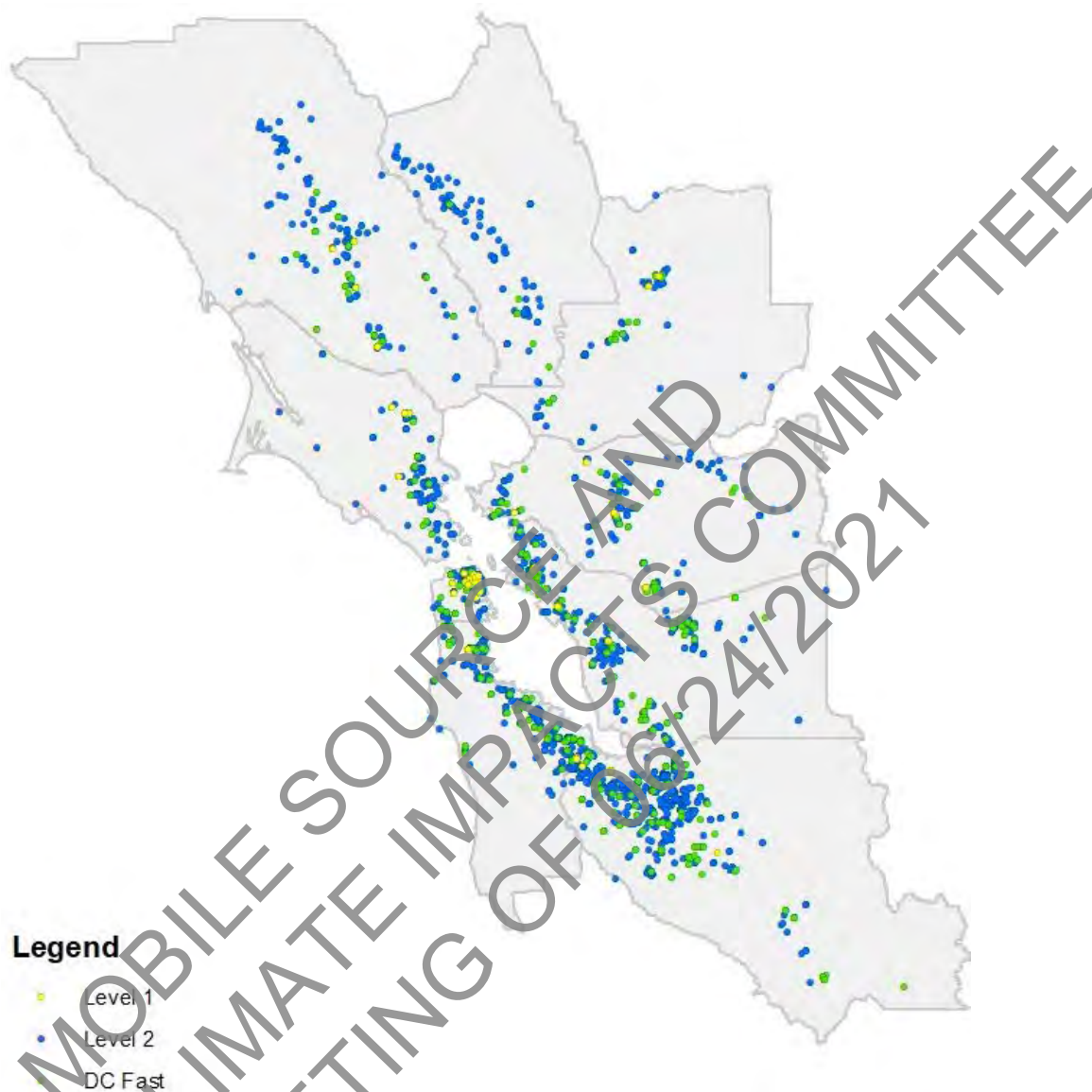
Figure 1. Publicly Available Level 1, Level 2, and DC Fast Chargers by County in the Bay Area



Additional charging stations will be needed to accommodate future growth in the EV market in order to achieve the ambitious Bay Area goals and to accommodate a wider range of Bay Area residents. Figure 2 shows a map of publicly available charging stations in the Bay Area. The chargers are generally located in urban areas and around transportation corridors. An individual or household's need for public charging infrastructure is related to home type, with drivers in single-family homes being much more likely to have home charging than those in apartments or multi-unit dwellings. EV owners tend to live in single-family homes. In the Bay Area, over one-third (36%) of housing units are in multi-unit dwellings. To extend the EV market beyond those living in single-family homes, the Bay Area must expand public charging infrastructure and charging at multi-unit dwellings.

The Air District's Charge! Program and other grant programs supporting EV infrastructure in the Bay Area play a vital role in increasing the number of charging stations to support the Bay Area's EV fleet. As part of this presentation the Committee will consider the approval of the latest Charge! Program recommendations and will receive an informational update on other incentive programs supporting EV charging in the region.

Figure 2. Map of Publicly Available Charging Stations in the Bay Area



DISCUSSION

Charge! – www.baaqmd.gov/charge

The Charge! Program (Charge!) provides grant funding to offset the cost of purchasing and installing new publicly accessible chargers for light-duty electric vehicles, or EVs, at workplaces, destinations, transit parking locations, along transportation corridors, and at multi-unit dwelling facilities. The Air District has administered the Charge! Program since 2016 and has awarded over \$14 M to support over 3,300 level 2 charging ports and over 100 DC fast chargers throughout the Bay Area.

The 2021 Charge! Program was a competitive solicitation that launched on December 28, 2020 and closed on March 18, 2020. A total of \$6 M in grant funding was available for organizations, including governments, businesses, and nonprofits. Twenty-five applications were submitted requesting nearly \$13 M in funding. The 2021 program prioritizes projects located at multi-unit dwellings, AB617 communities, communities for future AB617 consideration, and in regions with lower EV charger density.

A scoring panel comprised of three staff from the Technology Implementation Office, Strategic Incentives Division, and Rules and Strategic Policy Division evaluated the applications to score and rank the projects. The application evaluation criteria and scoring metrics are listed in Table 1. Each panelist scored projects individually before meeting to discuss and reconcile scores. Final scores were averaged and ranked by their score. A list of ranked projects and proposed grant awards can be found in Attachment 1. Twenty projects are eligible for Charge! Program funding, totaling to \$10,224,086. These projects requested funding for 1,588 charging ports (1,327 Level 2 ports and 261 DC Fast ports) at 136 facilities across the Bay Area. Five projects are ineligible for funding because they did not meet Charge! Program guidelines and requirements. The ineligible projects were scored and ranked; however, grant funding is not recommended.

Table 1: Application Evaluation Criteria and Scoring

Evaluation criteria	Possible points
<p>Project details & implementation plan</p> <ul style="list-style-type: none"> • Project scope/ details • Partners/ community support • Location/ facility type • Public accessibility • Technology type • Availability/ access to other incentives 	25
<p>Project benefits</p> <ul style="list-style-type: none"> • # of units to be implemented • # of units per county and facility type • Estimated emissions reductions • Cost-effectiveness • AB617 community location priority analysis 	30
<p>Readiness</p> <ul style="list-style-type: none"> • Resources available • Readiness for implementation • Project timeline 	15
<p>Qualifications</p> <ul style="list-style-type: none"> • Applicant experience/ history • Partners' roles and experience 	10

<ul style="list-style-type: none"> • Community support • Local/ Green business • Minority Business Enterprises (MBE)/ Women’s Business Enterprises (WBE) 	
Budget <ul style="list-style-type: none"> • Itemized equipment and infrastructure cost • Co-funding/ match • Cost per port installed • Total funds requested 	10
Application completeness	10
Total Points Possible	100

The Charge! Program is funded through the Air District’s Transportation Fund for Clean Air (TFCA) and Mobile Source Incentive Fund (MSIF). There is \$5 M in TFCA available and \$1 M in MSIF available. MSIF funding is reserved for multi-unit dwellings located in AB617 communities. The Air District allocates TFCA program funds under the statutory authority and requirements set forth in the California Health and Safety Code Sections 44241 and 44242. 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 MSIF.

Since the Charge! Program is oversubscribed, funding from the Carl Moyer Program (CMP) may be used to help fund eligible Charge! Program projects. CMP funding has additional program requirements that were not included in the original Charge! Program solicitation. Staff will work with Charge! applicants to determine if they are eligible and willing to accept additional CMP requirements in order to receive CMP funding.

Staff requests that the Committee recommend to the Board of Directors to approve the Charge! Program rank list and recommended projects with proposed grant awards in Attachment 1. Funding will be awarded to projects in order based on funding eligibility and availability. If additional funding becomes available from other sources like CMP or through project fall out, the funding will also be awarded in order to other projects in the rank list based on funding eligibility and availability.

Other Incentive Programs for Light-duty EV Charging

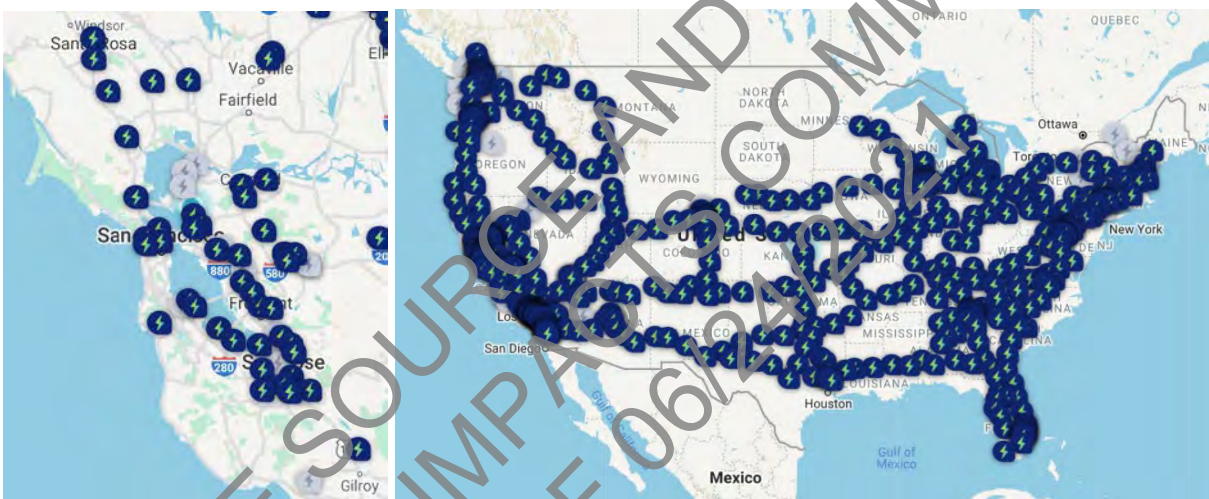
While the Air District’s grant programs have funded charging infrastructure throughout the Bay Area, more funding is needed in order to meet Bay Area and California EV goals. Below is a list of incentive programs that support EV infrastructure in the region.

Electrify America - www.electrifyamerica.com

Electrify America is a wholly owned subsidiary of Volkswagen Group of America, Inc. Electrify America will allocate \$2 B, over a 10-year period, to Zero-Emission Vehicle (ZEV) infrastructure and awareness. The investment will enable millions of Americans to discover the benefits of electric driving and support the build-out of a nationwide network of workplace, community and highway chargers that are convenient and reliable. Electrify America expects to install or have under development approximately 800 total charging stations with about 3,500 DC fast chargers by December 2021. California will be allocated \$800 M of the allocation over four cycles. Funding Cycle 2 is scheduled to wrap up in 2021 and Cycle 3 is scheduled to begin in the first quarter of 2022.

Electrify America has installed 161 DC Fast chargers and 23 Level 2 chargers at 42 locations across the Bay Area. There are 8 more locations planned in the Bay Area. Figure 3 shows a map of the charging locations in the Bay Area (left) and nationwide (right).

Figure 3: Electrify America Charging locations – Bay Area (left) and nationwide (right)



CALeVIP - <https://calevip.org/>

The California Electric Vehicle Infrastructure Project (CALeVIP) addresses regional needs for EV charging infrastructure throughout California, while supporting state goals to improve air quality, combat climate change and reduce petroleum use. Funded by the California Energy Commission and implemented by the Center for Sustainable Energy, CALeVIP provides incentives for EV charger installations and works with local partners to develop and implement projects that meet current and future regional EV needs for Level 2 and DC fast charging. CALeVIP is currently funded for \$159 M through Energy Commission funds, with potential of up to \$200 M. Co-funding partner contributions currently total \$34 M. CALeVIP has funded the following projects in the Bay Area.

- Peninsula-Silicon Valley - \$55.23 M
 - <https://calevip.org/incentive-project/peninsula-silicon-valley>
- Sonoma Coast/ Mendocino - \$6.75 M
 - <https://calevip.org/incentive-project/sonoma-coast>
- Inland Counties - \$17.5 M
 - <https://calevip.org/incentive-project/inland-counties>

- Alameda County (Coming Q4 2021) - \$14 M

California VW Mitigation Trust - <https://www.californiavwtrust.org/ev-infrastructure/>

The California Air Resources Board (CARB) is the lead agency acting on the State's behalf in implementing California's share of Trust funds totaling approximately \$423 M. On May 25, 2018, CARB approved the Beneficiary Mitigation Plan (BMP) for California, which establishes five eligible program categories: Zero-Emission Transit, School, and Shuttle Buses (\$130 M), Zero-Emission Class 8 Freight and Port Drayage Trucks (\$90 M), Zero-Emission Freight and Marine (\$70 M), Combustion Freight and Marine (\$60 M), Light-Duty Zero-Emission Vehicle Infrastructure (\$10 M).

The Air District is serving as administrator of the Trust funds for the Light-Duty Zero-Emission Vehicle Infrastructure category, including up to \$5M for electric vehicle charging station projects and \$5 M for hydrogen fueling station projects.

The Light-duty EV Infrastructure Program is a statewide program to fund the purchase and installation of new Level 2 and DC Fast chargers. A minimum of 50% of funds are reserved for disadvantaged and low-income communities. The solicitation period opened on May 11, 2021 and closes July 15, 2021.

PG&E - https://www.pge.com/en_US/large-business/solar-and-vehicles/clean-vehicles/ev-charge-network/ev-fast-charge.page

The EV Fast Charge Program has \$22.4 M in funding to install publicly accessible DC Fast EV Charging infrastructure. The program pays for and manages construction of electrical infrastructure from the utility pole to the parking space at a limited number of competitively selected sites. Disadvantaged community sites can also receive up to \$25k per charger. The program began in early 2020 and is continuing through 2025.

Silicon Valley Power - <https://www.siliconvalleypower.com/residents/rebates-6214>

Silicon Valley Power's Electric Vehicle Charging station rebate program provides up to \$1,000 for residents to install a Level 2 charger. Multi-unit dwellings can receive up to \$3,000 and schools and non-profits can receive up to \$5,000 to install a Level 2 charger.

Sonoma Clean Power - <https://sonomacleanpower.org/programs/gridsavvy>

Gridsavvy is a program offered by Sonoma Clean Power where residents can earn rewards for installing smart devices like smart thermostats, EV charging stations, and heat pump water heaters. Residents can receive a free smart electric vehicle charger for their home by paying up front for 50% of the charge cost, sales tax, and shipping and receiving a reimbursement. Installation costs are not covered by Gridsavvy.

MCE - <https://www.mcecleanenergy.org/ev-charging/>

MCEv offers a \$3,000 charging rebate for workplace or multi-unit dwelling properties to MCE customers in their service. MCEv has funded and installed over 600 EV charging ports in their service area.

California Energy Commission - <https://www.energy.ca.gov/solicitations/2021-04/gfo-20-607-second-block-grant-light-duty-electric-vehicle-charger-incentive>

The California Energy Commission is seeking block grant implementers to design and implement up to \$500 M or more in grant funds for various EV charger incentive projects throughout California. The CEC can award up to two block grant implementers and plans to make their selection in August 2021.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Air District distributes the TFCA, MSIF, and CMP 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: Ada Truong, Deanna Yee, and Tin Le
Reviewed by: Anthony Fournier and Derrick Tang

Attachment 1: 2021 Charge! Program Rank List and Recommended Projects

MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE MEETING OF 06/24/2021

AGENDA 4 - ATTACHMENT 1

**Table 1 - 2021 Charge! Program Rank List
Eligible Projects (Evaluated between 3/18/21 and 6/2/21)**

Rank	Score	Project #	Applicant	Project Category	Project Description	Eligible Grant Award Amount	Total Project Cost	Emissions			County
								NOx	ROG	PM	
1	92.51	2103-17524	County of Solano	Light Duty (LD) Infrastructure	Install and operate 134 Level 2 (high) single port chargers with solar at 1 destination and 3 workplace facilities.	\$ 406,000	\$ 1,955,495	0.309	0.182	0.007	Solano
2	92.34	2103-17603	Bollinger Crest Apartment Investors, LP	LD Infrastructure	Install and operate 4 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 32,000	\$ 44,317	0.011	0.006	0.000	Contra Costa
3	91.90	2103-17345	City of San Ramon	LD Infrastructure	Install and operate 2 Level 2 (high) dual port chargers and 2 DCFC at 2 destination facilities.	\$ 44,000	\$ 277,045	0.024	0.014	0.001	Contra Costa
4	91.34	2103-17497	East Bay Community Energy Authority	LD Infrastructure	Install and operate 17 DCFC at 1 transportation corridor facility.	\$ 425,000	\$ 1,456,257	0.157	0.093	0.004	Alameda
5	90.56	2103-17554	West County Wastewater District	LD Infrastructure	Install and operate 2 Level 2 (high) dual port chargers with solar at 1 workplace facility.	\$ 12,000	\$ 251,320	0.006	0.003	0.000	Contra Costa
6	90.28	2103-17625	Silvergate Brentwood, LLC	LD Infrastructure	Install and operate 11 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 44,000	\$ 132,463	0.037	0.022	0.001	Contra Costa
7	90.17	2103-17315	EV Charging Solutions, Inc.	LD Infrastructure	Install and operate 142 DCFC and 169 Level 2 (high) single port chargers at 1 transit parking, 15 transportation corridor, and 23 destination facilities.	\$ 3,000,000	\$ 9,815,000	1.699	1.003	0.041	Regional
8	89.90	2103-17230	REEF Energy CA Operations LLC	LD Infrastructure	Install and operate 8 Level 2 (high) dual port chargers at 2 multi-unit dwelling facilities.	\$ 64,000	\$ 220,000	0.098	0.058	0.002	San Francisco
9	89.34	2103-17520	City of Dublin	LD Infrastructure	Install and operate 2 Level 2 (high) single port chargers and 5 Level 2 (high) dual port chargers at 2 destination facilities.	\$ 26,000	\$ 238,016	0.019	0.011	0.001	Alameda
10	88.56	2103-17065	Napa Valley Transportation Authority	LD Infrastructure	Install and operate 5 Level 2 (high) dual port chargers at 1 transit parking facility.	\$ 20,000	\$ 150,000	0.014	0.008	0.000	Napa
11	86.12	2103-17499	Alameda Multifamily Owner LLC	LD Infrastructure	Install and operate 8 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 64,000	\$ 154,045	0.023	0.013	0.001	Alameda
12	86.01	2101-15735	EVgo Services LLC	LD Infrastructure	Install and operate 96 DCFC at 11 transportation corridor facilities.	\$ 2,400,000	\$11,177,123	0.885	0.523	0.021	Regional
13	85.84	2103-17553	PowerFlex Systems, Inc.	LD Infrastructure	Install and operate 804 Level 2 (high) single port chargers at 3 destination, 9 multi-unit dwelling, and 16 workplace facilities.	\$ 3,000,000	\$ 6,000,140	1.674	0.989	0.040	Regional
14	84.45	2103-17359	The Shores at Marina Bay Community Association	LD Infrastructure	Install and operate 2 Level 2 (high) single port chargers and 4 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility.	\$ 48,000	\$ 113,000	0.005	0.003	0.000	Contra Costa
15	83.51	2103-17012	City of Milpitas	LD Infrastructure	Install and operate 4 Level 2 (high) single port chargers with solar at 1 destination facility.	\$ 16,000	\$ 443,516	0.009	0.005	0.000	Santa Clara
16	81.51	2103-17587	University Terrace Berkeley Homeowners Association	LD Infrastructure	Install and operate 10 Level 2 (high) single port chargers at 1 multi-unit dwelling facility.	\$ 53,086	\$ 58,985	0.010	0.006	0.000	Alameda
17	81.12	2102-16363	Mountain View Whisman School District	LD Infrastructure	Install and operate 24 Level 2 (high) single port chargers with solar at 10 workplace facilities.	\$ 76,000	\$ 840,094	0.055	0.033	0.001	Santa Clara
18	76.28	2102-16395	The Millennium Tower Association	LD Infrastructure	Install and operate 3 Level 2 (high) single port chargers at 1 multi-unit dwelling facility.	\$ 21,000	\$ 28,879	0.008	0.004	0.000	San Francisco
19	73.78	2103-17638	Intertie, Incorporated	LD Infrastructure	Install and operate 23 Level 2 (high) dual port chargers and 4 DCFC at 12 multi-unit dwelling facilities.	\$ 256,000	\$ 353,432	0.116	0.068	0.003	Regional
20	73.51	2103-17527	EVmatch, Inc.	LD Infrastructure	Install and operate 31 Level 2 (high) single port chargers at 15 multi-unit dwelling facilities.	\$ 217,000	\$ 238,700	0.031	0.018	0.001	Regional
21	72.67	2103-17604	Boston Properties Limited Partnership	LD Infrastructure	Install and operate 12 DCFC at 1 transportation corridor and three destination facilities.	\$ -	\$ 1,260,009	N/A	N/A	N/A	San Francisco
22	57.01	2103-17542	Ecology Action	LD Infrastructure	Install and operate 4 Level 2 (high) single port chargers at 1 multi-unit dwelling facility.	\$ -	\$ 22,500	N/A	N/A	N/A	Santa Clara
23	53.01	2103-17577	Cinnamon Energy Systems	LD Infrastructure	Install and operate 2 Level 2 (high) dual port chargers at 1 workplace facility.	\$ -	\$ 61,083	N/A	N/A	N/A	Santa Clara
24	43.06	2103-17580	Sonoma County Regional Parks	LD Infrastructure	Install and operate 1 DCFC charger at 1 destination facility.	\$ -	\$ 57,820	N/A	N/A	N/A	Sonoma
25	38.84	2103-17618	Acumen Building Enterprise, Inc.	LD Infrastructure	Install and operate 1 DCFC at 1 workplace facility.	\$ -	\$ 1,015,000	N/A	N/A	N/A	Alameda

MOBILE CLIMATE MEETING ON 03/12/2022

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons David Canepa and Katie Rice, and Members
of the Mobile Source and Climate Impacts Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 10, 2021

Re: Bay Area Electric Vehicle (EV) Acceleration Plan Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area's nine counties are home to approximately 7.6 million people and 5.3 million light duty vehicles, with an additional 600,000 vehicles passing daily through the region from adjacent areas. Tailpipe emissions from these light duty vehicles account for approximately 28% of greenhouse gas (GHG) emissions and a significant portion of other pollutants (31% of carbon monoxide and 12% of nitrogen oxide) in the Bay Area. These air pollutants increase adverse health problems, so the transition to clean vehicles will play a key role in reducing health and climate impacts.

California has set a goal of five (5) million electric vehicles (EVs) sold by 2030, with the sale of new conventional light-duty vehicles phased out by 2035. The Air District has also set as a target that 90% of vehicles in the Bay Area should be zero emissions by 2050. The Bay Area and California share the goal of cutting greenhouse gas emissions to 80% below 1990 levels by 2050.

For the past 10 years, the Bay Area Air Quality Management District (Air District) has developed and implemented programs to monitor the EV market and increase the adoption of EVs in the Bay Area. Air District efforts have included the development and implementation of region-wide EV plans, outreach and awareness activities, and direct financial incentives for vehicles and charging infrastructure.

In partnership with the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), the Air District released the Bay Area Plug-In Electric Vehicle Readiness Plan in 2013. This plan was developed to provide guidance and best practices to help stakeholders, utilities, and other government agencies accelerate the adoption of electric vehicles in the Bay Area.

In 2018, Air District staff began developing the Bay Area EV Acceleration Plan (Plan). This plan aims to update and supplement the 2013 Readiness Plan and includes an update on the EV ecosystem, results of our EV market research study, recommendations to address the barriers to EV adoption, and strategies to increase racial and social equity in the EV market.

As of August 2020, there were a total of 200,645 electric vehicles registered and operating on Bay Area roads, representing 3.6% of the region's light duty fleet according to data from the California Department of Motor Vehicles. Of those EV registrations in the Bay Area, 62% were Battery Electric Vehicles (BEV's), 37% were Plug-In Hybrid Electric (PHEVs), and 1% were Fuel-Cell Electric Vehicles (FCEVs).

As of June 2021, there were 11,530 publicly available charging ports in the Bay Area, including Level 1, Level 2, and DC Fast. To remain on track to meet our goals, the Bay Area is estimated to need 40,000 public charging ports.

DISCUSSION

The EV Acceleration Plan is the result of collaboration among Bay Area EV stakeholders, local and regional government agencies, and community outreach and participation. The Plan intends to help the Bay Area achieve the EV goals described in the Air District's 2017 Clean Air Plan and MTC Plan Bay Area 2050.

The development of the Plan began in late 2018. Staff conducted a thorough review of the 2013 EV Readiness Plan to determine where the Bay Area currently stood on the projected EV forecasts and estimated infrastructure needed to support large-scale adoption on EVs.

Staff then began a baseline assessment of internal and external EV data and literature, focusing on the local, regional, state, and national level. Data sources reviewed included:

- California Department of Motor Vehicle registration data
- California Energy Commission, Zero-Emission Vehicle, and Infrastructure Statistics
- U.S. Department of Energy Alternative Fuels Data Center, Station Locator

Staff analyzed this data and developed graphics and summaries to inform the Plan. Additionally, staff compiled a comprehensive list of other publicly available data summaries, rebates, incentives, outreach programs, and Disadvantaged Community (DAC) specific programs.

From August 2015 through September 2019, the Air District held four stakeholder outreach meetings throughout the Bay Area (North Bay, San Francisco, East Bay, South Bay) and one webinar. More than 40 EV industry partners including representatives from government organizations, Community Choice Aggregators, Electric Vehicle Supply Equipment (EVSE) technology and software companies, automotive manufactures, universities, school districts, ride-hailing companies, and elected officials. The goal was to collect input from these stakeholders on the type of information, data, tools, and resources that would be useful to their work and accelerate EV adoption in the Bay Area.

The Air District partnered with the Center for Sustainable Energy (CSE) from August 2019 through May 2020 to study vehicle market stakeholders in the Bay Area to understand their barriers to EV adoption. The following target audiences were identified for this analysis:

- Bay Area residents
- Ride-hail drivers
- Multi-unit dwelling property owners and managers
- Fleet vehicle manager
- Car dealerships

Using a mixed-method approach, CSE analyzed these consumers and businesses perspectives on EV adoption and infrastructure across the Bay Area. Their research began with a summary of existing literature on EV adoption, charging behaviors and EV infrastructure for each target group identified above. A combination of surveys, focus groups and semi-structured interviews was used to collect data from the five target groups. CSE's approach provided insights into sentiments across the diverse geographic and socioeconomic landscape of the Bay Area, ultimately informing targeted outreach and incentive strategies that will be actionable in the Air District's Plan.

The results of the stakeholder meeting and EV market research and survey identified the barriers to EV adoption, solutions to those barriers, and prioritize and suggest responsible parties for implementing those solutions.

Using feedback from our partners, research, data, and resources, staff developed the following goals to accelerate EV adoption in the Bay Area:

- Increase Air District support for low-income and frontline communities.
- Establish an interim goal of 1.5 million EVs in the Bay Area by 2030.
- Enact EV ready reach codes by 2030 in 100% of Bay Area Cities and Counties.
- Enact EV Charging Station Permitting Streamlining procedures and policies by 2022 in 100% of Bay Area Cities and Counties.
- Seek more ambitious CalGreen EV ready parking space standards in the 2022 Title 24 Code Update (for both existing and new buildings).

The draft EV Acceleration Plan is now available for public review. A webinar presentation was held on April 15, 2021, where 45 participants attended. The public comment period closed on April 28, 2021, and comments received were reviewed for inclusion in the final document.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Karissa White

Reviewed by: Tin Le, Derrick Tang, and Anthony Fournier

Attachment 1: Draft Bay Area EV Acceleration Plan

MOBILE SOURCE AND
CLIMATE IMPACTS COMMITTEE
MEETING OF 06/24/2021

MARCH 2021

Bay Area Air Quality
Management District



BAY AREA ELECTRIC VEHICLE ACCELERATION PLAN

A plan to accelerate transportation electrification in the Bay Area.



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

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Executive Summary

With the first introduction of commercially available light-duty electric vehicles¹ (EV) in 2010, the Bay Area Air Quality Management District (Air District) began programs to monitor the EV market and increase EV adoption in the Bay Area. To identify and prioritize EV market maturation efforts, the Air District and the Metropolitan Transportation Commission (MTC) developed and released the Bay Area Plug-in Electric Vehicle Readiness Plan in 2013². The Air District’s efforts have also included development and implementation of region-wide outreach and awareness activities, supporting legislative action to accelerate EV adoption, and direct financial incentives. The Bay Area EV Acceleration Plan (Plan) aims to update and supplement the 2013 Readiness Plan, including an update on the EV ecosystem, results of our EV market research, and recommendations to address the barriers to EV adoption.

One of the greatest changes since we released the 2013 Readiness Plan is the maturation of the EV market past the “innovators” and “early adopters” technology cycle. Additionally, as EVs near cost parity with conventional cars and fighting climate change becomes a greater priority in our society, governments must adjust programs and priorities. To this end, the Air District released a Clean Air Plan in 2017³, which included a goal to increase the EV share in the Bay Area to 90% by 2050. This EV Acceleration Plan is meant to help the Bay Area achieve that goal in an equitable manner.

The recommendations highlighted in this Plan speak to the importance of addressing historic disenfranchisement in frontline communities⁴ as we pursue our aggressive EV adoption and market acceleration goals. Our analysis and suggestions related to increasing equity are

¹ EVs are defined here as Battery Electric Vehicles (BEV), Hydrogen Fuel Cell Electric Vehicles (FCEV), and Plug-in Hybrid Electric Vehicles.

² <https://www.baaqmd.gov/plans-and-climate/bay-area-pev-program/bay-area-pev-ready>

³ <https://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>

⁴ Frontline communities are those that experience “first and worst” the consequences of climate change. These are communities of color and low-income, whose neighborhoods often lack basic infrastructure to support them and who will be increasingly vulnerable as our climate deteriorates. These are Native communities, whose resources have been exploited, and laborers whose daily work or living environments are polluted or toxic (Ecotrust.org).

included on Page 25 in the Advancing Equity in the EV Market section in this Plan. The following five recommendations form the backbone of our strategy for increasing EV adoption and equity:

- 1. Work more closely with frontline communities to better understand their unique needs and barriers to EV adoption.**
- 2. Empower influential members of frontline communities and support them with the latest information to share with their communities.**
- 3. Focus marketing and outreach efforts on the benefits of EV ownership that address major concerns identified through surveys and highlight people of color.**
- 4. Streamline, simplify, and incentivize EV charging infrastructure and EV ready parking spaces, prioritizing installations at or near multi-family buildings.**
- 5. Identify additional funding sources from the Federal, State, and local level to support the necessary incentives for a just transition.**

The Air District and our partners collected data and resources, which have informed our development of the following goals to ensure equitable EV acceleration in the Bay Area:

- Increase Air District support for low-income and frontline communities**
- Establish an interim goal of 1.5 million EVs in the Bay Area by 2030**
- 100% of Bay Area Cities and Counties enact EV ready reach codes by 2030**
- 100% of Bay Area Cities and Counties enact EV Charging Station Permitting Streamlining procedures and policies by 2022**
- Seek more ambitious CalGreen⁵ EV ready parking space standards in the 2022 Title 24 Code Update (for both existing and new buildings)**

Transportation and air quality policy have historically exacerbated the inequities faced by communities of color.⁶ Low-income communities and communities of color continue to be disproportionately impacted by air pollution and climate change⁷ and have been left out of the EV market given the economic barriers to entry.⁸ For this reason, the vast majority of the Air District's work, funding, and policy attention related to transportation electrification must prioritize and empower our frontline communities across the Bay Area.

⁵ California Green Building Standards Code or "CALGreen" (California Code of Regulations, Title 24, Part 11), is the first mandatory green building standards code in the nation and often serves as a model for other state and local governments across the country. CALGreen currently requires 6% of parking spaces in new nonresidential buildings to be Electric Vehicle capable or "EV capable".

⁶ Reichmuth, David. 2019. Inequitable Exposure to Air Pollution from Vehicles in California. Cambridge, MA: Union of Concerned Scientists. <https://www.ucsusa.org/resources/inequitable-exposure-air-pollution-vehicles-california-2019>

⁷ Finkelstein et al. Relation between income, air pollution and mortality: A cohort study. CMAJ. 2003; 169: 397-402.

⁸ Sierra Club and Plug In America, 2018, AchiEVE: Model State & Local Policies to Accelerate Electric Vehicle Adoption, <https://www.sierraclub.org/sites/www.sierraclub.org/files/blog/EV%20Policy%20Toolkit.pdf>

This Plan will support and be supported by the transportation electrification goals set out in the Metropolitan Transportation Commission's (MTC) forthcoming Plan Bay Area 2050 and the Air District intends to continue to seek out opportunities for regional collaboration to advance our shared goals.

In line with the Air District's overarching goal of imbuing all of our work with the core tenants of environmental justice, this Plan incorporates principles of equity and inclusion throughout each section, providing special attention to the unique barriers and opportunities for growth in frontline communities. In addition, we have developed a recommendations section specific to tackling the need for greater equity and inclusion in the EV market.

Background

The Air District, created in 1955 by the California state legislature, is responsible for regulating stationary sources of air pollution in the nine-county Bay Area region. As a key component of its multi-portfolio approach to improving air quality, the Air District develops and administers incentive programs to accelerate voluntary emission reductions from the transportation sector. During the past twenty years, the Air District has awarded over \$1.3 billion in incentives with an increasing amount going towards zero-emissions technologies.

The Bay Area's nine counties are home to approximately 7.6 million people⁹ and 5.3 million light duty vehicles¹⁰, with an additional 600,000 vehicles passing daily through the region from adjacent areas.¹¹ Three-quarters of Bay Area residents drive to work (64% drive alone and 10% carpool) and 12% take transit to work.¹² Tailpipe emissions from these light duty vehicles account for approximately 28% of greenhouse gas (GHG) emissions (CO₂e) and a significant portion of other pollutants (31% of carbon monoxide and 12% of nitrogen oxide) in the Bay Area. These types of air pollutants increase respiratory ailments like asthma and bronchitis, heightens the risk of life-threatening conditions like cancer, and burdens our health care system with substantial medical costs.¹³

In addition to alternative transit modes that include walking, biking, mass transit, and shared transportation, wide-scale adoption of EVs and electrification of all types of transportation are essential to achieving local, State, and Federal emission reduction targets for greenhouse gases and criteria pollutants. California has set a goal of 5 million EVs sold by 2030 and to phase out sales on conventional vehicles by 2035, and the Air District has set a target of 90% of vehicles in the Bay Area being zero emissions by 2050. The Bay Area and California also share the goal to

⁹ United States Census Bureau, American Community Survey, Demographic and Housing Estimates, 2017

¹⁰ California Department of Transportation: Estimated Vehicles Registered by County, 2017

¹¹ California Department of Transportation: Annual Traffic Volume Reports (1992-2015)

¹² United States Census Bureau, American Community Survey, 2016

¹³ Union of Concerned Scientists, Vehicles, Air Pollution, and Human Health, <https://www.ucsusa.org/resources/vehicles-air-pollution-human-health>

cut greenhouse gas emissions to 80% below 1990 levels by 2050. Rapid growth in the EV market, especially for BEVs, will be a significant part of achieving these goals.

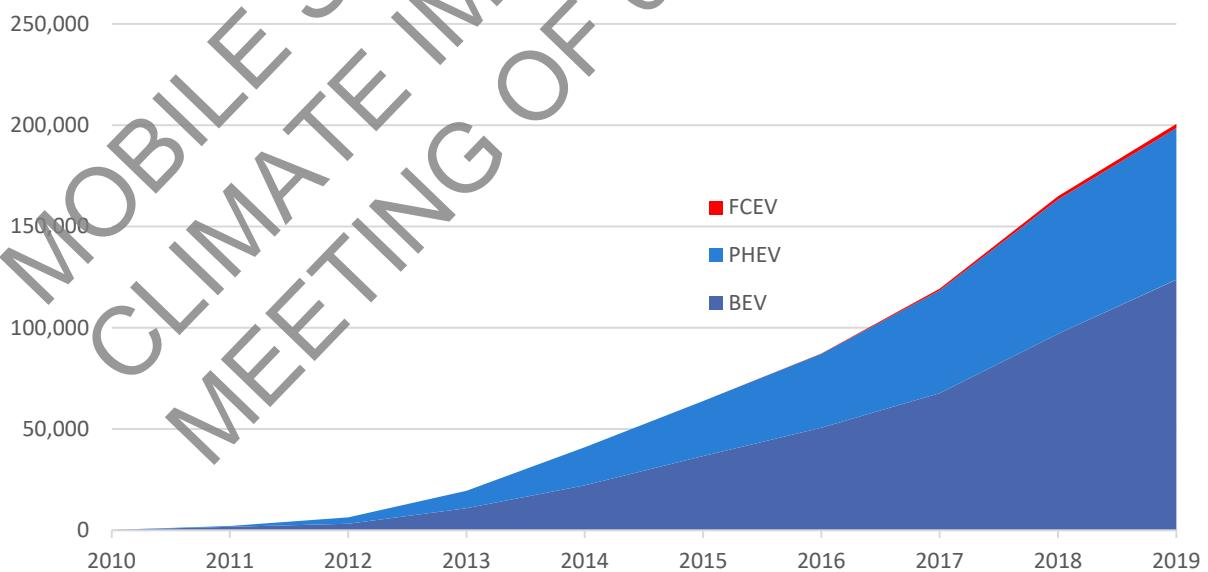
One of the current unknowns is the impact the COVID-19 Pandemic, resulting Shelter in Place orders, and shifts towards remote work will have on transportation in the Bay Area and beyond. Our hope is that remote work and flexible commute options become a mainstay in the workforce, curtailing an increase in single occupancy vehicle sales and trips, as well as reducing traffic congestion, maintaining air quality improvements, and reducing climate impacts. This report is meant to serve as a long-range planning and strategy document, and therefore assumes a worst-case scenario where travel behaviors return following the proliferation of viable vaccines.

Current Bay Area EV Ecosystem

EV Adoption and Sales

California Department of Motor Vehicles (DMV) registration data shows that the Bay Area had 200,645 electric vehicles as of August 2020, representing 3.6% of the region's light duty fleet (Figure 1). As of August 2020, BEVs accounted for 62% of all EVs registered in the Bay Area, PHEVs made up 37%, and FCEVs made up 1%. Compare that to the number of new car sales in Q1-Q3 of 2020 with 77% BEVs, 22% PHEVs, and 1% FCEVs, it is clear the BEVs are growing in prominence, with the Tesla Model 3 making up the vast majority of new sales. As the EV market matures, used EV sales will be an important metric to track, however, such information was not available at the time this publication was finalized.

Figure 1: BEVs, PHEVs, and FCEVs Registered in the Bay Area



Compared to the entire California EV market, the Bay Area is home to a larger share of BEVs and smaller share of PHEVs. Of the entire EV fleet in the Bay Area, Tesla accounts for almost 40% of all registered EVs, followed by Chevrolet with 17%, and Toyota with 10%.¹⁴ Figure 2: Number of EV Figure 2 shows two heatmaps of the State and Bay Area in terms of EV adoption, clearly showing that while Santa Clara clearly leads regionally for the most EV's per county, Los Angeles County leads the State in terms of EV adoption.

Figure 2: Number of EVs in California and Bay Area Counties¹⁵

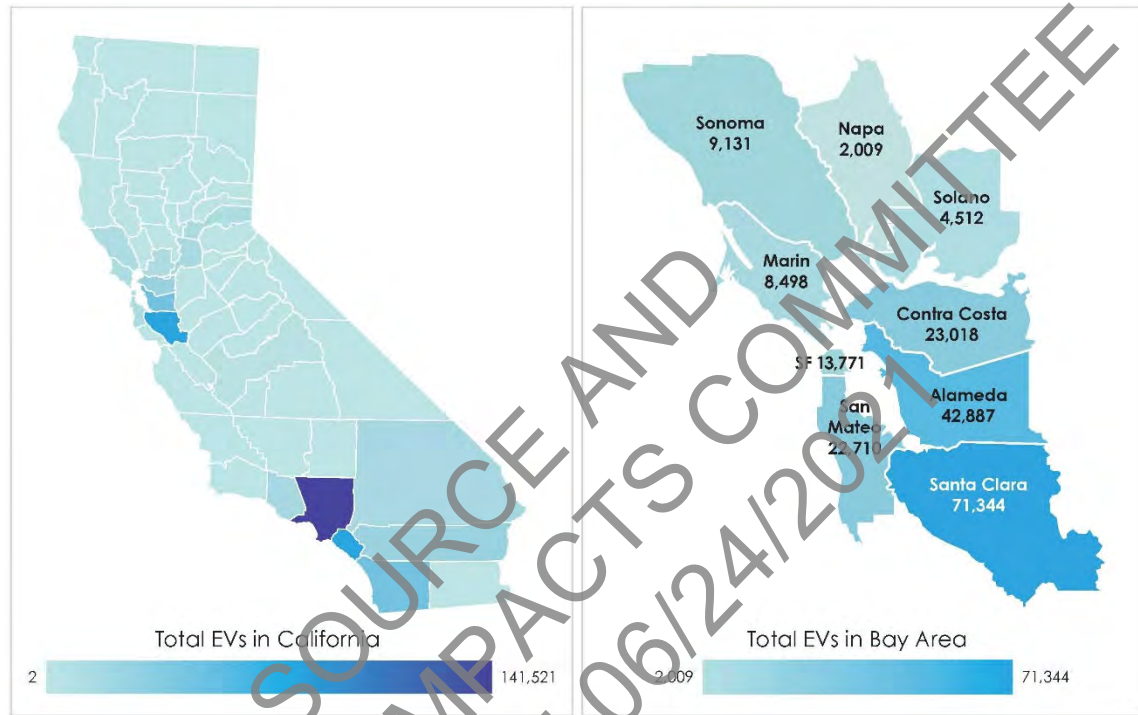
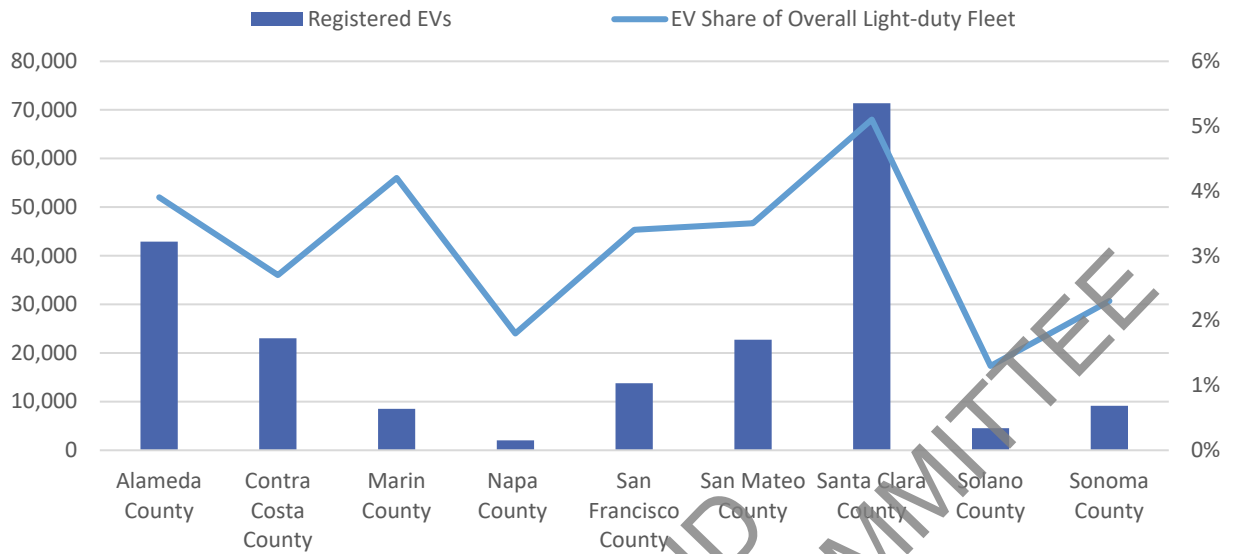


Figure 3 shows the number of EVs registered by Bay Area County and the relative share of EVs in that County's overall light-duty vehicle fleet (i.e. internal combustion and electric vehicles). Santa Clara County continues to lead the region in both raw number of EVs as well as EV share of their overall light-duty vehicle fleet.

¹⁴ California Energy Commission, *Zero Emission Vehicle and Infrastructure Statistics*, data last updated August 28, 2020, www.energy.ca.gov/zevstats

¹⁵ *Ibid.*

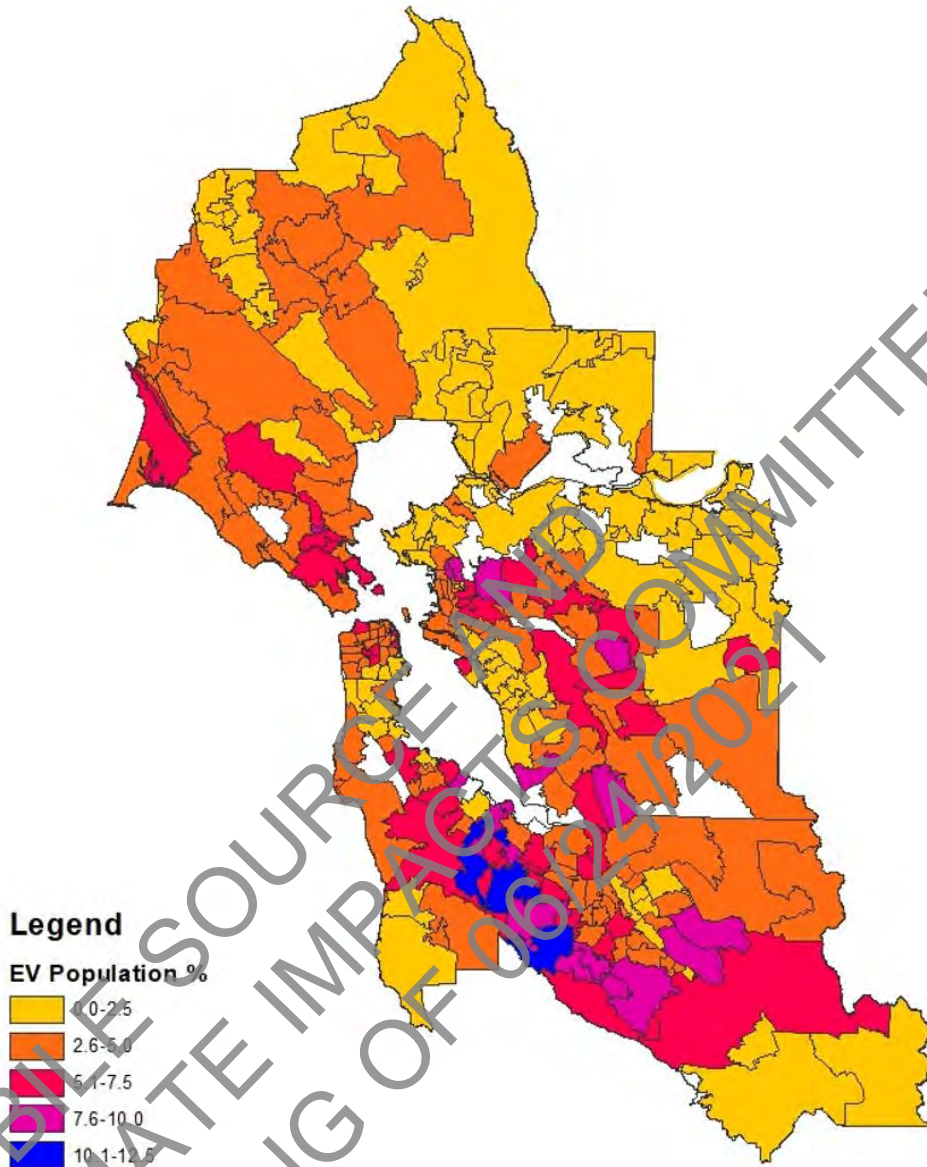
Figure 3. County DMV EV Registrations and Corresponding Share of EVs in the Overall Vehicle Fleet



A more granular display of EV registrations across the Bay Area is shown in Figure 4, which is a heat map of EV registrations by zip code. It is clear that parts of Dublin, Fremont, Cupertino, and San Jose are hotspots of EV ownership.

DRAFT SOURCE AND CLIMATE IMPACTS COMMITTEE MEETING OF 06/24/2027

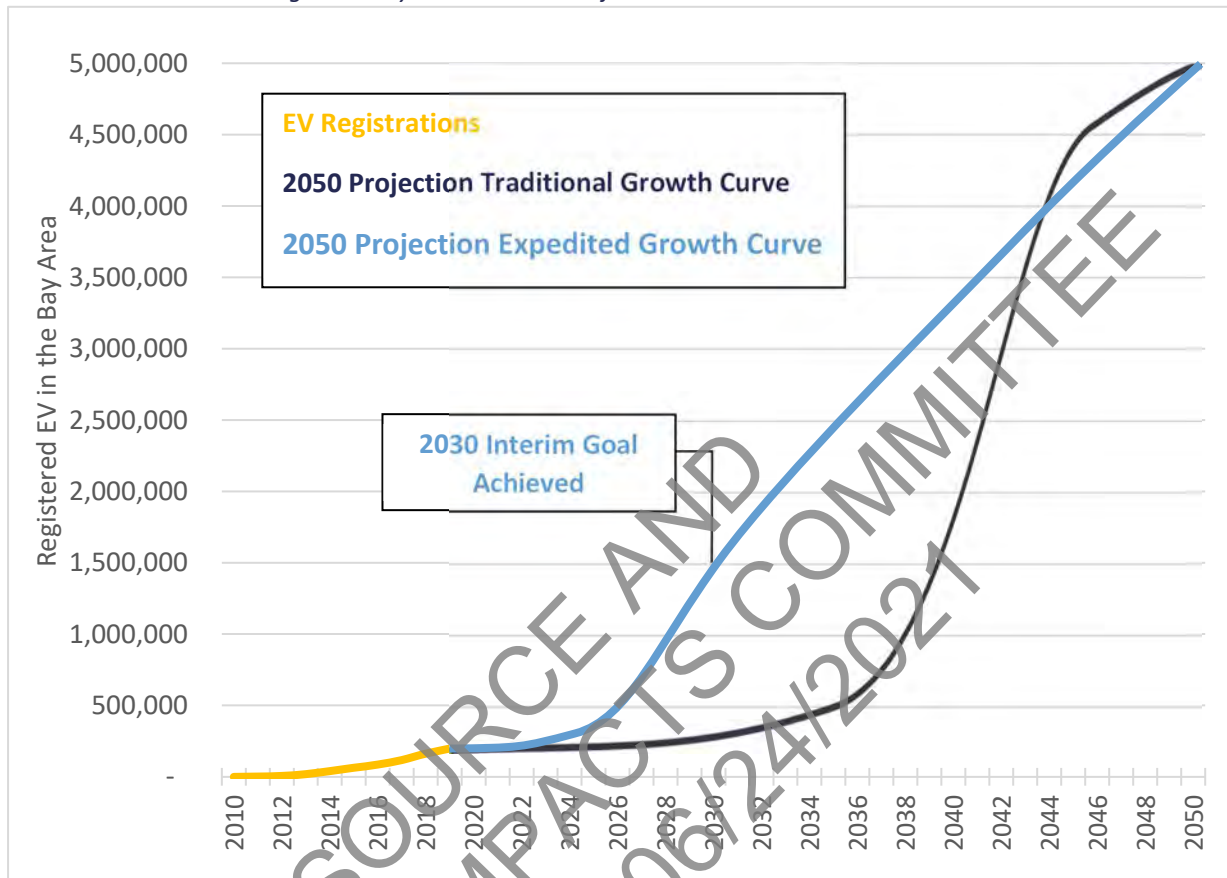
Figure 4. Bay Area EV Registrations by Zip Code



While the Bay Area has seen astonishing growth in EV registrations over the past ten years, Figure 5 provides two potential pathways to reaching the Air District’s 2050 goal of EVs accounting for 90% of the fleet (or roughly 5 million EVs). The graph shows historic share of EVs in the Bay Area based on DMV data through 2019, then charts two different trajectories (i.e. traditional and expedited) to reaching our 2050 goal. The projections assume EVs achieve cost parity with internal combustion engine (ICE) vehicles in 2024, resulting in varying degrees of impact based on the projection trajectory (traditional assuming economic stagnation and only a slight uptick in new EV sales as charging continues to be a large barrier to adoption, and expedited assumes consumer demand increases as price outweighs range anxiety). The graph also considers the enactment of a ban on new ICE vehicle sales in 2035 as outlined in Executive

Order N-79-20¹⁶. While these projections use basic estimates for the actual EV share increases, they show two different paths the Bay Area EV market might take to 2050.

Figure 5. Bay Area EVs and Projected Increase to Meet 2050 Goal



Charging Infrastructure

The availability and accessibility of EV supply equipment (EVSE) is a critical factor influencing the number of people who switch to EVs.¹⁷ Publicly accessible EV chargers are needed to support the growing number of EV drivers, especially for long-distance trips and for drivers that do not have access to private home chargers.

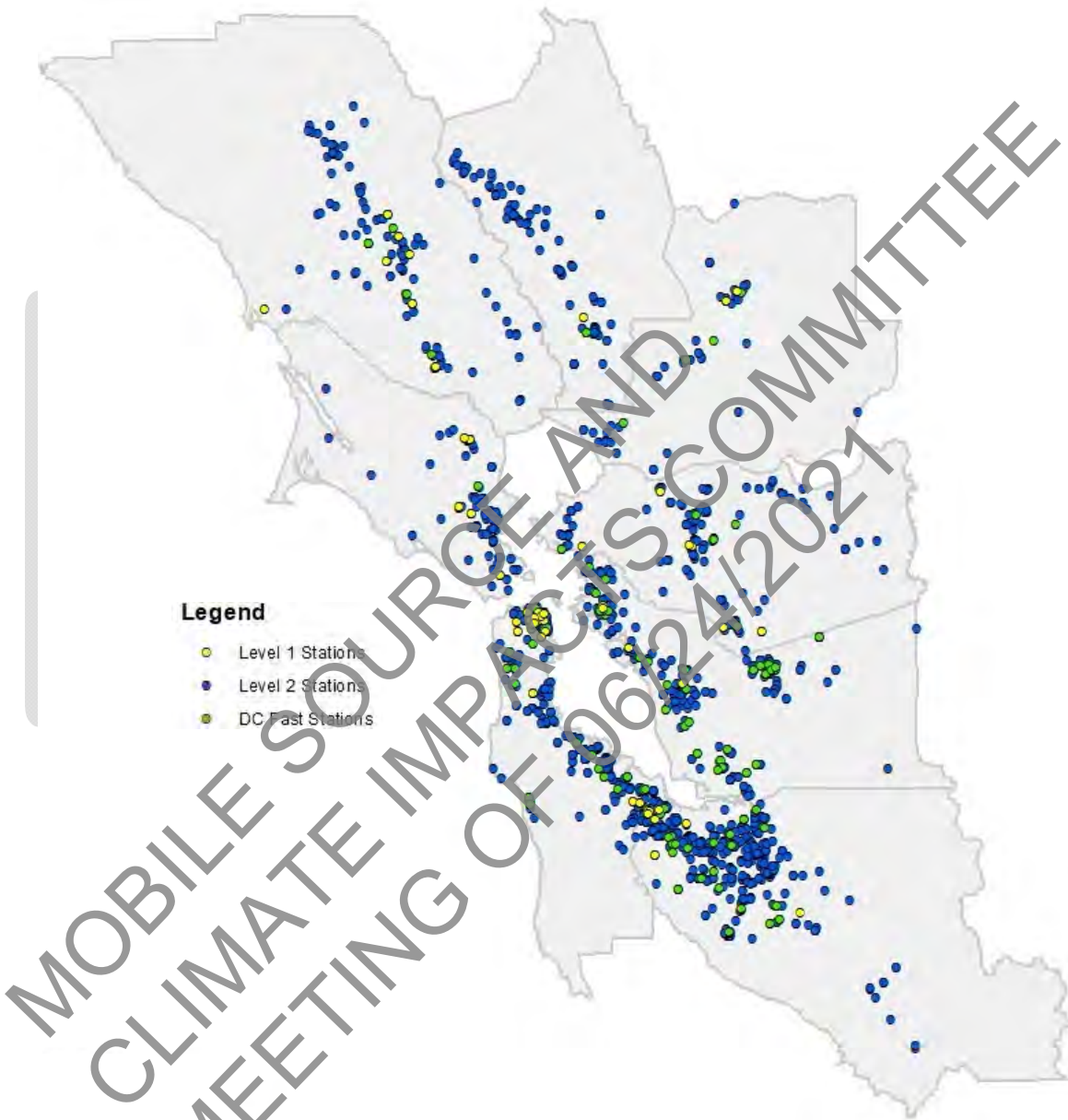
As of June 2020, the Bay Area was home to around 9,500 publicly available charging ports, including both Level 2 and DC Fast (Figure 6). The National Renewable Energy Laboratory (NREL) EV Infrastructure Projection Tool estimates that by the start of 2019, we needed 20,000

¹⁶ CA Executive Order N-79-20, <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf>

¹⁷ Hauke Engel, Russell Hensley, Stefan Knupfer, and Shivika Sahdev, McKinsey & Company, 2018, Charging Ahead: Electric Vehicle Infrastructure Demand, <https://www.mckinsey.com/~media/McKinsey/Industries/Automotive%20and%20Assembly/Our%20Insights/Charging%20ahead%20Electric-vehicle%20infrastructure%20demand/Charging-ahead-electric-vehicle-infrastructure-demand-final.pdf>

publicly available charging ports (Public L2 and Public DC Fast) here in the Bay Area to support EV Drivers, following the 1.5 million California wide ZEV's by 2025 target set by Governor Brown.

Figure 6. Bay Area EVSE Station Locations¹⁸



Additional charging stations will be needed to accommodate future growth in the EV market, especially to achieve the ambitious Bay Area goals and to accommodate a wider range of Bay Area residents. There have also been anecdotal reports that current charging stations are often full, which indicates that additional charging station capacity is needed even for the current

¹⁸ Department of Energy, Alternative Fuels Data Center, Station Locator, www.afdc.energy.gov/stations

number of EV drivers. NREL and California Energy Commission (CEC) developed a computer simulation tool, Electric Vehicle Infrastructure Projection (EVI-Pro), which uses the results of a state-wide transportation habits survey to quantify the charging infrastructure needed to ensure that future EV drivers can meet their transportation needs. This analysis accounts for shifts in vehicle and charger technologies, user demographics, market adoption conditions, the shared-use of chargers, and travel and charging preferences.¹⁹ Over 20,000 public charging ports are estimated to be needed in 2019 (9,100 workplace L2, 8,400 public L2, and 3,300 DC Fast). However, according to the Alternative Fuels Data Center (AFDC), the Bay Area is home to just 9,500 EV charging ports, less than half of what is required according to EVI-Pro. To stay on track with our goals, by 2025, the Bay Area is estimated to need about 40,000 public charging ports (17,000 workplace L2, 17,000 public L2, and 6,000 DC Fast).

Widespread charging infrastructure will be key to overcoming current and future barriers to electric vehicle adoption. An individual or household's need for public charging infrastructure is related to home type, with drivers in single-family homes being much more likely to have home charging than those in apartments or multi-unit dwellings. Electric vehicle owners so far tend to live in single-family homes.²⁰ To extend the EV market beyond those living in single-family homes, we will have to expand charging available at multi-unit dwellings and public charging infrastructure. In the Bay Area, over one-third (36%) of housing units are in multi-unit dwellings.²¹ Installing charging infrastructure has been more challenging for multi-family housing, requiring away-from-home charging options for a significant portion of the Bay Area population. The need for drivers to take longer-distance trips and with a wide range of transportation patterns also requires public charging.

While tools such as the AFDC EV charging map and EVI-Pro are useful for assessing generalized information about charging, identification of specific geographic and technological gaps will require tools with greater accuracy and granularity. Currently, all data on AFDC's website are self-reported by station hosts, and therefore miss a large segment of the charging market (i.e. residential and workplace charging). Our projections for EVSE needs are only as good as the data we have on existing EVSE.

To support our desired EV adoption goals as quickly as possible, the Bay Area should be the most straightforward place in the country to install EVSE. There are three major EVSE policy accelerators that if achieved will help us achieve this goal:

- 1) Adoption of ambitious and equitable CALGreen building code updates,
- 2) The passage of local EVSE reach codes, and

¹⁹ *California Plug-In Electric Vehicle Infrastructure Projections: 2017-2025*, California Energy Commission, March 2018.

²⁰ *Quantifying the electric vehicle charging infrastructure gap across U.S. markets*, the International Council on Clean Transportation, January 2019.

²¹ *American Fact Finder*, United States Census Bureau, January 2019.

3) Local EVSE permit process streamlining.

CALGreen Codes

CALGreen, the state green building code (California Code of Regulations, Title 24, Part 11), sets requirements for installing EV Capable infrastructure in new residential and nonresidential buildings. The current CALGreen code requires that new construction of multi-unit dwellings (MUD) include EV Capable infrastructure in at least 10% of parking spaces, rounded up, meaning that they have raceway and panel capacity installed. Additionally, CALGreen requires that about 6% of parking spaces in new nonresidential buildings must be EV capable. CALGreen only applies to new constructions, meaning that existing buildings post a significant gap in this policy approach.

Local Reach Codes

In addition to the mandatory codes, CALGreen has two tiers of reach codes that enable cities to adopt requirements more ambitious EV Capable codes of 15% and 20% of parking spaces. There are also two tiers of voluntary CALGreen reach codes for commercial buildings that increase the EV Capable levels to about 8% and 10% respectively.²² These readiness requirements do not require placing a charger in the space immediately but avoid most of the costs that would have been required to retrofit electrical infrastructure, ease the process of installing a charger later, and ease nonfinancial barriers such as gaining landlord or HOA approval.²³

In addition to the CALGreen reach codes, local jurisdictions that wish to increase their ambition can adopt codes that address existing buildings, similar to codes adopted by the City of Menlo Park²⁴, the City and County of San Francisco²⁵, and the City of Burlingame²⁶. Local governments are critical to enacting these types of market accelerators. As part of local reach code enactment, local agencies should ensure that permitting and inspection staff are trained to implement these codes and are bought into the idea of an electrified future for their jurisdiction.

Permit Streamlining

California's EVSE permit streamlining law (AB 1236 Statutes of 2015, Chapter 598) was enacted to address mutual frustration: electric vehicle charging station providers wanted to speed the permitting process; and cities and counties often needed better information from applicants and/or a directive to create streamlined processes.²⁷ To help address these frustrations, AB

²² The Governor's Office of Business and Economic Development (GO-Biz), Electric Vehicle Charging Station Permitting Guidebook, July 2019. <https://static.business.ca.gov/wp-content/uploads/2019/12/GoBIZ-EVCharging-Guidebook.pdf>

²³ *Ibid.*

²⁴ <https://www.menlopark.org/DocumentCenter/View/18835/H5---CD---EV-chargers---18-193>

²⁵ <https://sfenvironment.org/green-building-ordinance-sf-building-code>

²⁶ https://www.burlingame.org/departments/sustainability/green_building.php

²⁷ The Governor's Office of Business and Economic Development (GO-Biz), Electric Vehicle Charging Station Permitting Guidebook, July 2019. <https://static.business.ca.gov/wp-content/uploads/2019/12/GoBIZ-EVCharging-Guidebook.pdf>

1236 establishes permitting process and communication requirements for cities and counties. As shown in Figure 7, several Bay Area jurisdictions have fully streamlined their EVSE permitting process, however several regions have not yet started the process.

Figure 7. Bay Area Progress Towards EVSE Permit Streamlining (as of November 2020)²⁸



While the three tools mentioned above are critical to the maturation of the Bay Area EV market, reaching our 2035 and 2050 goals in an equitable manner will be key.

Insights from Market Research and Surveys

In August 2019, the Air District contracted with the Center for Sustainable Energy (CSE) to study vehicle market stakeholders in the Bay Area to understand their barriers to EV adoption. Using

²⁸ <https://business.ca.gov/industries/zero-emission-vehicles/plug-in-readiness/>

a mixed-method approach, CSE analyzed these consumer and business perspectives on EV adoption and infrastructure across the Bay Area.

The mixed-method approach incorporated both central market actors and periphery market actors (residents, ride-hail drivers, multifamily property owners, fleet managers, and car dealerships). Responses for the resident survey were collected between January 14 and March 8, 2020. Responses for the ride-hail driver survey were collected between January 15 and January 27, 2020. Three focus groups were conducted in December of 2019 with multifamily property managers. Two additional interviews were conducted with multifamily property managers who were unable to attend a focus group. Fleet managers participated in a focus group on December 18, 2019, and several interviews were conducted between January 31 and February 10, 2020. Nine dealership owners and/or managers were interviewed in early 2020.

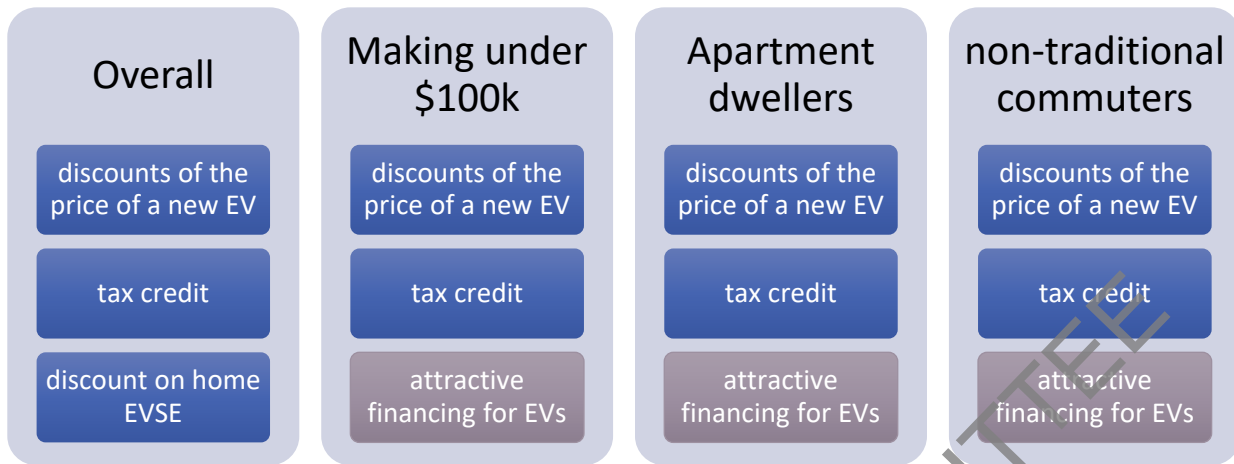
Over 1,100 survey responses were collected along with information from focus groups and interviews, adding 40+ stakeholders. Target response rates were put in place for apartment dwellers, residents making less than \$100,000 a year, and residents with nontraditional commuting patterns given our interest in lowering barriers to EV adoption for those groups. Non-probability sampling was used to collect survey responses and should be considered when generalizing findings to the broader Bay Area population. However, these findings provide a useful roadmap to incentives, programs and outreach/education activities that can accelerate EV adoption and reduce emissions.

Bay Area Residents

Overall, 7% of respondents already owned an EV and 40% of non-EV owners have considered one. The most important factors that go into their decisions to purchase EVs are costs of purchase, fuel costs, safety, and dependability. The overall biggest concerns with EVs were related to range and charging availability. Interestingly, audiences who were more likely to have considered acquiring an EV also reported higher levels of concern about various aspects of the technology. Lastly, awareness of EV brands, available charging infrastructure, and available incentives were low.

To understand the appeal of various types of incentives, respondents were asked to rank possible incentives in order of how likely they were to influence their decision to get an EV. Overall, discounts off a new EV, tax credits, discounts on home charging equipment, and attractive financing offers were identified as most likely to influence their decision to buy an EV (see Figure 8). While commonly considered an effective incentive for EV buyers (and identified as important by dealerships), respondents ranked high-occupancy vehicle (HOV) lane access eighth out of ten options.

Figure 8. Top Three Incentives Types



Differences among the target populations were noticed in the findings. Apartment dwellers earned less income, were less likely to own a vehicle or be planning to purchase/lease one and tended to own older vehicles. Further, those planning to acquire a vehicle were more likely to indicate that they would purchase/lease a used vehicle. Apartment dwellers also had significantly less access to home charging (even standard 120-volt outlets) and were much more likely to park in shared lots or on the street.

Nontraditional commuters (i.e., those who do not primarily commute by themselves in their own car) had newer vehicles, owned a lower proportion of gasoline vehicles, and a higher proportion of clean vehicles (e.g., hybrids, BEVs, and PHEVs). They also tended to have fewer concerns about EVs than traditional commuters. Lastly, nontraditional commuters ranked the incentive of free or reduced charging vouchers as more influential in their decision to get an EV than the overall resident sample. This may be due to their limited driving and willingness to charge at various locations, but more research is needed to confirm.

The largest differences between target groups existed in respondents by income. Respondents making under \$100K had older vehicles, were less likely to be planning a vehicle purchase, and were much less likely to be considering a new car. Respondents making over \$100K were willing to pay 1.5 times the amount for a car on average and spent significantly less on transportation-related costs as a proportion of their income when compared to respondents making less than \$100k. Respondents making over \$100K had more interest in EVs but also more concerns about EVs, possibly indicating that they had spent more time thinking about the pros and cons of an EV.

Ride-Hail Drivers

The rationale behind survey ride-hail drivers (e.g. drivers on Uber or Lyft platforms) is that ride-hailing trips are higher polluting per passenger than average passenger car travel due to

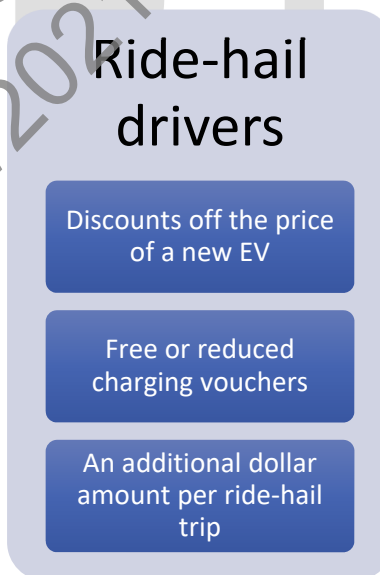
deadheading^{29,30}. Additionally, many ride-hailing trips replace near zero-emission trips on public transit or walking, and therefore generate additional emissions. As such, ride-hailing EVs contribute to reduced emissions more than traditionally owned/driven vehicles.

Overall, 185 ride-hail drivers were surveyed. These respondents do not constitute a random sample of ride-hail drivers and should not be used to generalize findings to the Bay Area ride-hail community. Most ride-hail drivers surveyed worked on a part-time basis of less than 20 hours per week and have other jobs in addition to driving ride-hail. They averaged 228 miles per week driving for ride-hail services, with 75% commuting less than 20 miles to where they start work. Ride-hail drivers reported owning newer vehicles that they have already paid off, most likely due to company requirements. Surprisingly, 16% drive an EV, and this group had a generally higher familiarity with EV incentives than the residents surveyed. For this audience, the most important factors for their purchasing decisions were cost, safety, and dependability; however, they ranked things like comfort and technology higher. More research is needed to confirm, but this may be due to the amount of time spent in their vehicles and the fact they use their vehicle to provide a customer service.

Figure 9. Top Three Incentive Types

Three-quarters of respondents said their out-of-pocket expenses play an influential role in their car-buying decision. Compared to Bay Area residents in general, a higher percent of drivers said they would consider an EV (54%) but brand and charging infrastructure awareness was low in this group. Their concerns about EVs mirrored the residential survey population. However, over half (58%) of respondents indicated that long-range EVs would have enough range to meet their ride-hail driving needs during a shift.

When ranking the value of possible incentive structures (see Figure 9), ride-hail respondents ranked discounts off of a new EV the highest—as in the resident survey—however it was followed by incentives that would lower driving costs (charging vouchers) and increase driver revenue.



Multi-Unit Dwelling Property Managers

Most multifamily property managers had done little to no research on installing EV charging at their buildings despite agreement that EV charging would attract high-quality tenants and would eventually become a necessity. These property managers face several barriers—a lack of time to research EV charging, uncertainty about cost and scope of project (e.g., need for

²⁹ Trips made by a ride-hailing vehicle when there are no passengers in the vehicle are called deadheading trips or empty trips.

³⁰ Bloomberg Law, California Moves to Regulate Climate Impact From Uber, Lyft, January 23, 2020, <https://news.bloomberglaw.com/environment-and-energy/california-moves-to-regulate-climate-impact-from-uber-lyft>

electrical upgrades) and a fear that chargers will become a future additional maintenance problem.

As some participants suggested, providing information and technical assistance would be valuable for many property managers. Interestingly, during the focus groups, one participant would occasionally offer a potential solution to another participant's concern. For example, one participant raised a concern that drivers will park all day in front of a charger, and another participant mentioned that her property had avoided this issue by implementing an hourly rate structure. Technical assistance that includes a site walk to assess electrical capacity and provide a cost estimate could also help alleviate fears and provide momentum for many property managers.

Finally, most participants agreed that despite any technical or logistical concerns, they would be willing to install EV charging with a high enough subsidy.

Public Fleet Managers

The fleet managers who participated in these interviews were very supportive of adding EVs to their fleet, and many expressed a desire to do their part for a cleaner environment. While discussing light-duty vehicles, there was almost no concern about driver apprehension around EVs nor any concern that EVs would be unable to meet fleet needs (except for emergency vehicles). For most interviewees, the biggest barrier to adding EVs to their fleet was EV infrastructure. EV charging stations represent a large upfront cost that fleets have not had to budget for in the past. Creating an EV infrastructure grant with clear rules and minimal participation restrictions could provide significant acceleration in EV adoption among fleets. In addition, some fleets currently own plug-in hybrid electric vehicles (PHEVs) but almost never charge them. Providing charging infrastructure could enable more electric vehicle miles traveled with these existing PHEVs.

For fleets with many trucks and vans, their biggest barrier is a lack of existing electric trucks. While electric retrofits for trucks and vans exist, they are extremely expensive and were not seen as a viable option by any of the interviewees. Some fleet managers expressed excitement about the upcoming electric Ford F-150. Providing significant rebates for electric trucks as they become available is likely to have a large impact for fleets.

Finally, for heavy-duty vehicles, such as buses or waste collection trucks, pilot programs may be very helpful because of the high risk associated with buying such expensive equipment.

Car Dealerships

Dealerships interviewed agreed that customers who come in looking for an EV largely have general knowledge about the technology and are committed to getting one. Dealers were asked whether they purposely steer customers towards a gas vehicle; the only time they report doing this is if the customer had budgetary considerations that made an EV unaffordable or they were interested in a body style not available as an EV. Conversely, they might encourage

consumers to consider an EV if they have a long commute and can take advantage of fuel savings and carpool lane access. The questions that prospective EV customers ask are most often related to range and charging.

Outside of marketing available incentives for EVs like rebates and carpool lane access, successful EV sales strategies were most often dealership-wide strategies that are particularly effective when engaging with prospective EV car shoppers. They included:

- Conducting Q&A with customers as they walk in the door to gauge their needs
- Providing two-week follow-up visits with customers
- Five-day return policy and free delivery
- Test drives/demonstrations

Both high- and low-volume dealerships cited EV inventory as the biggest challenge. Some brands were shifting production to newer models, limiting inventory of demonstration vehicles or creating competition among dealerships for EVs. High-volume dealerships also expressed incentive limitations as a challenge.

Both high- and low-volume dealerships indicated customers' lack of understanding about EVs, and subsequent hesitancy to switch as another challenge. Further, several dealerships indicated a perceived lack of public and multifamily charging by customers as challenges to selling EVs. Another commonly cited challenge was that customers are often concerned that newer/better versions of EVs will be coming out, leaving them hesitant to buy current models.

For used EVs, sales were driven primarily by the availability of lease returns/trade-ins. Often newer EV models have not yet been available long enough to be traded in or have their lease terms expired. While dealerships often reach out to customers at the end of their lease terms to gain repeat business, they are not always successful. If they get used EV inventory, those vehicles are usually priced attractively and sell quickly. Others indicated that it is challenging to move used EVs due to range restrictions of three-year-old models or issues with battery degradation in the used sales market.

When asked what could be done to help dealerships accelerate the sales of EVs, the key drivers indicated were more customer rebates, greater investment in infrastructure, extending HOV lane access and providing dealership EV sales support.

Accelerating EV Adoption

In mid-2019, the Air District conducted a series of meetings around the Bay Area with EV market stakeholders. These meetings included representatives from government organizations, Community Choice Aggregators, EVSE technology and software companies, automotive manufactures (or original equipment manufacturers, OEMs), colleges, school districts, ride-hailing companies, and elected officials. Staff collected input from these participants on the type of information and data that would be useful for their work to accelerate EV adoption in

the Bay Area. Additionally, the Air District asked participants what tools and resources are currently lacking that if developed, would help accelerate EV adoption.

The results of these meetings, combined with the results of the survey and market research discussed above, informed the following sections on Barriers to EV Adoption and Recommendations for Moving Forward. The following sections aim to articulate the barriers to EV adoption, identify solutions to those barriers, and prioritize and suggest responsibility for implementing those solutions.

Barriers to EV Adoption

Vehicle technology	<ul style="list-style-type: none"> • EV range • Battery degradation (esp. used market) • Lack of diversity in model styles (e.g. low or no supply of pick-up trucks, SUVs, minivans EVs)
Charging	<ul style="list-style-type: none"> • Not enough public charging locations • Low grid capacity in certain areas/properties • Uncertain availability of clean energy to get to zero emissions for EV charging • Restrictive facility configurations at multifamily buildings • Cost allocation to customers at multifamily buildings is complicated with EVSE and electricity meters • Varied permitting requirements for EVSE installations • Inaccurate public EVSE locations, not one centralized site, drivers must use multiple sources • We need more DC Fast chargers than we thought because fast chargers are needed to serve multifamily buildings residents, long-distance travelers, EVs with larger batteries that take longer to charge • Need to balance DC Fast with L2 charging needs for PHEV/used/multifamily drivers • Non-standard charging ports • Gas stations need to add EVSE, but no real support for them
Economics	<ul style="list-style-type: none"> • Purchase price of EVs compared to traditional gas vehicles • Complicated incentives (cars and EVSE) • Difficult to calculate longer term cost savings of EVs • Work-from-home electricity use make EV rates less financially attractive • Diminishing government budget revenue putting grant programs at risk • Public DC Fast charging is too expensive • COVID impact on economy and future commuting patterns
Perceptions and Behavior	<ul style="list-style-type: none"> • Dealership EV knowledge is low • Misinformation about EV technology

- Perception that EVs are only for the wealthy
- Outreach in the age of shelter in place
- Lack of consistent equity data and metrics to track market trends
- Low use of smart charging (i.e. off-peak)

Recommendations

Based on our market research, stakeholder outreach, and discussions with market experts, we have developed the following recommendations that aim to address the most pressing and persistent barriers to EV adoption in the Bay Area. For each recommendation we have identified an organization or group of organizations that have or should take on responsibility for implementing the recommendation. Realizing even a handful of the recommendations below will help the Bay Area reach our EV adoption goals and continue to lead the State and the Nation in advancing innovative and equitable transportation electrification programs and policies.

Policy and Legislation	
Recommendation	Responsibility
1. Seek more ambitious CALGreen EV ready parking spaces standards in the 2022 Title 24 Code Update (for both existing and new buildings)	1. California Department of General Services, Air District, Community Choice Aggregators (CCA), Non-profit Organizations
2. Support legislation that encourages additional grant funding and streamlining of grant programs to avoid duplication and unnecessary administrative costs	2. Air District
3. Streamline permit process and requirements for EVSE	3. Governments, CA Governor’s Office of Business & Economic Development (GO-Biz)
4. Workforce training investments to retrain auto body workers	4. Governments, GO-Biz, California Community College Districts
5. Train and prepare the emergency response community to address and mitigate EV related hazards	5. CA Governor’s Office of Policy and Research (OPR)
6. Develop a through web resource for EV related plans, materials, data, and grants for the Bay Area community.	6. Air District
7. Support CARB’s challenge of the Trump Administration’s actions that:	7. Air District

<ul style="list-style-type: none"> • revoked California’s Clean Air Act waiver for its GHG and ZEV light-duty standards, • issued a regulation that those standards are preempted by the Energy Policy and Conservation Act (EPCA), and • significantly relaxed the federal light-duty vehicle GHG and fuel economy standards 	
8. Support CARB and CPUC development of Clean Mile Standard regulation for transportation network companies (TNCs)	8. Air District
9. Support the development of CARB Advanced Clean Cars II regulation	9. Air District
10. Support State government implementation of Executive Order N-79-20	10. Air District
Financial Incentives and Rebates	
Recommendation	Responsibility
1. Seek additional funding sources for Bay Area EV programs from the State and Federal government.	1. Air District, MTC
2. Link EV and EVSE incentive programs for multifamily residents to ensure charging access	2. IOUs, CCAs, Air District, CARB, CEC
3. Explicitly allocate resources to provide technical assistance and time to develop authentic relationships with specific communities in all grant programs	3. Governments, IOUs, CCAs, Air District, CARB, CEC
4. Provide training for incentive program staff on how to bring a racial equity lens into their work	4. Governments, IOUs, CCAs, Air District, CARB, CEC
5. Develop a wealth-based system for determining eligibility, rather than an income-based system.	5. CARB, CEC, GO-Biz
6. Set minimum deployment commitments for EVSE programs in frontline communities	6. Governments, CCAs, IOUs

7. A monetary incentive to dealership sales personnel for every EV sold to income qualified customers	7. Governments
8. Support a universal incentive application to determine an individual's eligibility across several EV programs	8. CARB, Air District, CCAs
9. Home charging incentives for income qualified EV owners	9. IOUs, Air District, governments, CCAs
10. Incentivize multifamily EV charging infrastructure where multifamily owners pay a fee for EV chargers but do not have to maintain or manage them	10. EVSE OEMs, governments, CCAs
11. Incentivize upgrading of electric panels at multifamily buildings for buildings that do not have the electrical capacity to accommodate an EV charging station	11. IOUs, CCAs
12. Build in time to assess existing incentives and shift/update those programs as market matures	12. Governments, IOUs, CCAs, Air District
13. Encourage State incentive programs to support all charging levels to fit with the varied use cases of EV drivers	13. Air District
14. Encourage managed charging software at public and multi-family charging locations	14. Air District
15. Offer zero interest loans and/or loan guarantees for individuals with low/poor credit	15. Governments, NGOs, financial institutions
Recommendation	Responsibility
Outreach and Education	
1. Coordinate with other grant programs on applicant demographic data to identify underserved groups	1. Governments, IOUs, CCAs, Air District, CARB
2. Work more closely with communities to better understand their unique needs and barriers to EV adoption	2. Governments, IOUs, CCAs, Air District, community-based organizations (CBO)
3. Conduct outreach and education in various languages	3. Governments, IOUs, CCAs, Air District, CBOs

4. Use community specific cultural media channels to share information (e.g. Spanish language radio, etc.)	4. Governments, IOUs, CCAs, Air District, CBOs
5. Acknowledge that EVs have been associated with gentrification while sharing information about incentives for income qualified residents	5. Air District, Governments, IOUs, CCAs
6. Aim to hire from within the community when recruiting staff or consultants to conduct stakeholder engagement (e.g. case managers, call centers, etc.)	6. Governments, IOUs, CCAs, Air District, CBOs, MTC
7. Focus marketing resources on the benefits of EV ownership that address major concerns and important vehicle purchasing factors	7. Governments, IOUs, CCAs, Air District, CBOs, CARB
8. Market the existence of available rebates and the stackability of rebates	8. Governments, IOUs, CCAs, Air District, CBOs, CARB
9. Partner with CBOs when delivering messages and rolling out grants	9. Governments, IOUs, CCAs, Air District, CARB
10. Provide materials about EV benefits in ride-hail EVs	10. Governments, CCAs, Air District
11. Provide technical assistance to gas stations to install EVSE, particularly in frontline communities	11. Governments, IOUs, CCAs, Air District, CBOs, CARB, CEC
12. Utilize permitting databases to reach gas stations and share factsheets on EVSE installations	12. Air District, CARB
13. Empower influential members of frontline communities and support them with the latest information to share with their communities	13. Governments, IOUs, CCAs, Air District
14. Provide briefings to elected public officials aimed at educating them and their staff about the relevant EV issues, policies, and programs	14. Air District, CBOs
15. Build strategies to increase <i>word-of-mouth</i> lead generation into program outreach plans	15. Governments, IOUs, CCAs, Air District, CBOs
Recommendation	Responsibility
Charging	
1. Develop a more accurate count of public EVSE in CA	1. CEC, CARB, California Public Utilities Commission (CPUC)

2. Develop an estimate of home chargers in California to assess the share of EV drivers that charge at home versus on the go or at work.	2. CEC, CARB, IOUs, CCAs, EVSE OEMs
3. Collect and showcase the range of charging solutions available in California, with the aim to showing the varied use cases EVSE OEMs can support	3. CEC, CARB
4. Assess viability for alternative charging modes (e.g. battery swapping)	4. CEC
5. Increase EVSE signage along major highways	5. Caltrans
6. Utilities provide grid side asset details to streamline identification of multifamily properties that would be least expensive to install EVSE	6. IOUs, CCAs

Advancing Equity in the EV Market

Air pollution from mobile sources disproportionately impacts residents in frontline communities that live near major roadways and high traffic commercial hubs. For this reason, low-income residents stand to benefit the most from the cleaner air that comes along with transportation electrification, as well as the cost-saving benefits of driving an EV.³¹ In California as a whole, African Americans are exposed to 43% more micro particulate pollution (PM2.5) from vehicles than white residents; and Latinos are exposed to 39% more; and Asians 21% more than white Americans. Households earning less than \$20,000 per year are exposed to 10% more PM2.5 than the state average, and 25% more than the wealthiest Californian households.³² Additionally, both low-income and communities of color have faced numerous challenges to participating in the nation's economic and technological transitions, from the homeownership push that produced redlining of African American and Latino neighborhoods to the digital revolution that opened a still-gaping divide.³³

Below are several recommendations aimed at increasing equity and inclusion in the EV market, with greater attention to the actions governments and grant administrators can take to

³¹ The Greenlining Institute, Electric Vehicles for All: Equity Toolkit. <https://greenlining.org/resources/electric-vehicles-for-all/>

³² Union of Concerned Scientists, *Inequitable Exposure to Air Pollution from Vehicles in California (2019)*, <https://www.ucsusa.org/resources/inequitable-exposure-air-pollution-vehicles-california-2019>

³³ The Washington Post, *Redlining was banned 50 years ago. It's still hurting minorities today*, <https://www.washingtonpost.com/news/wonk/wp/2018/03/28/redlining-was-banned-50-years-ago-its-still-hurting-minorities-today/>

expedite this necessary shift. Many of these recommendations are based on the Air District's experience administering grants, developing and implementing outreach strategies, and working with CBOs to advance clean transportation, but this is by no means an exhaustive list.

Prioritize funding for low-income households. Incentives play a vital role in the acceleration of transportation electrification. Within the EV market, early tax incentives have traditionally benefitted innovators and early adopters. Low-income households are typically the last to adopt new technologies³⁴, which are usually cost prohibitive. This is still true today in the EV market, most low-income households were left behind as new, cleaner vehicles are inaccessible financially for reasons such as low/no access to credit, being unbanked, etc. Further, the longer commute times within this community mean that early EV models, which tend to have shorter ranges, were unattractive due to range anxiety.³⁵

Recently, however, there has been a much-needed shift to equity focused incentives. Programs such as the Clean Vehicle Assistance Program, Drive Clean Assistance Program, MCEv, Drive Forward Electric, California Vehicle Rebate Project, and Clean Cars for All (CCFA)³⁶ provide EV incentives that focus on low-income consumers. Additionally, providing loans and/or loan guarantees to residents with low or poor credit is key to supporting greater access to the EV market. In order to shift from innovators and early adopters to the late majority and laggards of the technology adoption cycle, incentives must continue to be prioritized for low-income households.

Incentive programs must coordinate and align program requirements. As more federal, state, and local incentives become available, it becomes increasingly difficult for consumers to understand and navigate these programs. This is particularly important as we strive to serve non-native English-speaking communities. Program eligibility requirements should be aligned to avoid confusion and can help lessen the administrative burden of income verification. Program administrators should work to build off one another. For example, if one program verifies applicant income, other programs can accept proof of enrollment in that program as income verification. The key is to avoid duplication and find efficiencies wherever possible. This reduces both the workload for program administrators and barriers to participation for consumers. Coordinating also helps with outreach and marketing, making it easier for consumers to combine or stack funding.

Provide multilingual and multicultural education, marketing, and outreach. The lack of consumer awareness and knowledge around EVs and charging technology continues to be a primary barrier to widespread adoption. Education, marketing, and outreach must not only be

³⁴ Pew Research Foundation, Digital divide persists even as lower-income Americans make gains in tech adoption, <https://www.pewresearch.org/fact-tank/2019/05/07/digital-divide-persists-even-as-lower-income-americans-make-gains-in-tech-adoption/>

³⁵ *Ibid.*

³⁶ Funded by the Transportation Fund for Clean Air, California Climate Investments, and the VW Settlement Agreement. More information can be found at www.baaqmd.gov/cleancarsforall

available in multiple languages but must also be done in a way that conforms to the cultural norms and experiences of the communities being targeted. Language and cultural barriers limit accessibility of incentives to underserved communities of color and must be prioritized in order to limit the challenges and barriers of EV adoption.

For example, Clean Cars for All launched using several ride-and-drive events in DACs given the success of such events in the early years of EV outreach work. However, despite using several communication channels, offering free food and entertainment, the events attracted very low numbers of attendees. We used an approach that worked for educating early adopters, which are inherently a different type of consumer. Our challenge was discovering what types of events and outreach our frontline communities would respond well to and what messages were most effective. Once we came to this understanding, we shifted our focus and communicated with potential grantees through social media and encourage all of our early grantees to share the program information with their friends and family. As of November 2020, roughly 60% of our grantees hear about the program from friends or family members.

Invest in developing relationships with communities to increase participation. There are often sentiments of government distrust among frontline communities, particularly undocumented workers³⁷. Working with trusted non-government agencies (NGOs) and CBOs can help bridge the gap between government and underserved communities to build trust and drive participation in incentive programs. Additionally, working with CBOs allows for better targeting of incentives to residents that are truly in need of assistance. As trust is built and participation grows, our experience has shown that word of mouth will become a major driver for outreach and participation.

Prioritize point-of-sale incentives. How an incentive is applied plays an important role in the accessibility of those funds, especially for low-income consumers. Incentives that are upfront can be accessed immediately, while an after-purchase incentive requires the customer to pay the money upfront and wait for reimbursement. In the case of EVs, many low-income residents are not able to afford the higher upfront costs of EVs or qualify for a large enough loan to access these incentives. For residents that intend to cover the entire cost of their EV with the grant, an after-the-purchase rebate can force some grantees into even greater financial difficulty, negating some if not all of the benefits of participation.

Equity metrics must be clearly defined and (the right) data should be collected early and often. When demographic and socioeconomic metrics, baselines, and goals are clearly defined, progress can be measured and analyzed to identify areas of success and areas that need improvement. Collecting data early and often allows data collection to be segmented so

³⁷ California Energy Commission, Low-Income Barriers Study, Part A: Overcoming Barriers to Energy Efficiency and Renewables for Low-Income Customers and Small Business Contracting Opportunities in Disadvantaged Communities, https://assets.ctfassets.net/ntcn17ss1ow9/3SgKkJoNlvtS2nYVPAOmGH/fe590149c3e39e51593231dc60eeeff/TN214830_20161215T184655_SB_350_LowIncome_Barriers_Study_Part_A_Commission_Final_Report.pdf

applications aren't lengthy and overwhelming. The data can be used to identify underserved or underrepresented communities where more support and targeted outreach may be needed and can also help inform policy changes.

Air District Investments in Advancing Equity in the EV Market

The Air District has endeavored to integrate the recommendations above into existing grant programs. Below is a summary of what we have accomplished to date.

The Air District's Clean Cars for All Program (CCFA)³⁸ provides qualifying low-income residents up to \$9,500 for scrapping an older vehicle and switching to a clean transportation option. Participants have the option to purchase or lease new and used PHEVs, BEVs, FCEVs, or receive a "mobility options" prepaid card for public transit, e-bikes, and car-sharing. There is an additional rebate of \$2,000 to purchase and install a home EV charger. The incentive funding is based on participants' income levels and which clean transportation or vehicle option they select. CCFA conducts stakeholder engagement and outreach to frontline communities, contracts with case managers to support participants through the application process, and developed partnerships with dealerships, vehicle scrappers, and community-based organizations across the Bay Area.

In 2021, CCFA added an additional \$500 incentive for grantees that purchase or lease an EV that are enrolled in one of the following low-income programs:

- Bureau of Indian Affairs (BIA) General Assistance
- CalFresh/Supplemental Nutrition Assistance Program (SNAP)
- CalWORKS (TANF) or Tribal TANF
- Cash Assistance Program for Immigrants (CAPI)
- Free or Reduced National School Lunch Program
- Head Start Income Eligible (Tribal Only)
- Low Income Home Energy Assistance Program (LIHEAP)
- Supplemental Security Income (SSI)

WIC - Women, Infants, and Children Supplemental Nutrition Program This funding was added to help grantees with the greatest need lower their financial burden to purchase a car, particularly used EVs that average \$19,000.

Since CCFA launched in March 2019, we have received over 2,000 applications and as of November 2020, 1,337 residents have been awarded grants totaling over \$10 million. Of the residents awarded CCFA grants, 60% make less than \$30,000 a year and 67% do not own their home. The average new EV price is \$37,000, the average used EV price is \$19,000, and several

³⁸ Funded by the Transportation Fund for Clean Air, California Climate Investments, and the VW Settlement Agreement. More information can be found at www.baaqmd.gov/cleancarsforall

grantees have purchased used EVs under \$10,000 (resulting in no or very little out of pocket costs).

In addition to vehicle incentives, the Air District has offered the Charge! Program since 2016, which provides funding to offset the cost of purchasing and installing public EV charging infrastructure. Charge! has supported the deployment of over 2,900 publicly accessible Level 2 and 121 publicly accessible DC Fast charging ports at over 363 locations in the region.

For many EV owners, private charging located in their place of residence offers the convenience to reduce range anxiety (the fear of running out of fuel). However, for the approximately 36% of Bay Area housing units are multifamily buildings, home charging is not an option.³⁹ The Air District is committed to making EVs accessible to everyone, and adequate EV charging is a key component of that effort. For this reason, additional funds are allocated to projects at multifamily buildings, which encounter significant challenges to EV charger installation and operation.

The Air District's Community Health Protection Program (AB617) is an important companion effort for achieving the overall goals and specific equity measures in this Plan, and we will work through our communities' AB617 Steering Committees to collect ongoing input on implementation efforts.

The Air District will continue to seek funding for these grant programs and will encourage other public agencies to transition incentives to serve residents and businesses in frontline communities that are disproportionately impacted by air pollution.

³⁹ American Fact Finder, United States Census Bureau. January 2019. Available online: <https://data.census.gov/cedsci/table?q=Housing&g=0500000US06001,06013,06041,06055,06075,06081,06085,06095,06097&tid=ACSDP1Y2016.DP04&hidePreview=true>

Conclusion

The transportation sector continues to be the largest source of our greenhouse gas emissions and contributes to depressed health outcomes in frontline communities that are disproportionately impacted by such pollution. The Air District will seek to review and update this Plan's equity outcomes and recommended adjustments as warranted, including strategies to further expand infrastructure for hydrogen fuel cell vehicles. The Air District is committed to securing cleaner air and access to clean vehicles and clean transportation options for all residents in our jurisdiction. Programs that provide support to residents that are low-income, and people of color are critical to meeting our ambitious transportation electrification goals. The Air District will utilize our position as a regional agency to motivate state and national leadership and support local action to encourage EV adoption in our communities.

Acknowledgements

The Air District wishes to thank the following people and organizations that assisted us in this project by providing contacts and recommendations for market test interviews and site assessments.

- MTC
- The Center for Sustainable Energy
- Ecology Action
- PCE
- East Bay Clean Cities
- CPUC
- Grid Alternatives
- Greenlight Labs
- Kearns & West

Finally, our deep appreciation to the Bay Area EV Coordinating Council for providing thought leadership support and subject matter expertise.

COMMITTEE CHAIR SUMMARY REPORT OF THE COMMUNITY EQUITY, HEALTH & JUSTICE COMMITTEE

(Co-Chairs: Davina Hurt and Tyrone Jue)

The Community Equity, Health & Justice Committee met on Thursday, July 1, 2021, and approved the minutes of June 3, 2021. 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.

The Committee then heard a report from Committee Co-Chairpersons, Davina Hurt and Tyrone Jue, regarding the Community Convening Session that was held on June 23, 2021. Attendees included the Committee Co-Chairs, Air District staff, and community advocates from various Bay Area communities. The recalibration of the proposed formation and seating of the Air District's Community Advisory Council was primarily discussed, and the next Community Convening session has not been scheduled at this time.

The Committee reviewed and discussed a guest presentation from Roxanne Carrillo Garza of Healthy Richmond, who discussed her history working as a civil servant as a Public Health Program Manager for Contra Costa County Health Services where she worked on environmental justice, alcohol policy, neighborhood improvements, and violence prevention efforts across Contra Costa County and her transformative trajectory to leading a non-profit that promotes advocacy work in her hometown.

The Committee then reviewed and discussed the staff presentation *Proposed Concepts to Amend the Permitting Regulation*.

[OVER]

The Committee then reviewed and discussed the staff presentation *Discussion on the Development of the Community Advisory Council*.

The Committee then reviewed and discussed the staff presentation *Air District-Wide Equity Plan Update*.

Finally, the Committee reviewed and discussed the staff presentation *Spare the Air Program Overview and Recommendations*.

The next meeting of the Community Equity, Health & Justice Committee will be held on Thursday, September 2, 2021, 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 Report of the Community Equity, Health & Justice Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Report of the Community Equity, Health and Justice Committee Meeting of July 1,
2021

RECOMMENDED ACTIONS

The Community Equity, Health and Justice Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) Committee Co-Chairperson Hurt and Co-Chairperson Jue Will Report on Community Convening Session Held June 23, 2021;
 - 1) None; receive and file.
- B) Community Perspectives;
 - 1) None; receive and file.
- C) Proposed Concepts to Amend the Permitting Regulation;
 - 1) None; receive and file.
- D) Discussion on the Development of the Community Advisory Council;
 - 1) None; receive and file.
- E) Air District-Wide Equity Plan Update; and
 - 1) None; receive and file.
- F) Spare the Air Program Overview and Recommendations.
 - 1) None; receive and file.

BACKGROUND

The Committee met on Thursday, June 3, 2021, and received the following reports:

- A) Committee Co-Chairperson Hurt and Co-Chairperson Jue Will Report on Community Convening Session Held June 23, 2021;
- B) Community Perspectives;
- C) Proposed Concepts to Amend the Permitting Regulation;
- D) Discussion on the Development of the Community Advisory Council;
- E) Air District-Wide Equity Plan Update; and
- F) Spare the Air Program Overview and Recommendations.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None;
- C) None;
- D) None;
- E) None; and
- F) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor
Reviewed by: Vanessa Johnson

Attachment 11.2A: 07/01/2021 – Community Equity, Health and Committee Meeting Agenda #3
Attachment 11.2B: 07/01/2021 – Community Equity, Health and Committee Meeting Agenda #4
Attachment 11.2C: 07/01/2021 – Community Equity, Health and Committee Meeting Agenda #5
Attachment 11.2D: 07/01/2021 – Community Equity, Health and Committee Meeting Agenda #6
Attachment 11.2E: 07/01/2021 – Community Equity, Health and Committee Meeting Agenda #7
Attachment 11.2F: 07/01/2021 – Community Equity, Health and Committee Meeting Agenda #8

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue and Members
of the Community Equity, Health and Justice Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 28, 2021

Re: Committee Co-Chairperson Hurt and Co-Chairperson Jue Will Report on Community
Convening Session Held June 23, 2021

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Committee Co-Chairperson Hurt and Co-Chairperson Jue will provide an update to the Committee on the Community Convening held on June 23, 2021.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Sonam Shah-Paul
Reviewed by: Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue and Members
of the Community Equity, Health and Justice Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 28, 2021

Re: Community Perspectives

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Community Equity, Health and Justice Committee provides local and regional community environmental justice advocates a platform to present and share their expertise and/or lived experiences. Specific subjects and topics will vary based upon each community member's unique experience.

Healthy Richmond is one of 14 communities statewide taking part in Building Healthy Communities, a 10-year initiative funded by The California Endowment¹ that convenes and coordinates community-based organizations and resident leaders to collectively work towards increased health equity and racial justice in the community. Healthy Richmond has developed an in-depth program that addresses the historical disenfranchisement of North Richmond residents using a health and equity lens.

Healthy Richmond is a program that uplifts the voices of North Richmond resident leaders to create a Quality of Life Plan in response to concerns of displacement and gentrification after learning that the Contra Costa County had plans to redevelop the historical affordable housing project, Las Deltas, which is centrally located in the community.² This plan seeks to guide and inform future community development. By participating in Healthy Richmond's leadership team, North Richmond resident leaders gained a deeper understanding of their leadership and change-making potential, used their voices to hold stakeholders accountable, and exercised real power.

¹ <https://www.calendow.org/building-healthy-communities/>

² <https://healthyrichmond.net/wp-content/uploads/2020/03/QoL-digital-english.pdf>

DISCUSSION

Roxanne Carrillo Garza is Senior Director at Healthy Richmond. She currently works with resident leaders, community-based organizations, base builders, and systems leaders to develop collective policy advocacy strategies to improve health, safety, school and neighborhood environments, and economic development opportunities. Ms. Carrillo Garza will discuss her history working as a civil servant as a Public Health Program Manager for Contra Costa County Health Services where she worked on environmental justice, alcohol policy, neighborhood improvements, and violence prevention efforts across Contra Costa County and her transformative trajectory to leading a non-profit that promotes advocacy work in her hometown. Ms. Carrillo Garza now works for RCF Connects (formerly Richmond Community Foundation) to equip residents with an understanding of how policy and systems work and work with residents to leverage their resources and build collective capacity to advocate for themselves.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Azibuike Akaba
Reviewed by: Veronica Eady

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 07/01/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue and Members
of the Community Equity, Health and Justice Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 28, 2021

Re: Proposed Concepts to Amend the Permitting Regulation

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In 2018, the Air District committed to evaluating changes to its permitting process in response to concerns from community advocates about permits issued in areas overburdened by air pollution and other environmental and public health stressors. Since that time, staff has met internally and with community stakeholders who expressed concern over the agency's permitting process to develop potential concepts to amend the Air District's permitting regulation, Regulation 2: Permits.

Air District staff utilized air monitoring and modeling data developed for Assembly Bill 617 and Community Air Risk Evaluation (CARE) program evaluation to observe localized differences in air pollution and health risk in the Bay Area. Staff also reviewed data mapping tools developed by other public health agencies that demonstrate variability in environmental stressors and community health vulnerability at the local level. Staff then developed concepts to present to the public on potential ways to increase the health protectiveness of Regulation 2, paying particular attention to areas in which air quality and other factors contribute to increased exposure or vulnerability to air pollution. Staff presented the concepts to the public at a virtual workshop during the evening of May 12, 2021. The purpose of the workshop was to enable community members and industrial stakeholders to provide feedback on the potential concepts before staff proceeds to developing draft rule amendment language, which will occur prior to staff proposing amendments for the Board of Directors.

DISCUSSION

Staff presented the following concepts during the May 12, 2021, Virtual Public Workshop on Concepts to Amend Regulation 2: Permits:

1. Maximum Project Cancer Risk Limit: Make the allowable maximum project cancer risk limit more stringent in Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants (Rule 2-5) in communities that are overburdened by high levels of pollution or community health vulnerability.
 - a. To identify priority communities, develop a new methodology or utilize an existing methodology or combination of methodologies that considers local disparities in air pollution, other environmental pollution, and community health.
2. Health Risk Assessment Guidelines: Update the health risk assessment guidelines that are used to screen applications for new or modified gasoline dispensing facilities subject to Rule 2-5. Revisions to the health risk assessment procedure will more accurately reflect the risk that projects at gasoline dispensing facilities pose to nearby residents and workers.
3. Noticing and Analysis Requirements: Enhance noticing and analysis requirements for proposed projects in communities overburdened by high levels of pollution or health vulnerability to provide additional transparency in the permit review process. These amendments could be instituted through changes to Regulation 2, Rule 1: General Requirements, or individually through the New Source Review rules.
 - a. Enhanced noticing requirements would mean that permit applicants who would like to install or modify equipment in a community that is overburdened by high levels of pollution or health vulnerability would need to notify nearby residents within a defined radius from the proposed project site of the proposal and where to obtain documents for review.
 - b. Enhanced analysis would require applicants to describe potential environmental and public health impacts of the project for which they are submitting a permit application.
4. Evaluate Exposure-Based Limits on Fine Particulate Matter Emissions: Staff would further evaluate changes to Regulation 2, Rule 2 (Rule 2-2): New Source Review, to potentially recommend a health-based limit on allowable fine particulate matter emissions based on exposure to nearby receptors or based on background air pollution or community health vulnerability.

During the presentation to the Community Equity, Health and Justice Committee, staff will review feedback received during the workshop and in response to the Concept Paper.

Proposed rulemaking timeline: Staff is currently evaluating comments received in response to the proposed concepts and will be preparing for a second public workshop this summer. The summer workshop will feature draft amended rule language for concepts staff identifies as shorter-term rule development efforts, and additional details on concepts staff identifies as longer-term. Staff anticipates presenting on this topic again to the Stationary Source and Climate Impacts Committee in September 2021 in advance of bringing proposed regulatory amendments before the Board of Directors by the end of 2021. Concepts staff identifies as longer-term based on public feedback and will be proposed for Board consideration at a later date.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jacob Finkle
Reviewed by: Victor Douglas and Elizabeth Yura

COMMUNITY EQUITY, HEALTH AND JUSTICE COMMITTEE
MEETING OF 07/01/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue and Members
of the Community Equity, Health and Justice Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 28, 2021

Re: Discussion on the Development of the Community Advisory Council

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Air District has proposed the creation of a Community Advisory Council, composed of community advocates, to provide input on key Air District projects. In November 2020, staff shared a presentation on projects that the Community Advisory Council could provide guidance on, including the Community Benefit Fund, an Air District-wide Racial Equity Plan, and Assembly Bill (AB) 617 implementation. In June 2021, staff presented an overview of community feedback on the formation and the Community Advisory Council and sought input from the Board of Directors.

DISCUSSION

At the June 3, 2021, Community Equity, Health and Justice Committee (Committee) meeting, the Committee provided input on the composition and formation of the Community Advisory Council. The Committee stated that the composition of the Community Advisory Council should prioritize impacted communities. At the June 23, 2021, Community Convening meeting, using CalEnviroScreen 4.0 data, Air District staff shared maps of impacted communities throughout the region. Committee Co-Chairs Hurt and Jue, together with Air District staff, shared a potential composition of the Community Advisory Council informed by this data.

Community members asked questions about the data and maps and provided input on the proposed application for the Community Advisory Council. Committee Co-Chairs Hurt and Jue also shared a timeline of potential next steps. Air District staff will provide an update on these discussions and seek input from the Board of Directors on next steps in the development of the Community Advisory Council.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristen Law and Sonam Shah-Paul
Reviewed by: Veronica Eady

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 07/01/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue and Members
of the Community Equity, Health and Justice Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 28, 2021

Re: Air District-Wide Equity Plan Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In January 2021, the Board of Directors' Community and Public Health Committee and Ad Hoc Committee on Equity, Access and Inclusion were consolidated and formed the Community Equity, Health and Justice Committee (Committee). Air District staff collaborated with Committee Co-Chairs, and the environmental justice community to develop a workplan for the consolidated Committee.

The two-year workplan reflects the Committee's charter to prioritize traditionally marginalized and disinvested communities for investment opportunities and ensure communities highly impacted by air pollution receive program and policy prioritization.

To facilitate this work, the Committee and staff will consider the following agenda items over the next two-year period:

- **Assembly Bill (AB) 617:** Ongoing and upcoming AB 617 policy development, program development, and program budget using health-based metrics.
- **Community Advisory Council:** Formation of a Community Advisory Council that can provide guidance to the Board of Directors on policy issues impacting environmental justice communities.
- **Transparent and Equitable Funding Project:** A project to identify the current distribution of Air District resources in communities disproportionately impacted by air pollution and focus on continued equitable opportunities into the future.
- **Air District-wide Equity Plan:** Development of an Air District-wide Equity Plan to improve outcomes for employees, communities, and stakeholders by addressing inequities at a systemic level; to improve the understanding and mutual respect of our employees and encourage greater community involvement.

DISCUSSION

Air District staff will provide an update regarding the selection of the Global Community Advancement Center (GCAC) to assist with the creation and detailed elements of the Air District-wide Equity Plan. GCAC, a United Nations affiliated, non-government organization, works to encourage the use of sustainable technologies and cooperative structures for successful social development and humanitarian projects in affected communities in the United States and around the world.

Air District staff will provide further information on the role and tasks assigned to GCAC as it relates to the Air District-wide Equity Plan. In addition, Air District staff will discuss the formation of its internal employee Equity Resource Team and their role in assisting and supporting the development of the Air District-wide Equity Plan.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tim Williams
Reviewed by: Veronica Eady

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 07/01/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue and Members
of the Community Equity, Health and Justice Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 28, 2021

Re: Spare the Air Program Overview and Recommendations

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Air District created the Spare the Air program to provide the public with advance notice when air quality is forecast to be unhealthy, to educate residents about air pollution and to encourage individual actions to improve air quality in the Bay Area. Since 1991, the Spare the Air Program has encouraged the public to adopt long-term behaviors to reduce air pollution and protect air quality.

The Spare the Air program has evolved to encompass multiple (sub)programs which target specific audiences and demographics. These programs include the Spare the Air Employer Program, the Spare the Air Resource Teams, and the Spare the Air Youth program. Details about each of these programs include:

- Spare the Air Employer Program – The Spare the Air Employer Program works with Bay Area employers to promote commute alternatives to driving alone and notifying them when a Spare the Air Alert is in effect. The Employer Program provides free resources and guidance to employers to help implement commute programs at their worksites.
- Spare the Air Resource Teams – Spare the Air Resource Teams bring together civic groups, agencies, businesses and environmental organizations that work collaboratively to implement local emission reduction projects and promote clean air practices. There are currently nine Spare the Air Resource Teams around the region that develop and implement projects to help address the unique air quality concerns of their neighborhoods and communities.
- Spare the Air Youth Program – The Spare the Air Youth Program is a regional program that helps to educate, inspire and empower youth and families in the San Francisco Bay Area to walk, bicycle, carpool and take transit. In partnership with the Metropolitan Transportation Commission, Spare the Air Youth seeks to find effective ways to reduce greenhouse gas emissions related to transportation while also providing a regional resource for students, parents, teachers and program providers.

DISCUSSION

Based on the Board’s direction relative to equity and inclusion and Assembly Bill (AB) 617, staff is reevaluating its efforts to increase equity awareness within the current programs and to explore new program opportunities.

Staff will provide an overview of the Spare the Air program, including the Spare the Air Employer Program, Spare the Air Resource Teams, and Spare the Air Youth Program; provide program recommendations; and seek input from Committee members on expanding the programs’ focus, efforts and reach.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristina Chu
Reviewed by: Kristine Rosehus

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 07/01/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Consider Recommendation of Advisory Council Interview Panel to Reappoint Three Incumbents and Approve Appointment of Four Candidates to the Advisory Council

RECOMMENDED ACTION

Recommend the Board of Directors consider the Advisory Council Interview Panel recommendations and approve the reappointment of three incumbents to serve an additional two-year term to the Air District’s Advisory Council and approve the appointment of four candidates.

BACKGROUND

Pursuant to Section 40262 of the California Health & Safety Code, the Air District is required to maintain an Advisory Council consisting of seven appointed members “skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution. Members shall be selected to include a diversity of perspectives, expertise and backgrounds.” The Council advises and consults with the Air District Board and the Air Pollution Control Officer on implementation of the Air District’s regulatory authority.

The Advisory Council recruitment was posted to the Air District website in late June 2020, as well as in recruitment sites. Air District staff notified community groups and sent out an eblast to over 1,000 stakeholders. In November 2020, the Board of Directors Ad Hoc Committee on Equity, Access, and Inclusion, together with the community, encouraged recruitment of more diverse candidates. Air District staff continued recruitment efforts throughout the winter and the recruitment closed in February 2021.

Candidates were initially screened by a panel of Air District staff that share subject matter expertise and have worked closely with the Advisory Council in the past. All qualified candidates were then screened by a panel of community members. The top 13 highest ranked candidates of this initial screening were then interviewed by a panel comprised of community members and two Board members.

DISCUSSION

The Interview Panel recommends the following three incumbents be reappointed to serve an additional two-year term to the Air District's Advisory Council:

Gina M. Solomon, M.D., M.P.H.

Master of Public Health, Harvard School of Public Health

Doctor of Medicine, Yale School of Medicine

- Principal Investigator at Public Health Institute
- Clinical Professor of Medicine at University of California San Francisco (UCSF)
- Previously Deputy Secretary for Science and Health, California Environmental Protection Agency (CalEPA)
- Strategy Advisory for *California Breast Cancer Research Program*
- Member, Committee on Emerging Science for Environmental Health Decision
- Peer reviewer for publications, including *American Family Physician*; *American Journal of Public Health*; *American Journal of Epidemiology*; and *American Journal of Preventative Medicine*

Michael T. Kleinman, Ph.D.

Master of Science, Polytechnic Institute of Brooklyn

Doctor of Philosophy, New York University

Vice Chair of the Bay Area Air District Advisory Council

- Doctor of Philosophy in Environmental Health Sciences
- Master of Science in Chemistry/Biochemistry
- Adjunct Professor (Recalled), Department of Medicine, School of Medicine, University of California, Irvine
- Adjunct Professor, UC Irvine Program in Public Health
- Co-Director of the Air Pollution Health Effects Laboratory
- Environmental and Occupational Health Consultant

Linda Rudolph, M.D., M.P.H.

Master of Public Health, University of California, Berkeley

Doctor of Medicine, University of California, San Francisco

- Coordinator of the Ad-Hoc Coalition on Climate, Healthy and Equity
- Senior Advisor for Climate, Health and Equity, Medical Society Consortium on Climate and Health
- Senior Advisor for Climate, Healthy and Equity, Public Health Institute
- White House Champion of Change for Climate Change and Public Health (2013)
- Published in *American Public Health Association and Public Health Institute, Annals of Global Health* and wrote "A Physician's Guide to Climate Change, Health and Equity" for the Public Health Institute

The Interview Panel recommends the following four candidates be appointed to serve a two-year term to the Air District's Advisory Council:

Garima Raheja

Doctor of Philosophy (Candidate), Columbia University

- Doctor of Philosophy candidate in the Department of Earth and Environmental Sciences
- Berkeley Environmental Air Quality & CO2 Network (BEACO2N); community-level air pollution monitoring, low cost air pollution sensors (2015-2019)
- Environmental Equity & Air Modeling, University of Washington (2019-2020)
- Previously President of Bay Area Environmentally Aware Consulting Network

Adrienne L. Hollis, Ph.D., J.D.

Doctor of Philosophy, Meharry Medical College

Juris Doctorate, Rutgers University School of Law

- Doctor of Philosophy in Biomedical Sciences/Nutritional Biochemistry
- Senior Climate Justice and Health Scientist, Union of Concerned Scientists
- Hollis Environmental Consulting Services, LLC
- US EPA Clean Air Act Advisory Committee Member
- American Public Health Association in Environment Section and Environmental Justice Subcommittee

Danny Cullenward, Ph.D., J.D.

Doctor of Philosophy, Stanford University

Juris Doctorate, Stanford Law School

- Doctor of Philosophy in Environment & Resources
- Master of Science in Management Science & Engineering
- Policy Director, Carbon Plan
- Member of Independent Emissions Market Advisory Committee, California EPA
- (Formerly) Alternate Member, Hearing Board, Bay Area Air Quality Management District
- Published in *Electricity Journal*, *Climate Policy*, and *Science*

Pallavi Phartiyal, Ph.D., M.S.

Doctor of Philosophy, University of Wisconsin, Madison

Master of Science, University of Missouri, Columbia

- Doctor of Philosophy in Cellular and Molecular Biology
- Master of Science in Agronomy
- Deputy Executive Director, Rainforest Action Network (RAN)
- Previously Senior Analyst & Program Manager, Union of Concerned Scientists (UCS)
- Published in *Issues in Science and Technology*, *Science*, *Food Tank* and *PLoS Biology*

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Terri Levels and Sonam Shah-Paul
Reviewed by: Greg Nudd and Veronica Eady

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Update on Wildfire Program, Request to Accept State Funding and to Move Funding
from Current Reserves into the Fiscal Year Ending (FYE) 2022 Budget

RECOMMENDED ACTION

Recommend the Board of Directors:

- Authorize the Executive Officer/APCO to enter into a contract with the California Air Resources Board not to exceed \$5 million for the purposes of accepting - Cleaner Air Centers – Assembly Bill (AB) 836 funding.
- Authorize:
 - That the \$1 million reserve for “Woodsmoke” in the Fiscal Year Ending (FYE) 2022 Budget be redesignated to fund a Wildfire Preparedness Program; and
 - That the Executive Officer/APCO to enter into or expand contracts or agreements with Bay Area Counties and the Red Cross to expend this funding.

BACKGROUND

California experienced some of the deadliest and most destructive wildfires in its history over the last several years. Studies show that climate change is not only causing higher temperatures and longer dry periods, but also lengthening the fire season and increasing the risk of wildfires throughout the state. Wildfires have the potential to destroy entire communities and burn everything in their path, producing a mixture of fine particulate matter and hazardous chemicals and compounds in the air we breathe. Wildfire smoke presents immediate impacts to local air quality and public health, and atmospheric conditions can quickly transport smoke to affect the air quality of an entire region and that of nearby states.

DISCUSSION

Under the *Cleaner Air Centers – Assembly Bill 836: (Wildfire Smoke Clean Air Center Incentive Program for Vulnerable Populations)* \$3 million has been allocated by the State Legislature towards air filtration improvements in the Bay Area. Under the proposed program, public buildings (i.e., schools, libraries, and community centers) will be eligible for new HVAC system installations or retrofits, MERV 13+ air filters, or portable air filtration units. Funding will also be available to county emergency management and disaster response agencies to purchase air filtration units for evacuation centers and sheltering facilities.

However, while staff has worked hard to author the legislation which secured these monies; to provide input on program guidance; and to push the California Air Resources Board (ARB) to distribute the funding; it is unlikely that these monies will arrive in time to make a difference for the 2021 wildfire season. It is also likely that other Air Districts designated to get an additional \$2 million from this funding source throughout the State may struggle to expend it, so staff is requesting Board approval to accept more than our designated allocation in case other funds become available for redistribution.

With State funding slow in coming and based on staff's view that the upcoming wildfire season is an emergency with the potential to impact the health and air quality of many Bay Area residents, we are recommending that the Board of Directors redesignate \$1,000,000 in reserves to deploy filtration solutions to the nine Bay Area counties and the Red Cross in preparation for upcoming fires.

As part of this agenda item, staff will update the Board on conversations with County governments on how best to distribute funding and equipment as part of a proposed Wildfire Preparedness Program; on a parallel RFQ to secure high volume portable air filters for program participants; on the status of Assembly Bill 836 funding; and on the proposal to redesignate and use Air District reserves for this effort.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The \$1 million reserve for "Woodsmoke" in the Fiscal Year Ending (FYE) 2022 Budget would be redesignated to fund the Wildfire Mitigation Program. Cleaner Air Centers – Assembly Bill 836 funding comes with administrative revenue to cover the cost of program administration.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tracy Lee and Jeff Gove
Reviewed by: Damian Breen

Attachment 1: Resolution Accepting Assembly Bill 836 Funding from the California Air Resources Board

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
RESOLUTION No. 2021 - XX**

A Resolution Accepting Assembly Bill 836 Funding from the California Air Resources Board

WHEREAS, Senate Bill 74 (Mitchell, Budget Act of 2020, Section 3900-101-0115) provides funds for the California Air Resources Board (CARB) to allocate to local air quality districts;

WHEREAS, Assembly Bill 836 (Wicks, Chapter 393, Statutes of 2019) directs air districts to retrofit ventilation systems to create a network of clean air centers in order to mitigate the adverse public health impacts due to wildfires and other smoke events;

WHEREAS, CARB will authorize a grant to the District to implement a Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program upon approval by the Board of Directors to accept such grant of funds;

WHEREAS, CARB will award a grant in the amount of \$3,000,000 for Fiscal Year Ending 2021-2022.

WHEREAS, CARB may have additional funding to redistribute from other air districts from this program.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the Air District's acceptance of Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program up to \$5 million in Fiscal Year Ending 2021-2021 and future fiscal years, to be awarded to eligible projects in accordance with the CARB Program guidelines.

BE IT FURTHER RESOLVED, the Executive Officer/ Air Pollution Control Officer is hereby authorized and empowered to execute on behalf of the District all necessary agreements with CARB to implement and carry out the purposes of this resolution.

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 _____, 2021 by the following vote of the Board:

AYES:

NOES:

ABSENT:

Cindy Chavez
Chairperson of the Board of Directors

ATTEST:

John J. Bauters
Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: Update on Wildfire Smoke Mask Messaging

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Wildfires produce a mixture of fine particulate matter and hazardous chemicals into the air we breathe. Given the below average rainfall for the 2020-2021 rainy season, we anticipate the potential for wildfire smoke to affect local air quality and public health.

In years past, the Air District has worked with the Association of Bay Area Health Officials (ABAHO) and San Francisco Department of Emergency Management to develop consistent messaging in preparation for wildfire smoke events.

DISCUSSION

Staff will provide an update on wildfire smoke mask messaging. The proposed updated mask messaging is streamlined and pared down to essential points. We have added messaging for people who are unable to visit cleaner air/cooling centers and must spend extended periods outside.

Clear, concise, and consistent messaging is needed to avoid confusion for the public. Staff has reached out to ABAHO to discuss proposed changes to our joint messaging, and they have agreed to the proposed messaging. We seek input from the Board on the proposed messaging.

BUDGET CONSIDERATION/FINANCIAL IMPACT

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 Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 1, 2021

Re: James Cary Smith Community Grant Program

RECOMMENDED ACTION

Recommend the Board of Directors authorize the release of Grant Guidelines and Call for Applications for the James Cary Smith Community Grant Program.

BACKGROUND

The Bay Area Air Quality Management District's (Air District) Community Engagement Office has offered grant funding to local nonprofit organizations for over a decade to support community-based solutions that address air pollution while also helping reduce our global climate impact. During recent years, the focus of the community grants program has expanded based on Air District priorities and community needs.

Current Community Engagement Grant Programs

Since 2019, the Community Engagement Office has operated two grant programs concurrently: the James Cary Smith Community Grant Program and the Community Health Protection Grant Program. Details about each of these programs can be found below.

James Cary Smith Community Grant Program

The James Cary Smith Community Grant Program is named for Jim Smith, the Air District's former Community Outreach Manager who launched the first community grants program in 2009. Mr. Smith passed away in 2015 from ALS, and the grant program extends his vision of a more engaged and empowered community. The purpose of the grants is to support local air quality improvement and education efforts. Since 2016, 42 one-year grants of up to \$25,000 have been awarded to community-based organizations.

Community Health Protection Grant Program

In 2019, the Air District piloted the Community Health Protection Grant Program in response to the passage of Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017), which requires local air districts to reduce exposure in communities most impacted by air pollution. The Community Health Protection Grant Program aims to leverage capacity in communities pending designation under the Air District's AB 617 community selection process. The purpose of the grants is to help local community-based organizations strengthen their capacity to partner with the Air District in planning activities that improve their communities' environmental health. Seven one-year grants of \$50,000 were awarded to community-based organizations in 2019, and in 2020 grants were extended for an additional \$50,000 and an additional year.

To learn more about the James Cary Smith Community Grant Program, please visit the Air District's website: <https://www.baaqmd.gov/funding-and-incentives/residents/community-grants-program>

To view recipients of previous grant cycles, please visit the Community Grant Awards page on the Air District's website: <https://www.baaqmd.gov/funding-and-incentives/residents/community-grants-program/2016-community-grant-awards>

Grant Program Evaluation

In 2021, Community Engagement staff contracted with local firm Resource Development Associates (RDA) to conduct an evaluation of the current Community Engagement grant programs. RDA utilized focus groups and a web-based survey with current and previous grant recipients to help staff identify opportunities for program improvements and provided recommendations related to grant accessibility, improvements to grants programs, technical assistance, and communication between Air District staff and grantees.

DISCUSSION

Staff presented an overview of the Community Engagement Grant Program and proposed adjustments to the Air District's Community Equity, Health, and Justice Committee on June 3, 2021. Based on findings from the grant program evaluation, recommendations from members of the Community Equity, Health, and Justice Committee, and documented best practices for equity-based grantmaking, Community Engagement staff propose the following actions:

- Consolidate the two existing grant programs into one aligned program focused on capacity-building efforts with a budget of \$750,000 for the first year (FY2021/2022);
- Offer multi-year grants in amounts up to \$100,000 per grantee per year for three years, based on available funds and grantee progress toward objectives; and
- Implement process improvements to make Community Engagement grants more accessible and equitable, and to better support the Air District's community partners and the work they are doing.

These actions would maximize the ability of community groups to engage fully with the Air District.

Air District staff recognize there are local air quality concerns across the Bay Area, even beyond communities that have been identified as AB 617 communities. A refocused grant program would provide inclusive opportunities to partner with community-based organizations in AB 617 communities and other areas to uplift local efforts that improve air quality. Staff propose releasing one set of Grant Guidelines/Call for Applications for the refocused James Cary Smith Community Grant Program in the summer of 2021. Staff will work to conduct outreach with communities, provide technical assistance to applicants, and evaluate the program on a regular basis.

Proposed Timeline

Timeframe	Item
July 7, 2021	Staff present Community Engagement Grant Program information to Board of Directors.
Mid-July 2021	Release Grant Guidelines and issue Call for Applications for James Cary Smith Community Grant Program.
July – August 2021	Work with Board members, community members, and partner organizations to conduct outreach. Work with a technical assistance provider to increase accessibility for prospective applicants.
September 2021	Application period closes.
Sept - October 2021	Selection panel reviews and scores proposals.
November 2021	Notify grantees of awards.
Summer 2022	Conduct mid-year assessments to assess eligibility for grant renewals.

Next Steps

Following authorization from the Board of Directors (Board), staff will launch the James Cary Smith Community Grant Program for Fiscal Year (FY) 2021/2022. Staff will report back to the Board on progress of the grant program and will bring a list of projects selected for awards before the Board in Fall 2021 for funding authorization.

BUDGET CONSIDERATION / FINANCIAL IMPACT

Resources to award James Cary Smith Community Grants in FY 2021/2022 are in the FYE 2022 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aneesh Rana and Elinor Mattern
Reviewed by: Kristen Law

Attachment 14A: Draft Grant Guidelines for the FY 2021/2022 James Cary Smith Community
Grant Program



James Cary Smith Community Grant Program

Bay Area Air Quality Management District

Grant Guidelines

DRAFT for Board of Directors Review - 2021



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

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Contact Information

If you have questions about the grant program or application process, the primary contact for the James Cary Smith Community Grant Program is:

Aneesh Rana, Staff Specialist II
communitygrants@baaqmd.gov

1

GRANT PURPOSE

The Bay Area Air Quality Management District (“Air District”) is offering grants to community-based organizations, neighborhood associations and other community-based, local nonprofits to leverage community power to fully participate in decisions that impact their environment and health. A total of \$750,000 is available for the James Cary Smith Community Grant Program. The maximum amount for an individual grant is \$100,000, and the grant term will be approximately one year with the potential for additional funding for up to three years, at the Air District’s discretion. **Air District staff will conduct a mid-year assessment with grantees each funding cycle to determine eligibility for grant extensions, pending progress toward objectives and available funds.**

Grants must be used to design and implement strategies that foster authentic, empowered community participation in planning activities that improve a community’s environmental health. The Air District specifically seeks to partner with community-based organizations in the Bay Area to uplift local efforts that improve air quality and reduce exposure to air pollution. **Please read this document completely before filling out an application. Incomplete applications will be rejected. The Air District reserves the right to modify this solicitation at its sole discretion.**



2

IMPORTANT DATES

DATES	ACTION
JULY 19, 2021	Open grant application process
JULY 27, 2021	Optional informational webinar
AUGUST DATE TBD, 2021	Optional workshop on applying for government grants
SEPTEMBER 10, 2021	Grant applications due
FALL 2021	Grantees notified
WINTER 2021	Draft and finalize grant agreements
JAN 2022 - DEC 2022	Grantees perform work
SUMMER 2022	Mid-year assessments for potential grant extensions
JAN 2023	Final reports and invoices due

Informational Webinars

Air District Webinar – Tuesday, July 27, 2:00PM

- The Air District will host an informational webinar on Tuesday, July 27 at 2:00 PM. During the webinar, prospective applicants will have the opportunity to ask questions about the grant program. Please register at the following link to attend: <https://tinyurl.com/JCSwebinar>.

Tips and Tricks When Applying for Government Grants – Date To Be Announced on the Air District’s website

- Technical assistance will be offered to prospective applicants interested in learning more about grant application procedures. More information will be announced on the Air District’s website (<https://www.baaqmd.gov/funding-and-incentives/residents/community-grants-program>).

Both webinars will be recorded and posted on the Air District’s website. All questions and responses will be posted on Bonfire, the Air District’s Procurement Portal. Simultaneous language interpretation can be provided upon request at least 72 hours before each event. Contact Aneesh Rana at arana@baaqmd.gov or 415-749-4914 to request interpretation.



WHO CAN APPLY?

Community-based groups and local 501(c)(3) nonprofits located within the Air District’s jurisdiction (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma) may apply for the James Cary Smith Community Grants, with several exceptions. Priority will be given to projects serving disadvantaged communities within the Bay Area. This includes communities awaiting Assembly Bill 617 designation (see list below), and projects based in communities with an overall score of 70 to 100 in [CalEnviroScreen 4.0](#), an environmental health screening tool which shows cumulative impacts in California communities by census tract. For more detailed information, please visit the Air District’s website: [https://www.baaqmd.gov/funding-and-](https://www.baaqmd.gov/funding-and-incentives/residents/community-grants-program)

If awarded a grant, your organization or fiscal sponsor will need to demonstrate that it is authorized to do business in the State of California.

Please see Appendix B for standard Air District terms and conditions, including insurance requirements.

[incentives/residents/community-grants-program](https://www.baaqmd.gov/funding-and-incentives/residents/community-grants-program).

Please note that due to current Assembly Bill 617 (AB 617) implementation efforts in West Oakland and the Richmond-North Richmond-San Pablo area, projects in those communities will **not** be eligible for funding from this grant program. In the Bay Area, many communities experiencing high levels of unhealthy air are low-income communities of color. Discriminatory land use and

transportation policies have often placed these communities near significant sources of air pollution. AB 617 is California legislation that requires local air districts to increase their focus on addressing local air pollution disparities. For more details about AB 617 and the community selection process please see http://www.baaqmd.gov/~media/files/ab617-community-health/2019_0325_ab617onepager-pdf.pdf?la=en.

Communities awaiting AB 617 designation include **East Oakland, San Leandro, Eastern San Francisco, Pittsburg-Bay Point area, San Jose, the Tri-Valley, and Vallejo**. Projects based in those communities as well as communities with an overall score of 70 to 100 in CalEnviroScreen 4.0 will be eligible for grant funding.

4 AWARD AMOUNTS & DURATION

A total of \$750,000 is available for the James Cary Smith Community Grant Program. The maximum amount for an individual grant is \$100,000 per year. The grant term will be approximately one year, with the potential for up to three years of funding, pending progress toward grant objectives and available funds.

Projects funded by the James Cary Smith Community Grant Program are anticipated to begin in Winter 2022. All work outlined in the 2022 workplan must be completed by December 31, 2022. **Air District staff will conduct a mid-year assessment with grantees each funding cycle to determine eligibility for grant extensions.**



5 WHAT KIND OF WORK CAN BE FUNDED?

The Air District seeks to strengthen partnerships with community-based organizations so that more Bay Area advocates have the information and resources they need to fully engage with Air District programs and policies.

Through the James Cary Smith Community Grant Program, the Air District will expand and support its network of community partners and work collaboratively to improve community members' ability to partner with the Air District to improve local air quality.

These grants will fund activities that increase a community's ability to partner with the Air District.

Funded work can include one or more of the following:

1. **Community Needs Assessment:** Research what the project’s target community or communities need to participate in discussions about local air quality concerns and potential solutions at the neighborhood level. Through talking with residents and leaders in the target community, learn about and report on the kinds of strategies that would help increase engagement and build community knowledge about air quality and best practices.
2. **Community Organizing:** Design and implement strategies to organize the target community or communities around air quality and other environmental justice issues. This can include leadership development, community mobilizing and coalition building.
3. **Authentic Participation:** Design strategies to implement any combination of the following:
 - Provide communities with the resources and information to meaningfully participate in decisions that impact local environmental health.
 - Plan activities that help communities learn about local air quality issues, explore the root causes of air pollution and its impact on residents, and identify agencies that may address their concerns.
 - Provide advocacy training, leadership training, and/or facilitation training as needed.
 - Make recommendations to Air District staff on how to:
 - Better communicate and partner with community members;
 - Train community members on Air District programs and decision-making; and/or
 - Implement other strategies to help communities work with local, regional, state and federal government agencies.

Work that Cannot Be Funded

- Cost of preparing or submitting grant application
- Lobbying
- Purchasing air filter masks
- Purchasing air monitors
- Conducting air monitoring projects and/or air pollution modeling projects
- Development of educational materials that are not tied to community needs assessments, community organizing efforts, or authentic participation efforts as described above
- Endowment campaigns



- Fundraising activities
- Marketing of products or technologies for profit

Any work performed prior to the full execution of a grant agreement with the Air District is not eligible for James Cary Smith Community Grant Program funding.



HOW TO APPLY FOR FUNDING

To apply for James Cary Smith Community Grant funding, applicants must provide responses to **all** items listed in the checklist below. **Information submitted which is not specified in the checklist will not be reviewed. This includes any pages over the specified page limit.**

Application Requirements:

- Applications must be double-spaced, with a minimum of 1-inch margins and 12-point font.
- The Air District’s James Cary Smith Community Grant Program Cover Sheet (Appendix A) will serve as the application’s cover sheet/title page.
- The name of the applicant/organization and page number must be on each page of the application.
- Applications must be submitted in Adobe Acrobat PDF file format. The PDF filename must be saved in this format: Your_Organization_Name_Proposal.PDF
- Multiple file submissions will not be accepted.

Applications Must Include:

- Cover Sheet – maximum 1 page**
The Air District’s James Cary Smith Community Grant Program Cover Sheet (Appendix A) must be completed and signed by a person with authority to legally bind your organization. Applications may be signed using a typed-in name.
- Project Narrative – maximum 5 pages**
 - **Community Description** – Provide a brief description of the community or communities your proposed project would engage. Include the location, general boundaries, demographics, languages most often spoken, and any other relevant information you think would help describe the community or communities.
 - **Need** – Provide a brief description of how the targeted community/communities will benefit from this funding. Describe the community’s level of engagement or sense of empowerment in

governmental decision-making processes. Tell us whether the community participates in decisions that impact their environment and/or health.

- **Project Summary** - Provide a clear and concise summary of how your project will build the targeted community's capacity over a three-year period to participate in and lead future efforts to reduce air pollution and exposure. Tell us which category of work you will focus on in years 1-3, if applicable: *needs assessment, organizing or participation*. (You may do work in one or more categories, but please tell us which category or categories your focus will be.)
 - **Activities** - Provide a summary of the activities that will be supported by this project in years 1-3, if applicable. Describe how you will conduct a needs assessment for the target community, how you will do community organizing, and/or how you will encourage authentic participation.
 - **Partnership** – If applicable, provide a brief description of existing or planned partnerships with any other community-based organizations, public agencies, or other collaborators detailing what they are providing to the proposed project (subcontracting, outreach collaboration, translation assistance, etc.).
 - **Measuring Success** - Clearly state the metrics by which success will be evaluated. Describe the criteria that will determine if the project has achieved its goals and objectives in years 1-3, if applicable. You can use quantitative metrics, qualitative metrics, or a combination of both.
 - **Participation** – Please describe the estimated number of people who will participate in or benefit from the project by year, if applicable.
- **Project Budget – maximum 1 page**
- The budget will enable evaluators to better understand the scope and direction of the proposed project.
- Provide a full budget for the proposed project including costs for personnel, materials and supplies, broken out by year (if applicable).
 - Please list any other funders for this project, including their total contribution (including in-kind), and indicate whether that contribution has been secured (in-hand), committed, requested or not yet requested.

7

SUBMIT YOUR APPLICATION

Interested applicants must create an account through the Air District's Procurement Portal (Bonfire) and use the link below to submit applications.

Faxed, mailed, emailed or couriered applications will not be accepted.

Follow these steps to use the Air District's Procurement Portal (Bonfire) to submit your application:

- **Step 1:** Go to Procurement Portal at:
<https://baaqmd.bonfirehub.com/>
- **Step 2: (For new users only)** Under the Login tab, create a Bonfire account under 'New Vendor Registration.' Fill out all fields and select 'Create account.' An Account Confirmation Email will be sent to the email address provided. Once received, open the email and follow instructions to confirm your account.
- **Step 3:** Return to Bonfire account and create a 'Vendor Record.' Complete all fields and select 'Yes' for email notifications, to receive upcoming due date reminders, or other applicable information related to the James Cary Smith Community Grant Program.
- **Step 4:** Once the Bonfire account is created, you will have access to the James Cary Smith Community Grant Program option. Here you can download the grant program guidelines, upload your completed application, and view FAQs that will be developed and posted during the open application period.
- **Step 5:** While logged in to the James Cary Smith Community Grant Program, select 'Prepare Submission.' Upload your document (your full application). Once submitted, you will receive a submission receipt and confirmation code.

Application Deadline

Applications must be submitted electronically through the Air District's Procurement Portal no later than **5:00 pm Pacific Time on Friday, September 10, 2021.**

Only complete applications received by the deadline will be evaluated. Incomplete applications will be rejected.

8

HOW WILL PROPOSALS BE EVALUATED?

Applications will be reviewed after the submittal deadline. Eligible projects will be evaluated and ranked according to the scoring criteria described below.

Criteria	Possible Points
MEETS GRANT PROGRAM OBJECTIVES	30
HIGH COMMUNITY IMPACT POTENTIAL	20
BENEFIT TO COMMUNITY	20
LEVERAGING LEADERS	20
DEMONSTRATED LEADERSHIP	10
TOTAL Points Possible	100

- 1) Meets grant program objectives [30 points]
Project activities will clearly help build community capacity to participate in one or more of the following: air pollution reduction efforts, exposure reduction efforts, and/or Air District policy processes.
- 2) High community impact potential [20 points]
The project will reach a targeted group of community members in meaningful ways and will build community-wide awareness of and participation in solutions to reduce local air pollution.
- 3) Benefit to community [20 points]
The project will serve a demonstrated community need - for example, there is currently limited community participation in decision making, particularly in decisions that impact local air quality.
- 4) Leveraging leaders [20 points]
The project will support and uplift local leaders and equip them with the skills to expand networks of community leaders.
- 5) Demonstrated leadership [10 points]
The applicant has demonstrated that they have played or can play a leadership role in their community with respect to environmental justice or other community concerns.



IF YOU RECEIVE A GRANT

If you are awarded a James Cary Smith Community Grant, Air District staff will prepare a grant agreement that sets the terms and conditions of the grant, including reporting requirements. Please see Appendix B for standard Air District terms and conditions.

Award Process

The Air District anticipates that awards will be announced in Fall 2021. Applicants will be notified electronically regarding whether their projects have been selected for funding by the Air District. Initial selection for funding constitutes preliminary approval only. Final approval for funding occurs when a grant agreement has been signed by both the grantee and the Air District. Air District staff will prepare grant agreements that set forth the terms and conditions of each grant. Grantees are legally bound to meet certain requirements, including notifying the Air District of any change in project implementation and submitting progress reports and a final report. If a grantee does not comply with all the terms and conditions of a grant agreement or fails to complete the project deliverables, the grantee may have to repay a portion or all of the funds granted, and the grantee may be ineligible to participate in future Air District grant programs. If the Air District awards an amount that differs from the amount requested, Air District staff will work with the grantee to align deliverables, outcomes, and timelines appropriately.



Upon execution of the grant agreement, the grantee may commence work on funded activities. Should there be any change in the originally agreed upon scope of work, grantees must contact the Air District in order to amend the Work Plan of the Grant Agreement.

Payment of Grant Funds

The payment schedule will be established in the grant agreement for each project. No funds will be released until the grant agreement has been fully executed by the grantee and the Air District. In general, payment will occur quarterly. Each invoice should include a progress report (see below) and proof of fund expenditures, including copies of any receipts. The final report should demonstrate adequate completion of deliverables.

Progress Reports

Grantees will need to submit quarterly progress reports and one final report. Reports must include receipts for any expenses and a brief narrative demonstrating progress toward project goals and objectives.

Final reports are used to analyze the impact of the Air District's investments and assist in shaping future grant programs. All reports will be used to share information and promote successes among grantees and with the greater Bay Area community.

Report formats and requirements will be provided to grantees with their award materials.

APPENDIX A

James Cary Smith Community Grant Program Cover Sheet

NOTE: Per recommendations received at the Air District's Community Equity, Health, and Justice Committee meeting on June 3, 2021, staff are working with a technical assistance provider to create a grant program cover sheet that is as accessible as possible for prospective applicants.

APPENDIX B

Standard Terms and Conditions

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

GRANT NO. [year].[number of contract]

1. PARTIES - The parties to this Agreement (“Agreement”) are the Bay Area Air Quality Management District (“DISTRICT”) whose address is 375 Beale Street, Suite 600, San Francisco, CA 94105, and [name of organization] (“GRANTEE”) whose address is [address, city, state, zip].
2. RECITALS
 - A. DISTRICT is the local agency with primary responsibility for regulating stationary source air pollution in the Bay Area Air Quality Management District in the State of California. DISTRICT is authorized to enter into this Agreement under California Health and Safety Code Section 40701.
 - B. DISTRICT desires to award GRANTEE a grant for the activities described in Attachment A, Work Plan.
 - C. All parties to this Agreement have had the opportunity to have the Agreement reviewed by their attorney.
3. TERM - The term of this Agreement is from [the date of execution by both PARTIES] until [date], unless further extended by amendment of this Agreement in writing, or terminated earlier.
4. TERMINATION
 - A. DISTRICT shall have the right to terminate this Agreement at its sole discretion at any time upon thirty (30) days written notice to GRANTEE. The notice of termination shall specify the effective date of termination, which shall be no less than thirty (30) calendar days from the date of delivery of the notice of termination, and shall be delivered in accordance with the provisions of section 10 below. Immediately upon receipt of the notice of termination, GRANTEE shall cease all activities under this Agreement, except such activities as are specified in the notice of termination. Within forty-five (45) days of receipt of written notice, GRANTEE is required to:
 - i) Submit a final written report describing all work performed by GRANTEE;
 - ii) Submit an accounting of all grant funds expended up to and including the date of termination; and,
 - iii) Reimburse DISTRICT for any unspent funds.
 - B. DISTRICT may terminate this Agreement and be relieved of any payments should GRANTEE fail to perform the requirements of this Agreement at the time and in the manner herein provided.

5. NO AGENCY RELATIONSHIP CREATED / INDEPENDENT CAPACITY - GRANTEE and the agents and employees of GRANTEE, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of DISTRICT, and nothing herein shall be construed to be inconsistent with that relationship or status. DISTRICT shall not have the right to direct or control the activities of GRANTEE in performing the services provided herein.

6. CONTRACTORS / SUBCONTRACTORS / SUBGRANTEES
 - A. GRANTEE will be entitled to make use of its own staff and such contractors, subcontractors, and subgrantees as are mutually acceptable to GRANTEE and DISTRICT. Any change in contractors, subcontractors, or subgrantees must be mutually acceptable to the parties. Immediately upon termination of any such contract, subcontract, or subgrant, GRANTEE shall notify DISTRICT.
 - B. Nothing contained in this Agreement or otherwise, shall create any contractual relation between DISTRICT and any contractors, subcontractors, or subgrantees of GRANTEE, and no agreement with contractors, subcontractors, or subgrantees shall relieve GRANTEE of its responsibilities and obligations hereunder. GRANTEE agrees to be as fully responsible to DISTRICT for the acts and omissions of its contractors, subcontractors, and subgrantees and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by GRANTEE. GRANTEE's obligation to pay its contractors, subcontractors, and subgrantees is an independent obligation from DISTRICT's obligation to make payments to GRANTEE. As a result, DISTRICT shall have no obligation to pay or to enforce the payment of any moneys to any contractor, subcontractor, or subgrantee.

7. INDEMNIFICATION - GRANTEE agrees to indemnify, defend, and hold harmless DISTRICT, its officers, employees, agents, representatives, and successors-in-interest against any and all liability, demands, claims, costs, losses, damages, recoveries, settlements, and expenses (including reasonable attorney fees) that DISTRICT, its officers, employees, agents, representatives, and successors-in-interest may incur or be required to pay arising from the death or injury of any person or persons (including employees of GRANTEE), or from destruction of or damage to any property or properties, caused by or connected with the performance of this Agreement by GRANTEE, its employees, subcontractors, subgrantees, or agents.

8. PAYMENT
 - A. DISTRICT agrees to award GRANTEE a grant of \$[amount] for the activities described in Attachment A, Work Plan. This grant shall be payable in five (5) installments, as follows:
 - i) \$[amount] within thirty (30) days after the execution of this Agreement;
 - ii) \$[amount] within thirty (30) days after DISTRICT receipt and approval of GRANTEE's first Quarterly Report;
 - iii) \$[amount] within thirty (30) days after DISTRICT receipt and approval of GRANTEE's second Quarterly Report;
 - iv) \$[amount] within thirty (30) days after DISTRICT receipt and approval of GRANTEE's third Quarterly Report; and
 - v) \$[amount] upon DISTRICT's receipt of the final report.
 - B. GRANTEE shall carry out the work described on the Work Plan, and shall obtain DISTRICT's written approval of any changes or modifications to the Work Plan prior to performing or

incurring costs for the changed work. If GRANTEE fails to obtain such prior written approval, DISTRICT, at its sole discretion, may refuse to provide funds to pay for such work or costs.

C. Payment will be made only to GRANTEE.

9. AUTHORIZED REPRESENTATIVE - GRANTEE shall continuously maintain a representative vested with signature authority authorized to work with DISTRICT on all grant-related issues. GRANTEE shall, at all times, keep DISTRICT informed as to the identity of the authorized representative.
10. NOTICES - All notices that are required under this Agreement shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by e-mail, facsimile, or regular first class mail. In the case of e-mail and facsimile communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. E-mail and facsimile communications shall be deemed to have been received on the date of such transmission, provided such date was a business day and delivered prior to 4:00 p.m. Pacific Time. Otherwise, receipt of e-mail and facsimile communications shall be deemed to have occurred on the following business day. In the case of regular mail notice, notice shall be deemed to have been delivered on the mailing date and received five (5) business days after the date of mailing.

DISTRICT: Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Attn: [name]

GRANTEE: [organization name]
[street address]
[city, state, zip]
Attn: [organization contact]

11. ADDITIONAL PROVISIONS - All attachment(s) to this Agreement are expressly incorporated herein by this reference and made a part hereof as though fully set forth.
12. ACKNOWLEDGEMENTS - GRANTEE shall acknowledge DISTRICT support each time the activities funded, in whole or in part, by this Agreement are publicized in any news media, brochures, or other type of promotional material. The acknowledgement of DISTRICT support must state "Funded by a Grant from the Bay Area Air Quality Management District." Initials or abbreviations for DISTRICT shall not be used.
13. ADVERTISING / PUBLIC EDUCATION - GRANTEE shall submit copies of all draft public education or advertising materials to DISTRICT for review and approval prior to GRANTEE's use of such materials.
14. FINANCIAL MANAGEMENT SYSTEM

- A. GRANTEE shall be responsible for maintaining an adequate financial management system and will immediately notify DISTRICT when GRANTEE cannot comply with the requirements in this section.
 - B. GRANTEE's financial management system shall provide for:
 - i) Financial reporting: accurate, current, and complete disclosure of the financial results of each grant in conformity with generally accepted principles of accounting, and reporting in a format that is in accordance with the financial reporting requirements of the grant.
 - ii) Accounting records: records that adequately identify the source and application of funds for DISTRICT-supported activities. These records must contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures and income.
 - iii) Internal control: effective internal and accounting controls over all funds, property and other assets. GRANTEE shall adequately safeguard all such assets and assure that they are used solely for authorized purposes.
 - iv) Budget control: comparison of actual expenditures or outlays with budgeted amounts for each grant.
 - v) Allowable cost: procedures for determining reasonableness, allowability, and allocability of costs generally consistent with the provisions of federal and state requirements.
 - vi) Source documentation: accounting records that are supported by source documentation.
 - vii) Cash management: procedures to minimize the time elapsing between the advance of funds from DISTRICT and the disbursement by GRANTEE, whenever funds are advanced by DISTRICT.
 - C. DISTRICT may review the adequacy of the financial management system of GRANTEE at any time subsequent to the award of the grant. If DISTRICT determines that GRANTEE's accounting system does not meet the standards described in paragraph B above, additional information to monitor the grant may be required by DISTRICT upon written notice to GRANTEE, until such time as the system meets with DISTRICT approval.
15. AUDIT / RECORDS ACCESS - GRANTEE agrees that DISTRICT shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. GRANTEE agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later. GRANTEE agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, GRANTEE agrees to include a similar right of DISTRICT to audit records and interview staff in any contract, subcontract, or subgrant related to performance of this Agreement.
16. FORFEIT OF GRANT FUNDS / REPAYMENT OF FUNDS IMPROPERLY EXPENDED - If grant funds are not expended, or have not been expended, in accordance with this Agreement, or if real or personal property acquired with grant funds is not being used, or has not been used, for grant purposes in accordance with this Agreement, DISTRICT, at its sole discretion, may take appropriate action under this Agreement, at law or in equity, including requiring GRANTEE to

forfeit the unexpended portion of the grant funds and/or to repay to DISTRICT any funds improperly expended.

17. COMPLIANCE - GRANTEE shall comply fully with all applicable federal, state, and local laws, ordinances, regulations, and permits. GRANTEE shall provide evidence, upon request, that all local, state, and/or federal permits, licenses, registrations, and approvals have been secured for the purposes for which grant funds are to be expended. GRANTEE shall maintain compliance with such requirements throughout the grant period. GRANTEE shall ensure that the requirements of the California Environmental Quality Act are met for any approvals or other requirements necessary to carry out the terms of this Agreement. Any deviation from the requirements of this section shall result in non-payment of grant funds.

18. CONFIDENTIALITY – In order to carry out the purposes of this Agreement, GRANTEE may require access to certain of DISTRICT’s confidential information (including trade secrets, inventions, confidential know-how, confidential business information, and other information that DISTRICT considers confidential) (collectively, “Confidential Information”). It is expressly understood and agreed that DISTRICT may designate in a conspicuous manner Confidential Information that GRANTEE obtains from DISTRICT, and GRANTEE agrees to:
 - A. Observe complete confidentiality with respect to such information, including without limitation, agreeing not to disclose or otherwise permit access to such information by any other person or entity in any manner whatsoever, except that such disclosure or access shall be permitted to employees of GRANTEE requiring access in fulfillment of the services provided under this Agreement.
 - B. Ensure that GRANTEE’s officers, employees, agents, representatives, subgrantees, and independent contractors are informed of the confidential nature of such information and to assure by agreement or otherwise that they are prohibited from copying or revealing, for any purpose whatsoever, the contents of such information or any part thereof, or from taking any action otherwise prohibited under this section.
 - C. Not use such information or any part thereof in the performance of services to others or for the benefit of others in any form whatsoever whether gratuitously or for valuable consideration, except as permitted under this Agreement.
 - D. Notify DISTRICT promptly and in writing of the circumstances surrounding any possession, use, or knowledge of such information or any part thereof by any person or entity other than those authorized by this section. Take at GRANTEE’s expense, but at DISTRICT’s option and in any event under DISTRICT’s control, any legal action necessary to prevent unauthorized use of such information by any third party or entity which has gained access to such information at least in part due to the fault of GRANTEE.
 - E. Take any and all other actions necessary or desirable to assure such continued confidentiality and protection of such information during the term of this Agreement and following expiration or termination of the Agreement.
 - F. Prevent access to such materials by a person or entity not authorized under this Agreement.
 - G. Establish specific procedures in order to fulfill the obligations of this section.

19. INTELLECTUAL PROPERTY RIGHTS - Title and full ownership rights to all intellectual property developed under this Agreement shall at all times remain with DISTRICT, unless otherwise agreed to in writing.

20. PUBLICATION

- A. DISTRICT shall approve in writing any report or other document prepared by GRANTEE in connection with performance under this Agreement prior to dissemination or publication of such report or document to a third party. DISTRICT may waive in writing its requirement for prior approval.
- B. Until approved by DISTRICT, any report or other document prepared by GRANTEE shall include on each page a conspicuous header, footer, or watermark stating "DRAFT – Not Reviewed or Approved by BAAQMD," unless DISTRICT has waived its requirement for prior approval pursuant to paragraph A of this section.
- C. Information, data, documents, or reports developed by GRANTEE for DISTRICT, pursuant to this Agreement, shall be part of DISTRICT's public record, unless otherwise indicated. GRANTEE may use or publish, at its own expense, such information, provided DISTRICT approves use of such information in advance. The following acknowledgment of support and disclaimer must appear in each publication of materials, whether copyrighted or not, based upon or developed under this Agreement.

"This report was prepared as a result of work sponsored, paid for, in whole or in part, by the Bay Area Air Quality Management District (District). The opinions, findings, conclusions, and recommendations are those of the author and do not necessarily represent the views of the District. The District, its officers, employees, contractors, and subcontractors make no warranty, expressed or implied, and assume no legal liability for the information in this report."

- D. GRANTEE shall inform its officers, employees, subgrantees, and subcontractors involved in the performance of this Agreement of the restrictions contained herein and shall require compliance with the above.

21. PROPERTY AND SECURITY - Without limiting GRANTEE's obligations with regard to security, GRANTEE shall comply with all the rules and regulations established by DISTRICT for access to and activity in and around DISTRICT's premises.

22. ASSIGNMENT - No party shall assign, sell, license, or otherwise transfer any rights or obligations under this Agreement to a third party without the prior written consent of the other party, and any attempt to do so shall be void upon inception.

23. WAIVER - No waiver of a breach, of failure of any condition, or of any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies. Further, the failure of a party to enforce performance by the other party of any term, covenant, or condition of this Agreement, and the failure of a party to exercise any rights or remedies hereunder, shall not be deemed a waiver or relinquishment by that party to enforce future performance of any such terms, covenants, or conditions, or to exercise any future rights or remedies.

24. FORCE MAJEURE - Neither DISTRICT nor GRANTEE shall be liable for or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services

resulting, directly or indirectly, from acts of God, enemy or hostile governmental action, civil commotion, strikes, lockouts, labor disputes, fire or other casualty, judicial orders, governmental controls, regulations or restrictions, inability to obtain labor or materials or reasonable substitutes for labor or materials necessary for performance of the services, or other causes, except financial, that are beyond the reasonable control of DISTRICT or GRANTEE, for a period of time equal to the period of such force majeure event, provided that the party failing to perform notifies the other party within fifteen calendar days of discovery of the force majeure event, and provided further that that party takes all reasonable action to mitigate the damages resulting from the failure to perform. Notwithstanding the above, if the cause of the force majeure event is due to party's own action or inaction, then such cause shall not excuse that party from performance under this Agreement.

25. SEVERABILITY - If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them will not be affected.
26. HEADINGS - Headings on the sections and paragraphs of this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Agreement.
27. COUNTERPARTS/FACSIMILES/SCANS – This Contract may be executed and delivered in any number of counterparts, each of which, when executed and delivered, shall be deemed an original, and all of which together shall constitute the same contract. The parties may rely upon a facsimile copy or scanned copy of any party's signature as an original for all purposes.
28. GOVERNING LAW - Any dispute that arises under or relates to this Agreement shall be governed by California law, excluding any laws that direct the application to another jurisdiction's laws. Venue for resolution of any dispute that arises under or relates to this Agreement, including mediation, shall be San Francisco, California.
29. ENTIRE AGREEMENT AND MODIFICATION - This Agreement represents the final, complete, and exclusive statement of the agreement between the parties and supersedes all prior and contemporaneous understandings and agreements of the parties. No party has been induced to enter into this Agreement by, nor is any party relying upon, any representation or warranty outside those expressly set forth herein. This Agreement may only be amended by mutual agreement of the parties in writing and signed by both parties.
30. SURVIVAL OF TERMS - The provisions of sections 7 (Indemnification), 15 (Audit / Records Access), 16 (Forfeit of Grant Funds / Repayment of Funds Improperly Expended), 18 (Confidentiality), 19 (Intellectual Property Rights), and 20 (Publication) shall survive the expiration or termination of this Agreement.

IN WITNESS WHEREOF, the parties to this Agreement have caused this Agreement to be duly executed on their behalf by their authorized representatives.