



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

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

WEDNESDAY  
APRIL 7, 2021  
8:30 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](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.*

***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.*

**CLOSED SESSION**

2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Government Code Section 54957 and 54957.6)**

*Pursuant to Government Code Section 54957 and 54957.6, the Committee will meet in closed session to conduct a performance evaluation of the Executive Officer.*

3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Government Code Section 54957 and 54957.6)**

*Pursuant to Government Code Section 54957 and 54957.6, the Committee will meet in closed session to conduct a performance evaluation of the District Counsel.*

**OPEN SESSION**

**CONSENT CALENDAR (ITEMS 4-16)**

Staff/Phone (415) 749-

4. Minutes of the Board of Directors Meeting of March 3, 2021

**Clerk of the Boards/5073**

*The Board of Directors will consider approving the draft minutes of the Board of Directors Meeting of March 3, 2021.*

5. Board Communications Received from March 3, 2021 through April 6, 2021

**J. Broadbent/5052**

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*A copy of communications directed to the Board of Directors received by the Air District from March 3, 2021 through April 6, 2021, if any, will be distributed to the Board Members by way of email.*

6. Air District Personnel on Out-of-State Business Travel

**J. Broadbent/5052**

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*In accordance with Section (b) of the Air District Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business in the preceding months.*

7. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of February 2021

**J. Broadbent/5052**

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the month of February 2021.*

8. Authorization to Execute Contract with Allison+Partners for Spare the Air Advertising and Messaging Campaigns

**K. Roselius/4647**

[kroselius@baaqmd.gov](mailto:kroselius@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract with Allison+Partners, in an amount not to exceed \$1,950,000 per contract year, during Fiscal Years Ending (FYE) 2022 and 2023, and \$2,019,000 for FYE 2024.*

9. Authorization to Execute Contract with Acterra for Fiscal Year 2021-2022 Climate Action Education Events

**L. Fasano/5170**

[lfasano@baaqmd.gov](mailto:lfasano@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to execute contract with Acterra in the amount of \$180,000, for event programming focused on individual climate actions.*

10. Authorization to Amend the Spare the Air Resource Team Contracts with Contractors  
Community Focus and Kearns and West  
A. Rana/4914  
[arana@baaqmd.gov](mailto:arana@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to execute contract amendments for the facilitation of the Spare the Air Resource Teams, in an amount not to exceed \$265,540.*

11. Report of the Community Equity, Health & Justice Committee Meeting of March 4, 2021  
CO-CHAIRS: D. Hurt and T. Jue  
V. Eady/4646  
[veady@baaqmd.gov](mailto:veady@baaqmd.gov)

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

A) **ACTION REQUESTED Process for Diversifying Community Perspectives**

- 1) *Consider a process to select community representatives to give perspectives to it on environmental justice work across the Bay Area, with the goal of gaining broad education over time on efforts taking place across the region.*

B) **ACTION REQUESTED Discussion and Review of Draft Community Equity, Health & Justice Committee 2021 Work Plan**

- 1) *Review and discuss the draft work plan for its 2021 meetings. Based on Committee discussions and feedback, staff will provide a final work plan for 2021 meetings to the Committee at its April meeting.*

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

12. Report of the Stationary Source & Climate Impacts Committee Meeting of March 15, 2021  
CO-CHAIRS: J. Bauters and K. Mitchoff  
J. Broadbent  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

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

A) **ACTION REQUESTED Discussion on Stationary Source and Climate Impacts Committee Mission Statement and Schedule for 2021**

- 1) *Approve the calendar for its 2021 Meeting Schedule.*

B) **Update on the Development of Amendments to Regulation 6, Rule 5 (Rule 6-5): Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units**

- 1) *None; receive and file.*

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

13. Report of the Administration Committee Meeting of March 17, 2021

CO-CHAIRS: C. Chavez and C. Groom

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

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

**A) Bay Area Regional Collaborative (BARC) Update**

*1) None; receive and file.*

**B) ACTION REQUESTED Discussion of Proposed Budget for Fiscal Year Ending (FYE) 2022**

*1) Review the Proposed Budget for Fiscal Year Ending (FYE) 2022 and make any recommendations for further discussions at the April 21, 2021 Administration Committee meeting.*

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

*1) None; receive and file.*

**D) ACTION REQUESTED Authorization to Execute Contract Amendments for Production System Office**

*1) Authorize the Executive Officer/APCO to execute contract amendments for Production System Office, in an amount not to exceed \$1,991,565.*

**E) Proposed New Commuter Program**

*1) None; receive and file.*

**F) ACTION REQUESTED Air District Community Funding Allocations Report**

*1) Direction on providing a comprehensive response to public inquiry on revenues and expenditures made by the Air District related to local environmental monitoring programs and investments at the May 2021 Administration Committee meeting.*

**G) ACTION REQUESTED Discussion on Administration Committee Workplan for 2021**

*1) Approve the 2021 Workplan for the Committee.*

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

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

14. Report of the Legislative Committee Meeting of March 17, 2021  
CO-CHAIRS: M. Abe-Koga and P. Cutter

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

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

**A) Sacramento Legislative Budget Update**

*1) None; receive and file.*

**B) Air District-Sponsored Bills**

*1) None; receive and file.*

**C) ACTION REQUESTED Consideration of New Bills**

*1) Staff recommends oppose positions on the following bills:*

*Assembly Bill (AB) 905 (Quirk) – Mobile fueling on-demand tank vehicles:  
performance standards*

*2) Staff recommends support positions on the following bills:*

- Senate Bill (SB) 30 (Cortese) – Building decarbonization*
- SB 31 (Cortese) – Building decarbonization*
- SB 32 (Cortese) – Energy: general plan: building decarbonization  
Requirements*
- SB 68 (Becker) – Building decarbonization*

**D) ACTION REQUESTED 2021 Legislative Platform**

*1) Review and approve the attached revised draft legislative platform for 2021.*

**E) Federal Legislative Update**

*1) None; receive and file.*

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

15. Report of the Mobile Source and Climate Impacts Committee Meeting of March 25, 2021  
CO-CHAIRS: D. Canepa and K. Rice  
J. Broadbent  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

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

- A) **ACTION REQUESTED Discussion on Mobile Source and Climate Impacts Committee Mission Statement, Climate Agenda, and Schedule for 2021**
- 1) *Approve the calendar for its 2021 Meeting Schedule.*
- B) **ACTION REQUESTED Projects and Contracts with Proposed Grant Awards Over \$100,000**
- 1) *Approve 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.*
- C) **ACTION REQUESTED Fiscal Year Ending 2022 Transportation Fund for Clean Air Funding Allocation**
- 1) *Approve the proposed allocation of the estimated new Transportation Fund for Clean Air, or TFCA, monies to the programs and projects listed in Table 1;*
- 2) *Authorize the proposed cost-effectiveness limits for the Air District-sponsored programs and projects listed in Table 2; and*
- 3) *Authorize the Executive Officer/APCO to enter into funding agreements and contracts up to \$100,000 for projects and programs listed in Table 1.*

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

16. Report of the Community Equity, Health & Justice Committee Meeting of April 1, 2021  
CO-CHAIRS: D. Hurt and T. Jue  
V. Eady/4646  
[veady@baaqmd.gov](mailto:veady@baaqmd.gov)

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

- A) **Community Perspective**
- 1) *None; receive and file.*
- B) **ACTION REQUESTED Discussion on the Community Equity, Health & Justice Committee's Mission Statement and Draft Schedule for 2021**
- 1) *Review and consider approval of the Proposed 2021 Community Equity, Health & Justice Committee calendar for its meeting schedule.*

- C) **ACTION REQUESTED Transparent and Equitable Funding Project**
- 1) *Seek feedback from the Board and the public on the purpose, scope, road map and deliverables timeline for the Transparent and Equitable Funding Project.*
- D) **ACTION REQUESTED Consideration of AB 617 Richmond- North Richmond- San Pablo Emissions Reduction Plan Steering Committee Proposed Stipend**
- 1) *Consider the proposed stipend for community members appointed to the Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan Community Steering Committee for Board of Directors' consideration and approval.*
- E) **ACTION REQUESTED Consideration of Appointment of Contra Costa Health Services Representative to AB 617 Richmond-North Richmond-San Pablo Emission Reduction Plan Steering Committee**
- 1) *Consider recommending appointment of a representative from the Contra Costa County Health Services Agency to the Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan (CERP) Community Steering Committee for Board of Directors' consideration and approval.*

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

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

## **PUBLIC HEARING**

17. Public Hearing to Receive Testimony on Proposed Amendments to Air District Regulation 3: Fees
- F. Tanaka/5065**  
[ftanaka@baaqmd.gov](mailto:ftanaka@baaqmd.gov)

*The Board of Directors will receive testimony on the proposed amendments to Air District Regulation 3: Fees for Fiscal Year Ending (FYE) 2022. The proposed fee amendments are designed to recover the costs of regulatory program activities in accordance with the Air District's Cost Recovery Policy.*

## **PRESENTATION**

18. Update on the Status of the Air District's Rule Development Efforts
- E. Yura/8421**  
[eyura@baaqmd.gov](mailto:eyura@baaqmd.gov)

*Staff will present an overview and status update on the Air District's current rule development efforts.*



## **TRANSPARENCY, PROCESS, ETHICS, AND ACCOUNTABILITY WORKSHOP**

19. **Opening Comments** Chairperson, Cindy Chavez

20. **Brown Act and Best Practices** B. Bunger/4797  
[bbunger@baaqmd.gov](mailto:bbunger@baaqmd.gov)

Secretary, John Bauters

*Staff will provide a presentation on selected topics regarding the Brown Act of interest to the Board of Directors and the public. In addition, Board of Directors Secretary John Bauters will provide a presentation on best practices in conducting public meetings.*

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

21. **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**

22. *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**

23. Report of the Executive Officer/APCO

24. Chairperson's Report

25. Time and Place of Next Meeting:

*Wednesday, May 5, 2021 at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.*

26. Adjournment

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

**CONTACT:**

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

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the 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](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District's Non-Discrimination Coordinator, Terri Levels, at (415) 749-4667 or by email at [tlevels@baaqmd.gov](mailto: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

#### APRIL 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting	Wednesday	7	8:30 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 Administration Committee	Wednesday	21	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	21	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source and Climate Impacts Committee	Thursday	22	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

#### MAY 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting Budget Hearing	Wednesday	5	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Meeting	Wednesday	5	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee	Thursday	6	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source and Climate Impacts Committee	Monday	17	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee	Wednesday	19	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	19	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20

## **MAY 2021**

<b><u>TYPE OF MEETING</u></b>	<b><u>DAY</u></b>	<b><u>DATE</u></b>	<b><u>TIME</u></b>	<b><u>ROOM</u></b>
<b>Board of Directors Mobile Source and Climate Impacts Committee</b>	<b>Thursday</b>	<b>27</b>	<b>9:30 a.m.</b>	<b>Webcast only pursuant to Executive Order N-29-20</b>
<b>Board of Directors Technology Implementation Office (TIO) Steering Committee</b>	<b>Friday</b>	<b>28</b>	<b>1:00 p.m.</b>	<b>Webcast only pursuant to Executive Order N-29-20</b>

MV – 4/1/2021 – 11:25 A.M.

G/Board/Executive Office/Moncal

**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: April 1, 2021

Re: Minutes of the Board of Directors Meeting of March 3, 2021

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RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors Meeting of March 3, 2021.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Meeting of March 3, 2021.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 4A: Draft Minutes of the Board of Directors Meeting of March 3, 2021

## AGENDA 4A – ATTACHMENT

Draft Minutes - Board of Directors Regular Meeting of March 3, 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, March 3, 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](http://www.baaqmd.gov/bodagendas)*

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

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, 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, David Haubert, Lynda Hopkins, David Hudson, Davina Hurt, Tyrone Jue, Myrna Melgar, Nate Miley, Rob Rennie, Katie Rice, Mark Ross, Brad Wagenknecht, and Shamann Walton.

Absent: Directors Erin Hannigan and Lori Wilson.

### **CONSENT CALENDAR (ITEMS 2 – 13)**

2. **Minutes of the Board of Directors Meeting of February 3, 2021**
3. **Board Communications Received from February 3, 2021 through March 2, 2021**
4. **Air District Personnel on Out-of-State Business Travel**
5. **Quarterly Report of the Executive Office and Division Activities for the Months of October 2020 – December 2020**
6. **Quarterly Report of California Air Resources Board Representative – Hon. John Gioia**
7. **Referral of Proposed Budget for Fiscal Year Ending (FYE) 2022 to the Administration Committee**
8. **Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of January 2021**
9. **Consider Establishing a New Classification of Principal Human Resources Analyst and Amending Classification Title of the Executive Secretary Series**

10. **Consider Establishing a New Classification of Administrative Assistant I/II and Principal Air Quality Meteorologist**
11. **Report of the Administration Committee Meeting of February 17, 2021**

The Board approved the following:

**A) Hearing Board Quarterly Report: October 2020 – December 2020**

1) *None; receive and file.*

**B) Advisory Council Recruitment**

1) *None; receive and file.*

**C) Second Quarter Financial Report – Fiscal Year Ending (FYE) 2021**

1) *None; receive and file.*

**D) Air District Financial Plan Overview**

1) *None; receive and file.*

**E) Update on Spare the Air Advertising and Messaging Campaigns**

1) *Approve Allison+Partners as the selected contractor for the Spare the Air Campaigns, Advertising, Communications, and Evaluation Services; authorize the Executive Officer/Air Pollution Control Officer (APCO) to execute a contract with Allison+Partners, in an amount not to exceed \$1,950,000 per contract year, during Fiscal Year Ending (FYE) 2022 and FYE 2023, and \$2,019,000 for FYE 2024, to be broken down as follows:*

- *Spare the Air Summer Campaign*
  - *Advertising* \$600,000
  - *Media Relations* \$200,000
  - *Social Media* \$75,000
  - *Employer Program* \$200,000
  - *Public Opinion Surveys* \$50,000
  
- *Spare the Air Winter Campaign*
  - *Advertising* \$600,000
  - *Media Relations* \$100,000
  - *Social Media* \$75,000
  - *Public Opinion Surveys* \$50,000
  - *In-Language Option Surveys* \$69,000 (3rd year of contract only)

**F) Proposed Contract Extension for Climate Tech Finance Program**

1) *Authorize the Executive Officer/APCO to negotiate and execute an agreement with the California Infrastructure and Economic Development Bank to continue to support loans and loan guarantees under the Air District's Climate Tech Finance program.*

**G) Ad Hoc Governance Committee – Next Steps**

1) *None; receive and file.*

12. **Report of the Legislative Committee Meeting of February 17, 2021**

The Board approved the following:

**A) State Legislative Budget Update**

1) *None; receive and file.*

**B) Air District-Sponsored Bill**

1) *None; receive and file.*

**C) Consideration of New Bills**

1) **Oppose** positions on the following bills:

- *Assembly Bill (AB) 220 (Voepel) – Smog Check: exemption*
- *AB 467 (Grayson) – Smog Check: exemption: historic vehicles*
- *AB 363 (Medina) – Carl Moyer Air Quality Standards Attainment Program*

**D) 2021 Legislative Platform**

1) *The Legislative Committee reviewed and discussed the draft legislative platform for 2021 and based on discussion and feedback, staff will provide a revised platform for the March 2021 meeting.*

**E) Federal Legislative Update**

1) *None; receive and file.*

13. **Report of the Mobile Source & Climate Impacts Committee Meeting of February 25, 2021**

The Board approved the following:

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

- 1) **Approve** recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1, including a policy waiver to allow the Transportation Fund for Clean Air Regional Fund to be used as match for a recommended school bus project;
- 2) **Waive** Policy #2, regarding Cost-Effectiveness, of the Transportation Fund for Clean Air Regional Fund to allow the replacement of two 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) Report on Air District Grant Programs and Funds Awarded in 2020**

1) *None; receive and file.*

Public Comments

No requests received.



Board Comments

None.

Board Action

Director Hudson made a motion, seconded by Director Wagenknecht, to **approve** the Consent Calendar Items 2 through 13, inclusive; and the motion **carried** by the following vote of the Board:

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

**COMMITTEE REPORT**

**14. Reports of the Community Equity, Health & Justice Committee Meetings of February 4, 2021 and February 19, 2021**

Chair Chavez clarified that there were two meetings of the Community Equity, Health & Justice Committee in February, resulting in two separate actions for the Board to consider. Community Equity, Health & Justice Committee Co-Chair, Davina Hurt, gave an explanation of what topics were discussed at those two meetings.

Greg Nudd, Deputy Air Pollution Control Officer (APCO) of Policy, explained to the Board the Community Equity, Health & Justice Committee’s decisions on the structure of the proposed Richmond-North Richmond-San Pablo (Path to Clean Air) Community Emissions Reduction Plan (CERP) Community Steering Committee. These decisions included: number of seats; percent of residents who live in Richmond, North Richmond, and San Pablo; Co-Chairperson structure; role of industry; how the Steering Committee will report to the Board; and the Steering Committee’s Rules of Order.

NOTED PRESENT: Directors Haubert and Miley were noted present at 9:38 a.m.

Public Comments

Public comments were given by Andres Soto, Communities for a Better Environment (CBE); LaDonna Williams, All Positives Possible; Jed Holtzman, 350 Bay Area; and Dr. Raymond Tompkins, African-American Community Health Equity Council.

Board Comments

The Board and staff discussed concern regarding the fact that the members of the Richmond-North Richmond-San Pablo CERP Community Steering Committee “Design Team” were not considered by the Board for membership on the actual Steering Committee; the reason for 30 recommended members in the proposed slate, when an odd number had been previously decided upon by the Board; the request for the Board’s guidance (by Air District staff) on the “Contra Costa County Public Health” seat on the Steering Committee, and the reason why it is currently empty; claims from a member of the public alleging Steering

Committee member candidates consuming alcoholic beverages during a past Assembly Bill (AB) 617-related meeting in Richmond; how proposed revisions to the existing slate of recommended members would be processed; and the role and activities of the former Richmond-San Pablo Area Community Air Monitoring Plan Steering Committee.

Board Action

Director Hudson made a motion, seconded by Director Cutter, to:

**A. RESOLUTION**

**Adopt** the following resolution, establishing a Community Steering Committee for the AB 617 Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan, establishing criteria for membership on the Community Steering Committee:

Resolution No. 2021-02: A Resolution of the Board of Directors of the Bay Area Air Quality Management District Establishing a Community Steering Committee for the AB 617 Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan, Establishing Criteria for Membership on the Community Steering Committee, and Appointing Initial Slate of Members.

**B. SLATE OF CANDIDATES**

**Appoint** the initial members for the Richmond-North Richmond-San Pablo (Path to Clean Air) Community Emissions Reduction Plan (CERP) Community Steering Committee:

Alfredo Rafael Angulo-Castro	Gloria Ruiz	Lucia Castillo
Amanda Booth	Hakim Johnson	Micaela Zaragoza-Soto
Arto Rintella	Heidi V Swillinger	Nancy Aguirre
Bret Andrews	Henry Clark	Omoniyi Omotoso
Darlena David	Jeffrey L Kilbreth	Patricia A. Daniels
Darlene Rios Drapkin	Jessica Range	Phillip Mitchell
Dave Severy	Jim Holland	Roberta Feliciano
Erika Ramirez	Kevin Ruano Hernandez	Suzanne Coffee
Fabiola Reyes	Lizbeth Ibarra	Vernon Whitmore
Francisco Avila	Lizette Bernal	Yanad Burrell

The motion **carried** by the following vote of the Board:

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

## **PRESENTATION**

### **15. The Role of Environmental Justice and Community in Air Quality Policy Making**

Veronica Eady, Senior Deputy Executive Officer of Policy & Equity, introduced Sacramento City Councilmember and environmental justice advocate, Katherine Valenzuela, who gave the presentation “*The Role of Environmental Justice and Community in Air Quality Policy Making*,” including: about me; legislative authority for air districts; AB 617 Community Air Protection Program; AB 617 monitoring and Community Emissions Reduction Plans; what does environmental justice look like; focus; low-income and disadvantaged communities; process; outcomes; what does 2045 look like; and from one elected to another.

#### **Public Comments**

Public comments were given by LaDonna Williams, All Positives Possible; Andres Soto, CBE; Jed Holtzman, 350 Bay Area; and Richard Gray, 350 Bay Area.

#### **Board Comments**

The Board and staff discussed the importance of educating members of communities on air quality issues and learning from other communities’ experiences; the desire of some Board members for a designated representative from the Environmental Justice community as a voting member of the Board, and the legislative action that would require; how the Air District implements metrics to measure the reduction of air pollution in a given area; and concerns about low-income households who may not be able to afford transitioning from burning fossil fuel to electrification (in their homes.)

#### **Committee Action**

None; receive and file.

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

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

Public comments were given by Jed Holtzman, 350 Bay Area; and Andres Soto, CBE.

## **BOARD MEMBERS’ COMMENTS**

### **17. Board Members’ Comments**

Director Barrett reported that on March 1, 2021, the City of Petaluma adopted an ordinance to prohibit new gas station land uses and enact new regulations for zero-emission vehicles. She also requested that the Air District assist with the installation of Level 3 Electric Vehicle Charging stations.

**OTHER BUSINESS**

**18. Report of the Executive Officer/APCO**

**A. Update on Chevron Incident and Phillips 66 Refineries**

Jack P. Broadbent, Executive Officer/APCO, introduced Damian Breen, Senior Deputy Executive Officer of Operations, who gave staff presentations: *Chevron Oil Spill Summary from February 9, 2021*; and *Phillips 66 Refinery Hydrogen Sulfide Release from February 23, 2021*.

Public Comments

Public comments were given by Andres Soto, CBE; Dr. Raymond Tompkins, African-American Community Health Equity Council; and LaDonna Williams, All Positives Possible.

Board Comments

The Board and staff discussed the suggestion that the Air District requests a third-party, root cause analysis for each of these two refinery incidents; the Air District's Compliance & Enforcement Division's investigations of these incidents; cumulative impacts on the affected fenceline communities; and how to ensure that the refinery facility operators are properly maintaining their infrastructure.

**19. Chairperson's Report**

Chair Chavez announced the following:

- The San Francisco County Board of Supervisors appointed Supervisor Myrna Melgar, to the Air District's Board on February 23, 2021. Her four-year term expires February 1, 2025.
- The Santa Clara County Board of Supervisors reappointed Mountain View City Councilmember, Margaret Abe-Koga, to the Air District's Board on February 9, 2021, for a four-year term, expiring on February 12, 2025.
- The San Francisco County Board of Supervisors reappointed Supervisor Shamann Walton to the Air District's Board on February 23, 2021, for a four-year term, expiring on February 1, 2025.
- The Sonoma County Cities Selection Committee reappointed the Mayor of Petaluma, Teresa Barrett, to the Air District's Board on February 11, 2021, for a two-year term, expiring on February 11, 2023.

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

The next Board of Directors meeting was originally scheduled for Wednesday, April 7, 2021 at 9:30 a.m. After the meeting concluded, the next meeting was scheduled for Wednesday, April 7, 2021 at **8:30 a.m.** via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

21. **Adjournment**

The meeting adjourned at 11:51 a.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: April 1, 2021

Re: Board Communications Received from March 3, 2021 through April 6, 2021

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from March 3, 2021 through April 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: Amanda Balneg  
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: April 1, 2021

Re: Air District Personnel on Out-of-State Business Travel

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified of District personnel who have traveled on out-of-state business.

The report covers the out-of-state business travel for the month of February 2021. The monthly out-of-state business travel report is presented in the months following travel completion.

DISCUSSION

There were no out-of-state business travel activities that occurred in the month of February 2021.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze

Reviewed by: Jeff McKay

**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: April 1, 2021

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

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

In accordance with Resolution No. 2012-08, attached to this memorandum is a listing of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the calendar 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 7A: Notices of Violations for the Month of February 2021



AGENDA 7A - ATTACHMENT

**NOTICES OF VIOLATIONS ISSUED**

The following Notices of Violations were issued in February 2021:

<b>Alameda</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
Altus Draft & Design	Z8640	Oakland	A59111A	2/10/2021	11-2-401.5	Failure to reuse start date.
Berkeley Asphalt Co.	A0123	Berkeley	A58841A	2/4/2021	1-301	Public Nuisance - multiple confirmed complaints.
Berkeley Asphalt Co.	A0123	Berkeley	A58842A	2/9/2021	1-301	Public Nuisance - Multiple Confirmed Complaints.
City of Oakland	Z3906	Oakland	A60193A	2/24/2021	8-7-301.1	Operating without SLC-VR-301AST not maintained.
Delta Americas	E2547	Fremont	A60482A	2/25/2021	2-1-307	Operation of generator unit outside of permitted use per PC# 23107.
Lauren Rivera	Z8636	San Leandro	A59112A	2/10/2021	11-2-401.3	Late Notifier.
P.W. Stephens Environmental, Inc.	Z0961	Hayward	A59113A	2/24/2021	11-2-405	Unpaid Asbestos Operations Fees.
P.W. Stephens Environmental, Inc.	Z0961	Hayward	A59113B	2/24/2021	3-317	Unpaid Asbestos Operations Fees.
P.W. Stephens Environmental, Inc.	Z0961	Hayward	A59497A	2/24/2021	11-2-405	ASB118204 Failure to pay Asbestos Operations Fees.
P.W. Stephens Environmental, Inc.	Z0961	Hayward	A59497B	2/24/2021	3-317	Failure to pay Asbestos Operations Fees.
Restoration Management Company	Z5380	Hayward	A59496A	2/9/2021	11-2-303.6	No viewports.
Salkhi Petroleum, Inc.	Z8126	San Leandro	A60546A	2/9/2021	8-7-302.5	Failed TP 201.3, TP 201.1B, TP 201.1D.
Salkhi Petroleum, Inc.	Z8126	San Leandro	A60546B	2/9/2021	8-7-301.5	Failed TP 201.3, TP 201.1B, TP 201.1D.

Salkhi Petroleum, Inc.	Z8126	San Leandro	A60546C	2/9/2021	8-7-301.6	Failed TP 201.3, TP 201.1B, TP 201.1D.
Tesla, Inc.	A1438	Fremont	A58777A	2/25/2021	2-6-307	s-1002 not abated at all times by SPS TO A-30192; POC emissions at NPS not abated at all times.

<b>Contra Costa</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
Blanco Investments LLC	Z8672	Brentwood	A60565A	2/4/2021	11-2-303	ASB117602 Improper Removal.
Blanco Investments LLC	Z8672	Brentwood	A60565B	2/4/2021	11-2-304	Improper Disposal.
Byron Corner	Z8732	Byron	A60394A	2/16/2021	2-1-307	Exceeding throughput limit (P/C# 7878).
Byron Corner	Z8732	Byron	A60394B	2/16/2021	8-7-302.1	Operating without ISD with actual throughput > 600 k Gal / Year.
Chevron Products Company	A0010	Richmond	A59242A	2/9/2021	2-6-307	Failure to meet permit condition P/C 18656 part 4 and 12.
Chevron Products Company	A0010	Richmond	A59242B	2/9/2021	6-1-301	Excessive visible emissions VE> Ringelmann 1 for 3 min/hr; VE for 5 min/2hr.
Chevron Products Company	A0010	Richmond	A59242C	2/9/2021	10	40CFR 63.670c.
Chevron Products Company	P4764	San Ramon	A60525A	2/18/2021	8-7-302.5	Failed static pressure test Failure to maintain phase II system in proper operating condition.
Delta Fair Chevron	Z8695	San Ramon	A60395A	2/23/2021	8-7-302.1	Uncertified configuration of breakaway fueling pt#'s.

Grand Petroleum, Inc.	Z4381	Concord	A60523A	2/9/2021	8-7-302.1	Operating uncertified phase II breakaway (non-reattachable) on pump #6 (ARB advisory #398).
Lone Tree Shell	C9586	Antioch	A60393A	2/11/2021	2-1-307	PC# 100036 Failure to submit test results within 30 days of test.
Perez Nursery	X9208	Brentwood	A58270A	2/5/2021	5-301	Performing an open burn on an Air District Mandatory No-Burn Day.
Russo's Marina, Inc.	Z8597	Bethel Island	A60390A	2/1/2021	2-1-307	Failure to conduct periodic source testing as required by PC# 16516.
State of CA – Dept. of Water Resources	Z8616	Byron	A60392A	2/5/2021	2-1-307	PC# 10054 Failure to conduct periodic source testing.
State of CA – Dept. of Water Resources	Z8616	Byron	A60392B	2/5/2021	8-7-301.1	Uncertified phase I equipment in use.
Woodbridge Construction	Z8711	El Sobrante	A59114A	2/26/2021	11-2-401.3	Late Notifier.

<b>Napa</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
Quantum Limit Vineyards	N9852	Napa	A60459A	2/16/2021	5-406	Open burn without permit on multiple parcels.
SFD	Z8758	Napa	A59495A	2/4/2021	11-2-303.8	Failure to sample and test.
SFD	Z8758	Napa	A59495B	2/4/2021	11-2-304.1	Failure to keep RACM in leak tight containers.

<b>San Francisco</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
Caltrans - Alemany Main	Z8603	San Francisco	A60545A	2/1/2021	2-1-307	PC# 16516 Source test not performed within 12 months.
Crescent Heights /Swinerton Builders	E1382	San Francisco	A59011A	2/10/2021	2-1-302	Expired PO emergency generator.
The Presidio Trust	B2517	San Francisco	A60430A	2/8/2021	9-8-530	Sources 2-9, 11-14 (standby engines) no monthly records for calendar year 2020.
United Airlines, Inc.	A0051	San Francisco	A59012A	2/19/2021	2-6-307	Pressure drop exceedance and late reporting.
United Airlines, Inc.	A0051	San Francisco	A59012B	2/19/2021	10	CFR 63.745 (g)(3) Pressure drop exceedance and late reporting.

<b>San Mateo</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
Browning-Ferris Industries of CA, Inc.	A2266	Half Moon Bay	A59359A	2/16/2021	2-6-307	Missing monthly data per PC# 10164.21.
City of Menlo Park	A3499	Menlo Park	A60432A	2/11/2021	2-1-307	Decommissioned wells without authority to construct.
Granite Excavation & Demo	Z8666	South San Francisco	A60567A	2/17/2021	11-2-401.5	Failure to revise start date.
Hesperian Wave Corp	Z8614	South San Francisco	A60522A	2/2/2021	2-1-307	Failure to conduct annual air quality test per reg, on permit to operate.
MFD	Z8656	San Bruno	A60569A	2/22/2021	11-2-401.3	No notification.

MFD	Z8681	San Bruno	A60568A	2/22/2021	11-2-303.3	Improper removal and disposal.
MFD	Z8681	San Bruno	A60568B	2/22/2021	11-2-304	Improper removal and disposal.
Nxedge San Carlos	B1551	San Carlos	A60431A	2/8/2021	9-7-404	Operating bliler with heat input >2, <10 MMBTU/hr without registration.
SFD	Z8673	Daly City	A60566A	2/9/2021	11-2-401.3	Improper notification. JASB117602.
Sharp Park Golf Course	Z8633	Pacifica	A60190A	2/10/2021	2-1-307	Non-compliance with Permit Condition #16516. Failure to conduct, pass, and submit annual Source Test.

<b>Santa Clara</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
A Tool Shed	M2663	Campbell	A59399A	2/25/2021	8-7-315	No annual source test since 2013.
Bay Area Auto Service	C7830	Mountain View	A60191A	2/11/2021	8-7-302.5	Failure to maintain phase 2 sys in proper operating condition; static press test fail.
BELFOR Property Restoration	V6482	San Jose	A59110A	2/3/2021	11-2-401.3	Improper notification.
BMI Products of Northern California	E3002	Milpitas	A58776A	2/5/2021	2-1-301	Operating equipment (silos, baghouses, hoppers, ect.) without permit.
BMI Products of Northern California	E3002	Milpitas	A58776B	2/5/2021	2-1-302	Operating equipment (silos, baghouses, hoppers, ect.) without permit.
Gilberto Fernandez	V9729	Campbell	A59149A	2/9/2021	11-2-405	Non-payment of Asbestos Operations Fees.

Gilberto Fernandez	V9729	Campbell	A59149B	2/9/2021	3-317	Non-payment of Asbestos Operations Fees.
Great America Gas & Auto Care	C7225	Santa Clara	A60192A	2/18/2021	8-7-315	Uncertified P/V valve.
JSR Micro, Inc.	B1024	Sunnyvale	A58383A	2/23/2021	2-1-307	Permit condition #14282, inadequate monitoring.
Sacramento ST Gas LLC	Z8738	Milpitas	A60391A	2/3/2021	8-7-302.1	Uncertified reconfiguration of non-reattachable breakaway (pump #5).
Sohal Oil #2	Z8734	San Jose	A60524A	2/17/2021	2-1-307	Failure to contact Annual Quality Test per req. on permit to operate (overdue).
The Irvine Company	E0875	Milpitas	A60481A	2/3/2021	2-1-302	Permit to operate expired 5/1/2017, facility operated generator with no permit.

<b>Solano</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
Flavor Insights	Z8685	Benicia	A59623A	2/18/2021	2-1-307	Failure to meet PC# 5. Data historian not installed or recording temperature data.

<b>Sonoma</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comment</b>
Azari Vineyards	Z8652	Petaluma	A59858A	2/16/2021	5-301	Illegal burn.
Cachita LLC	Z8720	Sonoma	A59277A	2/19/2021	8-7-302.1	Illegal breakaways installed on pumps 1, 5, and 10.

Deposition Sciences, Inc.	B3602	Santa Rosa	A59214A	2/2/2021	2-1-307	Permit Condition #25304, Part 2 - Organic Photoresist Developer exceedance.
Santa Rosa Water - Laguna Treatment Plant	A1403	Santa Rosa	A59215A	2/2/2021	2-6-307	Failed two source tests (June 24, 2020 and November 19, 2020).

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

There was one (1) settlement for \$10,000 or more completed in February 2021.

- 1) On February 9, 2021, the Air District reached a settlement with Martinez Cogen Limited Partnership at Tesoro for \$12,500, regarding the allegations contained in the following Notice of Violation:

<b>NOV #</b>	<b>Issuance Date</b>	<b>Occurrence Date</b>	<b>Regulation</b>	<b>Comments from Enforcement</b>
A58865A	3/28/2019	8/31/2018	2-6-307	NOx greater than 9ppm/3hr average RCA #070J9.



**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: April 1, 2021

Re: Authorization to Execute Contract with Allison+Partners for Spare the Air Advertising and Messaging Campaigns

RECOMMENDED ACTION

Recommend Board of Directors authorize the Executive Officer/APCO to execute a contract with Allison+Partners, in an amount not to exceed \$1,950,000 per contract year, during Fiscal Years Ending (FYE) 2022 and 2023, and \$2,019,000 for FYE 2024.

Vendor	Amount	Service Description
Allison+Partners	\$1,950,000 FYE 2022 and 2023; and \$2,019,000 FYE 2024	Lead contractor for the Spare the Air advertising and messaging campaigns

BACKGROUND

The Air District’s Communications Office relies on contractors to assist with various aspects of its advertising and outreach programs. The Communications Office recently completed a Request for Proposal (RFP) process to solicit responses for the following services: Advertising, Media Relations, Social Media, Public Opinion Surveys, and Employer Outreach services.

- **Advertising Services:** To develop professional quality broadcast, print, digital advertising, and educational materials for the Spare the Air campaigns.
- **Media/Public Relations Services:** To provide media relations services to promote activities through the media that support the Spare the Air campaigns.
- **Social Media Services:** To provide social media strategies including concept development, writing, design, production, and technical services.
- **Public Opinion Survey Services:** To measure the effectiveness of the Air District’s Spare the Air Summer and Winter campaigns and assess public behavior patterns/change.

- **Employer Outreach Services:** To notify Bay Area employers of the Commuter Benefits Program requirements, encourage employers in the Spare the Air Employer Program to sign the Cut the Commute Pledge, educate their employees about air quality, notify them when a Spare the Air Alert is called and change commute behaviors to benefit air quality.

DISCUSSION

The RFP for Spare the Air Advertising, Communications and Evaluation Services was released on December 7, 2020. The RFP was posted on the Air District website for three weeks and sent to various media relations and advertising firms in the Bay Area.

A panel of three Air District staff and one Metropolitan Transportation Commission staff, performed a thorough evaluation of proposals and conducted interviews based on the six evaluation criteria outlined in the RFP:

Expertise	30
Skill	20
Approach	20
Cost	15
Local/Green	10
References	5
<b>Total Points</b>	<b>100</b>

Air District staff presented an overview of the RFP selection process at the February 17, 2021 Administrative Committee and is providing an unexecuted copy of Allison+Partners contract for Board approval.

<b>Vendor</b>	<b>Type of Services</b>	<b>Contract</b>	<b>Procurement Method</b>
Allison+Partners	Spare the Air summer and winter campaign advertising and messaging development	2021-031	Request for Proposal process in conjunction with the District’s Business Services Division.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for this contract comes from the following sources:

- Spare the Air Summer
  - Congestion Mitigation Air Quality - \$925,000 per contract year
  - Transportation Fund for Clean Air - \$200,000 per contract year
  
- Spare the Air Winter
  - General Revenue - \$825,000 per contract year
  - General Revenue - \$894,000 contract year

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kristina Chu  
Reviewed by: Kristine Roselius

Attachment 8A: Allison+Partners unexecuted contract for Spare the Air Advertising and Messaging Campaigns

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**MASTER SERVICES CONTRACT**

**CONTRACT NO. 2021.031**

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 **Allison & Partners LLC** (“CONTRACTOR”) whose address is 40 Gold Street, San Francisco, CA 94133.
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 as defined herein. DISTRICT is entering into this Contract based on CONTRACTOR’s stated qualifications to perform the Services.
  - B. Work to be performed by CONTRACTOR under this Contract will be funded in part with federal funding from the Congestion Mitigation and Air Quality (“CMAQ”) Improvement Program provided by the Federal Highway Administration (“FHWA”) and administered by the California Department of Transportation (“CALTRANS”).
  - C. Work to be performed by CONTRACTOR under this Contract will also be funded in part by funds from DISTRICT’s Transportation Fund for Clean Air (“TFCA”).
  - D. All parties to this Contract have had the opportunity to have this contract reviewed by their attorney.
3. DEFINITIONS
  - A. “Purchase Order” shall mean the written or electronic document used by DISTRICT to track payments to CONTRACTOR under this Contract.
  - B. “Services” shall mean the services to be provided by CONTRACTOR hereunder as generally described in the General Description of Services, attached hereto as Attachment A and made a part hereof by this reference, and as specifically described in Task Orders issued pursuant to this Contract.
  - C. “Task Order” shall mean a written request by DISTRICT for specific services to be performed by CONTRACTOR.
4. 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.
5. TERM – The term of this Contract is from July 1, 2021 to June 30, 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.
6. 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 13 below. Immediately upon receipt of the notice of termination, CONTRACTOR shall cease all services under this Contract, except such services as are specified in the notice of termination. CONTRACTOR shall deliver a final invoice for all remaining services performed but not billed, including any services 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 complete 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 13.
    - v) The non-breaching party reserves all rights under law and equity to enforce this Contract and recover any damages.
7. 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.

#### 8. 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.

#### 9. AGREEMENT TO PROVIDE SERVICES

- A. CONTRACTOR hereby agrees to provide to DISTRICT, as DISTRICT may from time to time designate, such services as DISTRICT may order by Task Order, all in accordance with and subject to the terms, covenants and conditions of this Contract. DISTRICT agrees to pay for these services ordered by DISTRICT in accordance with and subject to the terms, covenants and conditions of this Contract.
- B. All Task Orders issued by DISTRICT to CONTRACTOR for services during the term of this Contract are subject to the provisions of this Contract as though fully set forth in such Task Order. In the event that the provisions of this Contract conflict with any Task Order issued by DISTRICT to CONTRACTOR, the provisions of this Contract shall govern. No other terms and conditions, including, but not limited to, those contained in CONTRACTOR's standard printed terms and conditions, on CONTRACTOR's order acknowledgment, invoices or otherwise, shall have any

application to or effect upon or be deemed to constitute an amendment to or to be incorporated into this Contract, any Task Order, or any transactions occurring pursuant hereto or thereto, unless this Contract shall be specifically amended to adopt such other terms and conditions in writing by the parties.

- C. Notwithstanding any other provision of this Contract to the contrary, DISTRICT shall have no obligation to order or purchase any services hereunder and the placement of any Task Order shall be in the sole discretion of DISTRICT. Without limiting the generality of the foregoing, the actual quantity of services to be purchased hereunder shall be determined by DISTRICT in its sole discretion and shall not exceed \$1,950,000. This Contract is not exclusive. CONTRACTOR expressly acknowledges and agrees that DISTRICT may purchase at its sole discretion, services that are identical or similar to the services described in this Contract from any third party.

10. TASK ORDERS – Each Task Order will specify the following items, as relevant: specific services requested, schedule for services, location where services are to be performed (with contact person), and cost or estimated cost of services. Each Task Order issued under this Contract shall be made part of, and be incorporated into this Contract, and shall reference this Contract on the face of each Task Order. Should any Task Order not conform to or satisfy the terms of this Contract, CONTRACTOR shall have five (5) business days after receipt to reject the Task Order. By not rejecting the Task Order within five (5) business days, CONTRACTOR will have accepted the Task Order. Acceptance by CONTRACTOR is limited to the provisions of this Contract and the Task Order. No additional or different provisions proposed by CONTRACTOR or DISTRICT shall apply. In addition, the parties agree that this Contract and accepted Task Orders constitute a contract for services and satisfy all statutory and legal formalities of a contract.

11. PRICING, INVOICES, AND PAYMENT

- A. DISTRICT shall pay CONTRACTOR for all services ordered and provided in compliance with the terms and conditions of this Contract and with Task Orders issued under this Contract.
- B. CONTRACTOR shall submit original invoices to DISTRICT in form and substance and format reasonably acceptable to DISTRICT. Each invoice, including supporting documentation, must be prepared in duplicate on CONTRACTOR's letterhead; must list DISTRICT's contract number, Purchase Order Number, and the CONTRACTOR's Social Security Number or Federal Employer Identification Number; and must be submitted to: Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105, Attn: Contracts Manager.
- C. Except as specifically set forth in Attachment A or in Task Orders under this Contract, DISTRICT shall not be responsible for any additional costs or expenses of any nature incurred by CONTRACTOR in connection with the provision of the services, including without limitation travel expenses, clerical or administrative personnel, long distance telephone charges, etc.
- D. CONTRACTOR represents, warrants and covenants that the prices, charges and fees for services set forth in this Contract (on the whole) are at least as favorable as the prices, charges and fees CONTRACTOR charges (on the whole) to other of its customers or clients for the same or substantially similar services provided under the same or substantially similar circumstances, terms, and conditions. If CONTRACTOR agrees or contracts with other clients or customers similarly situated during the Term of this Contract, and offers or agrees to financial terms more favorable than those set forth herein (on the whole), CONTRACTOR hereby agrees that it will reduce the prices, charges and/or fees charged to DISTRICT in respect of the services hereunder to the most favorable rates received by those other clients or customers.

12. 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 the total value of all Task Orders issued under this Contract. The mediation costs shall not reduce the maximum amount recoverable under this section.
13. 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: Kristina Chu

CONTRACTOR: Allison & Partners LLC  
40 Gold Street  
San Francisco, CA 94133  
Attn: Meghan Curtis

14. 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.

15. 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. DISTRICT reserves the right to review the credentials to perform the services for 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.

16. 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.

17. 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.

18. 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.
19. 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 services 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.
  20. 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.
  21. 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.
  22. 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.

23. 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.
24. 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.
25. 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.
26. 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.
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 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.
29. 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.
30. SURVIVAL OF TERMS – The provisions of sections 8 (Indemnification), 16 (Confidentiality), 17 (Intellectual Property Rights), and 18 (Publication) shall survive the expiration or termination of this Contract.

### 31. FEDERAL FUNDING REQUIREMENTS

#### A. Non-Discrimination and Statement of Compliance

- i) CONTRACTOR's signature affixed herein and dated shall constitute a certification under penalty of perjury under the laws of the State of California that CONTRACTOR has, unless exempt, complied with the nondiscrimination program requirements of Gov. Code §12990 and 2 CCR § 8103.
- ii) During the performance of this Contract, CONTRACTOR and its subcontractors shall not deny the Contract's benefits to any person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, nor shall they unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. CONTRACTOR and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment.
- iii) CONTRACTOR and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 et seq.), the applicable regulations promulgated there under (2 CCR §11000 et seq.), the provisions of Gov. Code §§11135-11139.5, and the regulations or standards adopted by DISTRICT to implement such article. The applicable regulations of the Fair Employment and Housing Commission implementing Gov. Code §12990 (a-f), set forth 2 CCR §§8100-8504, are incorporated into this Contract by reference and made a part hereof as if set forth in full.
- iv) CONTRACTOR shall permit access by representatives of the Department of Fair Employment and Housing and the DISTRICT upon reasonable notice at any time during the normal business hours, but in no case less than twenty-four (24) hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or DISTRICT shall require to ascertain compliance with this clause.
- v) CONTRACTOR and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.
- vi) CONTRACTOR shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under this Contract.
- vii) CONTRACTOR, with regard to the work performed under this Contract, shall act in accordance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq.). Title VI provides that the recipients of federal assistance will implement and maintain a policy of nondiscrimination in which no person in the United States shall, on the basis of race, color, national origin, religion, sex, age, disability, be excluded from participation in, denied the benefits of or subject to discrimination under any program or activity by the recipients of federal assistance or their assignees and successors in interest.
- viii) CONTRACTOR shall comply with regulations relative to non-discrimination in federally assisted programs of the U.S. Department of Transportation (49 CFR Part 21 - Effectuation of Title VI of the Civil Rights Act of 1964). Specifically, the CONTRACTOR shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR §21.5, including employment practices and the selection and retention of subcontractors.

ix) CONTRACTOR, subrecipient or subcontractor will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR 26 on the basis of race, color, sex, or national origin. In administering the DISTRICT components of the Disadvantaged Business Enterprises (DBE) Program Plan, CONTRACTOR, subrecipient or subcontractor will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program Plan with respect to individuals of a particular race, color, sex, or national origin.

B. Cost Principles and Administrative Requirements

- i) CONTRACTOR agrees that 48 CFR Part 31, Contract Cost Principles and Procedures, shall be used to determine the allowability of individual terms of cost.
- ii) CONTRACTOR also agrees to comply with Federal procedures in accordance with 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- iii) Any costs for which payment has been made to the CONTRACTOR that are determined by subsequent audit to be unallowable under 48 CFR Part 31 or 2 CFR Part 200 are subject to repayment by CONTRACTOR to DISTRICT.
- iv) When a CONTRACTOR or subcontractor is a Non-Profit Organization or an Institution of Higher Education, the Cost Principles for Title 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards shall apply.

C. Contingent Fee - CONTRACTOR warrants, by execution of this Contract that no person or selling agency has been employed, or retained, to solicit or secure this Contract upon an agreement or understanding, for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees, or bona fide established commercial or selling agencies maintained by CONTRACTOR for the purpose of securing business. For breach or violation of this warranty, DISTRICT has the right to annul this Contract without liability; pay only for the value of the work actually performed, or in its discretion to deduct from the Contract price or consideration, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

D. Retention of Records/Audits - For the purpose of determining compliance with Gov. Code § 8546.7, the CONTRACTOR, subcontractors, and DISTRICT shall maintain all books, documents, papers, accounting records, Independent CPA Audited Indirect Cost Rate workpapers, and other evidence pertaining to the performance of the Contract including, but not limited to, the costs of administering the Contract. All parties, including the CONTRACTOR's Independent CPA, shall make such workpapers and materials available at their respective offices at all reasonable times during the Contract period and for three (3) years from the date of final payment under the Contract. DISTRICT, Caltrans Auditor, FHWA, or any duly authorized representative of the Federal government having jurisdiction under Federal laws or regulations (including the basis of Federal funding in whole or in part) shall have access to any books, records, and documents of the CONTRACTOR, subcontractors, and the CONTRACTOR's Independent CPA, that are pertinent to the Contract for audits, examinations, workpaper review, excerpts, and transactions, and copies thereof shall be furnished if requested without limitation.

E. Subcontracting

- i) Nothing contained in this Contract or otherwise, shall create any contractual relation

between DISTRICT and any subcontractors, and no subcontract shall relieve the CONTRACTOR of its responsibilities and obligations hereunder. CONTRACTOR agrees to be as fully responsible to the DISTRICT for the acts and omissions of its subcontractors 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 CONTRACTOR. CONTRACTOR's obligation to pay its subcontractors is an independent obligation from the DISTRICT's obligation to make payments to the CONTRACTOR.

- ii) CONTRACTOR shall perform the work contemplated with resources available within its own organization and no portion of the work shall be subcontracted without written authorization by DISTRICT Contract Administrator, except that which is expressly identified in the CONTRACTOR's approved Cost Proposal.
- iii) Any subcontract entered into as a result of this Contract, shall contain all the provisions stipulated in this entire Contract to be applicable to subcontractors unless otherwise noted.
- iv) CONTRACTOR shall pay its subcontractors within Fifteen (15) calendar days from receipt of each payment made to CONTRACTOR by DISTRICT.
- v) Any substitution of subcontractors must be approved in writing by DISTRICT Contract Administrator in advance of assigning work to a substitute subcontractor.
- vi) Prompt Progress Payment - CONTRACTOR or subcontractor shall pay to any subcontractor, not later than fifteen (15) days after receipt of each progress payment, unless otherwise agreed to in writing, the respective amounts allowed CONTRACTOR on account of the work performed by the subcontractors, to the extent of each subcontractor's interest therein. In the event that there is a good faith dispute over all or any portion of the amount due on a progress payment from CONTRACTOR or subcontractor to a subcontractor, CONTRACTOR or subcontractor may withhold no more than 150 percent of the disputed amount. Any violation of this requirement shall constitute a cause for disciplinary action and shall subject the licensee to a penalty, payable to the subcontractor, of 2 percent of the amount due per month for every month that payment is not made. In any action for the collection of funds wrongfully withheld, the prevailing party shall be entitled to his or her attorney's fees and costs. The sanctions authorized under this requirement shall be separate from, and in addition to, all other remedies, either civil, administrative, or criminal. This clause applies to both DBE and non-DBE subcontractors.
- vii) Prompt Payment of Withheld Funds to Subcontractors - DISTRICT may hold retainage from CONTRACTOR and shall make prompt and regular incremental acceptances of portions, as determined by DISTRICT, of the contract work, and pay retainage to CONTRACTOR based on these acceptances. DISTRICT has designated the method below to ensure prompt and full payment of any retainage kept by CONTRACTOR or subcontractor to a subcontractor.
  - a. No retainage will be held by DISTRICT from progress payments due to CONTRACTOR. Any retainage kept by CONTRACTOR or by a subcontractor must be paid in full to the earning subcontractor within 15 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the DISTRICT's prior written approval. Any violation of these provisions shall subject the violating CONTRACTOR or subcontractor to the penalties, sanctions, and remedies

specified in Section 3321 of the California Civil Code. This requirement shall not be construed to limit or impair any contractual, administrative or judicial remedies, otherwise available to CONTRACTOR or subcontractor in the event of a dispute involving late payment or nonpayment by CONTRACTOR, deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

F. Equipment Purchase and Other Capital Expenditures

- i) Prior authorization in writing by DISTRICT's Contract Administrator shall be required before CONTRACTOR enters into any unbudgeted purchase order, or subcontract exceeding five thousand dollars (\$5,000) for supplies, equipment, or CONTRACTOR services. CONTRACTOR shall provide an evaluation of the necessity or desirability of incurring such costs.
- ii) For purchase of any item, service, or consulting work not covered in CONTRACTOR's approved Cost Proposal and exceeding five thousand dollars (\$5,000), with prior authorization by DISTRICT's Contract Administrator, three competitive quotations must be submitted with the request, or the absence of proposal must be adequately justified.
- iii) Any equipment purchased with funds provided under the terms of this Contract is subject to the following:
  - a. CONTRACTOR shall maintain an inventory of all nonexpendable property. Nonexpendable property is defined as having a useful life of at least two years and an acquisition cost of five thousand dollars (\$5,000) or more. If the purchased equipment needs replacement and is sold or traded in, DISTRICT shall receive a proper refund or credit at the conclusion of the Contract, or if the Contract is terminated, CONTRACTOR may either keep the equipment and credit DISTRICT in an amount equal to its fair market value, or sell such equipment at the best price obtainable at a public or private sale, in accordance with established DISTRICT procedures; and credit DISTRICT in an amount equal to the sales price. If CONTRACTOR elects to keep the equipment, fair market value shall be determined at CONTRACTOR's expense, on the basis of a competent independent appraisal of such equipment. Appraisals shall be obtained from an appraiser mutually agreeable to by DISTRICT and CONTRACTOR, if it is determined to sell the equipment, the terms and conditions of such sale must be approved in advance by DISTRICT.
  - b. Regulation 2 CFR Part 200 requires a credit to Federal funds when participating equipment with a fair market value greater than five thousand dollars (\$5,000) is credited to the project.

G. Rebates, Kickbacks or Other Unlawful Consideration - CONTRACTOR warrants that this Contract was not obtained or secured through rebates, kickbacks or other unlawful consideration either promised or paid to any DISTRICT employee. For breach or violation of this warranty, DISTRICT shall have the right, in its discretion, to terminate this Contract without liability, to pay only for the value of the work actually performed, or to deduct from this Contract price or otherwise recover the full amount of such rebate, kickback or other unlawful consideration.

H. State Prevailing Wage Rates for Public Works Projects

- i) No contractor or subcontractor may be awarded a contract containing public work elements unless registered with the Department of Industrial Relations (DIR) pursuant to Labor Code §1725.5. Registration with DIR must be maintained throughout the entire

term of this Contract, including any subsequent amendments.

- ii) CONTRACTOR shall comply with all of the applicable provisions of the California Labor Code requiring the payment of prevailing wages. The General Prevailing Wage Rate Determinations applicable to work under this Contract are available and on file with the Department of Transportation's Regional/District Labor Compliance Officer (<https://dot.ca.gov/programs/construction/labor-compliance>). These wage rates are made a specific part of this Contract by reference pursuant to Labor Code §1773.2 and will be applicable to work performed at a construction project site. Prevailing wages will be applicable to all inspection work performed at DISTRICT construction sites, at DISTRICT facilities and at off-site locations that are set up by the construction contractor or one of its subcontractors solely and specifically to serve DISTRICT projects. Prevailing wage requirements do not apply to inspection work performed at the facilities of vendors and commercial materials suppliers that provide goods and services to the general public.
- iii) General Prevailing Wage Rate Determinations applicable to this project may also be obtained from the Department of Industrial Relations website at <http://www.dir.ca.gov>.
- iv) Payroll Records
  - a. CONTRACTOR and subcontractor shall keep accurate certified payroll records and supporting documents as mandated by Labor Code §1776 and as defined in 8 CCR §16000 showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by CONTRACTOR or subcontractor in connection with the public work. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following:
    - The information contained in the payroll record is true and correct.
    - The employer has complied with the requirements of Labor Code §1771, §1811, and §1815 for any work performed by his or her employees on the public works project.
  - b. The payroll records enumerated under paragraph (i) above shall be certified as correct by CONTRACTOR under penalty of perjury. The payroll records and all supporting documents shall be made available for inspection and copying by DISTRICT representatives at all reasonable hours at the principal office of CONTRACTOR. CONTRACTOR shall provide copies of certified payrolls or permit inspection of its records as follows:
    - A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or the employee's authorized representative on request.
    - A certified copy of all payroll records enumerated in paragraph (a) above, shall be made available for inspection or furnished upon request to a representative of DISTRICT, the Division of Labor Standards Enforcement and the Division of Apprenticeship Standards of the Department of Industrial Relations. Certified payrolls submitted to DISTRICT, the Division of Labor Standards Enforcement and the Division of Apprenticeship Standards shall



not be altered or obliterated by CONTRACTOR.

- The public shall not be given access to certified payroll records by CONTRACTOR. CONTRACTOR is required to forward any requests for certified payrolls to DISTRICT's Contract Administrator by both email and regular mail on the business day following receipt of the request.
- c. CONTRACTOR shall submit a certified copy of the records enumerated in paragraph (a) above, to the entity that requested the records within ten (10) calendar days after receipt of a written request.
- d. Any copy of records made available for inspection as copies and DISTRICT AGENCY shall be marked or obliterated in such a manner as to prevent disclosure of each individual's name, address, and social security number. The name and address of the CONTRACTOR or subcontractor performing the work shall not be marked or obliterated.
- e. CONTRACTOR shall inform DISTRICT of the location of the records enumerated under paragraph (a) above, including the street address, city and county, and shall, within five (5) working days, provide a notice of a change of location and address.
- f. CONTRACTOR or subcontractor shall have ten (10) calendar days in which to comply subsequent to receipt of written notice requesting the records enumerated in paragraph (a) above. In the event the CONTRACTOR or subcontractor fails to comply within the ten (10) day period, he or she shall, as a penalty to DISTRICT, forfeit one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Such penalties shall be withheld by DISTRICT from payments then due. CONTRACTOR is not subject to a penalty assessment pursuant to this section due to the failure of a subcontractor to comply with this section.
- v) When prevailing wage rates apply, CONTRACTOR is responsible for verifying compliance with certified payroll requirements. Invoice payment will not be made until the invoice is approved by the DISTRICT Contract Administrator.
- vi) Penalty
  - a. CONTRACTOR and any of its subcontractor shall comply with Labor Code §1774 and §1775. Pursuant to Labor Code §1775, CONTRACTOR and any subcontractor shall forfeit to DISTRICT a penalty of not more than two hundred dollars (\$200) for each calendar day, or portion thereof, for each worker paid less than the prevailing rates as determined by the Director of DIR for the work or craft in which the worker is employed for any public work done under the Contract by the CONTRACTOR or by its subcontractor in violation of the requirements of the Labor Code and in particular, Labor Code §§1770 to 1780, inclusive.
  - b. The amount of this forfeiture shall be determined by the Labor Commissioner and shall be based on consideration of mistake, inadvertence, or neglect of the CONTRACTOR or subcontractor in failing to pay the correct rate of prevailing wages, or the previous record of the CONTRACTOR subcontractor in meeting their respective prevailing wage obligations, or the willful failure by CONTRACTOR or subcontractor to pay the correct rates of prevailing wages.

mistake, inadvertence, or neglect in failing to pay the correct rates of prevailing wages is not excusable if CONTRACTOR or subcontractor had knowledge of the obligations under the Labor Code. CONTRACTOR is responsible for paying the appropriate rate, including any escalations that take place during the term of the Contract.

- c. In addition to the penalty and pursuant to Labor Code §1775, the difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the CONTRACTOR or subcontractor.
- d. If a worker employed by a subcontractor on a public works project is not paid the general prevailing per diem wages by the subcontractor, the prime contractor of the project is not liable for the penalties described above unless the prime contractor had knowledge of that failure of the subcontractor to pay the specified prevailing rate of wages to those workers or unless the prime contractor fails to comply with all of the following requirements:
  - The Contract executed between CONTRACTOR and the subcontractor for the performance of work on public works projects shall include a copy of the requirements in Labor Code §§ 1771, 1775, 1776, 1777.5, 1813, and 1815.
  - CONTRACTOR shall monitor the payment of the specified general prevailing rate of per diem wages by the subcontractor to the employees by periodic review of the certified payroll records of the subcontractor.
  - Upon becoming aware of the subcontractor's failure to pay the specified prevailing rate of wages to the subcontractor's workers, CONTRACTOR shall diligently take corrective action to halt or rectify the failure, including but not limited to, retaining sufficient funds due the subcontractor for work performed on the public works project.
  - Prior to making final payment to the subcontractor for work performed on the public works project, CONTRACTOR shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor had paid the specified general prevailing rate of per diem wages to the subcontractor's employees on the public works project and any amounts due pursuant to Labor Code §1813.
- e. Pursuant to Labor Code §1775, DISTRICT shall notify CONTRACTOR on a public works project within fifteen (15) calendar days of receipt of a complaint that a Subconsultant has failed to pay workers the general prevailing rate of per diem wages.
- f. If DISTRICT determines that employees of a subcontractor were not paid the general prevailing rate of per diem wages and if DISTRICT did not retain sufficient money under the Contract to pay those employees the balance of wages owed under the general prevailing rate of per diem wages, CONTRACTOR shall withhold an amount of moneys due the subcontractor

sufficient to pay those employees the general prevailing rate of per diem wages if requested by DISTRICT.

g. Hours of Labor - Eight (8) hours labor constitutes a legal day's work. CONTRACTOR shall forfeit, as a penalty to the DISTRICT, twenty-five dollars (\$25) for each worker employed in the execution of the Contract by CONTRACTOR or any of its subcontractors for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week in violation of the provisions of the Labor Code, and in particular §§1810 to 1815 thereof, inclusive, except that work performed by employees in excess of eight (8) hours per day, and forty (40) hours during any one week, shall be permitted upon compensation for all hours worked in excess of eight (8) hours per day and forty (40) hours in any week, at not less than one and one-half (1.5) times the basic rate of pay, as provided in §1815.

h. Employment of Apprentices

- Where either the prime Contract or the subcontract exceeds thirty thousand dollars (\$30,000), CONTRACTOR and any subcontractors under him or her shall comply with all applicable requirements of Labor Code §§ 1777.5, 1777.6 and 1777.7 in the employment of apprentices.
- CONTRACTOR and subcontractors are required to comply with all Labor Code requirements regarding the employment of apprentices, including mandatory ratios of journey level to apprentice workers. Prior to commencement of work, CONTRACTOR and subcontractors are advised to contact the DIR Division of Apprenticeship Standards website at <https://www.dir.ca.gov/das/>, for additional information regarding the employment of apprentices and for the specific journey-to-apprentice ratios for the Contract work. CONTRACTOR is responsible for all subcontractors' compliance with these requirements. Penalties are specified in Labor Code §1777.7.

I. Prohibition of Expending DISTRICT, State, or Federal Funds for Lobbying

i) CONTRACTOR certifies, to the best of his or her knowledge and belief, that:

- a. No State, Federal, or DISTRICT appropriated funds have been paid or will be paid, by or on behalf of the CONTRACTOR, to any person for influencing or attempting to influence an officer or employee of any local, State, or Federal agency, a Member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or any employee of a Member of the Legislature or Congress in connection with the awarding or making of this Contract, or with the extension, continuation, renewal, amendment, or modification of this Contract.
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Contract, the CONTRACTOR shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

- ii) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than ten thousand dollars (\$10,000) and not more than one hundred thousand dollars (\$100,000) for each such failure.
- iii) CONTRACTOR also agrees by signing this document that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed one hundred thousand dollars (\$100,000), and that all such subrecipients shall certify and disclose accordingly.

J. Debarment and Suspension Certification

- i) CONTRACTOR's signature affixed herein shall constitute a certification under penalty of perjury under the laws of the State of California, that the CONTRACTOR or any person associated therewith in the capacity of owner, partner, director, officer or manager:
  - a. Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
  - b. Has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three (3) years;
  - c. Does not have a proposed debarment pending; and
  - d. Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.
- ii) Any exceptions to this certification must be disclosed to DISTRICT. Exceptions will not necessarily result in denial of recommendation for award, but will be considered in determining responsibility. Disclosures must indicate the party to whom the exceptions apply, the initiating agency, and the dates of agency action.
- iii) Exceptions to the Federal Government Excluded Parties List System maintained by the U.S. General Services Administration are to be determined by FHWA.

K. Disadvantaged Business Enterprises Participation

- i) CONTRACTOR, DISTRICT, or subcontractor shall take necessary and reasonable steps to ensure that DBEs have opportunities to participate in the contract (49 CFR 26). To ensure equal participation of DBEs provided in 49 CFR 26.5, DISTRICT shows a contract goal for DBEs. CONTRACTOR shall make work available to DBEs and select work parts consistent with available DBE subcontractors and suppliers. CONTRACTOR shall meet the DBE goal shown elsewhere in these special provisions or demonstrate that they made adequate good faith efforts to meet this goal. It is CONTRACTOR's responsibility to verify that the DBE firm is certified as DBE at date of proposal opening and document the record by printing out the California Unified Certification Program (CUCP) data for each DBE firm. A list of DBEs certified by the CUCP can be found [here](#). All DBE participation will count toward the California Department of Transportation's federally mandated statewide overall DBE goal. Credit for materials or supplies CONTRACTOR purchases from DBEs counts towards the goal in the following manner:
  - a. 100 percent counts if the materials or supplies are obtained from a DBE manufacturer.
  - b. 60 percent counts if the materials or supplies are purchased from a DBE regular dealer.

- c. Only fees, commissions, and charges for assistance in the procurement and delivery of materials or supplies count if obtained from a DBE that is neither a manufacturer nor regular dealer. 49CFR26.55 defines "manufacturer" and "regular dealer."
- ii) This Contract is subject to 49 CFR Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs". Contractors who enter into a federally-funded agreement will assist DISTRICT in a good faith effort to achieve California's statewide overall DBE goal.
- iii) The goal for DBE participation for this Contract is 15%. Participation by DBE CONTRACTOR or subcontractor shall be in accordance with information contained in [Exhibit 10-O1: Consultant Proposal DBE Commitment](#), or in [Exhibit 10-O2: Consultant Contract DBE Commitment](#) hyperlinked hereto and incorporated as part of the Contract. If a DBE subcontractor is unable to perform, CONTRACTOR must make a good faith effort to replace him/her with another DBE subcontractor, if the goal is not otherwise met.
- iv) CONTRACTOR can meet the DBE participation goal by either documenting commitments to DBEs to meet the Contract goal, or by documenting adequate good faith efforts to meet the Contract goal. An adequate good faith effort means that the CONTRACTOR must show that it took all necessary and reasonable steps to achieve a DBE goal that, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to meet the DBE goal. If CONTRACTOR has not met the DBE goal, complete and submit [Exhibit 15-H: DBE Information – Good Faith Efforts](#) to document efforts to meet the goal. Refer to 49 CFR Part 26 for guidance regarding evaluation of good faith efforts to meet the DBE goal.
- v) Contract Assurance - Under 49 CFR 26.13(b), CONTRACTOR, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. CONTRACTOR shall carry out applicable requirements of 49 CFR 26 in the award and administration of federal-aid contracts. Failure by the CONTRACTOR to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to: (1) Withholding monthly progress payments; (2) Assessing sanctions; (3) Liquidated damages; and/or (4) Disqualifying CONTRACTOR from future proposing as non-responsible.
- vi) Termination and Substitution of DBE subcontractors - CONTRACTOR shall utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless CONTRACTOR or DBE subcontractor obtains the DISTRICT's written consent. CONTRACTOR shall not terminate or substitute a listed DBE for convenience and perform the work with their own forces or obtain materials from other sources without authorization from the DISTRICT. Unless the DISTRICT's consent is provided, CONTRACTOR shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE on the [Exhibit 10-O2 Consultant Contract DBE Commitment](#) form. DISTRICT authorizes a request to use other forces or sources of materials if CONTRACTOR shows any of the following justifications:
  - a. Listed DBE fails or refuses to execute a written contract based on plans and specifications for the project.
  - b. DISTRICT stipulated that a bond is a condition of executing the subcontract and the listed DBE fails to meet the DISTRICT's bond requirements.

- c. Work requires a consultant's license and listed DBE does not have a valid license under Contractors License Law.
- d. Listed DBE fails or refuses to perform the work or furnish the listed materials (failing or refusing to perform is not an allowable reason to remove a DBE if the failure or refusal is a result of bad faith or discrimination).
- e. Listed DBE's work is unsatisfactory and not in compliance with the contract.
- f. Listed DBE is ineligible to work on the project because of suspension or debarment.
- g. Listed DBE becomes bankrupt or insolvent.
- h. Listed DBE voluntarily withdraws with written notice from the Contract.
- i. Listed DBE is ineligible to receive credit for the type of work required.
- j. Listed DBE owner dies or becomes disabled resulting in the inability to perform the work on the Contract.
- k. DISTRICT determines other documented good cause.

CONTRACTOR shall notify the original DBE of the intent to use other forces or material sources and provide the reasons and provide the DBE with 5 days to respond to the notice and advise CONTRACTOR and DISTRICT of the reasons why the use of other forces or sources of materials should not occur. CONTRACTOR's request to use other forces or material sources must include:

- a. One or more of the reasons listed in the preceding paragraph.
- b. Notices from CONTRACTOR to the DBE regarding the request.
- c. Notices from the DBEs to CONTRACTOR regarding the request.

If a listed DBE is terminated or substituted, CONTRACTOR must make good faith efforts to find another DBE to substitute for the original DBE. The substitute DBE must perform at least the same amount of work as the original DBE under the contract to the extent needed to meet or exceed the DBE goal.

vii) Commitment and Utilization - DISTRICT's DBE program must include a monitoring and enforcement mechanism to ensure that DBE commitments reconcile to DBE utilization. DISTRICT shall request CONTRACTOR to:

- a. Notify the DISTRICT's contract administrator or designated representative of any changes to its anticipated DBE participation
- b. Provide this notification before starting the affected work
- c. Maintain records including:
  - Name and business address of each 1st-tier subconsultant
  - Name and business address of each DBE subconsultant, DBE vendor, and DBE trucking company, regardless of tier
  - Date of payment and total amount paid to each business (see [Exhibit 9-F Monthly Disadvantaged Business Enterprise Payment](#))

If CONTRACTOR is a DBE contractor, they shall include the date of work performed by their own forces and the corresponding value of the work. If a DBE is decertified before completing its work, the DBE must notify CONTRACTOR in writing of the decertification date. If a business becomes a certified DBE before completing its work, the business must notify CONTRACTOR in writing of the certification date. CONTRACTOR shall submit the notifications to DISTRICT. On work completion, CONTRACTOR shall complete [Exhibit 17-O](#)

[Disadvantaged Business Enterprises \(DBE\) Certification Status Change](#) form and submit the form to the DISTRICT within 30 days of contract acceptance. Upon work completion, CONTRACTOR shall complete [Exhibit 17-F Final Report – Utilization of Disadvantaged Business Enterprises \(DBE\), First-Tier Subcontractors](#) and submit it to the DISTRICT within 90 days of contract acceptance. DISTRICT will withhold \$10,000 until the form is submitted. DISTRICT will release the withhold upon submission of the completed form. In the DISTRICT's reports of DBE participation to Caltrans, DISTRICT must display both commitments and attainments.

- viii) A DBE is only eligible to be counted toward the Contract goal if it performs a Commercially Useful Function (CUF) on the Contract. CUF must be evaluated on a contract by contract basis. A DBE performs a CUF when it is responsible for execution of the work of the Contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a CUF, the DBE must also be responsible, with respect to materials and supplies used on the Contract, for negotiating price, determining quality and quantity, ordering the material and installing (where applicable), and paying for the material itself. To determine whether a DBE is performing a CUF, evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the Contract is commensurate with the work it is actually performing, and other relevant factors.
- ix) A DBE does not perform a CUF if its role is limited to that of an extra participant in a transaction, Contract, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, examine similar transactions, particularly those in which DBEs do not participate.
- x) If a DBE does not perform or exercise responsibility for at least thirty percent (30%) of the total cost of its Contract with its own work force, or the DBE subcontracts a greater portion of the work of the Contract than would be expected on the basis of normal industry practice for the type of work involved, it will be presumed that it is not performing a CUF.
- xi) CONTRACTOR shall maintain records of materials purchased or supplied from all subcontracts entered into with certified DBEs. The records shall show the name and business address of each DBE or vendor and the total dollar amount actually paid each DBE or vendor, regardless of tier. The records shall show the date of payment and the total dollar figure paid to all firms. DBE prime CONTRACTOR's shall also show the date of work performed by their own forces along with the corresponding dollar value of the work.
- xii) If a DBE subcontractor is decertified during the life of the Contract, the decertified subcontractor shall notify CONTRACTOR in writing with the date of decertification. If a subcontractor becomes a certified DBE during the life of the Contract, the subcontractor shall notify CONTRACTOR in writing with the date of certification. Any changes should be reported to DISTRICT within thirty (30) calendar days.
- xiii) After submitting an invoice for reimbursement that includes a payment to a DBE, but no later than the 10th of the following month, CONTRACTOR shall complete and email the [Exhibit 9-F: Disadvantaged Business Enterprise Running Tally of Payments](#) to [business.support.unit@dot.ca.gov](mailto:business.support.unit@dot.ca.gov) with a copy to DISTRICT at [kchu@baaqmd.gov](mailto:kchu@baaqmd.gov).
- xiv) Any subcontract entered into as a result of this Contract shall contain all of the provisions

of this section.

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

ALLISON & PARTNERS LLC

By: \_\_\_\_\_  
Jack P. Broadbent  
Executive Officer/APCO

By: \_\_\_\_\_  
Meghan Curtis  
General Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:  
District Counsel

By: \_\_\_\_\_  
Brian C. Bunger  
District Counsel



**Attachment A**  
**General Description of Services**

CONTRACTOR shall provide advertising, communications, and public outreach services in support of DISTRICT's Spare the Air Campaigns, the overall objectives of which is to continue to inform and motivate Bay Area residents and businesses to take actions on a continual basis that improve air quality. The work may include the following tasks to achieve those objectives:

**A. Comprehensive Spare the Air Communications Strategy**

CONTRACTOR will work with the DISTRICT to develop a Comprehensive Spare the Air Communications Strategy that outlines key objectives to meet the goals of the DISTRICT. This plan will include messaging and marketing strategies that will guide implementation; a listing and schedule of activities; and identify key milestones for reporting and evaluation. The Comprehensive Communications Strategy will be inclusive of:

- Creative
- Media Buy
- Media Relations
- Social Media
- Employer Program
- Public Opinion Surveys
- In-Language Survey

**B. Spare the Air Campaigns and Employer Program**

CONTRACTOR will implement the Spare the Air summer and winter campaigns and the Spare the Air Employer Program. Major tasks include:

- CONTRACTOR will create, design and produce advertising campaign materials to assist the DISTRICT in meeting overall campaign objectives, as outlined in the Comprehensive Communications Strategy. CONTRACTOR will present draft creative to DISTRICT for approval prior to the commencement of production.
- CONTRACTOR will negotiate and execute a Media Buy for the DISTRICT to reach the audiences identified in the Comprehensive Communications Strategy. CONTRACTOR will present the draft media plan to DISTRICT for approval prior to the execution of the media buy.
- CONTRACTOR will design Media Relations plans at the commencement of each program which will incorporate messaging, pitch ideas, and Social Media outreach. CONTRACTOR will work with DISTRICT to create an outreach timeline with clear guidelines and protocols for engagement with the media through a series of local and regional events and pitches; and with the public through social media platforms. The Media Relations plan and Social Media outreach will be aligned with the outreach and messaging for the Employer Program and its key activities.
- CONTRACTOR will continue to implement the Spare the Air Employer Program to disseminate air quality information to Bay Area employers as well as to build a network of employers who will actively participate in the Spare the Air program. CONTRACTOR will work with the DISTRICT to recruit new employers, actively engage with employers and work to improve and enhance the program.

**C. Public Opinion Surveys**

CONTRACTOR will coordinate with the DISTRICT to develop and deliver a research plan that measures baseline awareness and ongoing awareness at key milestones to be determined by the DISTRICT.

**D. In-Language Survey**

CONTRACTOR will coordinate with DISTRICT and its contractor, True North Research, Inc., to develop and deliver an in-language survey to measure ongoing awareness at key milestones to be determined by DISTRICT. In the third year alone of this contract, CONTRACTOR will also coordinate and conduct in-language surveys in Spanish, Mandarin and Cantonese as a follow-up to the in-language surveys conducted in previous years for the Spare the Air winter campaign.

**Hourly Rates**

CONTRACTOR will bill DISTRICT for the work completed under this Contract at the following hourly rates:

<b>Staff Level</b>	<b>Hourly Rate</b>
Partner + General Manager	\$400.00/hr
Executive Vice President	\$325.00/hr
Senior Vice President	\$310.00/hr
Vice President	\$250.00/hr
Director	\$210.00/hr
Account Manager	\$190.00/hr
Senior Account Executive	\$175.00/hr
Account Executive	\$150.00/hr
Assistant Account Executive	\$125.00/hr
Account Coordinator	\$110.00/hr

**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: April 1, 2021

Re: Authorization to Execute Contract with Acterra for Fiscal Year 2021-2022 Climate  
Action Education Events

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**RECOMMENDED ACTION**

Recommend the Board of Directors authorize the Executive Officer/APCO to execute contract with Acterra in the amount of \$180,000, for event programming focused on individual climate actions. Events will include two live cooking demonstrations and marketplace events, an online pledge tracking tool, four public lectures, and the Spare the Air Leadership Award as part of Acterra's annual Business Environmental Awards program.

**BACKGROUND**

Acterra is a San Francisco Bay Area 501(c)(3) nonprofit based in Palo Alto that brings people together to create local solutions for a healthy planet. They focus on what the public can do locally to address current environmental problems.

The Air District has been working with Acterra for the past five years to advance our climate action programming to support actions identified in our 2017 Clean Air Plan.

**DISCUSSION**

Acterra executes professional, well-attended events, lectures, and workshops, helping the Air District advance our recommended climate actions in the Clean Air Plan. Acterra fills a unique place among Bay Area nonprofits focusing on climate action and individual behavior change solutions.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

Funding for this contract is budgeted as part of the 104 and 608 budgets.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Lisa Fasano  
Reviewed by: Damian Breen

Attachment 9A: Acterra Unexecuted Professional Services Contract

Attachment 9B: Acterra Unexecuted Sponsorship Agreement for 2022 Spare the Air  
Leadership Award and Public Lecture Series

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**PROFESSIONAL SERVICES CONTRACT**

**CONTRACT NO. 2021.043**

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 **Acterra** (“CONTRACTOR”) whose address is 3921 East Bayshore Road, Palo Alto, CA 94303.
  
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 the date of execution to June 30, 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 \$110,000.
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 \$110,000. 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: Lisa Fasano

CONTRACTOR: Acterra  
 3921 East Bayshore Road  
 Palo Alto, CA 94303  
 Attn: Nicole Angiel

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. 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

ACTERRA

By: \_\_\_\_\_  
Jack P. Broadbent  
Executive Officer/APCO

By: \_\_\_\_\_  
Lauren Weston  
Executive Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:  
District Counsel

By: \_\_\_\_\_  
Brian C. Bunger  
District Counsel

## ATTACHMENT A

### SCOPE OF WORK

CONTRACTOR shall plan and implement multiple climate action education programs and events for DISTRICT in fiscal year 2021-2022, including an Online Plant-based and Induction Cooking Demonstration with Virtual Marketplace, an Online Holiday-themed Plant-based and Induction Cooking Demonstration with several multi-cultural chefs, and an Online Pledge Tracking Tool. The goal of these programs and events will be to educate and empower Bay Area residents to take action to reduce their carbon footprints, and to celebrate the efforts of Bay Area businesses taking significant climate and air quality action. CONTRACTOR will conduct extensive marketing, advertising and outreach via non-profit partners in all nine Bay Area counties served by DISTRICT and will use multiple languages to encourage participation in the events by a wide demographic. CONTRACTOR will also provide interpretation in multiple languages during the events. The languages will be determined in consultation with DISTRICT.

#### **Task 1: Online Plant-based Cooking Demonstrations and Marketplace Event**

CONTRACTOR will plan and implement a live online plant-based cooking demonstration and marketplace event (“marketplace event”) either in the fall of 2021 or spring of 2022. The exact date, time and details of the marketplace event will be determined in consultation with DISTRICT. The marketplace event will include live plant-based, induction-cooking demonstrations from two Bay Area renowned chefs as well as a virtual marketplace with “booths” staffed by local plant-forward and sustainable food producers, agencies and non-profits working in the space of sustainable food systems (agriculture, food justice, food security, food waste, etc.). CONTRACTOR will purchase and use an online platform called Hopin to allow participants to easily navigate between presentation “rooms” and vendor “booths” as though they were attending an in-person conference. Participants will have the opportunity to interact directly with staff at the vendor booths and/or to watch videos or click links to receive more information about the vendor products and services. The duration of the marketplace event will be approximately two hours. Upon completion of the marketplace event, CONTRACTOR will analyze event attendance and provide a summary report to the DISTRICT within two weeks.

#### *Deliverables:*

- Recording of the marketplace event, including the elements listed above; and
- Marketplace event summary report, including content covered, a list and description of marketplace booths and presentations, and demographic information on participants.

#### **Task 2: Online Holiday-themed Live Cooking Demonstrations Event**

CONTRACTOR will plan and implement a live online holiday-themed cooking demonstrations event (“holiday-themed event”) in the winter of 2021-2022. The exact date, time and details of the holiday-themed event will be determined in consultation with DISTRICT. The holiday-themed event will include live plant-based, induction-cooking demonstrations from approximately six Bay Area renowned chefs, similar to the very successful 2020 Holiday reFresh event. CONTRACTOR will use the online platform Hopin to allow participants to easily navigate between presentation “rooms” as though they were attending an in-person conference. The duration of the holiday-themed event will

be approximately two hours. Upon completion of the holiday-themed event, CONTRACTOR will analyze event attendance and provide a summary report to the DISTRICT within two weeks.

*Deliverables:*

1. Recording of the holiday-themed event, including the elements listed above; and
2. Holiday-themed event summary report, including content covered, a list and description of presentations, and demo-geographic information on participants.

**Task 3: Online Pledge Tracking Tool**

The two online events outlined in Tasks 1 and 2 will be produced with the goal of educating and empowering Bay Area residents to reduce their carbon footprint by eating plant-forward diets, adopting induction cooking, and reducing food waste. In conjunction with the events, event participants will be asked to make a pledge for more climate-friendly eating and use an online tool to track their progress. CONTRACTOR shall develop the tracking tool for use in tandem with the two educational events as well as seasonal challenges. CONTRACTOR will invite event participants to make a pledge for more sustainable and climate-friendly food choices and report weekly on their progress adhering to the pledge. CONTRACTOR will conduct an initial survey to collect data on the participants current dietary habits, which will be used to calculate the greenhouse gas (GHG) emissions avoided by their pledge commitment. For example, an omnivore pledges to eat no meat three days a week for one month and reports that they met their goal every week. Using available data on the approximate emissions of different diets, the net difference is calculated. CONTRACTOR will send participants regular reminder emails, tips, recipes and encouragement via the tracking tool. At the end of the calendar year, CONTRACTOR will provide to DISTRICT a summary report of emissions averted by event participants with data collected by the tracking tool.

*Deliverables:*

1. Online Tracking Tool as described above, to be housed on CONTRACTOR's website; and
2. End of year tracking tool data summary report, including information on types of pledges made, actions taken, and quantitative outcomes in terms of GHG reductions.

**ATTACHMENT B**

**COST SCHEDULE**

DISTRICT will pay CONTRACTOR a fixed price of \$110,000 to complete all work outlined in Attachment A, Scope of Work. This fixed price includes CONTRACTOR’s time spent completing the work outlined in the Scope of Work, as well as any materials and services purchased by CONTRACTOR from external contractors and vendors to successfully produce the two events described in Tasks 1 and 2, and to develop the tracking tool described in Task 3. Materials and services may include, but are not limited to, software development, graphic and web design, speaker honoraria, translation/interpretation, printing, copying, marketing, advertising, postage, mailing and the online platform(s).

DISTRICT will make an initial payment of \$50,000 to CONTRACTOR upon execution of this Contract. DISTRICT will make two additional payments upon completion of tasks as outlined in the table below. Payments will be made in accordance with Section 8 (“Payment”) of the Contract.

<b>Description</b>	<b>Payment</b>
Upon execution of Contract	\$50,000
Task 2: Online Holiday-themed Live Cooking Demonstrations Event	\$50,000
Task 3: Online Pledge Tracking Tool	\$10,000
<b>Total</b>	<b>\$110,000</b>

**Total cost of Contract not to exceed \$110,000.**

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**SPONSORSHIP AGREEMENT**

**CONTRACT NO. 2021.044**

1. PARTIES - The parties to this Sponsorship Agreement (Agreement) are the Bay Area Air Quality Management District (DISTRICT), whose address is 375 Beale Street, Suite 600, San Francisco, CA, 94105; and **Acterra**, whose address is 3921 East Bayshore Road, Palo Alto, CA 94303.
2. RECITALS
  - A. DISTRICT is the regional agency with primary responsibility for regulating stationary source air pollution in the San Francisco Bay Area in the State of California. DISTRICT is authorized to enter into this Agreement under California Health and Safety Code Section 40701.
  - B. Acterra is a 501(c)(3) non-profit organization dedicated to bringing people together to create local solutions to address current environmental problems. Acterra seeks DISTRICT sponsorship of its **2022 Spare the Air Leadership Award and Public Lecture Series** ("Events").
  - C. DISTRICT seeks to enhance awareness of its commitment to achieving clean air to protect the public's health and the environment. As such, DISTRICT desires to acquire from Acterra certain advertising and promotional benefits as described herein, and Acterra desires to provide such benefits to DISTRICT in exchange for DISTRICT sponsorship of the Events in accordance with the terms and provisions of this Agreement.
3. TERM - The term of this Agreement shall be from date of Contract execution to June 30, 2022 (Term), unless terminated earlier as provided herewith.
4. TERMINATION - Either party may terminate this Agreement upon cancellation of the Events. In the event of such termination, Acterra shall refund to DISTRICT any and all payments made by DISTRICT pursuant to this Agreement.
5. ADVERTISING AND PROMOTION - Acterra will provide to DISTRICT the advertising and promotional benefits relating to the Events as described in Attachment A attached hereto.
6. FEES AND PAYMENT SCHEDULE - In consideration for Acterra providing to DISTRICT the advertising and promotional benefits as described in Attachment A, DISTRICT shall sponsor the Events by paying Acterra the amounts described in Attachment B hereto according to the payment schedule described in Attachment B hereto.
7. NON-EXCLUSIVITY - DISTRICT expressly acknowledges that Acterra may have other sponsors whose advertising or brands are displayed in connection with Acterra activities sponsored



by DISTRICT. DISTRICT expressly agrees that it is not granted any exclusive rights that would in any manner limit the rights of Acterra to seek other sponsors and to display advertising or brands of those sponsors, except as may be expressly set forth in Attachment A hereto. To the extent that any right of exclusivity has been granted, the express terms of that right are described in Attachment A hereto.

8. DELIVERY OF PROMOTIONAL MATERIALS - DISTRICT shall be responsible for delivering its promotional materials to Acterra prior to the publication deadline for each Acterra publication in which such materials will be published, as long as Acterra has provided written or oral notice of the publication deadline to DISTRICT.
9. PARTIES' TRADEMARKS - Each party shall be entitled, from time to time, to make reasonable use of the other party's name, trade name, trademarks and logos in connection with advertising or promotional materials; provided, however, that a party shall do so only with the prior written approval of the other party, which approval shall not be unreasonably withheld.
10. INDEMNIFICATION
  - A. Acterra shall indemnify and hold harmless DISTRICT, and DISTRICT's officers, employees and agents, 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 Agreement; but only in proportion to and to the extent such liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of Acterra or its officers, agents, or employees.
  - B. DISTRICT shall indemnify and hold harmless Acterra, and Acterra's officers, employees and agents, 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 Agreement; but only in proportion to and to the extent such liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of DISTRICT or its officers, agents, or employees.
11. INSURANCE
  - A. Acterra shall maintain the following Event Insurance:
    - i) Workers' compensation and employers' liability insurance as required by California law or other applicable statutory requirements for any persons employed by Acterra for the Event.
    - 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 for the Event 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 covering each automobile used by Acterra in connection with the Event. Such insurance shall include coverage for owned, hired, and non-owned vehicles.

B. Prior to the Events, Acterra shall furnish properly-executed certificates of insurance for all required insurance. Acterra shall notify DISTRICT in writing fifteen (15) days prior to cancellation or modification of any required insurance policy. Any such modifications are subject to pre-approval by DISTRICT.

12. 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: Tina Landis

ACTERRA: Acterra  
3921 East Bayshore Road  
Palo Alto, CA 94303  
Attn: Nicole Angiel

13. 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.

14. RELATIONSHIP OF THE PARTIES - Nothing contained herein shall imply any partnership, joint venture or agency relationship between the parties and neither party shall have the power to obligate or bind the other in any manner whatsoever, except to the extent herein provided.

15. 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.

16. 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.

17. FORCE MAJEURE - Neither DISTRICT nor Acterra 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 Acterra, 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.
18. 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.
19. 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.
20. DUPLICATE EXECUTION - This Agreement may be executed in separate, duplicate counterparts. Each signed counterpart shall have the force and effect of an original, and all such counterparts together shall constitute one and the same instrument.
21. 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.
22. ENTIRE AGREEMENT AND MODIFICATION - This Agreement represents the final, complete, and exclusive statement of the agreement between the parties, and it 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 be amended only by mutual agreement of the parties in writing and signed by both parties.

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

BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

ACTERRA

By: \_\_\_\_\_  
Jack P. Broadbent  
Executive Officer/APCO

By: \_\_\_\_\_  
Lauren Weston  
Executive Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:  
District Counsel

By: \_\_\_\_\_  
Brian C. Bunker  
District Counsel

## ATTACHMENT A

### DISTRICT'S ADVERTISING AND PROMOTIONAL BENEFITS

#### **1. Spare the Air Leadership Award**

DISTRICT will sponsor Acterra's award category titled "Spare the Air Leadership Award" at Acterra's 2022 Awards Ceremony. DISTRICT will be involved in the evaluation and selection of the Spare the Air Leadership Award recipient through Acterra's established judging process. Acterra will promote Spare the Air and partnership with DISTRICT to Acterra's growing partnership network throughout San Mateo, Santa Clara, San Francisco, Marin, Contra Costa and Alameda Counties. Solicitation of applicants will begin in the summer of 2021 and evaluation will continue through the fall and winter months to decide on award recipient(s). The 2022 Awards Ceremony will be hosted in the spring of 2022, exact date to be determined.

In exchange for DISTRICT'S sponsorship of the Spare the Air Leadership Award, Acterra will provide DISTRICT the following benefits:

1. Spare the Air logo and DISTRICT logo in all printed materials related to the 2022 Spare the Air Award;
2. Spare the Air logo and DISTRICT logo included in the 2022 Awards Ceremony program book;
3. Spare the Air logo and DISTRICT logo on the 2022 Awards Ceremony website;
4. DISTRICT inclusion and recognition in materials associated with the 2022 Awards Ceremony;
5. Spare the Air logo and DISTRICT logo placement at the 2022 Awards Ceremony; and
6. Free access for DISTRICT staff and guest to attend the 2022 Awards Ceremony (a minimum of 10 tickets for individuals).

#### **2. Public Lecture Series**

DISTRICT will sponsor Acterra's Fall 2021 and Spring 2022 Public Lecture Series. The Public Lecture Series build awareness of emerging environmental issues and solutions within Silicon Valley. Each series consists of up to three lectures, which each draw up to 200 attendees from the community. Marketing outreach is conducted through local press, Acterra's network of partner organizations, Acterra's social media outlets (Facebook, LinkedIn, Twitter), and via email to Acterra's membership.

In exchange for DISTRICT'S sponsorship of the 2022 Public Lecture Series, Acterra will provide DISTRICT the following benefits:

1. Public recognition during remarks by Executive Director at all lectures in the series;
2. Prominent DISTRICT logo placement on series marketing and promotional materials;
3. Prominent DISTRICT logo placement on signage and opportunity to display materials at all lectures in the series; and
4. Opportunity for DISTRICT staff to attend lectures and preceding receptions for free.

**ATTACHMENT B**

**SPONSORSHIP FEE AND PAYMENT SCHEDULE**

DISTRICT shall pay Acterra the amount of \$50,000 to sponsor the 2022 Spare the Air Leadership Award and \$20,000 to sponsor the Public Lecture Series. Payment shall be made upon execution of this Agreement and submission of an invoice.

**Total cost of Sponsorship not to exceed \$70,000.**

**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: April 1, 2021

Re: Authorization to Amend Spare the Air Resource Team Contracts with Contractors  
Community Focus and Kearns and West

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**RECOMMENDED ACTIONS**

Recommend Board of Directors:

1. Authorize extending the term of the contract with Community Focus to facilitate eight Spare the Air Resource Teams throughout the Bay Area, to June 30, 2022, in an amount not to exceed \$222,000; and
2. Authorize extending the term of the contract with Kearns and West to facilitate the Marin County Spare the Air Resource Team, to June 30, 2022, in an amount not to exceed \$43,540.

**BACKGROUND**

In 1991, the Air District launched the Spare the Air Program, a public education campaign using innovative community outreach techniques, as well as traditional public relations and advertising to promote clean air. A key component of the community outreach program included locally based “Resource Teams.”

The Resource Team Program helps address the air quality concerns unique to the diverse communities and neighborhoods that make up the Bay Area. The teams meet regularly to achieve specific goals, such as disseminating air quality-related information to residents, providing feedback and input on Air District strategies and programs, and facilitating and implementing projects that will reduce air pollution within the community. Resource Team members, with the assistance of the contracted facilitator, identify and implement projects that promote and/or achieve emissions reductions either locally or throughout the region.

In 2017, the Air District released a Request for Proposals (RFP) for community engagement and facilitation services for Spare the Air Resource Teams and received four proposals. On April 4, 2018, the Board of Directors (Board) authorized the Executive Officer/APCO to execute contracts with Community Focus and Kearns and West for up to three years.

The nine Resource Teams are listed here:

1. Contra Costa County Spare the Air Resource Team
2. Marin County Spare the Air Resource Team
3. Napa Clean Air Coalition
4. San Francisco County Spare the Air Resource Team
5. San Mateo County Spare the Air Resource Team
6. Santa Clara County Spare the Air Resource Team
7. Sonoma County Spare the Air Resource Team
8. Southern Alameda County Spare the Air Resource Team
9. Tri-Valley Spare the Air Resource Team

## DISCUSSION

The pandemic and ensuing shelter-in-place orders created short-term and long-term uncertainty for employers and employees throughout the Bay Area in 2020. Many of the sectors the Resource Teams engage, such as the Transportation Demand Management (TDM) community, public transit, and other shared mobility programs throughout the Bay Area, including vanpooling, carpooling, and other shuttle programs, were dealing with the fall out of sudden shutdowns, cancelation of transportation programs, and a panic-driven move away from promoting transit.

Despite this past year's challenges, the Resource Teams, much to the contractors' credit, remained intact and engaged, finding ways to navigate uncharted territory. More emphasis was placed on strengthening relationships with transit agencies and TDM partners and exploring emerging topics and issues, such as telework, equity in commuting, the "hybrid workplace", and more fundamental concerns, such as transit safety as employees return to their worksites. A Bay Area-wide spike in bicycling led to more emphasis on promoting bicycling as a commute option.

Starting the RFP process at this juncture would distract from ongoing work and would potentially disrupt the equilibrium of the Resource Teams. In addition, with uncertainty around what to expect post-pandemic, waiting one year allows time for staff to thoroughly review the focus and scope of the Spare the Air Resource Teams program before issuing a new RFP.

Therefore, it is the staff's recommendation that the Board approves extending the terms of the contracts with Community Focus and Kearns and West to facilitate nine Spare the Air Resource Teams throughout the Bay Area, to June 30, 2022, for an amount not to exceed the amount listed above for each respective contractor.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

None.



Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Aneesh Rana  
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: April 1, 2021

Re: Report of the Community Equity, Health & Justice Committee Meeting of March 4,  
2021

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RECOMMENDED ACTIONS

The Community Equity, Health and Justice Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) ACTION REQUESTED: Process for Diversifying Community Perspectives; and
  - 1) The Community Equity, Health & Justice Committee (Committee) will review and discuss the draft work plan for its 2021 meetings. Based on Committee discussions and feedback, staff will provide a final work plan for 2021 meetings to the Committee at its April meeting.
  
- B) ACTION REQUESTED: Discussion and Review of Draft Community Equity, Health & Justice Committee 2021 Work Plan.
  - 1) The Community Equity, Health & Justice Committee (Committee) will review and discuss the draft work plan for its 2021 meetings. Based on Committee discussions and feedback, staff will provide a final work plan for 2021 meetings to the Committee at its April meeting.

BACKGROUND

The Committee met on Thursday, March 4, 2021, and received the following reports:

- A) Process for Diversifying Community Perspectives; and
  
- B) Discussion and Review of Draft Community Equity, Health & Justice Committee 2021 Work Plan.

BUDGET CONSIDERATION/FINANCIAL IMPACT

A) None; and

B) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amanda Balneg  
Reviewed by: Vanessa Johnson

Attachment 11A: 03/04/2021 – Community Equity, Health & Justice Committee Meeting  
Agenda #3  
Attachment 11B: 03/04/2021 – Community Equity, Health & Justice Committee Meeting  
Agenda #4

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue, and Members  
of the Community Equity, Health & Justice Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: February 26, 2021

Re: Process for Diversifying Community Perspectives

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**RECOMMENDED ACTION**

The Community Equity, Health & Justice Committee (Committee) will consider a process to select community representatives to give perspectives to it on environmental justice work across the Bay Area, with the goal of gaining broad education over time on efforts taking place across the region.

**BACKGROUND**

The Ad Hoc Committee on Equity, Access, and Inclusion has provided a platform for local community members and environmental justice advocates to present at committee meetings and share their perspectives on environmental justice and Air District efforts. To diversify the range of perspectives presented to the Committee, staff is requesting consideration of a selection process which expands the platform for environmental justice advocates, elected officials, and stakeholders to present and share at committee meetings. Specific subjects and topics will vary based upon each presenter's unique work experience relative to environmental justice.

Presenters may also share information regarding their unique experience working with the Air District including what has worked well or what challenges and opportunities we can collectively improve upon.

Environmental justice advocates have long shared their professional, scientific and life experiences which have assisted the Air District and the Board of Directors to shape policy, practices and procedures.

**DISCUSSION**

To ensure that each Bay Area community has an opportunity to share its unique perspective, Air District staff proposes the Community Equity, Health & Justice Committee members, in consultation with the full Board of Directors (Board), identify representatives from their jurisdictions to present to the Committee on environmental justice activities.

Staff proposes a standing item on the Committee agenda to receive these presentations. Based on recommendations from the Committee and Board, staff will develop a schedule for meetings and coordinate logistics.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tim Williams  
Reviewed by: Mary Ann Okpalaugo

COMMUNITY EQUITY, HEALTH &  
JUSTICE COMMITTEE MEETING  
OF 03/04/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue, and Members of the Community Equity, Health & Justice Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: February 26, 2021

Re: Discussion and Review of Draft Community Equity, Health & Justice Committee 2021 Work Plan

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RECOMMENDED ACTION

The Community Equity, Health & Justice Committee (Committee) will review and discuss the draft work plan for its 2021 meetings. Based on Committee discussions and feedback, staff will provide a final work plan for 2021 meetings to the Committee at its April meeting.

BACKGROUND

In January 2021, the Board of Directors' Community and Public Health Committee and Ad Hoc Committee on Equity, Access and Inclusion were consolidated into the Community Equity, Health & Justice Committee (Committee). Air District staff will collaborate with Committee Co-Chairs, and the environmental justice community to develop a work plan for the consolidated Committee for its 2021 meetings.

After feedback from the Committee and input from the environmental justice community, staff will bring a final work plan to the April Committee meeting for consideration.

DISCUSSION

The draft 2021 Work Plan, as outlined below, attempts to reflect the Committee's charter relative to prioritizing traditionally marginalized and disinvested communities for investment opportunities to ensure communities highly impacted by air pollution receive program and policy prioritization.

In 2021, staff propose the Committee provide input on internal and external operations of the Air District, applying an equity lens to programs, policies, practices, and procedures. Internal efforts where Committee input is needed include the development of a District-wide equity plan. External efforts to be discussed with the Committee include proposals that seek to prioritize program and policy actions that improve air quality and health in disproportionately impacted communities.

To facilitate these efforts, staff is proposing the following agenda items and actions be taken up by the Committee during its meetings in 2021:

- The Committee will conduct Community Convenings with environmental justice community to review overall priorities for the development of the Committees' work plan.
- Ongoing and upcoming Assembly Bill (AB) 617 policy development, program development, and program budget using health-based metrics.
- Development of a 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.
- The formation of a Community Advisory Council with input from environmental justice advocates and other external stakeholders. The Community Advisory Council will provide guidance to the Board of Directors on policy issues impacting Environmental Justice communities.
- Development of a Transparent and Equitable Funding mechanism to identify distribution of and opportunities for Air District resources in communities disproportionately impacted by air pollution.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Mary Ann Okpalaugo

Reviewed by: 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: April 1, 2021

Re: Report of the Stationary Source and Climate Impacts Committee Meeting of March 15,  
2021

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RECOMMENDED ACTIONS

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

- A) ACTION REQUESTED: Discussion on Stationary Source and Climate Impacts Committee Mission Statement and Schedule for 2021; and
  - 1) Approve the calendar for its 2021 Meeting Schedule.
- B) Update on the Development of Amendments to Regulation 6, Rule 5 (Rule 6-5): Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units.
  - 1) None; receive and file.

BACKGROUND

The Committee met on Monday, March 15, 2021, and received the following reports:

- A) Discussion on Stationary Source and Climate Impacts Committee Mission Statement and Schedule for 2021; and
- B) Update on the Development of Amendments to Regulation 6, Rule 5 (Rule 6-5): Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None; and
- B) None.



Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amanda Balneg  
Reviewed by: Vanessa Johnson

Attachment 12A: 03/15/2021 – Stationary Source and Climate Impacts Committee Meeting  
Agenda #3

Attachment 12B: 03/15/2021 – 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: March 4, 2020

Re: Discussion on Stationary Source and Climate Impacts Committee Mission Statement and Schedule for 2021

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RECOMMENDED ACTION

Recommend the Committee:

1. Approve the calendar for its 2021 Meeting Schedule.

BACKGROUND

At its February 3, 2021, the Board of Directors merged elements of its “Stationary Source” and “Climate Protection Committees” to form the new “Stationary Source and Climate Impacts Committee.”

The description of the Stationary Source Committee previously stated that it “...reviews and recommends stationary source policies, issues, and programs related to air quality management plans, air quality and economic modeling, permitting, compliance, small business assistance, toxics, source education, rule development, and grants. The Committee also advises the Board of Directors on the Air District’s position on all regulations that affect stationary sources...”

The description of the Climate Protection Committee stated that it “...reviews the Air District’s climate protection policies, activities, and funding, and makes applicable recommendations to the Board of Directors. The committee stays informed on current and proposed climate protection actions by local, regional, state, federal, and international agencies and organizations...”

DISCUSSION

As part of the formation of this new Committee, the Board added the following to the Air District’s Administrative code to define its mission:

*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.*

As part of its first meeting, the newly constituted Committee will review its mission statement and a proposed schedule for meetings for 2021.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Damian Breen

Attachment 3A: Proposed 2021 Stationary Source and Climate Impacts Committee Workplan

**Proposed 2021 Stationary Source and Climate Impacts Committee Workplan**

Meeting Schedule	Topics
March	<ul style="list-style-type: none"> <li>• Source Test 101</li> <li>• Update on Amendments to Regulation 6, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5)</li> </ul>
April	<ul style="list-style-type: none"> <li>• Building De-Carbonization Discussion</li> <li>• Overview of Datacenters in the Bay Area</li> </ul>
May	<ul style="list-style-type: none"> <li>• Update on Potential Modifications to the Air District's Permitting Program</li> <li>• Update on the Air District's CEQA Thresholds</li> </ul>
June	<ul style="list-style-type: none"> <li>• Update on the Implementation of Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18)</li> <li>• Next Steps on the Particulate Matter Strategy</li> </ul>
July	<ul style="list-style-type: none"> <li>• Update on Amendments to Regulation 6, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5)</li> </ul>
August – No Meeting	
September	<ul style="list-style-type: none"> <li>• Update on Building De-Carbonization Efforts</li> <li>• Update on Amendments to Regulation 8, Rule 5: Storage of Organic Liquids (Rule 8-5);</li> </ul>
October	<ul style="list-style-type: none"> <li>• Update on the South Bay Odor Study</li> <li>• Update on Methane Strategy Implementation</li> <li>• F-Gas Strategy Discussion</li> </ul>
November	<ul style="list-style-type: none"> <li>• Updates on Rules from Community Emission Reduction Plans</li> </ul>
December	<ul style="list-style-type: none"> <li>• Update on the Implementation of Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18)</li> <li>• Overview of Bay Area Woodsmoke Impacts</li> <li>• Update on Amendments to Regulation 8, Rule 8: Wastewater Collection and Separation Systems (Rule 8-8)</li> <li>• Update on Amendments to Regulation 8, Rule 18: Equipment Leaks (Rule 8-18)</li> </ul>

**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: March 4, 2021

Re: Update on the Development of Amendments to Regulation 6, Rule 5 (Rule 6-5): Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

California Assembly Bill (AB) 617 directed local air districts to adopt an expedited schedule for implementation of Best Available Retrofit Control Technology (BARCT) at industrial Cap-and-Trade sources. In December 2018, the Air District Board of Directors adopted the AB 617 Expedited BARCT Implementation Schedule which identified several potential rule development efforts to further reduce emissions of criteria pollutants at these sources. One of the potential rule development efforts was amending Rule 6-5 to further reduce particulate matter (PM) emissions from petroleum refinery fluidized catalytic cracking units (FCCUs).

Air District staff are currently developing draft amendments to Rule 6-5 to address emissions of particulate matter, including condensable particulate matter, from petroleum refinery FCCUs. FCCUs are some of the largest individual sources of PM emissions in the San Francisco Bay Area, and further reductions of these emissions are needed to ensure progress towards attainment of state and national ambient air quality standards and to provide cleaner air and public health benefits.

**DISCUSSION**

Air District staff released draft amendments to Rule 6-5 and an Initial Staff Report in May 2020, for public review and comment. Staff received public comments on the draft amendment materials and presented updates on the development of amendments to Rule 6-5 to the Stationary Source Committee on June 17, 2020. Following the release of the draft amendments in May 2020, staff further evaluated other potential control options, including a more stringent potential control option for assessment and consideration. Staff presented additional information on these potential control options to the Stationary Source Committee in July, October, and December 2020.

Staff released further draft amendments and workshop materials on the potential control options in January 2021. The workshop materials presented information on two versions of draft amendments to Rule 6-5 – the draft amendments released in May 2020 and the draft amendments reflecting a more stringent potential control option. These are referred to as Control Scenario A and Control Scenario B, respectively. Control Scenario A includes limits that are achievable through ESP (electrostatic precipitator), feed hydrotreatment, and catalyst additive controls. Control Scenario B includes more stringent limits that are achievable through WGS (wet gas scrubbing) controls. The workshop materials include information about the draft amendments and estimates potential impacts under each control scenario, which are summarized in the tables below. Further details on these draft amendments and potential impacts are included in the Workshop Report, which is available on the Air District’s webpage for amendments to Rule 6-5 at <https://www.baaqmd.gov/reg6rule5>.

**Draft Amendment Limits**

Draft Limit	Control Scenario A	Control Scenario B
Ammonia (NH <sub>3</sub> )	10 ppm	10 ppm
Sulfur dioxide (SO <sub>2</sub> )	25 ppm (365-day average) 50 ppm (7-day average)	25 ppm (365-day average) 50 ppm (7-day average)
Total PM <sub>10</sub>	0.020 gr/dscf	0.010 gr/dscf
Effective date	January 1, 2023	January 1, 2026

**Preliminary Estimates of Potential Impacts**

Impact Type	Control Scenario A	Control Scenario B
Affected Refineries	Chevron Products Richmond PBF Martinez Refinery	Chevron Products Richmond PBF Martinez Refinery Marathon Martinez Refinery*
Anticipated Controls	Improvement/expansion of existing controls: Electrostatic precipitator (ESP), feed hydrotreatment, catalyst additives	Installation of wet gas scrubbing (WGS) system
PM <sub>10</sub> Emission Reductions	250 tons per year	493 tons per year*
Total Capital Costs	\$110 million	\$732 million*
Total Annualized Costs	\$19 million per year	\$116 million per year*
Cost Effectiveness	\$75,000 per ton	\$236,000 per ton*
Compliance Cost as a Percentage of Individual Facility Est. Profits	1.6% – 8.1%	13.7% – 25.8%*
Socioeconomic Impacts	Not Significant	<u>Significant</u> (Potential for job losses and/or fuel price increases)
Environmental Impacts	<u>Significant</u> air quality impacts during construction	<u>Significant</u> air quality impacts during construction; <u>Significant</u> water use during operation

\*Note: These figures include impacts that would be anticipated at the Marathon Martinez Refinery under normal operations of the FCCU. The Marathon Martinez Refinery has been idled since April 2020, and the company has announced there are currently no plans to restart normal refining operations.

In addition, staff presented results from modeling of potential PM exposure reductions and health benefits under the two control scenarios for Chevron Products Richmond and PBF Martinez Refinery. The following table summarizes the analyses for the estimated reductions in annual excess mortality and valuation of health benefits for Control Scenario A and Control Scenario B for each of these refineries.

**Estimated Annual Excess Mortality Reduction and Health Benefits Valuation for Chevron Richmond and PBF Martinez**

	<b>Control Scenario A</b>	<b>Control Scenario B</b>
<b>Chevron Products Richmond</b>		
Reduction in annual excess mortality	0.7–1.5	1.2–2.7
Estimated annual valuation of health benefits	\$6.8–15 million	\$12–27 million
<b>PBF Martinez Refinery</b>		
Reduction in annual excess mortality	1.0–2.2	1.4–3.2
Estimated annual valuation of health benefits	\$10–23 million	\$14–32 million

Staff held a virtual public workshop on February 4, 2021. Slides presented during this public workshop are provided as Attachment 4A and are available on the Air District’s webpage at <https://www.baaqmd.gov/reg6rule5>. Staff received many comments on a variety of topics, with several commenters expressing:

- Support for the most stringent requirements and use of wet gas scrubbing systems;
- Importance of reducing health impacts in the Bay Area and fenceline communities;
- Concern for potential job losses and economic impacts;
- Concern for environmental impacts of water use; and
- Support for a balance between environmental benefits and economic impacts.

In addition to comments received during the public workshop, staff also received 69 written comments. A summary of the comments received is included in Attachment 4B.

In response to the comments received, staff is revising the draft amendments to better address the concerns raised and speed implementation of emissions reductions while retaining strict emission limits. This new regulatory concept and the revised draft amendments are intended to accomplish the following goals:

- Establish a long-term path to require the most stringent feasible limits and controls on FCCU particulate matter emissions;
- Provide additional flexibility and opportunity for facilities to potentially mitigate negative economic impacts; and
- Require particulate matter reductions in the near-term to provide public health benefits and progress towards attainment of ambient air quality standards as soon as possible.

Staff anticipates continuing stakeholder outreach and engagement on these concepts in early spring 2021, followed by the release of new draft amendments and materials prior to a public workshop in late spring 2021. Following the public comment period on these materials, staff anticipates preparing proposed rule amendments and a Board Hearing package for consideration by the Air District Board of Directors in fall of this year.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: David Joe  
Reviewed by: Elizabeth Yura

Attachment 4A: Presentation – Public Workshop on Draft Amendments to Rule 6-5, February 4, 2021

Attachment 4B: Summary of Written Comments Received on Workshop Package for Draft Amendments to Rule 6-5

STATIONARY SOURCE AND  
CLIMATE IMPACTS COMMITTEE  
MEETING OF 03/15/2021





BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

# Public Workshop on Draft Amendments to Rule 6-5

Virtual Public Workshop  
February 4, 2021

1

How to Use Video Conferencing

**Black menu bar at top or bottom of screen:**

**Audio**  
Please mute yourself when not speaking

**Video**

**Participants**

- See Others
- Rename Yourself (Name & Group/Agency Affiliation if applicable)
- Raise Hand (remember to lower after)

**Chat Feature**  
Questions can be chatted at any time

**View**  
Gallery/Speaker View of videos and screen share can be changed in top right corner

**Note:** The Air District will be recording this public workshop

Public Workshop on Rule 6-5 Amendments  
February 4, 2021

Bay Area Air Quality Management District

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## Technical Assistance



- If you need technical assistance, please use the chat function and direct your question to “**Jennifer – Tech Support**”
- You can also contact Jennifer via phone, text or email at:
- (650) 784-0107 or [jelwell@baaqmd.gov](mailto:jelwell@baaqmd.gov)

3

## Welcome and Opening Remarks



Veronica Eady  
Senior Deputy Executive Officer of Policy & Equity  
Bay Area Air Quality Management District

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## Virtual Participation Principles



- **One** person speaks at a time.
- Be **respectful** of one another's opinions.
- Please **mute** yourself when you're not speaking.
- **Share video** so we can stay visually connected.
- Technology happens – please be **flexible and patient**.
- Remember this is just one meeting in a longer **process**.

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## Workshop Agenda



- Introductory poll
- Staff presentation
- Public input
  - Breakout session
  - Questions and comments
- Closing and next steps

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## Polling Exercise



We have received many questions, concerns and comments up to this point. Some of the most common sentiments are listed below. **Which one(s) do you identify with?**

- I support the most stringent wet gas scrubbing technology
- I am concerned about potential economic impacts
- I am not sure/I need more information

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BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## Staff Presentation on Draft Amendments to Rule 6-5

Virtual Public Workshop  
February 4, 2021

**David Joe, PE**  
Assistant Manager – Rule Development

**Phil Martien, PhD**  
Director – Assessment, Inventory, & Modeling Division

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# Presentation Outline



- Background
- Draft Amendments
  - Control Scenario A
  - Control Scenario B
- Preliminary Estimates of Impacts
  - Emission reductions
  - Compliance costs
  - Socioeconomic impacts
  - Environmental impacts
  - Health impacts
- Next steps and process

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# Background



- Fluidized Catalytic Cracking Units (FCCUs) convert heavy components of crude oil into gasoline and high-octane products
- Large source of particulate matter (PM) emissions

Refinery	FCCU PM <sub>10</sub> Emissions
Chevron Products Richmond	245 TPY
PBF Martinez Refinery	309 TPY
Marathon Martinez Refinery	190 TPY
Valero Benicia Refinery	83 TPY
TPY = tons per year	

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## Background



- Air District currently developing amendments to Rule 6-5
- Identified two potential control options to reduce PM from FCCUs
- Released workshop package with draft amendments for both control options and information on potential impacts

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## Draft Amendments Summary



Pollutant	Control Scenario A	Control Scenario B
Ammonia (NH <sub>3</sub> )	10 ppm	10 ppm
Sulfur dioxide (SO <sub>2</sub> )	25 ppm (365-day average) 50 ppm (7-day average)	25 ppm (365-day average) 50 ppm (7-day average)
Total PM <sub>10</sub>	0.020 gr/dscf	0.010 gr/dscf
Effective date	January 1, 2023	January 1, 2026

ppm = parts per million  
gr/dscf = grains per dry standard cubic foot

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## Affected Refineries



Impact	Control Scenario A	Control Scenario B
<b>Affected refineries</b>	Chevron Products Richmond PBF Martinez Refinery	Chevron Products Richmond PBF Martinez Refinery <i>Marathon Martinez Refinery</i>
<b>Anticipated controls</b>	Improvement/expansion of existing controls: ESP, Feed Hydrotreatment, Catalyst Additives	Installation of new WGS
ESP = electrostatic precipitator WGS = wet gas scrubber		

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## Preliminary Estimates of Impacts



- **Emission reductions:** Reductions in pollutant emissions
- **Compliance costs:** Costs for installing and operating controls
- **Cost effectiveness:** Costs per ton of reduction
- **Socioeconomic impacts:** Economic impacts, job losses, consumer impacts
- **Environmental impacts:** Impacts from installation or use of controls
- **Health impacts:** Health benefits associated with reduced pollution

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## Emissions and Cost Impacts Control Scenario A



Refinery	PM <sub>10</sub> Reductions	Capital Cost	Total Annualized Cost	Cost Effectiveness
Chevron Richmond	80 TPY	\$30 MM	\$4.4 MM/year	\$55,300/ton
PBF Martinez	170 TPY	\$80 MM	\$14 MM/year	\$84,900/ton
<i>Marathon Martinez</i>	–	–	–	–
TPY = tons per year MM = million				

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## Emissions and Cost Impacts Control Scenario B

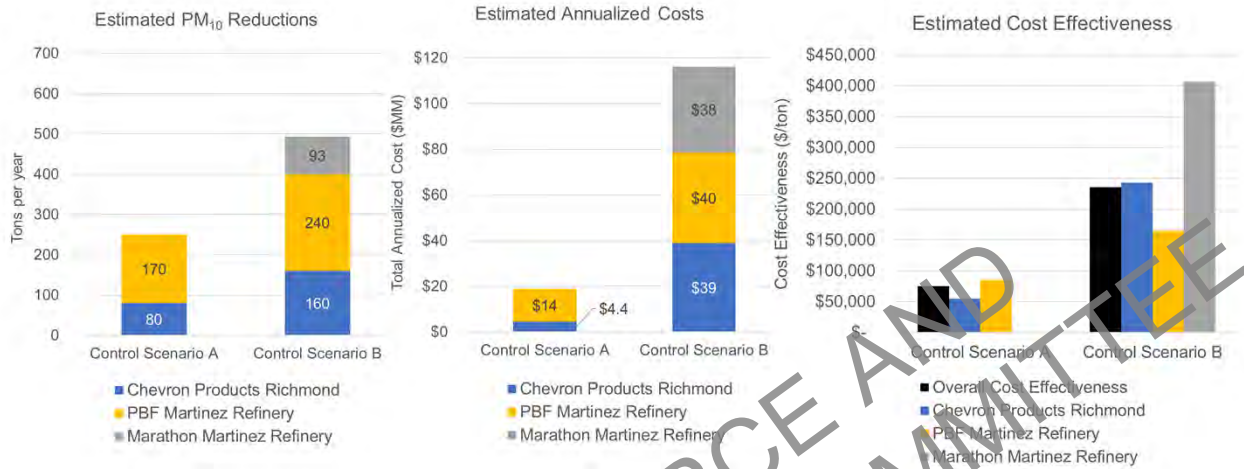


Refinery	PM <sub>10</sub> Reductions	Capital Cost	Total Annualized Cost	Cost Effectiveness	Incremental Cost Effectiveness
Chevron Richmond	160 TPY	\$241 MM	\$39 MM/year	\$239,600/ton	\$423,400/ton
PBF Martinez	240 TPY	\$255 MM	\$40 MM/year	\$165,000/ton	\$359,400/ton
<i>Marathon Martinez</i>	93 TPY	\$235 MM	\$38 MM/year	\$406,400/ton	–
TPY = tons per year MM = million					

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# Emissions and Cost Impacts



Public Workshop on Rule 6-5 Amendments  
February 4, 2021

Bay Area Air Quality Management District

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# Socioeconomic Impacts



- Significant impacts expected when costs exceed 10% of net income
- Potential labor reductions or increased fuel pricing

Refinery	Estimated Annual Net Income (2019)	Control Scenario A		Control Scenario B	
		Compliance Cost (% of Income)	Potential Labor Impacts	Compliance Cost (% of Income)	Potential Labor Impacts
Chevron Richmond	\$282.8 MM	1.6%	N/A	13.7%	62 jobs
PBF Martinez	\$177.7 MM	8.1%	N/A	22.3%	128 jobs
Marathon Martinez	\$146.5 MM	—	—	25.8%	136 jobs

MM = million

Public Workshop on Rule 6-5 Amendments  
February 4, 2021

Bay Area Air Quality Management District

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## Environmental Impacts



- Substantial water usage for wet gas scrubbing
- Approximately 400,000 gallons per day for each system
- Technologies and designs available to reduce water impacts, but with increased costs and complexity

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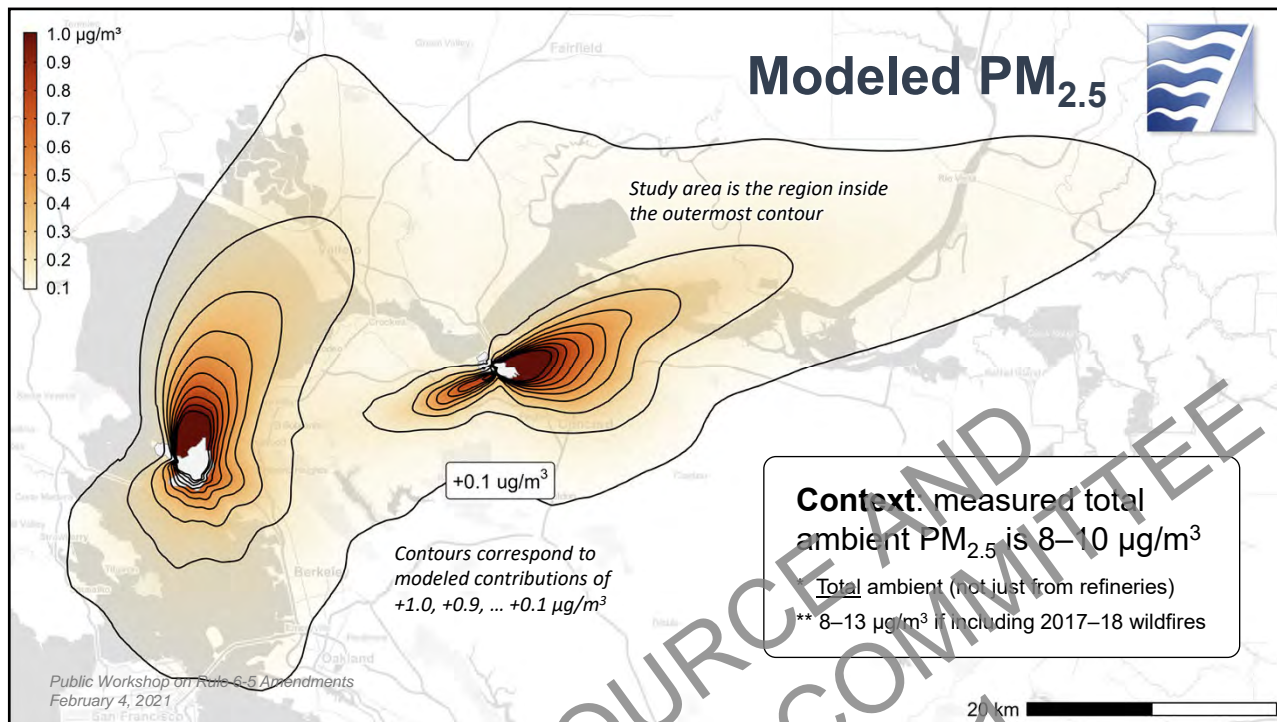
## Health Impact Assessment



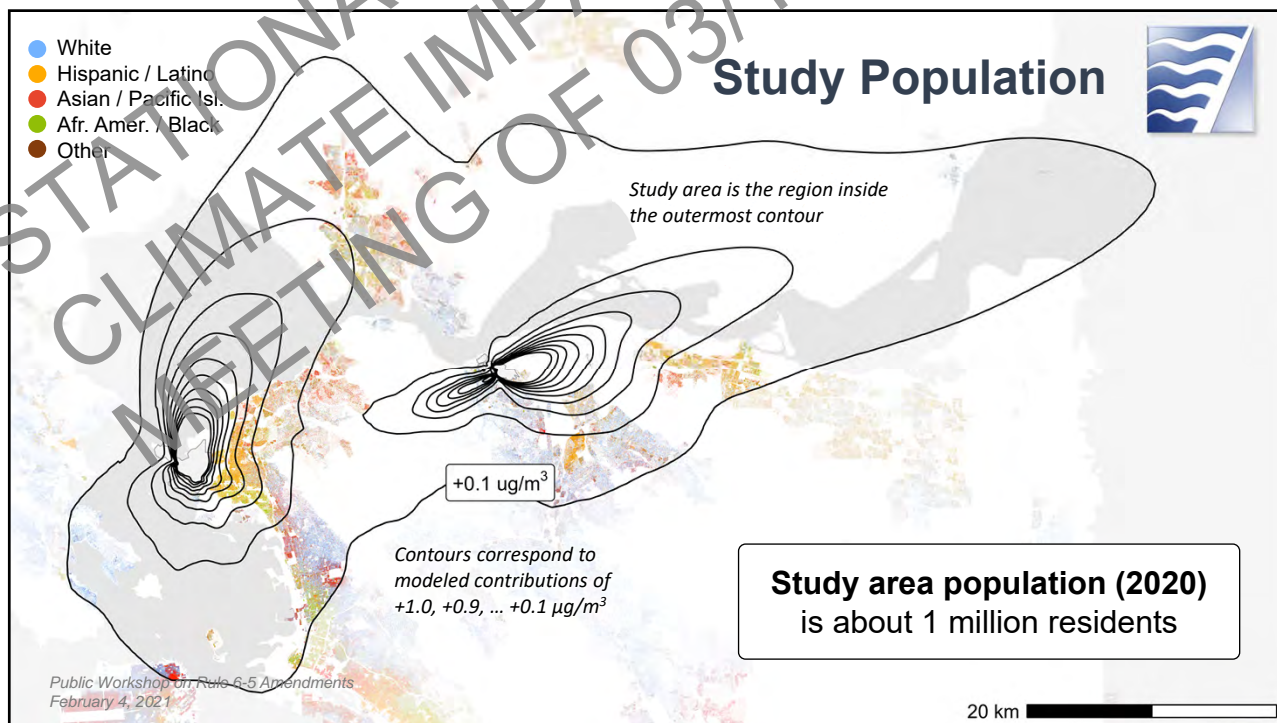
### Information on:

- Localized PM<sub>2.5</sub> impacts from Chevron and PBF
- Equity, health, and Rule 6-5 benefits

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## PM<sub>2.5</sub> Exposure Per Capita by Source and Scenario



### Disparities in Exposure

- African-American / Black and Hispanic / Latino residents are exposed to more PM<sub>2.5</sub> from Chevron in all scenarios

### Sources other than FCCU

- Drive these disparities
- Remain significant across all modeled scenarios



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## Health Impacts and Valuations (Chevron)



Estimated Baseline Health Impact from Modeled Sources (Annual)		Valuation <sup>1</sup> (Annual)	Scenario A	Scenario B
<b>Cardiovascular</b>	0.5–4.3 heart attacks	\$63k–600k	-13%	-22%
	1.0 hospital admissions	\$47k	-13%	-22%
<b>Restricted Activity</b>	4,800 days	\$360k	-12%	-21%
<b>Lost Work</b>	820 days	\$190k	-12%	-21%
<b>Asthma</b>	200 exacerbations <sup>3</sup>	\$12k	-12%	-21%
	4 emergency room visits	\$2k	-12%	-21%
	0.1 hospital admissions	\$1k	-12%	-20%
<b>Respiratory Illness<sup>2</sup></b>	140 upper tract <sup>3</sup>	\$5k	-12%	-20%
	100 lower tract <sup>3</sup>	\$2k	-12%	-20%
	8 bronchitis <sup>3</sup>	\$4k	-12%	-20%
	0.2 chronic lung disease	\$5k	-12%	-21%
<b>Mortality</b>	5.1–11.6 deaths <sup>4</sup>	\$52.5M–118M	-13%	-23%
			<b>\$6.8M to \$15.2M/yr</b>	<b>\$12.2M to \$27.4M/yr</b>



<sup>1</sup> Conventional EPA valuations, in 2015 US dollars  
<sup>2</sup> Other than asthma  
<sup>3</sup> Subset of pediatric (≤18 years)  
<sup>4</sup> Including infant mortality

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## Health Impacts and Valuations (PBF)



Estimated Baseline Health Impact from Modeled Sources (Annual)		Valuation <sup>1</sup> (Annual)	Scenario A	Scenario B
<b>Cardiovascular</b>	0.3–2.4 heart attacks	\$37k–350k	-35%	-50%
	0.6 hospital admissions	\$26k	-35%	-50%
<b>Restricted Activity</b>	2,700 days	\$200k	-35%	-50%
<b>Lost Work</b>	460 days	\$100k	-35%	-50%
<b>Asthma</b>	110 exacerbations <sup>3</sup>	\$7k	-35%	-50%
	2 emergency room visits	\$1k	-35%	-50%
	<0.1 hospital admissions	\$1k	-35%	-50%
<b>Respiratory Illness<sup>2</sup></b>	80 upper tract <sup>3</sup>	\$3k	-35%	-50%
	50 lower tract <sup>3</sup>	\$1k	-35%	-50%
	4 bronchitis <sup>3</sup>	\$2k	-35%	-50%
	0.1 chronic lung disease	\$3k	-35%	-50%
<b>Mortality</b>	2.8–6.3 deaths <sup>4</sup>	\$28.8M–64.9M	-35%	-50%

<sup>1</sup> Conventional EPA valuations, in 2015 US dollars

<sup>2</sup> Other than asthma

<sup>3</sup> Subset of pediatric (≤18 years)

<sup>4</sup> Including infant mortality

**\$10.1M to \$22.7M/yr**      **\$14.4M to \$32.4M/yr**

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Bay Area Air Quality Management District

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## Cost-Benefit Comparisons



Facility	Scenario	Proposed Limit	Projected Costs	Modeled Benefits <sup>1,2</sup>
Chevron	A	0.020 gr/dscf	\$4.4M/yr	\$6.8M to \$15M/yr
	B	0.010 gr/dscf	\$39M/yr	\$12M to \$27M/yr
PBF	A	0.020 gr/dscf	\$14M/yr	\$10M to \$23M/yr
	B	0.010 gr/dscf	\$40M/yr	\$14M to \$32M/yr

<sup>1</sup> Based on conventional US EPA valuations of selected health impacts.

<sup>2</sup> Valuations are in 2015 US dollars, calculated using the US EPA BenMAP system.

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## Rule Development Process



- Draft amendments are available for public review and comment
- Consider and evaluate comments and input received
- Staff may solicit further comments and input on additional materials or drafts
- Final proposed amendments
  - Public comment period
  - Considered for adoption by the Air District Board of Directors at a Public Hearing

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## Further Comments and Questions



### Comments and Questions

- Comments accepted through March 1, 2021
- Comments received will be posted to website
- Staff available to discuss or answer questions

**David Joe, PE**  
Rule Development  
[djoe@baaqmd.gov](mailto:djoe@baaqmd.gov)

**Phil Martien, PhD**  
Assessment, Inventory, & Modeling Division  
[pmartien@baaqmd.gov](mailto:pmartien@baaqmd.gov)

### Materials and Information

<https://www.baaqmd.gov/reg6rule5>

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## Breakout Session



### Small Group Discussions

Take a few moments to think about which you feel would be the most appropriate option to bring to the Air District Board of Directors.

1. Control Scenario A (PM<sub>10</sub> limit of 0.020 gr/dscf, achievable through ESP controls)
2. Control Scenario B (PM<sub>10</sub> limit of 0.010 gr/dscf, achievable through WGS controls)
3. Another option not presented or undecided

Note: The Air District will be recording this public workshop

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## Technical Assistance



- In just a moment you will receive an invitation to join a breakout room
- Click join to enter the breakout room and wait for your facilitators
- For technical support contact: Jennifer Elwell at:
- (650) 784-0107 or [jelwell@baaqmd.gov](mailto:jelwell@baaqmd.gov)

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## Breakout Session Report Out

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## Question & Answer Session



- Please mute yourself when you're not speaking
- Please raise your hand if you wish to speak and wait for the facilitator to let you know when you can unmute yourself and speak
- One person speaks at a time
- Be respectful of one another

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## Closing and Next Steps



### Comments and Questions

- Materials available at: <https://www.baaqmd.gov/reg6rule5>
- Comments accepted through March 1, 2021
- Comments received will be posted to website
- Staff available to discuss or answer questions

**David Joe, PE**  
Rule Development  
[djoe@baaqmd.gov](mailto:djoe@baaqmd.gov)

**Phil Martien, PhD**  
Assessment, Inventory, & Modeling Division  
[pmartien@baaqmd.gov](mailto:pmartien@baaqmd.gov)

### Next Steps

- Consider and evaluate comments
- Solicit further comments and feedback as needed
- Proposed amendments and public comment opportunity
- Public Hearing for consideration by Board of Directors

Public Workshop on Rule 6-5 Amendments  
February 4, 2021

Bay Area Air Quality Management District

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## Workshop Evaluation



### ***The Air District Wants Your Feedback!***

Help us improve our workshops and rule development process by completing this short survey in the link below.

<https://www.surveymonkey.com/r/HYWFCG8>

Public Workshop on Rule 6-5 Amendments  
February 4, 2021

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## **SUMMARY OF WRITTEN COMMENTS RECEIVED ON WORKSHOP PACKAGE FOR DRAFT AMENDMENTS TO RULE 6-5**

Air District staff received a total of 69 written public comments on workshop materials for draft amendments to Regulation 6, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units. A high-level overview of the comments received is included below.

### **Support for individual control scenarios or other regulatory options**

- Commenters expressed support for Control Scenario B (imposing the most stringent limits achievable through the installation and operation of wet gas scrubbing controls).
- Commenters expressed support for solutions to balance air quality improvements and negative economic impacts.
- Commenters expressed support for other solutions to reduce overall PM from refineries.

### **Importance of reducing health impacts and environmental justice/equity issues**

- Commenters expressed that the goal of reducing health impacts from air pollution and particulate matter should be the main consideration in the development and adoption of regulatory requirements.
- Commenters expressed the importance of improving health outcomes in historically overburdened populations and environmental justice communities

### **Estimated compliance costs**

- Commenters questioned the accuracy of Air District compliance cost estimates and stated that actual costs would be much lower than those estimated.
- Commenters questioned the accuracy of Air District compliance cost estimates and stated that actual costs would be much higher than those estimated.
- Commenters stated that site-specific considerations and feasibility constraints would add substantial costs that are not included in the Air District estimates.

### **Estimated emissions and emission reductions**

- Commenters questioned the validity and accuracy of emission estimates.
- Commenters stated that emission reductions that have already been achieved at Chevron Products Richmond are not being accounted for in the emission estimates.

### **Potential socioeconomic impacts and employment reduction/fuel price increases**

- Commenters stated that potential socioeconomic impacts are underestimated.
- Commenters stated that potential socioeconomic impacts are overestimated.
- Commenters stated that due to the amount of staff needed to continue refinery operations, potential job losses estimated by the Air District would not occur
- Commenters stated that potential fuel price increases are small compared to potential benefits of emission reductions.
- Commenters questioned the methods used for evaluating and determining potentially significant socioeconomic impacts.
- Commenters stated that costs from risks of catastrophic incidents associated with potential electrostatic precipitator fires and/or explosions should be considered in economic analyses.

- Commenters expressed concern over potential shifts in fuels production to other areas with less environmental regulations, increasing overall environmental impacts.
- Commenters suggested that the amendments include considerations for financial hardships.
- Commenters suggested that installation of wet gas scrubbing controls would result in job growth.

### **Potential environmental impacts**

- Commenters expressed concern over the high water usage of wet gas scrubbing.
- Commenters questioned the amount of water that would be required by wet gas scrubbing, and stated that water use is overestimated.
- Commenters expressed concern about the hazard of potential fire and/or explosion associated with operation of electrostatic precipitators, and stated that potential public safety and economic impacts from a catastrophic incident should be considered in cost analyses.
- Commenters expressed concern that environmental impacts of control equipment have not been sufficiently addressed.

### **Health impacts assessments**

- Commenters stated that emission reductions would achieve additional public health benefits beyond those analyzed by the Air District assessment.
- Commenters expressed concerns over uncertainties in the health impacts modeling.
- Commenters expressed concerns over inputs and assumptions used in the health impacts modeling.
- Commenters stated that emission reductions that have already been achieved at Chevron Products Richmond are not being accounted for in the health impacts assessment.

### **Implementation timeline**

- Commenters stated implementation timelines are too long, and controls can be installed much sooner than the draft effective date.
- Commenters stated implementation timelines are too short, and controls cannot be feasibly designed, permitted, and installed by the draft effective date.

### **Testing methods and requirements**

- Commenters questioned the validity of source test methods included in the draft amendments.
- Commenters expressed concern over the source testing requirements under the draft amendments, and stated that testing requirements are overly burdensome.
- Commenters expressed concern over testing and monitoring performed by the industrial facilities.

**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: April 1, 2021

Re: Report of the Administration Committee Meeting of March 17, 2021

RECOMMENDED ACTIONS

The Administration Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) Bay Area Regional Collaborative (BARC) Update;
  - 1) None; receive and file.
- B) ACTION REQUESTED: Discussion of Proposed Budget for Fiscal Year Ending (FYE) 2022;
  - 1) The Administration Committee will review the Proposed Budget for Fiscal Year Ending (FYE) 2022 and make any recommendations for further discussions at the April 21, 2021 Administration Committee meeting.
- C) Proposed Amendments to Air District Regulation 3: Fees;
  - 1) None; receive and file.
- D) ACTION REQUESTED: Authorization to Execute Contract Amendments for Production System Office;
  - 1) Recommend Board of Directors authorize the Executive Officer/APCO to execute contract amendments with the following vendors in the amounts listed below:

Vendor	Amount	Service Description
Avantpage	\$25,255	Spanish, Chinese, Tagalog, and Vietnamese language translation services to support the Air District's equity goals.

C&G Technology Services	\$345,760	Software testing services for the permitting and compliance system.
Clay Tablet	\$39,234	Language translation integration and automation software for content transmission, editing, and management.
ClearSparc, Inc.	\$604,755	Software development services for the permitting and compliance system.
Cylogy	\$214,437	Website content management system integration, customization, and support.
Dell	\$173,188	Microsoft value-added reseller of Azure cloud infrastructure services.
Farallon Geographics	\$28,678	Geospatial software development services.
ITDependz	\$479,525	Business analysis and design services for the permitting and compliance system.
Malinda Lai	\$28,678	Web content management and infrastructure support.
Support Focus	\$54,718	Data extract, transform and load services for legacy systems.
<b>TOTAL</b>	<b>\$1,991,565</b>	

- E) Proposed New Commuter Program;
  - 1) None; receive and file.
- F) ACTION REQUESTED: Air District Community Funding Allocations Report; and
  - 1) The Committee will give staff direction on providing a comprehensive response to public inquiry on revenues and expenditures made by the Air District related to local environmental monitoring programs and investments at the May 2021 Administration Committee meeting.
- G) Discussion on Administration Committee Workplan for 2021.
  - 1) Approve the 2021 Workplan for the Committee.

## BACKGROUND

The Committee met on Wednesday, March 17, 2021, and received the following reports:

- A) Bay Area Regional Collaborative (BARC) Update;
- B) Discussion of Proposed Budget for Fiscal Year Ending (FYE) 2022;
- C) Proposed Amendments to Air District Regulation 3: Fees;
- D) Authorization to Execute Contract Amendments for Production System Office;
- E) Proposed New Commuter Program;
- F) Air District Community Funding Allocations Report; and
- G) Discussion on Administration Committee Workplan for 2021.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) The proposed consolidated budget for FYE 2022 is a balanced budget;
- C) The proposed fee amendments would increase fee schedule revenue in Fiscal Year Ending 2022 by an estimated \$2.5 million from fee schedule revenue that would otherwise result without the amendments. The proposed new CTR Regulation fee would increase fee revenues by approximately \$1.5 million;
- D) Funding for the vendor contract recommendations is included in 725, 309, and 125 program budgets for FYE 2021;
- E) Initial funding will come from the Executive Office budget. Transportation for Clean Air, Congestion Mitigation and Air Quality Improvement funds will be earmarked to provide the needed funding for a campaign and employer outreach;
- F) None; and
- G) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amanda Balneg  
Reviewed by: Vanessa Johnson

Attachment 13A: 03/17/2021 – Administration Committee Meeting Agenda #3  
Attachment 13B: 03/17/2021 – Administration Committee Meeting Agenda #4  
Attachment 13C: 03/17/2021 – Administration Committee Meeting Agenda #5  
Attachment 13D: 03/17/2021 – Administration Committee Meeting Agenda #6  
Attachment 13E: 03/17/2021 – Administration Committee Meeting Agenda #7  
Attachment 13F: 03/17/2021 – Administration Committee Meeting Agenda #8  
Attachment 13G: 03/17/2021 – Administration Committee Meeting Agenda #9

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members  
of the Administration Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2021

Re: Bay Area Regional Collaborative (BARC) Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area Regional Collaborative (BARC) consists of Board/Commission representatives of the four regional agencies and provides a forum for discussing issues of regional importance.

DISCUSSION

At the upcoming Administration Committee meeting, the BARC Director, Allison Brooks, will provide an update on the activities of the BARC.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amanda Balneg  
Reviewed by: Vanessa Johnson



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members  
of the Administration Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2021

Re: Discussion of Proposed Budget for Fiscal Year Ending (FYE) 2022

**RECOMMENDED ACTION**

The Administration Committee will review the Proposed Budget for Fiscal Year Ending (FYE) 2022 and make any recommendations for further discussions at the April 21, 2021 Administration Committee meeting.

**BACKGROUND**

At the March 3, 2021 Board of Directors meeting, the FYE 2022 Proposed Budget document was referred to the Administration Committee for review at the Committee's March 17, 2021 meeting.

**DISCUSSION**

Air District staff will present the Proposed Budget for FYE 2022.

Air District staff will publish prior to April 5, 2021, a notice to the general public that the first of two public hearings on the budget will be conducted on May 5, 2021 and that the second hearing will be conducted on June 2, 2021. Staff requests that the Administration Committee complete its review and take action on the Proposed Budget at the April 21, 2021 Administration Committee meeting. This will allow staff the necessary time required to amend, if necessary, the budget for the first public hearing to be held on May 5, 2021.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

The proposed consolidated budget for FYE 2022 is a balanced budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze  
Reviewed by: Jeffrey McKay

Attachment 4A: FYE 2022 Air District Proposed Budget

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



**BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

**PROPOSED BUDGET  
FOR  
FISCAL YEAR ENDING 2022**

March 1, 2021

ADMINISTRATIVE COMMITTEE MEETING  
OF 03/17/2021

The Bay Area Air Quality Management District  
is committed to  
PROTECT AND IMPROVE PUBLIC HEALTH, AIR QUALITY, AND  
THE GLOBAL CLIMATE

CORE VALUES

- Excellence** Air District programs and policies are founded on science, developed with technical expertise, and executed with quality.
- Leadership** The Air District will be at the forefront of air quality improvement and will pioneer new strategies to achieve healthy air and protect the climate.
- Collaboration** Involving, listening, and engaging all stakeholders, including partner agencies, to create broad acceptance for healthy air solutions.
- Dedication** Committed staff that live and believe the Air District's mission.
- Equity** All Bay Area residents have the right to breathe clean air.

ADMINISTRATION  
OF 03/17/2021

# Bay Area Air Quality Management District

For Fiscal Year Ending June 30, 2022

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For Fiscal Year Ending June 30, 2022

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

# BUDGET MESSAGE

Jack P. Broadbent, Executive Officer/APCO

## EXECUTIVE SUMMARY

This document presents the proposed budget for the Bay Area Air Quality Management District (Air District) for Fiscal Year Ending (FYE) 2022. The Air District continues its commitment to fulfill its mission, goals and objectives, through activities which focus on core and mandated programs, fiscally conservative internal controls, long range financial planning and the development of short and long-term sustainable approaches toward achieving cleaner air to protect the public's health and the environment. However, cuts in funding such as that associated with AB617 would place severe strain on the Air District's ability to maintain current staffing levels.

In the current year, the Air District took several actions to address the economic slowdown related to the COVID-19 pandemic: there were no increases for the Air District's Existing Fee Schedules, however, a new Community Health Impact Fee was added. There were no increases to Services and Supplies budgets, building improvements to the Richmond Office were postponed, and \$5.2 million from reserves was used to balance the FYE 2021 budget. The Air District's current revenue trends for some of its permit revenues are trending higher than its initial projections. We are cautiously optimistic as we approach the next fiscal year budget process.

The FYE 2022 General Fund Proposed Budget increased by \$10.5M over the current year budget. This budget proposes some increases for the Air District's Existing Fee Schedules, a new fee for Criteria Pollutant and Toxic Emissions Reporting (CTR), increased staffing to address the needs of several core programs, and increases to Services and Supplies to address new and enhanced programs.

The proposed budget for FYE 2022 reflects the priorities established by the Board of Directors (Board), which includes maintenance and enhancement of Air District core functions as well as work on the following key policy initiatives:

Assembly Bill 617 Implementation ± Assembly Bill (AB) 617, passed by the Legislature and signed by the Governor in 2017, establishes new, comprehensive air quality planning requirements for the California Air Resources Board (CARB) and local air districts. The bill requires CARB and the Air District to engage with communities to analyze and reduce localized cumulative exposure to air pollution to improve health in the most disproportionately impacted communities. CARB and the Air District will: 1) identify impacted communities in the Bay Area, 2) develop and implement monitoring programs to better understand local air pollution sources, air quality and exposures, and; 3) develop and implement community action plans to reduce local emissions and exposures. Air District AB 617 implementation activities cut across all divisions and represent a major focus for the agency in FYE 2019 and beyond.

Diversity, Equity, and Inclusion ± The work of the Air District requires diverse perspectives, talents, and life experiences to solve some of the most complex technical air quality issues that we face. The Office of Diversity, Equity & Inclusion (Office) is taking meaningful steps to build an antiracist and inclusive environment. The efforts will be informed by working with the Senior Deputy Executive Officer of Policy & Equity, Board of Directors' Community Health, Equity and Justice Committee and staff to shift long-standing environmental justice inequities throughout the region. Key initiatives for the Office will be the development and implementation of an agency-wide Equity Action Plan and trainings that encompass equity tools to provide a blueprint of systems and structures to operationalize cross-divisional efforts relative to Air District programs. In addition, the Office will work on internal initiatives by 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.

Toxics Risk Reduction Rule Implementation ± The Air District will continue to implement Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18). Under this rule, staff will improve toxic emission inventories and conduct health risk assessments (HRAs) for about 350 facilities. Sites with elevated health risks will be required to implement risk reduction plans that may include abatement devices, material substitutions, operational changes, or other measures that reduce health risks from stationary sources. The Air District is currently evaluating health risks for 34 facilities that are likely to have the highest health impacts. These sites include refineries, cement manufacturing, metal melting, large chemical plants, large power plants, and landfills. Inventory reviews for additional facilities will begin in 2021 and continue in later years as part of the rule implementation plan, followed by HRAs, and risk reduction plans when required.

Wildfire Air Quality Response Program ± The Air District aims to finalize program guidelines with CARB to fund ventilation retrofits and air filtration improvements as part of Assembly Bill 836, *Wildfire Smoke Clean Air Center Incentive Program for Vulnerable Communities*. To complement this program, the Air District is pursuing a new home air filtration grant program to provide residential air filtration units and filters to those most vulnerable to wildfire smoke. Additional efforts underway include the launch of a new Wildfire Prevention Chipping Pilot Program to provide an alternative to open burning. Coordination with local and state partners will continue to be a primary focus of the wildfire program including a robust public messaging plan to raise awareness on the health impacts of wildfire smoke and wildfire preparedness.

Climate Tech Finance Loan Program ± The Air District's first loan and loan JXDQW program supports the Bay Area's industrial and municipal facilities in implementing emerging technologies that can reduce their greenhouse gas emissions, support more efficient operations and lower costs. In FYE 2022, the Air District will continue to leverage partnerships with state agencies and private lenders to identify and fund climate projects through outreach, matchmaking, and technical support.

Clean Cars for All Program ± The Air District has continued to support the Clean Cars for All program to provide grants for low-income residents in the Bay Area to access clean transportation options, including plug-in hybrid vehicles, battery electric vehicles, or transit. In FYE2022, this program and other electric vehicle incentive programs, will be complemented by expanded public outreach and partnership activities and include a focus on providing incentives in disadvantaged communities.

Grants for Surplus Emissions Reductions to Complement Other Air District Programs ± The Air District's grants programs work to incentivize voluntary emissions reductions, primarily from mobile sources. In FYE 2022, the Air District will be awarding approximately \$138 million to eligible projects that will replace older cars, trucks, and buses, as well as off-road equipment, with newer and cleaner alternatives including zero- and near-zero technologies, and incentivize single-occupancy vehicle trip reduction strategies. Air District funding is prioritized for communities that are identified through the Community Health Protection AB 617 process and for projects that result in permanent reductions in emissions reductions through the adoption of zero- and new-zero emissions technologies.

## **INCENTIVE REVENUES**

### Transportation Fund for Clean Air (TFCA)

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its nine-county jurisdiction to fund projects that reduce on-road motor vehicle emissions. The Air District allocates these funds to eligible projects through the Transportation Fund for Clean Air (TFCA) program. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242. The Air District expends a portion of the funds collected for administrative purposes and provides the remainder of the funds to project sponsors that implement eligible projects or programs.

Up to 60% of these funds received are awarded directly by the Air District to a program referred to as the TFCA Regional Fund and to eligible District programs (e.g., Spare the Air). The remaining 40% is forwarded to the designated county transportation agency within each Bay Area county to be distributed through the TFCA

County Program Manager Fund program. TFCA funding may be used to support eligible zero-emissions on-road passenger vehicle, truck, and bus replacement and fleet expansion projects, and single-occupancy vehicle trip reduction strategies including the creation of new bicycle paths and lanes and installation of secure bike parking facilities.

#### Mobile Source Incentive Fund (MSIF)

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile 6RXU Incentive Fund (MSIF). The Health & Safety Code stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible for funding under the following programs: Carl Moyer Program, Lower Emission School Bus Program, Light-Duty Vehicle Scrap Program, and Agricultural Assistance Program. Funds may also be used for alternative fuel and electric infrastructure projects. The Air District provides these incentives to public and private entities for the implementation of eligible projects within the region. The Air District expends a portion of the funds collected for administrative purposes and provides the remainder to project sponsors that implement eligible projects. Funding to continue this program through 2023 was reauthorized in 2013 and new efforts are currently underway to extend this sunset date. Revenues from this funding source are separate from the General Fund budget for accounting purposes.

#### Carl Moyer Program (CMP)

The Air District has participated in the Carl Moyer Program, in cooperation with the California Air Resources Board, since the program began in 1999. This program provides funding for grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, forklifts, and refueling infrastructure that supports zero emissions vehicles. Funding to continue this program through 2023 was reauthorized in 2013 and new efforts are currently underway to extend this sunset date. Revenues from this funding source are separate from the General Fund budget for accounting purposes.

#### California Goods Movement Bond (CGMB)

In November 2006, California voters authorized the Legislature to appropriate \$1 billion in bond funding to quickly reduce air pollution emissions and health risk from freight movement along California's priority trade corridors. On February 28, 2008, The California Air Resources Board approved an allocation of \$140 million from projected bond sales for emission reduction projects in the Bay Area trade corridor. To date, this program has funded projects to reduce emissions from over 2,000 diesel trucks and install shore power infrastructure at 12 berths at the Port of Oakland. The District is currently administering the final round of CGMB funding.

#### Community Air Protection Grant Program (AB 617/134)

In 2017, AB 617 directed the California Air Resources Board, in conjunction with local air districts to establish the Community Air Protection Program (CAPP). Funding for incentives to support the AB 617 effort was approved by the California Legislature beginning in fiscal year ending (FYE) 2018 and comes from the State's Greenhouse Gas Reduction Fund (GGRF), which is used to reduce criteria pollutants, toxic air contaminants, and greenhouse gases. This funding is designed to primarily target hyperlocal reductions in emissions from and exposure to diesel particulate and toxic air contaminants.

These funds are primarily distributed through the Air District's Community Health Protection Grant 3Ugram 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 are identified as priorities by communities with a State-approved Community Emissions Reduction Program, pursuant to HSC Section 44391.2. To date the Air District has received three cycles of CAPP incentive funding totaling nearly \$118 million. Approximately \$25 million in new revenue is anticipated to be awarded to the Bay Area for the fourth cycle in fiscal year ending 2022.

### Volkswagen Environmental Mitigation Trust (VW Trust)

The VW Trust was established subsequent to a settlement with Volkswagen and other parties for their use of illegal defeat devices and is intended to fully mitigate the lifetime excess oxides of nitrogen (NOx) emissions caused by their actions. The California Air Resources Board is the designated Lead Agency acting on the State's behalf as beneficiary to implement California's share of VW Trust funds for eligible project categories. IN 2018 the Air District was been selected by the California Air Resources Board to administer VW Trust funding on a statewide-basis, including \$70 million for zero-emission freight and marine projects and \$10 million for light-duty zero emission vehicle infrastructure projects. VW Trust funds will be awarded, and selected projects will be managed over a ten-year period ending in 2028.

### Funding Agricultural Replacement Measures for Emission Reductions (FARMER)

In 2018 the California Air Resources Board established the FARMER Program that provides grant funding for eligible projects that reduce criteria, toxic, and greenhouse gas emissions from the agricultural sector. The FARMER program targets the voluntary early replacement of older, dirtier equipment that used in agricultural operations, such as harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment. On October 21, 2019, CARB's Executive Officer approved an update to the FARMER Program Guidelines to include eligibility criteria for demonstration projects. Since the program's inception in 2018, the State has allocated approximately \$1 million annually to the Bay Area Air District for its participation in the FARMER program.

## **FINANCIAL SUMMARY**

The Proposed Consolidated Budget Expenditure for FY 2022 is \$248.0 million; an increase of \$6.4 million, or 2.6% over current year. Of the \$248.0 million, \$131.0 million is classified as Special Revenue Funds for various grant related incentive programs and \$117.0 million for General Fund programs.

### General Fund Summary

Total FYE 2022 Proposed General Fund Budget is expected to increase by \$10.5 million or 10% over the current year. This increase is partially attributed to several actions taken in FYE 2021 Budget in addressing the economic slowdown related to the COVID-19 pandemic. Some of these actions were modified in developing the FYE 2022 Proposed Budget. The following actions were taken to develop the FYE 2022 Proposed Budget:

- Reinstate fee increases to the District's Existing Fee Schedules
- Proposed adoption of a new fee schedule for the CTR program
- Restore funding of the 415 Full Time Equivalent (FTE) current authorized positions
- Proposed increase from 415 to 441 FTE positions to address the growing demands on core programs
- Assumes a 5% vacancy savings to account for recruitment timeline to fill new positions and attrition due to retirements
- Increases to the Services and Supplies budget for new and enhanced District programs
- Continue building improvements to the Richmond Office using reserves previously approved by the Board
- Proposed Use of \$0.5 million of reserves for Richmond Office Capital Improvements
- Continue to address unfunded liabilities

The FYE 2022 Proposed Budget is balanced, reflecting a \$0.5 million transfer from General Fund reserves to cover the continued capital improvements for the Richmond Office. The proposed budget includes an economic contingency reserve policy of 20% of operating budget. This policy allows for a sound financial footing and provides the District the ability to operate for a minimum of three months in the event of a total loss of projected revenue. See Appendix C for further details on the District's Fund Reserves.

## GENERAL FUND REVENUES AND EXPENDITURES

Details of the FYE 2022 General Fund Revenues and Expenditures by major categories are displayed in Appendix D, Figure 1 and Figure 2, including 3 years of prior year actuals and the approved budget for FYE 2021.

### Fee Revenue

This budget year, the Air District proposes adoption of a CTR fee schedule and reinstatement of fee increases to existing permitted-fee schedules as allowed under the *Health and Safety Code*. Increases in permit related fees reflects the Board's adoption of a cost recovery policy in accordance with the recommendations of the cost recovery study undertaken in 2010. An independent review of the Air District's cost recovery and containment process was completed in 2018. If proposed fee increases are approved, the proposed fee schedule will become effective on July 1, 2021.

### County Revenue

The County revenue budget is based on property values in the nine Bay Area counties. For the FYE 2022 Proposed Budget projects a \$0.6 million or 1.5% increase in property taxes receipts over the FYE 2021 Approved Budget primarily due to slight increase in property valuations.

### Other Sources of General Fund Revenue

Federal grants from the Environmental Protection Agency (EPA) and other state/federal agencies show an increase of \$1.8 million or 11.7%. We anticipate continued funding from the State of \$9.0 million for AB 617 implementation efforts. However, this funding is not guaranteed and may be in jeopardy for future years. As in the past, should the Air District receive supplemental Federal grants, the amounts will be presented to the Air District's Board for approval. The State Subvention grant for FYE 2022 is budgeted at \$1.7 million based on actual collections in prior year. Penalties and Settlements fluctuate from time to time; and the FYE 2022 projection is \$2.7 million. Transfer from various grant sources of \$1.3 million will support indirect costs and other eligible activities supporting these grant programs.

### Operating Expenditures

The FYE 2022 General Fund Proposed Operating Budget (net personnel & capital) of \$32.1 million increased by \$4.9 million over the FYE 2021 Approved Budget primarily due to necessary increases to address new and enhanced programs of the Air District. A summary of the General Fund Expenditures by Division from FYE 2020 (actual expenditures) through FYE 2022 (projected expenditures) is displayed in Table XI. In addition, the General Fund Expenditures by major categories from FYE 2018 (actuals) through FYE 2022 (projected expenditures) are displayed in Appendix E, Figure 2.

### Personnel Expenditures

Currently, the Air District authorized staffing level is 415 FTEs, however; the FYE 2021 Adopted Budget proposed funding only 405 of the 415. During the current year, the Board approved funding an additional 9 FTEs to continue the work related to AB617, as well as, restore and maintain core programs of the Air District. The FYE 2022 budget proposes an authorized staffing level of 441 FTEs, an increase of 26 positions; to meet the growing demands of core Air District programs. The proposed budget also assumes a 5% vacancy savings of \$4.2 million to account for recruitment timeline to fill new positions and attrition due to retirements.

### Capital Expenditures

The Proposed Budget for FYE 2022 funds capital expenditures of \$5.2 million. The capital budget is distributed across various General Fund programs. Table XIII provides details of the individual capital items.

## PLANNING FOR THE FUTURE AND COST CONTAINMENT

The Air District's 5-year projections anticipate revenue is sufficient to meet projected expenditures within the accuracy level of the projection. Appendix F provides a General Fund Five-Year Projection. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets. If the economic slowdown remains stable, the forecast assumes the Air District will be well above its 20% reserve policy, with the assumption that

AB617 funding from the state of California persists. If the AB617 funding does not persist, severe strain will be placed on the District's ability to maintain ~~FLU~~ staffing levels. While there is a healthy reserve to address potential fiscal challenges over the next five years of the financial plan, the Air District must be fiscally prudent with its reserves to weather any potential long-term economic recovery.

The Air District's annual obligation, premiums in employee health ~~EHQHS~~ pension costs and OPEB obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2019 actuarial valuation study for OPEB, the Air District's plan is ~~DSSUR~~ ~~LR~~ 75% funded: leaving an unfunded liability of 25% or \$18.4 million. As a part of the FYE 2016 Budget, the Board adopted a minimum OPEB funding target policy of 90%. The FYE 2022 Budget includes the continuation of this funding with a \$4.0 million contribution.

The Air District's pension obligation is also growing, especially with recent changes in actuarial assumptions by CalPERS. As a result, CalPERS anticipates increased employer rates over the next few years. Based on the June 30, 2019 CalPERS actuarial valuation study, the Air District is currently funded at approximately 73%; leaving an unfunded liability of 27% or approximately \$91 million. Given these potential impacts, the FYE 2022 Budget includes continuation of \$1.0 million in discretionary contributions, which will be used for the sole purpose of reducing the unfunded liability to minimize the impact of future rate increases for the Air District.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

District-Wide Revenue and Expenditure Budgets

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



TABLE I: Consolidated Expenditures and Revenues by Major Categories

	ACTUALS FYE 2020			APPROVED BUDGET FYE 2021			PROPOSED BUDGET FYE 2022		
	GENERAL FUND	SPECIAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	SPECIAL FUNDS	TOTAL FUNDS	GENERAL FUND	SPECIAL FUNDS	TOTAL FUNDS
<b>REVENUES</b>									
County Revenues	37,558,118		37,558,118	38,770,162		38,770,162	39,335,284		39,335,284
Permits / Fees	50,398,318		50,398,318	41,623,723		41,623,723	53,678,690		53,678,690
Grant Revenues	10,295,247	70,702,290	80,997,537	11,225,783	135,108,099	146,333,882	12,967,612	130,964,735	143,932,347
Other Revenues	5,594,165		5,594,165	4,618,711		4,618,711	6,745,848		6,745,848
	103,845,848	70,702,290	174,548,138	96,238,379	135,108,099	231,346,478	112,727,434	130,964,735	243,692,169
Reimbursements Programs	2,035,734		2,035,734	2,375,664		2,375,664	2,426,500		2,426,500
Transfer In	1,665,844		1,665,844	2,700,886		2,700,886	1,361,189		1,361,189
Transfer from / (to) Reserves	(5,872,253)		(5,872,253)	5,159,682		5,159,682	500,000		500,000
<b>Total REVENUES</b>	<b>101,675,173</b>	<b>70,702,290</b>	<b>172,377,463</b>	<b>106,474,611</b>	<b>135,108,099</b>	<b>241,582,710</b>	<b>117,015,123</b>	<b>130,964,735</b>	<b>247,979,858</b>
<b>EXPENDITURES</b>									
Personnel & Benefits	63,388,071	4,874,811	68,262,882	74,994,643	6,219,921	81,214,569	78,193,804	7,503,256	85,697,060
Services & Supplies	30,583,078	7,119,535	37,702,613	27,243,515	11,989,599	39,233,114	32,092,559	10,398,315	42,490,874
Capital Expenditures	5,744,975		5,744,975	4,236,448		4,236,448	5,187,458		5,187,458
Other Financing Uses	841,643		841,643						
	100,557,767	11,994,346	112,552,113	106,474,611	18,209,520	124,684,131	115,473,821	17,901,571	133,375,392
Program Distributions	1,117,406	57,042,100	58,159,506		114,197,693	114,197,693	1,541,302	111,746,976	113,288,278
Transfer Out		1,665,844	1,665,844		2,700,886	2,700,886		1,316,188	1,316,188
<b>Total EXPENDITURES</b>	<b>101,675,173</b>	<b>70,702,290</b>	<b>172,377,463</b>	<b>106,474,611</b>	<b>135,108,099</b>	<b>241,582,710</b>	<b>117,015,123</b>	<b>130,964,735</b>	<b>247,979,858</b>

ADMINISTRATIVE COMMITTEE  
OF 03/17/2021

TABLE II: Consolidated Revenues

	Approved Program Budget		Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	2021	2022	\$	%
<b>County Revenues</b>					
Alameda	6,733,882	6,761,810	6,897,046	135,236	2.0%
Contra Costa	4,134,514	4,581,797	4,673,433	91,636	2.0%
Marin	1,648,621	1,676,343	1,688,388	12,045	0.7%
Napa	1,204,466	1,171,563	1,227,157	55,594	4.7%
San Francisco	5,793,645	5,843,403	6,199,930	356,527	6.1%
San Mateo	5,177,940	5,021,259	5,121,684	100,425	2.0%
Santa Clara	10,311,534	10,697,367	10,831,380	134,013	1.3%
Solano	894,376	1,133,592	970,760	(162,832)	(14.4)%
Sonoma	1,659,140	1,883,028	1,725,506	(157,522)	(8.4)%
<b>Total County Revenues</b>	<b>37,558,118</b>	<b>38,770,162</b>	<b>39,335,284</b>	<b>565,122</b>	<b>1.5%</b>
<b>Permits / Fees</b>					
Permit Renewal & Application Fees	36,045,517	30,222,640	37,505,080	7,282,440	24.1%
Community Health Impact		1,000,000	918,891	(81,109)	(8.1)%
Criteria Pollutant and Toxics Emissions			1,300,000	1,300,000	
Title V Fees	6,111,526	5,085,389	6,261,936	1,176,547	23.1%
Asbestos Fees	4,380,504	1,625,000	4,000,000	2,375,000	146.2%
Toxics Inventory Fees	580,333	628,357	731,737	103,380	16.5%
Registration Fees	193,460	276,220	190,000	(86,220)	(31.2)%
Hearing Board Fees	37,093	12,750	25,000	12,250	96.1%
Greenhouse Gas Fees	3,049,885	2,773,367	2,746,046	(27,321)	(1.0)%
<b>Total Permit Fees</b>	<b>50,398,318</b>	<b>41,623,723</b>	<b>53,678,690</b>	<b>12,054,967</b>	<b>29.0%</b>
<b>Grant Revenues</b>					
Federal Grant	2,289,072	2,225,783	3,967,612	1,741,829	78.3%
Other Grants	8,006,175	9,000,000	9,000,000		
<b>Total Grant Revenue</b>	<b>10,295,247</b>	<b>11,225,783</b>	<b>12,967,612</b>	<b>1,741,829</b>	<b>15.5%</b>
<b>Other Revenues</b>					
Penalties & Settlements	1,349,478	1,500,000	2,750,000	1,250,000	83.3%
State Subvention	1,743,099	1,736,000	1,736,000		
PERP (Portable Equip Prog)	660,827	450,000	450,000		
Interest Income	1,383,522	832,711	1,609,848	777,137	93.3%
Miscellaneous Income	457,239	100,000	200,000	100,000	100.0%
<b>Total Other Revenues</b>	<b>5,594,165</b>	<b>4,618,711</b>	<b>6,745,848</b>	<b>2,127,137</b>	<b>46.1%</b>
<b>Total Operating Revenues</b>	<b>103,845,848</b>	<b>96,238,379</b>	<b>112,727,434</b>	<b>16,489,055</b>	<b>17.1%</b>
<b>Reimbursement Programs</b>					
CMAQ Funding	826,677	1,000,000	1,000,000		
DHS Biowatch Funding	1,209,057	1,375,664	1,426,500	50,836	3.7%
<b>Total Reimbursement Programs</b>	<b>2,035,734</b>	<b>2,375,664</b>	<b>2,426,500</b>	<b>50,836</b>	<b>2.1%</b>
Transfer from / (to) Reserves	(5,872,253)	5,159,682	500,000	(4,659,682)	(90.3)%
Transfer In	1,665,844	2,700,886	1,361,189	(1,339,697)	(49.6)%
<b>Total General Fund Revenues</b>	<b>101,675,173</b>	<b>106,474,611</b>	<b>117,015,123</b>	<b>10,540,512</b>	<b>9.9%</b>
<b>Special Revenue Funds</b>					
<b>Grant Programs</b>					
Carl Moyer Fund	23,902,428	51,064,990	59,898,128	8,833,138	17.3%
Mobile Source Incentive Fund (MSIF)	10,954,266	12,799,080	12,000,000	(799,080)	(6.2)%
California Goods Movement Bond (CGMB)	9,131,585	10,250,000	21,388,049	11,138,049	108.7%
Transportation Fund for Clean Air (TFCA)	18,424,980	20,320,567	19,313,364	(1,007,203)	(5.0)%
Other Grants Revenues	7,655,750	21,156,449	7,330,194	(13,826,255)	(65.4)%
Vehicle Settlement	633,281	19,517,013	11,035,000	(8,482,013)	(43.5)%
<b>Total Special Revenue Funds</b>	<b>70,702,290</b>	<b>135,108,099</b>	<b>130,964,735</b>	<b>(4,143,364)</b>	<b>(3.1)%</b>
<b>Total Revenues District Wide</b>	<b>172,377,463</b>	<b>241,582,710</b>	<b>247,979,858</b>	<b>6,397,148</b>	<b>2.6%</b>

TABLE III: Consolidated Expenditures

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	361.00	415.00	441.00	26.00	6.3%
<b>Personnel Expenditures</b>					
Permanent Salaries	46,515,128	52,734,079	57,661,665	4,927,586	9.3%
Overtime Salaries	346,378	429,430	449,830	20,400	4.8%
Temporary Salaries	405,575	377,054	269,006	(108,048)	(28.7)%
Payroll Taxes	941,610	753,511	824,677	71,166	9.4%
Pension Benefits	9,374,553	11,666,066	13,453,506	1,787,440	15.3%
FICA Replacement Benefits	717,948	778,723	840,370	61,647	7.9%
Group Insurance Benefits	9,104,696	10,796,422	11,434,519	638,097	5.9%
Employee Transportation Subsidy	588,235	901,382	635,041	(266,341)	(29.5)%
Workers' Compensation	205,559	229,998	229,998		
Other Post Employment Benefits		4,000,000	4,000,000		
Board Stipends	63,200	92,000	92,000		
Vacancy Savings		(1,544,096)	(4,193,552)	(2,649,456)	171.6%
<b>Total Personnel Expenditures</b>	68,262,882	81,214,569	85,697,060	4,482,491	5.5%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	137,004	311,867	323,223	11,356	3.6%
Travel Out-of-State	76,817	232,710	288,960	56,250	24.2%
Training & Education	416,344	738,079	847,729	109,650	14.9%
Repair & Maintenance (Equipment)	634,703	1,006,618	1,087,846	79,228	7.9%
Communications	648,598	833,431	842,556	9,125	1.1%
Building Maintenance	433,106	299,853	671,570	371,717	124.0%
Utilities	218,113	261,452	246,315	(15,137)	(5.8)%
Postage	46,976	148,740	100,215	(48,525)	(32.6)%
Printing & Reproduction	119,430	440,103	440,103		
Equipment Rental	62,120	38,000	67,000	29,000	76.3%
Rents & Leases	2,135,955	3,262,464	3,331,153	68,689	2.1%
Professional Services & Contracts	29,926,463	29,080,483	31,388,305	2,307,822	7.9%
General Insurance	451,178	407,036	557,500	150,464	37.0%
Shop & Field Supplies	281,127	587,411	634,957	47,546	8.1%
Laboratory Supplies	131,344	184,537	186,761	2,224	1.2%
Gasoline & Variable Fuel	177,283	265,000	265,000		
Computer Hardware & Software	566,888	819,414	1,047,715	228,301	27.9%
Stationery & Office Supplies	54,393	146,200	100,450	(45,750)	(31.3)%
Books & Journals	60,264	51,313	52,113	800	1.6%
Minor Office Equipment	65,465	116,403	11,403	(105,000)	(90.2)%
Non-capital assets	1,059,042				
Other Financing Resources	841,643				
<b>Total Services &amp; Supplies Expenditures</b>	38,544,256	39,233,114	42,490,874	3,257,760	8.3%
<b>Capital Expenditures</b>					
Leasehold Improvements	1,507,217				
Building & Grounds	209,579		500,000	500,000	
Office Equipment	7,445				
Computer & Network Equipment	2,989,950	2,890,000	3,253,347	363,347	12.6%
Motorized Equipment	37,368	60,000	110,000	50,000	83.3%
Lab & Monitoring Equipment	949,123	886,448	924,111	37,663	4.2%
Communications Equipment		400,000	400,000		
General Equipment	44,293				
<b>Total Capital Expenditures</b>	5,744,975	4,236,448	5,187,458	951,010	22.4%
<b>Total Expenditures</b>	112,552,113	124,684,131	133,375,392	8,691,261	7.0%
Transfer In/Out	1,665,844	2,700,886	1,316,188	(1,384,698)	(51.3)%
Program Distribution	58,159,506	114,197,693	113,288,278	(909,415)	(0.8)%
<b>"Total Expenditures - District Wide"</b>	172,377,463	241,582,710	247,979,858	6,397,148	2.6%

TABLE IV: General Fund

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	331.95	379.58	400.00	20.42	5.4%
<b>Revenues</b>					
Revenues Other Than Transfers	100,009,329	103,773,725	115,653,934	11,880,209	11.4%
Transfer In	1,665,844	2,700,886	1,361,189	(1,339,697)	(49.6)%
<b>Total Revenues - General Fund</b>	101,675,173	106,474,611	117,015,123	10,540,512	9.9%
<b>Personnel Expenditures</b>					
Permanent Salaries	43,055,751	48,577,383	52,696,746	4,119,363	8.5%
Overtime Salaries	249,590	422,430	447,830	25,400	6.0%
Temporary Salaries	357,568	377,054	254,006	(123,048)	(32.6)%
Payroll Taxes	888,327	694,502	754,090	59,588	8.6%
Pension Benefits	8,723,897	10,763,501	12,296,429	1,532,928	14.2%
FICA Replacement Benefits	680,172	712,159	762,223	50,064	7.0%
Group Insurance Benefits	8,635,179	10,206,952	10,671,395	464,443	4.6%
Employee Transportation Subsidy	544,115	824,334	575,989	(248,345)	(30.1)%
Workers' Compensation	190,272	210,339	208,611	(1,728)	(0.8)%
Other Post Employment Benefits		3,658,090	3,628,037	(30,053)	(0.8)%
Board Stipends	63,200	92,000	92,000		
Vacancy Savings		(1,544,096)	(4,192,552)	(2,649,456)	171.6%
<b>Total Personnel Expenditures</b>	63,388,071	74,994,648	76,193,804	3,199,156	4.3%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	129,257	235,067	231,823	(3,244)	(1.4)%
Travel Out-of-State	73,033	202,010	194,160	(7,850)	(3.9)%
Training & Education	408,775	703,579	806,229	102,650	14.6%
Repair & Maintenance (Equipment)	634,703	1,008,618	1,087,846	79,228	7.9%
Communications	643,113	826,431	835,556	9,125	1.1%
Building Maintenance	433,106	299,853	671,570	371,717	124.0%
Utilities	217,899	261,452	246,315	(15,137)	(5.8)%
Postage	40,075	139,740	86,215	(53,525)	(38.3)%
Printing & Reproduction	108,680	409,603	409,603		
Equipment Rental	62,120	38,000	67,000	29,000	76.3%
Rents & Leases	2,135,955	3,262,464	3,331,153	68,689	2.1%
Professional Services & Contracts	22,853,153	17,318,723	21,327,530	4,008,807	23.1%
General Insurance	451,178	407,036	557,500	150,464	37.0%
Shop & Field Supplies	280,352	578,911	626,457	47,546	8.2%
Laboratory Supplies	131,344	184,537	186,761	2,224	1.2%
Gasoline & Variable Fuel	177,283	265,000	265,000		
Computer Hardware & Software	564,925	796,915	1,005,215	208,300	26.1%
Stationery & Office Supplies	53,356	141,100	95,350	(45,750)	(32.4)%
Books & Journals	60,264	50,473	51,273	800	1.6%
Minor Office Equipment	65,465	114,003	10,003	(104,000)	(91.2)%
Non-capital assets	1,059,042				
Other Financing Resources	841,643				
<b>Total Services &amp; Supplies Expenditures</b>	31,424,721	27,243,515	32,092,559	4,849,044	17.8%
<b>Capital Expenditures</b>					
Leasehold improvements	1,507,217				
Building & Grounds	209,579		500,000	500,000	
Office Equipment	7,445				
Computer & Network Equipment	2,989,950	2,890,000	3,253,347	363,347	12.6%
Motorized Equipment	37,368	60,000	110,000	50,000	83.3%
Lab & Monitoring Equipment	949,123	886,448	924,111	37,663	4.2%
Communications Equipment		400,000	400,000		
General Equipment	44,293				
<b>Total Capital Expenditures</b>	5,744,975	4,236,448	5,187,458	951,010	22.4%
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	100,557,767	106,474,611	115,473,821	8,999,210	8.5%
<b>Program Distribution</b>	1,117,406		1,541,302	1,541,302	
<b>Total Expenditures - General Fund</b>	101,675,173	106,474,611	117,015,123	10,540,512	9.9%

TABLE V: Carl Moyer Fund

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	9.38	11.04	18.82	7.78	70.5%
<b>Revenues</b>					
Admin Revenue	2,283,261	2,293,809	3,760,586	1,466,777	63.9%
Program Income	21,619,167	48,771,181	56,137,542	7,366,361	15.1%
<b>Total Revenue - Carl Moyer</b>	23,902,428	51,064,990	59,898,128	8,833,138	17.3%
<b>Personnel Expenditures</b>					
Permanent Salaries	1,063,186	1,304,746	2,271,087	966,341	74.1%
Overtime Salaries	52				
Temporary Salaries	10,723				
Payroll Taxes	16,424	18,523	32,272	13,749	74.2%
Pension Benefits	205,595	280,794	529,237	248,443	88.5%
FICA Replacement Benefits	11,654	20,721	35,867	15,146	73.1%
Group Insurance Benefits	144,929	182,483	353,206	170,723	93.6%
Employee Transportation Subsidy	13,126	23,985	27,104	3,119	13.0%
Workers' Compensation	4,698	6,120	9,816	3,696	60.4%
Other Post Employment Benefits		106,437	170,720	64,283	60.4%
Board Stipends					
<b>Total Personnel Expenditures</b>	1,470,387	1,943,809	3,429,309	1,485,500	76.4%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	1,382	4,000	12,000	8,000	200.0%
Travel Out-of-State		3,000	9,000	6,000	200.0%
Training & Education		1,500	10,000	8,500	566.7%
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction		2,000	2,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	55,424	334,700	285,477	(49,223)	(14.7)%
General Insurance					
Shop & Field Supplies	650	2,000	2,000		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software		1,000	10,000	9,000	900.0%
Stationery & Office Supplies	216	600	600		
Books & Journals		200	200		
Minor Office Equipment		1,000		(1,000)	(100.0)%
<b>Total Services &amp; Supplies Expenditures</b>	57,672	350,000	331,277	(18,723)	(5.3)%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	755,201				
<b>Total Expenditures</b>	2,283,260	2,293,809	3,760,586	1,466,777	63.9%
<b>Program Distribution</b>	21,619,168	48,771,181	56,137,542	7,366,361	15.1%
<b>Total Expenditures - Carl Moyer</b>	23,902,428	51,064,990	59,898,128	8,833,138	17.3%

TABLE VI: Mobile Source Incentive Fund (MSIF)

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	0.36	3.80	2.75	(1.05)	(27.6)%
<b>Revenues</b>					
Admin Revenue	3,750,099	799,080	769,168	(29,912)	(3.7)%
Program Income	7,204,167	12,000,000	11,230,832	(769,168)	(6.4)%
<b>Total Revenues - MSIF</b>	10,954,266	12,799,080	12,000,000	(799,080)	(6.2)%
<b>Personnel Expenditures</b>					
Permanent Salaries	126,913	415,258	331,057	(84,201)	(20.3)%
Overtime Salaries					
Temporary Salaries					
Payroll Taxes	2,002	5,875	4,704	(1,171)	(19.9)%
Pension Benefits	34,047	88,910	77,143	(11,767)	(13.2)%
FICA Replacement Benefits	1,432	7,140	5,240	(1,900)	(26.6)%
Group Insurance Benefits	17,883	61,749	47,935	(13,814)	(22.4)%
Employee Transportation Subsidy	1,636	8,264	3,960	(4,304)	(52.1)%
Workers' Compensation	561	2,108	1,434	(674)	(32.0)%
Other Post Employment Benefits		36,672	24,943	(11,729)	(32.0)%
Board Stipends					
<b>Total Personnel Expenditures</b>	184,474	625,976	496,416	(129,560)	(20.7)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		8,000	8,000		
Travel Out-of-State					
Training & Education	246	5,000	5,000		
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction		3,000	3,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	3,468,920	7,238,300	7,238,301	1	
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	1,713	4,000	4,000		
Stationery & Office Supplies		500	500		
Books & Journals		200	200		
Minor Office Equipment		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>	3,470,879	7,260,000	7,260,001	1	
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	94,746	113,104	212,751	99,647	88.1%
<b>Total Expenditures</b>	3,750,099	7,999,080	7,969,168	(29,912)	(0.4)%
<b>Program Distribution</b>	7,204,167	4,800,000	4,030,832	(769,168)	(16.0)%
<b>Total Expenditures - MSIF</b>	10,954,266	12,799,080	12,000,000	(799,080)	(6.2)%

TABLE VII: California Goods Movement Bond (CGMB)

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	0.08	0.85	0.94	0.09	10.6%
<b>Revenues</b>					
Admin Revenue	63,903	250,000	223,537	(26,463)	(10.6)%
Program Income	9,067,682	10,000,000	21,164,512	11,164,512	111.6%
<b>Total Revenues - CGMB</b>	9,131,585	10,250,000	21,388,049	11,138,049	108.7%
<b>Personnel Expenditures</b>					
Permanent Salaries	29,195	104,132	123,006	18,874	18.1%
Overtime Salaries					
Temporary Salaries					
Payroll Taxes	424	1,481	1,761	280	18.9%
Pension Benefits	6,798	22,552	28,713	6,161	27.3%
FICA Replacement Benefits	313	1,595	1,799	204	12.8%
Group Insurance Benefits	3,903	15,526	18,345	2,819	18.2%
Employee Transportation Subsidy	557	1,846	1,359	(487)	(26.4)%
Workers' Compensation	129	471	492	21	4.5%
Other Post Employment Benefits		8,193	8,562	369	4.5%
Board Stipends					
<b>Total Personnel Expenditures</b>	41,319	155,796	184,037	28,241	18.1%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		2,000	2,000		
Travel Out-of-State					
Training & Education		1,500	1,500		
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities	214				
Postage					
Printing & Reproduction		500	500		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	1,148	65,500	30,000	(35,500)	(54.2)%
General Insurance					
Shop & Field Supplies		3,000	3,000		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software		1,500	1,500		
Stationery & Office Supplies		1,000	1,000		
Books & Journals					
Minor Office Equipment					
<b>Total Services &amp; Supplies Expenditures</b>	1,362	75,000	39,500	(35,500)	(47.3)%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	21,222	19,204		(19,204)	(100.0)%
<b>Total Expenditures</b>	63,903	250,000	223,537	(26,463)	(10.6)%
<b>Program Distribution</b>	9,067,682	10,000,000	21,164,512	11,164,512	111.6%
<b>Total Expenditures - CGMB</b>	9,131,585	10,250,000	21,388,049	11,138,049	108.7%

TABLE VIII: Transportation Fund for Clean Air (TFCA)

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	10.86	9.73	7.37	(2.36)	(24.3)%
<b>Revenues</b>					
Admin Revenue	3,448,337	1,768,618	4,028,520	2,259,902	127.8%
Program Income	14,976,643	18,551,949	15,284,844	(3,267,105)	(17.6)%
<b>Total Revenues - TFCA</b>	18,424,980	20,320,567	19,313,364	(1,007,203)	(5.0)%
<b>Personnel Expenditures</b>					
Permanent Salaries	1,251,600	1,102,681	880,353	(222,328)	(20.2)%
Overtime Salaries	79,460	5,000		(5,000)	(100.0)%
Temporary Salaries	16,060				
Payroll Taxes	19,345	15,670	12,510	(3,160)	(20.2)%
Pension Benefits	233,568	240,995	205,138	(35,857)	(14.9)%
FICA Replacement Benefits	13,709	17,860	13,943	(3,917)	(21.9)%
Group Insurance Benefits	170,307	155,724	130,842	(24,882)	(16.0)%
Employee Transportation Subsidy	16,652	20,674	10,536	(10,138)	(49.0)%
Workers' Compensation	5,531	5,275	3,816	(1,459)	(27.7)%
Other Post Employment Benefits		91,742	66,365	(25,377)	(27.7)%
Board Stipends					
<b>Total Personnel Expenditures</b>	1,806,232	1,655,621	1,323,503	(332,118)	(20.1)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	3,647	19,900	28,000	8,100	40.7%
Travel Out-of-State	3,784	14,400	75,000	60,600	420.8%
Training & Education	2,365	16,500	16,500		
Repair & Maintenance (Equipment)					
Communications	4,539	5,000	5,000		
Building Maintenance					
Utilities					
Postage	6,901	9,000	14,000	5,000	55.6%
Printing & Reproduction	10,241	25,000	25,000		
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	1,296,344	1,730,860	1,709,597	(21,263)	(1.2)%
General Insurance					
Shop & Field Supplies	125	3,500	3,500		
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software	250	13,000	24,000	11,000	84.6%
Stationery & Office Supplies	594	3,000	3,000		
Books & Journals		440	440		
Minor Office Equipment		400	400		
<b>Total Services &amp; Supplies Expenditures</b>	1,328,790	1,841,000	1,904,437	63,437	3.4%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	313,315	2,215,712	800,580	(1,415,132)	(63.9)%
<b>Total Expenditures</b>	3,448,337	5,712,333	4,028,520	(1,683,813)	(29.5)%
<b>Program Distribution</b>	14,976,643	14,608,234	15,284,844	676,610	4.6%
<b>Total Expenditures - TFCA</b>	18,424,980	20,320,567	19,313,364	(1,007,203)	(5.0)%



TABLE IX: Other Grants Revenues

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	6.01	5.72	7.68	1.96	34.3%
<b>Revenues</b>					
Admin Revenue	3,481,310	3,138,171	2,085,076	(1,053,095)	(33.6)%
Program Income	4,174,440	18,018,278	5,245,118	(12,773,160)	(70.9)%
<b>Total Revenues - Other Grants</b>	7,655,750	21,156,449	7,330,194	(13,826,255)	(65.4)%
<b>Personnel Expenditures</b>					
Permanent Salaries	706,077	708,555	909,194	200,639	28.3%
Overtime Salaries	14,608	2,000	2,000		
Temporary Salaries	21,224		15,000	15,000	
Payroll Taxes	10,853	10,048	12,891	2,843	28.3%
Pension Benefits	134,961	157,495	211,776	54,281	34.5%
FICA Replacement Benefits	7,696	11,273	14,640	3,367	29.9%
Group Insurance Benefits	95,526	90,921	146,725	55,804	61.4%
Employee Transportation Subsidy	8,428	13,048	11,062	(1,986)	(15.2)%
Workers' Compensation	3,123	3,330	4,007	677	20.3%
Other Post Employment Benefits		57,902	69,681	11,779	20.3%
Board Stipends					
<b>Total Personnel Expenditures</b>	1,002,496	1,054,572	1,396,976	342,404	32.5%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	2,718	15,300	13,800	(1,500)	(9.8)%
Travel Out-of-State		13,300	10,800	(2,500)	(18.8)%
Training & Education	4,958	10,000	8,500	(1,500)	(15.0)%
Repair & Maintenance (Equipment)					
Communications	946	2,000	2,000		
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction	509				
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	2,178,082	2,040,000	650,000	(1,390,000)	(68.1)%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software		2,999	3,000	1	
Stationery & Office Supplies	227				
Books & Journals					
Minor Office Equipment					
<b>Total Services &amp; Supplies Expenditures</b>	2,187,440	2,083,599	688,100	(1,395,499)	(67.0)%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
General Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	291,374				
<b>Total Expenditures</b>	3,481,310	3,138,171	2,085,076	(1,053,095)	(33.6)%
<b>Program Distribution</b>	4,174,440	18,018,278	5,245,118	(12,773,160)	(70.9)%
<b>Total Expenditures - Other Grants Revenues</b>	7,655,750	21,156,449	7,330,194	(13,826,255)	(65.4)%

TABLE X: Vehicle Settement

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	2.36	4.25	3.44	(0.81)	(19.1)%
<b>Revenues</b>					
Admin Revenue	633,281	1,517,013	1,150,872	(366,141)	(24.1)%
Program Income		18,000,000	9,884,128	(8,115,872)	(45.1)%
<b>Total Revenues - VM</b>	633,281	19,517,013	11,035,000	(8,482,013)	(43.5)%
<b>Personnel Expenditures</b>					
Permanent Salaries	282,406	521,324	450,222	(71,102)	(13.6)%
Overtime Salaries	2,668				
Temporary Salaries					
Payroll Taxes	4,235	7,412	6,449	(963)	(13.0)%
Pension Benefits	35,687	111,819	105,070	(6,749)	(6.0)%
FICA Replacement Benefits	2,972	7,975	6,658	(1,317)	(16.5)%
Group Insurance Benefits	36,969	83,067	66,071	(16,996)	(20.5)%
Employee Transportation Subsidy	3,721	9,231	5,031	(4,200)	(45.5)%
Workers' Compensation	1,245	2,355	1,822	(533)	(22.6)%
Other Post Employment Benefits		40,964	31,692	(9,272)	(22.6)%
Board Stipends					
<b>Total Personnel Expenditures</b>	369,903	784,147	673,015	(111,132)	(14.2)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		27,600	27,600		
Travel Out-of-State					
Training & Education					
Repair & Maintenance (Equipment)					
Communications					
Building Maintenance					
Utilities					
Postage					
Printing & Reproduction					
Equipment Rental					
Rents & Leases					
Professional Services & Contracts	73,392	352,400	147,400	(205,000)	(58.2)%
General Insurance					
Shop & Field Supplies					
Laboratory Supplies					
Gasoline & Variable Fuel					
Computer Hardware & Software					
Stationery & Office Supplies					
Books & Journals					
Minor Office Equipment					
<b>Total Services &amp; Supplies Expenditures</b>	73,392	380,000	175,000	(205,000)	(53.9)%
<b>Capital Expenditures</b>					
Leasehold Improvements					
Building & Grounds					
Office Equipment					
Computer & Network Equipment					
Motorized Equipment					
Lab & Monitoring Equipment					
Communications Equipment					
General Equipment					
PM 2.5 Equipment					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	189,986	352,866	302,857	(50,009)	(14.2)%
<b>Total Expenditures</b>	633,281	1,517,013	1,150,872	(366,141)	(24.1)%
<b>Program Distribution</b>		18,000,000	9,884,128	(8,115,872)	(45.1)%
<b>Total Expenditures - VM</b>	633,281	19,517,013	11,035,000	(8,482,013)	(43.5)%

TABLE XI: General Fund Expenditures by Division

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Executive Office</b>					
Executive Office	5,724,981	6,452,419	6,889,315	436,896	6.8%
Bay Area Regional Collaborative (BARC)	351,067	255,000	351,000	96,000	37.6%
Board of Directors	518,768	597,816	586,067	(11,749)	(2.0)%
Hearing Board	38,620	63,588	62,852	(736)	(1.2)%
Advisory Council	67,634	450,561	395,451	(55,110)	(12.2)%
Flex the Commute			410,249	410,249	
<b>Total Executive Office</b>	6,701,070	7,819,384	8,694,934	875,550	11.2%
<b>Diversity, Equity and Inclusion Division</b>					
Office of Diversity Equity & Inclusion	444,134	811,576	924,507	112,931	13.9%
<b>Total Diversity, Equity and Inclusion Division</b>	444,134	811,576	924,507	112,931	13.9%
<b>Finance Office</b>					
Finance	2,193,946	3,028,617	3,674,786	646,169	21.3%
<b>Total Finance Office</b>	2,193,946	3,028,617	3,674,786	646,169	21.3%
<b>Human Resources Office</b>					
Payroll	471,636	487,443	469,766	(17,677)	(3.6)%
Benefits Administration	3,234,691	3,568,597	3,660,226	91,629	2.6%
Organizational Development	371,293	468,316	459,958	(8,358)	(1.8)%
Employment Relations	774,091	694,635	1,067,735	373,100	53.7%
Recruitment & Testing	631,540	764,848	688,925	(75,923)	(9.9)%
<b>Total Human Resources Office</b>	5,483,251	5,983,839	6,346,610	362,771	41.0%
<b>Administrative Resources Division</b>					
Facilities	1,309,863	1,351,009	1,612,121	261,112	19.3%
Communications	670,650	775,747	864,971	89,224	11.5%
Headquarters East (Richmond)	2,424,833	200,000	711,000	511,000	255.5%
Purchasing	839,559	1,002,477	962,807	(39,670)	(4.0)%
Headquarters West (Beale Street)	5,338,408	3,410,000	3,800,000	390,000	11.4%
Fleet Services	1,214,234	1,547,566	1,728,212	180,646	11.7%
<b>Total Administrative Resources Division</b>	11,797,553	8,286,799	9,679,111	1,392,312	305.4%
<b>Legislative Office</b>					
Legislative Program			590,849	590,849	
<b>Total Legislative Office</b>			590,849	590,849	
<b>Legal Services Division</b>					
Legal Counsel	1,968,629	2,360,298	2,287,543	(72,755)	(3.1)%
Hearing Board Proceedings	9,223	3,562	12,949	9,387	263.5%
Penalties Enforcement & Settlement	832,621	877,954	1,093,173	215,219	24.5%
Litigation	3,105,316	458,057	426,743	(31,314)	(6.8)%
<b>Total Legal Services Division</b>	5,915,789	3,699,871	3,820,408	120,537	278.1%
<b>Communications Office</b>					
Media Relations	1,388,473	1,676,002	1,333,083	(342,919)	(20.5)%
Intermittent Control	1,105,294	1,492,866	1,650,281	157,415	10.5%
Spare The Air (CMAQ)	826,678	1,000,000	1,000,000		
<b>Total Communications Office</b>	3,320,445	4,168,868	3,983,364	(185,504)	(4.4)%
<b>Technology Implementation Office</b>					
Greenhouse Gas Technologies	549,552	961,985	745,515	(216,470)	(22.5)%
<b>Total Technology Implementation Office</b>	549,552	961,985	745,515	(216,470)	(22.5)%
<b>Strategic Incentives</b>					
Non-Mobile Source Grant Programs	1,019		147,544	147,544	
Grant Program Development	182,008	664,807	663,479	(1,328)	(0.2)%
<b>Total Strategic Incentives</b>	183,027	664,807	811,023	146,216	22.0%
<b>Compliance &amp; Enforcement</b>					
Enforcement	4,498,330	5,986,617	6,037,452	50,835	0.8%
Compliance Assistance & Operations	2,006,928	2,751,416	3,374,570	623,154	22.6%
Compliance Assurance	5,648,492	6,898,256	6,736,380	(161,876)	(2.3)%

TABLE XI: General Fund Expenditures by Division

	Approved Program Budget		Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	2021	2022	\$	%
<b>Total Compliance &amp; Enforcement</b>	12,153,750	15,636,289	16,148,402	512,113	3.3%
<b>Engineering</b>					
Permit Evaluation	6,634,979	7,655,342	8,906,514	1,251,172	16.3%
Permit Renewals	128,080				
Air Toxics	1,370,083	1,812,531	1,492,604	(319,927)	(17.7)%
Permit Operations	792,560	1,274,958	1,027,578	(247,380)	(19.4)%
Title V	550,629	1,362,671	1,086,037	(276,634)	(20.3)%
Engineering Special Projects	896,675	1,343,090	1,499,284	156,194	11.6%
<b>Total Engineering</b>	10,373,006	13,448,592	14,012,017	563,425	4.2%
<b>Assessment, Inventory &amp; Model</b>					
Source Inventories	1,369,345	1,516,899	1,781,961	265,062	17.5%
Air Quality Modeling Support	719,607	1,127,026	1,182,142	55,116	4.9%
Air Quality Modeling & Research	732,898	805,396	809,837	4,441	0.6%
Community Air Risk Evaluation	899,010	1,105,786	1,154,533	48,753	4.4%
<b>Total Assessment, Inventory &amp; Model</b>	3,720,860	4,555,107	4,928,473	373,372	8.2%
<b>Planning &amp; Climate Protection</b>					
Air Quality Plans	1,668,717	1,595,158	1,674,045	278,887	17.5%
Implement Plans, Policies and Measures	749,173	1,584,718	1,442,301	(142,417)	(9.0)%
Climate Protection	3,385,956	1,975,739	2,004,463	28,724	1.5%
<b>Total Planning &amp; Climate Protection</b>	5,803,846	5,155,615	5,320,809	165,194	3.2%
<b>Rules Division</b>					
Rule Development	1,876,799	1,965,469	2,402,631	437,162	22.2%
<b>Total Rules Division</b>	1,876,799	1,965,469	2,402,631	437,162	22.2%
<b>Community Engagement</b>					
Community Engagement Office	2,425,219	3,703,403	4,850,952	1,147,549	31.0%
<b>Total Community Engagement</b>	2,425,219	3,703,403	4,850,952	1,147,549	31.0%
<b>Information Services</b>					
Information Management Records & Content	496,093	1,038,794	901,688	(137,106)	(13.2)%
IT Engineering & Operations	2,936,218	3,765,753	3,699,684	(66,069)	(1.8)%
User Support Desk			918,574	918,574	
<b>Total Information Services</b>	3,432,311	4,804,547	5,519,946	715,399	(15.0)%
<b>My Air Online</b>					
New Production System	4,325,660	4,208,378	4,348,141	139,763	3.3%
Website Development & Maintenance	1,255,276	1,545,317	1,506,110	(39,207)	(2.5)%
Legacy Systems Support	879,859	1,488,918	1,282,726	(206,192)	(13.8)%
<b>Total My Air Online</b>	6,460,795	7,242,613	7,136,977	(105,636)	(13.0)%
<b>Meteorology, Measurement &amp; Rules</b>					
Air Monitoring – Operations	5,466,022	6,923,072	5,946,697	(976,375)	(14.1)%
Laboratory	1,445,384	1,732,106	2,412,281	680,175	39.3%
Source Test	2,616,121	2,908,587	3,366,406	457,819	15.7%
Meteorology	1,546,371	909,066	997,022	87,956	9.7%
Air Monitoring Instrument Performance Evaluation	497,339	634,654	619,164	(15,490)	(2.4)%
BioWatch Monitoring	1,209,307	1,375,803	1,426,500	50,697	3.7%
Air Monitoring - Projects & Technology	2,430,007	728,103	4,255,037	3,526,934	484.4%
Ambient Air Quality Analysis	4,376	869,935	1,052,946	183,011	21.0%
<b>Total Meteorology, Measurement &amp; Rules</b>	15,214,927	16,081,326	20,076,053	3,994,727	24.8%
Vacancy Savings		(1,544,096)	(4,193,552)	(2,649,456)	171.6%
Other Financing Resources	841,643				
Program Distribution	1,117,406		1,541,302	1,541,302	
Transfer In/Out	1,665,844				
<b>Total Expenditures - General Fund Divisions</b>	101,675,173	106,474,611	117,015,123	10,540,512	(675.0)%

Capital Expenditure

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

**TABLE XII  
CAPITAL EXPENDITURE SUMMARY**

The list below includes all capital expenditures budgeted for FYE 2022

<u>Description</u>	<u>PGM</u>	<u>Capital Type</u>	<u>Amount</u>	<u>Program Total</u>	<u>Division Total</u>
1 One (1) Equipment for Advanced Testing & Training Laboratory	802	Lab & Monitoring	257,000		
2 One (1) Air Quality Analyzer	802	Lab & Monitoring	360,685		
3 Two (2) Air Quality Analyzers - PM2.5 equipment	802	Lab & Monitoring	49,026	666,711	
4 Four (4) Source Test Analyzers	804	Motorized Equipment	80,000		
5 One (1) PM Field Testing Van	804	Lab & Monitoring	60,000	140,000	
6 One (1) Computerized Gas Dilution System	807	Lab & Monitoring	20,400	20,400	
7 One (1) Gas Calibration Setup for Mobile & Portable Monitoring Systems	810	Lab & Monitoring	25,000		
8 One (1) Enhancements to Portable Monitoring System	810	Lab & Monitoring	32,000	57,000	<b>884,111</b>
9 One (1) Optical Gas Imaging Camera	403	Lab & Monitoring	100,000	100,000	<b>100,000</b>
10 HQE Seismic Retrofit and Security Assessment	707	Building and Grounds	500,000	500,000	
11 Leasing of Additional Vehicles	710	Motorized Equipment	50,000	50,000	<b>550,000</b>
12 Design and Prototype of new IT/Telecom Infrastructure	726	Communications Equipment	400,000		
13 HQE Business Continuity Site Improvement	726	Computer & Network Equipment	200,000		
14 Replace Key End of Life Computer Networking Components	726	Computer & Network Equipment	200,000	800,000	<b>800,000</b>
15 Public Permitting & Compliance Systems	125	Computer & Network Equipment	2,853,347	2,853,347	<b>2,853,347</b>
<b>Total Capital Expenditures</b>					<b>5,187,459</b>

**TABLE XII  
CAPITAL EXPENDITURE DETAILS**

	<u>Item Description</u>	<u>Cost</u>	<u>Program/ Capital Type</u>
1	<u>One (1) Equipment for Advanced Testing &amp; Training Laboratory</u> Equipment for training and advanced monitoring method evaluation.	\$257,000	802/Lab & Monitoring
2	<u>One (1) Air Quality Analyzer</u> Replacements / upgrades for aging air monitoring equipment.	\$360,685	802/Lab & Monitoring
3	<u>Two (2) Air Quality Analyzers - PM2.5 equipment</u> Replacements / upgrades for aging air monitoring equipment.	\$49,026	802/Lab & Monitoring
4	<u>Four (4) Source Test Analyzers</u> Replacements for current equipment that reached the end of its useful life.	\$80,000	804/Motorized Equipment
5	<u>One (1) PM Field Testing Van</u> Replacement field testing van for Particulate Matter (PM) program. Current vehicle has high mileage and is due to be taken out of service.	\$60,000	804/Lab & Monitoring
6	<u>One (1) Computerized Gas Dilution System</u> Conduct dynamic performance evaluations (gas audits).	\$20,400	807/Lab & Monitoring
7	<u>One (1) Gas Calibration Setup for Mobile &amp; Portable Monitoring Systems</u> Air Monitoring's mobile and portable measurement platforms, developed for community scale monitoring projects, utilize a variety of gas analyzers that require proper QA/QC to ensure supportable, high quality data.	\$25,000	810/Lab & Monitoring
8	<u>One (1) Enhancements to Portable Monitoring System</u> Adding measurement of PM 2.5 to a portable measurement platform designed for community scale or other monitoring projects. Addition of solar power and battery back-up will allow system to operate off-the-grid in times or places power is not readily available.	\$32,000	810/Lab & Monitoring
9	<u>One (1) Optical Gas Imaging Camera</u> The Optical Gas Imaging Camera is needed for leak detection and repair (LDAR) program for various compliance programs.	\$100,000	403/Lab & Monitoring
10	<u>HQE Seismic Retrofit and Security Assessment</u> Preparation of space for staff occupancy.	\$500,000	707/Building and Grounds
11	<u>Leasing of Additional Vehicles</u> Leasing of additional vehicles as a result of increasing staff in Compliance and Enforcement and Meteorology and Measurement Divisions.	\$50,000	710/Motorized Equipment
12	<u>Design and Prototype of new IT/Telecom Infrastructure</u> Every 6 years the District modernizes its telecommunications and information systems infrastructure. This project encompasses the initial design work and proof of concept prototyping for the next generation of technology.	\$400,000	726/Communications Equipment
13	<u>HQE Business Continuity Site Improvement</u> The District is working to improve a Business Continuity site for tasks requiring a physical presence (e.g. printing of invoices and permits) should our Beale Street office be unavailable for use. This site, currently being improved at the Richmond HQE office will require some construction remodeling, including electrical wiring and data cabling.	\$200,000	726/Computer & Network Equipment
14	<u>Replace Key End of Life Computer Networking Components</u> Several of the District's key computer networking components will reach end of life and will not be supported in FYE 22. This project is to replace key components with newer like components before they are no longer supported by their manufacturers.	\$200,000	726/Computer & Network Equipment
15	<u>Public Permitting &amp; Compliance Systems</u> Development and implementation of permitting and enforcement software functionality for medium and complex facilities, including data cleanup and consolidation activities.	\$2,853,347	125/Computer & Network Equipment
	<b>Total Capital Expenditures</b>	<b>\$5,187,459</b>	

## General Fund Program Narratives and Expenditure Details

Note: Definitions are provided on page 231-233  
And are an integral part of this budget document.



## Executive Division

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Under the leadership and direction of the Executive Officer/APCO and the Board of Directors, the Executive Office guides the Bay Area Air Quality Management District (Air District) in meeting its mission of protecting and improving public health, air quality, and the global climate. To fulfill this mission, the Air District builds its programs and policies on sound science, develops them with technical expertise and rigor, and executes them with quality. Air District programs and policies include both traditional air quality management approaches and new strategies for achieving clean air.

In FYE 2022, the Air District will continue to implement State and Federal regulations and directives, and will also continue to implement and develop the following key initiatives:

- Clean Air Plan Implementation
- Climate Action Work Program
- Assembly Bill (AB) 617 Implementation
- Wildfire Air Quality Response Program
- Diesel Free by '33 Campaign
- Technology Implementation Office
- Wood Smoke Program and Rule Amendments
- My Air Online Program
- Clean Air Foundation
- Spare the Air Everyday Campaign
- Public Participation Plan Implementation
- Diversity, Equity, and Inclusion Office

The Executive Office is responsible for developing and maintaining strategic partnerships to achieve clean air. These partnerships include but are not limited to collaboration with: community groups, non-profits, peer regional agencies (Metropolitan Transportation Commission, Association of Bay Area Governments & Bay Conservation and Development Commission), regulatory agencies (U.S. Environmental Protection Agency and California Air Resources Board), and associations (California Air Pollution Control Officers Association, Air and Waste Management Association & National Association of Clean Air Agencies), as well as the State Legislature. In FYE 2022, these key partnerships will also address regional coordination of climate protection activities, and implementation of State initiatives such as SB1339, SB375, and AB32 at the regional level.

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
Administration and Direction of Air District Programs.	
<b>Description of Program:</b>	
This budget program is responsible for providing overall administration and direction to Air District staff. Through this budget program, the Executive Officer/APCO interprets and oversees implementation of Board directives and policies and administers the business of the Air District.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Implement and develop key initiatives to meet Air District goals and objectives.	
Coordinate development of Air District's legislative agenda and implement strategy for achieving Air District's legislative goals.	
Coordinate Air District activities with staff, stakeholders, and community groups.	
Help sponsor stakeholder events in support of Air District Initiatives.	
Monitor actions of and serve as liaison to regional governmental agencies (e.g. MTC, ABAG, BCDC), federal and statewide governmental organizations (e.g. U.S. EPA, CARB, CAPCOA), as well as the state legislature, and representatives of the regulated community.	
Compliance and enforcement actions.	
Administer and manage the Bay Area Clean Air Foundation.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Rule Development and Amendments	Ongoing
Issue all non-Title V permits on a timely basis (within a 45 day period)	Ongoing
Production System Implementation	Ongoing
Clean Air Plan Implementation	Ongoing
Assembly Bill (AB) 617 Implementation	Ongoing
Public Participation Plan Implementation	Ongoing
Adopt District Budget for FYE 2022	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		17.94	16.88	19.51	2.63	15.6%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	3,218,277	3,154,527	3,464,614	310,087	9.8%
Overtime Salaries	51150	2,344	2,500	2,500		
Temporary Salaries	51200	12,438				
Payroll Taxes	51300	46,167	47,964	52,840	4,876	10.2%
Pension Benefits	51400	598,493	704,807	813,355	108,548	15.4%
FICA Replacement Benefits	51500	35,065	31,682	37,129	5,447	17.2%
Group Insurance Benefits	51600	435,920	336,667	343,432	6,765	2.0%
Employee Transportation Subsidy	51700	39,748	36,673	28,057	(8,616)	(23.5)%
Workers' Compensation	51800	14,222	9,358	10,162	804	8.6%
Other Post Employment Benefits	51850		162,741	176,726	13,985	8.6%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		4,402,674	4,486,919	4,928,815	441,896	9.8%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	21,232	21,000	18,000	(3,000)	(14.3)%
Travel Out-of-State	52220	31,787	45,000	43,000	(2,000)	(4.4)%
Training & Education	52300	38,512	30,500	30,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500	21,232	5,000	5,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800	50				
Printing & Reproduction	52900	4,720	2,500	2,500		
Equipment Rental	53100					
Rents & Leases	53200	13,976	100,000	100,000		
Professional Services & Contracts	53300	1,444,104	1,760,000	1,760,000		
General Insurance	53400					
Shop & Field Supplies	53500	20				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,355				
Stationery & Office Supplies	53900	3,910	1,000	1,000		
Books & Journals	54100	4,607	500	500		
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		1,586,508	1,965,500	1,960,500	(5,000)	(0.3)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(264,201)				
<b>Total Expenditures</b>		5,724,981	6,452,419	6,889,315	436,896	6.8%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Gregory Nudd	
<b>Program Purpose:</b>	
The Bay Area Regional Collaborative (BARC) is a consortium of Board/Commission representatives from the Bay Area Air Quality Management District, Metropolitan Transportation Commission, Association of Bay Area Governments, and Bay Conservation and Development Commission. The BARC addresses cross-cutting issues of regional significance through collaboration and coordination.	
<b>Description of Program:</b>	
The BARC has selected Climate Change as the primary focus of its work. The four regional agencies work together to create coordinated policies, increase efficiencies, leverage resources, and provide better services to local governments that are grappling with climate mitigation and adaptation issues. This program includes Air District financial support for the BARC's assistance to coordinate the Bay Area Clean Air Plan and Regional Climate Action Strategy with the climate policies and programs of the other regional agencies.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Provide support for the BARC Executive Director and Program Associate to implement the BARC work plan	
Provide support for limited professional services as needed for the BARC work plan	
Participate in BARC meetings, Executive Director meetings, and cross-agency staff teams	
Coordinate with BARC and member agency staff on climate change issues	
<b>Major Objectives</b>	<b>Delivery Date</b>
Work with BARC and member agency staff to coordinate implementation of the Clean Air Plan/Regional Climate Action Strategy and the Sustainable Communities Strategy	Ongoing
Work with BARC and member agency staff to integrate the Air District's Planning Healthy Places guidance into the Sustainable Communities Strategy Work with BARC and member agency staff to coordinate technical assistance to cities and counties regarding climate action plans	Ongoing
Work with BARC and member agency staff to coordinate technical assistance to cities and counties regarding climate action plans	Ongoing

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries		51100			
Overtime Salaries		51150			
Temporary Salaries		51200			
Payroll Taxes		51300			
Pension Benefits		51400			
FICA Replacement Benefits		51500			
Group Insurance Benefits		51600			
Employee Transportation Subsidy		51700			
Workers' Compensation		51800			
Other Post Employment Benefits		51850			
Board Stipends		51900			
<b>Total Personnel Expenditures</b>					
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		52200			
Travel Out-of-State		52220			
Training & Education		52300			
Repair & Maintenance (Equipment)		52400			
Communications		52500			
Building Maintenance		52600			
Utilities		52700			
Postage		52800			
Printing & Reproduction		52900			
Equipment Rental		53100			
Rents & Leases		53200			
Professional Services & Contracts	351,067	255,000	351,000	96,000	37.6%
General Insurance		53400			
Shop & Field Supplies		53500			
Laboratory Supplies		53600			
Gasoline & Variable Fuel		53700			
Computer Hardware & Software		53800			
Stationery & Office Supplies		53900			
Books & Journals		54100			
Minor Office Equipment		54200			
<b>Total Services &amp; Supplies Expenditures</b>					
	351,067	255,000	351,000	96,000	37.6%
<b>Capital Expenditures</b>					
Leasehold Improvements		60100			
Building & Grounds		60105			
Office Equipment		60110			
Computer & Network Equipment		60115			
Motorized Equipment		60120			
Lab & Monitoring Equipment		60125			
Communications Equipment		60130			
General Equipment		60135			
PM 2.5 Equipment		60140			
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>					
	351,067	255,000	351,000	96,000	37.6%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
Oversee Activities of the Board of Directors.	
<b>Description of Program:</b>	
Administration of activities of the Board of Directors.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Prepare and distribute all meeting materials, including agendas, minutes and correspondence for Board of Directors regular and special meetings, approximately 20 per year.	
Prepare all logistics for Board of Directors regular and special meetings, including scheduling, polling, providing refreshments, preparation of facilities, and legal noticing requirements, approximately 20 per year.	
Prepare and distribute all agenda materials and logistics for Board of Directors Committee meetings, approximately 20 per year. Receive, route, and appropriately address all correspondence directed to the Board.	
Receive, route, and appropriately address all correspondence directed to the Board.	
Track, process and issue monthly travel reimbursement and per diem payments for each member of the Board of Directors.	
Prepare all travel logistics for Board of Directors participation at the Annual Air & Waste Management Association (A&WMA) Conference.	
Maintain archive of Board materials, including minutes, agendas, correspondence and adopted resolutions.	
Maintain the Air District's website as it relates to the Board of Directors membership, calendar, meeting materials and minutes.	
Assure timely filing of Statement of Economic Interests with the California Fair Political Practices Commission.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate all Board and Committee meetings.	Ongoing
Coordinate Board Ethics Training and Unconscious Bias Training.	Ongoing
Coordinate New Board Member Orientation.	Ongoing
Coordinate transition to new Chair of the Board of Directors.	Annually
Coordinate Board of Directors Annual Retreat.	Annually
Update of Board Committee assignments.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	3	3	3		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	270,186	305,807	300,091	(5,716)	(1.9)%
Overtime Salaries 51150	2,104				
Temporary Salaries 51200					
Payroll Taxes 51300	4,151	4,370	4,300	(70)	(1.6)%
Pension Benefits 51400	61,171	64,779	69,889	5,110	7.9%
FICA Replacement Benefits 51500	2,954	4,828	4,864	36	0.7%
Group Insurance Benefits 51600	36,631	45,222	41,766	(3,456)	(7.6)%
Employee Transportation Subsidy 51700	3,613	5,588	3,675	(1,913)	(34.2)%
Workers' Compensation 51800	1,194	1,426	1,331	(95)	(6.7)%
Other Post Employment Benefits 51850		24,796	23,151	(1,645)	(6.6)%
Board Stipends 51900	57,000	60,000	60,000		
<b>Total Personnel Expenditures</b>	439,004	516,816	509,067	(7,749)	(1.5)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	19,708	18,000	15,500	(2,500)	(13.9)%
Travel Out-of-State 52220	157	12,000	10,500	(1,500)	(12.5)%
Training & Education 52300	35,960	28,000	28,000		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	22,352	23,000	23,000		
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700	25				
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900	61				
Books & Journals 54100	1,501				
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	79,764	81,000	77,000	(4,000)	(4.9)%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	518,768	597,816	586,067	(11,749)	(2.0)%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
Records, documents, and maintains records of actions of the quasi-judicial Hearing Board.	
<b>Description of Program:</b>	
The Hearing Board is a quasi-judicial body that rules on particular cases that affect only individual facilities. It is authorized to hear requests for variance relief, permit revocation, abatement orders, and appeals by permit applicants, or by interested third parties, concerning the issuance or denial of permits.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Prepare logistics for all Hearing Board meetings, including scheduling, polling, providing refreshments, preparation of facilities, and legal noticing requirements. Develop and maintain Hearing Board calendar and schedules.	
Develop and maintain Hearing Board calendar and schedules.	
Attend all hearings of the Hearing Board.	
Draft selected Orders for Hearing Board review and signature.	
Print and reproduce Hearing Board notices.	
Maintain Record of Actions (Docket Book).	
Prepare and maintain docket files for each hearing.	
Collect required fees from Applicants.	
Follow-up on actions resulting from Hearing Board Orders/decisions.	
Process incoming documents and inquiries.	
Make arrangements for all off-site and webinar hearings.	
Research, compile and prepare reports for presentation to the Board of Directors and others as requested by the Hearing Board.	
Arrange for Hearing Board members attendance at Hearing Board Conferences and CARB Trainings.	
Track, process and issue monthly travel reimbursement and per diem payments for each member of the Hearing Board.	
Archive Hearing Board Dockets and related documents.	
Maintain the Air District's website as it pertains to the Hearing Board membership, calendar, and decisions/orders.	
Coordinate recruitment and orientation of new Hearing Board members as necessary.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate Hearing Board Activities	Ongoing



		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	22,871	14,867	14,477	(390) (2.6)%
Overtime Salaries	51150	120			
Temporary Salaries	51200				
Payroll Taxes	51300	351	211	206	(5) (2.4)%
Pension Benefits	51400	4,535	3,115	3,379	264 8.5%
FICA Replacement Benefits	51500	255	242	211	(31) (12.8)%
Group Insurance Benefits	51600	3,177	2,057	1,856	(201) (9.8)%
Employee Transportation Subsidy	51700	319	280	160	(120) (42.9)%
Workers' Compensation	51800	101	72	58	(14) (19.4)%
Other Post Employment Benefits	51850		1,244	1,005	(239) (19.2)%
Board Stipends	51900	6,200	32,000	32,000	
<b>Total Personnel Expenditures</b>		37,929	54,088	53,352	(736) (1.4)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200	338			
Travel Out-of-State	52220		1,000	1,000	
Training & Education	52300	353	1,000	1,000	
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900		1,500	1,500	
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300		5,000	5,000	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900		250	250	
Books & Journals	54100		500	500	
Minor Office Equipment	54200		250	250	
<b>Total Services &amp; Supplies Expenditures</b>		691	9,500	9,500	
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		38,620	63,588	62,852	(736) (1.2)%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Vanessa Johnson	
<b>Program Purpose:</b>	
The Advisory Council studies and makes recommendations on specific matters referred from the Board of Directors or the Air Pollution Control Officer. Matters can include technical, social, economic and environmental aspects of air quality issues.	
<b>Description of Program:</b>	
The Advisory Council is comprised of 7 members, appointed by the Board of Directors. SB1415 requires that the Advisory Council members be skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution. The Council advises and consults with the Board of Directors and Executive Officer and makes recommendations and reports on matters that affect both policy and the legislative agenda. The Council will meet approximately (4) times per year. The meeting may include presentations by speakers who are experts in a specific topic. Presentations, materials and recommendations received are discussed and a report is prepared for the Board of Directors.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Prepare and distribute all meeting materials, including agendas and minutes for Advisory Council regular and special meetings, approximately 4 per year.	
Prepare logistics for all Advisory Council regular and special meetings, including scheduling, polling, providing refreshments, preparation of facilities, providing stenographer, and legal noticing requirements, approximately 4 per year.	
Make travel, registration and payment arrangements for Advisory Council participation at the annual Air and Waste Management Association Conference.	
Maintain archive of Advisory Council materials, including minutes, agendas, and presentations.	
Maintain the District's website as it relates to the Advisory Council membership, calendar, meeting materials and minutes.	
Attend all regular and Committee meetings of the Advisory Council.	
Track, process and issue quarterly travel reimbursement for each member of the Advisory Council.	
Coordinate recruitment of new Advisory Council members as necessary.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate activities of the Advisory Council.	Ongoing
Conduct approximately four (4) meetings, based on the topics selected by the Board of Directors and Executive Officer..	Ongoing
Discuss the presentations, materials and recommendations received at the meetings, and prepare and present a report to the Board of Directors.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	Program Budget 2021	Program Budget 2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	12,027	18,378	14,991	(3,387) (18.4)%
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300	187	260	212	(48) (18.5)%
Pension Benefits	51400	2,513	3,873	3,484	(389) (10.0)%
FICA Replacement Benefits	51500	126	317	264	(53) (16.7)%
Group Insurance Benefits	51600	1,570	2,642	1,976	(666) (25.2)%
Employee Transportation Subsidy	51700	152	367	199	(168) (45.8)%
Workers' Compensation	51800	53	94	72	(22) (23.4)%
Other Post Employment Benefits	51850		1,630	1,253	(377) (23.1)%
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		16,628	27,561	22,451	(5,110) (18.5)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200	4,364	4,000	4,000	
Travel Out-of-State	52220	1,845	10,000	10,000	
Training & Education	52300	1,590	3,000	3,000	
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900		1,000	1,000	
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	43,207	405,000	355,000	(50,000) (12.3)%
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>		51,006	423,000	373,000	(50,000) (11.8)%
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		67,634	450,561	395,451	(55,110) (12.2)%

<b>Managing Division:</b>	
Executive Division	
<b>Contact Person:</b>	
Lisa Fasano	
<b>Program Purpose:</b>	
Program created to advance employer commuter programs to reduce single occupancy driving during employee commutes.	
<b>Description of Program:</b>	
Flex Your Commute is the new program dedicated to helping reshape employee commutes in the Bay Area and to work with Bay Area employers to encourage them to develop effective commute programs in the workplace. Spare the Air survey and focus group data indicates that employees are more willing to make commuting changes when encouraged to do so by their employers. Flex Your Commute will optimize the experiences employees and employers have learned during the 2020 "shelter-in-place" year to help Bay Area companies develop more robust commuter messaging and programs to reduce daily solo driving commutes. Messaging and programs will be tailored by county based on several factors including availability and access to transit, carpool and casual carpool options, multi-county commutes and established localized commute requirements. Flex Your Commute will target employers registered in the Spare the Air and Metropolitan Transportation Commission employer programs as well as registrants of the Air District's Commuter Benefits Program.	
<b>Justification of Change Request:</b>	
N/A	
<b>Activities</b>	
<b>Major Objectives</b>	<b>Delivery Date</b>
Flex Your Commute will advance commuter options and programs for employers and employees in the Bay Area	Ongoing

ADMINISTRATION COMMITTEE MEETING OF 03/17/2021

	Program Actuals 2020	Approved Program Budget 2021	Proposed Program Budget 2022	FTE/Dollar Change \$	Percent Change %
<b>Number of Positions (FTE)</b>			1.00	1.00	
<b>Personnel Expenditures</b>					
Permanent Salaries	51100		216,391	216,391	
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300		3,221	3,221	
Pension Benefits	51400		50,941	50,941	
FICA Replacement Benefits	51500		1,906	1,906	
Group Insurance Benefits	51600		26,758	26,758	
Employee Transportation Subsidy	51700		1,440	1,440	
Workers' Compensation	51800		522	522	
Other Post Employment Benefits	51850		9,070	9,070	
Board Stipends	51900				
<b>Total Personnel Expenditures</b>			310,249	310,249	
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300		100,000	100,000	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>			100,000	100,000	
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>			410,249	410,249	

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Diversity, Equity and Inclusion Division

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The work of the Air District requires diverse perspectives, talents, and life experiences to solve some of the most complex technical air quality issues that we face. The Office of Diversity, Equity & Inclusion (Office) is taking meaningful steps to build an antiracist and inclusive environment. The efforts will be informed by working with the Senior Deputy Executive Officer of Policy & Equity, Board of Directors' Community Health, Equity and Justice Committee and staff to shift long-standing environmental justice inequities throughout the region. Key initiatives for the Office will be the development and implementation of an agency-wide Equity Action Plan and trainings that encompass equity tools to provide a blueprint of systems and structures to operationalize cross-divisional efforts relative to Air District programs. In addition, the Office will work on internal initiatives by 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.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Diversity Equity & Inclusion Office	
<b>Contact Person:</b>	
Mary Ann Okpalaugo	
<b>Program Purpose:</b>	
The Air District's Office of Diversity, Equity & Inclusion is responsible for developing initiatives applying an equity lens to programs, policies, practices and procedures. Responsibilities include capacity building related to staffing, recruitment, promotions, inclusive practices in the workplace, contracting for capital projects and services, and equity training. The Office recognized the contributions of all employees and community members and works to sustain an environment where everyone is valued and respected.	
<b>Description of Program:</b>	
The Office of Diversity, Equity & Inclusion (Office) is taking meaningful steps to build an antiracist and inclusive environment. The efforts will be informed by working with the Senior Deputy Executive Officer of Policy & Equity, Board of Directors' Community Health, Equity and Justice Committee and staff to shift long-standing environmental justice inequities throughout the region.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Work with Board of Directors' Community Equity, Health and Justice Committee on its workplan, meeting agendas, speakers, and community convening meetings	
Manage Employee Resource Teams	
Provide Human Resources guidance on inclusive recruitment and retention strategies (e.g. equity language in job postings, job screenings, panel interviews, promotional opportunities for diverse candidates)	
Work cross-agency on policies, practices and initiatives to mitigate inequities. Review equity aspects within division documents and provide suggested amendment(s)	
Interview departments, outline and create written policy for an Equity Action Plan.	
Leverage Workforce Diversity and Empower Diverse Perspectives throughout Training & Leadership Development	
<b>Major Objectives</b>	<b>Delivery Date</b>
Board of Directors' Community Health, Equity and Justice Committee Support	Ongoing
Development and Implementation of Equity Action Plan	Ongoing
Develop Strategies to Expand Diversity and Inclusion in Human Resources Practices and Processes Applying an Equity Lens	Ongoing
Continue Internal Capacity Building	Ongoing
Creation, Development, and Guidance of Employee Resource Teams	Ongoing



		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	2	2	2		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	312,574	327,730	304,542	(23,188)	(7.1)%
Overtime Salaries 51150	2,520	2,000		(2,000)	(100.0)%
Temporary Salaries 51200					
Payroll Taxes 51300	4,822	4,670	4,337	(333)	(7.1)%
Pension Benefits 51400	66,215	75,214	71,308	(3,906)	(5.2)%
FICA Replacement Benefits 51500	3,446	4,174	3,811	(363)	(8.7)%
Group Insurance Benefits 51600	42,925	43,379	41,545	(1,834)	(4.2)%
Employee Transportation Subsidy 51700	3,755	4,832	2,880	(1,952)	(40.4)%
Workers' Compensation 51800	1,381	1,233	1,043	(190)	(15.4)%
Other Post Employment Benefits 51850		21,444	18,141	(3,303)	(15.4)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	437,638	484,676	447,607	(37,069)	(7.6)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	48	6,600	6,600		
Travel Out-of-State 52220	5,355	11,600	11,600		
Training & Education 52300	13,573	48,000	48,000		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	320	6,000	6,000		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	26,759	254,000	404,000	150,000	59.1%
General Insurance 53400					
Shop & Field Supplies 53500	68				
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900		700	700		
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	46,123	326,900	476,900	150,000	45.9%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(39,627)				
<b>Total Expenditures</b>	444,134	811,576	924,507	112,931	13.9%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Finance Office

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The Finance Office provides services to internal and external customers and stakeholders, including fee payers, internal divisions, employees, the Clean Air Foundation, and the Richmond Hilltop Commercial Condominium Association.

The Finance Office is responsible for accounting, financial reporting, accounts payable, revenue posting, cost recovery analysis, budget development, budgetary reporting, and asset management.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Finance Office	
<b>Contact Person:</b>	
Stephanie Osaze	
<b>Program Purpose:</b>	
The Finance/Accounting Program is responsible for maintaining the fiscal stewardship and financial accountability of the District.	
<b>Description of Program:</b>	
This program includes receipt and disbursement of District funds, and associated accounting activities. Accounting staff ensure that all receipts and expenditures are consistent with the approved District budget. The program is also responsible for the fiscal maintenance of TFCA, MSIF, CMP, Goods Movement as well as Federal and State grant funding.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Reconcile various grants and assist in preparation of reimbursement request reports.	
Reconcile receipts and disbursements with County Treasurer's Office Reports.	
Prepare quarterly comparison statements for the Budget and Finance Committee presentation.	
Prepare for the annual audit of the District's financial records.	
Analyze and Prepare the annual cost recovery for permitted sources	
Process receipts (checks/credit card payments) on a daily basis. (avg. 1,200 checks/mo).	
Prepare annual proposed budget book.	
Process vendor invoices on a daily basis	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement Government Accounting Standards Board Statement No. 87 Leases	December 2021
Provide timely financial reports to Division Directors/Officer using Qwestica	Ongoing
Complete Annual Financial Report	Annually
Ensure timely payment of accounts payable.	Daily
Record timely processing of check and credit card receipts.	Daily
Continue to improve and enhance budget features in Qwestica Budget Software	December 2021
Develop Desk Manuals for Finance Office Staff	December 2021
Update the Air District's Annual Financial Plan	Annually

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	9	13	17	4	30.8%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	1,044,630	1,460,006	2,037,983	577,977	39.6%
Overtime Salaries 51150	648	1,000	1,000		
Temporary Salaries 51200	1,312	220,000	20,000	(200,000)	(90.9)%
Payroll Taxes 51300	16,127	20,669	28,880	8,211	39.7%
Pension Benefits 51400	211,012	321,619	474,847	153,228	47.6%
FICA Replacement Benefits 51500	11,443	24,488	32,386	7,898	32.3%
Group Insurance Benefits 51600	142,363	262,674	335,405	72,731	27.7%
Employee Transportation Subsidy 51700	15,846	28,345	24,473	(3,872)	(13.7)%
Workers' Compensation 51800	4,616	7,233	8,864	1,631	22.5%
Other Post Employment Benefits 51850		125,783	154,148	28,365	22.6%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	1,447,997	2,471,817	3,117,986	646,169	26.1%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	3,224	6,700	5,700	(1,000)	(14.9)%
Travel Out-of-State 52220		1,500	1,500		
Training & Education 52300	8,314	5,000	9,800	4,800	96.0%
Repair & Maintenance (Equipment) 52400		800		(800)	(100.0)%
Communications 52500		1,000		(1,000)	(100.0)%
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	3,710	8,000	7,000	(1,000)	(12.5)%
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	805,245	532,300	526,800	(5,500)	(1.0)%
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	1,708	1,500	3,000	1,500	100.0%
Stationery & Office Supplies 53900	606		1,000	1,000	
Books & Journals 54100	249		1,000	1,000	
Minor Office Equipment 54200	1,051		1,000	1,000	
<b>Total Services &amp; Supplies Expenditures</b>	824,107	556,800	556,800		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115	59,098				
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>	59,098				
<b>Transfer In/Out</b>	(137,256)				
<b>Total Expenditures</b>	2,193,946	3,028,617	3,674,786	646,169	21.3%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Human Resources Office

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The Human Resources Office is responsible for personnel matters including payroll and benefits, labor and employee relations, recruitment and testing, employee engagement, processing personnel actions, employee performance appraisal and recognition programs, organizational development and training, health and safety compliance, workers compensation and special events coordination.

### Vision

A work environment in which honesty, integrity, and trust enriches the employee experience.

### Mission

Through strategic partnership and collaboration, we attract, retain, support and develop a diverse and inclusive workforce while fostering a fair, healthy and respectful work environment.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Human Resources Office	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Administer payroll for District employees.	
<b>Description of Program:</b>	
The Payroll Program includes administering all aspects of the Air District's payroll, leave accruals, disability payments, and other related areas dealing with payroll. It includes maintaining and utilizing the current Dayforce payroll system.	
<b>Justification of Change Request:</b>	
Increase funds to improve and add features to payroll system to allow for greater efficiency.	
<b>Activities</b>	
Process biweekly payroll.	
Maintain payroll and time keeping system.	
Monitor leave accruals.	
Audit payroll records.	
Customize payroll system to improve process and workflow.	
Generate payroll reports.	
Respond to employment verifications and other external request for payroll information.	
Monitor and comply with federal, state, and local regulations related to payroll.	
Implement self-service features of payroll system.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Administer and process biweekly payroll in an efficient and effective manner. Assists with problem solving on all aspects of payroll.	Ongoing
Implement new features of the payroll and timekeeping system and customize system to improve process and workflow. Implement self service features.	Ongoing
Implement document management module in payroll system.	Ongoing



		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	2	2	2		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	218,299	238,351	188,831	(49,520)	(20.8)%
Overtime Salaries 51150			10,000	10,000	
Temporary Salaries 51200			10,000	10,000	
Payroll Taxes 51300	3,334	3,376	2,678	(698)	(20.7)%
Pension Benefits 51400	31,225	52,815	44,037	(8,778)	(16.8)%
FICA Replacement Benefits 51500	2,365	3,906	2,884	(1,022)	(26.2)%
Group Insurance Benefits 51600	29,303	40,256	29,842	(10,414)	(25.9)%
Employee Transportation Subsidy 51700	2,817	4,521	2,179	(2,342)	(51.8)%
Workers' Compensation 51800	965	1,154	789	(365)	(31.6)%
Other Post Employment Benefits 51850		20,064	13,726	(6,338)	(31.6)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	288,308	364,443	304,966	(59,477)	(16.3)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	122				
Travel Out-of-State 52220	2,308	1,400	2,800	1,400	100.0%
Training & Education 52300	2,295	1,600	2,000	400	25.0%
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	208,526	120,000	160,000	40,000	33.3%
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	213,251	123,000	164,800	41,800	34.0%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(29,923)				
<b>Total Expenditures</b>	471,636	487,443	469,766	(17,677)	(3.6)%

<b>Managing Division:</b>	
Human Resources Office	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Administer benefits, workers' compensation, and safety programs for District employees.	
<b>Description of Program:</b>	
The Benefits Administration Program includes administering all aspect of employee and retiree benefits, workers' compensation, safety, ergonomics and special events. It includes maintaining and utilizing the human resources information systems.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Administer benefits for employees and retirees in compliance with policies and procedures.	
Administer health, dental, vision, life and long term disability plans.	
Administer retirement and pension plans.	
Administer flexible spending accounts, employee assistance program, and transit subsidy.	
Administer onboarding and separation.	
Maintain human resources information systems.	
Administer workers' compensation program.	
Administer safety and ergonomics program.	
Conduct a variety of benefits, safety, special trainings and events.	
Administer requirements for respiratory fitness medical examinations.	
Monitor and comply with federal, state, and local regulations related to benefits.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Administer employee benefit program.	Ongoing
Develop and administer the worker's compensation, safety and ergonomic program.	Ongoing
Provide management and employee consultation regarding benefits administration.	Ongoing
Review and perform cost benefit analysis of existing benefit contracts and consider alternative plans.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	2	2	2		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	154,977	242,279	204,785	(37,494)	(15.5)%
Overtime Salaries 51150			10,000	10,000	
Temporary Salaries 51200	262		10,000	10,000	
Payroll Taxes 51300	229,495	3,420	2,902	(518)	(15.1)%
Pension Benefits 51400	32,965	50,791	47,720	(3,071)	(6.0)%
FICA Replacement Benefits 51500	209,225	4,526	3,239	(1,287)	(21.4)%
Group Insurance Benefits 51600	2,776,960	3,006,753	3,128,625	121,872	4.1%
Employee Transportation Subsidy 51700	2,430	5,240	2,448	(2,792)	(53.3)%
Workers' Compensation 51800	685	1,337	887	(450)	(33.7)%
Other Post Employment Benefits 51850		23,251	15,420	(7,831)	(33.7)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	3,406,999	3,337,597	3,426,026	88,429	2.6%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		2,600	2,800	200	7.7%
Travel Out-of-State 52220	1,432	1,400	1,400		
Training & Education 52300	27,668	54,000	55,000	1,000	1.9%
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	151,715	138,000	140,000	2,000	1.4%
General Insurance 53400					
Shop & Field Supplies 53500	453	35,000	35,000		
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	181,268	231,000	234,200	3,200	1.4%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(353,576)				
<b>Total Expenditures</b>	3,234,691	3,568,597	3,660,226	91,629	2.6%

<b>Managing Division:</b>	
Human Resources Office	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Provide appropriate workplace learning and organization development to increase organizational effectiveness and results through training and development activities. Administer wellness events and activities to increase the well-being of the employees.	
<b>Description of Program:</b>	
The District's training and development program includes career developmental training for all non-management employees; and career developmental training, skills enhancement, safety, knowledge transfer, and succession planning for supervisory and management employees. It includes analysis of needs assessments and implementation of workforce development activities as part of an overall strategy to retain a top performing and motivated workforce. The program also includes the administration and coordination of wellness activities and events.	
<b>Justification of Change Request:</b>	
Implementation of learning management system, e-learning, and electronic filing for Form 700.	
<b>Activities</b>	
Provide District-wide and Division-specific trainings as requested or needed.	
Develop leadership development program and mentorship program as part of overall succession planning.	
Provide Ethics, Harassment Prevention, and any required trainings.	
Provide coaching and development support to management and staff as needed.	
Administer the performance evaluation program.	
Administer the educational reimbursement program.	
Coordinate and implement the various wellness activities and events.	
Coordinate the employee engagement program.	
Monitor and comply with federal, state, and local regulations related to training.	
Administer Form 700	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop and administer the training programs for all staff level focusing in the changing needs and priorities of the Air District.	Ongoing
Develop a leadership and mentorship program as part of succession planning.	Ongoing
Implement a Learning Management System and E-learning.	Ongoing
Develop and administer the wellness program.	Ongoing
Coordinate the employee engagement program	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	2	2	1	(1)	(50.0)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	164,154	194,694	158,818	(35,876)	(18.4)%
Overtime Salaries 51150					
Temporary Salaries 51200			10,000	10,000	
Payroll Taxes 51300	2,550	2,763	2,255	(508)	(18.4)%
Pension Benefits 51400	25,440	42,062	37,071	(4,991)	(11.9)%
FICA Replacement Benefits 51500	1,820	2,908	2,329	(579)	(11.9)%
Group Insurance Benefits 51600	22,656	21,723	23,204	1,481	6.8%
Employee Transportation Subsidy 51700	1,987	3,367	1,760	(1,607)	(47.7)%
Workers' Compensation 51800	725	859	637	(222)	(25.8)%
Other Post Employment Benefits 51850		14,940	11,084	(3,856)	(25.8)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	219,332	283,316	247,158	(36,158)	(12.8)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	2,945	1,400	1,400		
Travel Out-of-State 52220		1,200	1,400	200	16.7%
Training & Education 52300	168,791	182,400	210,000	27,600	15.1%
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	2,993				
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	174,729	185,000	212,800	27,800	15.0%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(22,768)				
<b>Total Expenditures</b>	371,293	468,316	459,958	(8,358)	(1.8)%

<b>Managing Division:</b>	
Human Resources Office	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Provide management and staff support in the area of employment relations.	
<b>Description of Program:</b>	
The Employment Relations Program includes the following District activities: employee relations, labor relations, classification and compensation, Equal Employment Opportunity (EEO) programs, personnel regulatory compliance, research and recordkeeping.	
<b>Justification of Change Request:</b>	
None	
<b>Activities</b>	
Administer, interpret, and implement the Memorandum of Understanding (MOU) and Personnel Policies and Procedures of the Administrative Code.	
Provide management and staff consultation.	
Administer EEO Policy.	
Meet with Employee Association on appropriate subjects.	
Provide support of grievance/arbitration processes.	
Maintain accurate employment records.	
Provide discipline counseling.	
Monitor and comply with federal, state, and local regulations related to labor.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Administer, interpret, implement and comply with the MOU and Administrative Code.	Ongoing
Continue positive relations with the Employees' Association.	Ongoing
Monitor and comply with federal, state, and local regulations.	Ongoing
Administer the Equal Employment Opportunity policy.	Ongoing
Ensure reliability of employment history and data.	Ongoing

# Employment Relations

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change	
	Program Actuals	2021	2022	\$	%	
	2020					
<b>Number of Positions (FTE)</b>	2	2	3	1	50.00%	
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	251,081	258,439	499,474	241,035	93.27%
Overtime Salaries	51150	5,622				
Temporary Salaries	51200	15,002				
Payroll Taxes	51300	3,800	3,679	7,119	3,440	93.5%
Pension Benefits	51400	48,382	58,698	117,057	58,359	99.4%
FICA Replacement Benefits	51500	2,666	3,337	5,941	2,604	73.0%
Group Insurance Benefits	51600	33,201	31,491	53,753	22,262	70.7%
Employee Transportation Subsidy	51700	2,912	3,863	4,489	626	16.2%
Workers' Compensation	51800	1,110	986	1,626	640	64.9%
Other Post Employment Benefits	51850		17,142	28,276	11,134	65.0%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		363,776	377,635	717,735	340,100	90.1%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,103	6,000	6,000		
Travel Out-of-State	52220					
Training & Education	52300	10,212	9,000	11,000	2,000	22.2%
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	436,304	301,000	332,000	31,000	10.3%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	406	500	500		
Books & Journals	54100		500	500		
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		448,025	317,000	350,000	33,000	10.4%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(37,710)				
<b>Total Expenditures</b>		774,091	694,635	1,067,735	373,100	53.71%

<b>Managing Division:</b>	
Human Resources Office	
<b>Contact Person:</b>	
Judy Yu	
<b>Program Purpose:</b>	
Administer a merit based recruitment and selection process for external and internal candidates to fill vacant positions.	
<b>Description of Program:</b>	
The Recruitment and Testing Program includes the following activities: testing of internal and external candidates, outreaching and advertising the positions as a choice of employment, maintaining the recruiting online system, maintaining equal employment policy, including diversity, equity and inclusion as part of the recruiting process, and compliance with all laws, policies, and requirements.	
<b>Justification of Change Request:</b>	
None	
<b>Activities</b>	
Conduct testing, including application screening, panel and hiring interviews, testing, etc.	
Advertise and outreach vacant positions in various mediums.	
Work with hiring managers to determine recruitment strategies.	
Perform background checks, reference checks, DMV checks and physical abilities checks.	
Participate in local, state and federal job fairs and similar outreach activities.	
Contract professional services for specialized executive management recruitments.	
Maintain online applicant tracking system.	
Monitor and comply with federal, state, and local regulations related to testing	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct merit based testing for internal and external candidates.	Ongoing
Comply with all applicable recruitment policies, requirements and law.	Ongoing
Conduct regional, statewide and nationwide outreach to attract quality candidates.	Ongoing
Maintain Air District's Equal Opportunity Policy for recruitment and testing.	Ongoing



		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		3	3	3		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	348,437	424,406	342,203	(82,203)	(19.37)%
Overtime Salaries	51150					
Temporary Salaries	51200	49,098		40,000	40,000	
Payroll Taxes	51300	5,444	6,023	4,851	(1,172)	(19.5)%
Pension Benefits	51400	63,077	95,493	79,768	(15,725)	(16.5)%
FICA Replacement Benefits	51500	3,872	6,380	5,336	(1,044)	(16.4)%
Group Insurance Benefits	51600	48,207	56,806	47,278	(9,528)	(16.8)%
Employee Transportation Subsidy	51700	4,778	7,385	4,032	(3,353)	(45.4)%
Workers' Compensation	51800	1,540	1,884	1,460	(424)	(22.5)%
Other Post Employment Benefits	51850		32,771	25,397	(7,374)	(22.5)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		524,453	631,148	550,325	(80,823)	(12.8)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	2,152		2,800	2,800	
Travel Out-of-State	52220	3,879	2,700	2,800	100	3.7%
Training & Education	52300	4,664	1,000	3,000	2,000	200.0%
Repair & Maintenance (Equipment)	52400					
Communications	52500	39,109	50,000	50,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	111,726	80,000	80,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		161,530	133,700	138,600	4,900	3.7%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(54,443)				
<b>Total Expenditures</b>		631,540	764,848	688,925	(75,923)	(9.93)%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Administrative Resources Division

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The Administrative Resources Division provides administrative and operational support functions for the Air District, and is comprised of the Executive Operations Office, Business Office, Fleet and Facilities Office, Finance Office and the Human Resources Office.

The Executive Operations Office is responsible for providing overall administration and direction to Air District staff. Through this office, the Executive Officer/APCO interprets and oversees implementation of Board directives and policies and administers the business of the Air District.

The Business Office is responsible for contracts, purchasing, non-workers compensation risk management, and office support services.

The Fleet and Facilities Office is responsible for the acquisition and maintenance of the vehicle fleet, planning, maintenance and operations of Air District facilities, and general security/safety. Testing

The Human Resources Office is responsible for personnel matters including payroll and benefits, labor and employee relations, recruitment and testing, processing personnel actions, employee performance appraisal and recognition programs, organizational development and training, health and safety compliance, workers compensation and special events coordination.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
Facilities Planning and Maintenance of existing Air District owned facilities, leased satellite offices, equipment and supplies.	
<b>Description of Program:</b>	
The Facilities Office provides for the day to day operations of the Air District's offices at 375 Beale Street and 4114 Lakeside Drive and all (80+) leased satellite offices. The development of safety protocols is ongoing, security, and maintenance of existing infrastructure and equipment is ongoing and includes satellite offices.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Work with BAHA and consultants on facility related projects in reference to shared space and services at 375 Beale Street.	
Respond to emergency facility repair requests.	
Oversee general contractors for the construction of offices and cubicles. Procure furniture and reconfigure cubicle spaces. Oversee electricians and plumbers.	
Routine maintenance at offsite facilities: performing preventive and scheduled maintenance as well as maintenance performed in response to signs of wear and tear observed during planned maintenance activities.	
Special AD events and workshop logistics.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement a fire, life and safety preventative maintenance program for all District offices	Ongoing
Work with BAHA and consultants on facility related projects in reference to shared space and services at 375 Beale Street.	Ongoing
Respond to emergency facility repair requests.	Ongoing
Oversee general contractors for the construction of offices and cubicles. Procure furniture and reconfigure cubicle spaces. Oversee electricians and plumbers.	Ongoing
Routine maintenance at offsite facilities: performing preventive and scheduled maintenance as well as maintenance performed in response to signs of wear and tear observed during planned maintenance activities.	Ongoing
Special Air District events and workshop logistics	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		3	3	4	1	33.33%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	375,124	343,864	431,728	87,864	25.55%
Overtime Salaries	51150	8,583	9,000	20,000	11,000	122.2%
Temporary Salaries	51200	6,644				
Payroll Taxes	51300	5,742	4,858	6,103	1,245	25.6%
Pension Benefits	51400	62,862	79,018	100,351	21,333	27.0%
FICA Replacement Benefits	51500	4,070	6,250	7,570	1,320	21.1%
Group Insurance Benefits	51600	50,570	60,334	80,643	20,309	33.7%
Employee Transportation Subsidy	51700	4,447	7,235	5,721	(1,514)	(20.9)%
Workers' Compensation	51800	1,658	1,846	2,072	226	12.2%
Other Post Employment Benefits	51850		32,104	36,033	3,929	12.2%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		519,700	544,509	690,221	145,712	26.8%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	517				
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400		30,000		(30,000)	(100.0)%
Communications	52500	952				
Building Maintenance	52600	430,792	205,000	575,000	370,000	180.5%
Utilities	52700	46,390	67,000	50,100	(16,900)	(25.2)%
Postage	52800					
Printing & Reproduction	52900	44	200	200		
Equipment Rental	53100		3,000	2,000	(1,000)	(33.3)%
Rents & Leases	53200	79,278	1,235	65,000	63,765	5,163.2%
Professional Services & Contracts	53300	230,615	390,565	225,000	(165,565)	(42.4)%
General Insurance	53400					
Shop & Field Supplies	53500	793	3,500	3,600	100	2.9%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	847		1,000	1,000	
Books & Journals	54100					
Minor Office Equipment	54200	63,773	106,000		(106,000)	(100.0)%
<b>Total Services &amp; Supplies Expenditures</b>		854,398	806,500	921,900	115,400	14.3%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105	(10,741)				
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		(10,741)				
<b>Transfer In/Out</b>		(53,488)				
<b>Total Expenditures</b>		1,309,869	1,351,009	1,612,121	261,112	19.33%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Satnam Hundel	
<b>Program Purpose:</b>	
Maintenance of the day-to-day communication and reproduction operations of the Air District.	
<b>Description of Program:</b>	
The day-to-day administrative operations include: sorting and distribution of incoming and outgoing mail, and processing reproduction and subscription requests.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Process incoming and outgoing mail.	
Maintain subscription service for Air District publications.	
Process reproduction requests, including document binding and package preparation.	
Prepare, reproduce and mail board packets, asbestos reports, permits, permit invoices, data update forms, and other materials as requested.	
Receive and deliver incoming packages and deliveries.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Process incoming and outgoing mail as well as packages.	Ongoing
Process reproduction requests.	Ongoing
Manage contracts, RFPs/RFQs, business supplies, and mailroom operations.	Ongoing

ADMINISTRATION COMMITTEE MEETING  
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		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	1	1	1		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	151,247	117,623	183,960	66,337	56.40%
Overtime Salaries 51150	1,700				
Temporary Salaries 51200	25,738				
Payroll Taxes 51300	2,322	1,667	2,627	960	57.6%
Pension Benefits 51400	36,214	25,527	43,188	17,661	69.2%
FICA Replacement Benefits 51500	1,686	1,904	1,967	63	3.3%
Group Insurance Benefits 51600	21,024	16,478	21,844	5,366	32.6%
Employee Transportation Subsidy 51700	1,891	2,204	1,486	(719)	(32.6)%
Workers' Compensation 51800	668	562	538	(24)	(4.3)%
Other Post Employment Benefits 51850		9,782	9,361	(421)	(4.3)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	242,490	175,747	264,971	89,224	50.8%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300		2,500	2,500		
Repair & Maintenance (Equipment) 52400					
Communications 52500	230,175	234,500	246,225	11,725	5.0%
Building Maintenance 52600					
Utilities 52700					
Postage 52800	40,000	92,000	38,475	(53,525)	(58.2)%
Printing & Reproduction 52900					
Equipment Rental 53100	62,120	35,000	65,000	30,000	85.7%
Rents & Leases 53200					
Professional Services & Contracts 53300	120,972	236,000	247,800	11,800	5.0%
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900	36				
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	453,303	600,000	600,000		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(25,143)				
<b>Total Expenditures</b>	670,650	775,747	864,971	89,224	11.50%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
This program will pay operating and maintenance costs associated with the Air District's office space located in Richmond, CA.	
<b>Description of Program:</b>	
This program will pay for the reconfiguring the Richmond Office and all costs associated with building maintenance of the facility, including shared costs associated with the Condominium Association. This year includes costs associated with building out Phase 2 and 3 of the Richmond Office.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
operating and maintenance costs associated with the Air District's office space located in Richmond, CA	
<b>Major Objectives</b>	<b>Delivery Date</b>
Reconfigure the Richmond Office (Headquarters East) with building out Phase 2 and 3 of the Richmond Office.	Ongoing

ADMINISTRATION COMMITTEE MEETING  
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	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries		51100			
Overtime Salaries		51150			
Temporary Salaries		51200			
Payroll Taxes		51300			
Pension Benefits		51400			
FICA Replacement Benefits		51500			
Group Insurance Benefits		51600			
Employee Transportation Subsidy		51700			
Workers' Compensation		51800			
Other Post Employment Benefits		51850			
Board Stipends		51900			
<b>Total Personnel Expenditures</b>					
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		52200			
Travel Out-of-State		52220			
Training & Education		52300			
Repair & Maintenance (Equipment)	1,780				
Communications		52500			
Building Maintenance		52600			
Utilities	50,224	11,000	11,000		
Postage		52800			
Printing & Reproduction		52900			
Equipment Rental		53100			
Rents & Leases		53200			
Professional Services & Contracts	78,264	189,000	200,000	11,000	5.8%
General Insurance		53400			
Shop & Field Supplies		53500			
Laboratory Supplies		53600			
Gasoline & Variable Fuel		53700			
Computer Hardware & Software	266,386				
Stationery & Office Supplies		53900			
Books & Journals		54100			
Minor Office Equipment		54200			
Non-capital assets	284,366				
<b>Total Services &amp; Supplies Expenditures</b>					
	681,020	200,000	211,000	11,000	5.5%
<b>Capital Expenditures</b>					
Leasehold Improvements	1,507,217	60100			
Building & Grounds	220,320	60105	500,000	500,000	
Office Equipment	7,445	60110			
Computer & Network Equipment	8,831	60115			
Motorized Equipment		60120			
Lab & Monitoring Equipment		60125			
Communications Equipment		60130			
General Equipment		60135			
PM 2.5 Equipment		60140			
Biotech Equipment		60145			
<b>Total Capital Expenditures</b>					
	1,743,813		500,000	500,000	
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>					
	2,424,833	200,000	711,000	511,000	255.50%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Satnam Hundel	
<b>Program Purpose:</b>	
Provide for the purchasing of equipment and supplies and the negotiating of service contracts.	
<b>Description of Program:</b>	
The purchasing section is responsible for the procurement of services, equipment and supplies. The section facilitates the administration of limited access license agreements, lease agreements, professional service contracts, and request for proposals/qualifications. The section is also responsible for the property management administration of various insurance policies, and the coordination of the disposal of surplus equipment.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Process purchase order requests.	
Approve the purchase of necessary office supplies as requested by District personnel.	
Administer District service contracts and negotiate lease renewals.	
Process service requests on equipment under maintenance.	
Deliver requested office supplies.	
Negotiate best price on sale of surplus equipment.	
Manage District insurance policies	
<b>Major Objectives</b>	<b>Delivery Date</b>
Process purchase order requests.	Daily
Approve the purchase of necessary office supplies as requested by District personnel.	Ongoing
Administer District service contracts, leases, and limited access license agreements.	Ongoing

ADMINISTRATION COMMITTEE MEETING  
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		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	2	3	2	(1)	(33.33)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	269,802	328,330	218,052	(110,278)	(33.59)%
Overtime Salaries 51150	39		20,000	20,000	
Temporary Salaries 51200	8,131				
Payroll Taxes 51300	4,243	4,664	3,083	(1,581)	(33.9)%
Pension Benefits 51400	64,375	74,489	50,688	(23,801)	(32.9)%
FICA Replacement Benefits 51500	2,970	4,721	3,811	(910)	(19.3)%
Group Insurance Benefits 51600	36,925	46,464	34,445	(12,019)	(25.9)%
Employee Transportation Subsidy 51700	3,221	5,465	2,880	(2,585)	(47.3)%
Workers' Compensation 51800	1,192	1,394	1,043	(351)	(25.2)%
Other Post Employment Benefits 51850		24,250	18,141	(6,109)	(25.2)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	390,898	489,777	352,143	(137,634)	(28.1)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300		1,500	1,500		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900		44,164	44,164		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	4,801				
General Insurance 53400	448,678	352,036	500,000	147,964	42.0%
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900	35,765	115,000	65,000	(50,000)	(43.5)%
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	489,244	512,700	610,664	97,964	19.1%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(40,583)				
<b>Total Expenditures</b>	839,559	1,002,477	962,807	(39,670)	(3.96)%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
This program will pay for sharing of limited business operations and technology functions between the Air District, Metropolitan Transportation Commission, and the Association of Bay Area Governments at 375 Beale Street. This program will also pay for the lease payments associated with the Air District's financing ownership interest of its portion of the facility.	
<b>Description of Program:</b>	
Shared services between the Air District, Metropolitan Transportation Commission and the Association of Bay Area Governments, including personnel and shared business operations, IT license and maintenance agreements required for a shared services component for the agencies and payments related to its lease payments through the issuance of a private placement of Certificate of Participation Notes (COPS) with the Bay Area Housing Authority.	
<b>Justification of Change Request:</b>	
The shared services component includes general services and technology functions: personnel, conference room scheduling, conference room set-up, video conferencing, webcasting, copy/print/mail production and distribution, shared fleet management, wellness center; email, calendaring, telephone systems, wireless network, internet connectivity, printing, electronic file storage, server rooms maintenance. Beginning in FYE 2019, the lease payments associated with paying down the COPS are being paid through this program.	
<b>Activities</b>	
Maintain service level agreements with partner agencies	
Maintain communication plan for building protocols	
Maintain and develop training materials for new technologies and services available at 375 Beale Street	
Maintain Shared Services Budget and Responsibilities	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain service level agreements with partner agencies	Ongoing
Maintain communication plan for building protocols	Ongoing
Maintain and develop training materials for new technologies and services available at 375 Beale Street	Ongoing
Maintain Shared Services Budget and Responsibilities	Ongoing

	Program Actuals 2020	Approved Program Budget 2021	Proposed Program Budget 2022	FTE/Dollar Change \$	Percent Change %
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Other Post Employment Benefits	51850				
Board Stipends	51900				
<b>Total Personnel Expenditures</b>					
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700	1,416			
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200	358,357	1,300,000	(100,000)	(7.7)%
Professional Services & Contracts	53300	4,978,635	2,110,000	490,000	23.2%
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>	5,338,408	3,410,000	3,800,000	390,000	11.4%
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	5,338,408	3,410,000	3,800,000	390,000	11.44%

<b>Managing Division:</b>	
Administrative Resources Division	
<b>Contact Person:</b>	
Maricela Martinez	
<b>Program Purpose:</b>	
Fleet maintenance and inspection to ensure safe and reliable transportation.	
<b>Description of Program:</b>	
<p>The vehicle maintenance section includes the maintenance of the District's 135-vehicle fleet, vehicle financing, tracking and diagnostics fuel records of District vehicles. All vehicle maintenance is outsourced for service. As of FYE 2020/21 one-hundred and five (105) vehicles are leased from Enterprise Fleet Services on a Full Maintenance Program. One (3) Electric vehicle is leased from Nissan Motor Acceptance Corporation where routine services are covered by the vehicle warranty plan; one (3) Hydrogen Fuel Cell vehicle is leased from Anderson Honda Motors Co. Inc; and twenty-seven (23) vehicles are owned by the District and are included in the Enterprise Maintenance Management Program in which Enterprise assists the District in handling all scheduled and non-scheduled repairs. One (1) Diesel vehicle is owned by the District and is service at a local service shop.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Perform factory-recommended preventive and routine vehicle maintenance.	
Maintain service support for response to emergency calls within one hour.	
Manage insurance contracts on District vehicles; process damage claims.	
Train staff in new technology in vehicle maintenance, evaluation and repairs.	
Modify and maintain up-to-date vehicle maintenance procedures.	
Oversee Enterprise-leased vehicles maintenance appointments.	
Perform yearly smog checks and reports on District vehicles.	
Quarterly Fuel Reporting.	
Vehicle disposal and purchasing.	
Cost management and billing.	
Plan and prepare annual budget, expenditures and analyze all financial objectives	
Create/update fleet policy and procedures, to include vehicle assignment, personal use, replacement policy, accident reporting process, and other procedures	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement Telematics vehicle management system	Ongoing
Completion of yearly maintenance on all District vehicles.	Annually
Completion of annual smog check for District vehicles.	Annually
Reduce the District vehicles carbon foot print with alternative fuel options such as Hybrid Vehicles, Electric Vehicles (EVs), and Hydrogen Fuel Cell	Ongoing

# Fleet Services

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		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		2	3	3		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	237,567	299,450	288,149	(11,301)	(3.77)%
Overtime Salaries	51150	1,716		25,000	25,000	
Temporary Salaries	51200	10,208				
Payroll Taxes	51300	3,587	4,233	4,069	(164)	(3.9)%
Pension Benefits	51400	37,662	66,139	66,898	759	1.1%
FICA Replacement Benefits	51500	2,528	5,323	5,287	(36)	(0.7)%
Group Insurance Benefits	51600	31,366	39,344	45,204	5,860	14.9%
Employee Transportation Subsidy	51700	4,104	6,162	3,995	(2,167)	(35.2)%
Workers' Compensation	51800	1,050	1,572	1,447	(125)	(8.0)%
Other Post Employment Benefits	51850		27,343	25,163	(2,180)	(8.0)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		329,788	449,566	465,212	15,646	3.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	13,542				
Travel Out-of-State	52220					
Training & Education	52300	1,890	3,000	3,000		
Repair & Maintenance (Equipment)	52400	3,716	12,500	25,000	12,500	100.0%
Communications	52500	1,468				
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	679,903	750,000	850,000	100,000	13.3%
Professional Services & Contracts	53300	336	12,500	12,500		
General Insurance	53400	2,500	55,000	57,500	2,500	4.5%
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700	176,962	265,000	265,000		
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		880,317	1,098,000	1,213,000	115,000	10.5%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120	37,368		50,000	50,000	
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		37,368		50,000	50,000	
<b>Transfer In/Out</b>		(33,239)				
<b>Total Expenditures</b>		1,214,234	1,547,566	1,728,212	180,646	11.67%

## Legislative Office

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The Legislative Office mission is to advocate for Air District policy and budget priorities at both the state and federal levels. The Legislative Office is responsible for tracking and developing positions on state and federal legislation and budget proposals, meeting with legislators and legislative staff about policy proposals and updating them on Air District activities, representing the Air District at legislative hearings, and interacting with stakeholder groups, state and local agencies, and members of the public. The Legislative Office works closely with other divisions within the Air District to help achieve the Air District's commitment to reducing air pollution in California and the Bay Area region by sharing information on current legislative policy and budget proposals that affect Air District programs and policies.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Legislative Office	
<b>Contact Person:</b>	
Alan Abbs	
<b>Program Purpose:</b>	
State and Federal legislative advocacy.	
<b>Description of Program:</b>	
The Legislative Office advocates for Air District policy and budget priorities at the state and federal level. The Legislative Office interacts with legislators and staff, advocate and opposition stakeholders, state and local agencies, and members of the public.	
<b>Justification of Change Request:</b>	
This is a new program.	
<b>Activities</b>	
Legislative Advocacy	
Information sharing with Air District staff	
Outreach to Legislature on Air District activities	
<b>Major Objectives</b>	<b>Delivery Date</b>
Track and develop positions on state and federal legislation.	Bi-weekly
Meet with legislators and legislative staff about policy proposals.	Ongoing
Update legislators and staff on Air District activities	Ongoing
Publish legislative newsletter.	Monthly
Track and develop positions on state and federal budget proposals.	Ongoing
Attend legislative hearings.	Ongoing
Staff Air District Legislative Committee meetings.	Monthly
Represent District at meetings with stakeholder groups.	Monthly
Staff other Air District Board and Committee meetings as necessary.	Ongoing

	Program Actuals 2020	Approved Program Budget 2021	Proposed Program Budget 2022	FTE/Dollar Change \$	Percent Change %
<b>Number of Positions (FTE)</b>			2.00	2.00	
<b>Personnel Expenditures</b>					
Permanent Salaries	51100		313,666	313,666	
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300		4,546	4,546	
Pension Benefits	51400		73,483	73,483	
FICA Replacement Benefits	51500		3,811	3,811	
Group Insurance Benefits	51600		42,329	42,329	
Employee Transportation Subsidy	51700		2,880	2,880	
Workers' Compensation	51800		1,043	1,043	
Other Post Employment Benefits	51850		18,141	18,141	
Board Stipends	51900				
<b>Total Personnel Expenditures</b>			459,899	459,899	
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200		3,000	3,000	
Travel Out-of-State	52220		3,450	3,450	
Training & Education	52300		750	750	
Repair & Maintenance (Equipment)	52400				
Communications	52500		2,000	2,000	
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300		121,200	121,200	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900		250	250	
Books & Journals	54100		300	300	
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>			130,950	130,950	
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>			590,849	590,849	

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Legal Services Division

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The District Counsel provides legal advice, counseling and representation to the Board of Directors and its Committees, the Executive Officer/APCO, District staff, and the Advisory Council in the execution of their respective statutory mandates and responsibilities. The District Counsel also represents, or manages outside counsel, representing the District in all litigation involving the District and in matters before the District's Hearing Board. The District Counsel primarily practices in the areas of general civil law, Federal, State and local air pollution control law, administrative law, Federal and State civil litigation, government law and the California Environmental Quality Act (CEQA).

The District Counsel will continue to implement significant changes in the Mutual Settlement and Civil Penalty Programs, such efforts over the past several fiscal years have been very effective in improving these programs. Efforts by District Counsel's attorneys and the Mutual Settlement Program staff have resulted in a nearly complete effort of resolving the existing inventory of enforcement cases. In addition, implementation of a Small Claims Court program for some enforcement cases in which settlement could not be reached through pre-litigation negotiation has been highly successful. The efforts to be undertaken this fiscal year are once again designed to properly implement legal requirements regarding settlements, deter repeat violations, impose civil penalties commensurate with the nature of the air quality violation involved, remove the economic benefit of violations, and encourage rule compliance by the regulated community. This fiscal year, District Counsel will continue the development and improvement of the Mutual Settlement Program. The District Counsel will also continue to coordinate with, and provide training for, Compliance and Enforcement Division staff regarding case development. These efforts will ensure that effective enforcement cases are built from the beginning of investigations, and will result in more effective settlements and prosecutions. The District Counsel's attorneys will continue their focus on civil penalty enforcement investigations and actions, including civil litigation and, where appropriate, Hearing Board enforcement proceedings.

District Counsel's attorneys will continue to advise District staff on rulemaking, permitting and air quality planning activities. In this regard, District Counsel will continue its efforts to coordinate closely with the District's staff on these issues to minimize challenges to District decision-making. District Counsel will also continue to represent the Executive Officer/APCO before the Hearing Board, counsel the Board of Directors and its Committees as to their legal authority and duties and interact with EPA, CARB, other Air Districts and private attorneys on various matters. District Counsel will continue to use outside labor/employment law firms to handle the specialized practice of labor and employment law counseling, negotiations and litigation. Due in large part to the efforts of attorneys in the District Counsel's office, the vast majority of the litigation pending against the District was resolved in FYE 2005. Cases filed in the intervening years have been more efficiently addressed and resolved. In addition to continuing to provide pre-litigation counseling, and to handle litigation matters internally, the District Counsel will continue to manage the efforts of outside counsel as appropriate in litigation, employment, and specialized counseling matters.

The District Counsel will continue to provide the Board of Directors, the Executive Officer/APCO and District staff with exemplary legal counsel and representation.

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To advise, counsel and assist the Board of Directors, the Executive Officer/APCO, and District staff on all legal matters related to the Air District's clean air mission and operations.	
<b>Description of Program:</b>	
The Air District Counsel provides a wide variety of legal services to the Board of Directors, the Executive Officer/APCO, Advisory Council, and District staff. Those services include advising and counseling on issues arising under Federal and State air pollution laws, the Brown Act, the California Environmental Quality Act (CEQA), the Public Records Act, and conflict of interest laws. Attorneys in the District Counsel's office prepare and review complex contracts, provide legal opinions and advice on rule development, and governmental and general law issues, such as enforcement, permitting and air quality planning matters. Work in the District Counsel's office also includes the development and implementation of legal policy documents for the District.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Staff all Board of Director and Board Committee meetings and provide legal advice and direction, as necessary, at such meetings.	
Draft all necessary resolutions for adoption by the Board of Directors.	
Provide all legal opinions, reports and correspondence requested by the Board of Directors, the Advisory Council and the Executive Officer/APCO. Provide all legal opinions, reports and correspondence requested by the Board of Directors, the Advisory Council and the Executive Officer/APCO. Review and comment on all legislative proposals affecting the District. Provide legal advice and review of all rule adoptions and amendments including CEQA analysis. Staff all meetings with District staff, members of the public, representatives of other public agencies, environmental groups, industry, the press and legislative representatives involving District permitting, rule development or enforcement. Provide legal advice, direction and contract drafting to administration of TFCA. Advise and assist the Executive Officer/APCO and District staff in legal matters involving contracts, the Public Records Act, conflicts of interest, leases and copyrights. Provide all staff support functions associated with the above activities. Advise Air District staff and the Board of Directors on all issues related to the Federal Clean Air Act, California Clean Air Act and associated State and Federal regulations.	
Provide all legal opinions, reports and correspondence requested by the Board of Directors, the Advisory Council and the Executive Officer/APCO.	
Review and comment on all legislative proposals affecting the District.	
Provide legal advice and review of all rule adoptions and amendments including CEQA analysis.	
Staff all meetings with District staff, members of the public, representatives of other public agencies, environmental groups, industry, the press and legislative representatives involving District permitting, rule development or enforcement.	
Provide legal advice, direction and contract drafting to administration of TFCA.	
Advise and assist the Executive Officer/APCO and District staff in legal matters involving contracts, the Public Records Act, conflicts of interest, leases and copyrights.	
Provide all staff support functions associated with the above activities.	
Advise Air District staff and the Board of Directors on all issues related to the Federal Clean Air Act, California Clean Air Act and associated State and Federal regulations.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not Applicable	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	8	9	8	(1)	(11.1)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	1,507,761	1,562,537	1,541,621	(20,916)	(1.3)%
Overtime Salaries 51150	15				
Temporary Salaries 51200					
Payroll Taxes 51300	23,152	23,099	23,038	(61)	(0.3)%
Pension Benefits 51400	286,169	356,514	362,274	5,760	1.6%
FICA Replacement Benefits 51500	16,396	17,111	15,457	(1,654)	(9.7)%
Group Insurance Benefits 51600	203,462	180,786	148,170	(32,616)	(18.0)%
Employee Transportation Subsidy 51700	18,656	19,806	11,680	(8,126)	(41.0)%
Workers' Compensation 51800	6,663	5,054	4,230	(824)	(16.3)%
Other Post Employment Benefits 51850		87,891	73,573	(14,318)	(16.3)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	2,062,274	2,252,798	2,180,043	(72,755)	(3.2)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	4,041	3,000	3,000		
Travel Out-of-State 52220		4,000	4,000		
Training & Education 52300	3,665	6,500	6,500		
Repair & Maintenance (Equipment) 52400					
Communications 52500	3,394	5,000	5,000		
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	617	4,000	4,000		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	31,418	44,000	44,000		
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900	359	1,000	1,000		
Books & Journals 54100	53,907	40,000	40,000		
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	97,401	107,500	107,500		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(191,046)				
<b>Total Expenditures</b>	1,968,629	2,360,298	2,287,543	(72,755)	(3.1)%

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To represent the Air District in all proceedings involving variances, orders of abatement, permit appeals and permit revocations before the Air District's Hearing Board.	
<b>Description of Program:</b>	
The Air District Counsel provides all necessary legal representation and counsel for the District in variance, order of abatement, permit appeal and permit revocation actions before the Air District's Hearing Board. Permit holders may seek variance relief from the Hearing Board when they are unable to meet a District rule or permit requirement as long as state law requirements are met. The District may seek orders of abatement against facilities for on-going violations, or seek to revoke those facilities' permits. The Air District Counsel also represents the District in appeals by applicants or third parties to permit, emission reduction credit, and interchangeable emission reduction credit decisions made by the District. In addition, the Air District Counsel works with the Hearing Board's members and staff to improve the Hearing Board's rules and procedures.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Review and advise Air District staff regarding the legal and factual sufficiency of variance requests.	
Prepare and/or review all required written correspondence, pleadings and orders.	
Represent the Air District in all Hearing Board matters, including preparing all written submissions for these cases.	
Prepare Air District witnesses for hearings.	
Provide staff support functions associated with the above activities.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

ADMINISTRATIVE COMMITTEE MEETING  
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		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	4,888	2,458	8,958	6,500 264.4%
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300	77	35	128	93 265.7%
Pension Benefits	51400	3,407	572	2,104	1,532 267.8%
FICA Replacement Benefits	51500	57	23	93	70 304.3%
Group Insurance Benefits	51600	710	321	1,129	808 251.7%
Employee Transportation Subsidy	51700	62	27	70	43 159.3%
Workers' Compensation	51800	22	7	25	18 257.1%
Other Post Employment Benefits	51850		119	442	323 271.4%
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		9,223	3,562	12,949	9,387 263.5%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300				
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		9,223	3,562	12,949	9,387 263.5%

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To remove the economic benefit from, and provide a credible and effective deterrence to, violations of Air District Rules by reaching settlements or pursuing penalty enforcement actions fairly and consistently.	
<b>Description of Program:</b>	
The Air District Counsel, in cooperation with the Enforcement and Compliance Division, enforces the Air District's rules by reaching informal settlements through the Mutual Settlement Program, by pursuing administrative enforcement actions (orders of abatement and revocation of permits), by filing and prosecuting civil penalty actions, or by referring cases to other agencies for consideration of civil or criminal enforcement actions within those agencies' jurisdiction.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Administer Mutual Settlement Program.	
Pursue Small Claims Court actions to collect civil penalties.	
Provide full time clerical staff support for this program.	
Prepare witnesses and documentary evidence for administrative hearings and civil litigation associated with actions to recover civil penalties.	
Meet and confer with District staff and defendants to discuss settlement or to advance litigation.	
Represent the District in all court hearings, settlement conferences and civil discovery.	
Coordinate the referral of cases for civil and criminal prosecution to District Attorney offices and other agencies with jurisdiction over air quality issues.	
Prepare all correspondence and prepare and file all pleadings in civil and administrative actions.	
Settle or pursue enforcement actions on all Notices of Violation (NOVs).	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

# Penalties Enforcement & Settlement

203

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	4	4	5	1	25.0%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	609,692	596,526	743,340	146,814	24.6%
Overtime Salaries 51150					
Temporary Salaries 51200					
Payroll Taxes 51300	9,345	8,604	10,570	1,966	22.8%
Pension Benefits 51400	113,425	135,208	173,797	38,589	28.5%
FICA Replacement Benefits 51500	6,682	7,307	10,051	2,744	37.6%
Group Insurance Benefits 51600	83,194	76,360	91,424	15,064	19.7%
Employee Transportation Subsidy 51700	7,589	8,458	7,596	(862)	(10.2)%
Workers' Compensation 51800	2,694	2,158	2,751	593	27.5%
Other Post Employment Benefits 51850		37,533	47,844	10,311	27.5%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	832,621	872,154	1,087,373	215,219	24.7%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		2,800	2,800		
Travel Out-of-State 52220					
Training & Education 52300		2,000	2,000		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300					
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100		1,000	1,000		
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>		5,800	5,800		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	832,621	877,954	1,093,173	215,219	24.5%

<b>Managing Division:</b>	
Legal Services Division	
<b>Contact Person:</b>	
Brian Bunger	
<b>Program Purpose:</b>	
To represent and oversee the Air District representation in State and Federal courts.	
<b>Description of Program:</b>	
Individuals, corporations and organizations may sue the Air District in State or Federal court over District actions; the District Counsel represents the District in such matters. The District Counsel also directs the efforts of outside counsel handling such litigation and advising the District in specialized legal areas such as labor law, employment law and tort actions.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Represent Air District in State court actions.	
Represent Air District in Federal court actions.	
Provide litigation status reports to Air District Board of Directors.	
Legal research for litigation matters.	
Monitor and direct activities of outside counsel in general litigation and specialized legal areas such as labor law, employment law and tort actions.	
Provide clerical support for litigation matters.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not Applicable	Ongoing

ADMINISTRATION COMMITTEE MEETING  
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		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	1	1	1		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	130,229	148,436	126,160	(22,276)	(15.0)%
Overtime Salaries 51150					
Temporary Salaries 51200					
Payroll Taxes 51300	1,985	2,286	1,947	(339)	(14.8)%
Pension Benefits 51400	41,729	33,914	29,715	(4,199)	(12.4)%
FICA Replacement Benefits 51500	1,438	1,288	1,066	(222)	(11.2)%
Group Insurance Benefits 51600	17,858	16,343	14,383	(1,960)	(12.0)%
Employee Transportation Subsidy 51700	1,595	1,491	806	(685)	(45.9)%
Workers' Compensation 51800	576	381	292	(89)	(23.4)%
Other Post Employment Benefits 51850		6,618	5,074	(1,544)	(23.3)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	195,410	210,757	179,443	(31,314)	(14.9)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300	40	3,000	3,000		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800		2,300	2,300		
Printing & Reproduction 52900	473				
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	2,908,893	235,000	235,000		
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100		4,000	4,000		
Minor Office Equipment 54200	500	3,000	3,000		
<b>Total Services &amp; Supplies Expenditures</b>	2,909,906	247,300	247,300		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	3,105,316	458,057	426,743	(31,314)	(6.8)%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Communications Office

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The Communications Office coordinates all agency media outreach, Air District messaging, crisis communications, media relations as well as print, digital and social media outreach for the Air District. The Office provides media and public outreach about the Air District's programs, operations and emergency response.

The Office manages advertising and outreach for Spare the Air, the Employer Program, and the Commuter Benefits Program. The Office oversees the Air District and Spare the Air social media sites, strategies and programs. The Office maintains the Spare the Air website and related sites and the Spare the Air mobile apps. The Office represents the Air District at community events for Spare the Air throughout the region.

Office functions include production of publications and digital collateral for the general public and target audiences. This includes publishing newsletters, the annual report, videos and collateral materials. The Office also provides and oversees graphic design services, social media content creation, translation services and videography. The Office also provides Air District presentations and tours for international delegations, organizations and school groups.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristine Roselius	
<b>Program Purpose:</b>	
Act as the Air District's main point of contact to the public through media and social media. Increase public awareness and understanding of the roles that the public and the Air District have in creating behavior change and reducing air pollution and the impacts of climate change.	
<b>Description of Program:</b>	
Provide proactive media outreach about air quality issues, Air District programs and the purpose and functions of the agency through printed materials, media events, promotional materials, baaqmd.gov website, press releases, publications, videos, podcasts and social media. Develop graphically appealing and compelling images and infographics to better message Air District efforts on social media, presentations and displays.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Maintain up-to-date and relevant air quality information on the Air District website.	
Develop video and audio podcasts about air quality issues and the Air District's programs and rules.	
Develop wildfire messaging, procedures, graphics, printed and web materials.	
Produce publications including plans, brochures, booklets and other Air District documents.	
Issue press releases and host media events highlighting Air District accomplishments.	
Coordinate the Air District presence at events and fairs throughout the region.	
Develop and implement media, social media and communication strategies around major Air District policies and issues.	
Develop and maintain effective working relationships with members of the media and social media influencers.	
Track and analyze print, internet, radio, social media and television coverage of the Air District.	
Provide development opportunities for staff related to activities and objectives of the Air District.	
Develop emergency response internal, media and social media outreach procedures	
Develop crisis communications internal, media and social media outreach procedures	
Development and management of Air District social media sites	
Support Air District's Emergency Operations Plan	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop media response / operating procedures, Air District media policy, and social media policy.	Ongoing
Produce Air District Annual Report.	June 2022
Publish quarterly Air Currents newsletter.	June 2022
Conduct media training for public information officers and other Air District staff.	Ongoing
Develop video podcasts, video news releases / statements, infographics and display graphics for Air District programs / events.	Ongoing
Develop and manage Air District social media posts.	Ongoing
Crisis communications and emergency response for air quality incidents.	Ongoing



		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	6	6	4	(2)	(33.3)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	740,894	751,397	496,369	(255,028)	(33.9)%
Overtime Salaries 51150	5,153	7,000	7,000		
Temporary Salaries 51200	34,910				
Payroll Taxes 51300	11,481	10,733	7,043	(3,690)	(34.4)%
Pension Benefits 51400	160,616	170,715	115,805	(54,910)	(32.2)%
FICA Replacement Benefits 51500	8,214	10,923	7,444	(3,479)	(31.9)%
Group Insurance Benefits 51600	102,315	88,758	63,830	(24,928)	(28.1)%
Employee Transportation Subsidy 51700	9,394	12,643	5,625	(7,018)	(55.5)%
Workers' Compensation 51800	3,277	3,226	2,037	(1,189)	(36.9)%
Other Post Employment Benefits 51850		56,107	35,430	(20,677)	(36.9)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	1,076,254	1,111,502	740,583	(370,919)	(33.4)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	945	14,000	14,000		
Travel Out-of-State 52220		6,000	6,000		
Training & Education 52300	4,410	16,500	21,500	5,000	30.3%
Repair & Maintenance (Equipment) 52400					
Communications 52500	11,867	47,000	47,000		
Building Maintenance 52600					
Utilities 52700					
Postage 52800		4,000	4,000		
Printing & Reproduction 52900	35,941	42,000	42,500	500	1.2%
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	293,900	420,000	441,000	21,000	5.0%
General Insurance 53400					
Shop & Field Supplies 53500	184		500	500	
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	16,751	11,000	11,000		
Stationery & Office Supplies 53900	7,078	4,000	4,000		
Books & Journals 54100					
Minor Office Equipment 54200			1,000	1,000	
<b>Total Services &amp; Supplies Expenditures</b>	374,076	564,500	592,500	28,000	5.0%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115	10,075				
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>	10,075				
<b>Transfer In/Out</b>	(71,932)				
<b>Total Expenditures</b>	1,388,473	1,676,002	1,333,083	(342,919)	(20.5)%

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristina Chu	
<b>Program Purpose:</b>	
The Spare the Air winter program informs the public about the Wood Burning Rule, the health impacts of wood smoke pollution and alternative, cleaner forms of heat and change-out incentives.	
<b>Description of Program:</b>	
The Wood Burning Rule was passed in 2008 and wood burning is banned when a Spare the Air Alert is called for fine particulate pollution. The Spare the Air winter campaign informs the public about the health impacts of wood smoke both inside and outside the home. A seasonal messaging/advertising campaign is developed and delivered to the public through regional advertising, media outreach, neighborhood events and through seasonal door-to-door outreach and survey campaign.	
<b>Justification of Change Request:</b>	
No change.	
<b>Activities</b>	
Develop and disseminate a Spare the Air winter campaign to inform the public about the health impacts of wood smoke.	
Prepare and issue media releases, respond to media inquiries and plan media events/deskside & editorial board visits.	
Conduct public opinion surveys to evaluate program and measure behavior change.	
Manage and update the sparetheair.org, baaqmd.gov and sparetheairnow.org websites as well as social media sites including Twitter, Linked In, Pinterest and Facebook.	
Manage notification methods for Spare the Air Alerts, including automated phone alerts, text and email alerts, online banners, iPhone/Android app and widget.	
Deliver public outreach, advertising and media relations campaigns.	
Provide public outreach at community events throughout the Bay Area.	
Door to door outreach/surveys	
Provide overview of campaign to Executive Committee and Board of Directors.	
Provide outreach to local government leaders and community organizations and the general public about the Spare the Air winter program.	
Promote cleaner heating options and available incentives.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Launch Spare the Air winter season.	November 2021
Execute and evaluate Spare the Air winter season public outreach campaign.	June 2022
Develop video podcasts, video news releases / statements, displays and infographics for Spare the Air winter programs / events.	Ongoing
Respond to public inquiries, provide informational speeches and presentations.	Ongoing
Update website alerts and Spare the Air app.	Ongoing
Monitor and measure campaign effectiveness via public opinion surveys.	March 2022
Develop Spare the Air winter season summary.	April 2022
Issue Alert advisories when air quality is forecast to reach unhealthy levels.	Ongoing
Provide information about the health impacts of wood smoke to the public, community organizations and local government leaders.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	1	2	3	1	50.0%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	100,761	246,123	349,558	103,435	42.0%
Overtime Salaries 51150	19,191				
Temporary Salaries 51200	7,607				
Payroll Taxes 51300	1,566	3,505	4,953	1,448	41.3%
Pension Benefits 51400	24,887	55,723	81,443	25,720	46.2%
FICA Replacement Benefits 51500	1,127	3,750	5,565	1,815	43.4%
Group Insurance Benefits 51600	14,081	34,051	51,547	17,496	51.4%
Employee Transportation Subsidy 51700	1,433	4,341	4,205	(136)	(3.1)%
Workers' Compensation 51800	445	1,108	1,523	415	37.5%
Other Post Employment Benefits 51850		19,265	26,487	7,222	37.5%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	171,098	367,866	525,281	157,415	42.8%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300					
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	934,097	1,125,000	1,125,000		
General Insurance 53400					
Shop & Field Supplies 53500	99				
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	934,196	1,125,000	1,125,000		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	1,105,294	1,492,866	1,650,281	157,415	10.5%

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristina Chu	
<b>Program Purpose:</b>	
The Spare the Air program encourages the public to reduce their driving, a major source of Bay Area air pollution, and promotes the use of public transit, biking, walking, carpooling, trip reduction and other behavior changes that reduce pollution from transportation sources.	
<b>Description of Program:</b>	
The Spare the Air Program provides health alerts and informs Bay Area residents about air pollution and encourages them to reduce single occupancy driving, especially during their commute to and from work, to improve air quality. The Spare the Air program will also help to promote the Commuter Benefits Program which supports the overall goal of reducing the number of vehicles on Bay Area roads.	
When air quality is forecast to be unhealthy, the Air District issues Spare the Air Alerts. Outreach to the public is conducted through an advertising and media relations campaign as well as through social media sites such as Twitter and Facebook.	
<b>Justification of Change Request:</b>	
No change.	
<b>Activities</b>	
Conduct campaign to educate the public about individual choices to reduce air pollution.	
Prepare and issue media releases, respond to media inquiries and plan media events.	
Conduct public opinion surveys to evaluate program and measure behavior change.	
Manage, re-design and update website landing pages and provide regular updates, measurements and responses for social media sites such as Twitter, Pinterest and Facebook.	
Provide public outreach at community events throughout the Bay Area.	
Notify the public of Spare the Air Alerts through AirAlerts, text alerts, the media, sparetheair.org, baaqmd.gov, the iPhone/Android app and social media sites.	
Manage public outreach campaigns for advertising, social media and media relations.	
Provide overview of campaign to Administrative Committee and Board of Directors.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop the Spare the Air campaign.	Ongoing
Launch Spare the Air summer season.	Ongoing
Monitor and measure campaign effectiveness via public opinion surveys.	October 2021
Manage the Spare the Air advertising, media relations and social media campaign.	Ongoing
Promote Spare the Air clean air activities at public events.	Ongoing
Develop video podcasts, video news releases / statements, displays and infographics for Spare the Air program / events.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100				
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300				
Pension Benefits	51400				
FICA Replacement Benefits	51500				
Group Insurance Benefits	51600				
Employee Transportation Subsidy	51700				
Workers' Compensation	51800				
Other Post Employment Benefits	51850				
Board Stipends	51900				
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900	494			
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	826,184	1,000,000	1,000,000	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>	826,678	1,000,000	1,000,000		
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	826,678	1,000,000	1,000,000		

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ADMINISTRATION COMMITTEE MEETING  
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## Technology Implementation Office

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The Technology Implementation Office (TIO) mission is to advance emerging, cost-effective solutions to achieve greenhouse gas emissions reductions for the transportation and industrial source sectors. TIO will connect climate technologies and customers by providing financial incentives (through grants and loans) as well as technical and matchmaking support. Climate technology areas include zero emissions vehicles and infrastructure, zero emissions energy storage and backup systems, composting, and waste-to-energy projects (co-digestion, waste treatment, anaerobic digestion, combined heat and power). By supporting the scale-up of climate technologies, TIO can help achieve state and regional greenhouse gas emissions targets, reduce emissions in impacted communities, while also making technologies cost-effective even in regions without strong climate policies.

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<b>Managing Division:</b>	
Technology Implementation Office	
<b>Contact Person:</b>	
Derrick Tang	
<b>Program Purpose:</b>	
The Climate Tech Finance program advances emerging and cost-effective solutions to achieve greenhouse gas emissions reduction. The program's goal is to support the 2017 Clean Air Plan goal of a carbon-free Bay Area by 2050 and mainstream technologies so they can be scaled up throughout and beyond the Bay Area.	
<b>Description of Program:</b>	
The program cultivates partnerships and provides financing to incentivize greenhouse gas emissions reductions for public agencies and entrepreneurs.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Oversee loan and loan guarantee partnership and projects.	
Perform evaluations of climate technologies.	
Identify technologies and customers and provide technical support and financing to implement technologies.	
Convene stakeholders for technology matchmaking and peer-to-peer information exchanges.	
Provide technical resources to partners and the District.	
<b>Major Objectives</b>	<b>Delivery Date</b>
1. Provide loans and loan guarantees for implementing new technologies.	Ongoing
2. Convene stakeholders for regular technology matchmaking events to showcase emerging technologies among potential facility customers.	Quarterly
3. Implement marketing plan and materials to pursue additional partnerships, funding, and programming.	December 2021



		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	3	4	2	(2)	(50.0)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	378,716	481,373	311,043	(170,330)	(35.4)%
Overtime Salaries 51150	425	25,000	25,000		
Temporary Salaries 51200	1,602	50,000	75,000	25,000	50.0%
Payroll Taxes 51300	5,787	6,848	4,421	(2,427)	(35.4)%
Pension Benefits 51400	78,404	103,085	72,691	(30,394)	(29.5)%
FICA Replacement Benefits 51500	4,153	6,590	4,300	(2,290)	(34.7)%
Group Insurance Benefits 51600	51,574	65,266	46,963	(18,303)	(28.0)%
Employee Transportation Subsidy 51700	4,654	7,628	3,250	(4,378)	(57.4)%
Workers' Compensation 51800	1,674	1,946	1,177	(769)	(39.5)%
Other Post Employment Benefits 51850		33,849	20,470	(13,379)	(39.5)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	526,989	781,585	564,315	(217,270)	(27.8)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	773	7,000	2,300	(4,700)	(67.1)%
Travel Out-of-State 52220		8,500	3,000	(5,500)	(64.7)%
Training & Education 52300	3,641	10,000	6,000	(4,000)	(40.0)%
Repair & Maintenance (Equipment) 52400					
Communications 52500	1,323	1,500	1,500		
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	584				
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	13,386	150,000	165,000	15,000	10.0%
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	2,856	3,000	3,000		
Stationery & Office Supplies 53900		400	400		
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	22,563	180,400	181,200	800	0.4%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	549,552	961,985	745,515	(216,470)	(22.5)%

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ADMINISTRATION COMMITTEE MEETING  
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## Strategic Incentives Division

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The Strategic Incentives Division administers grant programs to facilitate the execution of projects and programs focused primarily on the reduction of emissions from mobile sources in the Bay Area. The primary grant programs include the Transportation Fund for Clean Air (TFCA), the Carl Moyer Program (CMP), the Mobile Source Incentive Fund (MSIF), the Lower-Emission School Bus Program (LESBP), in addition to other miscellaneous grant programs. These programs support the implementation of transportation and mobile source measures, as well as other incentive-based initiatives that improve air quality in the region. In FYE 2022 the Strategic Incentives Division will administer more than \$100 million in new grant revenue funds.

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<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Alona Davis	
<b>Program Purpose:</b>	
Administer funding for grant programs related to non-mobile sources.	
<b>Description of Program:</b>	
In 2021, the Air District will implement a program that will provide incentive funding to reduce particulate matter from wood-burning devices in residential homes. The program is funded by a US Environmental Protection Agency (EPA) Targeted Airshed Grant award and funding from the Air District's General Fund as match. On January 20, 2021, the Air District Board of Directors, authorized the District to accept, obligate, and expend up to \$2,120,345 in funding from the US EPA and allocated up to \$500,000 of General Fund from Designated Reserves as match funding. The funding will be awarded on a first-come first-serve basis and is anticipated to have a program duration of two to five years.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Develop guidelines and policies & procedures for the administration of the woodsmoke reduction program.	
Contract with vendors that wish to participate in the low-income voucher program.	
Conduct workshops and outreach.	
Review and evaluate applications for eligibility with program requirements, and recommend projects to be awarded.	
Prepare and execute contracts and vouchers for projects awarded.	
Monitor status and performance of projects, and conduct inspections.	
Prepare technical, financial, and staff reports	
Conduct program development for each solicitation cycle	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct program development for each solicitation cycle	Ongoing
Open solicitation for first round of woodsmoke program.	July 2021
Issue grant agreements or vouchers for projects awarded.	Ongoing
Process payments, review inspections, and monitor status and performance of projects.	Ongoing
Prepare technical, financial, and staff reports.	Ongoing
Contract with vendors that wish to participate in the low-income voucher program.	November 2022
Review and evaluate applications for eligibility with program requirements, and recommend projects to be awarded.	Ongoing
Open solicitation for second round of program including the voucher option for low-income qualifying residents.	February 2022

# Non-Mobile Source Grant Programs

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	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>			0.49	0.49	
<b>Personnel Expenditures</b>					
Permanent Salaries	51100		65,097	65,097	
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300		929	929	
Pension Benefits	51400		15,202	15,202	
FICA Replacement Benefits	51500		934	934	
Group Insurance Benefits	51600		9,976	9,976	
Employee Transportation Subsidy	51700		706	706	
Workers' Compensation	51800		256	256	
Other Post Employment Benefits	51850		4,444	4,444	
Board Stipends	51900				
<b>Total Personnel Expenditures</b>			97,544	97,544	
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300	1,019			
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300		50,000	50,000	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>	1,019		50,000	50,000	
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	1,019		147,544	147,544	

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Expand availability of funding for emission reduction projects in the Bay Area by identifying and securing new sources of funding. Manage advanced technology demonstration projects through grants secured.	
<b>Description of Program:</b>	
This program, established in 2010, is focused on identifying and securing new sources of funding for the Bay Area region. In FYE 2022, staff will pursue funding from Federal, State, local governments and other funding sources. Over time, this program aims to expand the availability of grant funding in the region in order to create additional opportunities for Bay Area businesses and residents to implement projects that reduce criteria pollutants, greenhouse gases, and toxic air contaminants from mobile and stationary sources.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Identify new sources of funding and prepare grant applications to secure new funding sources.	
Form partnerships to leverage Air District funding resources.	
Manage Air District funded programs, e.g., Woodsmoke Reduction Incentive Program: conduct outreach, evaluate applications and award funding to eligible recipients, and process reimbursement requests.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Form partnerships to leverage Air District funding sources.	Ongoing
Identify new sources of funding and prepare grant applications to secure new funding sources.	Ongoing
Conduct outreach, evaluate applications and award Woodsmoke Reduction Incentive Program funding to eligible recipients, and process reimbursement requests.	Ongoing

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# Grant Program Development

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		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	1	3	2	(1)	(33.3)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	101,472	377,300	345,305	(31,995)	(8.5)%
Overtime Salaries 51150	253				
Temporary Salaries 51200					
Payroll Taxes 51300	1,592	5,350	4,927	(423)	(7.9)%
Pension Benefits 51400	22,871	82,777	80,708	(2,069)	(2.5)%
FICA Replacement Benefits 51500	1,186	6,286	4,745	(1,541)	(24.5)%
Group Insurance Benefits 51600	14,856	70,972	50,624	(20,348)	(28.7)%
Employee Transportation Subsidy 51700	1,403	7,276	3,586	(3,690)	(50.7)%
Workers' Compensation 51800	448	1,857	1,299	(558)	(30.0)%
Other Post Employment Benefits 51850		32,289	22,585	(9,704)	(30.1)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	144,081	584,107	513,779	(70,328)	(12.0)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		13,200	13,200		
Travel Out-of-State 52220		8,000	8,000		
Training & Education 52300		7,500	7,500		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	14				
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	37,913	51,000	100,000	49,000	96.1%
General Insurance 53400					
Shop & Field Supplies 53500		1,000	1,000		
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800			20,000	20,000	
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	37,927	80,700	149,700	69,000	85.5%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	182,008	664,807	663,479	(1,328)	(0.2)%

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ADMINISTRATION COMMITTEE MEETING  
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## Compliance & Enforcement Division

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The Compliance & Enforcement Division ensures the Air District will realize the emission reductions achieved by the air quality regulations adopted by the Board of Directors, and permit conditions issued by the Executive Officer/APCO. Compliance with Air District, state, and federal regulations is achieved through a robust Compliance Assurance and Enforcement Program that includes comprehensive inspections and investigations and a complementary Compliance Assistance Program that supports compliance objectives of the Division by maintaining operations and assisting industry with air quality regulations and requirements. The Division works closely with local and state regulatory agencies, regulated industry and members of the community to provide the highest level of service to protect air quality and public health. The Division implements Air District strategies and enforces regulations that pertain to stationary sources, and has some mobile source enforcement authority in collaboration with the California Air Resources Board. Division priorities include conducting Title V and Synthetic Minor facility inspections, locating unpermitted sources of operations, resolving violations at facilities with ongoing non-compliance and responding to and investigating air quality complaints. Staff work collaboratively across Divisions to achieve the Air District's mission and apply the appropriate level of enforcement proportional to the level of non-compliance. The Division vigorously pursues violators who show a disregard for the law and well-being of the public and ensures corrective actions and measures to resolve violations are taken.

The Compliance and Enforcement Division continues to focus on activities that support the Air District's commitment to achieve clean air to protect public health and the environment as follows:

The Compliance Assurance and Enforcement Programs focus on announced and unannounced inspections of air pollution sources to ensure compliance. Targeted strategies are used to guide inspections to identify non-compliance and reduce excess emissions. Sources include: Title V and Synthetic Minor facilities, petroleum refineries, chemical plants, dry cleaners, gasoline dispensing facilities, autobody shops, asbestos renovations and demolitions, agricultural and prescribed burning, and other permitted sources. Other facets of the program requiring Division resources include investigations of Title V deviation reporting, Reportable Compliance Activities, and other inspections pertaining to the Portable Equipment Registration Program (PERP). Asbestos projects (renovations, demolitions and naturally occurring asbestos – NOA), compliance determinations for State Air Toxics Control Measures (ATCMs) and Federal Maximum Available Control Technology (MACTs) for air toxics. Air pollution complaints and incident response and investigations are a high priority in the Division that aim to address and resolve air quality concerns of local communities.

The Compliance Assistance Program develops outreach materials, advisories, policies and procedures and guidance information and implements compliance strategies that complement a wide range of enforcement efforts. The program aims to enhance industry and public understanding of compliance and enforcement programs and regulatory requirements, address compliance concerns and assist in resolving air quality violations. Key programs and projects in Compliance Assistance and Operations include the Air District's Wood Smoke Reduction Program, Air Quality Complaint Program, AB617 Community Health Protection Program in West Oakland and Richmond/San Pablo, Wildfire Air Quality Response Program, Commuter Benefits, Title V, Open Burning, Flare Monitoring, Naturally Occurring Asbestos, Inspector Training, Green Business Certifications, Variance and Hearing Board Activities, and many others involving state, federal and Air District regulations and requirements. The program also maintains online web information, the dispatch operating system and the compliance assistance and complaint phone lines which are all integral interfaces with the public.

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
John Marvin	
<b>Program Purpose:</b>	
Enforce applicable Federal, State, and District air pollution regulations and permit conditions.	
<b>Description of Program:</b>	
<p>The Enforcement Program consists of activities designed to respond when sources are found in violation of applicable Federal, State and Air District regulations and permit conditions. A strong, technically-based enforcement program provides both an essential deterrent to continued or future non-compliance as well as consistency in enforcement practices throughout the regulated community. This program includes all Division activities necessary to address non-compliance, including issuing Notices of Violation (NOV) and Notices to Comply (NTC), identifying causes and solutions for non-compliance, developing enforcement cases for legal action, and providing testimony during hearings and court cases. Other elements of the program include responding to the public's air pollution complaints, returning sources to compliance, and supporting the enforcement of the variance and abatement order process. In addition, the toxic air contaminant activities, such as mobile source enforcement of diesel particulate matter ATCMs and asbestos demolition/renovation enforcement, ensure compliance with Federal, State and District regulations to protect the public from exposure to known carcinogens. Oversight of the Division's Safety Program is coordinated with the training functions in Program 402.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Investigate and enforce air quality violations; issue and process NOV's and NTC's; re-inspect sources to verify compliance status after issuance. Work with Legal Division to procure penalty settlement and/or successful prosecution.	
Receive and investigate citizen inquiries and general air pollution complaints. Respond to these complaints as soon as possible where highest priority response is given to ongoing complaints alleged against potential nuisance sites.	
Prepare enforcement cases in coordination with Legal Division; conduct/coordinate investigations to support their development for legal actions.	
CARB Mobile Source regulations enforcement in CARE impacted areas with special focus on AB617 communities of West Oakland and Richmond.	
Refinery Flares: review, comment, approve and enforce provisions in Regulation 12, Rules 11 and 12.	
Participate in interagency environmental task force programs to coordinate District enforcement activities with other County/State/Federal governmental agencies.	
Provide staff at community meetings to present information on the complaint process, enforcement activities, etc.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		29	33	33		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	3,069,974	3,544,902	3,605,878	60,976	1.7%
Overtime Salaries	51150	41,192	117,000	117,000		
Temporary Salaries	51200	21,694	10,000	10,000		
Payroll Taxes	51300	47,543	50,130	50,977	847	1.7%
Pension Benefits	51400	624,581	784,005	838,168	54,163	6.9%
FICA Replacement Benefits	51500	33,825	62,330	63,171	841	1.3%
Group Insurance Benefits	51600	420,742	626,050	605,071	(20,979)	(3.4)%
Employee Transportation Subsidy	51700	37,145	72,147	47,736	(24,411)	(33.8)%
Workers' Compensation	51800	13,567	18,409	17,289	(1,120)	(6.1)%
Other Post Employment Benefits	51850		320,164	300,682	(19,482)	(6.1)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		4,310,263	5,605,137	5,655,972	50,835	0.9%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	9,645	18,800	18,800		
Travel Out-of-State	52220		1,450	1,450		
Training & Education	52300	995	6,790	6,790		
Repair & Maintenance (Equipment)	52400	1,109	108,000	91,250	(16,750)	(15.5)%
Communications	52500	94,419	137,000	137,000		
Building Maintenance	52600	390	2,500	2,500		
Utilities	52700	1,716	4,000	4,000		
Postage	52800					
Printing & Reproduction	52900	179	2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200	59,376	71,850	73,600	1,750	2.4%
Professional Services & Contracts	53300		9,590	23,000	13,410	139.8%
General Insurance	53400					
Shop & Field Supplies	53500	18,899	16,500	18,090	1,590	9.6%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700	266				
Computer Hardware & Software	53800	742	2,000	2,000		
Stationery & Office Supplies	53900	331				
Books & Journals	54100					
Minor Office Equipment	54200		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>		188,067	381,480	381,480		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		4,498,330	5,986,617	6,037,452	50,835	0.8%

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Tracy Lee & Edward Giacometti	
<b>Program Purpose:</b>	
Promote compliance with Air District regulations through program development and industry/source education.	
<b>Description of Program:</b>	
<p>The Compliance Assistance and Operations Program is an essential part of the Compliance &amp; Enforcement Division. This program focuses on the development of outreach materials, advisories, policies and procedures and guidance information and the implementation of compliance strategies that complement a wide range of enforcement efforts. Staff conduct comprehensive program reviews, analyze and process petitions, plans, reportable compliance activities and other notifications received, maintain compliance and enforcement data tracking systems, and coordinate within the division and across other Air District teams to develop program strategies that address compliance concerns. The program also maintains online web information, the dispatch operating system and compliance assistance and complaint phone lines which are all integral interfaces with the public. The Compliance Assistance and Operations Program provides administrative support to enforcement activities, programs and projects and strives to improve consistency and efficiency of the division through staff training, program and policy development and enhancements.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
<p>Provide industry and members of the public with specialized educational and technical assistance to achieve and maintain compliance. Develop Compliance Assistance materials for specific business sectors and the public (woodsmoke). Provide compliance assistance during routine inspections and following enforcement action. Compliance assistance is also provided for all air quality complaints for the public through dispatch or other 1-800 or 1-877 telephone line systems. Outreach is conducted for compliance assistance for several programs, including mass-mailings of woodsmoke reduction program brochures and educational materials in sensitive wood smoke areas. Division staff identify and translate Compliance Assistance materials for small businesses and other industry sectors where non-English speaking operators need additional assistance.</p>	
<p>Develop and maintain Division Policies and Procedures, compliance advisories, and other documents/processes to ensure consistent application of enforcement activities. Build partnerships with other public and community organizations to strengthen compliance assistance activities. Conduct compliance assistance and enforcement activities for the woodsmoke reduction and other stationary sources. Maintain compliance assistance phone lines and dispatch operating system during core business hours.</p>	
<p>Training and Safety: provide staff with pertinent classes, educational materials and a robust safety curriculum to support core activities. Maintain ongoing Safety Training and implement new OSHA requirements as needed.</p>	
<p>Operations: develop and maintain air programs to support Air District and California Air Resources Board (CARB) rule requirements, including but not limited to woodsmoke, flare monitoring, asbestos demolition/renovation, naturally occurring asbestos, boilers, open burning, reportable compliance activities. soil aeration and mobile source(s) compliance. Provide equipment and capital management for communication, computers and related devices. Provide multilingual services to access all Division programs. Review, analyze and process petitions, plans, complaints, Reportable Compliance Activities (RCAs - e.g., breakdowns, Ground-level monitor (GLM) releases, non-operational monitors, pressure relief valve releases) and other notifications received.</p>	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		12	15	18	3	20.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,359,722	1,603,894	2,060,331	456,437	28.5%
Overtime Salaries	51150	14,154	5,000	5,000		
Temporary Salaries	51200	4,139	25,000	25,000		
Payroll Taxes	51300	21,169	22,678	29,160	6,482	28.6%
Pension Benefits	51400	323,199	352,050	479,447	127,397	36.2%
FICA Replacement Benefits	51500	15,048	28,261	34,527	6,266	22.2%
Group Insurance Benefits	51600	187,651	316,608	329,523	12,915	4.1%
Employee Transportation Subsidy	51700	16,597	32,712	26,091	(6,621)	(20.2)%
Workers' Compensation	51800	6,007	8,347	9,450	1,103	13.2%
Other Post Employment Benefits	51850		145,166	164,341	19,175	13.2%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,947,686	2,539,716	3,162,870	623,154	24.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,354	9,200	9,200		
Travel Out-of-State	52220		7,000	7,000		
Training & Education	52300	9,456	17,000	17,000		
Repair & Maintenance (Equipment)	52400		4,000	4,000		
Communications	52500	21,529	128,000	128,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800		1,500	1,500		
Printing & Reproduction	52900	5,782	8,000	8,000		
Equipment Rental	53100					
Rents & Leases	53200		500	500		
Professional Services & Contracts	53300	18,627	30,000	30,000		
General Insurance	53400					
Shop & Field Supplies	53500	100				
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	80	1,000	1,000		
Stationery & Office Supplies	53900	2,314	4,000	4,000		
Books & Journals	54100					
Minor Office Equipment	54200		1,500	1,500		
<b>Total Services &amp; Supplies Expenditures</b>		59,242	211,700	211,700		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		2,006,928	2,751,416	3,374,570	623,154	22.6%

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Tracy Lee & Edward Giacometti	
<b>Program Purpose:</b>	
A robust inspection program aimed to ensure facilities operating in the Bay Area comply with all applicable Air District, State and Federal regulations to protect air quality and public health.	
<b>Description of Program:</b>	
The program involves conducting comprehensive compliance inspections and investigations of stationary sources ranging from large industrial facilities such as refineries, chemical plants, wastewater treatment, landfills, power plants and metal facilities to smaller businesses such as gas stations, auto body shops, and dry cleaners. The program also includes enforcement of State Airborne Toxic Control Measures for sources that generate asbestos and diesel particulate. Beyond routine inspections to ensure equipment, emission monitoring, abatement and controls operate in compliance with regulatory requirements, the program involves responding to major incidents and potential air emission releases of hazardous chemicals and pollutants. Facilities discovered to be in violation are required to initiate timely corrective actions, minimize offsite community impacts and take steps to resolve air quality violations. Enforcement actions may require enhanced communications and coordination with other local agencies and first responders that result in joint investigations and enforcement case development.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Refinery Inspection Program for Regulatory and Title 5 Permit Compliance.	
Title V Inspections Program / EPA Grant / Aerometric Information Retrieval System (AIRS) and audits.	
Synthetic Minor Inspection Program.	
Initiate response to major air pollution incidents as soon as possible, and within minutes of notification, provide technical assistance and support to first response agencies during and after incidents; prepare incident reports.	
Asbestos, Grant, diesel PM, and Refrigeration Management Inspections Program.	
Conduct targeted auto body painting facility inspections.	
State Portable Equipment Inspection Program.	
Gasoline Dispensing Facilities (GDFs) Inspections Program.	
Inspection Communications / Computer Programs.	
Conduct targeted prescribed burns Title 17/ Regulation 5 Open Burning inspections.	
Perform analysis as required to track and analyze existing process safety management (PSM) programs, Federal and State risk management programs (RMP/RMPP); work with other agencies to improve programs.	
Participate in interagency activities, such as County environmental task forces, incident response teams, and other activities relating to prevention, preparedness and emergency response.	
Conduct targeted inspections at refinery/chemical plants and general facilities.	
Staff air quality related community meetings to provide information on District Programs	
<b>Major Objectives</b>	<b>Delivery Date</b>
Refinery Inspection Program: Conduct compliance inspections and program audits of refineries and determine if Title V Permit Compliance are being met.	Annually
Prepare and submit required reports to EPA, Negotiation of EPA 105 Grant Program Outputs.	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		34	38	36	(2)	(5.3)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	3,807,467	4,216,227	4,150,687	(65,540)	(1.6)%
Overtime Salaries	51150	14,928	8,000	8,000		
Temporary Salaries	51200	6,034				
Payroll Taxes	51300	59,069	59,772	58,883	(889)	(1.5)%
Pension Benefits	51400	825,574	939,421	966,135	26,714	2.8%
FICA Replacement Benefits	51500	42,091	70,802	68,811	(1,991)	(2.8)%
Group Insurance Benefits	51600	524,118	730,863	678,884	(51,979)	(7.1)%
Employee Transportation Subsidy	51700	46,155	81,955	51,999	(29,956)	(36.6)%
Workers' Compensation	51800	16,826	20,912	18,833	(2,079)	(9.9)%
Other Post Employment Benefits	51850		363,686	327,530	(36,156)	(9.9)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		5,342,262	6,491,638	6,329,762	(161,876)	(2.5)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	14,902	10,000	10,000		
Travel Out-of-State	52220		2,550	2,550		
Training & Education	52300	2,278	5,169	5,168		
Repair & Maintenance (Equipment)	52400	1,495	60,000	60,000		
Communications	52500	53,835	65,000	65,000		
Building Maintenance	52600		4,000	4,000		
Utilities	52700	9,205	3,000	3,000		
Postage	52800					
Printing & Reproduction	52900	215	1,000	1,000		
Equipment Rental	53100					
Rents & Leases	53200	95,875	89,100	89,100		
Professional Services & Contracts	53300	988	15,500	15,500		
General Insurance	53400					
Shop & Field Supplies	53500	20,628	26,000	26,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700	30				
Computer Hardware & Software	53800	14,805	23,000	23,000		
Stationery & Office Supplies	53900	322	2,300	2,300		
Books & Journals	54100					
Minor Office Equipment	54200	141				
Non-capital assets	54600	31,540				
<b>Total Services &amp; Supplies Expenditures</b>		246,259	306,618	306,618		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	59,971	100,000	100,000		
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>		59,971	100,000	100,000		
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		5,648,492	6,898,256	6,736,380	(161,876)	(2.3)%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



## Engineering Division

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Engineering Division (Division) gives high priority to the timely review of New Source Review permit applications and permit renewals. The typical application evaluation includes analyzing emissions impacts and determining compliance with applicable air quality requirements, including Best Available Control Technology (BACT), 'No Net Increase' offset requirements, New Source Review (NSR) of Toxic Air Contaminants (TACs) and California Environmental Quality Act (CEQA). There are about 10,000 facilities with about 23,000 devices and operations that have Air District permits. The Division processes, reviews, issues, and renews Title V (Major Facility Review) permits for about 83 facilities.

The Division is working on projects associated with the petroleum refineries, including developing improved emission factors for fugitive emission leaks from heavy liquid service components and implementing Regulation 12, Rule 15.

The Division implements Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities. The Division expects to refine toxic emissions and prioritization scores for approximately 350 facilities and expects to conduct refined site-wide health risk assessments (HRAs) for about 200 facilities. HRA results will determine if the facilities are subject to the risk reduction requirements of this rule.

The Division implements the State Air Toxics "Hot Spots" Program, which applies to existing facilities that emit Toxic Air Contaminants (TACs). Based on the annual TACs emissions inventory, the Division calculates prioritization scores for facilities, conducts HRAs for high priority facilities, and reports HRA results to CARB.

In December 2018, CARB adopted a Criteria Air Pollutants and Toxic Air Contaminants Reporting (CTR) Regulation, which became effective on January 1, 2020. The purpose of the regulation is to establish a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants for specified permitted facilities. The Division has been actively working with other agencies in the development of the new regulation and uniform emissions inventory guidelines, and in the implementation of the regulation. The implementation will require significant changes to the Air District's permit renewal process systems and operations.

Due to PG&E Public Safety Power Shutoffs (PSPS), an increase in the number of applications for backup generators and from PG&E for substation backup and distributed generation is expected. The Division participates with other agencies on uniform permitting policies and emission impacts from PSPS events.

The Division is participating in the Air District's Assembly Bill 617 (AB 617) implementation, which includes a Community Health Protection Program to benefit communities most directly affected by air pollution. The Division participates in the workgroups for the CARB BARCT/BACT Technology Clearinghouse, Technical Assessment Coordination, Emissions Inventory with CARB and other air districts, and the community workgroups. Through CAPCOA, a uniform method of calculating emissions inventories is being developed.

The Division continues to help develop and to transition to the Production System, which includes an online system for the regulated community. These tools will increase consistency, efficiency, and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and renew permits through an online interface.

The Division provides technical support to other divisions, agencies, and programs, including rule development, emissions inventory, compliance and enforcement, planning, monitoring and measurement, the Technology Implementation Office, and the Air District's Regional Climate Action Plan. Key rule development efforts include amendments to Regulation 3 (Fees), amendments to Regulation 13 (climate pollutants), amendments to organic recovery rules, amendments to petroleum refining rules, and amendments to rules to implement Expedited Best Available Retrofit Control Technology (BARCT).

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Nicolas Maiden	
<b>Program Purpose:</b>	
Evaluate all Non-Title V permit applications. Review and process data updates and permit renewals.	
<b>Description of Program:</b>	
<p>The Permit Evaluation Program involves activities related to the evaluation of permit applications submitted to the District (except Title V permit applications, which are covered under Program 506). This includes applications for: (1) new/modified sources subject to District New Source Review requirements, (2) emissions banking, (3) Interchangeable Emission Reduction Credits (IERCs), and (4) Prevention of Significant Deterioration (PSD) &amp; Acid Rain permits. Staff calculates emissions and evaluates compliance with regulatory requirements, including case-by-case Best Available Control Technology (BACT) and offset determinations. The program includes California Environmental Quality Act (CEQA) review and Climate Protection activities related to permitted sources.</p> <p>The Permit Renewal Program involves activities related to the annual renewal of District permits. The permit renewal process involves collection of data needed to update the Air District's emissions inventory, review of permit conditions, preparation of permit fee invoices, reconciliation of discrepancies and issuance of permit documents. Information gathered during this process is used for planning and rule development may also result in enforcement action or additional permitting.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Evaluate all non-Title V permit applications (1,500 estimated).	
Complete CEQA-review functions.	
Provide technical support to all divisions including estimating emissions, rule/condition interpretations and rule development.	
Assist other agencies, industry and the public.	
Participate in cross-agency committees such as California Air Pollution Controls Officers Association (CAPCOA). Engineering Managers' Subcommittee and National Association of Clean Air Agencies (NACAA).	
Support implementation of rules (e.g., Refinery Regulations, GHG Regulations).	
Request, enter and review annual data update requests. Review and maintain permit conditions. Review permit renewal invoice program.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Ensure the timely workflow of the permit renewal program	Ongoing
Implement Regulation 12-15 Petroleum Refining Emissions Tracking Emission Inventory Guidelines	June 2022

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		38	38	45	7	18.4%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	4,638,194	4,803,370	5,648,632	845,262	17.6%
Overtime Salaries	51150	51,810	40,000	40,000		
Temporary Salaries	51200	30,804	64,048		(64,048)	(100.0)%
Payroll Taxes	51300	71,039	68,248	80,183	11,935	17.5%
Pension Benefits	51400	927,129	1,066,004	1,310,784	244,780	23.0%
FICA Replacement Benefits	51500	50,580	70,533	85,544	15,011	21.3%
Group Insurance Benefits	51600	628,703	659,162	826,937	167,775	25.5%
Employee Transportation Subsidy	51700	62,242	81,643	64,643	(17,000)	(20.8)%
Workers' Compensation	51800	20,497	20,832	23,413	2,581	12.4%
Other Post Employment Benefits	51850		362,301	407,177	44,876	12.4%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		6,480,998	7,236,141	8,487,313	1,251,172	17.3%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,480	13,000	13,000		
Travel Out-of-State	52220					
Training & Education	52300	149	2,464	2,464		
Repair & Maintenance (Equipment)	52400					
Communications	52500		110	110		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	5,374				
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	143,830	401,059	401,059		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	3,148	2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100		200	200		
Minor Office Equipment	54200		368	368		
<b>Total Services &amp; Supplies Expenditures</b>		153,981	419,201	419,201		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		6,634,979	7,655,342	8,906,514	1,251,172	16.3%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Fred Tanaka	
<b>Program Purpose:</b>	
Not applicable.	
<b>Description of Program:</b>	
Not applicable.	
<b>Justification of Change Request:</b>	
Program 502 was merged with program 501	
<b>Activities</b>	
Not applicable.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable	Ongoing

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

# Permit Renewals

502

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	74,558			
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300	1,198			
Pension Benefits	51400	39,458			
FICA Replacement Benefits	51500	842			
Group Insurance Benefits	51600	10,446			
Employee Transportation Subsidy	51700	1,199			
Workers' Compensation	51800	329			
Other Post Employment Benefits	51850				
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		128,030			
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200	50			
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300				
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>		50			
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		128,080			

ADMINISTRATION COMMITTEE MEETING

OCT 17/2021

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Carol Allen	
<b>Program Purpose:</b>	
To develop and implement an effective air toxics control strategy that integrates Federal, State, and local requirements.	
<b>Description of Program:</b>	
The Air Toxics Program involves the integration of Federal and State air toxics mandates with local goals that have been established by the Air District's Board of Directors. The program includes air toxics new source review (NSR), reduction of risk from existing facilities (Regulation 11, Rule 18), air toxics control measures, the Air Toxics "Hot Spots" Program, which includes maintaining an air toxics emissions inventory and research for alternative methods of reducing emissions. Staff conducts health risk assessments (HRAs), provides guidance on toxic emission calculations, controls, and impacts, maintains the toxic emission inventory, and assists with incident and compliance evaluation, as needed.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Perform HRAs, as required, for permit applications involving new or modified sources (estimated 300 HRAs per year).	
Prepare refined facility-wide HRAs for facilities subject to Rule 11-18 (approximately 185 facility-wide HRAs over 4 years). Conduct HRAs for alternative scenarios and proposed revisions, as needed, to support implementation and verification of risk reduction measures.	
Review health risk assessments and Prevention of Significant Deterioration (PSD) modeling analyses for major permit applications.	
Maintain and improve air toxics emissions inventory. Support implementation of new CARB toxics emissions reporting requirements. Support District and TARMAC efforts to improve toxic emission factors for various source categories.	
Complete annual air toxics prioritization, Assembly Bill 2588 (AB2588), and conduct or review any new HRAs that may be required for high-priority sites that are exempt from Rule 11-18. Coordinate public notification and risk reduction audits.	
Support rule development efforts to amend Rule 2-5. Provide updates to Table 2-5-1 and gas dispensing facility (GDF) impact data to incorporate new TACs and updated OEHHA health effects data and 2015 OEHHA HRA guidelines for GDFs.	
Conduct studies that reduce toxic air pollution.	
Support rule development efforts for reducing PM2.5 once health effect values for PM2.5 become available from Office of Environmental Health Hazard Assessment (OEHHA).	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement Phase 1 of Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities.	Ongoing
Conduct HRAs and other modeling analyses for new source review projects that trigger Rule 2-5 or PSD requirements.	Ongoing
Support AIM's preparation of the annual stationary source toxic emissions inventory to California Air Resources Board (CARB) and EPA which includes sitewide HRAs.	August 2021
Update Toxic Emission Factor Guidelines as needed and publish 1-Hour Toxic Inventory Guidelines	December 2021
Support Rule Development amendments for Regulation 2, Rule 5 including changes to GDF HRA procedures and updates to Table 2-5-1.	December 2021
Publish periodic Air Toxic Emissions and Air Toxics Control Program reports.	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		7	8	6	(2)	(25.0)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	984,493	1,186,241	970,113	(216,128)	(18.2)%
Overtime Salaries	51150	2,797	8,000	8,000		
Temporary Salaries	51200					
Payroll Taxes	51300	15,169	16,912	13,825	(3,087)	(18.3)%
Pension Benefits	51400	184,990	269,617	227,104	(42,513)	(15.8)%
FICA Replacement Benefits	51500	10,845	14,946	12,277	(2,669)	(17.9)%
Group Insurance Benefits	51600	134,962	159,039	130,924	(28,115)	(17.7)%
Employee Transportation Subsidy	51700	11,904	17,300	9,277	(8,023)	(46.4)%
Workers' Compensation	51800	4,351	4,414	3,360	(1,054)	(23.9)%
Other Post Employment Benefits	51850		76,772	58,434	(18,338)	(23.9)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,349,511	1,753,241	1,433,314	(319,927)	(18.2)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		1,300	1,300		
Travel Out-of-State	52220		750	750		
Training & Education	52300		4,600	4,600		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800		39,940	39,940		
Printing & Reproduction	52900	1,274	7,000	7,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	17,409	1,000	1,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	1,889	4,000	4,000		
Stationery & Office Supplies	53900		300	300		
Books & Journals	54100					
Minor Office Equipment	54200		400	400		
<b>Total Services &amp; Supplies Expenditures</b>		20,572	59,290	59,290		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,370,083	1,812,531	1,492,604	(319,927)	(17.7)%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Fred Tanaka	
<b>Program Purpose:</b>	
Develop and maintain permit systems & provide administrative services	
<b>Description of Program:</b>	
The Permit Operations program involves the collection, updating and maintenance of data from permitted sources of air pollution, and the development and maintenance of systems to manage these data. Data include source/device locations, operational data, emission factors, emissions inventory, emissions banking and "no net increase" tracking. Additional program activities include maintaining procedures, coordination & tracking of permit-related activities, general administrative activities and customer support.	
<b>Justification of Change Request:</b>	
Not applicable	
<b>Activities</b>	
Process and maintain data from permitted facilities.	
Update and correct data from permitted facilities.	
Maintain and update database systems.	
Maintain program forms.	
Manage and improve data quality.	
Provide administrative support.	
Maintain permit tracking and management programs.	
Maintain emissions bank and small facility bank.	
Maintain division pages on website.	
Manage division records including metadata and documents.	
Provide customer support.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Produce annual stationary source emissions inventory to California Air Resources Board (CARB) and EPA	July 2021



		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	4	8	4	(4)	(50.0)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	509,873	756,821	626,872	(129,949)	(17.2)%
Overtime Salaries 51150	779	5,000	5,000		
Temporary Salaries 51200	50,027				
Payroll Taxes 51300	7,887	10,682	8,917	(1,765)	(16.5)%
Pension Benefits 51400	94,163	163,732	146,559	(17,173)	(10.5)%
FICA Replacement Benefits 51500	5,628	14,228	8,499	(5,729)	(40.3)%
Group Insurance Benefits 51600	70,077	138,147	89,936	(48,211)	(34.9)%
Employee Transportation Subsidy 51700	7,052	16,469	6,422	(10,047)	(61.0)%
Workers' Compensation 51800	2,253	4,202	2,326	(1,876)	(44.6)%
Other Post Employment Benefits 51850		73,084	40,454	(32,630)	(44.6)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	747,739	1,182,365	934,985	(247,380)	(20.9)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300	4,351				
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	15,118	75,166	75,166		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	2,040	12,255	12,255		
General Insurance 53400					
Shop & Field Supplies 53500	3,508	4,151	4,151		
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	19,804	1,021	1,021		
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	44,821	92,593	92,593		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	792,560	1,274,958	1,027,578	(247,380)	(19.4)%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Sanjeev Kamboj	
<b>Program Purpose:</b>	
Implementation of Federal Operating Permit Program for Major Facilities.	
<b>Description of Program:</b>	
The Title V program involves activities related to Title V of the Federal Clean Air Act (CAA), which requires the Air District to issue federally enforceable permits to major and other designated facilities. The program is intended to enhance compliance with the CAA via permits that explicitly include all Federal, State, and Air District requirements applicable to sources of air pollution at subject facilities.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Evaluate and process Title V applications (initial, renewal, revision, administrative amendment and reopening).	
Conduct Title V outreach activities and public hearings, as needed.	
Provide Title V training to the Air District staff.	
Track EPA rulemaking related to Title V, Section 112, compliance monitoring and acid rain.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement streamlining measures and ensure timely issuance of the Title V applications.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	3	4	3	(1)	(25.0)%
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	343,954	573,371	386,939	(186,432) (32.5)%
Overtime Salaries	51150	4,218	66,330	66,330	
Temporary Salaries	51200		8,006	8,006	
Payroll Taxes	51300	5,425	8,154	5,501	(2,653) (32.5)%
Pension Benefits	51400	87,217	129,964	90,307	(39,657) (30.5)%
FICA Replacement Benefits	51500	3,872	8,017	5,707	(2,310) (28.8)%
Group Insurance Benefits	51600	48,243	80,872	55,078	(25,794) (31.9)%
Employee Transportation Subsidy	51700	4,886	9,280	4,313	(4,967) (53.5)%
Workers' Compensation	51800	1,520	2,368	1,562	(806) (34.0)%
Other Post Employment Benefits	51850		41,181	27,166	(14,015) (34.0)%
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		499,335	927,543	650,909	(276,634) (29.8)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200		378	378	
Travel Out-of-State	52220				
Training & Education	52300		907	907	
Repair & Maintenance (Equipment)	52400				
Communications	52500		530	530	
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900	4,440	28,873	28,873	
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	46,854	402,723	402,723	
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800		919	919	
Stationery & Office Supplies	53900				
Books & Journals	54100		613	613	
Minor Office Equipment	54200		185	185	
<b>Total Services &amp; Supplies Expenditures</b>		51,294	435,128	435,128	
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		550,629	1,362,671	1,086,037	(276,634) (20.3)%

<b>Managing Division:</b>	
Engineering Division	
<b>Contact Person:</b>	
Fred Tanaka	
<b>Program Purpose:</b>	
Develop the infrastructure for consistent and efficient permit evaluation and processing, and complete projects intended to develop and improve programs within the Engineering Division.	
<b>Description of Program:</b>	
<p>The Engineering Special Projects program involves activities that are intended to ensure consistent, efficient, and high-quality, permit evaluation and processing. This includes the development of permit rules, policies, procedures, training and tools within the division. The program involves the deployment of the Production System and other tools including an online portal for customer to submit information electronically. Goals of the program include the reduction of time and effort needed to evaluate and issue permit applications, and the improvement of the quality of permit services provided such as training and tools for internal and external customers. In addition, new programs or changes to existing programs are developed and implemented.</p> <p>The program also implements public noticing, public records fulfillment and other projects not specified in other Division programs. Planning and implementation of AB 617 activities for permitted facilities are also handled in this program.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Develop and maintain District permit rules, policies and procedures.	
Update permitting tools such as Permit Handbook, Best Available Control Technology (BACT) and Toxic Best Available Control Technology (TBACT) Workbook documents.	
Review and improve the point source emissions inventory.	
Manage training program.	
Coordinate Public Noticing activities.	
Process Public Records Requests for division records.	
Develop/update permitting programs including emissions factors, standard permit conditions, permit handbook chapters, BACT workbook and other manuals to streamline permitting and increase consistency.	
Develop and implement AB 617 work including inventory, rule development, reporting, technology clearinghouse development, community risk reduction and re-envisioning of permitting in impacted communities.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Complete and submit Interchangeable Emission Reduction Credit (IERC) report to California Air Resources Board (CARB).	March 2022
Complete and submit Offset Equivalence report for EPA.	March 2022

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	5	6	6		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	616,614	726,736	842,226	115,490	15.9%
Overtime Salaries 51150	2,572	5,000	5,000		
Temporary Salaries 51200	4,064				
Payroll Taxes 51300	9,560	10,341	12,022	1,681	16.3%
Pension Benefits 51400	114,943	162,588	196,858	34,270	21.1%
FICA Replacement Benefits 51500	6,735	10,444	11,562	1,118	10.7%
Group Insurance Benefits 51600	83,817	112,066	117,582	5,516	4.9%
Employee Transportation Subsidy 51700	8,536	12,088	8,737	(3,351)	(27.7)%
Workers' Compensation 51800	2,725	3,084	3,164	80	2.6%
Other Post Employment Benefits 51850		53,643	55,033	1,390	2.6%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	849,566	1,095,990	1,252,184	156,194	14.3%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	378	5,000	5,000		
Travel Out-of-State 52220					
Training & Education 52300	1,457	65,000	65,000		
Repair & Maintenance (Equipment) 52400					
Communications 52500	6,184	5,000	5,000		
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	2,005	52,100	52,100		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	14,341	50,000	50,000		
General Insurance 53400					
Shop & Field Supplies 53500	3,524	10,000	10,000		
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	19,197	60,000	60,000		
Stationery & Office Supplies 53900	23				
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	47,109	247,100	247,100		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	896,675	1,343,090	1,499,284	156,194	11.6%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Assessment, Inventory & Model Division

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The Assessment, Inventory, and Modeling (AIM) Division prepares comprehensive source emission inventories for the Bay Area and conducts air quality modeling at both regional and community scales. AIM prepares technical assessments that evaluate equity in air pollution exposures and health impacts in support of District programs. AIM coordinates and implements programs to improve and report estimates of emissions of criteria pollutants, toxic air contaminants, and climate forcing pollutants. AIM assesses emissions, concentrations, and exposures of toxic air contaminants, particulate matter, ozone and their precursors, to support targeted strategies that reduce impacts of air pollution both regionally and within communities, especially where Assembly Bill (AB) 617 community action plans are being developed. AIM reviews and provides guidance on environmental health risk assessments within environmental review documents prepared pursuant to California Environmental Quality Act (CEQA).

In FYE 2022, AIM will continue to implement the multi-pollutant Bay Area 2017 Clean Air Plan (2017 Plan), which addresses ozone, particulate matter, toxic air contaminants and greenhouse gases (GHGs). The 2017 Plan includes goals to attain all ambient air quality standards, eliminate disparities in health risk from air pollution, and reduce regional GHG emissions 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. To meet the requirements of AB 617, AIM will work to produce technical assessments to support community air quality action plans, including: identifying and prioritizing impacted communities, coordinating with community co-leads Steering Committees to reduce emissions and exposures, and providing tools and products that inform local strategies.

In FYE 2022, in partnership with other Divisions, AIM will analyze aerometric data, conduct regional modeling, and apply statistical analyses to support the District's grant programs, rule development, permitting, climate protection, and planning activities. AIM will conduct source apportionment analyses and hybrid photochemical and dispersion modeling, characterize emissions and air quality, and assess air quality health impacts to support AB 617. AIM will continue to work with CARB, U.S. EPA, NOAA, NASA, Northern California air districts, and other stakeholders on the regional modeling, focused mainly on ozone, air toxics and PM. These studies involve field measurements, use of satellite data, emissions inventory development, modeling, and analysis of air quality and pollutant transport in North Central California. AIM will further improve modeling emissions estimates and continue conducting data analysis and modeling to better understand formation of fine and ultrafine PM, ozone and air toxics, and their health impacts in the Bay Area. AIM will investigate transport of pollutants between the Bay Area and neighboring regions and intercontinental transport of pollutants.

In FYE 2022, AIM will continue work with other Divisions on the technical analysis, outreach, and risk reduction components of the CARE Program. AB 617 will require an expansion of the CARE program's technical work, including: updates to regional-scale air toxics emissions estimates and modeling; an expanded program focused on local-scale emissions inventory development and modeling of air toxics and fine particulate matter; assessment via measurements and analyses in impacted communities of fine particulate matter and air toxic emissions and modeling; identifying impacted communities; and working with State agencies, cities, counties, local stakeholders and others to develop and implement community action plans. AIM supports the work of other Divisions in reviewing health risk assessments within CEQA documents to provide comments where assessments are inconsistent with Air District guidance.

Many District programs are supported by updating and reporting inventories of air pollutant emissions. In FYE 2022, AIM will work with other Divisions to review emissions inventory products and develop a quality assurance plan for them. Updated emissions methods and databases are needed for assessing impacts of pollution sources and to meet reporting and rule development requirements of the District. New requirements from CARB, posed by AB 617 and the Criteria and Toxic Report Rule, require annual emissions reports for toxics and criteria pollutants for major emitters and improved consistency in methods for estimating emissions across California's air districts. In FYE 2022, AIM will conduct measurement studies of methane and other GHGs to support rule-making and compliance and enforcement efforts; and refine and maintain the Bay Area GHG emission inventory. AIM will coordinate with other Divisions to develop improved methane emissions from the waste sector, including composting.

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Song Bai	
<b>Program Purpose:</b>	
Compile source inventories for criteria pollutants, toxic air contaminants (TACs) and greenhouse gases (GHGs) for planning, rule development, exposure assessments, and public information; assess emissions estimates to support programs to reduce health risks from air pollution and to reduce levels of climate-forcing pollutants.	
<b>Description of Program:</b>	
Staff assigned to this program compiles inventories of air pollution emissions (criteria pollutants, TAC, and GHGs) from industrial sources, motor vehicles, commercial and agricultural activities, consumer products, and natural sources, which are used for air quality planning, rules development, and air quality progress tracking. To meet State requirements, the Source Inventories Program reports permitted source emissions to the California Air Resources Board (CARB) annually; CARB's newly adopted Criteria and Toxics Reporting (CTR) Regulation requires additional staff time and resources to report emissions from permitted facilities using methods standardized across California air districts. Staff estimates emissions for local-scale exposure assessments and Community Action Plans required by Assembly Bill (AB) 617. Staff also prepares and maintains GHG emission inventories and forecasts for the region, with near-term focus on volatile organic compounds (VOC) and methane from permitted facilities.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Develop emissions inventories and improve the District's ability to assess emissions estimates.	
Prepare and improve emissions estimates to report to CARB coordinate with Engineering Division to ensure consistent reporting under state requirements and the new CTR regulation.	
Refine and evaluate emissions estimates to support Air District programs, with emphasis on methane, TAC, and fine particulate matter and incorporation of new measurement and analysis techniques.	
Provide inventory information to support Air District staff in various programs, including assessment of AB 617 communities and development of local air quality Action Plans.	
Provide inventory information and emissions estimates under public record request.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop activity datasets and methods for hyper-local emissions estimates to support AB 617.	June 2022
Prepare and transmit source emissions estimates to meet State annual reporting requirements.	June 2022
Improve emissions methods by incorporating measurements and/or new models to develop VOC and methane emissions estimates for Bay Area refinery sector and waste sector.	June 2022



# Source Inventories

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		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		6	6	7	1	16.7%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	865,465	898,869	1,072,916	174,047	19.4%
Overtime Salaries	51150		5,000	5,000		
Temporary Salaries	51200					
Payroll Taxes	51300	13,264	12,817	15,297	2,480	19.3%
Pension Benefits	51400	149,127	197,397	251,119	53,722	27.2%
FICA Replacement Benefits	51500	9,335	11,439	13,729	2,290	20.0%
Group Insurance Benefits	51600	115,981	141,500	169,623	28,123	19.9%
Employee Transportation Subsidy	51700	11,430	13,241	10,374	(2,867)	(21.7)%
Workers' Compensation	51800	3,824	3,379	3,757	378	11.2%
Other Post Employment Benefits	51850		58,757	65,346	6,589	11.2%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,168,426	1,342,399	1,607,161	264,762	19.7%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	62	3,900	3,900		
Travel Out-of-State	52220		3,100	3,100		
Training & Education	52300	6,654	23,000	23,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	186,972	120,700	121,000	300	0.2%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	7,231	22,000	22,000		
Stationery & Office Supplies	53900		200	200		
Books & Journals	54100		600	600		
Minor Office Equipment	54200		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>		200,919	174,500	174,800	300	0.2%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,369,345	1,516,899	1,781,961	265,062	17.5%

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Saffet Tanrikulu	
<b>Program Purpose:</b>	
Provide technical support to the District's initiatives and collaborative activities through modeling and air quality analyses.	
<b>Description of Program:</b>	
This program provides technical support to various District activities, including: Assembly Bill 617 related programs, the Air Quality Planning Program, Strategic Incentives Division programs, the Climate Protection Program, the Spare the Air Program, the ambient data Quality Assurance (QA)/Quality Control (QC) Program, the Central California Air Quality Studies (CCAQS), and the California Baseline Ozone Transport Study (CABOTS). It also manages the District's modeling- and data analysis-related contracts; participates in the District's rule development, permit modeling, air monitoring and emissions inventory/exposure assessment activities; and responds to requests from District staff and the public for ambient data. It also collaborates with federal and state agencies to assess pollutant exposure, health impacts and international pollutant transport.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Support Assembly Bill 617: perform PM and air toxics modeling; assess air quality and health impacts.	
Perform air quality modeling and data analysis to support the District's rulemaking activities.	
Support District's Air Quality Planning Program: conduct data analysis and modeling.	
Support permitting activities: Prepare meteorological inputs for AERMOD to support permit modeling.	
Support the Strategic Incentives Division: create and update pollutant concentration maps.	
Perform quality assurance and quality control on District's meteorological data.	
Manage the District's data analysis and modeling-related contracts.	
Participate in CARB's Central California Air Quality Study programs.	
Participate in NASA's effort to estimate wildfire ambient and health impacts.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Perform air quality dispersion modeling for selected AB 617 communities.	Ongoing
Perform regional and local air quality modeling and analyses to support the District's rule development efforts.	Ongoing
Perform regional PM and air toxics modeling and analyses to assess pollutant formation in the Bay Area.	Ongoing
Perform source apportionment analyses to quantify the contribution of various emission sources.	Ongoing
Update emissions modeling data, e.g., conduct modeling with improved condensable PM emissions estimates.	Ongoing
Update health impact analyses of ozone and PM; update health risk analyses for air toxics and other pollutants.	Ongoing
Update assessment of regional and local pollutant transport and impacts of primary vs secondary PM.	Ongoing
Assess contribution of locally generated vs transported as well as primary vs secondary PM exposure.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	3	4	4		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	441,533	531,902	571,691	39,789	7.5%
Overtime Salaries 51150		5,000		(5,000)	(100.0)%
Temporary Salaries 51200					
Payroll Taxes 51300	6,806	7,582	8,180	598	7.9%
Pension Benefits 51400	87,562	117,522	133,803	16,281	13.9%
FICA Replacement Benefits 51500	4,849	6,943	7,324	381	5.5%
Group Insurance Benefits 51600	60,315	71,667	78,081	6,414	8.3%
Employee Transportation Subsidy 51700	5,810	8,036	5,535	(2,501)	(31.1)%
Workers' Compensation 51800	1,951	2,051	2,005	(46)	(2.2)%
Other Post Employment Benefits 51850		35,663	34,863	(800)	(2.2)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	608,826	786,366	841,482	55,116	7.0%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	4,652	1,380	1,380		
Travel Out-of-State 52220	2,442	3,780	3,780		
Training & Education 52300	3,075	7,000	7,000		
Repair & Maintenance (Equipment) 52400		8,000	8,000		
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	124				
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	41,889	280,000	320,000	40,000	14.3%
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900		500	500		
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	52,182	300,660	340,660	40,000	13.3%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115	58,599	40,000		(40,000)	(100.0)%
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>	58,599	40,000		(40,000)	(100.0)%
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	719,607	1,127,026	1,182,142	55,116	4.9%

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Saffet Tanrikulu	
<b>Program Purpose:</b>	
Perform air quality modeling and data analyses to evaluate emission control strategies to attain and maintain air quality standards.	
<b>Description of Program:</b>	
This program maintains and applies state-of-the-science meteorological, emissions inventory and air quality models to investigate the formation of ozone, fine and ultrafine particulate matter (PM2.5 and PM0.1), and toxic air contaminants in the Bay Area; assesses the attainment status of the Bay Area with respect to Federal and State standards; supports Federal and State air quality plan development activities; quantifies the transport of ozone, PM and toxic air contaminants and their precursors within the Bay Area as well as between the Bay Area and neighboring districts; and quantifies the health impacts of ozone, PM, and toxic air contaminants. This program also includes analyses of ambient data, preparation of model inputs, monetary valuation of air pollution impacts in the Bay Area, maintenance of the District's cluster computer system, development of graphics and statistical programs to evaluate model inputs and outputs, and collaboration with modeling and air quality planning staff of CARB, U.S. EPA, NOAA, NASA, neighboring districts, industry, academia and other stakeholders.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Analyze the Bay Area's status relative to national and state ambient air quality standards.	
Conduct ambient data analyses for ozone, PM2.5, PM0.1 and toxic air contaminants.	
Evaluate and improve model performance for multi-pollutant applications.	
Maintain and apply air pollution health impacts and monetary valuation models.	
Maintain and apply emissions inventory models to prepare inputs to air quality models.	
Conduct source apportionment studies and trend analyses.	
Prepare ambient data for model inputs and evaluation of model outputs.	
Maintain the District's cluster computer system on which models are run.	
Develop in-house staff expertise related to modeling and air quality analysis.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Evaluate and improve regional air quality model performance.	Ongoing
Maintain and evaluate air quality dispersion models.	Ongoing
Evaluate and improve WRF meteorological model performance.	Ongoing
Evaluate and update BenMAP for assessing health impacts of pollutants.	Ongoing
Maintain the meteorological and air quality database for modeling.	Ongoing
Update analysis of regional air quality model sensitivity to emission reductions for PM and toxics.	Ongoing
Update and improve emissions estimates for modeling.	Ongoing
Maintain modeling computers, update modeling software and computer libraries.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	4	4	4		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	524,334	517,615	516,642	(973)	(0.2)%
Overtime Salaries 51150	548	5,000		(5,000)	(100.0)%
Temporary Salaries 51200					
Payroll Taxes 51300	8,106	7,373	7,353	(20)	(0.3)%
Pension Benefits 51400	106,941	114,667	120,901	6,234	5.4%
FICA Replacement Benefits 51500	5,772	6,755	6,670	(85)	(1.3)%
Group Insurance Benefits 51600	71,799	73,293	80,480	7,187	9.8%
Employee Transportation Subsidy 51700	6,681	7,819	5,040	(2,779)	(35.5)%
Workers' Compensation 51800	2,317	1,995	1,825	(170)	(8.5)%
Other Post Employment Benefits 51850		34,699	31,746	(2,953)	(8.5)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	726,498	769,216	770,657	1,441	0.2%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		1,600	1,600		
Travel Out-of-State 52220		2,080	2,080		
Training & Education 52300		2,000	2,000		
Repair & Maintenance (Equipment) 52400	5,440	10,000	12,000	2,000	20.0%
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900		3,500	3,500		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300		9,500	10,000	500	5.3%
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	960	7,500	8,000	500	6.7%
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	6,400	36,180	39,180	3,000	8.3%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	732,898	805,396	809,837	4,441	0.6%

<b>Managing Division:</b>	
Assessment, Inventory & Model Division	
<b>Contact Person:</b>	
Song Bai	
<b>Program Purpose:</b>	
Evaluate community health risks from ambient toxic air contaminants (TACs), fine particulate matter (PM) and other pollutants. Develop mitigation strategies and measures for local sources and locations with higher exposures and risk levels and vulnerable populations.	
<b>Description of Program:</b>	
The District's CARE program targets community risk reduction activities and actively supports the development of local air quality Action Plans required by Assembly Bill 617. The CARE program coordinates emissions estimation, air modeling and monitoring, analysis of health records and socio-economic datasets, and exposure and health assessments to identify areas with vulnerable populations and relatively high air pollution. Information derived from these activities is used for risk reduction activities, such as rulemaking, grant and incentive programs, local air quality plans, collaboration with public health professionals, advocacy of State and local regulatory programs, and community engagement processes.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Conduct local-scale modeling and analyses to support assessment of AB 617 communities and development of action plans.	
Develop and improve modeling methods to identify emission sources affecting impacted communities and improve data analysis.	
Compile demographic, business, and activity data; enhance data visualization/analysis for community partnerships and local planning guidance.	
Develop mitigation strategies for development near busy roadways and other air pollution sources.	
Participate in outreach and assist in evaluating community risks and hazards, through measurement and modeling programs.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct community-scale assessments in Richmond/San Pablo and other communities; collaborate with other District Divisions to develop community prioritization methods.	June 2022
Develop and document improved methodology/tools for community-scale modeling to support AB 617 Community Action Plan development.	June 2022
Work collaboratively across Air District Divisions to build Technical Assessments Teams and perform community-level technical assessment work.	June 2022

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	3	4	3	(1)	(25.0)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	556,413	549,743	590,874	41,131	7.5%
Overtime Salaries 51150		5,000	5,000		
Temporary Salaries 51200					
Payroll Taxes 51300	8,554	7,860	8,488	628	8.0%
Pension Benefits 51400	108,815	118,419	138,627	20,208	17.1%
FICA Replacement Benefits 51500	6,092	6,576	6,589	13	0.2%
Group Insurance Benefits 51600	75,776	71,461	73,118	1,657	2.3%
Employee Transportation Subsidy 51700	6,637	7,611	4,979	(2,632)	(34.6)%
Workers' Compensation 51800	2,459	1,942	1,803	(139)	(7.2)%
Other Post Employment Benefits 51850		33,774	31,361	(2,413)	(7.1)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	764,746	802,386	860,839	58,453	7.3%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		2,300	2,300		
Travel Out-of-State 52220	1,224	2,600	2,600		
Training & Education 52300	1,788	8,500	8,500		
Repair & Maintenance (Equipment) 52400		5,000	5,000		
Communications 52500	2,928	3,000	3,000		
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	36	2,000	2,000		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	116,583	260,200	250,500	(9,700)	(3.7)%
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	11,705	19,000	19,000		
Stationery & Office Supplies 53900		200	200		
Books & Journals 54100		500	500		
Minor Office Equipment 54200		100	100		
<b>Total Services &amp; Supplies Expenditures</b>	134,264	303,400	293,700	(9,700)	(3.2)%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	899,010	1,105,786	1,154,539	48,753	4.4%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



## Planning & Climate Protection Division

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The Planning and Climate Protection Division develops and implements local community emissions reduction plans per AB 617, prepares plans to meet State and Federal air quality standards, and coordinates and implements climate protection activities. Division staff analyze ambient conditions and local and regional toxic air contaminants, particulate matter, ozone and their precursors, and greenhouse gas emissions to develop and implements program to reduce impacts on people and the planet. Division staff works with cities, counties and other agencies to encourage transportation and land use decisions that improve air quality and protect the climate, and prepares, reviews and provides guidance on environmental documents prepared pursuant to California Environmental Quality Act (CEQA).

In FYE 2022, staff will continue to implement the multi-pollutant Bay Area 2017 Clean Air Plan (2017 Plan), which addresses ozone, particulate matter, toxic air contaminants and greenhouse gases (GHGs). The 2017 Plan includes goals to attain all ambient air quality standards, eliminate disparities in health risk from air pollution, and reduce regional GHG emissions 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. To meet the requirements of AB 617 staff will work in close coordination with community partners and steering committees in West Oakland and the Richmond-San Pablo Area to identify and prioritize pollution and exposure reduction strategies, conduct community engagement, implement measures to reduce emissions and exposure, and provide land use guidance. Staff will continue to work on updating and implementing the CEQA Thresholds and Guidelines in partnership with local lead agencies, regional agencies, and others. Staff will provide technical assistance to cities and counties on advancing climate protection activities and improving local plans to address air quality and environmental justice elements per SB 1000. Staff will track the development of new national ambient air quality standards and address any associated planning requirements as needed. Staff will continue to work with Cal EPA, the California Air Resources Board (CARB), and Federal, State, regional and local agencies to reduce emissions associated with ports and goods movement and implement other mobile source programs.

In FYE 2022, staff will implement GHG emission reduction measures identified in the 2017 Plan, guided by staff's work to implement region-wide strategies to reduce methane, CO2 and F-gases. Staff will: administer the Climate Protection Grant Program; develop and implement the Building Decarbonization Program; support the Diesel Free by '33 initiative; complete an update to CEQA Thresholds for GHGs; work with local governments and community choice energy programs to develop low-carbon alternatives for emergency back-up power and use of battery storage and microgrids; convene a region-wide event on climate change and food for food industry professionals and local governments, including low-carbon diets and reducing food waste; develop best practices and resources for local governments related to VMT reduction and organic waste diversion per SB 1383; develop rules and rule amendments to reduce GHGs; work with CARB to coordinate state and regional climate programs; assist local governments with the development and implementation of climate action plans and local GHG reduction strategies; develop model ordinances and best practices to accelerate local policy adoption for reducing GHGs; collaborate with regional agency partners to develop a strong Plan Bay Area 2050; work with partner agencies to implement regional GHG reduction strategies through the Bay Area Regional Collaborative.

<b>Managing Division:</b>	
Planning & Climate Protection Division	
<b>Contact Person:</b>	
Wendy Goodfriend	
<b>Program Purpose:</b>	
Prepare and track regional plans to attain and maintain State and National ambient air quality standards and lead development of community emission reduction plans per AB 617.	
<b>Description of Program:</b>	
Historically, this program has focused on preparing regional air quality plans to attain or maintain State and National air quality standards. This work has included preparation and submission of State Triennial Updates (i.e., Clean Air Plan) and SIP related documents. Currently, this program is working closely with the most overburdened communities and impacted neighborhoods across the region to implement Assembly Bill 617 through the Air District's Community Health Protection Program. District staff are working closely with community co-leads, Steering Committees and community members to develop community emission reduction plans that incorporate local scale emissions and exposure analyses and diverse and varied strategies to improve community health by reducing exposure to air pollutants. Preparing regional and local air quality plan requires collaboration across the Air District, and trusted partnerships with local, regional and State agencies, community groups and community members. As part of this program, District staff prepare and obtain certification of CEQA documents as necessary; track the effectiveness of air quality plans; track, comment and ensure compliance with State and National air quality planning requirements; and report to CARB and EPA on status and progress.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Lead the development of community emission reduction plans in AB 617 communities.	
Prepare and obtain certification of CEQA documents for any AB 617 community action plans.	
Support capacity building in high priority AB 617 communities, including the development of initial community profiles and land use maps for select communities.	
Participate in Statewide planning activities related to AB 617 implementation.	
Prepare documents or technical analyses to meet any new or amended State or Federal planning requirements for ozone and PM2.5.	
Track development of new or amended State or Federal ambient air quality standards.	
Maintain the Air District website with current air quality planning requirements and/or information related to proposed revisions to State or Federal ambient air quality standards.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Lead the development of a community emission reduction plan for the Richmond-San Pablo area.	Ongoing
Lead the preparation of CEQA documents for the Richmond-San Pablo area community emission reduction plan.	June 2022
Lead the development of initial community profiles and land use maps for select high priority AB 617 communities.	June 2022
Prepare and submit planning documents to CARB and EPA as required.	June 2022
Work with cities and counties to implement SB 1000, incorporate EJ and health equity into plans and programs.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	9	7	8	1	14.3%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	1,179,444	920,324	1,128,590	208,266	22.6%
Overtime Salaries 51150	2,841	3,000		(3,000)	(100.0)%
Temporary Salaries 51200					
Payroll Taxes 51300	17,943	13,118	16,108	2,990	22.8%
Pension Benefits 51400	212,747	206,804	263,891	57,087	27.0%
FICA Replacement Benefits 51500	12,695	12,788	15,201	2,413	18.9%
Group Insurance Benefits 51600	157,484	134,759	143,655	8,896	6.6%
Employee Transportation Subsidy 51700	14,320	14,802	11,487	(3,315)	(22.4)%
Workers' Compensation 51800	5,212	3,777	4,160	383	10.1%
Other Post Employment Benefits 51850		65,686	72,353	6,667	10.1%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	1,602,686	1,375,058	1,655,445	280,387	20.4%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	1,664	2,100	2,100		
Travel Out-of-State 52220		2,000	2,000		
Training & Education 52300	881	2,400	3,000	600	25.0%
Repair & Maintenance (Equipment) 52400					
Communications 52500	6,453	2,100		(2,100)	(100.0)%
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900		11,000	11,000		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	56,958	200,000	200,000		
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900	75	500	500		
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	66,031	220,100	218,600	(1,500)	(0.7)%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	1,668,717	1,595,158	1,874,045	278,887	17.5%

<b>Managing Division:</b>	
Planning & Climate Protection Division	
<b>Contact Person:</b>	
Wendy Goodfriend	
<b>Program Purpose:</b>	
Implement regional and local air quality, land use, mobile source and transportation plans, policies and measures.	
<b>Description of Program:</b>	
<p>This program focuses on working with state, regional and local agencies and community organizations to facilitate implementation of mobile source and transportation measures to attain and maintain ambient air quality standards and reduce emissions and exposure to fine particulate matter and toxic air contaminants in overburdened communities. On an ongoing basis, potential air quality and greenhouse gas impacts of land use and transportation plans and projects disclosed through CEQA are reviewed and comments are provided to lead agencies. The program also works closely with state, regional and local agencies, community organizations and the private sector to reduce emissions and exposure from ports and goods movement operations, including participation in AB 617 and relevant CARB rulemaking as well as implementing relevant guidelines, plans and programs.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Track review priority CEQA projects and provide comments to lead agencies. Maintaining up to date CEQA Thresholds of Significance and easy to use Guidelines.	
Lead plan implementation in AB 617 designated communities, including working with state, local and regional agency staff and community members.	
Implement transportation, building and energy measures in the 2017 Clean Air Plan in collaboration with MTC, ABAG, BARC and other regional and local entities.	
Collaborate with MTC to implement Plan Bay Area 2050 to encourage TDM, TOD and smart growth strategies that have air quality improvement co-benefits.	
Participate in Transportation Conformity and provide consultation to Federal agencies regarding general conformity review of non-transportation projects	
Work with CAPCOA to update land use guidance and the CalEEMod emissions model.	
Work with EPA, CARB, and Federal, State, regional and local agencies to reduce impacts from mobile sources, e.g., ports, goods movement, railroads, shipping.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Update the Air District's CEQA Thresholds of Significance and develop updated CEQA Air Quality Guidelines	December 2021
Continue to track and prioritize CEQA projects for review and comment and provide technical support and assistance on air quality and greenhouse gas environmental analysis.	Ongoing
Lead the implementation of the Owing our Air: The West Oakland Community Action Plan	June 2022
Work with MTC on Plan Bay Area 2050 Implementation to advance AB 617 and 2017 Clean Air Plan goals and objectives.	June 2022

# Implement Plans, Policies and Measures

605

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	3	7	6	(1)	(14.3)%
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	397,328	928,123	813,467	(114,656) (12.4)%
Overtime Salaries	51150	1,605	3,000	(3,000)	(100.0)%
Temporary Salaries	51200			46,000	46,000
Payroll Taxes	51300	6,130	13,218	11,595	(1,623) (12.3)%
Pension Benefits	51400	118,137	208,967	190,252	(18,715) (9.0)%
FICA Replacement Benefits	51500	4,350	12,572	10,827	(1,745) (13.9)%
Group Insurance Benefits	51600	54,059	142,645	111,579	(31,066) (21.8)%
Employee Transportation Subsidy	51700	4,736	14,552	8,182	(6,370) (43.8)%
Workers' Compensation	51800	1,756	3,713	2,963	(750) (20.2)%
Other Post Employment Benefits	51850		64,578	51,536	(13,042) (20.2)%
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		588,101	1,391,368	1,246,401	(144,967) (10.4)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200	651	2,100	2,100	
Travel Out-of-State	52220		1,700	1,700	
Training & Education	52300	5,029	5,000	5,000	
Repair & Maintenance (Equipment)	52400				
Communications	52500	769			
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900	72	600	600	
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300	154,426	182,450	185,000	2,550 1.4%
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800		1,000	1,000	
Stationery & Office Supplies	53900	125	500	500	
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>		161,072	193,350	195,900	2,550 1.3%
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		749,173	1,584,718	1,442,301	(142,417) (9.0)%

<b>Managing Division:</b>	
Planning & Climate Protection Division	
<b>Contact Person:</b>	
Abby Young	
<b>Program Purpose:</b>	
Set the strategic direction for and coordinate agency-wide efforts to accelerate the reduction of climate pollutants and integrate climate protection into Air District programs to reduce criteria and toxic air pollutants.	
<b>Description of Program:</b>	
Air District climate protection activities for FYE 2022 coordinated by the Climate Protection Section will include: supporting the development of proposed rules to reduce GHGs; continuing to lead and expand a regional campaign to decarbonize new and existing buildings, including supporting local initiatives, building upon Climate Protection Grant projects, coordinating efforts among community choice energy (CCE) programs and supporting rulemaking; supporting local implementation of GHG reductions by developing model policies, best practices and toolkits through efforts such as the Building Decarbonization program and the Diesel Free By '33 initiative; working with local governments and CCEs to develop low-carbon alternatives for emergency back-up power and use of battery storage and microgrids; implementing priority actions to reduce F-gas emissions; developing tools and guidance for the implementation of updated CEQA thresholds; collaborating with MTC to develop a strong implementation plan for Plan Bay Area; working with local governments and stakeholder groups to expand messaging on low-GHG diets and reducing food waste; continued collaboration with local, regional, state, and national agencies on climate protection efforts; and continued integration of climate protection strategies in existing Air District programs, such as AB 617.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Provide local governments with policy resources to accelerate local building decarbonization efforts.	
Lead outreach, develop tools to support local government implementation of updated CEQA GHG thresholds	
Provide leadership through convening events, providing networking and information-sharing for local governments and stakeholders.	
Lead the implementation of the Diesel Free By '33 initiative.	
Complete implementation and assess results of 2018 Climate Protection Grant projects for potential replicability.	
Collaborate with other divisions on emissions studies to support rule-making and policy development.	
Convene regional events and develop materials promoting low-GHG diet alternatives and reduce food waste.	
Work with community choice energy programs and others in developing low-carbon emergency power alternatives.	
Coordinate the integration of climate protection strategies into existing Air District programs.	
Participate in Statewide and regional climate protection programs with BARC, MTC, ABAG, and BCDC.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement GHG reduction strategies identified in the 2017 Clean Air Plan.	June 2022
Expand the Building Decarbonization Program by focusing regional action on vulnerable communities.	June 2022
Finalize GHG thresholds of significance for CEQA and develop supporting guidance and tools.	June 2022
Redesign and strengthen approach to delivering support to local climate planning and implementation efforts.	June 2022
Complete implementation and assess results from the 2018 Climate Protection Grant Program.	June 2022
Convene region-wide series of events on climate-friendly food and food waste reduction.	June 2022
Develop guidance for local governments and businesses on adopting alternatives to diesel back-up power.	June 2022

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	7	8	7	(1)	(12.5)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	1,060,978	1,118,505	1,121,882	3,377	0.3%
Overtime Salaries 51150	313				
Temporary Salaries 51200					
Payroll Taxes 51300	16,447	15,961	16,014	53	0.3%
Pension Benefits 51400	220,521	243,845	262,627	18,782	7.7%
FICA Replacement Benefits 51500	11,678	14,262	14,215	(47)	(0.3)%
Group Insurance Benefits 51600	145,238	129,176	146,922	17,746	13.7%
Employee Transportation Subsidy 51700	13,351	16,509	10,742	(5,767)	(34.9)%
Workers' Compensation 51800	4,689	4,212	3,890	(322)	(7.6)%
Other Post Employment Benefits 51850		73,259	67,661	(5,598)	(7.6)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	1,473,215	1,615,729	1,643,953	28,224	1.7%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	3,586	5,160	5,160		
Travel Out-of-State 52220	3,556	6,750	6,750		
Training & Education 52300	3,018	6,100	6,600	500	8.2%
Repair & Maintenance (Equipment) 52400	91				
Communications 52500	1,907				
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	92	1,200	1,200		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	1,899,298	340,000	340,000		
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900	364	500	500		
Books & Journals 54100		100	100		
Minor Office Equipment 54200		200	200		
<b>Total Services &amp; Supplies Expenditures</b>	1,912,741	360,010	360,510	500	0.1%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	3,385,956	1,975,739	2,004,463	28,724	1.5%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



## Rules Division

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The Rules Division is responsible for the development of regulations to implement Air District plans to attain federal and State air quality standards, and to protect public health. In addition to development of rules derived from planning documents, staff assists with the preparation of air quality plans. Other measures are developed under the direction of the Board of Directors to further protect public health and safety and reduce emissions of greenhouse gases. In addition, staff reviews existing regulations and develops revisions to improve clarity, efficiency and effectiveness. For each control measure, staff assesses potential emission reductions, technological feasibility, socioeconomic impacts, cost-effectiveness, and environmental impacts under CEQA. Staff conducts public workshops and other public involvement processes, prepares staff reports, and makes presentations and recommendations to the Board of Directors at public hearings and committee meetings. Staff also manages and coordinates the rule development process for other Divisions. In this fiscal year, the program will continue to develop rules pursuant to the 2017 Clean Air Plan, AB 617 BARCT Schedule, Methane and PM Strategies as directed by the Board of Directors.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Rules Division	
<b>Contact Person:</b>	
Victor Douglas	
<b>Program Purpose:</b>	
The primary purpose of this program is to develop control measures and regulations to reduce air pollutant emissions in the Bay Area.	
<b>Description of Program:</b>	
The Rule Development Program is responsible for the development of regulations to implement Air District plans to attain Federal and State air quality standards, and to protect public health. In addition, staff reviews existing regulations and develops revisions to improve clarity, efficiency and effectiveness.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Develop amendments to Rule 6-5: Refinery Fluid Catalytic Cracking Units to reduce PM	
Develop amendments to Rule 8-5: Organic Liquid Storage Tanks and Rule 8-8: Refinery Wastewater Treatment to reduce VOCs and toxic emissions	
Develop amendments to Rule 9-14: Petroleum Coke Calcining Operations to reduce NOx emissions	
Finalize a new Rule 13-5: Refinery Hydrogen Systems to reduce methane and VOCs.	
Finalize new rules to reduce methane and VOCs from organic materials handling and composting (Rules 13-2 & 13-3)	
Develop suite of rulemaking actions to reduce sulfur emissions from the refining sector.	
Develop rules to reduce methane and VOC emissions from landfills (Rule 8-34) and sewage treatment (Rule 13-4)	
Manage rule development process led by staff in other Sections and Divisions.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop amendments to Rule 6-5: Refinery Fluid Catalytic Cracking Units	November 2021
Develop amendments to Rule 8-5: Organic Liquid Storage Tanks	September 2021
Develop amendments to Rule 8-8: Refinery Wastewater Treatment Operations	September 2021
Develop amendments to Rule 9-14: Petroleum Coke Calcining to reduce NOx emissions	Ongoing
Finalize Rules 13-2 & 13-3 to reduce methane and VOCs from organic materials handling / composting	Ongoing
Finalize a new Rule 13-5: Refinery Hydrogen Systems to reduce methane and VOCs.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	9	9	12	3	33.3%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	1,295,015	1,190,803	1,445,904	255,101	21.4%
Overtime Salaries 51150	6,772	12,000	12,000		
Temporary Salaries 51200					
Payroll Taxes 51300	19,932	16,956	20,593	3,637	21.4%
Pension Benefits 51400	259,777	262,688	338,135	75,447	28.7%
FICA Replacement Benefits 51500	14,257	16,023	19,331	3,308	20.6%
Group Insurance Benefits 51600	177,441	140,445	174,108	33,663	24.0%
Employee Transportation Subsidy 51700	15,983	18,546	14,608	(3,938)	(21.2)%
Workers' Compensation 51800	5,723	4,732	5,291	559	11.8%
Other Post Employment Benefits 51850		82,301	92,011	9,710	11.8%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	1,794,900	1,744,494	2,121,981	377,487	21.6%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	478	8,250	8,250		
Travel Out-of-State 52220		3,650	3,650		
Training & Education 52300	1,186	8,200	8,200		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	1,679	35,000	35,000		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	76,473	161,325	221,000	59,675	37.0%
General Insurance 53400					
Shop & Field Supplies 53500		500	500		
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	2,083	3,000	3,000		
Stationery & Office Supplies 53900		750	750		
Books & Journals 54100		300	300		
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	81,899	220,975	280,650	59,675	27.0%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	1,876,799	1,965,469	2,402,631	437,162	22.2%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## Community Engagement Division

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The Community Engagement and Policy Division engages the public in Air District programs and policies. The Community Engagement Program is the Air District's main point of contact with the public and employs inclusive and equitable community engagement strategies to increase awareness, foster relationships, and ensure opportunities for stakeholder participation in planning and decision-making. Staff particularly seek opportunities for those that have been historically excluded, discriminated against, under-represented, or under-resourced to participate and shape Air District decisions that impact their lives and improve public health. The Rule Development Program is responsible for the development of regulations to implement Air District plans to attain Federal and State air quality standards, and to protect public health. Additionally, staff review existing regulations and develop revisions to improve clarity, efficiency and effectiveness.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Community Engagement Division	
<b>Contact Person:</b>	
Kristen Law	
<b>Program Purpose:</b>	
<p>The Community Engagement Office is committed to providing meaningful engagement opportunities for the communities we serve. We strive to improve air quality for every person who lives in the Bay Area. To do that, we connect with our community members, work to understand their values and identify community-informed solutions that work for all of us. The Office is the Air District’s main point of contact with the public to increase awareness, foster relationships, and ensure opportunities for stakeholder participation to inform Air District planning and decision-making.</p>	
<b>Description of Program:</b>	
<p>The Community Engagement Office is specially tasked with coordinating engagement across departments and with the community to ensure we meet our shared mission to create a healthy breathing environment for every Bay Area resident. The Office develops collaborative relationships with diverse communities and seeks opportunities for those that have been historically excluded, discriminated against, under-represented, or under-resourced to participate and shape Air District decisions to enable policy solutions that bolster community power, promote equity, improve regional conditions and improve public health. The Office coordinates and facilitates stakeholder engagement in Air District programs; plays a key role in convening Community-Agency partnerships; develops and deploys community engagement best practices; oversees the Community Grant Program to support capacity-building of impacted communities to engage in air quality issues; convenes issue-specific advisory groups and convenes Resource Teams.</p>	
<b>Justification of Change Request:</b>	
<p>Executive leadership directed an increased Professional Services budget for Community Engagement in response to the Board of Directors’ request to establish a Community Advisory Council and to implement Community Engagement and Environmental Justice Training for Air District staff and partners. A small increase to subscriptions accounts for the growing need for virtual community engagement platforms.</p>	
<b>Activities</b>	
AB 617: Partner with community groups and Air District divisions to implement AB 617	
Bay Air Center: Support communities with technical guidance, training, and relevant resources to build capacity.	
Youth Engagement: Develop and implement a youth engagement plan.	
Community Grant Program: Administer grants to build community capacity and foster community participation	
Training: Develop curriculum and train Air District staff on Community Engagement and Environmental Justice.	
Spare the Air: Provide direction and support to the Air District’s Spare the Air Resource teams.	
General Engagement: Facilitate workshops and support youth organizations, schools, and other groups.	
Community Engagement Guidelines: Develop and support implementation of Community Engagement Guidelines	
Community Advisory Council: Convene a CAC to increase community leadership in District decisions	
PM Design Team: Convene and support community advocates to inform and prioritize PM reduction strategies	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement multiple aspects of AB 617 and track progress.	Ongoing
Support community capacity building through a Community Grant Program	June 2022
Increase Air District Staff trained in community engagement and environmental justice	June 2022
Develop and implement Community Engagement Guidelines, including youth strategy	June 2022
Coordinate District presence at public events and support community leadership in District decisions	June 2022
Ensure Air District engagement activities are high quality, accessible and culturally appropriate.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	7	13	14	1	7.7%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	950,006	1,558,350	2,091,289	532,939	34.2%
Overtime Salaries 51150	13,326	15,000	15,000		
Temporary Salaries 51200	10,188				
Payroll Taxes 51300	14,821	22,182	29,794	7,612	34.3%
Pension Benefits 51400	203,423	337,165	488,305	151,140	44.8%
FICA Replacement Benefits 51500	10,487	23,744	30,188	6,444	27.1%
Group Insurance Benefits 51600	130,390	232,205	309,813	77,608	33.4%
Employee Transportation Subsidy 51700	11,825	27,483	22,812	(4,671)	(17.0)%
Workers' Compensation 51800	4,198	7,013	8,262	1,249	17.8%
Other Post Employment Benefits 51850		121,961	143,689	21,728	17.8%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	1,348,664	2,345,103	3,139,152	794,049	33.9%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200	943	5,500	5,500		
Travel Out-of-State 52220		4,800	4,800		
Training & Education 52300	8,803	16,500	16,500		
Repair & Maintenance (Equipment) 52400					
Communications 52500	12,380	13,000	13,000		
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	1,790	3,000	3,500	500	16.7%
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	1,141,285	1,313,000	1,665,000	352,000	26.8%
General Insurance 53400					
Shop & Field Supplies 53500	394	1,000	2,000	1,000	100.0%
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900	568	1,500	1,500		
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	1,166,163	1,358,300	1,711,800	353,500	26.0%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	(89,608)				
<b>Total Expenditures</b>	2,425,219	3,703,403	4,850,952	1,147,549	31.0%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



## Information Services Division

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The Information Services Division focuses on Information technology operations, engineering, user support and the management of District records.

Under this Division, Engineering and Operations Program staff provide design, implementation, security and maintenance of all computer server infrastructures including but not limited to email, telecommunications, network, file storage, business continuity/disaster recovery, and remote connectivity. The support team in this program provides user support to District staff for all technologies and user support to outside members of the regulated community that utilize on-line District technologies.

Records Management Program Staff (RM) are responsible for storing, maintaining, securing, and providing copies of Air District official documents. These documents are made available for public, regulated community and internal request in accordance with Policy and Procedures.

In FY2021, the RM program procured Hyland OnBase software and is working to implement and deploy the system to meet the needs and requirements of the District. RM provides assistance for staff from each Division individually as official records are migrated to OnBase. RM digitizes paper documents as needed for all Divisions.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Information Services Division	
<b>Contact Person:</b>	
Magen Holloway	
<b>Program Purpose:</b>	
To provide archival and retrieval services for the District's records produced by various Divisions.	
<b>Description of Program:</b>	
The Records Management Program (RM) is responsible for maintaining the Air District official records for each Division. These documents are made available for public, industry and internal request in accordance to the APCO Policy and Procedures.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Manage and Support of Physical and Electronic Storage of District Records.	
RM is configuring and implementing the new OB software with the assistance of consultants from Xerox. The Xerox is contracted to configure Air District records and corresponding Record Retention in OB. Xerox will also migrate historic records from AppXtender software and the Air District shared drives.	
Train Division Records Custodians on new OB software.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Configure new OB software.	June 2022
Train staff on use of OB software.	June 2022
Migrate records from shared drives to OB software	June 2022

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	2	3	2	(1)	(33.3)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	260,045	361,250	276,991	(84,259)	(23.3)%
Overtime Salaries 51150					
Temporary Salaries 51200					
Payroll Taxes 51300	4,031	5,130	3,937	(1,193)	(23.3)%
Pension Benefits 51400	62,957	77,748	64,740	(13,008)	(16.7)%
FICA Replacement Benefits 51500	2,893	5,267	3,811	(1,456)	(27.6)%
Group Insurance Benefits 51600	36,029	58,993	34,445	(24,548)	(41.6)%
Employee Transportation Subsidy 51700	3,405	6,096	2,880	(3,216)	(52.8)%
Workers' Compensation 51800	1,149	1,556	1,043	(513)	(33.0)%
Other Post Employment Benefits 51850		27,054	18,141	(8,913)	(32.9)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	370,509	543,094	405,988	(137,106)	(25.2)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		3,000	3,000		
Travel Out-of-State 52220					
Training & Education 52300		15,100	15,100		
Repair & Maintenance (Equipment) 52400					
Communications 52500	7,023	7,800	7,800		
Building Maintenance 52600	1,920	10,200	10,200		
Utilities 52700	4,081	3,800	3,800		
Postage 52800					
Printing & Reproduction 52900	17,592	69,800	69,800		
Equipment Rental 53100					
Rents & Leases 53200	75,227	110,000	110,000		
Professional Services & Contracts 53300		195,000	195,000		
General Insurance 53400					
Shop & Field Supplies 53500		10,000	10,000		
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800		65,000	65,000		
Stationery & Office Supplies 53900	158	6,000	6,000		
Books & Journals 54100					
Minor Office Equipment 54200					
Non-capital assets 54600					
<b>Total Services &amp; Supplies Expenditures</b>	141,411	495,700	495,700		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Transfer In/Out</b>	(15,827)				
<b>Total Expenditures</b>	496,093	1,038,794	901,688	(137,106)	(13.2)%

<b>Managing Division:</b>	
Information Services Division	
<b>Contact Person:</b>	
John Chiladakis	
<b>Program Purpose:</b>	
Provide computer, networking and telecommunications infrastructure. Provide second tier service and support for escalated user support issues.	
<b>Description of Program:</b>	
Operate, engineer, purchase, install, upgrade, secure, monitor, maintain, and repair new software systems, computer networks, network servers, telephone systems, voicemail systems, firewalls, personal computers, workstations, file and database server hardware, and operating system and application software.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Operation and system administration of HP-3000 servers.	
Administration of Cisco telephone and voice mail system.	
Administration of Simplivity and other VMWare servers.	
Configuration and administration of network routers, switches, firewalls and internet access.	
Operation and system administration of HP-9000 servers.	
Support and administer DNS servers.	
Administration of desktop operating system and applications software.	
Administration of Windows Active Directory and servers.	
Administration of NetApp SAN storage system.	
Purchase, installation, upgrade, maintenance, and repair of desktop workstations and printers.	
Administration of MS Exchange-Online, Internet and remote access systems.	
Administration of Multi-Agency Shared Services Printing and Scanning systems	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain computer operations availability for 10 hours/day, 5 days/week.	Daily
Provide communications availability for 10 hours/day, 5 days/week.	Daily
Maintain LAN operations availability for 10 hours/day, 5 days/week.	Daily
Maintain network routers and firewall.	Weekly
Provide system connectivity support for JD Edwards.	Monthly
Support, troubleshoot and maintain desktop workstations.	Weekly
Support and upgrade remote access capabilities.	Monthly
Maintain voice messaging system, including menus and changes for field staff.	Monthly

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		7	10	6	(4)	(40.0)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,108,054	1,342,633	897,519	(445,114)	(33.2)%
Overtime Salaries	51150	13,070				
Temporary Salaries	51200					
Payroll Taxes	51300	17,243	19,171	12,900	(6,271)	(32.7)%
Pension Benefits	51400	233,830	303,125	210,084	(93,041)	(30.7)%
FICA Replacement Benefits	51500	12,283	18,764	11,434	(7,330)	(39.1)%
Group Insurance Benefits	51600	153,223	199,912	129,256	(70,656)	(35.9)%
Employee Transportation Subsidy	51700	13,562	21,720	8,640	(13,080)	(60.2)%
Workers' Compensation	51800	4,897	5,542	3,129	(2,413)	(43.5)%
Other Post Employment Benefits	51850		96,386	54,422	(41,964)	(43.5)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,556,162	2,007,253	1,327,384	(679,869)	(33.9)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	306	5,000	10,000	5,000	100.0%
Travel Out-of-State	52220	5,325				
Training & Education	52300	12,630	25,000	50,000	25,000	100.0%
Repair & Maintenance (Equipment)	52400	498,688	593,000	689,000	96,000	16.2%
Communications	52500	20,591	17,000	17,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800	22				
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	353,510	395,000	555,000	160,000	40.5%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	170,297	223,500	251,300	27,800	12.4%
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		1,541,518	1,258,500	1,572,300	313,800	24.9%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115		100,000	400,000	300,000	300.0%
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130		400,000	400,000		
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>			500,000	800,000	300,000	60.0%
<b>Transfer In/Out</b>		(161,462)				
<b>Total Expenditures</b>		2,936,218	3,765,753	3,699,684	(66,069)	(1.8)%

<b>Managing Division:</b>	
Information Services Division	
<b>Contact Person:</b>	
Duane Vazquez	
<b>Program Purpose:</b>	
Provide end user support and manage the procurement of computer workstations and telecommunications systems.	
<b>Description of Program:</b>	
Operate, engineer, procure, install, configure, upgrade, maintain, repair and manage inventory for software and hardware computers, telephone systems, voicemail systems, wireless/cellular, printers and misc. peripheral devices . Provide technical assistance for computer systems, telephone systems, voicemail systems, hardware, and software. Assist in developing user training curriculum. Track and optimize user support metrics.	
<b>Justification of Change Request:</b>	
<b>Activities</b>	
Administration of desktop operating system and applications software.	
Administration of Cisco telephone and voice mail system.	
Configuration and administration of MFC printers, voip handsets, cellular devices, misc handheld & peripheral devices	
Purchase, installation, upgrade, maintenance, and repair of desktop workstations and printers.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain computer operations availability for 10 hours/day, 5 days/week.	Daily
Support, troubleshoot and maintain desktop workstations.	Weekly
Maintain voice messaging system, including menus and changes for field staff.	Monthly

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	Program Actuals 2020	Approved Program Budget 2021	Proposed Program Budget 2022	FTE/Dollar Change \$	Percent Change %
<b>Number of Positions (FTE)</b>			4.00	4.00	
<b>Personnel Expenditures</b>					
Permanent Salaries	51100		472,398	472,398	
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300		6,692	6,692	
Pension Benefits	51400		110,029	110,029	
FICA Replacement Benefits	51500		7,622	7,622	
Group Insurance Benefits	51600		70,706	70,706	
Employee Transportation Subsidy	51700		5,760	5,760	
Workers' Compensation	51800		2,086	2,086	
Other Post Employment Benefits	51850		36,281	36,281	
Board Stipends	51900				
<b>Total Personnel Expenditures</b>			711,574	711,574	
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200		2,000	2,000	
Travel Out-of-State	52220				
Training & Education	52300		35,000	35,000	
Repair & Maintenance (Equipment)	52400		10,000	10,000	
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300				
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800		160,000	160,000	
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>			207,000	207,000	
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>			918,574	918,574	

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ADMINISTRATION COMMITTEE MEETING  
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## My Air Online

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The Office of My Air Online supports three major District objectives. First is software development for legacy system deprecation. This objective is focused on modernize permitting, compliance and enforcement including optimization via business process reengineering. The second objective is to maintain the Districts public web presence including secure and reliable information access, proactive digital notification, and equity through access to information, 508 compliance, and language translation. The third objective is to create and support a unified digital payment customer experience, grow online adoption, and ultimately expand to include outbound digital payments to enhance business continuity.

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<b>Managing Division:</b>	
My Air Online	
<b>Contact Person:</b>	
Joy Chen	
<b>Program Purpose:</b>	
This program provides design, development, quality assurance and implementation support for the District's new permitting and compliance system.	
<b>Description of Program:</b>	
This program is responsible for software development for permitting, compliance and enforcement as well as online payment integration.	
<b>Justification of Change Request:</b>	
Supports a roughly \$50 million dollar District revenue stream derived from the regulated community.	
<b>Activities</b>	
Permitting and compliance development and implementation.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Legacy System Deprecation via: Permitting and Compliance, Business Process Re-engineering, In-Sourced Support Model	Daily
Unified Digital Payments via: Grow Online Payment Adoption, Payment Reconciliation Governance, Expand from Inbound to Outbound	Daily

ADMINISTRATION COMMITTEE MEETING  
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# New Production System

125

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		6	5	5		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	890,552	823,418	857,671	34,253	4.2%
Overtime Salaries	51150	9,586				
Temporary Salaries	51200					
Payroll Taxes	51300	13,882	11,804	12,362	558	4.7%
Pension Benefits	51400	213,124	172,889	201,233	28,344	16.4%
FICA Replacement Benefits	51500	9,886	10,177	9,528	(649)	(6.4)%
Group Insurance Benefits	51600	122,823	105,531	91,341	(14,190)	(13.4)%
Employee Transportation Subsidy	51700	10,739	11,780	7,200	(4,580)	(38.9)%
Workers' Compensation	51800	3,936	3,006	2,608	(393)	(13.2)%
Other Post Employment Benefits	51850		52,273	45,351	(6,922)	(13.2)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,274,528	1,190,878	1,227,294	36,416	3.1%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300	357	15,000	15,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,606	2,500	2,500		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	116	150,000	150,000		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	7,017	100,000	100,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		197,785	267,500	267,500		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115	2,853,347	2,750,000	2,853,347	103,347	3.8%
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		2,853,347	2,750,000	2,853,347	103,347	3.8%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		4,325,660	4,208,378	4,348,141	139,763	3.3%

<b>Managing Division:</b>	
My Air Online	
<b>Contact Person:</b>	
Anja Page	
<b>Program Purpose:</b>	
The Air District Websites support and maintain the agency's web presence to provide the public with information about air quality, including health alerts and real-time air quality data, plans and technical information, as well as access to registrations, permits, regulations and other information for business and industry constituents.	
<b>Description of Program:</b>	
Development, support, and maintenance of the Air District's web content management system (Sitecore) and websites, including BAAQMD.gov and SparetheAir.org.	
<b>Justification of Change Request:</b>	
Supports Diversity, Equity and Inclusion by allowing 24/7 access to 508 compliant information in five languages English, Spanish, Tagalog, Vietnamese and Chinese.	
<b>Activities</b>	
Collaborate on efforts to increase multilingual translation, accessibility, and legal compliance for Air District websites	
Support, assist, and train Division Content Editors in the use of the web content management system	
Ensure content meets grammatical conventions, reading-level standards, and consistency requirements	
Develop, test, and implement new features and website components while providing technical support for online services	
Maintain and manage website systems with ongoing upgrades and improvements	
Monitor visitor usage through statistics and logs to inform priorities and decisions on feature development	
Document website processes, issue resolution, and functionality	
<b>Major Objectives</b>	<b>Delivery Date</b>
Public Web Presence via: Secure, Reliable Information (Pull), Proactive Digital Notifications (Push), Equity (i.e. 508, Languages, Data Access)	Ongoing

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# Website Development & Maintenance

309

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		2	2	2		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	312,476	325,341	303,270	(22,071)	(6.8)%
Overtime Salaries	51150					
Temporary Salaries	51200	8,774				
Payroll Taxes	51300	4,834	4,633	4,319	(314)	(6.8)%
Pension Benefits	51400	61,390	72,034	71,005	(1,029)	(1.4)%
FICA Replacement Benefits	51500	3,424	4,121	3,811	(310)	(7.5)%
Group Insurance Benefits	51600	42,648	44,448	42,060	(2,388)	(5.4)%
Employee Transportation Subsidy	51700	3,735	4,771	2,880	(1,891)	(39.6)%
Workers' Compensation	51800	1,381	1,217	1,043	(174)	(14.3)%
Other Post Employment Benefits	51850		21,171	18,141	(2,030)	(14.3)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		438,662	477,736	446,529	(31,207)	(6.5)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		6,000		(6,000)	(100.0)%
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,707	2,000		(2,000)	(100.0)%
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1,614				
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	852,138	917,581	917,581		
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	5,167	142,000	142,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		860,626	1,067,581	1,059,581	(8,000)	(0.7)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		(44,012)				
<b>Total Expenditures</b>		1,255,276	1,545,317	1,506,110	(39,207)	(2.5)%

<b>Managing Division:</b>	
My Air Online	
<b>Contact Person:</b>	
Blair Adams	
<b>Program Purpose:</b>	
Legacy system data management.	
<b>Description of Program:</b>	
This program provides legacy system data maintenance include extract, transform and load services.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
<b>Major Objectives</b>	<b>Delivery Date</b>
Data Maintenance: Extract, transform and load of legacy data into new system.	Daily

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# Legacy Systems Support

725

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>	5	7	6	(1)	(14.3)%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	660,178	928,608	797,445	(131,163)	(14.1)%
Overtime Salaries 51150	5,021				
Temporary Salaries 51200					
Payroll Taxes 51300	10,032	13,216	11,343	(1,873)	(14.2)%
Pension Benefits 51400	95,643	212,306	186,498	(25,808)	(12.2)%
FICA Replacement Benefits 51500	7,139	12,389	10,633	(1,756)	(14.2)%
Group Insurance Benefits 51600	88,904	144,766	119,250	(25,516)	(17.6)%
Employee Transportation Subsidy 51700	7,963	14,340	8,035	(6,305)	(44.0)%
Workers' Compensation 51800	2,917	3,659	2,910	(749)	(20.5)%
Other Post Employment Benefits 51850		63,634	50,612	(13,022)	(20.5)%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	877,797	1,392,918	1,186,726	(206,192)	(14.8)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300	68	15,000	15,000		
Repair & Maintenance (Equipment) 52400					
Communications 52500	1,016	1,500	1,500		
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900	59				
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	90	55,000	55,000		
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	829	24,500	24,500		
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	2,062	96,000	96,000		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	879,859	1,488,918	1,282,726	(206,192)	(13.8)%

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## Meteorology & Measurement Division

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The Meteorology and Measurement Division provides emissions, air quality, and meteorological data; chemical analysis; forecasting; and data analysis to support the activities of the Compliance & Enforcement, Engineering, Planning, Legal, Rules, Assessment, Inventory & Modeling, Communications, and Community Engagement Divisions. The data is used to

- determine if the Air District is in attainment with state and federal standards,
- determine if facilities are in compliance with Air District regulations,
- provide a scientific basis for Air District programmatic decisions, and
- to communicate about air quality with the public.

ADMINISTRATION COMMITTEE MEETING  
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<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Ila perkins	
<b>Program Purpose:</b>	
Provide the data required to determine and measure progress towards the Bay Area's attainment of National and State ambient air quality standards, community monitoring as well as determine and measure progress of other Air District programs.	
<b>Description of Program:</b>	
The primary function of the Air Monitoring - Operations Section is to operate and maintain a network of air quality and meteorological measurement sites that provide data required to determine attainment status of both National and State ambient air quality standards, new and modified regulations and National and State sampling strategies, as well as provide more targeted community level air quality assessment monitoring in support of AB617 activities and refinery communities. Additionally, a network of toxics gaseous and particulate monitors collect data to develop trends and help define risk, and for National and State programs. Air monitoring and meteorological data, as well as sampling projects such as the Precursor Air Monitoring Stations (PAMS) and PM2.5 speciation sampling, are also used for Air Quality Index (AQI) forecasts, Clean Air Plan (CAP) modeling, Prevention of Significant Deterioration (PSD) modeling, Refinery Community Monitoring, AB 617 monitoring and Environmental Impact Reports (EIRs).	
<b>Justification of Change Request:</b>	
This Program was previously for all Air Monitoring activities. For FYE 2022, Air Monitoring is separated into Operations (Program Code 802) and Projects & Technology (Program Code 810).	
<b>Activities</b>	
Operate and maintain the air monitoring network to provide a minimum of 90% valid data each quarter to determine the attainment status for National and State ambient air quality standards.	
Operate and maintain non-criteria pollutant monitors to provide data on ozone precursors, data for ozone forecasting, and data for fine particulate forecasting.	
Operate a PAMS network that meets EPA requirements.	
Operate a gaseous toxics network to provide data for State and Air District programs.	
Operate a network of fine particulate (PM2.5), black carbon, and particulate matter speciation samplers and analyzers in support of the determination of compliance with the National Ambient Air Quality Standards for PM2.5, wood smoke trends, and other area wide particulate matter studies.	
Operate three Near Road monitoring stations as mandated by EPA; two in the San Francisco-Oakland-Fremont CBSA, and one in the San Jose-Sunnyvale-Santa Clara CBSA; Operate an additional site along the Interstate 580 corridor.	
Aid in the development and evaluation of existing technologies for air quality measurements.	
Implement community level air quality monitoring in support of AB617 and Rule 12-15.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Collect and process data that has been subjected to rigorous Quality Control (QC) as part of National, State and Air District programs.	Ongoing
Implementation of community level monitoring and air quality assessment in support of AB 617 and Reg 12-15	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		24	28	22	(6)	(21.4)%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	2,749,493	3,081,122	2,419,104	(662,018)	(21.5)%
Overtime Salaries	51150	1,418	8,500	8,500		
Temporary Salaries	51200	396				
Payroll Taxes	51300	42,629	43,660	34,237	(9,423)	(21.6)%
Pension Benefits	51400	563,510	666,717	562,425	(104,292)	(15.6)%
FICA Replacement Benefits	51500	30,398	51,796	42,036	(9,760)	(18.8)%
Group Insurance Benefits	51600	378,173	490,304	387,326	(102,978)	(21.0)%
Employee Transportation Subsidy	51700	33,107	59,955	31,765	(28,190)	(47.0)%
Workers' Compensation	51800	12,151	15,298	11,505	(3,793)	(24.8)%
Other Post Employment Benefits	51850		266,058	200,084	(65,974)	(24.8)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		3,811,275	4,683,410	3,696,982	(986,428)	(21.1)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	6,024	25,144	20,000	(5,144)	(20.5)%
Travel Out-of-State	52220		19,000	10,000	(9,000)	(47.4)%
Training & Education	52300	1,960	2,000	5,000	3,000	150.0%
Repair & Maintenance (Equipment)	52400	65,950	75,910	78,196	2,278	3.0%
Communications	52500	2,832				
Building Maintenance	52600		58,103	59,820	1,717	3.0%
Utilities	52700	80,529	120,151	120,151		
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	395,038	487,549	487,549		
Professional Services & Contracts	53300	179,783	379,438	415,000	35,562	9.4%
General Insurance	53400					
Shop & Field Supplies	53500	166,185	317,407	310,927	(6,480)	(2.0)%
Laboratory Supplies	53600	57,377	74,137	76,361	2,224	3.0%
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
		17,105				
<b>Total Services &amp; Supplies Expenditures</b>		972,783	1,558,847	1,583,004	24,157	1.5%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	681,964	680,815	666,711	(14,104)	(2.1)%
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>		681,964	680,815	666,711	(14,104)	(2.1)%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		5,466,022	6,923,072	5,946,697	(976,375)	(14.1)%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Mairi Beacon	
<b>Program Purpose:</b>	
Provide laboratory, analytical, and technical services and support to other Air District Divisions and Sections.	
<b>Description of Program:</b>	
<p>The primary function of the Laboratory Program is to provide laboratory analyses, analytical services and technical support to other Divisions, Sections and special programs in completing their objectives. The Laboratory Program evaluates and implements analytical methods as required by new, analytical capabilities or amendments and additions to Air District regulations. The analytical services of the program provide technical information for enforcement action, permit evaluation, and regulatory standard development. Close liaison is maintained with other air pollution agencies and technical groups.</p>	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Perform gravimetric analyses on various filter media for BAAQMD and other agencies.	
Perform speciation analyses on various filter media including ion, carbon, and metals.	
Perform analyses associated with the Air District's toxics network.	
Perform analyses in support of Compliance and Enforcement and Source Test actions.	
Perform analyses of incident samples collected by the Air District.	
Perform analyses to provide comparative data for new and proposed field instrumentation.	
Identify and recommend analytical methods to support various Air District actions.	
Provide information on suitability of analyses proposed by outside laboratories.	
Participate in internal and external laboratory audits.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Provide gravimetric and speciation data to MQA and AAQA.	Ongoing
Provide analytical data in support of Compliance and Enforcement actions.	Ongoing
Provide analytical data in support of the Source Test section.	Ongoing
Provide Air Monitoring Special Projects group and other agencies comparative data for the evaluation of new instrumentation.	Ongoing
Participate in internal and external safety evaluations and reporting.	Ongoing
Participate in internal and external laboratory audits.	Ongoing
Provide technical expertise and advice to other Air District divisions regarding laboratory methods and capabilities.	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		7	8	12	4	50.0%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	882,023	997,416	1,438,580	441,164	44.2%
Overtime Salaries	51150	2,236	2,000	5,000	3,000	150.0%
Temporary Salaries	51200	48,496				
Payroll Taxes	51300	13,629	14,167	20,412	6,245	44.1%
Pension Benefits	51400	168,327	223,753	340,638	116,885	52.2%
FICA Replacement Benefits	51500	9,712	14,963	22,397	7,434	49.7%
Group Insurance Benefits	51600	120,938	160,863	229,991	69,128	43.0%
Employee Transportation Subsidy	51700	12,890	17,319	16,925	(394)	(2.3)%
Workers' Compensation	51800	3,898	4,419	6,130	1,711	38.7%
Other Post Employment Benefits	51850		76,856	106,608	29,752	38.7%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,262,149	1,511,756	2,186,681	674,925	44.6%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	48	200	200		
Travel Out-of-State	52220	1,130	5,000	5,000		
Training & Education	52300	1,964	7,000	7,000		
Repair & Maintenance (Equipment)	52400	53,340	78,000	82,000	4,000	5.1%
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	24,358	25,150	26,400	1,250	5.0%
General Insurance	53400					
Shop & Field Supplies	53500	1,673	3,000	3,000		
Laboratory Supplies	53600	71,837	100,000	100,000		
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		2,000	2,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		154,350	220,350	225,600	5,250	2.4%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125	28,885				
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		28,885				
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,445,384	1,732,106	2,412,281	680,175	39.3%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Jerry Bovee	
<b>Program Purpose:</b>	
Provide source testing and technical expertise to Air District Divisions.	
<b>Description of Program:</b>	
The primary functions of the Source Test Section are to: conduct analytical source tests; conduct performance audits on Continuous Emissions Monitors (CEMs); review third party source tests; research and develop new analytical source test procedures; and, provide technical expertise and advice to other Divisions. These data are used to produce engineering studies to determine compliance status for specific source categories, determine whether to issue Permits to Operate, update the emissions inventory, determine actual abatement control effectiveness, provide data & technical assistance for Air District studies including AB 617, and develop applicable standards and produce emissions data for new or revised regulations.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Conduct at least 90 instrumental gaseous source tests.	
Conduct up to 45 particulate or gaseous toxics source tests.	
Conduct at least 150 Field Accuracy Tests (FATs) on CEM systems.	
Conduct up to 24 source tests at gasoline bulk terminals and bulk plants.	
Conduct at least 400 source tests on gasoline cargo tanks.	
Conduct up to 30 Enhanced Vapor Recovery source tests at Gasoline Distribution Facilities (GDF)	
Evaluate up to 450 indicated excesses and other CEM-related call-ins.	
Maintain an electronic list of all source tests conducted at Title V facilities.	
Provide source testing to support rule development and implementation efforts.	
Manage South Bay Odor Study contracts and deliverables	
Provide Rule 12-15 refinery fence line monitoring program oversight	
<b>Major Objectives</b>	<b>Delivery Date</b>
Prepare reports on emissions from various source categories.	Ongoing
Prepare reports on particulate/gaseous toxic emissions from specific sources.	Ongoing
Prepare quarterly and annual summary of CEM data from specific sources.	Ongoing
Prepare reports on VOC emissions from gasoline bulk terminals and plants.	Ongoing
Prepare reports on VOC emissions from gasoline cargo tanks.	Ongoing
Provide monthly reports on indicated excesses from CEM systems.	Ongoing
Prepare reports on compliance rates and emissions, based on outside contractor tests.	Ongoing
Participate in source attribution studies associated with AB 617	Ongoing
Implement new emission testing methods and technologies	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		11	12	14	2	16.7%
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,413,702	1,505,486	1,821,529	316,043	21.0%
Overtime Salaries	51150	1,790	7,500	7,500		
Temporary Salaries	51200					
Payroll Taxes	51300	21,895	21,376	25,873	4,497	21.0%
Pension Benefits	51400	294,105	335,231	419,155	83,924	25.0%
FICA Replacement Benefits	51500	15,558	22,522	26,853	4,331	19.2%
Group Insurance Benefits	51600	193,625	264,279	311,490	47,211	17.3%
Employee Transportation Subsidy	51700	16,958	26,070	20,292	(5,778)	(22.2)%
Workers' Compensation	51800	6,247	6,652	7,349	697	10.5%
Other Post Employment Benefits	51850		115,688	127,815	12,127	10.5%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,963,880	2,304,804	2,767,856	463,052	20.1%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	4,188	3,000	3,000		
Travel Out-of-State	52220	5,234	4,000	4,000		
Training & Education	52300	11,961	11,850	11,850		
Repair & Maintenance (Equipment)	52400	380	5,000	5,000		
Communications	52500	214				
Building Maintenance	52600	4	8,800	8,800		
Utilities	52700	23,866	17,250	17,250		
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200	259,445	288,750	288,750		
Professional Services & Contracts	53300	57,328	55,500	55,500		
General Insurance	53400					
Shop & Field Supplies	53500	43,104	54,000	54,000		
Laboratory Supplies	53600	2,130	10,400	10,400		
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900	8				
Books & Journals	54100					
Minor Office Equipment	54200					
Non-capital assets	54600					
<b>Total Services &amp; Supplies Expenditures</b>		429,645	458,550	458,550		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120		60,000	60,000		
Lab & Monitoring Equipment	60125	178,303	85,233	80,000	(5,233)	(6.1)%
Communications Equipment	60130					
General Equipment	60135	44,293				
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>		222,596	145,233	140,000	(5,233)	(3.6)%
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		2,616,121	2,908,587	3,366,406	457,819	15.7%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Charles Knoderer	
<b>Program Purpose:</b>	
Provide air quality and open burning forecasts, support for wildfire impacts, and collect, validate, analyze, and disseminate aerometric and meteorological data.	
<b>Description of Program:</b>	
The primary function of the Meteorological Section is to provide air quality forecasts, including open burn, and mandated Air Quality Index (AQI) forecasts, special forecasts for programs such as mandatory curtailment of wood burning, forecasts for wildfire smoke impacts, and episode/alert forecasts. Data analysis objectives include the validation, compilation and interpretation of meteorological and air quality data, and distribution of data to various data systems. Other objectives include evaluation for legal actions and determination of long-term air quality trends.	
<b>Justification of Change Request:</b>	
The Overtime Budget (51155) was increased to account for inflation. This includes additional meetings to coordinate open burning with other agencies (such as CalFire and ARB) and additional forecast responsibilities due to increased wildfire impacts on local air quality. The budget for Professional Services (53300) was increased due to inflationary pressure and contractual agreements. The budget for Out-of-State Travel (52225) was reduced because of reorganization with the M&M division, moving the Air Quality Analysis group to 811.	
<b>Activities</b>	
Provide support for tracking and forecasting smoke plume impacts during wildfire events.	
Provide reliable and timely Air Quality forecasts to the Air District and the public on weekdays, weekends and holidays.	
Review prescribed and marsh burn plans. Issue the daily open burn decision to Regional, State, and National Fire Agencies and the public. Allocate and distribute burn acreage for prescribed, marsh, and Sonoma County stubble burning.	
Quality assure EPA mandated air quality data and provide to EPA within 90 days of the end of a quarter.	
Prepare and provide the Annual Air Monitoring Network Report to EPA, CARB and the public.	
Develop forecasting techniques for winter particulate and summer ozone seasons, including statistical regression equations and develop and maintain the databases these methods are based upon.	
Review air quality and meteorological data from the five oil refinery Ground Level Monitoring (GLM) Networks and evaluate Excess Reports for the Compliance & Enforcement Division regarding compliance with Air District Regulations 1 & 9.	
Respond to record requests for information on air quality and meteorological data from the public. Provide presentations for Air District functions including Board and Committee meetings, and community outreach and public information meetings.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Provide daily air quality forecasts and burn acreage allocations to meet Air District needs. Provide additional support during wildfire impacts.	Ongoing
Submit quality assured air quality data to EPA's AQS Database.	Quarterly
Provide air quality, meteorological, and GLM data in electronic format to requestors.	Monthly
Prepare and submit Annual Air Monitoring Network Plan to EPA, CARB and the public.	June 2021
Continue improvements to databases for air quality and meteorological data.	Ongoing



		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		8	4	4		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,053,953	481,900	621,628	139,728	29.0%
Overtime Salaries	51150	7,578	30,600		(30,600)	(100.0)%
Temporary Salaries	51200					
Payroll Taxes	51300	16,208	6,854	8,876	2,022	29.5%
Pension Benefits	51400	178,111	103,887	145,346	41,459	39.9%
FICA Replacement Benefits	51500	11,470	6,667	8,388	1,721	25.8%
Group Insurance Benefits	51600	142,462	63,137	77,127	13,990	22.2%
Employee Transportation Subsidy	51700	13,368	7,717	6,338	(1,379)	(17.9)%
Workers' Compensation	51800	4,658	1,969	2,296	327	16.6%
Other Post Employment Benefits	51850		34,247	39,923	5,676	16.6%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,427,808	736,978	909,922	172,944	23.5%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	3,775	2,000	2,100	100	5.0%
Travel Out-of-State	52220	7,359	15,000	15,000		
Training & Education	52300	3,161				
Repair & Maintenance (Equipment)	52400		12,000	12,000		
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	92				
Equipment Rental	53100					
Rents & Leases	53200	1,893				
Professional Services & Contracts	53300	99,833	119,008	34,000	(85,008)	(71.4)%
General Insurance	53400					
Shop & Field Supplies	53500	450	4,080	4,000	(80)	(2.0)%
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	2,000	20,000	20,000		
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		118,563	172,088	87,100	(84,988)	(49.4)%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		1,546,371	909,066	997,022	87,956	9.7%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Charles Knoderer	
<b>Program Purpose:</b>	
Provide independent performance evaluation services for the Air Monitoring Section and evaluate equipment and siting for air quality monitoring performed by industry and/or their consultants within the Air District's boundaries.	
<b>Description of Program:</b>	
The primary function of the Performance Evaluation (PE) Section is to ensure the accuracy of data collected throughout the Air District's air monitoring network. The PE Section is also responsible for audits and data evaluation of the H2S and SO2 ground level monitors (GLMs) and operation of H2S and SO2 mobile sampling units for odor complaint investigations and episodic sampling. Provide episodic ambient air-sampling after incidents at local refineries and chemical plants. Measure pollutants significant enough to cause wide-spread complaints.	
<b>Justification of Change Request:</b>	
Not Applicable	
<b>Activities</b>	
Conduct performance evaluation audits on ambient air monitoring equipment as required by EPA and California Air Resources Board (CARB) regulations, and create accuracy records for reporting to EPA.	
Conduct performance evaluation audits on industry SO2 and H2S GLMs and prepare summary reports of the audits.	
Conduct performance evaluation audits on non-criteria pollutant monitors and prepare summary reports of the audits.	
Participate in inter-agency performance evaluation program conducted by EPA and CARB at Air District sites.	
Perform source-oriented sampling and mobile monitoring during complaint, odor, and episode conditions to provide data required for enforcement action. Between incidents, maintain the instruments and vehicles, as needed.	
Participate in interdivisional teams working on improving Air District regulations and the Manual of Procedures, special studies and customer service.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain the directory of information on network drives for Air District access to all Quality Assurance (QA) data and activities.	Ongoing
Maintain criteria pollutant calibration standards and calibrators to meet EPA requirements.	Ongoing
Revise Standard Operating Procedures (SOPs) to reflect changes in procedures.	Ongoing

# Air Monitoring Instrument Performance Evaluation

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		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		3	3	3		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	349,532	371,888	360,478	(11,410)	(3.1)%
Overtime Salaries	51150	603				
Temporary Salaries	51200					
Payroll Taxes	51300	5,422	5,281	5,107	(174)	(3.3)%
Pension Benefits	51400	75,034	82,993	83,974	981	1.2%
FICA Replacement Benefits	51500	3,879	5,857	5,780	(77)	(3.3)%
Group Insurance Benefits	51600	48,312	69,785	70,113	328	0.5%
Employee Transportation Subsidy	51700	4,220	6,781	4,368	(2,413)	(35.6)%
Workers' Compensation	51800	1,545	1,730	1,582	(148)	(8.6)%
Other Post Employment Benefits	51850		30,089	27,512	(2,577)	(8.6)%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		488,547	574,404	558,914	(15,490)	(2.7)%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	17	455	455		
Travel Out-of-State	52220		2,500	2,500		
Training & Education	52300	319				
Repair & Maintenance (Equipment)	52400	2,714	6,400	6,400		
Communications	52500					
Building Maintenance	52600		11,250	11,250		
Utilities	52700	472				
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300		2,550	2,550		
General Insurance	53400					
Shop & Field Supplies	53500	5,270	16,535	16,535		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100		160	160		
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		8,792	39,850	39,850		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125		20,400	20,400		
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>			20,400	20,400		
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		497,339	634,654	619,164	(15,490)	(2.4)%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Charles Knoderer	
<b>Program Purpose:</b>	
Operate and maintain the Bay Area BioWatch network for the Federal Department of Homeland Security (DHS) in cooperation with the EPA.	
<b>Description of Program:</b>	
The BioWatch Monitoring Program consists of a network of sample collection units located throughout the Bay Area. Filter media are collected and replaced on a daily basis. Exposed filter housing are delivered to an outside laboratory for analysis. The network operates 24-hours a day, 365 days a year. This program is fully funded by a Department of Homeland Security grant and any budgetary changes were made to more accurately reflect the grant request.	
<b>Justification of Change Request:</b>	
All funding changes are covered by the DHS grant award.	
<b>Activities</b>	
Operate and maintain BioWatch collection sites to provide exposed filter media for laboratory analysis.	
Provide training and contract oversight for the BioWatch program.	
Implement Consequence Management Plan for the BioWatch program.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Provide oversight of facilities and equipment.	Ongoing
Assure program requirements for computer entry, sampling, and filter delivery are met.	Ongoing
Assure impacted Air Monitoring and contractor staff are notified in the event of positive results.	Ongoing

ADMINISTRATIVE COMMITTEE MEETING OF 03/17/2021

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	9,199	13,721	5,370	(8,351) (60.9)%
Overtime Salaries	51150				
Temporary Salaries	51200				
Payroll Taxes	51300	148	198	75	(123) (62.1)%
Pension Benefits	51400	2,265	2,970	1,239	(1,731) (58.3)%
FICA Replacement Benefits	51500	108	184	119	(65) (35.3)%
Group Insurance Benefits	51600	1,343	1,065	962	(103) (9.7)%
Employee Transportation Subsidy	51700	116	213	91	(122) (57.3)%
Workers' Compensation	51800	41	54	33	(21) (38.9)%
Other Post Employment Benefits	51850		944	571	(373) (39.5)%
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		13,220	19,349	8,460	(10,889) (56.3)%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300	319			
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700		35,251	37,014	1,763 5.0%
Postage	52800				
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200	34,816	63,480	66,654	3,174 5.0%
Professional Services & Contracts	53300	1,160,952	1,246,788	1,302,521	55,733 4.5%
General Insurance	53400				
Shop & Field Supplies	53500		8,935	9,851	916 10.3%
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800		2,000	2,000	
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>		1,196,087	1,356,454	1,418,040	61,586 4.5%
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
Biotech Equipment	60145				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>		1,209,307	1,375,803	1,426,500	50,697 3.7%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Jonathan P. Bower	
<b>Program Purpose:</b>	
Provide mobile, portable, and short-term air monitoring, develop and manage the Division's quality and data systems, support the development of required analytical and operational tools, and provide communication support for the Division.	
<b>Description of Program:</b>	
The Air Monitoring - Projects & Technology (AMPT) Section performs mobile, portable, and short-term air monitoring and sampling in support of various air monitoring projects. The section researches and develops tools, protocols, and procedures for testing and implementing air monitoring approaches to address a dynamic and growing list of uses cases, particularly at the community scale. AMPT is also responsible for oversight, maintenance, and development of regulatory and other data quality and data management systems. Major expenditures include air monitoring equipment and infrastructure, software development, hardware purchases and support, and telecommunications for remote air monitoring. This Section also supports and maintains data export facilities from the Data Management System.	
<b>Justification of Change Request:</b>	
For FYE 2022, to reflect a separation of Air Monitoring into Operations and Projects & Technology, the budget for Air Monitoring Projects & Technology was moved from Air Monitoring - Operations (Program Code 802) into this Program Code.	
<b>Activities</b>	
Maintain and develop regulatory and other air monitoring data management systems.	
Perform mobile, portable, and short term air monitoring in support of various projects and programs, including AB 617.	
Oversee and develop regulatory and other data quality systems.	
Research, develop, and evaluate emerging technologies, approaches, and procedures for air quality measurements.	
Provide technical feedback and project management of external air monitoring projects as needed.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Maintain a robust Quality Assurance program for the Division.	Ongoing
Manage Data Management System(s) for data collected by the Division.	Ongoing
Implementation of community level screening and other monitoring projects in support of District programs, including AB 617.	Ongoing
Support the Air District's real-time air quality and meteorology web page.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	Program Budget 2021	Program Budget 2022	\$	%
<b>Number of Positions (FTE)</b>		2	8	6	300.0%
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	62,102	243,501	974,972	731,471	300.4%
Overtime Salaries 51150			5,000	5,000	
Temporary Salaries 51200					
Payroll Taxes 51300	968	3,467	13,821	10,354	298.6%
Pension Benefits 51400	9,165	56,221	227,252	171,031	304.2%
FICA Replacement Benefits 51500	667	3,235	15,245	12,010	371.3%
Group Insurance Benefits 51600	8,242	37,052	135,183	98,131	264.8%
Employee Transportation Subsidy 51700	724	3,745	11,520	7,775	207.6%
Workers' Compensation 51800	274	955	4,172	3,217	336.9%
Other Post Employment Benefits 51850		16,617	72,562	55,945	336.7%
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	82,142	364,793	1,459,727	1,094,934	300.2%
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220			5,000	5,000	
Training & Education 52300	319		5,000	5,000	
Repair & Maintenance (Equipment) 52400					
Communications 52500	98,200	97,891	97,891		
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200	92,771				
Professional Services & Contracts 53300	2,143,660	144,641	2,459,641	2,315,000	1,600.5%
General Insurance 53400					
Shop & Field Supplies 53500	15,000	67,303	117,303	50,000	74.3%
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	7,915	52,975	52,975		
Stationery & Office Supplies 53900		500	500		
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	2,347,865	363,310	2,738,310	2,375,000	653.7%
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125			57,000	57,000	
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
Biotech Equipment 60145					
<b>Total Capital Expenditures</b>			57,000	57,000	
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>	2,430,007	728,103	4,255,037	3,526,934	484.4%

<b>Managing Division:</b>	
Meteorology & Measurement Division	
<b>Contact Person:</b>	
Katherine Hoag	
<b>Program Purpose:</b>	
Summarize, analyze, and interpret air quality measurement data, evaluate monitoring networks and approaches, and provide technical support to Air District Divisions and the public.	
<b>Description of Program:</b>	
The Air Quality Analysis Section's primary objective is to characterize regional and local air quality using observed meteorological and air quality data, including preparing air quality summaries, determining compliance with National or State standards, and analyzing long-term trends to assess progress. District air monitoring program support includes developing an annual summary of the Air District's fixed-site air monitoring network, and a long-term assessment of the network's effectiveness every five years. This section is also responsible for reviewing or designing studies to characterize local air quality and providing analyses to assist developing air quality improvement strategies. This section provides technical support to community-led air quality efforts and contributes to community capacity building efforts and other Community Health Protection Program work.	
<b>Justification of Change Request:</b>	
The Bay Air Center project was previously in the budget for Program Code 302 and was transferred to this Program Code (811).	
<b>Activities</b>	
Analyze measurement data to improve understanding of regional and local-scale air quality for routine reports or in support of Air District Divisions and the public.	
Evaluate regulatory ambient air monitoring network with respect to meeting Federal and State requirements or other Air District priorities, coordinate with US EPA on monitoring network modifications.	
Develop or review internal and external monitoring plans and/or air quality reports, including for NOA and DTSC mitigation projects.	
Provide technical support for community projects, including providing context to monitoring data and assisting community-based participatory research projects using air sensors.	
Air District coordinator for the Bay Air Center.	
Use observed air quality data to develop local-scale air quality assessments supporting AB 617 programs including community selection and informing emission or exposure reduction strategies or ongoing progress.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Prepare Air Quality Data reports summarizing regional compliance with standards long-term trends, and community-level air quality assessments.	Ongoing
Prepare and submit Annual Air Monitoring Network Plan to EPA, CARB and the public.	Annually
Evaluate ambient monitoring network and seek EPA approval for changes as needed.	Ongoing
Complete exceptional event notifications or justification packages as needed, in coordination with CARB and EPA.	Ongoing
Public launch of Bay Air Center for independent technical support for communities.	September 2021
Support Richmond-San Pablo AB 617 Monitoring Plan implementation by preparing quarterly reports describing monitoring progress and results.	Ongoing
Support AB617-related activities, including capacity building in priority areas, technical support for District and CARB grants, priority community-scale air quality assessments, and community selection.	Ongoing



# Ambient Air Quality Analysis

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		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>			4	4		
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	3,411	580,402	634,652	54,250	9.3%
Overtime Salaries	51150		20,000	10,000	(10,000)	(50.0)%
Temporary Salaries	51200					
Payroll Taxes	51300	37	8,274	9,061	787	9.5%
Pension Benefits	51400	483	121,825	148,586	26,761	22.0%
FICA Replacement Benefits	51500	30	7,290	7,993	703	9.6%
Group Insurance Benefits	51600	367	61,712	72,880	11,168	18.1%
Employee Transportation Subsidy	51700	33	8,437	6,040	(2,397)	(28.4)%
Workers' Compensation	51800	15	2,153	2,188	35	1.6%
Other Post Employment Benefits	51850		37,442	38,046	604	1.6%
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		4,376	847,535	929,446	81,911	9.7%
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200					
Travel Out-of-State	52220					
Training & Education	52300		10,000	10,000		
Repair & Maintenance (Equipment)	52400					
Communications	52500			500	500	
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300		7,400	108,000	100,600	1,359.5%
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		3,000	1,500	(1,500)	(50.0)%
Stationery & Office Supplies	53900		500	2,500	2,000	400.0%
Books & Journals	54100		1,500	1,000	(500)	(33.3)%
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>			22,400	123,500	101,100	451.3%
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
Biotech Equipment	60145					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>						
<b>Total Expenditures</b>		4,376	869,935	1,052,946	183,011	21.0%

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

Special Revenue Fund  
Program Narratives and Expenditure Details

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

## **SPECIAL REVENUE FUND**

The Air District's Special Revenue also works to support the Air District's mission of LPproving air quality, protecting public health, and protecting the global climate. The Special Fund revenue is principally derived from state and federal agency grants (e.g., from the California Air Resources Board and US Environmental Protection Agency), Department of Motor Vehicle Registration fees, settlement agreements, environmental mitigation fees, bond-sales, and the Bay Area Clean Air Foundation.

The Air District uses monies from these revenue sources to fund a variety of programs and projects that complement its regulatory and enforcement actives: grant and incentive programs for public agencies businesses, community groups, and residents, community outreach and engagement efforts, air quality monitoring and analysis, commuter benefits and Spare the Air programs, mobile source and anti-idling enforcement activities, and others. Air District staff administrative costs related to the implementation of Air District sponsored projects and programs are mainly provided for by the revenue source. A list of the main sources of revenue is listed below and a description of the programs funded by these sources is found in the section that follows:

- Transportation Fund for Clean Air (TFCA)
- Mobile Source Incentive Fund (MSIF)
- Carl Moyer Program (CMP)
- Community Air Protection Program (CAPP)
- Volkswagen Environmental Mitigation Trust (VW Trust)
- Funding Agricultural Replacement Measures for Emission Reductions (FARMER)
- US Environmental Protection Agency
- California Air Resources Board
- CALTRANS/ Congestion Mitigation and Air Quality Improvement (CMAQ)
- Funding Agricultural Replacement Measures for Emission Reductions (FARMER)
- California Goods Movement I-Bond (CGMB)

## Special Revenue Fund

### Communication Division

The Communications Office coordinates all agency media outreach, Air District messaging, crisis communications, media relations as well as print, digital and social media outreach for the Air District. The Office provides media and public outreach about the Air District's programs, operations and emergency response.

The Office manages advertising and outreach for Spare the Air, the Employer Program, and the Commuter Benefits Program. The Office oversees the Air District and Spare the Air social media sites, strategies and programs. The Office maintains the Spare the Air website and related sites and the Spare the Air mobile apps. The Office represents the Air District at community events for Spare the Air throughout the region.

Office functions include production of publications and digital collateral for the general public and target audiences. This includes publishing newsletters, the annual report, videos and collateral materials. The Office also provides and oversees graphic design services, social media content creation, translation services and videography. The Office also provides Air District presentations and tours for international delegations, organizations and school groups.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Communications Office	
<b>Contact Person:</b>	
Kristina Chu	
<b>Program Purpose:</b>	
The Spare the Air program encourages the public to reduce their driving, a major source of Bay Area air pollution, and promotes the use of remote work, public transit, biking, walking, carpooling, trip reduction and other behavior changes that reduce pollution from automobiles. The program provides outreach to employers/employees for the Spare the Air Employer and Commuter Benefits Programs. Employers are targeted specifically due to their significant influence on the commute behaviors of their employees.	
<b>Description of Program:</b>	
The Spare the Air program works with the public to reduce air pollution by promoting employer commute programs and making clean air choices including remote work, taking public transportation, using electric vehicles, ridesharing and trip linking; this program complements Program 305. Funds will be used for electronic notification systems, employer outreach, partnerships and Commuter Benefits Program outreach, as well as staff time associated with the Spare the Air programs and grass roots education.	
<b>Justification of Change Request:</b>	
Budget increase to cover costs of streamlining Spare the Air program, app re-design and website updates.	
<b>Activities</b>	
Prepare and issue media releases, respond to media inquiries and plan employer workshops and events.	
Promote employer transportation programs to reduce the number of single occupancy vehicles commuting to work.	
Support Resource Team activities, projects and promotions.	
Manage and update program websites as well as social media sites such as Twitter, Pinterest and Facebook.	
Provide public outreach at employer events throughout the Bay Area.	
Notify the media and employers of Spare the Air Alerts through AirAlerts, press releases, websites, apps and social media sites.	
Manage employer outreach & advertising campaign.	
Provide outreach to employers in concert with MTC, for the Commuter Benefits Program.	
Conduct employer opinion surveys to evaluate Spare the Air program and measure behavior change.	
Inform employees about commuter incentive programs and individual choices to reduce air pollution.	
Provide overview of campaign to the Administrative Committee and Board of Directors.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Coordinate Air District presence at public events, including community events and fairs.	Ongoing
Develop video podcasts, video news releases / statements, displays and infographics for Employer Program and Commuter Benefits Program / events.	Ongoing
Add new visualization, app integration and other features to improve user experience on sparetheair.org website	Ongoing
Manage Spare the Air Employer Program.	Ongoing
Conduct employer workshops and develop employer outreach materials, webinars and website information for new employer commute incentives rule.	Ongoing
Support Air Quality Resource Teams.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	2021	2022	\$	%
	2020				
<b>Number of Positions (FTE)</b>	2.90	3.83	3.72	(0.11)	(2.87)
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	323,465	445,225	436,960	(8,265)	(1.86)
Overtime Salaries 51150	76,445				
Temporary Salaries 51200	10,891				
Payroll Taxes 51300	5,014	6,320	6,191	(129)	(2.04)
Pension Benefits 51400	68,019	98,386	101,798	3,412	3.47
FICA Replacement Benefits 51500	3,551	7,263	6,984	(279)	(3.84)
Group Insurance Benefits 51600	44,071	68,325	66,144	(2,181)	(3.19)
Employee Transportation Subsidy 51700	3,884	8,408	5,277	(3,131)	(37.24)
Workers' Compensation 51800	1,429	2,145	1,911	(234)	(10.91)
Other Post Employment Benefits 51850		37,310	33,242	(4,068)	(10.90)
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	536,769	673,382	658,507	(14,875)	(2.21)
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300					
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800	6,901		5,000	5,000	
Printing & Reproduction 52900	497	15,000	15,000		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	1,220,561	1,305,000	1,338,000	33,000	2.53
General Insurance 53400					
Shop & Field Supplies 53500	125				
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	1,228,084	1,320,000	1,358,000	38,000	2.88
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	275,689	303,022	296,328	(6,694)	(2.21)
<b>Total Expenditures</b>	2,040,542	2,296,404	2,312,835	16,431	0.72

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



## Special Revenue Fund

### Strategic Incentive Division

The Strategic Incentives Division administers grant programs to facilitate the execution of projects and programs focused primarily on the reduction of emissions from mobile sources in the Bay Area. The primary grant programs include the Transportation Fund for Clean Air (TFCA), the Carl Moyer Program (CMP), the Mobile Source Incentive Fund (MSIF), the Lower-Emission School Bus Program (LESBP), in addition to other miscellaneous grant programs. These programs support the implementation of transportation and mobile source measures, as well as other incentive-based initiatives that improve air quality in the region. In FYE 2022 the Strategic Incentives Division will administer more than \$100 million in new grant revenue funds.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Alona Davis	
<b>Program Purpose:</b>	
Administration of the Carl Moyer Program (CMP), which provides grants to businesses and public agencies for projects that reduce emissions from primarily heavy-duty engines.	
<b>Description of Program:</b>	
<p>The Air District has participated in the CMP, in cooperation with the California Air Resources Board (CARB), since the program began in 1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible projects include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, and infrastructure that supports clean technologies. Air District staff conducts outreach and solicits grant applications, reviews the grant applications according to established criteria, recommends allocation of the funding, monitors progress in implementing funded projects, and reports on the use of funds. The Air District is awarded approximately \$10 million in CMP funds annually.</p> <p>The Air District also received funding from CARB from the Community Air Quality Protection (CAP) Grant Program and the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program, under which grant funding is primarily administered through the CMP and Proposition 1B Goods Movement Program. Since 2017, funds included \$118 million from CAP and \$4.2 million from FARMER over each program's last three funding cycles.</p>	
<b>Justification of Change Request:</b>	
Increased expenditure to address the program administrative needs for managing increased revenue.	
<b>Activities</b>	
Develop policies and procedures for the administration of the CMP.	
Conduct outreach to interested parties and provide application assistance.	
Evaluate grant applications for eligibility with CMP guidelines.	
Prepare grant award recommendations and coordinate the execution of funding agreements for the selected projects.	
Monitor, inspect, and audit current and previously funded programs and projects to assure compliance with State and District guidelines, policies, and statutory and regulatory requirements.	
Prepare and submit reports to CARB on the implementation of the CMP.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Finalize policies and procedures for the new CMP funding cycle, consistent with CARB guidelines.	July 2021
Open up a solicitation for the new CMP funding cycle.	August 2021
Evaluate grant applications and prepare grant award recommendations for Board of Directors approval.	Ongoing
Issue funding agreements (contracts) for CMP grants awarded.	Ongoing
Submit annual reports to CARB on the District's implementation of the CMP (annually) and CAP and FARMER (semi-annually).	Annually
Process payments, review project reports, inspect and close out on-going projects.	Ongoing

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		9	11	19	8	72.7
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	1,063,186	1,304,746	2,271,087	966,341	74.06
Overtime Salaries	51150	52				
Temporary Salaries	51200	10,723				
Payroll Taxes	51300	16,424	18,523	32,272	13,749	74.23
Pension Benefits	51400	205,595	280,794	529,237	248,443	88.48
FICA Replacement Benefits	51500	11,654	20,721	35,867	15,146	3.09
Group Insurance Benefits	51600	144,929	182,483	353,206	170,723	93.59
Employee Transportation Subsidy	51700	13,126	23,985	27,104	3,119	13.00
Workers' Compensation	51800	4,698	6,120	9,816	3,696	60.39
Other Post Employment Benefits	51850		106,437	170,720	64,283	60.40
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,470,387	1,943,809	3,429,309	1,485,500	76.42
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	1,382	4,000	12,000	8,000	200.00
Travel Out-of-State	52220		3,000	9,000	6,000	200.00
Training & Education	52300		1,500	10,000	8,500	566.67
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900		2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	55,424	334,700	285,477	(49,223)	(14.71)
General Insurance	53400					
Shop & Field Supplies	53500	650	2,000	2,000		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		1,000	10,000	9,000	900.00
Stationery & Office Supplies	53900	216	600	600		
Books & Journals	54100		200	200		
Minor Office Equipment	54200		1,000		(1,000)	(100.00)
<b>Total Services &amp; Supplies Expenditures</b>		57,672	350,000	331,277	(18,723)	(5.35)
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>	70005	755,201				
<b>Total Expenditures</b>		2,283,260	2,293,809	3,760,586	1,466,777	63.95

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Minda Berbeco	
<b>Program Purpose:</b>	
Administer motor vehicle registration fee surcharge revenues to reduce on-road vehicle emissions.	
<b>Description of Program:</b>	
<p>In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its jurisdiction to fund projects that reduce on-road motor vehicle emissions. The Air District allocates these funds to eligible projects through its Transportation Fund for Clean Air (TFCA) program and a portion of the funds collected are expended for administrative purposes. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242. Sixty percent of the funds are awarded directly by the Air District for eligible Air District programs (e.g., Spare the Air) and through the TFCA Regional Fund program. The remaining 40% are forwarded to the nine designated Bay Area county transportation agencies and distributed through the County Program Manager Fund program.</p> <p>The TFCA provides grants to reduce emissions of criteria pollutants through trip reduction projects and clean-air vehicle-based projects.</p>	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Prepare recommendations for updates to program policies for consideration by the Board of Directors; update program guidance and administrative operating procedures; and develop solicitation packages and conduct outreach.	
Review and evaluate project applications to determine their eligibility, and prepare recommendations for award of eligible projects for approval by the Board of Directors.	
Prepare contracts, amendments, and correspondence; review progress reports, inspect, and audit programs and projects to assure compliance with District policies and statutory requirements; process reimbursement requests; and ensure project files are complete and up to date.	
Prepare technical, financial, and staff reports and attend meetings.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Complete updates to the FYE 2023 County Program Manager policies for Board of Directors consideration and distribute guidance and application package to Program Managers	December 2021
Obtain Board of Director approval of proposed FYE 2023 expenditure reports and execute funding agreements with the nine County Program Managers.	June 2022
Open solicitations for FYE 2022 Regional Fund; conduct outreach, review applications, and obtain Board of Directors approval for eligible projects; and execute agreements with grantees.	Ongoing
Prepare FYE 2021 TFCA Report on Regional Fund Expenditures and Effectiveness.	December 2021
Conduct audit of TFCA funded projects and programs completed by 12/31/20	December 2021

# Transportation Fund for Clean Air Administration (TFCA)

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		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		8	5	4	(1)	(20.0)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	880,218	601,647	443,393	(158,254)	(26.30)
Overtime Salaries	51150	3,015	5,000		(5,000)	(100.00)
Temporary Salaries	51200					
Payroll Taxes	51300	13,588	8,559	6,319	(2,240)	(26.17)
Pension Benefits	51400	154,227	129,770	103,340	(26,430)	(20.37)
FICA Replacement Benefits	51500	9,616	9,741	6,959	(2,782)	(28.56)
Group Insurance Benefits	51600	119,476	79,670	64,698	(14,972)	(18.79)
Employee Transportation Subsidy	51700	12,177	11,276	5,259	(6,017)	(53.36)
Workers' Compensation	51800	3,890	2,877	1,905	(972)	(33.79)
Other Post Employment Benefits	51850		50,037	33,123	(16,914)	(33.80)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		1,196,207	898,577	664,996	(233,581)	(25.99)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	3,647	13,900	22,000	8,100	58.27
Travel Out-of-State	52220	3,784	14,400	75,000	60,600	420.83
Training & Education	52300	2,365	16,500	16,500		
Repair & Maintenance (Equipment)	52400					
Communications	52500	1,964	2,000	2,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	1,404	2,000	2,000		
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	75,783	425,860	371,597	(54,263)	(12.74)
General Insurance	53400					
Shop & Field Supplies	53500		3,500	3,500		
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800	250	13,000	24,000	11,000	84.62
Stationery & Office Supplies	53900	594	3,000	3,000		
Books & Journals	54100		440	440		
Minor Office Equipment	54200		400	400		
<b>Total Services &amp; Supplies Expenditures</b>		89,791	495,000	520,437	25,437	5.14
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>	70005	2	1,875,041	504,252	(1,370,789)	(73.11)
<b>Total Expenditures</b>		1,286,000	3,268,618	1,689,685	(1,578,933)	(48.31)

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Minda Berbeco	
<b>Program Purpose:</b>	
Administer funding from motor vehicle surcharge revenues, authorized by AB 923, for emission reduction projects.	
<b>Description of Program:</b>	
<p>Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge for motor vehicles within the Air District's jurisdiction up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF).</p> <p>MSIF funds can be allocated to the following eligible projects and programs, according to established criteria: the Lower-Emission School Bus Program, a passenger vehicle retirement program, projects eligible for Car Mover Program funds, and selected agricultural projects. Staff recommends funding allocations to eligible projects and programs for approval by the Board of Directors, monitors progress in implementing funded projects, reports on the use of the funds, and coordinates verification of requirements compliance. This program also includes assessment of mobile source and transportation technologies and programs in support of the grant-making function.</p>	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Recommend funding allocations to the Board of Directors.	
Conduct outreach to interested parties and provide application assistance.	
Evaluate grant applications for eligibility with applicable guidelines.	
Conduct inspections of the baseline and funded project equipment.	
Prepare grant award recommendations and coordinate the execution of funding agreements for the selected projects.	
Administer and monitor projects that have been awarded grants.	
Prepare and submit reports to the California Air Resources Board (CARB) on the expenditure of MSIF funds.	
Monitor, inspect, and audit current and previously funded programs and projects to assure compliance with State and District guidelines, policies, and statutory and regulatory requirements.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Report MSIF expenditures to CARB.	August 2021
Define allocation of available funds to eligible projects and programs.	March 2022
Conduct outreach, and solicit project applications.	Ongoing
Obtain Board of Directors approval of project recommendations.	Ongoing
Prepare and coordinate execution of funding agreements.	Ongoing
Process payments, review project reports, inspect and close out on-going projects.	Ongoing
Monitor the progress of funded projects.	Ongoing

# Mobile Source Incentive Fund (MSIF)

310

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	Program Budget 2021	Program Budget 2022	\$	%
<b>Number of Positions (FTE)</b>		3	2	(1)	(33.3)
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	123,680	288,146	245,063	(43,083)	(14.95)
Overtime Salaries 51150					
Temporary Salaries 51200					
Payroll Taxes 51300	1,942	4,082	3,493	(589)	(14.43)
Pension Benefits 51400	30,589	60,819	57,225	(3,594)	(5.91)
FICA Replacement Benefits 51500	1,388	4,700	3,525	(1,175)	(25.00)
Group Insurance Benefits 51600	17,310	44,490	33,887	(10,603)	(23.83)
Employee Transportation Subsidy 51700	1,590	5,440	2,664	(2,776)	(51.03)
Workers' Compensation 51800	547	1,388	965	(423)	(30.48)
Other Post Employment Benefits 51850		24,142	16,780	(7,362)	(30.49)
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	177,046	433,207	363,602	(69,605)	(16.07)
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		8,000	8,000		
Travel Out-of-State 52220					
Training & Education 52300	246	5,000	5,000		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900		3,000	3,000		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300		38,300	38,301	1	
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800	1,713	4,000	4,000		
Stationery & Office Supplies 53900		500	500		
Books & Journals 54100		200	200		
Minor Office Equipment 54200		1,000	1,000		
<b>Total Services &amp; Supplies Expenditures</b>	1,959	60,000	60,001	1	
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	90,931	26,358	163,626	137,268	520.78
<b>Total Expenditures</b>	269,936	519,565	587,229	67,664	13.02

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Minda Berbeco	
<b>Program Purpose:</b>	
Accelerate the removal of high-emitting vehicles from the on-road motor vehicle fleet within the District's jurisdiction.	
<b>Description of Program:</b>	
The program removes high-emitting motor vehicles from the region's roadways by purchasing and scrapping eligible vehicles from registered owners on a voluntary basis.	
<b>Justification of Change Request:</b>	
No change.	
<b>Activities</b>	
Implement procurement process for vehicle scrapping services.	
Oversee contractor's purchase and scrapping of vehicles.	
Respond to inquiries regarding Vehicle Buy-Back Program.	
Implement procurement process for direct mail campaign services.	
Oversee contractor's direct mailings.	
Acquire and update Department of Motor Vehicles (DMV) database used for direct mail annually.	
Develop and update Vehicle Buy-Back outreach materials.	
Conduct site visits of dismantling yards and dismantler offices.	
Manage suppression list and update DMV database.	
Review and approve scrapping contractor invoices.	
Review and approve direct mail contractor invoices.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement the Vehicle Buy-Back program, monitor contractor performance, review/ pay program invoices.	Ongoing
Report program expenditures to the California Air Resources Board (CARB)	June 2022



# Vehicle Buy Back (MSIF)

312

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals	Program Budget	Program Budget		
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		1	1		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	3,233	127,112	85,994	(41,118)	(32.35)
Overtime Salaries 51150					
Temporary Salaries 51200					
Payroll Taxes 51300	60	1,793	1,211	(582)	(32.46)
Pension Benefits 51400	3,458	28,091	19,918	(8,173)	(29.09)
FICA Replacement Benefits 51500	44	2,440	1,715	(725)	(29.71)
Group Insurance Benefits 51600	573	17,259	14,048	(3,211)	(18.60)
Employee Transportation Subsidy 51700	46	2,824	1,296	(1,528)	(54.11)
Workers' Compensation 51800	14	720	469	(251)	(34.86)
Other Post Employment Benefits 51850		12,530	8,163	(4,367)	(34.85)
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	7,428	192,769	132,814	(59,955)	(31.10)
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200					
Travel Out-of-State 52220					
Training & Education 52300					
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700					
Postage 52800					
Printing & Reproduction 52900					
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	3,468,920	7,200,000	7,200,000		
General Insurance 53400					
Shop & Field Supplies 53500					
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800					
Stationery & Office Supplies 53900					
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	3,468,920	7,200,000	7,200,000		
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	3,815	86,746	49,125	(37,621)	(43.37)
<b>Total Expenditures</b>	3,480,163	7,479,515	7,381,939	(97,576)	(1.30)

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
Administer new, one-time pass through, sources of funding to implement emissions reductions projects	
<b>Description of Program:</b>	
Each year the Air District receives grant revenues from sources such as the Bay Area Clean Air Foundation, State of California, Federal government, and settlement agreements that augment and complement funding from its other perennial sources of funding. Grant funding from these sources is often awarded to the District through a competitive solicitation process that results in funding that can be used to support specific projects for a limited and specified period (e.g., 1 to 2 years).	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Develop policies and guidelines, issue calls for projects, conduct workshops, attend meetings, and outreach to potential project sponsors.	
Review, evaluate and rank project applications to determine their eligibility and award amount, and prepare associated project documents (contracts, letters, reports, and communications).	
Prepare recommendations for award of eligible projects for approval by the Air District's Board of Directors.	
Monitor, inspect, and audit funded programs and projects to assure compliance of applicable grant agreements, guidelines, policies, and statutory and regulatory requirements.	
Review progress reports, process reimbursement requests, and ensure project files are complete and up to date.	
Prepare technical, financial, and staff reports	
<b>Major Objectives</b>	<b>Delivery Date</b>
Develop policies and guidelines, issue calls for projects, conduct workshops, attend meetings, and outreach to potential project sponsors.	Ongoing
Review and evaluate applications, prepare recommendations for award of eligible projects, prepare associated project documents (contracts, letters, reports, and communications).	Ongoing
Monitor, inspect, and audit funded programs and projects; review progress reports, process reimbursement requests, and ensure project files are complete and up to date; and prepare technical, financial, and staff reports.	Ongoing

# Miscellaneous Incentive Program (Other Grant)

316

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		1				
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	105,458	63,397	13,731	(49,666)	(78.34)
Overtime Salaries	51150	882				
Temporary Salaries	51200					
Payroll Taxes	51300	1,630	902	194	(708)	(78.49)
Pension Benefits	51400	21,749	13,504	3,194	(10,310)	(76.85)
FICA Replacement Benefits	51500	1,152	934	233	(701)	(75.05)
Group Insurance Benefits	51600	14,236	8,961	2,580	(6,381)	(71.21)
Employee Transportation Subsidy	51700	1,293	1,081	176	(905)	(83.72)
Workers' Compensation	51800	469	276	64	(212)	(76.81)
Other Post Employment Benefits	51850		4,795	1,110	(3,685)	(76.85)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		146,869	93,850	21,282	(72,568)	(77.32)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		6,300	6,300		
Travel Out-of-State	52220		6,300	6,300		
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	43,494				
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		43,494	12,600	12,600		
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		46,944				
<b>Total Expenditures</b>		237,307	106,450	33,882	(72,568)	(68.17)

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Minda Berbeco	
<b>Program Purpose:</b>	
The purpose of this program is to protect public health by reducing emissions associated with goods movement activities.	
<b>Description of Program:</b>	
In 2007, the California State Legislature enacted Senate Bill 88 authorizing \$1 billion in bond funding over four years for projects to protect public health from emissions associated with goods movement activities. In FYE 2022 staff will continue administration of the Year 5 round of program funding, monitor progress in implementing funded projects, work to ensure projects are completed as required, disburse grant funds by the specified deadlines, and report on project status and use of funds.	
<b>Justification of Change Request:</b>	
Not applicable.	
<b>Activities</b>	
Develop policies and procedures for the administration of the Goods Movement Bond Program (GMP).	
Conduct outreach to interested parties and provide application assistance.	
Evaluate grant applications for eligibility with GMP guidelines.	
Conduct inspections of the baseline and funded project equipment.	
Prepare grant award recommendations and coordinate the execution of funding agreements for the selected projects.	
Administer and monitor projects that have been awarded GMP grants.	
Prepare and submit reports to the California Air Resources Board (CARB) on the implementation of the GMP.	
Monitor, inspect, and audit current and previously funded programs and projects to assure compliance with State and Air District guidelines, policies, and statutory and regulatory requirements.	
Prepare technical, financial, and staff reports.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Monitor Year 5 projects, ensure projects are completed and paid on schedule.	June 2022
Conduct project inspections, review applications, and prepare reports for submittal to CARB.	June 2022
Monitor the performance of previously funded GMP projects.	Ongoing

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		1	1		
<b>Personnel Expenditures</b>					
Permanent Salaries 51100	29,195	104,132	123,006	18,874	18.13
Overtime Salaries 51150					
Temporary Salaries 51200					
Payroll Taxes 51300	424	1,481	1,761	280	18.91
Pension Benefits 51400	6,798	22,552	28,713	6,161	27.32
FICA Replacement Benefits 51500	313	1,595	1,799	204	2.79
Group Insurance Benefits 51600	3,903	15,526	18,345	2,819	18.16
Employee Transportation Subsidy 51700	557	1,846	1,359	(487)	(26.38)
Workers' Compensation 51800	129	471	492	21	4.46
Other Post Employment Benefits 51850		8,193	8,562	369	4.50
Board Stipends 51900					
<b>Total Personnel Expenditures</b>	41,319	155,796	184,037	28,241	18.13
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State 52200		2,000	2,000		
Travel Out-of-State 52220					
Training & Education 52300		1,500	1,500		
Repair & Maintenance (Equipment) 52400					
Communications 52500					
Building Maintenance 52600					
Utilities 52700	214				
Postage 52800					
Printing & Reproduction 52900		500	500		
Equipment Rental 53100					
Rents & Leases 53200					
Professional Services & Contracts 53300	1,148	65,500	30,000	(35,500)	(54.20)
General Insurance 53400					
Shop & Field Supplies 53500		3,000	3,000		
Laboratory Supplies 53600					
Gasoline & Variable Fuel 53700					
Computer Hardware & Software 53800		1,500	1,500		
Stationery & Office Supplies 53900		1,000	1,000		
Books & Journals 54100					
Minor Office Equipment 54200					
<b>Total Services &amp; Supplies Expenditures</b>	1,362	75,000	39,500	(35,500)	(47.33)
<b>Capital Expenditures</b>					
Leasehold Improvements 60100					
Building & Grounds 60105					
Office Equipment 60110					
Computer & Network Equipment 60115					
Motorized Equipment 60120					
Lab & Monitoring Equipment 60125					
Communications Equipment 60130					
General Equipment 60135					
PM 2.5 Equipment 60140					
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	21,222	19,204		(19,204)	(100.00)
<b>Total Expenditures</b>	63,903	250,000	223,537	(26,463)	(10.59)

<b>Managing Division:</b>	
Strategic Incentives Division	
<b>Contact Person:</b>	
Chengfeng Wang	
<b>Program Purpose:</b>	
The purpose of this program is to administer the Volkswagen Environmental Mitigation Trust funds to mitigate the lifetime excess oxides of nitrogen (NOx) emissions caused by VW's use of an illegal defeat device in the State of California.	
<b>Description of Program:</b>	
<p>On May 25, 2018, the California Air Resources Board (CARB) approved the Volkswagen Environmental Mitigation Trust (VW Trust) Beneficiary Mitigation Plan and approved the selection of the Bay Area Air District to administer Trust funding on a statewide-basis for the zero-emission freight and marine and the light-duty zero emission vehicle infrastructure categories.</p> <p>CARB is the designated Lead Agency acting on the State's behalf as beneficiary to implement California's \$423 million in VW Trust funds for eligible project categories, including \$77 million to fund zero-emission freight and marine projects, such as forklifts and port cargo handling equipment, airport ground support equipment, oceangoing vessel shore power, zero-emission ferry, tugboat, and towboat repowers, and \$11 million to fund light-duty electric vehicle charging and hydrogen fueling infrastructure projects.</p> <p>In FYE 2022 staff will work with CARB and other air districts to update the Implementation Manual, issue project solicitations, evaluate project applications, recommend award for funding, execute contracts with grantees, monitor project progress, and report the use of funds, conduct public outreach, maintain a Program website and a grants management system.</p>	
<b>Justification of Change Request:</b>	
<b>Activities</b>	
Develop program solicitation package and open the solicitation.	
Conduct outreach, workgroup meetings, webinars.	
Maintain grants management system.	
Maintain program website and program hotline.	
Evaluate applications and prepare recommendations for awards.	
Contract with selected grantees.	
Inspect and monitor projects.	
Review project invoices and process payments.	
Prepare and submit funding disbursement requests and reports to CARB.	
Update Program Implementation Manual.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct program development for each solicitation cycle	Ongoing
Conduct outreach and workgroup meetings	Ongoing
Maintain grants management system, program website and hotline	Ongoing
Evaluate project applications, recommend award for funding, execute contracts with grantees, monitor project progress, review reimbursement request and process payments	Ongoing
Submit reports and funding disbursement requests to CARB	Ongoing
Update Program Implementation Manual as needed	Ongoing

# Vehicle Mitigation (VW Trust)

324

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		2	4	3	(1)	(25.0)
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	282,406	521,324	450,222	(71,102)	(13.64)
Overtime Salaries	51150	2,668				
Temporary Salaries	51200					
Payroll Taxes	51300	4,235	7,412	6,449	(963)	(12.99)
Pension Benefits	51400	35,687	111,819	105,070	(6,749)	(6.04)
FICA Replacement Benefits	51500	2,972	7,975	6,658	(1,317)	(16.51)
Group Insurance Benefits	51600	36,969	83,067	66,071	(16,996)	(20.46)
Employee Transportation Subsidy	51700	3,721	9,231	5,031	(4,200)	(45.50)
Workers' Compensation	51800	1,245	2,355	1,822	(533)	(22.63)
Other Post Employment Benefits	51850		40,964	31,692	(9,272)	(22.63)
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		369,903	784,147	673,015	(111,132)	(14.17)
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200		27,600	27,600		
Travel Out-of-State	52220					
Training & Education	52300					
Repair & Maintenance (Equipment)	52400					
Communications	52500					
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900					
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	73,392	352,400	147,400	(205,000)	(58.17)
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800					
Stationery & Office Supplies	53900					
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		73,392	380,000	175,000	(205,000)	(53.95)
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		189,986	352,866	302,857	(50,009)	(14.17)
<b>Total Expenditures</b>		633,281	1,517,013	1,150,872	(366,141)	(24.14)

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ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021



## Special Revenue Fund

### Technology Implementation Division (TIO)

The Technology Implementation Office (TIO) mission is to advance emerging, cost-effective solutions to achieve greenhouse gas emissions reductions for the transportation and industrial source sectors. TIO will connect climate technologies and customers by providing financial incentives (through grants and loans) as well as technical and matchmaking support. Climate technology areas include zero emissions vehicles and infrastructure, zero emissions energy storage and backup systems, composting, and waste-to-energy projects (co-digestion, waste treatment, anaerobic digestion, combined heat and power). By supporting the scale-up of climate technologies, TIO can help achieve state and regional greenhouse gas emissions targets, reduce emissions in impacted communities, while also making technologies cost-effective even in regions without strong climate policies.

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

<b>Managing Division:</b>	
Technology Implementation Office	
<b>Contact Person:</b>	
Anthony Fournier	
<b>Program Purpose:</b>	
Administer funding, outreach, and planning to accelerate the adoption of light-duty (passenger) electric vehicles (EVs) and EV infrastructure in the Bay Area.	
<b>Description of Program:</b>	
The Air District's 2017 Clean Air Plan established a goal of 90% of Bay Area vehicles being zero emissions by 2050. To support this goal, this program incentivizes publicly available charging infrastructure, vehicle fleets, and electric vehicles for low-income consumers. This program includes the Charge! program for EV infrastructure, Clean Fleets for light-duty vehicle fleets, and the Clean Cars For All program for income-eligible residents in impacted communities. To complement and increase utilization of the incentives programs, this program also includes outreach, regional coordination, and planning to remove potential barriers and accelerate EV deployment throughout the Bay Area.	
<b>Justification of Change Request:</b>	
Grant funding from the California Air Resources Board and Federal Highway Administration to expand incentives for income-eligible consumers (ARB) and support outreach, partnerships, and planning (FHWA).	
<b>Activities</b>	
Administer grant programs, including updating policies and guidelines, conducting outreach, preparing program documents and communications, processing reimbursement requests, tracking project status, and conducting audits, for Charge!, Clean Fleets, and Clean Cars For All.	
Organize and participate in workgroups and events to increase awareness about EVs, support deployment, sharing best practices, and regional coordination.	
Conduct analyses and planning to inform Air District strategy and programs.	
Prepare technical, financial, and staff reports	
<b>Major Objectives</b>	<b>Delivery Date</b>
Complete awards for the Clean Cars For All program, including outreach to eligible communities and residents.	June 2022
Complete cycle of Charge! Program on online grant management system.	June 2022
Develop implementation tools based on Bay Area EV Acceleration Plan	June 2022
Organize quarterly Bay Area EV Coordinating Council meetings	Ongoing

Light Duty Electric Vehicle Program (Other Grant)

317

		Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
		2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>		5	6	8	2	33.3
<b>Personnel Expenditures</b>						
Permanent Salaries	51100	600,619	645,158	895,463	250,305	38.80
Overtime Salaries	51150	13,726	2,000	2,000		
Temporary Salaries	51200	21,224		15,000	15,000	
Payroll Taxes	51300	9,223	9,146	12,697	3,551	38.83
Pension Benefits	51400	113,212	143,991	208,582	64,591	44.86
FICA Replacement Benefits	51500	6,544	10,339	14,407	4,068	61.35
Group Insurance Benefits	51600	81,290	81,960	144,145	62,185	75.87
Employee Transportation Subsidy	51700	7,135	11,967	10,886	(1,081)	(9.03)
Workers' Compensation	51800	2,654	3,054	3,943	889	29.11
Other Post Employment Benefits	51850		53,107	68,571	15,464	29.12
Board Stipends	51900					
<b>Total Personnel Expenditures</b>		855,627	960,722	1,375,694	414,972	43.19
<b>Services &amp; Supplies Expenditures</b>						
Travel In-State	52200	2,718	9,000	7,500	(1,500)	(16.67)
Travel Out-of-State	52220		7,000	4,500	(2,500)	(35.71)
Training & Education	52300	4,958	10,000	8,500	(1,500)	(15.00)
Repair & Maintenance (Equipment)	52400					
Communications	52500	946	2,000	2,000		
Building Maintenance	52600					
Utilities	52700					
Postage	52800					
Printing & Reproduction	52900	509				
Equipment Rental	53100					
Rents & Leases	53200					
Professional Services & Contracts	53300	528,932	540,000	650,000	110,000	20.37
General Insurance	53400					
Shop & Field Supplies	53500					
Laboratory Supplies	53600					
Gasoline & Variable Fuel	53700					
Computer Hardware & Software	53800		3,000	3,000		
Stationery & Office Supplies	53900	227				
Books & Journals	54100					
Minor Office Equipment	54200					
<b>Total Services &amp; Supplies Expenditures</b>		538,290	571,000	675,500	104,500	18.30
<b>Capital Expenditures</b>						
Leasehold Improvements	60100					
Building & Grounds	60105					
Office Equipment	60110					
Computer & Network Equipment	60115					
Motorized Equipment	60120					
Lab & Monitoring Equipment	60125					
Communications Equipment	60130					
General Equipment	60135					
PM 2.5 Equipment	60140					
<b>Total Capital Expenditures</b>						
<b>Transfer In/Out</b>		244,430				
<b>Total Expenditures</b>		1,638,347	1,531,722	2,051,194	519,472	33.91

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ADMINISTRATION COMMITTEE MEETING  
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# Special Revenue Fund

## Compliance and Enforcement

The Compliance & Enforcement Division ensures the Air District will realize the emission reductions achieved by the air quality regulations adopted by the Board of Directors, and permit conditions issued by the Executive Officer/APCO. Compliance with Air District, state, and federal regulations is achieved through a robust Compliance Assurance and Enforcement Program that includes comprehensive inspections and investigations and a complementary Compliance Assistance Program that supports compliance objectives of the Division by maintaining operations and assisting industry with air quality regulations and requirements. The Division works closely with local and state regulatory agencies, regulated industry and members of the community to provide the highest level of service to protect air quality and public health. The Division implements Air District strategies and enforces regulations that pertain to stationary sources, and has some mobile source enforcement authority in collaboration with the California Air Resources Board. Division priorities include conducting Title V and Synthetic Minor facility inspections, locating unpermitted sources of operations, resolving violations at facilities with ongoing non-compliance and responding to and investigating air quality complaints. Staff work collaboratively across Divisions to achieve the Air District's mission and apply the appropriate level RI enforcement proportional to the level of non-compliance. The Division vigorously pursues violators who show a disregard for the law and well-being of the public and ensures corrective actions and measures to resolve violations are taken.

The Compliance and Enforcement Division continues to focus on activities that support the Air District's commitment to achieve clean air to protect public health and the environment as follows:

The Compliance Assurance and Enforcement Program's focus on announced and unannounced inspections of air pollution sources to ensure compliance. Targeted strategies are used to guide inspections to identify non-compliance and reduce excess emissions. Sources include: Title V and Synthetic Minors facilities, petroleum refineries, chemical plants, dry cleaners, gasoline dispensing facilities, autobody shops, asbestos renovations and demolitions, agricultural and prescribed burning, and other permitted sources. Other facets of the program requiring Division resources include investigations of Title V deviation reporting, Reportable Compliance Activities, and other inspections pertaining to the Portable Equipment Registration Program (PERP), Asbestos projects (renovations, demolitions and naturally occurring asbestos  $\pm$  NOA), compliance determinations for State Air Toxics Control Measures (ATCMs) and Federal Maximum Available Control Technology (MACTs) for air toxics. Air pollution complaints and incident response and investigations are a high priority in the Division that aim to address and resolve air quality concerns of local communities.

The Compliance Assistance Program develops outreach materials, advisories, policies and procedures and guidance information and implements compliance strategies that complement a wide range of enforcement efforts. The program aims to enhance industry and public understanding of compliance and enforcement programs and regulatory requirements, address compliance concerns and assist in resolving air quality violations. Key programs and subjects in Compliance Assistance and 2SHUDWLRQ include the Air District's Wood Smoke Reduction Program, Air Quality Complaint Program, AB617 Community Health Protection Program in West Oakland and Richmond/San Pablo, Wildfire Air Quality Response Program, Commuter Benefits, Title V, Open Burning, Flare Monitoring, Naturally Occurring Asbestos, Inspector Training, Green Business Certifications, Variance and Hearing Board Activities, and many others involving state, federal and Air District regulations and requirements. The program also maintains online web information, the dispatch operating system and the compliance assistance and complaint phone lines which are all integral interfaces with the public.

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Tracy Lee & Edward Giacometti	
<b>Program Purpose:</b>	
Conduct enhanced inspection patrols to report smoking vehicles and to promote repair or retirement of these vehicles for the protection of public health. Conduct enhanced inspections to enforce drayage truck and related truck/mobile source regulations at, and adjacent to, the Port of Oakland.	
<b>Description of Program:</b>	
The enhanced mobile source inspection program is conducted to reduce particulate matter (PM) emissions throughout the Bay Area, and of PM and other emissions specifically at, and adjacent to, the Port of Oakland. Enhanced enforcement patrols are conducted for smoking vehicles. All Air District inspectors patrol for smoking vehicles on the road, between performing inspections and answering complaints. Smoking vehicles are reported to Air District dispatchers; owner information is extracted from Department of Motor Vehicles (DMV) records. Letters are sent to owners to request that they repair or retire the respective vehicles; compliance assistance materials are included. Enhanced enforcement of the State drayage truck regulation (DTR) and related truck/mobile source regulations is conducted at, and adjacent to, the Port of Oakland. Targeted enforcement includes ensuring compliance with required upgrades and modifications to engine model year 2010 and newer for drayage trucks. Enhanced patrols and enforcement are conducted to ensure that illegal dray-off activities and excess idling are not performed. Compliance checks of mobile source equipment and vehicles are conducted to verify adherence to State regulations. Compliance assistance materials are developed; outreach is conducted with truckers and other mobile source operators regarding regulation(s) requirements, compliance deadlines and the availability of Air District grants and incentives.	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Smoking Vehicles: Conduct inspection patrols for smoking vehicles. Vehicle owners are identified using DMV records. Notification letters are sent to vehicle owners to inform them of the vehicle's excess emissions and to request that they repair the vehicle or contact assistance programs to retire the vehicle.	
Port Trucks Compliance Assurance: Conduct enhanced mobile source inspections at and adjacent to the Port of Oakland for compliance with the State DTR and related truck/mobile source regulations. Additional inspections are conducted and targeted at ensuring upgrades and modifications to engine model year 2010 and newer trucks in compliance with the requirements of Phase 1 and Phase 2 of the California Air Resources Board's DTR. Additional focused inspections are conducted for compliance with dray-off provisions of the regulation and to ensure that non-compliant trucks do not enter the Port. Air District staff also verify compliance with State mobile source regulations pursuant to the Air District's Mobile Source Compliance Plan.	
Port Trucks Enforcement: Conduct investigations and inspections, issue and process Notice of Violations for trucks and other mobile sources found in non-compliance.	
Port Trucks Compliance Assistance: Develop fact sheets, posters and other outreach materials to provide to Port operators and truckers on regulatory requirements, upcoming compliance dates and the availability of Air District grants. Develop compliance assistance materials for related mobile source regulatory requirements. Provide compliance assistance during inspections and following enforcement actions; provide bilingual assistance where needed. Identify and translate compliance assistance materials. Participate in Trucker Workgroup meetings at the Port, as needed.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Not applicable.	Ongoing

# Enhanced Mobile Source Inspections (TFCA)

318

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	4,760	3,593	(3,593)	(100.00)
Overtime Salaries	51150				
Temporary Salaries	51200	58			
Payroll Taxes	51300	76	50	(50)	(100.00)
Pension Benefits	51400	1,155	780	(780)	(100.00)
FICA Replacement Benefits	51500	56	87	(87)	(100.00)
Group Insurance Benefits	51600	705	711	(711)	(100.00)
Employee Transportation Subsidy	51700	64	100	(100)	(100.00)
Workers' Compensation	51800	21	26	(26)	(100.00)
Other Post Employment Benefits	51850		445	(445)	(100.00)
Board Stipends	51900				
<b>Total Personnel Expenditures</b>		6,895	5,792	(5,792)	(100.00)
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200				
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500	2,575	3,000	3,000	
Building Maintenance	52600				
Utilities	52700				
Postage	52800		4,000	4,000	
Printing & Reproduction	52900	8,340	8,000	8,000	
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300				
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>		10,915	15,000	15,000	
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>		3,541	2,606	(2,606)	(100.00)
<b>Total Expenditures</b>		21,351	23,398	(8,398)	(35.89)

<b>Managing Division:</b>	
Compliance & Enforcement Division	
<b>Contact Person:</b>	
Tracy Lee & Edward Giacometti	
<b>Program Purpose:</b>	
Implementation of the Commuter Benefits Program, per the requirements of Air District Regulation 14-1.	
<b>Description of Program:</b>	
As part of the implementation of the Commuter Benefits Program, staff plans to continue performing education, outreach, monitoring and tracking of approximately 10,000 Bay Area employers subject to the Program. Enforcement actions will be taken as appropriate.	
<b>Justification of Change Request:</b>	
None.	
<b>Activities</b>	
Perform outreach to affected employers.	
Continue education campaign for affected employers.	
Perform tracking and monitoring of program.	
Facilitate data reporting and storage for affected employers.	
Coordinate activities with Metropolitan Transportation Commission's 511.org.	
Prepare and implement a compliance and enforcement system.	
<b>Major Objectives</b>	<b>Delivery Date</b>
Conduct outreach and education.	Ongoing
Prepare and implement a compliance and enforcement system.	Ongoing

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# Commuter Benefits Program (TFCA)

319

		Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	Program Actuals 2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries	51100	43,157	52,216	(52,216)	(100.00)
Overtime Salaries	51150				
Temporary Salaries	51200	5,111			
Payroll Taxes	51300	667	741	(741)	(100.00)
Pension Benefits	51400	10,167	12,059	(12,059)	(100.00)
FICA Replacement Benefits	51500	486	769	(769)	(100.00)
Group Insurance Benefits	51600	6,055	7,018	(7,018)	(100.00)
Employee Transportation Subsidy	51700	527	890	(890)	(100.00)
Workers' Compensation	51800	191	227	(227)	(100.00)
Other Post Employment Benefits	51850		3,950	(3,950)	(100.00)
Board Stipends	51900				
<b>Total Personnel Expenditures</b>	66,361	77,870		(77,870)	(100.00)
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State	52200	6,000	6,000		
Travel Out-of-State	52220				
Training & Education	52300				
Repair & Maintenance (Equipment)	52400				
Communications	52500				
Building Maintenance	52600				
Utilities	52700				
Postage	52800	5,000	5,000		
Printing & Reproduction	52900				
Equipment Rental	53100				
Rents & Leases	53200				
Professional Services & Contracts	53300				
General Insurance	53400				
Shop & Field Supplies	53500				
Laboratory Supplies	53600				
Gasoline & Variable Fuel	53700				
Computer Hardware & Software	53800				
Stationery & Office Supplies	53900				
Books & Journals	54100				
Minor Office Equipment	54200				
<b>Total Services &amp; Supplies Expenditures</b>		11,000	11,000		
<b>Capital Expenditures</b>					
Leasehold Improvements	60100				
Building & Grounds	60105				
Office Equipment	60110				
Computer & Network Equipment	60115				
Motorized Equipment	60120				
Lab & Monitoring Equipment	60125				
Communications Equipment	60130				
General Equipment	60135				
PM 2.5 Equipment	60140				
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>	34,083	35,042		(35,042)	(100.00)
<b>Total Expenditures</b>	100,444	123,912	11,000	(112,912)	(91.12)

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ADMINISTRATION COMMITTEE MEETING  
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## Special Revenue Fund

### Community Engagement

The Community Engagement and Policy Division engages the public in Air District programs and policies. The Community Engagement Program is the Air District's main point of contact with the public and employs inclusive and equitable community engagement strategies to increase awareness, foster relationships, and ensure opportunities for stakeholder participation in planning and decision-making. Staff particularly seek opportunities for those that have been historically excluded, discriminated against, under-represented, or under-resourced to participate and shape Air District decisions that impact their lives and improve public health. The Rule Development Program is responsible for the development of regulations to implement Air District plans to attain Federal and State air quality standards, and to protect public health. Additionally, staff review existing regulations and develop revisions to improve clarity, efficiency and effectiveness.

ADMINISTRATION COMMITTEE MEETING  
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<b>Managing Division:</b>	
Community Engagement Division	
<b>Contact Person:</b>	
Kristen Law	
<b>Program Purpose:</b>	
This program will implement a Supplemental Environmental Project (SEP) funded by the California Air Resources Board (CARB). The goal of the program is to provide high efficiency indoor air filtration systems in some of the most impacted communities in the Bay Area.	
<b>Description of Program:</b>	
In 2018 the Air District applied for a Supplemental Environmental Project grant from CARB and received \$2,000,000 to provide air filtration systems at sensitive receptor facilities in disproportionately impacted and disadvantaged communities in the Bay Area. The program will focus on providing filtration to public elementary schools in priority communities identified through AB 617. The Air District will manage a contract to support installation and maintenance of air filtration systems.	
<b>Justification of Change Request:</b>	
N/A	
<b>Activities</b>	
<b>Major Objectives</b>	<b>Delivery Date</b>
Implement first CARB SEP for filtration systems at elementary schools in AB 617 priority communities	June 2021

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Community Engagement - Special Project (Other Grant)

325

	Program Actuals	Approved Program Budget	Proposed Program Budget	FTE/Dollar Change	Percent Change
	2020	2021	2022	\$	%
<b>Number of Positions (FTE)</b>					
<b>Personnel Expenditures</b>					
Permanent Salaries		51100			
Overtime Salaries		51150			
Temporary Salaries		51200			
Payroll Taxes		51300			
Pension Benefits		51400			
FICA Replacement Benefits		51500			
Group Insurance Benefits		51600			
Employee Transportation Subsidy		51700			
Workers' Compensation		51800			
Other Post Employment Benefits		51850			
Board Stipends		51900			
<b>Total Personnel Expenditures</b>					
<b>Services &amp; Supplies Expenditures</b>					
Travel In-State		52200			
Travel Out-of-State		52220			
Training & Education		52300			
Repair & Maintenance (Equipment)		52400			
Communications		52500			
Building Maintenance		52600			
Utilities		52700			
Postage		52800			
Printing & Reproduction		52900			
Equipment Rental		53100			
Rents & Leases		53200			
Professional Services & Contracts	1,605,656	1,500,000		(1,500,000)	(100.00)
General Insurance		53400			
Shop & Field Supplies		53500			
Laboratory Supplies		53600			
Gasoline & Variable Fuel		53700			
Computer Hardware & Software		53800			
Stationery & Office Supplies		53900			
Books & Journals		54100			
Minor Office Equipment		54200			
<b>Total Services &amp; Supplies Expenditures</b>					
	1,605,656	1,500,000		(1,500,000)	(100.00)
<b>Capital Expenditures</b>					
Leasehold Improvements		60100			
Building & Grounds		60105			
Office Equipment		60110			
Computer & Network Equipment		60115			
Motorized Equipment		60120			
Lab & Monitoring Equipment		60125			
Communications Equipment		60130			
General Equipment		60135			
PM 2.5 Equipment		60140			
Biotech Equipment		60145			
<b>Total Capital Expenditures</b>					
<b>Transfer In/Out</b>					
<b>Total Expenditures</b>					
	1,605,656	1,500,000		(1,500,000)	(100.00)

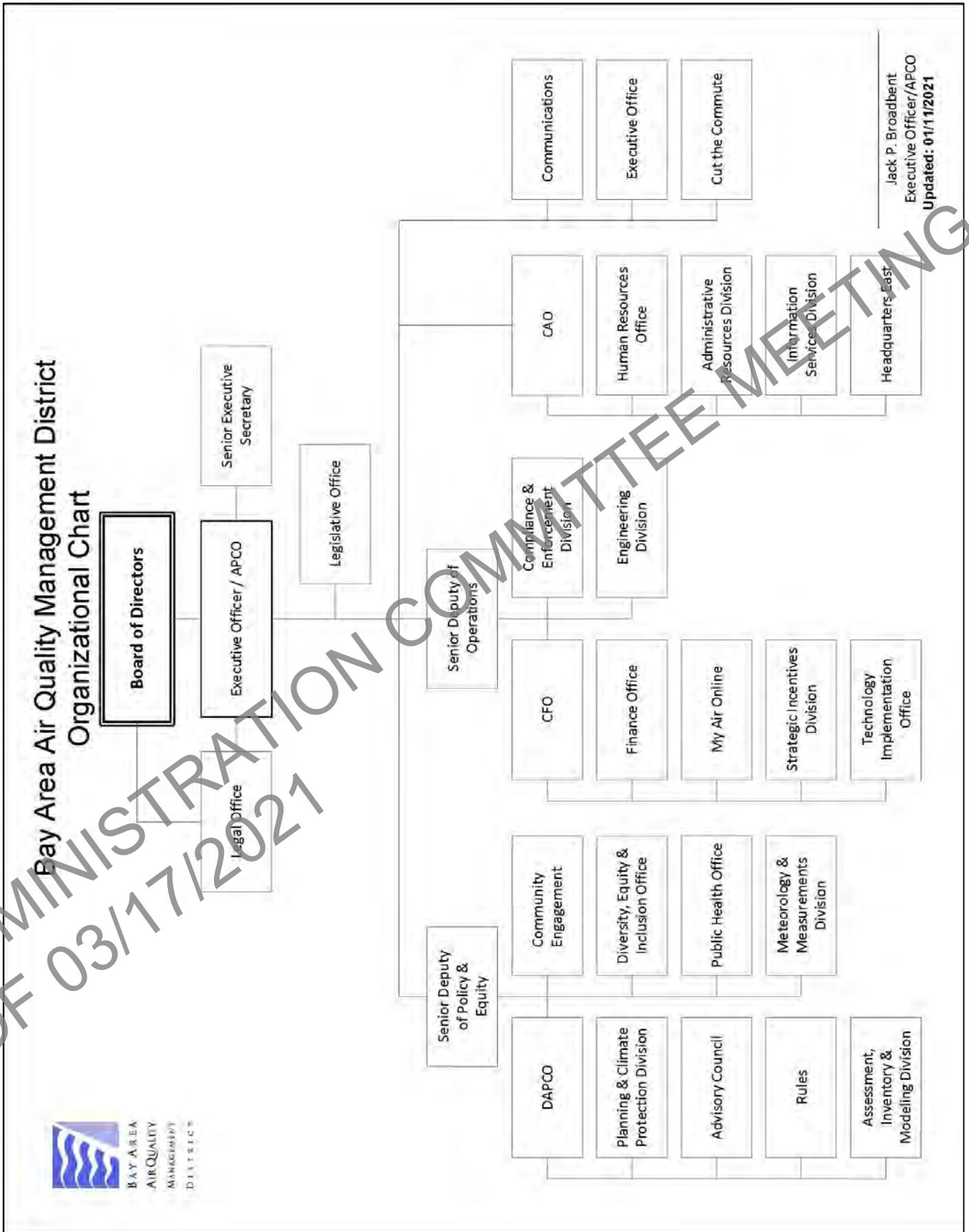
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ADMINISTRATION COMMITTEE MEETING  
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Appendices

ADMINISTRATION COMMITTEE MEETING  
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APPENDIX A





## APPENDIX B

### SELECTED LEGAL REQUIREMENTS

The following highlights selected major legal requirements regarding the use and collection of funds that are considered when developing and reviewing the Air District's budget:

1. Federal law requires that the Air District collect fees from affected facilities to fund the implementation of Title V of the Federal Clean Air Act (42 U.S.C. Section 7401, et seq. and implementing regulations in 40 CFR Parts 60 and 70). Implementation of Title V includes all activities involved in the review, issuance and enforcement of Title V Permits. "Affected facilities" include all PDJOR stationary sources as defined in the Federal Clean Air Act.
2. Revenue received by the Air District pursuant to *California Health and Safety Code* Section 44220, et seq. (Transportation Fund for Clean Air (TFCA)) may only be used to fund approved projects, and certain expenditures incurred for administration of the TFCA program, including audits. The expenditures for the administration of TFCA grants are contained in the Transportation Fund for Clean Air Administration.
3. Permit fee revenue may only be used to fund activities associated with the permitting, monitoring, and enforcement of regulations affecting permitted stationary sources. Past audits of District activities have shown that the Air District's programs meet this test.
4. Funding from several sources, including grants, is restricted, and thus may only be used to fund certain activities. Air District accounts are periodically audited to ensure that such funds are used appropriately.
5. *California Health and Safety Code* Section 40131(a)(3) requires that two public hearings be held regarding the adoption of the District budget. The first hearing is for the exclusive purpose of reviewing the budget and providing the public with the opportunity to comment upon the proposed budget. This hearing must be separate from the hearing at which the District adopts its budget. The adoption hearing may not be held any sooner than two weeks after the first hearing. Thirty (30) days public notice must be given before the first public hearing.
6. The Maintenance of Effort (MOE) level refers to a Federal EPA Section 105 grant condition. This condition states that, "No agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year unless the Administrator, after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of Government." Depending on the expenditures reported on the Federal Status Report (FSR) at the conclusion of the federal FYE 2021, receipt of the Federal grant funds for FYE 2022 could be delayed or jeopardized because of this MOE requirement.

## APPENDIX C

### GENERAL FUND RESERVES AND LIABILITIES

FUND BALANCES	6/30/2020 Actuals	6/30/2021 Projected	6/30/2022 Projected
DESIGNATED: *			
Community Benefits			1,000,000
Economic Contingency	20,082,966	21,294,922	23,303,025
Pension Liability	3,000,000	3,000,000	3,000,000
Technology Implementation Office	3,350,000	3,350,000	3,350,000
Woodsmoke Grant	1,000,000	1,000,000	1,000,000
<b>TOTAL DESIGNATED</b>	<b>\$27,432,966</b>	<b>\$28,644,922</b>	<b>\$31,653,025</b>
UNDESIGNATED	26,401,581	20,029,943	16,521,840
<b>TOTAL DESIGNATED &amp; UNDESIGNATED</b>	<b>\$53,834,547</b>	<b>\$48,674,865</b>	<b>\$48,174,865</b>
<b>TOTAL FUND BALANCE</b>	<b>\$53,834,547</b>	<b>\$48,674,865</b>	<b>\$48,174,865</b>
* Designated Fund Balances are subject to change at Board's discretion.			
<b>ESTIMATED OUTSTANDING LIABILITIES</b>			
CalPERS Pension Retirement			86,309,901
Other Post Employment Benefits			18,368,386
Certificate of Participation Notes			21,556,670
<b>TOTAL ESTIMATED OUTSTANDING LIABILITIES</b>			<b>\$126,234,957</b>

## APPENDIX C

### GENERAL FUND RESERVES AND LIABILITIES

APPENDIX C depicts the actual unrestricted funds at the end of FYE 2020, as well as, the projected amount for FYE 2021 and FYE 2022. For FYE 2021, a recommendation of \$5.2 million is to balance the operating budget for the Air District. For FYE 2022, a recommendation of \$0.5 million is to continue capital building improvements for the Air District's Richmond 211LFH In an effort to remain fiscally prudent, the District established an economic contingency reserve policy (greater than 20% of General Fund operating expense) to ensure the stability of services for a period of time and the ability to set aside fund for anticipated projects and future obligations. Over the years, staff recommends reserve designations to be set aside for a specific purpose. The following is a brief description summarizing designated categories as shown in the table on the previous page. Any designated and undesignated funds is subject to change at Board's discretion.

- Community Benefits established in FYE2022 to provide community benefits.
- Economic Contingency established in FYE2008 at the request of the Board for unplanned expenditures and/or unanticipated loss in revenues. In FYE2016, the Board approved a 20% reserve policy as a funding target.
- Napa/Sonoma Fireplace Replacement Grant established in FYE 2019 to assist fire victims rebuild home fireplaces with cleaner heating options.
- Pension Liability established in FYE2018 to reduce future rate increases to pension benefits over time.
- Technology Implementation Office established in FYE2019 to fund projects using a revolving loan arrangement to leverage funding.
- Wood Smoke Grant established in FYE2018 to extend the grants program especially to high wood smoke areas.
- Undesignated is any remaining reserves not designated. These funds can be designated at any time.

Appendix C also includes a list of the Air District's Outstanding Liabilities:

- Pension Retirement ± The Air District provides a retirement pension benefit plan through California Public Employee Retirement System (CalPERS). As of most recent valuation of the plan, that Air District's unfunded liability for the plan was \$91.0 million.
- Other Post-Employment Benefits ± The Air District provides continuation of medical, dental, vision and life insurance coverage to its retired employees through California Employers Retirement Benefit Trust (CERBT). As of most recent valuation of the plan, that Air District's unfunded liability for the plan was \$18.0 million.
- Certificate of Participation Notes (COP) ± The Air District issued COPs to finance its headquarters at 375 Beale. As of June 2020, the estimated principal and interest outstanding were \$27 million.

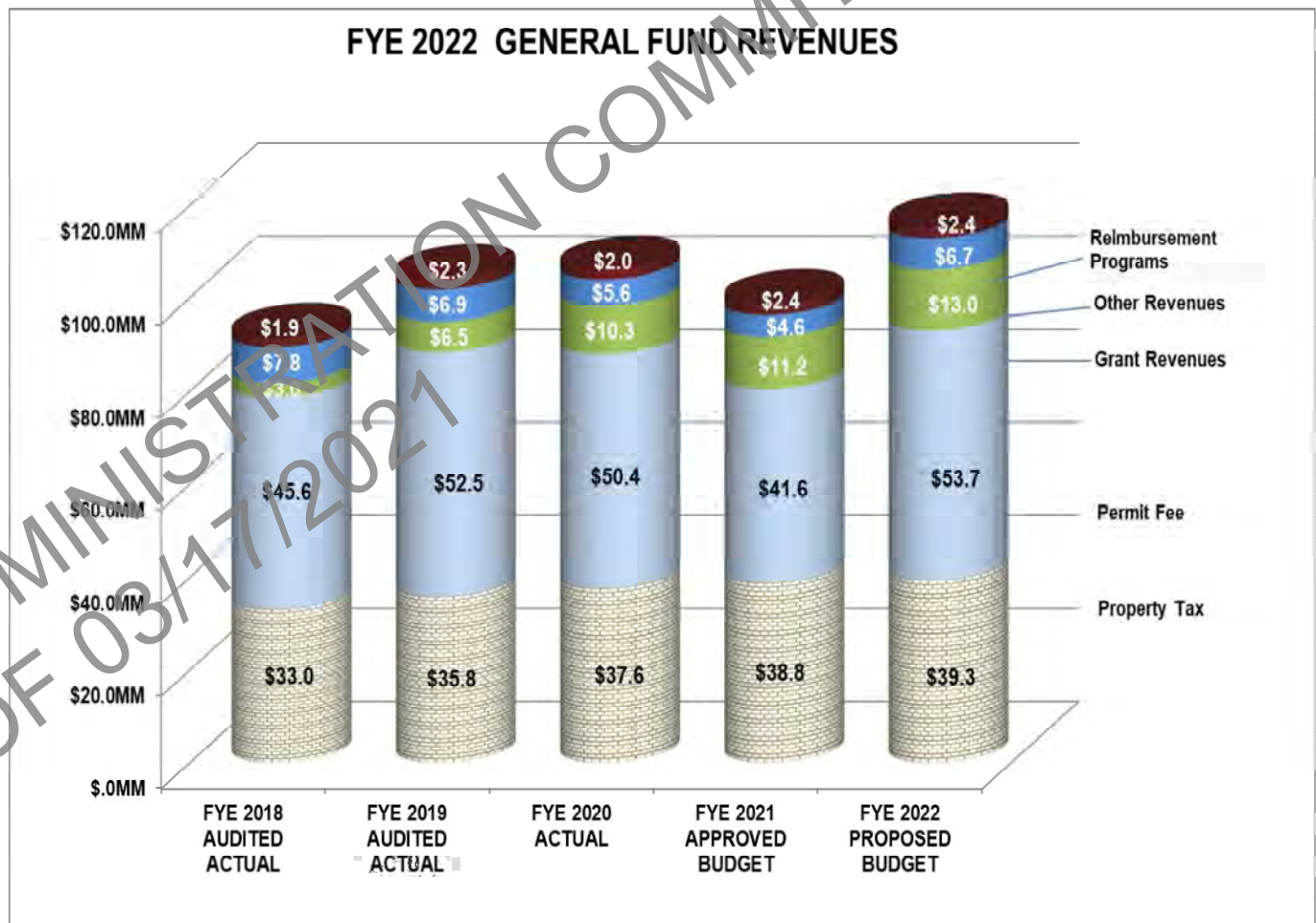
## APPENDIX D

Figure 1

### General Fund Revenue Trends

Figure 1 below graphically displays the trends in the sources of revenue used to fund expenditures each year from FYE 2018 through FYE2020 along with the adopted and approved budgets for FYE 2021 and FYE 2022, respectively.

As seen from Figure 1, permit fees are the District's largest source of revenue. Permit fees fluctuates from FYE 2018 through FYE 2020 because of certain fees being billed based on economic activities and the proposed fee increases to each individual fee schedule. In FYE 2021, projected fees were expected to decrease due to postponement of fee increase to the economic uncertainty of COVID-19. A new fee for the Air District AB617 Community Protection Program was approved in FYE 2021. In FYE 2022 projected fees are expected to increase due to proposed recommendation to reinstate increases to existing fee schedules, as well as, a new fee for Criteria Pollutant & Toxic Reporting program. County revenues experienced significant increases over the past three years because of increased property valuation and construction activities in the Bay Area. This revenue source is expected to remain steady with slight increase in FYE 2022. Other General Fund sources of revenue have experience slight growth as well over the year, mainly related to new grant funded from EPA.

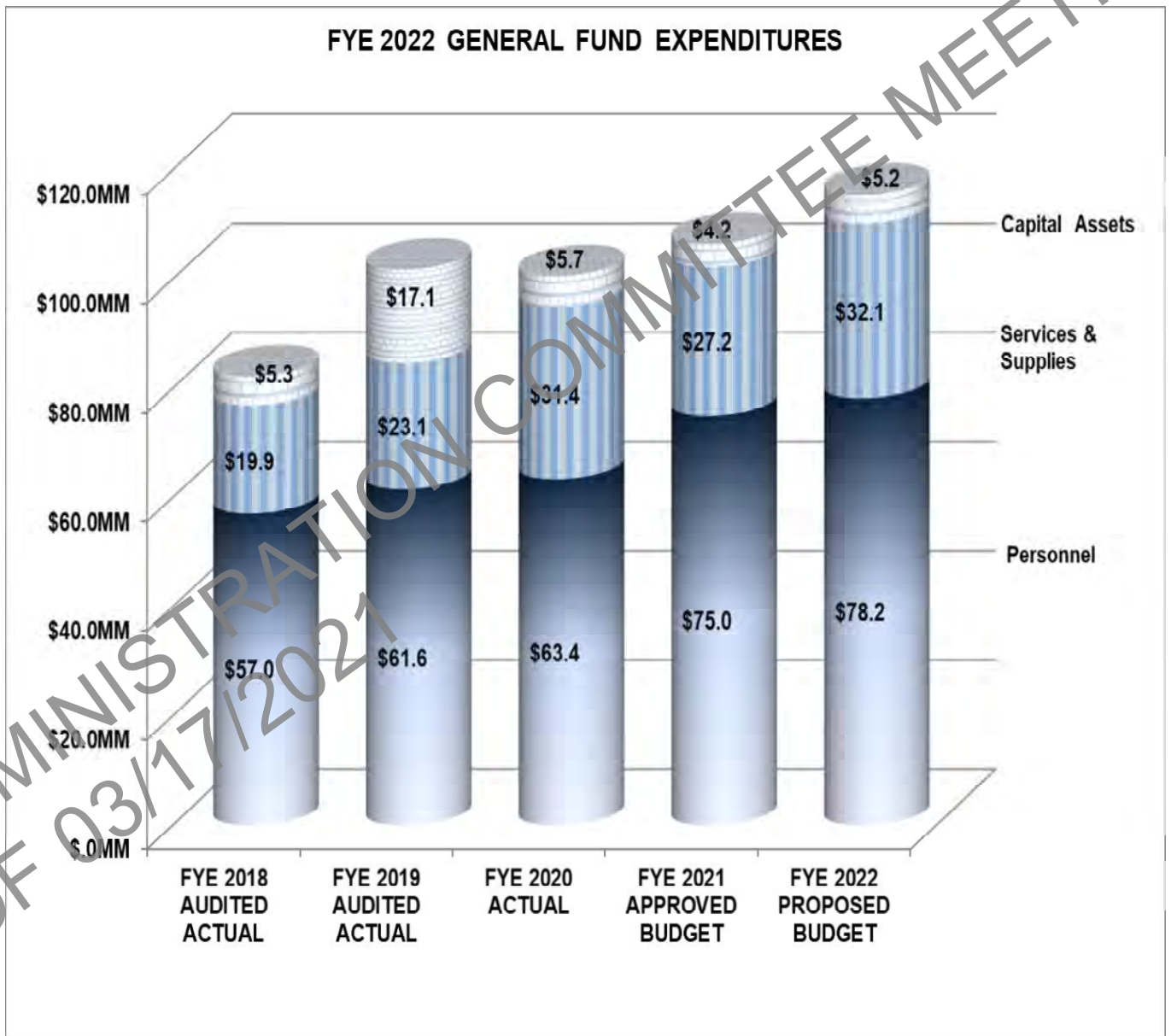


## APPENDIX E

Figure 2

### General Fund Expenditure Trends

Below Figure 2 shows the trends in actual expenditures from FYE 2018 through FYE 2020 along with the approved expenditure budgets for FYE 2021 and FYE 2022, respectively. From FYE 2018 through FYE 2022, total General Fund have risen at an average rate of 8.9% per year from \$82.2 million to \$115.5 million due to increased Personnel Costs, Services and Capital Programs expenditures. The FYE 2022 General Fund Proposed Budget shows a projected \$9M increase in expenditures over FYE 2021



## APPENDIX F

### General Fund 5 Year Projection

	FYE 2020 Actuals	FYE 2021 Budget	FYE 2022 Projected	FYE 2023 Projected	FYE 2024 Projected	FYE 2025 Projected
<b>REVENUES</b>						
Property Tax	\$37,558,118	\$38,770,162	\$39,335,284	\$40,515,343	\$41,730,803	\$42,982,727
Permits/Fees	\$50,398,317	\$41,623,723	\$53,678,690	\$55,289,051	\$56,947,722	\$58,656,154
Grant Revenues	\$4,324,806	\$4,601,447	\$6,394,112	\$4,948,054	\$4,987,536	\$5,027,411
AB 617 Funding	\$7,611,383	\$9,000,000	\$9,000,000	\$9,000,000	\$9,000,000	\$9,000,000
Other Revenues	\$5,988,959	\$4,618,711	\$6,745,848	\$6,844,047	\$6,944,189	\$7,046,313
	\$105,881,583	\$98,614,043	\$115,153,934	\$116,596,494	\$119,610,250	\$122,712,605
Transfer from Special Funds	\$1,665,843	\$2,700,886	\$1,361,189	\$1,388,413	\$1,416,181	\$1,444,505
Use of / (Transfer to) Fund Balance	\$ (5,872,253)	\$ 5,159,682	\$ 500,000	\$ (1,032,625)	\$ 1,691,011	\$ 143,298
<b>TOTAL REVENUES</b>	<b>\$101,675,174</b>	<b>\$106,474,611</b>	<b>\$117,015,123</b>	<b>\$119,017,532</b>	<b>\$122,717,443</b>	<b>\$124,300,408</b>
<b>EXPENDITURES</b>						
Personnel & Benefits (net Pension/OPEB)	\$51,909,228	\$57,597,447	\$53,173,073	\$61,579,813	\$63,980,575	\$65,801,641
Retirement Pension (Pension)	\$8,723,899	\$10,763,501	\$12,296,429	\$13,899,868	\$14,627,137	\$13,806,492
Other Post Employment Benefits (OPEB)	\$2,754,944	\$6,633,700	\$6,724,301	\$6,051,372	\$6,098,651	\$6,148,160
Services and Supplies	\$32,542,127	\$27,243,515	\$33,633,862	\$32,564,647	\$32,990,812	\$33,423,442
Capital Expenditures	\$5,744,976	\$4,236,448	\$5,187,458	\$4,921,831	\$5,020,268	\$5,120,673
	\$104,675,174	\$106,474,611	\$117,015,123	\$119,017,532	\$122,717,443	\$124,300,408
<b>TOTAL EXPENDITURES</b>	<b>\$104,675,174</b>	<b>\$106,474,611</b>	<b>\$117,015,123</b>	<b>\$119,017,532</b>	<b>\$122,717,443</b>	<b>\$124,300,408</b>
<b>GENERAL FUND RESERVES</b>						
Beginning	\$45,626,864	\$53,834,547	\$48,674,865	\$48,174,865	\$47,142,240	\$45,451,229
(Use of) / (Transfer to) Fund Balance	\$8,207,683	(\$5,159,682)	(\$500,000)	(\$1,032,625)	(\$1,691,011)	(\$143,298)
<b>Ending General Fund Reserves</b>	<b>\$53,834,547</b>	<b>\$48,674,865</b>	<b>\$48,174,865</b>	<b>\$47,142,240</b>	<b>\$45,451,229</b>	<b>\$45,307,931</b>
<b>20% Minimum Reserve Policy</b>	<b>\$20,082,966</b>	<b>\$21,294,922</b>	<b>\$23,303,025</b>	<b>\$23,803,506</b>	<b>\$24,543,489</b>	<b>\$24,860,082</b>



## APPENDIX F

### Figure 3 and Budget Assumptions

#### Revenue Assumptions

- a. **Property Tax** shows slow to no growth given current economic conditions of the Bay Area construction and housing markets. The five-year forecast assumes revenues remain flat for year 2022; thereafter, only a 2-3% inflationary growth in years 2023 through 2025.
- b. **Permit Fee** revenues are expected to increase by approximately 5% in year 2022 mainly from the implementation of new fees related to AB617 and CTR. The Air District will continue to assess the impacts of COVID-19. In year 2023 through 2025, the annual forecasted increase is approximately 3%. The Air District's Cost Recovery policy, which allows the Air District to increase its fee schedule to recover costs for permit related activities. The current cost recovery level of 85% is expected to drop in the year 2022 due to increased staffing levels associated with permit related activities. Projections suggest cost recovery attainment of 85% level before the end of the five-year forecast, as implementation of new and enhanced programs continues, and costs begins to level out.
- c. **Grant Revenues** remain stable through 2025 based on year 2021 funding with one new grant from EPA expected in year 2022.
- d. **Assembly Bill 617** funding of \$9.0 million from the State continues for the next 5 years.
- e. **Other Revenues** mainly account for penalties, State subvention, and interest income. These revenues are expected to remain stable through year 2025.

#### Expenditure Assumptions

- a. **Personnel** costs are projected to increase for the five-year period with a small annual cost of living adjustment, a slight increase in health premiums, and the funding and filling of 400 of the 441 proposed authorized positions being funded by the General Fund, remaining 41 positions are funded from Special Revenue Funds. Staffing level of 441 positions is anticipated for the next 5 years. The projection assumes a 5% vacancy rate in 2022, declining by 1% in year 2023 and 2024 and remains stable at 3% in year 2025.
- b. **Retirement Pension** costs are rising due to recent discount rate reduction by CalPERS and escalating unfunded liability payments. The forecast assumes implementation of the Air District's approved policy to make discretionary payments to CalPERS to reduce the unfunded actuarial liability (UAL).
- c. **Other Post Employment Benefits (OPEB)** for retiree medical benefits are projected to be approximately 100% funded by FYE 2025. After that, the \$4.0 million in discretionary funding will shift towards the CalPERS Pension Plan to reduce the UAL.
- d. **Services and Supplies** overall costs are projected to remain to increase in year 2022, assuming only an inflationary increase of approximately 2-3% for year 2023 through 2025.
- e. **Capital Expenditures** assumes ongoing capital equipment and one-time funding in FYE 2022 to pay for office improvement to Headquarters East in Richmond. FYE 2023-2025 assumes normal capital equipment replacement only with an inflationary increase.

**General Fund Reserves** are used to fund one-time costs, and to cover temporary revenue shortfalls. The Air District plan to use approximately \$0.5 million in reserves for FYE 2022 to continue capital improvements to the Richmond Office building. Based on current assumptions, reserves are expected to stay above the minimum policy level through year 2025 due to a healthy reserve balance. Air District will need to close monitor the budget and be fiscally prudent to whether the current economic downturn.

# APPENDIX G

## Definitions

**AB 434 (Assembly Bill 434) ±** This enacted bill resulted in *California Health and Safety Code* Section 44241 which authorizes the District to levy a fee on motor vehicles registered in the District. The revenue must be used to fund specified programs aimed at the reduction of air pollution from motor vehicles. The bill allows the District to allocate not more than five percent (5%) of the fees distributed for administrative costs. See TFCA (Transportation Fund for Clean Air).

**AB 617 (Assembly Bill 617)** This enacted bill requires the state board to develop a uniform statewide system of annually reporting of emissions of criteria air pollutants and toxic air contaminants for use by certain categories of stationary sources.

**AB 923 (Assembly Bill 923) ±** This enacted bill allows an additional \$2 surcharge on Motor Vehicle Registration fees for MSIF (Mobile Source Incentive Fund).

**AHM (Acutely Hazardous Material) ±** Those materials that have been defined as such by either State or Federal regulations as being hazardous to human health.

**AIRS (Aerometric Information Retrieval System) ±** Computerized information system as delineated by the EPA (Environmental Protection Agency).

**APCO ± Air Pollution Control Officer ±** Appointed by the Board of Directors.

**Appropriation ±** A legal authorization to incur obligations and to make expenditures for specific purposes.

**Association of Bay Area Governments (ABAG) ±** Regional agency covering the nine counties of the Bay Area, responsible for population projections, various services for local agencies, and co-lead agency for federal air quality planning.

**A&WMA (Air & Waste Management Association) ±** The international nonprofit organization of regulatory, business, academic and research communities for air and waste management professionals.

**BACT (Best Available Control Technology) ±** The lowest achievable emission rate to be applied to new and modified stationary sources pursuant to the District's New Source Review permitting program.

**Board ±** Board of Directors and also Hearing Board. The Board of Directors is the governing body of the District. The Hearing Board is appointed by the Board of Directors. (See Programs 121 and 122).

**California Clean Air Act 1988 ±** Statutory scheme to reduce air pollution from stationary and mobile sources as set forth in *California Health and Safety Code* Section 39600 et seq.

**Capital Expenditures ±** An amount spent to acquire land, building, equipment, vehicles etc. in order to increase capacity or efficiency by the District for more than 1 year. Such purchases are capitalized or depreciated over the useful life, except for land.

**Carl Moyer Program ±** Provides grants to public and private entities to reduce emissions of oxides of nitrogen, reactive organic gases and particulate matter from existing heavy-duty engines by either replacing or retrofitting them.

**CAPCOA (California Air Pollution Control Officers Association) ±** Organization comprised of local air pollution control officials; human resource and fiscal staff are also members.

**CARB or ARB (California Air Resources Board) ±** The State agency responsible for setting California Ambient Air Quality Standards (CAAQS) and motor vehicle emission standards, and for overseeing implementation of the California Clean Air Act.

**CEC (California Energy Commission) ±** The state agency responsible for energy policy and planning.

**CEMS ± (Continuous Emissions Monitoring Systems) ±** Technology that allows the District to measure certain emissions on a continuous basis.

**CEQA (California Environmental Quality Act) ±** State law that requires public agencies to analyze environmental impacts of proposed projects and plans. (*California Public Resources Code* Section 21000 et seq.)

**CFC (Chlorofluorocarbon) ±** Any of a group of compounds that contain carbon, chlorine, fluorine and sometimes hydrogen and are used as refrigerants, cleaning solvents, and aerosol propellants and in the manufacture of plastic foams.



**Clean Air Act Amendments of 1990 ±** Revisions to the Federal legislation governing air quality planning and control programs to meet National ambient air quality standards.

**CMA (Congestion Management Agency) ±** Countywide agency responsible for preparing and implementing congestion management programs.

**CMAQ ± (Congestion Mitigation and Air Quality) -** The District receives funding under this grant to fund the Spare the Air campaign.

**Contractual Services ±** Services rendered to a government by private firms, individuals, or other governmental agencies.

**COLA (Cost of Living Adjustment) ±** An adjustment to salaries based on the increased cost of living as defined by the percent change in the U.S. Department of Labor's Consumer Price Index.

**DAPCO (Deputy Air Pollution Control Officer) ±** Deputy Officer to the APCO.

**Environmental Justice ±** The fair treatment of people of all races and incomes with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment implies that no person or group of people should shoulder a disproportionate share of negative environmental and economic impacts resulting from the execution of environmental programs.

**EPA (Environmental Protection Agency) ±** Federal agency that oversees air, water and waste management. An assistance grant is provided to various agencies in their efforts to reduce air pollution.

**EPA 103 Grant ±** Provides funding for all aspects of operating the PM<sub>2.5</sub> fine particulate monitoring program as well as BioWatch, the National Air Toxic Trends Study (NATTS) Program and other supplemental study programs awarded by the EPA.

**EPA 105 Grant ±** Grant pursuant to federal Clean Air Act Section 105.

**Fiscal Year ±** A twelve-month period designated as the operating year for accounting and budgeting purposes in an organization; July 1 through June 30 is the fiscal year for the District.

**FICA (Federal Insurance Corporation Act) Replacement Benefits ±** In 1981, District employees elected to terminate participation in Social Security. FICA costs listed in the budget reflect the replacement benefit premiums paid in lieu of Social Security.

**Fixed Assets ±** Assets of long-term character that are intended to continue to be held or used, such as land, buildings, machinery, furniture and other equipment.

**FTE (Full-time Equivalent Position) ±** A position converted to the decimal equivalent of a full-time position based on 2,080 hours of work per year.

**Fund ±** A fiscal entity with revenues and expenditures that are segregated for the purpose of carrying out a specific purpose or activity.

**Fund Reserves ± Designated ±** That portion of the fund reserve designated by the governing body to indicate tentative plans for financial resource utilization in a future period.

**Fund Reserves ± Reserved ±** That portion of the fund reserve obligated by the issuance of purchase orders or contracts (encumbrances), or otherwise obligated and unavailable to meet the District's operating expenditures.

**Fund Reserves ± Undesignated ±** That portion of the unreserved fund reserve that represents the accumulated surplus which, as specified in the *California Government Code*, is restricted to the following uses: to meet cash requirements before the proceeds from revenues are available, to meet emergency expenditures, and at the end of each fiscal year to meet current year operating or subsequent year budget deficits.

**Fund Reserves ±** The equity accounts for the governmental fund types.

**Group Insurance Benefits ±** benefits provided to BAAQMD employees, including medical, dental, vision, and life insurance as well as State Disability Insurance, Section 125 cafeteria plan, Long Term Care and Long Term Disability, Section 457 deferred compensation plan, and COBRA program.

**IRIS (Integrated Reporting Information System) ±** The name of the District's database conversion project.

**MACT (Maximum Achievable Control Technology) ±** EPA standards mandated by the 1990 amendments to the Federal Clean Air Act for control of toxic air contaminants.

**Metropolitan Transportation Commission (MTC) ±** Bay Area regional agency responsible for transportation planning, financing and coordination; co-lead agency for Federal air quality planning.

**MSIF (Mobile Source Incentive Fund)** ± The Air District's grant program for allocating revenues from an additional motor vehicle registration fee surcharge for implementation of eligible projects.

**NOV (Notice of Violation)** ± A written citation informing a facility, or individual, that it has violated a specific air quality regulation or rule.

**OVA (Organic Vapor Analyzer)** ± Hand-held analyzer used to detect organic vapor leaks from valves and other chemical and refinery equipment.

**PERP (Portable Equipment Registration Program)** ± a program established by CARB allowing the operation of portable equipment in any air district throughout the state without individual local district permits.

**PERS (Public Employees Retirement System)** ± The retirement system contracted by the District to provide retirement benefits to employees

**Program Budget** ± A budget that allocates financial resources to functions or activities of government, rather than to specific types of expenditure, or to specific departments.

**PSM (Process Safety Management)** ± Federal OSHA regulation that requires industrial safety audits.

**Request for Proposals (RFP)** ± A document requesting bids to provide specified services or supplies.

**RMPP (Risk Management and Prevention Plan)** ± State Program that the District monitors to prevent accidental releases of hazardous materials.

**SIP (State Implementation Plan)** ± Bay Area portion of California plan to attain and maintain national ambient air quality standards.

**State Subvention Revenue** ± Pursuant to Part 2, Chapter 5 of the *California Health and Safety Code*, the California Air Resources Board must subvene and distribute funds to Districts engaged in the reduction of air contaminants. The distribution is based on a per-capita basis of population contained in the District.

**T-BACT (Toxic Best Available Control Technology)** ± The lowest achievable emission rate for toxic air contaminants at new or modified stationary sources.

**TCM (Transportation Control Measure)** ± A strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions.

**TFCA (Transportation Fund for Clean Air)** ± The District's grant program for allocating revenues from a PRWR vehicle registration fee surcharge to public agencies for implementation of eligible projects that reduce motor vehicle emissions.

**UNIX** ± A computer operating system.

**UTM** ± A coordinate system for geographical locations.

**Vehicle Buy Back** ± The District's sponsored incentive program for the scrapping RI 1985 and older models funded under TFCA. The program will pay eligible owners \$650 to contract with a specific auto dismantler to have their vehicle dismantled.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members  
of the Administration Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2021

Re: Proposed Amendments to Air District Regulation 3: Fees

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

Staff develops recommended amendments to the Air District's fee regulation as part of the budget preparation process. On March 7, 2012, the Board of Directors adopted a Cost Recovery Policy that established a goal of increasing fee revenue sufficient to achieve a minimum of 85 percent recovery of regulatory program costs. Progress towards this target is reported to the Board annually by staff and is periodically reviewed by outside consultants.

**DISCUSSION**

Consistent with the Cost Recovery Policy, draft amendments to specific fee schedules were made in consideration of the 2017-18 Matrix Consultant Group cost recovery and containment analysis. This work, conducted at the fee schedule-level, recommends larger increases being proposed for the schedules that have larger cost recovery gaps.

Existing fee schedules would be amended as follows:

- 1.5 percent increase for fee schedules that are recovering 95 to 110 percent of costs.
- 7 percent increase for fee schedules that are recovering 85 to 94 percent of costs.
- 8 percent increase for fee schedules that are recovering 75 to 84 percent of costs.
- 9 percent increase for fee schedules that are recovering 50 to 74 percent of costs.
- 15 percent increase for fee schedules that are recovering less than 50 percent of costs.

Fees that are administrative in nature would be increased by the annual Consumer Price Index for Bay Area Urban Wage Earners and Clerical Workers (CPI-W) of 1.5 percent from 2020 to 2021.

The annual Assembly Bill 617 Community Health Impact Fee will remain at 6.7 percent of permit renewal fees for Title V facilities.

The following additional amendments are proposed:

- Revise Section 3-327, Permit to Operate, Renewal Fees as follows:
  - A new fee for each facility subject to California Air Resource Board's (CARB's) Criteria Pollutants and Toxic Emissions Reporting (CTR) Regulation would be charged during permit renewal.
    - As part of Assembly Bill (AB) 617, CARB adopted the CTR Regulation in 2020 for the reporting of criteria air pollutants and toxic air contaminants for stationary sources.
    - The cost to implement the CTR Regulation is estimated at \$1.46 million per year.
    - Staff is proposing a CTR fee of 4.4 percent of the permit renewal fees for all facilities with a Permit to Operate. The maximum CTR fee will be capped at \$50,000 per year per facility.
  - Other Fee Schedule changes:
    - Due to an increase in complexity for conducting a Health Risk Assessment required during an application for a gas dispensing facility (GDF), the Risk Assessment Fee (RAF) in Schedule D.A will be charged at the actual average cost for a new GDF application and will be increased by 15 percent for all other GDF applications requiring Health Risk Assessments (HRAs).

Staff will provide the committee with additional details regarding the draft fee amendments, overall cost recovery and the proposed 6.0 percent average fee increase for the upcoming fiscal year. A summary of public comments received to date, including those received at a public workshop held on February 18, 2021, will be provided.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed fee amendments would increase fee schedule revenue in Fiscal Year Ending 2022 by an estimated \$2.5 million from fee schedule revenue that would otherwise result without the amendments. The proposed new CTR Regulation fee would increase fee revenues by approximately \$1.5 million.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Fred Tanaka

Reviewed by: Pamela Leong, Damian Breen, and Jeff McKay

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members  
of the Administration Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2021

Re: Authorization to Execute Contract Amendments for Production System Office

**RECOMMENDED ACTION**

Recommend Board of Directors authorize the Executive Officer/APCO to execute contract amendments with the following vendors in the amounts listed below:

<b>Vendor</b>	<b>Amount</b>	<b>Service Description</b>
Avantpage	\$25,255	Spanish, Chinese, Tagalog, and Vietnamese language translation services to support the Air District's equity goals.
C&G Technology Services	\$345,760	Software testing services for the permitting and compliance system.
Clay Tablet	\$39,234	Language translation integration and automation software for content transmission, editing, and management.
ClearSparc, Inc.	\$604,755	Software development services for the permitting and compliance system.
Cylogy	\$214,437	Website content management system integration, customization, and support.
Dell	\$173,188	Microsoft value-added reseller of Azure cloud infrastructure services.
Farallon Geographics	\$28,678	Geospatial software development services.
ITDependz	\$479,525	Business analysis and design services for the permitting and compliance system.
Malinda Lai	\$28,678	Web content management and infrastructure support.
Support Focus	\$54,718	Data extract, transform and load services for legacy systems.
<b>TOTAL</b>	<b>\$1,991,565</b>	

## BACKGROUND

As is its practice, Air District staff recommends amendments to existing vendor contracts biannually to assist with software development and website support in order to meet the Production System Office Fiscal Year Ending (FYE) 2021 goals, as well as FYE 2022 first quarter goals.

## DISCUSSION

The Production System Office is composed of the Permitting and Compliance System, Online Services, and unified digital payment process. These systems and services abide by a continuous improvement process whereby functionality is maintained while new features are implemented to meet evolving business requirements.

In order to continue to support system improvements, staff plans to focus on the following activities for the remainder of FYE 2021 through to the first quarter of FYE 2022:

- Annual permit fee updates
- Online payments for all invoice types
- Centralized permit and invoice print automation
- Radio telephone operator's software module
- Website calendar improvements
- Assembly Bill 617 website landing section
- Permit application interface refactor for complex facilities
- Complaint investigation software module
- Material balance emission calculations
- Web content management system upgrade
- Notice of violation legal administration software module
- Bulk email subscription center and template standardization
- Spare the Air website language translation
- Spare the Air resource team software module
- Criteria pollutant and toxics emissions reporting requirements

Staff recommends the continued use of software and professional services providers proven familiar with Air District systems for the remainder of FYE 2021 through to the first quarter of FYE 2022. The Air District has successfully collaborated with Cylogy and Malinda Lai in the design, development, and testing of the language translation system and website content management system in prior technical engagements. The Air District has also successfully collaborated with C&G Technology Services, ClearSparc, Inc., ITDependz, Farallon Geographics, and Support Focus in prior design, software development, and quality assurance engagements. In addition, the Air District has successfully invested in software customization and integration with Clay Tablet, Salesforce, and Microsoft Azure cloud services (via Dell).

Vendor	Type of Services	Contract	Procurement Method
Avantpage	Spanish, Chinese, Tagalog, and Vietnamese language translation services to support the District's equity goals.	<a href="#">FYE 2014</a>	Request for Proposal process in collaboration with the Air District's Business Services Division.
C&G Technology Services	Software testing services for the permitting and compliance system.	<a href="#">FYE 2020</a>	Request for Qualifications process in collaboration with the Air District's Business Services Division.
Clay Tablet	Language translation software for transmission, editing, and managing content.	<a href="#">FYE 2015</a>	Selected through an industry analysis and informal bid process. Staff determined that Clay Tablet provided the features for cost effective Sitecore integration.
ClearSparc, Inc.	Software development services for the permitting and compliance system.	<a href="#">FYE 2020</a>	Request for Qualifications process in collaboration with the Air District's Business Services Division.
Cylogy	Website content management system integration, customization, and support.	<a href="#">FYE 2020</a>	Request for Qualifications process in collaboration with the Air District's Business Services Division.
Dell	Microsoft value-added reseller of Azure cloud infrastructure services.	<a href="#">FYE 2020</a>	Request for Quotations process in collaboration with Information and Business Services Division.
Farallon Geographics	Geospatial software development services.	<a href="#">FYE 2020</a>	Request for Quotations process in collaboration with Information and Business Services Division.
ITDependz	Business analysis and user experience services for the permitting and compliance system.	<a href="#">FYE 2020</a>	Request for Qualifications process in conjunction with the Air District's Business Services Division.
Malinda Lai	Website content management system and infrastructure support.	<a href="#">FYE 2006</a>	Procurement occurred prior to the tenure of the current team.
Support Focus	Data extract, transform and load services for legacy systems.	<a href="#">FYE 2020</a>	Request for Qualifications process in conjunction with the Air District's Business Services Division.



BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for the vendor contract recommendations is included in 725, 309, and 125 program budgets for FYE 2021.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Blair Adams  
Reviewed by: Damian Breen

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members  
of the Administration Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2021

Re: Proposed New Commuter Program

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

The Cut the Commute initiative was launched in July 2020 to reduce single occupancy commuting based on what was being learned from the regional "shelter-in-place" requirements due to COVID-19. Many Bay Area companies were realizing they could continue operations and profitability with employees working from home. Through the Remote Work Task Force and meetings with the Bay Area Regional Transportation Association, we learned that transit operators were not inclined to support the Cut the Commute initiative because people riding transit consider that ride their commute and transit did not want to promote anything that would drive the public away from transit.

**DISCUSSION**

Flex Your Commute is a new initiative targeted at employers and employees throughout the Bay Area. This employer-focused program encourages employers to provide a variety of commute options for their employees, including transit, bicycling, carpooling, and telecommuting. The Flex Your Commute program will be directed to employers, promote the benefits of a flexible, but robust commute program and develop resources employers can utilize to create company-wide commute programs that benefits employees and employers.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

Initial funding will come from the Executive Office budget. Transportation for Clean Air, Congestion Mitigation and Air Quality Improvement funds will be earmarked to provide the needed funding for a campaign and employer outreach.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Lisa Fasano

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Members of the Administration Committee

From: Chairperson Cindy Chavez and Secretary John Bauters

Date: March 12, 2021

Re: Air District Community Funding Allocations Report

**RECOMMENDED ACTION**

The Committee will give staff direction on providing a comprehensive response to public inquiry on revenues and expenditures made by the Air District related to local environmental monitoring programs and investments at the May 2021 Administration Committee meeting.

**BACKGROUND**

Community stakeholders asked Air District staff and the Board of Directors for more detailed information about the revenues and expenditures related to local environmental monitoring programs and investments made by the Air District but to date have not received what they had requested.

**DISCUSSION**

Board Chair Cindy Chavez and Secretary John Bauters request and recommend that the Committee give Air District staff direction to do the following:

1. Compile a comprehensive spreadsheet or other suitable document for public consumption that contains the following information:
  - a. The sources of revenue, public and private, that the Air District received and used for community monitoring and affiliated work;
  - b. Any restrictions, limitations, or other requirements placed on those funds, or their subparts, that guide, require, or otherwise direct the Air District in the expenditure of those funds;
  - c. Information that identifies whether the funding source is ongoing or one-time in nature;
  - d. A breakdown of fund expenditure by county, accompanied by baseline population details about the communities served;
  - e. The type of expenditure that was made in each county, including but not limited to capital investments, staff time, contract services, or operations and supplies, that illustrate how the investments were expended; and

f. Any additional information staff deems necessary and appropriate to providing a holistic picture as to how district revenues are expended for the community's benefit.

2. Report back to the Administration Committee with the requested information at the May 2021 Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Prepared by: Chairperson Cindy Chavez and Secretary John Bauters

ADMINISTRATION COMMITTEE MEETING  
OF 03/17/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Cindy Chavez and Carole Groom and Members  
of the Administration Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 12, 2020

Re: Discussion on Administration Committee Workplan for 2021

RECOMMENDED ACTION

Recommend the Administration Committee (Committee) approve the 2021 Workplan for the Committee.

BACKGROUND

The Ad Hoc Building Oversight, Budget and Finance, Executive, and Personnel Committees were consolidated into the Administration Committee in 2021. As such, the newly formed Committee will consider items previously discussed in each of the prior committees as part of its 2021 Workplan.

DISCUSSION

As part of its meeting, the Committee will review and discuss its proposed 2021 Workplan.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Erica Trask

Attachment 9A: Proposed 2021 Administration Committee Workplan

**Proposed 2021 Administration Committee Workplan**

<b>Meeting Schedule</b>	<b>Topics</b>
March	<ul style="list-style-type: none"> <li>• BARC Update</li> <li>• Proposed Budget for FYE 2022</li> <li>• Production System Office Contract Amendments</li> <li>• Proposed Amendments to Regulation 3: Fees</li> <li>• Flex Your Commute Program</li> <li>• Air District Community Funding Allocations Report</li> <li>• Administration Committee Workplan for 2021</li> </ul>
April	<ul style="list-style-type: none"> <li>• BARC Update</li> <li>• Continued Discussion of Proposed Budget for FYE 2022</li> <li>• Third Quarter Financial Report – FYE 2021</li> <li>• Wildfire Strategies Update</li> <li>• Executive Officer and District Counsel Performance Evaluations</li> <li>• Board Governance Discussion</li> </ul>
May	<ul style="list-style-type: none"> <li>• Hearing Board Quarterly Report: January 2020 – March 2020</li> <li>• BARC Update</li> <li>• Continued Executive Officer and District Counsel Performance Evaluations</li> <li>• Continued Board Governance Discussion</li> <li>• Follow-up on Air District Community Funding Allocations Report</li> </ul>
June	<ul style="list-style-type: none"> <li>• BARC Update</li> <li>• Continued Board Governance Discussion</li> <li>• Employee Association Negotiations</li> <li>• Advisory Council Recruitment</li> <li>• Flex Your Commute Update</li> </ul>

ADMINISTRATIVE COMMITTEE MEETING  
OF 03/17/2021

July	<ul style="list-style-type: none"> <li>• Hearing Board Quarterly Report: April 2020 – June 2020</li> <li>• BARC Update</li> <li>• Continued Advisory Council Recruitment</li> <li>• Climate Tech Finance Program Update</li> </ul>
August	<b>NONE</b>
September	<ul style="list-style-type: none"> <li>• BARC Update</li> <li>• Review FYE 2022 Budget</li> <li>• COVID Response Update</li> </ul>
October	<ul style="list-style-type: none"> <li>• Hearing Board Quarterly Report: July 2020 – September 2020</li> <li>• BARC Update</li> <li>• Production System Office Update</li> </ul>
November	<ul style="list-style-type: none"> <li>• BARC Update</li> <li>• Fourth Quarter Financial Report – FYE 2021</li> <li>• First Quarter Financial Report FYE 2022</li> <li>• 115 Trust for CalPERS</li> <li>• Mid-Year Financial Review</li> </ul>
December	<ul style="list-style-type: none"> <li>• BARC Update</li> <li>• HQE Update</li> <li>• Advisory Council Update</li> </ul>

ADMINISTRATION COMMITTEE MEETING  
 OF 03/17/2021



**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: April 1, 2021

Re: Report of the Legislative Committee Meeting of March 17, 2021

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RECOMMENDED ACTIONS

The Legislative Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) Sacramento Legislative Budget Update;
  - 1) None; receive and file.
- B) Air District-Sponsored Bills;
  - 1) None; receive and file.
- C) ACTION REQUESTED: Consideration of New Bills;
  - 1) Discuss and review bills and take positions where appropriate.

Staff recommends oppose positions on the following bills:

- Assembly Bill (AB) 905 (Quirk) – Mobile fueling on-demand tank vehicles: performance standards

Staff recommends support positions on the following bills:

- Senate Bill (SB) 30 (Cortese) – Building decarbonization
- SB 31 (Cortese) – Building decarbonization
- SB 32 (Cortese) – Energy: general plan: building decarbonization requirements
- SB 68 (Becker) – Building decarbonization

D) ACTION REQUESTED: Legislative Platform; and

- 1) Staff requests Legislative Committee (Committee) review and approve the attached revised draft legislative platform for 2021.

E) Federal Legislative Update.

- 1) None; receive and file.

### BACKGROUND

The Committee met on Wednesday, March 17, 2021, and received the following reports:

A) Sacramento Legislative Budget Update;

B) Air District-Sponsored Bills;

C) Consideration of New Bills;

D) Legislative Platform; and

E) Federal Legislative Update.

### BUDGET CONSIDERATION/FINANCIAL IMPACT

A) None;

B) None;

C) None;

D) None; and

E) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amanda Balneg  
Reviewed by: Vanessa Johnson

Attachment 14A: 03/17/2021 – Legislative Committee Meeting Agenda #3  
Attachment 14B: 03/17/2021 – Legislative Committee Meeting Agenda #4  
Attachment 14C: 03/17/2021 – Legislative Committee Meeting Agenda #5  
Attachment 14D: 03/17/2021 – Legislative Committee Meeting Agenda #6  
Attachment 14E: 03/17/2021 – Legislative Committee Meeting Agenda #7

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 11, 2021

Re: Sacramento Legislative Budget Update

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

On January 8, 2021, Governor Newsom released his initial Fiscal Year (FY) 2021-22 Budget.

**DISCUSSION**

Staff will provide an update to the Legislative Committee (Committee) on recent activities related to the budget.

On January 8, 2021, Governor Newsom released his draft budget proposal for FY 2021-22. Overall, the Administration assumes a one-time budget windfall of over \$20 billion, much of which goes to various forms of COVID relief. In addition, because the Administration and Legislature did not fund a Greenhouse Gas Reduction Fund (GGRF) Budget in FY 2020-21 due to low Cap and Trade Auction revenues, the Governor also proposed two phases of GGRF funding consisting of an early action budget and a regular fiscal year budget. The proposed budget is a significantly better starting point for the Air District than in previous budget cycles.

Attached is a table of programs significant to the Air District, along with budget data from previous years. The budgeting fulfills a promise made by the Governor last year to concentrate GGRF budgeting on several key areas – Assembly Bill (AB) 617, wildfire response, and clean transportation. It also demonstrates the Governor's commitment to clean transportation from his recent Executive Order.

In addition, the Governor's Budget also proposes to extend the sunset dates for the Carl Moyer Program, the Air District's Mobile Source Incentive Fund Program (AB 923), and the California Energy Commission's AB 118 from January 1, 2024 to January 1, 2046. Going forward on a statewide basis the Carl Moyer Program would be expected to be funded at approximately \$130 million per year, of which the Air District would likely receive over \$20 million per year. The budget also proposes to securitize a portion of future AB 118 revenues to create a fund of up to \$1

billion to expedite electric vehicle charging infrastructure and hydrogen fueling. The securitization component seems to have some early detractors, so this part of the reauthorization may be difficult. Securitization aside though, proposing to extend these programs through the budget process rather than through the normal legislative process is significant.

The Senate and Assembly have begun budget hearings that will continue for several months. Air District staff have been participating and commenting as appropriate. In May, the Governor will release a budget revision (the “May Revise”), and the remainder of May and most of June will be spent reconciling priorities and funding of the Administration, Senate, and Assembly. The budget must be signed by the Governor by July 1, 2021.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Jack P. Broadbent

Attachment 3A: Governor’s Proposed Budget FY 2021-22 vs Previous Years’ Budgets

**Proposed 2021-22 State Budget  
Current vs. Previous Years**

<b>Program</b>	<b>FY 19/20 Budget</b>	<b>FY 20/21 Budget</b>	<b>FY 21/22 Proposed Budget Early Action</b>	<b>FY 21/22 Proposed Budget</b>
<b>AB 617 – Implementation</b>	\$50M	\$50M	\$0	\$50M
<b>AB 617 – Incentives</b>	\$245M	\$0	\$125M	\$140M
<b>AB 617 – Community Grants</b>	\$10M	\$0	\$0	\$10M
<b>Clean Vehicle Rebate</b>	\$238M	\$0	\$0	\$0
<b>Clean Truck &amp; Bus</b>	\$182M	\$0	\$165M	\$150M
<b>Ag Diesel Engine Replacement</b>	\$65M	\$0	\$90M	\$80M
<b>Clean Cars For All/ School Bus/Equity</b>	\$65M	\$0	\$74M	\$76M
<b>AB 836 – Clean Air Centers</b>	\$0	\$5M	\$0	\$0
<b>Prescribed Fire</b>	\$2M	\$0	\$0	\$2M
<b>Carl Moyer Program</b>	\$93.6M	\$93.6M	\$0	\$247M

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 11, 2021

Re: Air District-Sponsored Bills

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

This year, the Air District sponsored two bills, AB 426 (Bauer-Kahan) – *Toxic Air Contaminants* and Assembly Bill (AB) 762 (Lee and C. Garcia) – *Hazardous emissions and substances: schoolsites: private and charter schools*.

**DISCUSSION**

AB 426 was introduced by Assemblymember Bauer-Kahan on February 4, 2021 and has been referred to Assembly Committees on Natural Resources and Transportation. As of this writing, it has not been scheduled for a hearing.

AB 426 is the Air District's response to the direction in the West Oakland Community Emissions Reduction Plan to expand Air District authority over indirect sources. Indirect sources include warehouses, distribution centers, ports, or places that may not be a "stationary source" of pollution, but nonetheless attract sources of air pollution to them, namely cars and trucks. Current state law allows air districts to develop local regulations on indirect sources if the air districts are in nonattainment of state air quality standards, ozone, and particulate matter. Significant medical research over the last decade, however, has informed us of the negative health effects of fine particulate matter (PM2.5) and toxic air contaminants, including diesel particulate, which current authority doesn't cover. And while we have made strides in cleaning up diesel engines over the years, large concentrations of diesel equipment in small areas can have huge health impacts in neighboring communities. The bill would expand statewide authority to include toxic air contaminants within current indirect source authority, which would provide tools to air districts to further identify local health impacts and to more effectively target scarce incentive funding.

AB 762 was introduced by Assembly Members Alex Lee and Cristina Garcia on February 16, 2021 and has been referred to Assembly Environmental Safety and Toxic Materials and Assembly Education. It is scheduled to be heard in Assembly Education on April 7, 2021.

Prior to constructing a new public school, a school district must go through a California Environmental Quality Act (CEQA) process that requires (in the Education Code and Public Resources Code) dialog with their local air district, identification of sources of air pollution nearby, and a thoughtful determination that the nearby sources of pollution do not pose a threat to the future students or employees. While private schools perform CEQA, they are not required to make a similar declaration prior to construction of a school. As we see more infill development in California, including development of old industrial sites, it will be important to ensure that our children have an opportunity to attend schools with a healthy learning environment.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Jack P. Broadbent

Attachment 4A: AB 426 (Bauer-Kahan) – Press Release  
Attachment 4B: AB 426 (Bauer-Kahan) – Bill Text  
Attachment 4C: AB 762 (Lee and C. Garcia) – Press Release  
Attachment 4D: AB 762 (Lee and C. Garcia) – Bill Text



# Assemblymember Bauer-Kahan Introduces Bills Supporting Clean Air and Clean Energy

## FOR IMMEDIATE RELEASE:

Thursday, February 4, 2021

*AB 427 would allow home and car battery owners to feed excess power into the state's grid during peak usage preventing blackouts and excess fossil fuel emissions, and AB 426 would create new air pollution data measurements in order to reduce toxic pollutants*

**Sacramento, CA** – Today, Assemblymember Rebecca Bauer-Kahan (D-Orinda) introduced the first two bills of her environmental legislative package for the 2021 session, concurring her commitment to addressing our climate crisis.

In August 2020, over 800,000 homes and businesses in California lost power. During a record heat wave and in the midst of a pandemic, communities, vulnerable residents, and even hospitals were left without electricity. This was the result of serious underestimation of what California's power grid could provide.

At the same time, thousands of Californians had excess clean energy stored in solar-powered home batteries and electric cars. This energy could have filled gaps in supply, during these times of high demand for power, by being aggregated and sold to the grid - helping to prevent devastating outages. The only thing standing in the way is our own regulations.

This untapped energy source can help mitigate blackouts, reduce our reliance on fossil fuels and incentivize consumers to run clean-powered homes. AB 427 requires the California Public Utilities Commission (CPUC) to develop the guidelines necessary for the State to purchase the excess energy stored in consumer's home batteries and electric cars.

"Last summer's rolling blackouts were simply unacceptable," said Bauer-Kahan. "We owe it to Californians to use every tool available in our clean energy arsenal to mitigate these blackouts, while at the same time reducing the state's dependence on fossil fuels. Figuring out appropriate guidelines to tap this massive unused energy source is simply common sense," finished Bauer-Kahan.

Bauer-Kahan also introduced AB 426, the Air Quality Analysis Act, which allows local air districts across the state to collect data from "indirect" sources of pollution, such as distribution centers and warehouses. The air districts would also be allowed to evaluate the health impacts of these pollution sources on surrounding communities. With this data, air districts can look for innovative ways to reduce toxic air contaminants and make our air more breathable.

"Every community deserves safe and breathable air," said Bauer-Kahan. "Communities should not have to be forced to choose between affordable housing and clean air. We should be doing everything in our power to find the sources of these harmful pollutants so we can in turn find solutions for communities," concluded Bauer-Kahan.

"The District is grateful for Assemblymember Bauer-Kahan's authorship of AB 426 and is proud to sponsor this important bill. In addition to causing regional pollution impacts, emissions from transportation and goods movement can cause significant local public health impacts to people that live near large facilities such as warehouses and distribution centers. AB 426 would allow the Air District to better understand these local emission impacts and work with facilities and local communities to improve local air quality," stated Jack Broadbent, Executive Officer of the Bay Area Air Quality Management District.

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**ASSEMBLY BILL**

**No. 426**

**Introduced by Assembly Member Bauer-Kahan**

February 4, 2021

An act to amend Section 40716 of the Health and Safety Code, relating to stationary air pollution.

LEGISLATIVE COUNSEL’S DIGEST

AB 426, as introduced, Bauer-Kahan. Toxic air contaminants.

Existing law authorizes local air pollution control districts and air quality management districts, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives.

This bill would additionally authorize the districts to adopt and implement regulations to require data regarding air pollution within the district’s jurisdiction from areawide stationary sources of air pollution, including mobile sources drawn by those stationary sources, to enable the calculation of health risks from toxic air contaminants. This bill would additionally authorize the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities with respect to the reduction of health risks from toxic air contaminants.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following.

1 (a) Existing law imposes various limitations on emissions of  
2 air contaminants for the control of air pollution from vehicular and  
3 nonvehicular sources. Existing law generally designates the State  
4 Air Resources Board as the state agency with the primary  
5 responsibility for the control of vehicular air pollution, and the air  
6 pollution control districts or the air quality management districts  
7 with the primary responsibility for the control of air pollution from  
8 all sources other than vehicular sources, including stationary  
9 sources. Existing law allows air pollution control districts and air  
10 quality management districts to adopt and implement regulations  
11 to reduce or mitigate emissions from indirect and areawide sources  
12 of air pollution to achieve attainment of state ambient air quality  
13 standards.

14 (b) The people of California have a right to know when  
15 industrial or commercial operations result in emission of toxic air  
16 contaminants that may pose a significant health risk to the people  
17 exposed to those emissions.

18 (c) Diesel-fueled trucks are responsible for 33 percent of  
19 statewide oxides of nitrogen emissions annually. These same trucks  
20 emit more particulate matter than all of the state's powerplants.

21 (d) People who live near stationary sources that attract truck  
22 traffic are at high risk for exposure to these health-threatening air  
23 pollutants emitted by these medium- and heavy-duty vehicles, and  
24 communities near freeways and busy roadways have compounded  
25 health risk due to near-constant exposure to criteria air pollutants.

26 (e) In 1998, the State Air Resources Board identified diesel  
27 particulate matter as a toxic air contaminant based on published  
28 evidence of a relationship between diesel exhaust exposure and  
29 lung cancer.

30 (f) Diesel particulate matter also contributes to noncancer health  
31 effects, such as premature death, hospitalizations, and emergency  
32 department visits for exacerbated chronic heart and lung diseases,  
33 including asthma, increased respiratory symptoms, and decreased  
34 lung function in children.

35 (g) Children are particularly vulnerable to the negative effect  
36 of diesel particulate matter because they have higher respiratory  
37 rates than adults and this can increase their exposure to air  
38 pollutants relative to their body weight.

1 (h) Increased respiratory symptoms, such as coughing, wheezing,  
2 runny nose, and doctor-diagnosed asthma, have been linked to  
3 traffic exposure.

4 (i) Reducing emissions of these pollutants can have an  
5 immediate beneficial impact on air quality and public health.

6 (j) Existing law does not provide local air pollution control  
7 districts and air quality management districts sufficient data  
8 collection and enforcement authority to reduce health risks  
9 associated with toxic air contaminants, such as diesel particulate  
10 matter. This authority would also allow air pollution control  
11 districts and air quality management districts to adopt and  
12 implement regulations requiring local and areawide stationary  
13 sources to provide data on vehicular traffic drawn by stationary  
14 sources and other operational data to better calculate local health  
15 risks created by the stationary sources.

16 (k) The state should therefore move swiftly to provide this  
17 authority to local air pollution control districts and air quality  
18 management districts to encourage air districts to provide incentives  
19 to stationary sources to transition to cleaner vehicle fleets, change  
20 operations, or take other actions that would reduce the health risk  
21 to residents from toxic air contaminants.

22 SEC. 2. Section 40716 of the Health and Safety Code is  
23 amended to read:

24 40716. (a) In carrying out its responsibilities pursuant to this  
25 division with respect to the attainment of state ambient air quality  
26 ~~standards~~, *standards or the reduction of health risks from toxic air*  
27 *contaminants*, a district may adopt and implement regulations to  
28 accomplish ~~both~~ *any* of the following.

29 (1) Reduce or mitigate emissions from *new and existing* indirect  
30 and areawide sources of air pollution.

31 (2) Encourage or require the use of measures which reduce the  
32 number or length of vehicle trips.

33 (3) *Require data regarding air pollution within the district's*  
34 *jurisdiction from new and existing areawide stationary sources of*  
35 *air pollution, including mobile sources drawn by those stationary*  
36 *sources, to enable the calculation of health risks from toxic air*  
37 *contaminants.*

38 (b) Nothing in this section constitutes an infringement on the  
39 existing authority of counties and cities to plan or control land use,

- 1 and nothing in this section provides or transfers new authority over
- 2 such land use to a district.

LEGISLATIVE COMMITTEE MEETING  
OF 03/17/2021

o

# Assemblymember Alex Lee Introduces Bill to Equally Protect Students from Toxic Sites

## FOR IMMEDIATE RELEASE:

Friday, February 19, 2021

**SACRAMENTO, CA** - AB 762, introduced by Assemblymember Alex Lee (D-25) and Assemblymember Cristina Garcia (D-58) would require charter schools and private schools to follow the same siting requirements as public schools in order to ensure the public health and safety of all students and school employees.

The bill would require private and charter schools to identify nearby sources of air pollution, consult with their local air districts, and meet siting requirements by evaluating the schoolsite for potential hazardous substances, hazardous emissions, or hazardous waste.

"All schools should be required to meet the same safety requirements to ensure all children and school staff are safe from hazardous materials," said Lee. "There's already too much inequality in our education system. Children who attend different types of schools should not be unequally safe."

Existing law requires public schools to follow certain requirements before approving and building a new school. Private schools and some charter schools, however, are not currently subject to all of those requirements before building a new school.

As a result, a school could potentially be built at an unsafe location near sources of hazardous emissions, substances, or waste. Consequently, the public health and safety of the students, teachers, and school employees could be put at risk.

"Children in my district already deal with some of the state's highest levels of toxic air, soil and water. Building a school site on contaminated land just adds insult to injury when the science makes it clear that the toxics affect our children's development and ability to succeed academically," stated Assemblymember Cristina Garcia. "AB 762 will ensure all schools are held to the same high standard and make it clear that a charter school designation is not a license to risk our children's health and safety."

AB 762, sponsored by the Bay Area Air Quality Management District (BAAQMD), would ensure that the governing board of a private school or the governing body of a charter school would not be able to approve a project for the acquisition or purchase of a schoolsite unless:

- It is determined that the property is not a hazardous site or a site that can potentially release hazardous emissions, substances, or waste.
- The administering agency in which the proposed schoolsite is located and any air pollution control district or air quality management district having jurisdiction in the area has been notified in writing and consulted with to identify facilities within the district's authority that might reasonably be anticipated to emit or handle hazardous emissions, substances, or waste.
- A health risk assessment is done that determines that there are no significant pollution sources, and the health risks will not endanger the public health (or that corrective measures will be undertaken to mitigate hazardous emissions).

"In my district, a private elementary and middle school was built right next to a concrete plant in Fremont," said Lee. "That level of chemical and dust exposure can have detrimental impacts on children whose lungs are still developing. These children are being exposed to these toxins every day when they go to school that can lead to developmental and cognitive issues as well as chronic diseases later in life."

**Media contact:** Charlsie Chang | [Charlsie.Chang@asm.ca.gov](mailto:Charlsie.Chang@asm.ca.gov)

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**ASSEMBLY BILL****No. 762**

**Introduced by Assembly Members Lee and Cristina Garcia  
(Coauthor: Assembly Member Kalra)**

February 16, 2021

An act to amend Section 17213 of, and to add Article 3 (commencing with Section 17235) to Chapter 1 of Part 10.5 of Division 1 of Title 1 of, the Education Code, and to amend Section 21151.8 of the Public Resources Code, relating to schoolsites.

## LEGISLATIVE COUNSEL'S DIGEST

AB 762, as introduced, Lee. Hazardous emissions and substances: schoolsites: private and charter schools.

(1) The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA prohibits an environmental impact report or negative declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district unless specified conditions are met, relating to, among other things, whether the property is located on a current or former hazardous waste disposal site or solid waste disposal site, a hazardous substance release site, or a site that contains a pipeline that carries specified substances, and the property's proximity to facilities that might reasonably be anticipated to emit hazardous emissions or handle hazardous or extremely hazardous substances or waste, as provided.

This bill would add to those specified conditions whether the property is located on a site within 500 feet of a current or former hazardous waste disposal site or solid waste disposal site, a hazardous substance release site, or a site that contains a pipeline that carries specified substances. The bill would additionally prohibit an environmental impact report or negative declaration from being approved for a project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a charter school, unless those specified conditions are met. By imposing new requirements on school districts, charter schools, lead agencies, cities, and counties, the bill would impose a state-mandated local program.

(2) Existing law prohibits the governing board of a school district from approving a project for the acquisition of a schoolsite unless specified conditions are met, including, among others, that the school district, as the lead agency, determines that the property to be purchased or built upon is not the site of a current or former hazardous waste disposal site or solid waste disposal site, a hazardous substance release site, or a site that contains a pipeline that carries specified substances, and that the school district, as the lead agency, has not identified specified facilities within  $\frac{1}{4}$  of one mile of the proposed schoolsite that might reasonably be anticipated to emit hazardous air emissions or handle hazardous or extremely hazardous materials, substances, or waste, as provided.

This bill would add to those specified conditions that the property is determined to not be located on a site within 500 feet of a freeway or other busy traffic corridor, a current or former hazardous waste disposal site or solid waste disposal site, a hazardous substance release site, or a site that contains a pipeline that carries specified substances. The bill would additionally impose that prohibition on the governing body of a charter school and would require the determination and identification described above to be made by the lead agency. The bill would impose that prohibition, and related requirements, additionally on a private school. By imposing new requirements on school districts, charter schools, lead agencies, cities, and counties, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.



With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 17213 of the Education Code is amended  
2 to read:

3 17213. (a) The governing board of a school district ~~may or~~  
4 *the governing body of a charter school shall not approve a project*  
5 *involving the acquisition of a schoolsite by a school district, district*  
6 *or charter school, unless all of the following occur:*

7 (a)

8 (1) ~~The school district, as the lead agency, as defined in Section~~  
9 *21067 of the Public Resources Code, determines that the property*  
10 *purchased or to be built upon is not any of the following:*

11 (1)

12 (A) The site of a current or former hazardous waste disposal  
13 site or solid waste disposal site, ~~unless unless,~~ if the site was a  
14 former solid waste disposal site, the governing board of the school  
15 district *or the governing body of a charter school* concludes that  
16 the wastes have been removed.

17 (2)

18 (B) A hazardous substance release site identified by the  
19 Department of Toxic Substances Control in a current list adopted  
20 pursuant to Section 25356 of the Health and Safety Code for  
21 removal or remedial action pursuant to Chapter 6.8 (commencing  
22 with Section 25300) of Division 20 of the Health and Safety Code.

23 (3)

24 (C) A site that contains one or more pipelines, situated  
25 underground or aboveground, that carries hazardous substances,  
26 extremely hazardous substances, or hazardous wastes, unless the  
27 pipeline is a natural gas line that is used only to supply natural gas  
28 to that school or neighborhood.

29 (D) *A site that is within 500 feet of the edge of the closest traffic*  
30 *lane of a freeway or other busy traffic corridor.*

1 (E) A site that is within 500 feet of a site specified in  
 2 subparagraph (A), (B), or (C).

3 ~~(b)~~

4 (2) ~~The school district, as the lead agency, as defined in Section~~  
 5 21067 of the Public Resources Code, in preparing the  
 6 environmental impact report or negative declaration has consulted  
 7 with the administering agency in which the proposed schoolsite  
 8 is located, pursuant to Section 2735.3 of Title 19 of the California  
 9 Code of Regulations, and with any air pollution control district or  
 10 air quality management district having jurisdiction in the area, to  
 11 identify both permitted and nonpermitted facilities within that  
 12 district's authority, including, but not limited to, freeways and  
 13 other busy traffic corridors, large agricultural operations, and  
 14 railyards, within one-fourth of ~~a~~ *one* mile of the proposed  
 15 schoolsite, that might reasonably be anticipated to emit hazardous  
 16 air emissions, or to handle hazardous or extremely hazardous  
 17 materials, substances, or waste. ~~The school district, as the lead~~  
 18 ~~agency, agency~~ shall include a list of the locations for which  
 19 information is sought.

20 ~~(e)~~

21 (3) The governing board of the school district ~~or the governing~~  
 22 ~~body of a charter school~~ makes one of the following written  
 23 findings:

24 ~~(1)~~

25 (A) Consultation identified none of the facilities or significant  
 26 pollution sources specified in ~~subdivision (b)~~ *paragraph (2)*.

27 ~~(2)~~

28 (B) The facilities or other pollution sources specified in  
 29 ~~subdivision (b) paragraph (2)~~ exist, but one of the following  
 30 conditions applies:

31 ~~(A)~~

32 (i) The health risks from the facilities or other pollution sources  
 33 do not and will not constitute an actual or potential endangerment  
 34 of public health to persons who would attend or be employed at  
 35 the school.

36 ~~(B)~~

37 (ii) The governing board ~~of a school district or the governing~~  
 38 ~~body of a charter school~~ finds that corrective measures required  
 39 under an existing order by another governmental entity that has  
 40 jurisdiction over the facilities or other pollution sources will, before

1 the school is occupied, result in the mitigation of all chronic or  
 2 accidental hazardous air emissions to levels that do not constitute  
 3 an actual or potential endangerment of public health to persons  
 4 who would attend or be employed at the proposed school. If the  
 5 governing board *of a school district or the governing body of a*  
 6 *charter school* makes this finding, the governing board *of a school*  
 7 *district or governing body of a charter school* shall also make a  
 8 subsequent finding, ~~prior to the~~ *before* occupancy of the school,  
 9 that the emissions have been mitigated to these levels.

10 ~~(C)~~

11 *(iii)* For a schoolsite with a boundary that is within 500 feet of  
 12 the edge of the closest traffic lane of a freeway or other busy traffic  
 13 corridor, the governing board of the school district *or the governing*  
 14 *body of a charter school* determines, through analysis pursuant to  
 15 paragraph (2) of subdivision (b) of Section 44360 of the Health  
 16 and Safety Code, based on appropriate air dispersion modeling,  
 17 and after considering any potential mitigation measures, that the  
 18 air quality at the proposed site is such that neither short-term nor  
 19 long-term exposure poses significant health risks to pupils.

20 ~~(D)~~

21 *(iv)* The governing board *of a school district or the governing*  
 22 *body of a charter school* finds that ~~neither of the conditions set~~  
 23 ~~forth in subparagraph (B) clause (ii) or (C) can~~ *(iii) cannot* be met,  
 24 and the school district *or charter school* is unable to locate an  
 25 alternative site that is suitable due to a severe shortage of sites that  
 26 meet the requirements in subdivision ~~(a) of Section 17213: (a).~~ If  
 27 the governing board *board of a school district or the governing*  
 28 *body of a charter school* makes this finding, the governing board  
 29 *of a school district or the governing body of a charter school* shall  
 30 adopt a statement of ~~Overriding Considerations~~ *overriding*  
 31 *considerations* pursuant to Section 15093 of Title 14 of the  
 32 California Code of Regulations.

33 ~~(d) As used in this section:~~

34 ~~(1) "Hazardous air emissions" means emissions into the ambient~~  
 35 ~~air of air contaminants that have been identified as a toxic air~~  
 36 ~~contaminant by the State Air Resources Board or by the air~~  
 37 ~~pollution control officer for the jurisdiction in which the project~~  
 38 ~~is located. As determined by the air pollution control officer,~~  
 39 ~~hazardous air emissions also means emissions into the ambient air~~

1 from any substance identified in subdivisions (a) to (f), inclusive,  
2 of Section 44321 of the Health and Safety Code.

3 (2) “Hazardous substance” means any substance defined in  
4 Section 25316 of the Health and Safety Code.

5 (3) “Extremely hazardous substances” means any material  
6 defined pursuant to paragraph (2) of subdivision (g) of Section  
7 25532 of the Health and Safety Code.

8 (4) “Hazardous waste” means any waste defined in Section  
9 25117 of the Health and Safety Code.

10 (5) “Hazardous waste disposal site” means any site defined in  
11 Section 25114 of the Health and Safety Code.

12 (b) For purposes of this section, the following definitions apply:

13 (6)

14 (1) “Administering agency” means any an agency designated  
15 pursuant to Section 25502 of the Health and Safety Code.

16 (7) “Handle” means handle as defined in Article 1 (commencing  
17 with Section 25500) of Chapter 6.95 of Division 20 of the Health  
18 and Safety Code.

19 (2) “Extremely hazardous substance” means a material defined  
20 pursuant to paragraph (2) of subdivision (j) of Section 25532 of  
21 the Health and Safety Code.

22 (8)

23 (3) “Facilities” means any a source with a potential to use,  
24 generate, ~~emit~~ emit, or discharge hazardous air pollutants,  
25 including, but not limited to, pollutants that meet the definition of  
26 a hazardous substance, and whose process or operation is identified  
27 as an emission source pursuant to the most recent list of source  
28 categories published by the State Air Resources Board.

29 (9)

30 (4) “Freeway or other busy traffic corridors” *corridor* means  
31 those roadways that, on an average day, have traffic in excess of  
32 50,000 vehicles in a rural area *area*, as defined in Section 50101  
33 of the Health and Safety Code, and 100,000 vehicles in an urban  
34 area, as defined in Section 50104.7 of the Health and Safety Code.

35 (5) “Handle” means handle as defined in Article 1 (commencing  
36 with Section 25500) of Chapter 6.95 of Division 20 of the Health  
37 and Safety Code.

38 (6) “Hazardous air emissions” means emissions into the ambient  
39 air of air contaminants that have been identified as a toxic air  
40 contaminant by the State Air Resources Board or by the air

1 *pollution control officer for the jurisdiction in which the project*  
2 *is located. As determined by the air pollution control officer,*  
3 *hazardous air emissions also means emissions into the ambient*  
4 *air from any substance identified in subdivisions (a) to (f),*  
5 *inclusive, of Section 44321 of the Health and Safety Code.*

6 (7) “Hazardous substance” means a substance defined in  
7 Section 25316 of the Health and Safety Code.

8 (8) “Hazardous waste” means a waste defined in Section 25117  
9 of the Health and Safety Code.

10 (9) “Hazardous waste disposal site” means a site defined in  
11 Section 25114 of the Health and Safety Code.

12 SEC. 2. Article 3 (commencing with Section 17235) is added  
13 to Chapter 1 of Part 10.5 of Division 1 of Title 1 of the Education  
14 Code, to read:

15  
16 Article 3. Private School Schoolsites

17  
18 17235. (a) For purposes of this section, the following  
19 definitions apply:

20 (1) “Administering agency” means an agency authorized  
21 pursuant to Section 25502 of the Health and Safety Code to  
22 implement and enforce Chapter 6.95 (commencing with Section  
23 25500) of Division 20 of the Health and Safety Code.

24 (2) “Extremely hazardous substance” has the same meaning as  
25 defined in paragraph (2) of subdivision (j) of Section 25532 of the  
26 Health and Safety Code.

27 (3) “Facilities” means a source with a potential to use, generate,  
28 emit, or discharge hazardous air pollutants, including, but not  
29 limited to, pollutants that meet the definition of a hazardous  
30 substance, and whose process or operation is identified as an  
31 emission source pursuant to the most recent list of source categories  
32 published by the State Air Resources Board.

33 (4) “Freeway or other busy traffic corridor” means those  
34 roadways that on an average day, have traffic in excess of 50,000  
35 vehicles in a rural area, as defined in Section 50101 of the Health  
36 and Safety Code, and 100,000 vehicles in an urban area, as defined  
37 in Section 50104.7 of the Health and Safety Code.

38 (5) “Handle” has the same meaning as defined in Section 25501  
39 of the Health and Safety Code.

1 (6) "Hazardous air emissions" means emissions into the ambient  
2 air of air contaminants that have been identified as a toxic air  
3 contaminant by the State Air Resources Board or by the air  
4 pollution control officer for the jurisdiction in which the project  
5 is located. As determined by the air pollution control officer,  
6 hazardous air emissions also means emissions into the ambient air  
7 from any substances identified in subdivisions (a) to (f), inclusive,  
8 of Section 44321 of the Health and Safety Code.

9 (7) "Hazardous substance" has the same meaning as defined in  
10 Section 25316 of the Health and Safety Code.

11 (8) "Hazardous waste" has the same meaning as defined in  
12 Section 25117 of the Health and Safety Code.

13 (9) "Hazardous waste disposal site" has the same meaning as  
14 "disposal site," as defined in Section 25114 of the Health and  
15 Safety Code.

16 (b) The governing board of a private school shall not approve  
17 the acquisition or purchase of a schoolsite, or the construction of  
18 a new elementary or secondary school, by, or for use by, a private  
19 school unless all of the following occur:

20 (1) The city or county determines that the property proposed to  
21 be acquired or purchased, or to be constructed upon, is not any of  
22 the following:

23 (A) The site of a current or former hazardous waste disposal  
24 site or solid waste disposal site, unless, if the site was a former  
25 solid waste disposal site, the city or county concludes that the  
26 wastes have been removed.

27 (B) A hazardous substance release site identified by the  
28 Department of Toxic Substances Control in a current list adopted  
29 pursuant to Section 25356 of the Health and Safety Code for  
30 removal or remedial action pursuant to Chapter 6.8 (commencing  
31 with Section 25300) of Division 20 of the Health and Safety Code.

32 (C) A site that contains one or more pipelines, situated  
33 underground or aboveground, that carry hazardous substances,  
34 extremely hazardous substances, or hazardous wastes, unless the  
35 pipeline is a natural gas line that is used only to supply natural gas  
36 to that school or neighborhood, or other nearby schools.

37 (D) A site that is within 500 feet of the edge of the closest traffic  
38 lane of a freeway or other busy traffic corridor.

39 (E) A site that is within 500 feet of a site specified in  
40 subparagraph (A), (B), or (C).

1 (2) (A) The governing board has notified in writing and  
2 consulted with the administering agency in which the proposed  
3 schoolsite is located, and with any air pollution control district or  
4 air quality management district having jurisdiction in the area, to  
5 identify both permitted and nonpermitted facilities within that  
6 district's authority, including, but not limited to, freeways or other  
7 busy traffic corridors, large agricultural operations, and railyards,  
8 within one-fourth of one mile of the proposed schoolsite, that might  
9 reasonably be anticipated to emit hazardous emissions or handle  
10 hazardous or extremely hazardous substances or waste. The  
11 notification by the governing board shall include a list of the  
12 locations for which information is sought.

13 (B) Each administering agency, air pollution control district, or  
14 air quality management district receiving written notification from  
15 a governing board to identify facilities pursuant to subparagraph  
16 (A) shall provide the requested information and provide a written  
17 response to the governing board within 30 days of receiving the  
18 notification.

19 (3) The city or county makes one of the following written  
20 findings:

21 (A) Consultation identified no facilities of the type specified in  
22 paragraph (2) or other significant pollution sources.

23 (B) One or more facilities specified in paragraph (2) or other  
24 pollution sources exist, but one of the following conditions applies:

25 (i) The health risks from the facilities or other pollution sources  
26 do not and will not constitute an actual or potential endangerment  
27 of public health to persons who would attend or be employed at  
28 the proposed school.

29 (ii) Corrective measures required under an existing order by  
30 another agency having jurisdiction over the facilities or other  
31 pollution sources will, before the school is occupied, result in the  
32 mitigation of all chronic or accidental hazardous air emissions to  
33 levels that do not constitute an actual or potential endangerment  
34 of public health to persons who would attend or be employed at  
35 the proposed school. If the city or county makes a finding pursuant  
36 to this clause, it shall also make a subsequent finding, before  
37 occupancy of the school, that the emissions have been so mitigated.

38 (iii) For a schoolsite with a boundary that is within 500 feet of  
39 the edge of the closest traffic lane of a freeway or other busy traffic  
40 corridor, the city or county determines, through analysis pursuant

1 to paragraph (2) of subdivision (b) of Section 44360 of the Health  
2 and Safety Code, based on appropriate air dispersion modeling,  
3 and after considering any potential mitigation measures, that the  
4 air quality at the proposed site is such that neither short-term nor  
5 long-term exposure poses significant health risks to pupils.

6 (C) One or more facilities specified in paragraph (2) or other  
7 pollution sources exist, but conditions in clause (i), (ii), or (iii) of  
8 subparagraph (B) cannot be met, and the private school is unable  
9 to locate an alternative site that is suitable due to a severe shortage  
10 of sites that meet the requirements in this section.

11 SEC. 3. Section 21151.8 of the Public Resources Code is  
12 amended to read:

13 21151.8. (a) An environmental impact report shall not be  
14 certified or a negative declaration shall not be approved for a  
15 project involving the purchase of a schoolsite or the construction  
16 of a new elementary or secondary school by a school district *or a*  
17 *charter school* unless all of the following occur:

18 (1) The environmental impact report or negative declaration  
19 includes information that is needed to determine if the property  
20 proposed to be purchased, or to be constructed upon, is any of the  
21 following:

22 (A) The site of a current or former hazardous waste disposal  
23 site or solid waste disposal site and, if so, whether the wastes have  
24 been removed.

25 (B) A hazardous substance release site identified by the  
26 Department of Toxic Substances Control in a current list adopted  
27 pursuant to Section 25356 of the Health and Safety Code for  
28 removal or remedial action pursuant to Chapter 6.8 (commencing  
29 with Section 25300) of Division 20 of the Health and Safety Code.

30 (C) A site that contains one or more pipelines, situated  
31 underground or aboveground, that carries hazardous substances,  
32 extremely hazardous substances, or hazardous wastes, unless the  
33 pipeline is a natural gas line that is used only to supply natural gas  
34 to that school or neighborhood, or other nearby schools.

35 (D) A site that is within 500 feet of the edge of the closest traffic  
36 lane of a freeway or other busy traffic corridor.

37 (E) A site that is within 500 feet of a site specified in  
38 subparagraph (A), (B), or (C).

39 (2) (A) ~~The school district, as the lead agency, agency in~~  
40 preparing the environmental impact report or negative declaration



1 has notified in writing and consulted with the administering agency  
2 in which the proposed schoolsite is located, pursuant to Section  
3 2735.3 of Title 19 of the California Code of Regulations, and with  
4 any air pollution control district or air quality management district  
5 having jurisdiction in the area, to identify both permitted and  
6 nonpermitted facilities within that district's authority, including,  
7 but not limited to, freeways ~~and~~ *or other* busy traffic corridors,  
8 large agricultural operations, and railyards, within one-fourth of  
9 a *one* mile of the proposed schoolsite, that might reasonably be  
10 anticipated to emit hazardous emissions or handle hazardous or  
11 extremely hazardous substances or waste. The notification by the  
12 ~~school district, as the lead agency,~~ *agency* shall include a list of  
13 the locations for which information is sought.

14 (B) Each administering agency, air pollution control district, or  
15 air quality management district receiving written notification from  
16 a lead agency to identify facilities pursuant to subparagraph (A)  
17 shall provide the requested information and provide a written  
18 response to the lead agency within 30 days of receiving the  
19 notification. The environmental impact report or negative  
20 declaration shall be conclusively presumed to comply with  
21 subparagraph (A) as to the area of responsibility of an agency that  
22 does not respond within 30 days.

23 (C) If the ~~school district, as a lead agency,~~ *agency* has carried  
24 out the consultation required by subparagraph (A), the  
25 environmental impact report or the negative declaration shall be  
26 conclusively presumed to comply with subparagraph (A),  
27 notwithstanding any failure of the consultation to identify an  
28 existing facility or other pollution source specified in subparagraph  
29 (A).

30 (3) The governing board of the school district *or the governing*  
31 *body of a charter school* makes one of the following written  
32 findings:

33 (A) Consultation identified no facilities of this type or other  
34 significant pollution sources specified in paragraph (2).

35 (B) The facilities or other pollution sources specified in  
36 paragraph (2) exist, but one of the following conditions applies:

37 (i) The health risks from the facilities or other pollution sources  
38 do not and will not constitute an actual or potential endangerment  
39 of public health to persons who would attend or be employed at  
40 the proposed school.

1 (ii) Corrective measures required under an existing order by  
 2 another agency having jurisdiction over the facilities or other  
 3 pollution sources will, before the school is occupied, result in the  
 4 mitigation of all chronic or accidental hazardous air emissions to  
 5 levels that do not constitute an actual or potential endangerment  
 6 of public health to persons who would attend or be employed at  
 7 the proposed school. If the governing board *of a school district or*  
 8 *the governing body of a charter school* makes a finding pursuant  
 9 to this clause, it shall also make a subsequent finding, ~~prior to~~  
 10 *before* occupancy of the school, that the emissions have been so  
 11 mitigated.

12 (iii) For a schoolsite with a boundary that is within 500 feet of  
 13 the edge of the closest traffic lane of a freeway or other busy traffic  
 14 corridor, the governing board of the school district *or the governing*  
 15 *body of a charter school* determines, through analysis pursuant to  
 16 paragraph (2) of subdivision (b) of Section 44360 of the Health  
 17 and Safety Code, based on appropriate air dispersion modeling,  
 18 and after considering any potential mitigation measures, that the  
 19 air quality at the proposed site is such that neither short-term nor  
 20 long-term exposure poses significant health risks to pupils.

21 (C) The facilities or other pollution sources specified in  
 22 paragraph (2) exist, but conditions in clause (i), (ii), or (iii) of  
 23 subparagraph (B) cannot be met, and the school district *or charter*  
 24 *school* is unable to locate an alternative site that is suitable due to  
 25 a severe shortage of sites that meet the requirements in subdivision  
 26 (a) of Section 17213 of the Education Code. If the governing board  
 27 *of a school district or the governing body of a charter school* makes  
 28 this finding, the governing board *of a school district or the*  
 29 *governing body of a charter school* shall adopt a statement of  
 30 overriding considerations pursuant to Section 15093 of Title 14  
 31 of the California Code of Regulations.

32 (b) ~~As used in~~ *For purposes of* this section, the following  
 33 definitions shall apply:

34 (1) ~~“Hazardous substance” means any substance defined in~~  
 35 ~~Section 25516 of the Health and Safety Code.~~

36 (1) *“Administering agency” means an agency authorized*  
 37 *pursuant to Section 25502 of the Health and Safety Code to*  
 38 *implement and enforce Chapter 6.95 (commencing with Section*  
 39 *25500) of Division 20 of the Health and Safety Code.*

1 (2) “Extremely hazardous substances” means an extremely  
2 hazardous ~~substance~~ *substance*, as defined pursuant to paragraph  
3 (2) of subdivision ~~(g)~~ (j) of Section 25532 of the Health and Safety  
4 Code.

5 ~~(3) “Hazardous waste” means any waste defined in Section~~  
6 ~~25117 of the Health and Safety Code.~~

7 ~~(4) “Hazardous waste disposal site” means any site defined in~~  
8 ~~Section 25114 of the Health and Safety Code.~~

9 (3) “Facilities” means a source with a potential to use, generate,  
10 emit, or discharge hazardous air pollutants, including, but not  
11 limited to, pollutants that meet the definition of a hazardous  
12 substance, and whose process or operation is identified as an  
13 emission source pursuant to the most recent list of source  
14 categories published by the State Air Resources Board.

15 (4) “Freeway or other busy traffic corridor” means those  
16 roadways that, on an average day, have traffic in excess of 50,000  
17 vehicles in a rural area, as defined in Section 50101 of the Health  
18 and Safety Code, and 100,000 vehicles in an urban area, as defined  
19 in Section 50104.7 of the Health and Safety Code.

20 (5) “Handle” means handle as defined in Article 1 (commencing  
21 with Section 25500) of Chapter 6.95 of Division 20 of the Health  
22 and Safety Code.

23 ~~(5)~~  
24 (6) “Hazardous air emissions” means emissions into the ambient  
25 air of air contaminants that have been identified as a toxic air  
26 contaminant by the State Air Resources Board or by the air  
27 pollution control officer for the jurisdiction in which the project  
28 is located. As determined by the air pollution control officer,  
29 hazardous air emissions also means emissions into the ambient air  
30 from any substances identified in subdivisions (a) to (f), inclusive,  
31 of Section 44321 of the Health and Safety Code.

32 ~~(6) “Administering agency” means an agency authorized~~  
33 ~~pursuant to Section 25502 of the Health and Safety Code to~~  
34 ~~implement and enforce Chapter 6.95 (commencing with Section~~  
35 ~~25500) of Division 20 of the Health and Safety Code.~~

36 ~~(7) “Handle” means handle as defined in Article 1 (commencing~~  
37 ~~with Section 25500) of Chapter 6.95 of Division 20 of the Health~~  
38 ~~and Safety Code.~~

39 ~~(8) “Facilities” means any source with a potential to use,~~  
40 ~~generate, emit, or discharge hazardous air pollutants, including,~~

1 but not limited to, pollutants that meet the definition of a hazardous  
2 substance, and whose process or operation is identified as an  
3 emission source pursuant to the most recent list of source categories  
4 published by the California Air Resources Board.

5 (9) “Freeway or other busy traffic corridors” means those  
6 roadways that, on an average day, have traffic in excess of 50,000  
7 vehicles in a rural area, as defined in Section 50101 of the Health  
8 and Safety Code, and 100,000 vehicles in an urban area, as defined  
9 in Section 50104.7 of the Health and Safety Code.

10 (7) “Hazardous substance” means a substance defined in  
11 Section 25316 of the Health and Safety Code.

12 (8) “Hazardous waste” means a waste defined in Section 25117  
13 of the Health and Safety Code.

14 (9) “Hazardous waste disposal site” means a site defined in  
15 Section 25114 of the Health and Safety Code.

16 SEC. 4. No reimbursement is required by this act pursuant to  
17 Section 6 of Article XIII B of the California Constitution because  
18 a local agency or school district has the authority to levy service  
19 charges, fees, or assessments sufficient to pay for the program or  
20 level of service mandated by this act, within the meaning of Section  
21 17556 of the Government Code.

22 However, if the Commission on State Mandates determines that  
23 this act contains costs mandated by the state, reimbursement to  
24 local agencies and school districts for those costs shall be made  
25 pursuant to Part 7 (commencing with Section 17500) of Division  
26 4 of Title 2 of the Government Code.

LEGISLATIVE COMMITTEE MEETING  
OF 03/17/2021

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**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 11, 2021

Re: Consideration of New Bills

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**RECOMMENDED ACTION**

The Legislative Committee (Committee) will discuss and review bills and take positions where appropriate.

Staff recommends oppose positions on the following bills:

- Assembly Bill (AB) 905 (Quirk) – Mobile fueling on-demand tank vehicles: performance standards

Staff recommends support positions on the following bills:

- Senate Bill (SB) 30 (Cortese) – Building decarbonization
- SB 31 (Cortese) – Building decarbonization
- SB 32 (Cortese) – Energy: general plan: building decarbonization requirements
- SB 68 (Becker) – Building decarbonization

**BACKGROUND**

This is the first year of the two-year 2021-2022 Legislative Session. The last day for bills to be introduced this year was February 19, 2021. Bills can be heard in committee 31 days after being introduced, with most bills being heard in committee beginning in mid-March. The attached bill matrix is current as of the date of this agenda item and has been arranged by category.

**DISCUSSION**

Staff will provide the Committee a brief summary and status of bills on the attached list and will recommend bills to support and oppose during the session. Staff will review other bills that may be of interest to the Committee. Specifically, staff will plan to discuss AB 905 (Quirk), SB 30 (Cortese), SB 31 (Cortese), SB 32 (Cortese), and SB 68 (Becker).

*AB 905 (Quirk) – Mobile fueling on-demand tank vehicles: performance standards.* On-demand tank fueling seeks to replace traditional gas stations with app-based mobile gas stations that can fuel vehicles anywhere upon request. AB 905 circumvents air districts’ health-focused permitting process and instead treats vehicle fuel loading as a mobile source, subject to oversight only by the California Air Resources Board (CARB). CARB would continue to be able to test tanks, issue equipment certifications and charge a reasonable fee for certification, but local air districts would be prohibited from requiring and enforcing health-protective measures that are currently part of the air districts’ permitting and enforcement process. Staff recommends taking an oppose position.

*SB 30 (Cortese) – Building decarbonization.* This bill focuses on state buildings, prohibiting new state buildings from being connected to the natural gas grid. This bill will send a strong market signal to technology manufacturers and providers and will provide a push for decarbonization in statewide (and local) building codes. Staff recommends taking a support position.

*SB 31 (Cortese) – Building decarbonization.* This bill focuses on non-state buildings by creating programs and directing funding to building decarbonization, particularly funding for low-income customers. This bill may provide much-needed support for financing the transition to decarbonized buildings. Staff recommends taking a support position.

*SB 32 (Cortese) – Energy: general plan: building decarbonization requirements.* This bill addresses building decarbonization through general plans, requiring cities and counties to amend their general plans to include goals, policies, and strategies to decarbonize new residential and commercial buildings. This is consistent with the Air District’s approach to updating California Environmental Quality Act (CEQA) greenhouse gas (GHG) thresholds. Staff recommends taking a support position.

*SB 68 (Becker) – Building Decarbonization –* This bill requires the California Energy Commission (CEC) to develop and publish online a guide for building electrification (with model codes, checklists, etc.) and to submit to the Legislature a report on barriers to electrifying existing buildings and to adding energy storage or vehicle charging equipment to existing buildings. It also would require the statewide Electric Program Investment Charge (EPIC) program to add/include technologies “that lead to” building electrification as fundable under the program. Staff recommends taking a support position.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Jack P. Broadbent

Attachment 5A: Current Bills of Interest Matrix  
Attachment 5B: AB 905 (Quirk) – Bill Text  
Attachment 5C: AB 905 (Quirk) – Fact Sheet  
Attachment 5D: SB 30 (Cortese) – Bill Text  
Attachment 5E: SB 30 (Cortese) – Fact Sheet  
Attachment 5F: SB 31 (Cortese) – Bill Text  
Attachment 5G: SB 31 (Cortese) – Fact Sheet  
Attachment 5H: SB 32 (Cortese) – Bill Text  
Attachment 5I: SB 32 (Cortese) – Fact Sheet  
Attachment 5J: SB 68 (Becker) – Bill Text

LEGISLATIVE COMMITTEE MEETING  
OF 03/17/2021

AGENDA 5A - ATTACHMENT

Bill #	Author	Subject	Last Status - As of 3/11/2021	Location	Notes	Position	Priority (Low/Medium/High)	Category
<a href="#">AB 11</a>	Ward	Climate change: regional climate change authorities.	1/25/2021-Re-referred to Com. on NAT. RES.	1/11/2021-A. NAT. RES.			Low	Climate Change
<a href="#">AB 39</a>	Chau	California-China Climate Institute.	1/11/2021-Referred to Coms. on HIGHER ED. and NAT. RES.	1/11/2021-A. HIGHER ED.			Low	Climate Change
<a href="#">AB 51</a>	Quirk	Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.	1/11/2021-Referred to Com. on NAT. RES.	1/11/2021-A. NAT. RES.			Low	Climate Change
<a href="#">AB 284</a>	Rivas, Robert	California Global Warming Solutions Act of 2006: climate goal: natural and working lands.	1/28/2021-Referred to Com. on NAT. RES.	1/28/2021-A. NAT. RES.			Low	Climate Change
<a href="#">AB 897</a>	Mullin	Office of Planning and Research: regional climate networks: climate adaptation action plans.	2/25/2021-Referred to Com. on NAT. RES.	2/25/2021-A. NAT. RES.			Low	Climate Change
<a href="#">AB 943</a>	Garcia, Eduardo	California Global Warming Solutions Act of 2006.	2/18/2021-From printer. May be heard in committee March 20.	2/17/2021-A. PRINT	Spot bill.		Low	Climate Change
<a href="#">AB 1086</a>	Aguiar-Curry	Organic waste: implementation strategy.	3/4/2021-Referred to Com. on NAT. RES.	3/4/2021-A. NAT. RES.			Low	Climate Change
<a href="#">AB 1395</a>	Muratsuchi	Greenhouse gases: carbon neutrality.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Climate Change
<a href="#">AB 1463</a>	O'Donnell	California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard regulations.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Climate Change
<a href="#">AB 1523</a>	Gallagher	Greenhouse gases.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Climate Change
<a href="#">SB 27</a>	Skinner	Carbon sequestration: state goals: natural and working lands: registry of projects.	3/3/2021-Set for hearing March 15.	1/28/2021-S. E.Q.			Low	Climate Change
<a href="#">SB 30</a>	Cortese	Building decarbonization.	1/28/2021-Referred to Com. on G.O.	1/28/2021-S. G.O.		Propose Support	Medium	Climate Change
<a href="#">SB 31</a>	Cortese	Building decarbonization.	3/5/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on E. U. & C.	1/28/2021-S. E. U. & C.		Propose Support	Medium	Climate Change
<a href="#">SB 68</a>	Becker	Building decarbonization.	3/7/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	12/7/2020-S. RLS.		Propose Support	Low	Climate Change
<a href="#">SB 260</a>	Wiener	Climate Corporate Accountability Act.	2/22/2021-Art. IV, Sec. 3(a) of the Constitution dispensed with. (Ayes 32. Noes 4.) Joint Rule 55 suspended. (Ayes 32. Noes 4.)	2/3/2021-S. E.Q.			Medium	Climate Change
<a href="#">SB 449</a>	Stern	Climate-related financial risk.	3/4/2021-Set for hearing April 7.	2/25/2021-S. B. & F. I.			Low	Climate Change
<a href="#">SB 456</a>	Laird	Fire prevention: long-term forest management plan: reports.	3/8/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/16/2021-S. RLS.	Intent bill.		Low	Climate Change
<a href="#">SB 582</a>	Stern	Climate Emergency Mitigation, Safe Restoration, and Just Resilience Act of 2021.	3/10/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/18/2021-S. RLS.	Intent bill.		Low	Climate Change
<a href="#">SB 596</a>	Becker	Greenhouse gases: cement and concrete production.	3/4/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/18/2021-S. RLS.			Medium	Climate Change
<a href="#">SB 759</a>	Hueso	Short-lived climate pollutants: methane: organic waste: landfills.	3/3/2021-Referred to Com. on RLS.	2/19/2021-S. RLS.	Spot bill.		Low	Climate Change
<a href="#">AB 5</a>	Fong	Greenhouse Gas Reduction Fund: High Speed Rail Authority: K-12 education: transfer and loan.	1/11/2021-Referred to Coms. on TRANS. and NAT. RES.	1/11/2021-A. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 96</a>	O'Donnell	California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.	1/11/2021-Referred to Coms. on TRANS. and NAT. RES.	1/11/2021-A. TRANS.			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 113</a>	Boerner Horvath	Transportation electrification: electric vehicles: grid integration.	1/11/2021-Read first time.	12/17/2020-A. PRINT	Spot bill.		Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 117</a>	Boerner Horvath	Air Quality Improvement Program: electric bicycles.	1/11/2021-Read first time. Referred to Coms. on TRANS. and NAT. RES.	1/11/2021-A. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 363</a>	Medina	Carl Moyer Memorial Air Quality Standards Attainment Program.	2/12/2021-Referred to Com. on TRANS.	2/12/2021-A. TRANS.		Oppose	Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 365</a>	O'Donnell	Sales and use taxes: exclusion: zero-emission and near-zero-emission drayage trucks.	2/12/2021-Referred to Com. on REV. & TAX.	2/12/2021-A. REV. & TAX			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 648</a>	Fong	Greenhouse Gas Reduction Fund: healthy forest and fire prevention: appropriation.	2/25/2021-Referred to Com. on NAT. RES.	2/25/2021-A. NAT. RES.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 649</a>	Bennett	CalRecycle Greenhouse Gas Reduction Revolving Loan Program.	2/13/2021-From printer. May be heard in committee March 15.	2/12/2021-A. PRINT			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade



Bill #	Author	Subject	Last Status - As of 3/11/2021	Location	Notes	Position	Priority (Low/Medium/High)	Category
<a href="#">AB 713</a>	Garcia, Cristina	Greenhouse gases: market-based compliance mechanism: price ceiling.	2/17/2021-From printer. May be heard in committee March 19.	2/16/2021-A. PRINT	Spot bill. Cap and Trade		Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 745</a>	Gipson	Air pollution: Clean Cars 4 All program.	2/25/2021-Referred to Com. on TRANS.	2/25/2021-A. TRANS.	Clean Cars for All		Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 776</a>	Mathis	Methane: dairy digesters.	2/17/2021-From printer. May be heard in committee March 19.	2/16/2021-A. PRINT	Intent bill.		Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 794</a>	Carrillo	Air pollution: financial incentive programs.	2/17/2021-From printer. May be heard in committee March 19.	2/16/2021-A. PRINT	Intent bill.		Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 823</a>	Gray	High-Speed Rail Authority: trains powered by fossil fuel combustion engines.	2/25/2021-Referred to Com. on TRANS.	2/25/2021-A. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 833</a>	Quirk-Silva	State government: grants: administrative costs.	2/25/2021-Referred to Com. on A. & A.R.	2/25/2021-A. A. & A.R.			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 906</a>	Carrillo	Zero-emission trucks: tax and fee exemptions.	2/25/2021-Referred to Coms. on REV. & TAX. and TRANS.	2/25/2021-A. REV. & TAX			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 965</a>	Levine	Building standards: electric vehicle charging infrastructure.	3/4/2021-Referred to Com. on H. & C.D.	3/4/2021-A. H. & C.D.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 992</a>	Cooley	Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project.	3/4/2021-Referred to Coms. on TRANS. and NAT. RES.	3/4/2021-A. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1147</a>	Friedman	Regional transportation plan: electric bicycles.	3/4/2021-Referred to Coms. on TRANS. and NAT. RES.	3/4/2021-A. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1312</a>	Rodriguez	Vehicular fuels: renewable and clean hydrogen: income tax: credit.	3/4/2021-Referred to Coms. on NAT. RES. and REV. & TAX.	3/4/2021-A. NAT. RES.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1389</a>	Reyes	Alternative and Renewable Fuel and Vehicle Technology Program.	2/22/2021-Read first time.	2/19/2021-A. PRINT	Intent bill.		Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1500</a>	Garcia, Eduardo	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 45</a>	Portantino	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.	2/17/2021-Set for hearing March 16.	1/28/2021-S. N.R. & W.			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 66</a>	Allen	California Council on the Future of Transportation: advisory committee: autonomous vehicle technology.	2/25/2021-Re-referred to Com. on TRANS.	2/25/2021-S. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 227</a>	Jones	Off-highway vehicles.	3/10/2021-Set for hearing April 13.	1/28/2021-S. TRANS.			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 261</a>	Allen	Regional transportation plans: sustainable communities strategies.	3/3/2021-Set for hearing March 15.	2/4/2021-S. E.Q.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 339</a>	Wiener	Vehicles: road usage charge pilot program.	3/10/2021-Set for hearing April 13.	2/17/2021-S. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 372</a>	Leyva	Medium- and heavy-duty fleet purchasing assistance program: zero emission vehicles.	3/4/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/10/2021-S. RLS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 495</a>	Dahle	California Global Warming Solutions Act of 2006: scoring plan: Greenhouse Gas Reduction Fund.	3/5/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/17/2021-S. RLS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 500</a>	Min	Autonomous vehicles: zero emission.	3/10/2021-Set for hearing April 13.	2/25/2021-S. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 506</a>	Jones	California Environmental Quality Act: Greenhouse Gas Reduction Fund monies: greenhouse gas emissions: vegetation management projects.	3/1/2021-Set for hearing March 16.	2/25/2021-S. N.R. & W.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 527</a>	Melendez	Greenhouse Gas Reduction Fund: high-speed rail: Salton Sea restoration.	2/25/2021-Referred to Coms. on E.Q., TRANS., and N.R. & W. Referral to Com. on N.R. & W. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.	2/25/2021-S. E.Q.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 542</a>	Limón	Zero-emission vehicles: fees.	3/10/2021-Set for hearing April 13.	3/3/2021-S. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 551</a>	Stern	California Electric Vehicle Authority.	3/4/2021-Referral to Com. on E., U. & C. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.	3/4/2021-S. E. U., & C.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 589</a>	Hueso	Air pollution: alternative vehicles and vehicle infrastructure.	3/3/2021-Referred to Coms. on E., U. & C. and TRANS.	3/3/2021-S. E. U., & C.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 643</a>	Archuleta	Fuel cell electric vehicle fueling infrastructure and fuel production: statewide assessment.	3/3/2021-Referred to Com. on RLS.	2/19/2021-S. RLS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade

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<a href="#">SB 671</a>	Gonzalez	Transportation: Clean Freight Corridor Efficiency Program.	3/10/2021-Set for hearing April 13.	3/3/2021-S. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 726</a>	Gonzalez	Alternative and Renewable Fuel and Vehicle Technology Program.	3/3/2021-Referred to Com. on RLS.	2/19/2021-S. RLS.	Intent bill.		Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 771</a>	Becker	Sales and Use Tax Law: zero emissions vehicle exemption.	3/3/2021-Referred to Com. on GOV. & F.	3/3/2021-S. GOV. & F.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 798</a>	Wieckowski	Trade Corridor Enhancement Account.	3/3/2021-Referred to Com. on RLS.	2/19/2021-S. RLS.	Spot bill.		Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 220</a>	Voepel	Smog check: exemption.	1/28/2021-Referred to Com. on TRANS.	1/28/2021-A. TRANS.		Oppose	Medium	General-Air District
<a href="#">AB 426</a>	Bauer-Kahan	Toxic air contaminants.	2/12/2021-Referred to Coms. on NAT. RES. and TRANS.	2/12/2021-A. NAT. RES.		Air District-Sponsored	High	General-Air District
<a href="#">AB 467</a>	Grayson	Smog check: exemption: historic vehicles.	2/18/2021-Referred to Com. on TRANS.	2/18/2021-A. TRANS.		Oppose	Medium	General-Air District
<a href="#">AB 762</a>	Lee	Hazardous emissions and substances: schoolsites: private and charter schools.	2/25/2021-Referred to Coms. on E.S. & T.M. and ED.	2/25/2021-A. E.S. & T.M.		Air District-Sponsored	High	General-Air District
<a href="#">AB 766</a>	Gabriel	Ambient air quality standards.	2/17/2021-From printer. May be heard in committee March 19.	2/16/2021-A. PRINT	Spot bill.		Medium	General-Air District
<a href="#">AB 905</a>	Quirk	Mobile fueling on-demand tank vehicles: performance standards.	2/25/2021-Referred to Coms. on TRANS. and NAT. RES.	2/25/2021-A. TRANS.		Propose Oppose	Medium	General-Air District
<a href="#">AB 1296</a>	Kamlager	South Coast Air Quality Management District: district board: membership.	3/4/2021-Referred to Com. on NAT. RES.	3/4/2021-A. NAT. RES.			Low	General-Air District
<a href="#">AB 1547</a>	Reyes	Air pollution: warehouse facilities.	2/22/2021-Read first time.	2/19/2021-A. PRINT	Intent bill.		Medium	General-Air District
<a href="#">AB 9</a>	Wood	Wildfires.	12/8/2020-From printer. May be heard in committee January 7.	12/7/2020-A. PRINT	Intent bill. Maybe prescribed fire.		Medium	Wildfire/Smoke/PSPS
<a href="#">AB 52</a>	Frazier	California Global Warming Solutions Act of 2006: scoping plan updates: wildfires.	1/11/2021-Referred to Com. on NAT. RES.	1/11/2021-A. NAT. RES.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 73</a>	Rivas, Robert	Employment safety: agricultural workers: wildfire smoke.	2/3/2021-Re-referred to Com. on GOV. & F.	1/11/2021-A. L. & E.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 297</a>	Gallagher	Fire prevention.	2/12/2021-Referred to Coms. on NAT. RES. and REV. & TAX.	2/12/2021-A. NAT. RES.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 575</a>	Fong	Civil liability: prescribed burning activities: gross negligence.	2/18/2021-Referred to Coms. on JUD. and NAT. RES.	2/18/2021-A. JUD.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 619</a>	Calderon	Lung health.	2/25/2021-Referred to Coms. on HEALTH and E.M.	2/25/2021-A. HEALTH			Low	Wildfire/Smoke/PSPS
<a href="#">AB 642</a>	Friedman	Wildfires.	2/25/2021-Referred to Com. on NAT. RES.	2/25/2021-A. NAT. RES.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 792</a>	Flora	Forestry: prescribed burning agreements.	2/25/2021-Referred to Com. on NAT. RES.	2/25/2021-A. NAT. RES.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 800</a>	Gabriel	Wildfires: mitigation and prevention.	2/17/2021-From printer. May be heard in committee March 19.	2/16/2021-A. PRINT	Intent bill.		Low	Wildfire/Smoke/PSPS
<a href="#">AB 1100</a>	Aguiar-Curry	Communications service: emergencies and disasters: reports.	3/4/2021-Referred to Coms. on C. & C. and E.M.	3/4/2021-A. C. & C.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 1512</a>	Bauer-Kahan	Forest practices: burning of brush-covered lands.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Wildfire/Smoke/PSPS
<a href="#">SB 52</a>	Dodd	State of emergency: local emergency: sudden and severe energy shortage: planned power outage.	3/9/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 0.) (March 9). Re-referred to Com. on APPR.	3/9/2021-S. APPR.			Low	Wildfire/Smoke/PSPS
<a href="#">SB 63</a>	Stern	Fire prevention: vegetation management: public education: grants: defensible space: fire hazard severity zones: forest management.	2/17/2021-Set for hearing March 16.	1/28/2021-S. N.R. & W.			Low	Wildfire/Smoke/PSPS
<a href="#">SB 332</a>	Dodd	Civil liability: prescribed burning operations: gross negligence.	2/22/2021-Art. IV, Sec. 8(a) of the Constitution dispensed with. (Ayes 32. Noes 4.) Joint Rule 55 suspended. (Ayes 32. Noes 4.)	2/17/2021-S. JUD.			Low	Wildfire/Smoke/PSPS
<a href="#">AB 214</a>	Ting	Budget Act of 2021.	1/28/2021-Referred to Com. on BUDGET.	1/28/2021-A. BUDGET			High	Other
<a href="#">AB 339</a>	Lee	State and local government: open meetings.	1/29/2021-From printer. May be heard in committee February 28.	1/28/2021-A. PRINT			Low	Other
<a href="#">AB 844</a>	Grayson	Green empowerment zone: County of Contra Costa.	2/18/2021-From printer. May be heard in committee March 20.	2/17/2021-A. PRINT			Low	Other

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<a href="#">AB 983</a>	Garcia, Eduardo	Public contracts: construction projects: community workforce agreements.	3/4/2021-Referred to Com. on L. & E.	3/4/2021-A. L. & E.			Low	Other
<a href="#">AB 1005</a>	Muratsuchi	Scientific Review Panel on Toxic Air Contaminants.	2/19/2021-From printer. May be heard in committee March 21.	2/18/2021-A. PRINT	Spot bill.		Low	Other
<a href="#">AB 1205</a>	Frazier	State Air Resources Board: elections.	2/22/2021-Read first time.	2/19/2021-A. PRINT	Intent bill.		Low	Other
<a href="#">AB 1240</a>	Ting	Indoor air pollution.	3/4/2021-Referred to Com. on NAT. RES.	3/4/2021-A. NAT. RES.			Medium	Other
<a href="#">AB 1270</a>	Rivas, Luz	Natural gas: leaks.	2/22/2021-Read first time.	2/19/2021-A. PRINT	Intent bill.		Low	Other
<a href="#">AB 1346</a>	Berman	Elections: ballots.	2/22/2021-Read first time.	2/19/2021-A. PRINT	Spot bill.		Low	Other
<a href="#">AB 1365</a>	Bonta	Public contracts: clean concrete.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Other
<a href="#">AB 1397</a>	Garcia, Eduardo	Public contracts: California Lithium Economy Act.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Other
<a href="#">SB 7</a>	Atkins	Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.	3/1/2021-Read third time. Urgency clause adopted. Passed. (Ayes 34. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	3/1/2021-A. DESK			Low	Other
<a href="#">SB 112</a>	Skinner	Budget Act of 2021.	1/11/2021-From printer. Read first time. Referred to Com. on B. & F.R.	1/11/2021-S. BUDGET & F.R.			High	Other
<a href="#">SB 467</a>	Wiener	Oil and gas: hydraulic fracturing, acid well stimulation treatments, steam flooding, water flooding, or cyclic steaming: prohibition: job relocation.	2/25/2021-Referred to Coms. on N.R. & W. and E.Q.	2/25/2021-S. N.R. & W.			Low	Other
<a href="#">SB 475</a>	Cortese	Transportation planning: sustainable communities strategies.	3/10/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/17/2021-S. RLS.	Intent bill.		Low	Other
<a href="#">SB 560</a>	Rubio	Climate Pollution Reduction in Homes Initiative: grants.	3/3/2021-Referred to Com. on E. U. & C.	3/3/2021-S. E. U., & C.			Medium	Other
<a href="#">AB 585</a>	Rivas, Luz	Climate change: Extreme Heat and Community Resilience Program.	2/18/2021-Referred to Com. on NAT. RES.	2/18/2021-A. NAT. RES.			Low	Environmental Justice
<a href="#">AB 680</a>	Burke	Greenhouse Gas Reduction Fund: California Just Transition Act.	2/25/2021-Referred to Coms. on L. & E. and NAT. RES.	2/25/2021-A. L. & E.			Medium	Environmental Justice
<a href="#">AB 976</a>	Rivas, Luz	Resilient Economies and Community Health Pilot Program.	3/4/2021-Referred to Com. on NAT. RES.	3/4/2021-A. NAT. RES.			Low	Environmental Justice
<a href="#">AB 1069</a>	Lackey	Zero-emission passenger vehicles: underrepresented communities.	3/4/2021-Referred to Com. on TRANS.	3/4/2021-A. TRANS.			Low	Environmental Justice
<a href="#">AB 1087</a>	Chiu	Environmental Justice Community Resilience Hubs Program.	3/4/2021-Referred to Coms. on U. & E. and NAT. RES.	3/4/2021-A. U. & E.			Low	Environmental Justice
<a href="#">AB 1099</a>	Rivas, Robert	State funding: environmental equity.	2/19/2021-From printer. May be heard in committee March 21.	2/18/2021-A. PRINT	Intent bill.		Low	Environmental Justice
<a href="#">AB 1218</a>	McCarty	Motor vehicle greenhouse gas emissions standards: civil penalty: Equitable Access to Zero-Emissions Vehicles Fund.	3/4/2021-Referred to Com. on TRANS.	3/4/2021-A. TRANS.			Low	Environmental Justice
<a href="#">AB 1453</a>	Muratsuchi	Environmental justice: Just Transition Advisory Commission: Just Transition Plan.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Environmental Justice
<a href="#">SB 342</a>	Gonzalez	South Coast Air Quality Management District: board membership.	3/10/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/9/2021-S. RLS.			Low	Environmental Justice
<a href="#">SB 499</a>	Leyva	General plan: land use element: uses adversely impacting health outcomes.	2/25/2021-Referred to Coms. on GOV. & F. and E.Q.	2/25/2021-S. GOV. & F.			Low	Environmental Justice
<a href="#">SB 751</a>	Gonzalez	Environmental justice.	3/3/2021-Referred to Com. on RLS.	2/19/2021-S. RLS.	Intent bill.		Low	Environmental Justice
<a href="#">AB 28</a>	Chau	Service stations: definition: alternative fuels.	1/11/2021-Referred to Com. on TRANS.	1/11/2021-A. TRANS.			Low	Energy
<a href="#">AB 33</a>	Ting	Natural gas.	1/11/2021-Referred to Coms. on U. & E. and NAT. RES.	1/11/2021-A. U. & E.			Low	Energy
<a href="#">AB 64</a>	Quirk	Electricity: renewable energy and zero-carbon resources: state policy: strategy.	1/11/2021-Referred to Coms. on U. & E. and NAT. RES.	1/11/2021-A. U. & E.			Low	Energy
<a href="#">AB 1161</a>	Garcia, Eduardo	Electricity: eligible renewable energy and zero-carbon resources: state agencies: procurement.	3/4/2021-Referred to Coms. on U. & E. and NAT. RES.	3/4/2021-A. U. & E.			Low	Energy
<a href="#">AB 1261</a>	Burke	Renewable gas.	2/22/2021-Read first time.	2/19/2021-A. PRINT	Spot bill.		Low	Energy

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<a href="#">AB 1317</a>	Berman	Clean energy.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Energy
<a href="#">AB 1325</a>	Burke	Microgrids: Clean Community Microgrid Incentive Program.	3/4/2021-Referred to Com. on U. & E.	3/4/2021-A. U. & E.			Low	Energy
<a href="#">AB 1469</a>	Santiago	Energy: energy efficiency programs.	2/22/2021-Read first time.	2/19/2021-A. PRINT			Low	Energy
<a href="#">AB 1559</a>	O'Donnell	Renewable natural gas.	2/22/2021-Read first time.	2/19/2021-A. PRINT	Intent bill.		Low	Energy
<a href="#">SB 18</a>	Skinner	Green hydrogen.	3/2/2021-Set for hearing March 15.	1/28/2021-S. E. U., & C.			Low	Energy
<a href="#">SB 32</a>	Cortese	Energy: general plan: building decarbonization requirements.	1/28/2021-Referred to Com. on GOV. & F.	1/28/2021-S. GOV. & F.		Propose Support	Medium	Energy
<a href="#">SB 36</a>	Skinner	Energy efficiency.	1/28/2021-Referred to Com. on RLS.	12/7/2020-S. RLS.	Spot bill		Low	Energy
<a href="#">SB 67</a>	Becker	Clean energy: California 24/7 Clean Energy Standard Program.	3/3/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	12/7/2020-S. RLS.			Low	Energy
<a href="#">SB 99</a>	Dodd	Community Energy Resilience Act of 2021.	1/28/2021-Referred to Com. on E, U, & C.	1/28/2021-S. E. U., & C.			Low	Energy
<a href="#">SB 345</a>	Becker	Energy programs and projects: nonenergy benefits.	3/2/2021-Set for hearing March 15.	2/17/2021-S. E. U., & C.			Low	Energy
<a href="#">SB 513</a>	Hertzberg	Eligible fuel cell electrical generating facilities.	2/25/2021-Referred to Com. on RLS.	2/17/2021-S. RLS.			Low	Energy
<a href="#">SB 662</a>	Archuleta	Energy: transportation sector: green hydrogen.	3/4/2021-Referral to Com. on TRANS. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.	3/4/2021-S. TRANS.			Low	Energy
<b>Total Active Bills</b>	<b>125</b>						Low: Medium: High:	98 23 4

LEGISLATIVE COMMITTEE MEETING  
OF 03/17/2021

**ASSEMBLY BILL****No. 905**

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**Introduced by Assembly Member Quirk  
(Coauthors: Assembly Members Bauer-Kahan, Berman, Flora, and  
Grayson)**

February 17, 2021

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An act to amend Sections 41950 and 41962 of, and to add Section 39618.5 to, the Health and Safety Code, relating to vehicular air pollution.

## LEGISLATIVE COUNSEL'S DIGEST

AB 905, as introduced, Quirk. Mobile fueling on-demand tank vehicles: performance standards.

(1) Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution and air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law makes a violation of a rule or regulation of the state board a misdemeanor.

This bill would require the state board to regulate a mobile fueling on-demand tank vehicle, as defined, as a mobile source, and, contingent upon an appropriation by the Legislature for this purpose, to adopt regulations on or before a specified date to control emissions attributable to mobile fueling on-demand tank vehicles and to certify equipment for those vehicles, as provided. The bill would authorize the state board to allow the use of onboard refueling vapor recovery (ORVR) systems to achieve or maintain the standards and procedures adopted in those regulations for the control of gasoline vapors resulting from the motor

vehicle fueling operations of a mobile fueling on-demand tank vehicle. Because a violation of those regulations would be a crime, the bill would impose a state-mandated local program.

The bill would prohibit a person from operating, or allowing the operation of, a mobile fueling on-demand tank vehicle, unless it is equipped with a vapor recovery system that is certified by the state board, or that meets permeation and spillage performance standards determined by the state board, and is installed, operated, and maintained in compliance with the state board's requirements for certification.

The bill would require the state board to assess a fee on mobile fueling on-demand tank vehicles to recover the reasonable costs of implementing these provisions, and would require the fee to be deposited in the Air Pollution Control Fund and to be available for expenditure upon appropriation by the Legislature. The bill would require that the fee be adjusted annually based on the California Consumer Price Index as compiled and reported by the Department of Industrial Relations.

(2) Existing law prohibits a person from installing or maintaining a stationary gasoline tank with a capacity of 250 gallons or more that is not equipped for loading through a permanent submerged fill pipe, unless the tank is a pressure tank, as specified, or is equipped with a vapor recovery system, as specified, or with a floating roof, as specified, or unless the tank is equipped with other apparatus of equal efficiency that has been approved by the air pollution control officer in whose district the tank is located.

This bill would allow a person to install or maintain a mobile fueling on-demand tank vehicle, or a system on that vehicle, that is certified by the state board and meets certain requirements and that is not equipped for loading through a permanent submerged fill pipe, even if the tank is a pressure tank, as specified, or is not equipped with a vapor recovery system, as specified, or does not have a floating roof, as specified, or if the tank is not equipped with other apparatus of equal efficiency that has been approved by the air pollution control officer in whose district the tank is located.

The bill would require that a mobile fueling on-demand tank vehicle be loaded exclusively through bottom loading equipment certified by the state board, unless the vehicle includes a vapor recovery system that is certified by the state board.

(3) Existing law requires the state board to adopt performance standards to ensure that systems for the control of gasoline vapors resulting from motor vehicle fueling operations do not cause excessive

gasoline liquid spillage when used in a proper manner. Existing law requires the state board to adopt test procedures to determine the compliance with vapor emission standards of vapor recovery systems of cargo tanks on tank vehicles used to transport gasoline, as provided. Existing law prohibits an air district from adopting test procedures for, or requiring certification of, cargo tank vapor recovery system and from imposing fees on, or requiring a permit of, tank vehicles with vapor recovery systems, but provides that an air district is not prohibited from inspecting and testing cargo tank vapor recovery systems on tank vehicles for specified purposes.

This bill would provide that an air district is additionally not prohibited from inspecting and testing emissions control systems on mobile fueling on-demand tank vehicles for those same purposes.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 39618.5 is added to the Health and Safety  
2 Code, to read:

3 39618.5. (a) A mobile fueling on-demand tank vehicle, as  
4 defined in paragraph (2) of subdivision (c) of Section 41950, shall  
5 be regulated by the state board as a mobile source. Contingent  
6 upon an appropriation by the Legislature for this purpose, the state  
7 board shall adopt regulations on or before January 1 of the year  
8 following the date on which the appropriation is provided to control  
9 emissions attributable to mobile fueling on-demand tank vehicles  
10 and to certify equipment for those vehicles pursuant to this section  
11 and Section 41962.

12 (b) The state board may authorize the use of onboard refueling  
13 vapor recovery (ORVR) systems to achieve or maintain the  
14 standards and procedures adopted in regulations pursuant to this  
15 section for the control of gasoline vapors resulting from the motor  
16 vehicle fueling operations of a mobile fueling on-demand tank  
17 vehicle.

1 (c) (1) The state board shall assess a fee on mobile fueling  
2 on-demand tank vehicles to recover the reasonable costs of  
3 implementing this section and paragraph (2) of subdivision (g) of  
4 Section 41962.

5 (2) The fee imposed pursuant to paragraph (1) shall be adjusted  
6 annually based on the California Consumer Price Index as compiled  
7 and reported by the Department of Industrial Relations.

8 (3) All fees collected by the state board pursuant to this  
9 subdivision shall be deposited in the Air Pollution Control Fund  
10 and shall be available for expenditure upon appropriation by the  
11 Legislature.

12 SEC. 2. Section 41950 of the Health and Safety Code is  
13 amended to read:

14 41950. (a) Except as provided in ~~subdivisions (b) and (c), no~~  
15 *subdivision (b), a person shall not install or maintain any a*  
16 *stationary gasoline tank with a capacity of 250 gallons or more*  
17 *which that is not equipped for loading through a permanent*  
18 *submerged fill pipe, unless such the tank is a pressure tank as*  
19 *described in Section 41951, or is equipped with a vapor recovery*  
20 *system as described in Section 41952 or with a floating roof as*  
21 *described in Section 41953, or unless such the tank is equipped*  
22 *with other apparatus of equal efficiency which that has been*  
23 *approved by the air pollution control officer in whose district the*  
24 *tank is located.*

25 (b) Subdivision (a) shall not apply to ~~any stationary tanks~~  
26 *installed prior to December 31, 1970: of the following:*

27 (1) *A stationary tank installed before December 31, 1970.*

28 (2) *A stationary tank that is used primarily for the fueling of*  
29 *implements of husbandry.*

30 (3) (A) *A mobile fueling on-demand tank vehicle, or system on*  
31 *that vehicle, that is certified by the state board and meets the*  
32 *applicable requirements in this paragraph and Sections 39618.5,*  
33 *41954, and 41962.*

34 (B) *A mobile fueling on-demand tank vehicle shall be loaded*  
35 *exclusively through bottom loading equipment certified by the state*  
36 *board, and shall not be loaded in any other manner, including,*  
37 *but not limited to, top loading or splash loading, unless the vehicle*  
38 *includes a vapor recovery system that is certified by the state*  
39 *board.*



1 (c) For ~~the purpose~~ *purposes* of this section, ~~“gasoline”~~ *the*  
2 *following definitions apply:*

3 (1) “Gasoline” means any petroleum distillate having a Reid  
4 vapor pressure of four pounds or greater.

5 (2) (A) “*Mobile fueling on-demand tank vehicle*” means a tank  
6 truck or trailer, as defined by the state board in its standards and  
7 procedures adopted pursuant to subdivision (a) of Section 39618.5,  
8 that is equipped with an onboard cargo tank system designed to  
9 load, transport, and transfer gasoline directly from the onboard  
10 cargo tank into a motor vehicle fuel tank.

11 (B) The state board shall determine the tank capacity of a mobile  
12 fueling on-demand tank vehicle that will be subject to the  
13 regulations adopted pursuant to subdivision (a) of Section 39618.5.

14 (d) For ~~the purpose~~ *purposes* of this section, “submerged fill  
15 pipe” means ~~any a fill pipe which~~ *that* has its discharge opening  
16 entirely submerged when the liquid level is six inches above the  
17 bottom of the tank. “Submerged fill pipe,” when applied to a tank  
18 ~~which that~~ is loaded from the side, means ~~any a fill pipe which~~  
19 *that* has its discharge opening entirely submerged when the liquid  
20 level is 18 inches above the bottom of the tank.

21 (e) ~~Subdivision (a) shall not apply to any stationary tank which~~  
22 ~~is used primarily for the fueling of implements of husbandry.~~

23 SEC. 3. Section 41962 of the Health and Safety Code is  
24 amended to read:

25 41962. (a) Notwithstanding Section 34002 of the Vehicle  
26 Code, the state board shall adopt test procedures to determine the  
27 compliance of vapor recovery systems of cargo tanks on tank  
28 vehicles used to transport gasoline with vapor emission standards  
29 ~~which that~~ are reasonable and necessary to achieve or maintain  
30 any applicable ambient air quality standard. The performance  
31 standards and test procedures adopted by the state board shall be  
32 consistent with the regulations adopted by the Commissioner of  
33 the California Highway Patrol and the State Fire Marshal pursuant  
34 to Division 14.7 (commencing with Section ~~34001~~ 34000) of the  
35 Vehicle Code.

36 (b) The state board may test, or contract for testing, the vapor  
37 recovery system of ~~any a~~ cargo tank of ~~any a~~ tank vehicle used to  
38 transport gasoline. The state board shall certify the cargo tank  
39 vapor recovery system upon its determination that the system, if  
40 properly installed and maintained, will meet the requirements of

1 subdivision (a). The state board shall enumerate the specifications  
2 used for issuing ~~such~~ *the* certification. After a cargo tank vapor  
3 recovery system has been certified, if circumstances beyond *the*  
4 control of the state board cause the system to no longer meet the  
5 required specifications, the certification may be revoked or  
6 modified.

7 (c) Upon verification of certification pursuant to subdivision  
8 (b), which shall be done annually, the state board shall send a  
9 verified copy of the certification to the registered owner of the  
10 tank vehicle, which copy shall be retained in the tank vehicle as  
11 evidence of certification of its vapor recovery system. For each  
12 system certified, the state board shall issue a nontransferable and  
13 nonremovable decal to be placed on the cargo tank where the decal  
14 can be readily seen.

15 (d) With respect to ~~any~~ *a* tank vehicle operated within a district,  
16 the state board, upon request of the district, shall send to the  
17 district, free of charge, a certified copy of the certification and test  
18 results of ~~any~~ *a* cargo tank vapor recovery system on the tank  
19 vehicle.

20 (e) The state board may contract with the Department of the  
21 California Highway Patrol to carry out the responsibilities imposed  
22 by subdivisions (b), (c), and (d).

23 (f) The state board shall charge a reasonable fee for certification,  
24 not to exceed its estimated costs ~~therefor~~ *of certification*. Payment  
25 of the fee shall be a condition of certification. The fees may be  
26 collected by the Department of the California Highway Patrol and  
27 deposited in the Motor Vehicle Account in the State Transportation  
28 Fund. The Department of the California Highway Patrol shall  
29 transfer to the Air Pollution Control Fund the amount of those fees  
30 necessary to reimburse the state board for the costs of administering  
31 the certification program.

32 ~~(g) No~~

33 (g) (1) A person shall ~~not~~ operate, or allow the operation of, a  
34 tank vehicle transporting gasoline ~~and that is~~ required to have a  
35 vapor recovery system unless the system thereon has been certified  
36 by the state board and is installed and maintained in compliance  
37 with the state board's requirements for certification. Tank vehicles  
38 used exclusively to service gasoline storage tanks ~~which that~~ are  
39 not required to have gasoline vapor controls are exempt from the  
40 certification requirement.

1 (2) A person shall not operate, or allow the operation of, a  
 2 mobile fueling on-demand tank vehicle, unless it is equipped with  
 3 a vapor recovery system that is certified by the state board, or that  
 4 meets permeation and spillage performance standards determined  
 5 by the state board, and is installed, operated, and maintained in  
 6 compliance with the state board's requirements for certification  
 7 pursuant to this section and Sections 39618.5 and 41954.

8 (h) Performance standards of ~~any~~ a district for cargo tank vapor  
 9 recovery systems on tank vehicles used to transport gasoline shall  
 10 be identical ~~with~~ to those adopted by the state board ~~therefor~~ and  
 11 ~~no~~ a district shall not adopt test procedures for, or require  
 12 certification of, cargo tank vapor recovery systems. ~~No~~ A district  
 13 ~~may~~ shall not impose any fees on, or require any permit of, tank  
 14 vehicles with vapor recovery systems. However, ~~nothing in~~ this  
 15 section ~~shall be construed to~~ does not prohibit a district from  
 16 inspecting and testing cargo tank vapor recovery systems on tank  
 17 ~~vehicles~~ vehicles, or emissions control systems on mobile fueling  
 18 on-demand tank vehicles, for the purposes of enforcing this section  
 19 or any rule and regulation adopted ~~thereunder~~ pursuant to this  
 20 section or Section 39618.5 that ~~are~~ is applicable to ~~such~~ those  
 21 systems ~~and~~ and, as applicable, to the loading and unloading of  
 22 cargo tanks on tank vehicles.

23 (i) The Legislature hereby declares that the purposes of this  
 24 section regarding cargo tank vapor recovery systems on tank  
 25 ~~vehicles~~ vehicles, including, but not limited to, a system or system  
 26 component of a mobile fueling on-demand tank vehicle, as defined  
 27 in paragraph (2) of subdivision (c) of Section 41950, are (1) to  
 28 remove from the districts the authority to certify, except as  
 29 specified in subdivision (b), ~~such~~ those systems and to charge fees  
 30 ~~therefor, for certification~~ and (2) to grant ~~such~~ authority to the  
 31 state board, ~~which shall~~ board to have the primary responsibility  
 32 to assure that ~~such~~ those systems are operated in compliance with  
 33 its standards and procedures adopted pursuant to subdivision ~~(a)~~  
 34 (a) or Section 39618.5.

35 SEC. 4. No reimbursement is required by this act pursuant to  
 36 Section 6 of Article XIII B of the California Constitution because  
 37 the only costs that may be incurred by a local agency or school  
 38 district will be incurred because this act creates a new crime or  
 39 infraction, eliminates a crime or infraction, or changes the penalty  
 40 for a crime or infraction, within the meaning of Section 17556 of

- 1 the Government Code, or changes the definition of a crime within
- 2 the meaning of Section 6 of Article XIII B of the California
- 3 Constitution.

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**BACKGROUND**

Mobile fueling on-demand is a rapidly growing industry that uses on-demand tank trucks to deliver gasoline directly to customer vehicles. A 100% contactless service, this innovative model of vehicle fueling offers a safer, healthier, and more accessible alternative to conventional fuel stations, which is particularly important during the COVID-19 pandemic.

By simplifying the fueling supply chain and eliminating the need for customers to stop at a gas station, mobile fueling offers significant environmental benefits to communities. The industry combines new equipment and technology to notably reduce vehicle miles traveled, which peak during rush hours. As a Geotab report estimates, each mobile fueling conserves 1.2 miles of travel and 1.1 pounds of CO<sub>2</sub>. Mobile fueling on-demand also completely bypasses the transfer of gasoline into underground storage tanks (USTs), which pose a threat to drinking water supply and community health. Further, by having properly trained, hazmat-endorsed drivers fuel the vehicles, this model reduces vapor emissions and customer spillage which are a common site at traditional gas stations. Operations are able to meet or exceed all standards by the Department of Transportation, California Environmental Protection Agency, CalFIRE, California State Water Resources Control Board, California Air Resources Board (CARB) and all applicable state health and safety measures for the safe loading, transport, and transfer of fuel. While mobile fueling provides a lower-emissions alternative to conventional gas stations today, the industry is fully prepared to evolve with the clean energy demands of the future.

Additionally, more than 15 million drivers with disabilities across the country have difficulty refueling their vehicles. Mobile fueling improves access to vehicle refueling and significantly reduces disease spread through high-touch surfaces. This is especially important for enhancing the safety and quality of life for older adults and drivers with injuries, disabilities, or chronic illnesses—many of whom are identified as high-risk and immunocompromised.

Mobile fueling currently operates in more than 150 cities across the United States, and in over 20 jurisdictions in California including San Francisco, Oakland, San Jose, and Irvine.

**PROBLEM**

Currently, vehicles used in mobile fueling on-demand operations are being treated as stationary sources of emissions to be overseen by California Air Quality Management Districts (AQMDs). This mischaracterization of mobile fueling vehicles as stationary sources contradicts the fundamentally mobile nature of the service and generates burdensome, inconsistent, and costly compliance requirements. For example, in the greater Sacramento area, the Yolo-Solano, Sacramento, and Placer County AQMDs could potentially adopt three distinct sets of regulations, forcing mobile fuelers to comply with overlapping and contradictory rules in a mere 40 mile area, which is not operationally feasible. Other air districts have stated they cannot prioritize the rule amendments necessary to allow mobile fueling in their regions.

The application of AQMD regulations on mobile fueling vehicles is a remnant of a decades-old system created for fueling stations that did not require a statewide framework. Current regulations are outdated and create obstacles for the growth and expansion of an essential service and job-creating industry.

**SOLUTION**

AB 905 will categorize mobile fueling on-demand vehicles as mobile sources of air pollution and thus require CARB to adopt statewide performance standards and test procedures for these vehicles. This bill will also maintain AQMDs’ authorities to test vapor recovery and emissions control systems of mobile fueling vehicles.

AB 905 will initiate a consistent and comprehensive regulatory framework for mobile fueling on-demand vehicles that is necessary to achieve and maintain federal and state ambient air quality standards. Doing so ensures that the industry is properly regulated as it continues to grow, while opening the door for developing and overseeing alternative forms of fueling.

**SUPPORT**

- Booster Fuels (Co-Sponsor)
- United Spinal Association (Co-Sponsor)
- Northern California Spinal Cord Injury Foundation
- Paralyzed Veterans of America

**FOR MORE INFORMATION**

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**SENATE BILL****No. 30****Introduced by Senator Cortese**

December 7, 2020

An act to add Chapter 11.5 (commencing with Section 25970) to Division 15 of the Public Resources Code, relating to energy.

## LEGISLATIVE COUNSEL'S DIGEST

SB 30, as introduced, Cortese. Building decarbonization.

Existing law requires the State Energy Resources Conservation and Development Commission to assess the potential for the state to reduce the emissions of greenhouse gases from the state's residential and commercial building stock by at least 40% below 1990 levels by January 1, 2030. Existing law requires the commission to include in the 2021 edition of the integrated energy policy report and all subsequent integrated energy policy reports a report on the emissions of greenhouse gases associated with the supply of energy to residential and commercial buildings.

This bill would, on or after January 1, 2022, prohibit a state agency from designing or constructing a state facility that is connected to the natural gas grid. The bill would require the department to develop the California State Building Decarbonization Plan that will lead to the operational carbon-neutrality of all state-owned buildings by January 1, 2035. The bill would, except as provided, prohibit state agencies from providing funding or other support for projects for the construction of residential and nonresidential buildings that are connected to the natural gas grid.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3 (1) In 2016, California’s buildings were responsible for directly  
4 emitting 37 million metric tons (MMt) of greenhouse gases (GHGs)

5 (2) A zero-emissions building code would require that buildings  
6 do not emit GHGs from onsite sources, and rely solely on clean  
7 energy.

8 (3) One-third of California’s 2045 building stock will be built  
9 between now and 2045.

10 (4) New, decarbonized, all-electric buildings cost less to build  
11 to code than those requiring additional gas infrastructure.

12 (5) Decarbonizing new construction could seed the market for  
13 retrofitting existing buildings to become GHG-free.

14 (6) Over 50 cities and counties in California have considered  
15 policies to support all-electric construction, while 39 have already  
16 updated their building codes to become GHG-free.

17 (b) It is the intent of the Legislature in enacting this act to  
18 compliment the anticipated actions by the State Energy Resources  
19 Conservation and Development Commission to set a zero-emission  
20 deadline for new construction by 2025.

21 SEC. 2. Chapter 11.5 (commencing with Section 25970) is  
22 added to Division 15 of the Public Resources Code, to read:

23  
24 CHAPTER 11.5. BUILDING DECARBONIZATION

25  
26 25970. On or after January 1, 2022, a state agency, including,  
27 but not limited to, the Department of General Services, the  
28 Department of Transportation, and the Department of Corrections  
29 and Rehabilitations shall not design or construct a state facility  
30 that is connected to the natural gas grid, where feasible.

31 25971. The Department of General Services shall develop the  
32 California State Building Decarbonization Plan that will lead to  
33 the operational carbon-neutrality of all state-owned buildings by  
34 no later than January 1, 2035, where feasible. The plan shall, at a  
35 minimum, consist of the following:

36 (a) A baseline of the greenhouse gas footprint of the state-owned  
37 building stock.

38 (b) Strategies to reach 2035 carbon-neutrality goal.

1 (c) A schedule for achieving the carbon-neutrality goal.  
2 25972. (a) Except as provided in subdivision (b), on or after  
3 January 1, 2023, to the extent permissible under federal law, a  
4 state agency shall not provide funding or other support for projects  
5 for the construction of residential or nonresidential buildings that  
6 are connected to the natural gas grid.  
7 (b) Subdivision (a) does not apply to a project for which the  
8 lack of funding from the state will result in the loss of federal or  
9 other funds if the project offsets the projected emissions of  
10 greenhouse gases resulting from natural gas usage at the building.

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## SENATOR DAVE CORTESE

# SB 30 The State Buildings Decarbonization Act of 2021

### SUMMARY

SB 30 mandates that state buildings and facilities achieve carbon-neutrality by 2035, that the state divest from projects that are not zero emission by 2023, and that all newly designed and constructed state buildings be zero emission beginning in 2022.

### ISSUE & BACKGROUND

The State Air Resources Board finds that California's building energy use accounts for almost 25 percent of our statewide greenhouse gas (GHG) emissions. In 2016, California's building stock was responsible for directly emitting 37 million metric tons of greenhouse gases.

Because a third of California's 2045 building stock will be built between now and 2045, decarbonizing newly constructed buildings is key to reaching the state's fossil fuel reduction targets, including returning the state to its 1990 GHG emission levels by 2020, going 40 percent below our 1990 GHG emission levels by 2030, and achieving carbon neutrality by 2045.

To "decarbonize" a building is to remove GHG emissions from a building's energy use and ensure that the building relies solely on renewable, zero emission sources. In general, all-electric "decarbonized" buildings cost less to build to code than those requiring additional gas infrastructure. They also enhance indoor and outdoor air quality, reduce safety risks associated with gas, and improve public health. Over 50 cities and counties in California have considered policies to support net-zero emission construction, while 39 have already updated their building codes to become GHG-free.

Electrifying our building stock also has the added benefit of job creation as it produces a new demand for skilled workers. One [UCLA study](#) revealed that electrifying 100% of California's building stock by 2045 could generate over 100,000 full-time equivalent jobs.

Existing California law states that all state buildings should be models for energy efficiency and the state has often led by example, taking substantial steps to reduce the environmental impacts of state agencies and facilities. This includes the Green Building Action Plan in Governor Brown's 2012 Executive Order B-18-12 that required state agencies to prepare annual inventories of their GHG emissions and reduce their emissions by at least 10% by 2015 and 20% by 2020, measured against a 2010 baseline.

Given the state's ambitious climate goals and the mounting dangers of climate change on our environment, health, air quality, and well-being, now is an opportune time to expand the scope of our previous efforts to reduce emissions from state entities.

### THIS BILL

This bill would prohibit all state agencies from constructing or designing new facilities that are connected to the natural gas grid beginning on January 01, 2022. It would also prohibit the state from providing funding or support to projects that are not zero-emission beginning on January 01, 2023, except in cases where lack of funding from the state would result in the loss of federal or other

funding and only if said project offsets their projected GHG emissions through other means. Lastly it would require the Department of General Services to develop The California State Building Decarbonization Plan that will ensure all existing state-owned buildings reach carbon-neutrality by 2035.

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**SUPPORTERS\***

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Sierra Club California  
Fossil Free California  
Sunrise Movement, Silicon Valley  
Mothers Out Front Silicon Valley  
San Jose Community Energy Advocates  
Bay Area for Clean Environment  
Carbon Free Silicon Valley  
Silicon Valley Youth Climate Action  
Climate Reality Project, San Francisco Bay Area  
Pacific Climate Committees  
Zanker Recycling

*\*Selected List*

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**FOR MORE INFORMATION**

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AMENDED IN SENATE MARCH 5, 2021

**SENATE BILL****No. 31****Introduced by Senator Cortese**

December 7, 2020

An act to amend Section 25711.5 of, and to add Sections 25233 and 25465 to, the Public Resources Code, and to amend Section 701.1 of, and to add ~~Section~~ *Sections 384.6 and 385.6* to, the Public Utilities Code, relating to energy.

## LEGISLATIVE COUNSEL'S DIGEST

SB 31, as amended, Cortese. Building decarbonization.

Existing law establishes the State Energy Resources Conservation and Development Commission and requires the commission to implement various energy efficiency programs. Existing law, except as provided, requires the commission to administer federal funds allocated to, and received by, the state for energy-related projects under certain federal laws. Existing law requires the commission to develop and implement the Electric Program Investment Charge (EPIC) program to award funds for projects that will benefit electricity ratepayers and lead to technological advancement and breakthroughs to overcome the barriers that prevent the achievement of the state's statutory energy goals and that result in a portfolio of projects that is strategically focused and sufficiently narrow to make advancement on the most significant technological challenges.

This bill would require the commission to identify and implement programs to promote existing and new building decarbonization. The bill would, to the extent clean energy or energy efficiency funds are made available from the federal government to address economic recovery and development due to the COVID-19 pandemic, authorize

the commission to expend federal moneys, to the extent authorized by federal law, for projects for existing and new building decarbonization. The bill would additionally require the commission, under the EPIC program, to award funds for projects that will benefit electricity ratepayers and lead to the development and deployment of commercial and residential building decarbonization technologies and investments that reduce or eliminate greenhouse gas generation in those buildings.

Existing law requires the Public Utilities Commission to require each electrical corporation to identify a separate rate component to collect revenues to fund ~~programs provided to low-income electricity customers for targeted energy efficiency services: various programs, including, programs for cost-effective energy efficiency and conservation activities and programs to provide low-income electricity customers targeted energy-efficiency services.~~ Existing law requires each local publicly owned electric utility to establish a nonbypassable, usage-based charge on distribution service, as specified, to fund various programs, including programs for cost-effective, demand-side management services and programs to provide energy efficiency services to low-income electricity customers.

This bill would authorize the expenditure of those revenues for existing and new building decarbonization. *To receive this funding, the bill would require the entity implementing the decarbonization project and its subcontractors at every tier to pay prevailing wage.*

Existing law makes a legislative finding and declaration regarding the principal goals of electric and natural gas utilities' resource planning and investment.

This bill would additionally state as a principal goal of electric and natural gas utilities' resource planning and investment the decarbonization of existing and new buildings.

*Under existing law, a violation of the Public Utilities Act is a crime.*

*Because the above provisions would be part of the Public Utilities Act, a violation of which would be a crime, this bill would impose a state-mandated local program by creating a new crime.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known and may be cited as the  
2 California Building Decarbonization Act of 2021.

3 SEC. 2. Section 25233 is added to the Public Resources Code,  
4 to read:

5 25233. (a) The commission shall, subject to appropriation by  
6 the Legislature, identify and implement programs to promote  
7 existing and new building decarbonization.

8 (b) A building decarbonization project funded by programs  
9 identified and implemented pursuant to this section shall be  
10 undertaken in a manner that includes an enforceable commitment  
11 that the entity implementing the project, and its subcontractors at  
12 every tier, will pay prevailing wage.

13 SEC. 3. Section 25465 is added to the Public Resources Code,  
14 to read:

15 25465. To the extent clean energy or energy efficiency funds  
16 are made available from the federal government to address  
17 economic recovery and development due to the COVID-19  
18 pandemic, and to the extent authorized by federal law, those funds  
19 may be expended by the commission, upon appropriation by the  
20 Legislature, for projects for existing and new building  
21 decarbonization.

22 SEC. 4. Section 25711.5 of the Public Resources Code is  
23 amended to read:

24 25711.5. In administering moneys in the fund for research,  
25 development, and demonstration programs under this chapter, the  
26 commission shall develop and implement the Electric Program  
27 Investment Charge (EPIC) program to do all of the following:

28 (a) (1) Award funds for projects that will benefit electricity  
29 ratepayers and lead to technological advancement and  
30 breakthroughs to overcome the barriers that prevent the  
31 achievement of the state's statutory energy goals and that result  
32 in a portfolio of projects that is strategically focused and  
33 sufficiently narrow to make advancement on the most significant  
34 technological challenges that shall include, but not be limited to,  
35 energy storage, renewable energy and its integration into the

1 electrical grid, energy efficiency, integration of electric vehicles  
2 into the electrical grid, and accurately forecasting the availability  
3 of renewable energy for integration into the grid.

4 (2) Award funds for projects that will benefit electricity  
5 ratepayers and lead to the development and deployment of  
6 commercial and residential building decarbonization technologies  
7 and investments that reduce or eliminate greenhouse gas generation  
8 in those buildings. A building decarbonization project awarded  
9 funds pursuant to this section shall be undertaken in a manner that  
10 includes an enforceable commitment that the entity implementing  
11 the project, and its subcontractors at every tier, will pay prevailing  
12 wage.

13 (b) In consultation with the Treasurer, establish terms that shall  
14 be imposed as a condition to receipt of funding for the state to  
15 accrue any intellectual property interest or royalties that may derive  
16 from projects funded by the EPIC program. The commission, when  
17 determining if imposition of the proposed terms is appropriate,  
18 shall balance the potential benefit to the state from those terms  
19 and the effect those terms may have on the state achieving its  
20 statutory energy goals. The commission shall require each reward  
21 recipient, as a condition of receiving moneys pursuant to this  
22 chapter, to agree to any terms the commission determines are  
23 appropriate for the state to accrue any intellectual property interest  
24 or royalties that may derive from projects funded by the EPIC  
25 program.

26 (c) Require each applicant to report how the proposed project  
27 may lead to technological advancement and potential breakthroughs  
28 to overcome barriers to achieving the state's statutory energy goals.

29 (d) Take into account, when applicable, the adverse localized  
30 health impacts of proposed projects to the greatest extent possible.

31 (e) Establish a process for tracking the progress and outcomes  
32 of each funded project, including an accounting of the amount of  
33 funds spent by program administrators and individual grant  
34 recipients on administrative and overhead costs and whether the  
35 project resulted in any technological advancement or breakthrough  
36 to overcome barriers to achieving the state's statutory energy goals.

37 (f) Notwithstanding Section 10231.5 of the Government Code,  
38 prepare and submit to the Legislature no later than April 30 of  
39 each year an annual report in compliance with Section 9795 of the  
40 Government Code that shall include all of the following:

1 (1) A brief description of each project for which funding was  
2 awarded in the immediately prior calendar year, including the  
3 name of the recipient and the amount of the award, a description  
4 of how the project is thought to lead to technological advancement  
5 or breakthroughs to overcome barriers to achieving the state's  
6 statutory energy goals, and a description of why the project was  
7 selected.

8 (2) A brief description of each project funded by the EPIC  
9 program that was completed in the immediately prior calendar  
10 year, including the name of the recipient, the amount of the award,  
11 and the outcomes of the funded project.

12 (3) A brief description of each project funded by the EPIC  
13 program for which an award was made in the previous years but  
14 that is not completed, including the name of the recipient and the  
15 amount of the award, and a description of how the project will  
16 lead to technological advancement or breakthroughs to overcome  
17 barriers to achieving the state's statutory energy goals.

18 (4) Identification of the award recipients that are  
19 California-based entities, small businesses, or businesses owned  
20 by women, minorities, or disabled veterans.

21 (5) Identification of which awards were made through a  
22 competitive bid, interagency agreement, or sole source method,  
23 and the action of the Joint Legislative Budget Committee pursuant  
24 to paragraph (2) of subdivision (g) for each award made through  
25 an interagency agreement or sole source method.

26 (6) Identification of the total amount of administrative and  
27 overhead costs incurred for each project.

28 (7) A brief description of the impact on program administration  
29 from the allocations required to be made pursuant to Section  
30 25711.6, including any information that would help the Legislature  
31 determine whether to reauthorize those allocations beyond June  
32 30, 2023.

33 (g) Establish requirements to minimize program administration  
34 and overhead costs, including costs incurred by program  
35 administrators and individual grant recipients. Each program  
36 administrator and grant recipient, including a public entity, shall  
37 be required to justify actual administration and overhead costs  
38 incurred, even if the total costs incurred do not exceed a cap on  
39 those costs that the commission may adopt.

1 (h) (1) Use a sealed competitive bid as the preferred method  
2 to solicit project applications and award funds pursuant to the EPIC  
3 program.

4 (2) (A) The commission may use a sole source or interagency  
5 agreement method if the project cannot be described with sufficient  
6 specificity so that bids can be evaluated against specifications and  
7 criteria set forth in a solicitation for bid and if both of the following  
8 conditions are met:

9 (i) The commission, at least 60 days prior to making an award  
10 pursuant to this subdivision, notifies the Joint Legislative Budget  
11 Committee and the relevant policy committees in both houses of  
12 the Legislature, in writing, of its intent to take the proposed action.

13 (ii) The Joint Legislative Budget Committee either approves or  
14 does not disapprove the proposed action within 60 days from the  
15 date of notification required by clause (i).

16 (B) It is the intent of the Legislature to enact this paragraph to  
17 ensure legislative oversight for awards made on a sole source basis,  
18 or through an interagency agreement.

19 (3) Notwithstanding any other law, standard terms and  
20 conditions that generally apply to contracts between the  
21 commission and any entities, including state entities, do not  
22 automatically preclude the award of moneys from the fund through  
23 the sealed competitive bid method.

24 *SEC. 5. Section 384.6 is added to the Public Utilities Code, to*  
25 *read:*

26 *384.6. Funds allocated pursuant to this article may be expended*  
27 *for existing and new building decarbonization if the entity*  
28 *implementing the decarbonization project and its subcontractors*  
29 *at every tier will pay prevailing wage.*

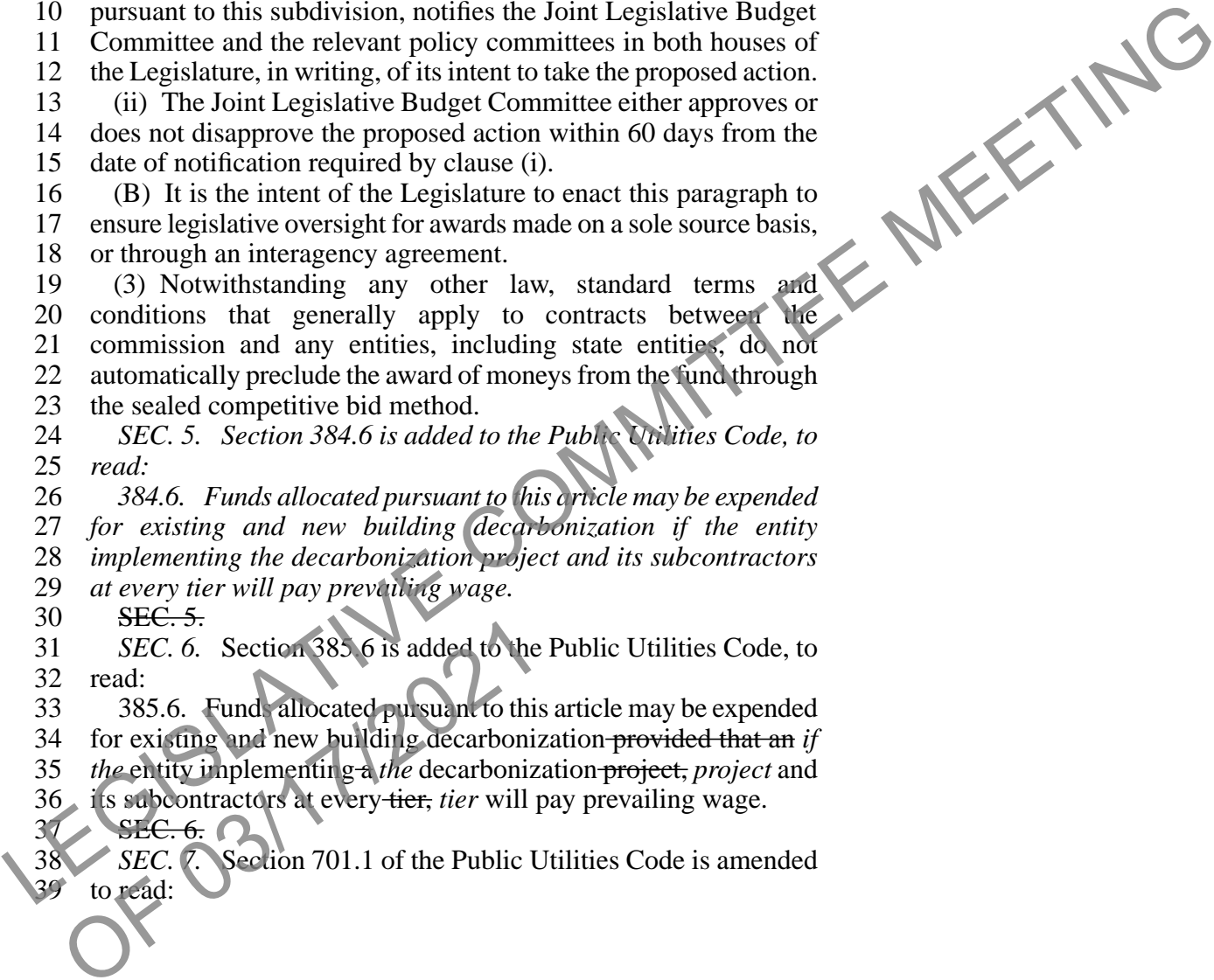
30 ~~SEC. 5.~~

31 *SEC. 6. Section 385.6 is added to the Public Utilities Code, to*  
32 *read:*

33 *385.6. Funds allocated pursuant to this article may be expended*  
34 *for existing and new building decarbonization provided that an if*  
35 *the entity implementing a the decarbonization project, project and*  
36 *its subcontractors at every tier, tier will pay prevailing wage.*

37 ~~SEC. 6.~~

38 *SEC. 7. Section 701.1 of the Public Utilities Code is amended*  
39 *to read:*





1 701.1. (a) (1) The Legislature finds and declares that, in  
2 addition to other ratepayer protection objectives, a principal goal  
3 of electric and natural gas utilities' resource planning and  
4 investment shall be to minimize the cost to society of the reliable  
5 energy services that are provided by natural gas and electricity,  
6 and to improve the environment and to encourage the diversity of  
7 energy sources through improvements in energy efficiency, the  
8 development of renewable energy resources, such as wind, solar,  
9 biomass, and geothermal energy, widespread transportation  
10 electrification, and decarbonization of existing and new buildings  
11 provided that an entity implementing a building decarbonization  
12 project, and its subcontractors at every tier, will pay workers  
13 prevailing wage.

14 (2) The amendment made to this subdivision by the Clean  
15 Energy and Pollution Reduction Act of 2015 (Chapter 547 of the  
16 Statutes of 2015) does not expand the authority of the commission  
17 beyond that provided by other law.

18 (b) The Legislature further finds and declares that, in addition  
19 to any appropriate investments in energy production, electrical  
20 and natural gas utilities should seek to exploit all practicable and  
21 cost-effective conservation and improvements in the efficiency of  
22 energy use and distribution that offer equivalent or better system  
23 reliability and that are not being exploited by any other entity.

24 (c) In calculating the cost-effectiveness of energy resources,  
25 including conservation and load management options, the  
26 commission shall include, in addition to other ratepayer protection  
27 objectives, a value for any costs and benefits to the environment,  
28 including air quality. The commission shall ensure that any values  
29 it develops pursuant to this section are consistent with values  
30 developed by the Energy Commission pursuant to Section 25000.1  
31 of the Public Resources Code. However, if the commission  
32 determines that a value developed pursuant to this subdivision is  
33 not consistent with a value developed by the Energy Commission  
34 pursuant to subdivision (c) of Section 25000.1 of the Public  
35 Resources Code, the commission may nonetheless use this value  
36 if, in the appropriate record of its proceedings, it states its reasons  
37 for using the value it has selected.

38 (d) In determining the emission values associated with the  
39 current operating capacity of existing electric powerplants pursuant  
40 to subdivision (c), the commission shall adhere to the following

1 protocol in determining values for air quality costs and benefits to  
2 the environment. If the commission finds that an air pollutant that  
3 is subject to regulation is a component of residual emissions from  
4 an electric powerplant and that the owner of that powerplant is  
5 either of the following:

6 (1) Using a tradable emission allowance, right, or offset for that  
7 pollutant, which (A) has been approved by the air quality district  
8 regulating the powerplant, (B) is consistent with federal and state  
9 law, and (C) has been obtained, authorized, or acquired in a  
10 market-based system.

11 (2) Paying a tax per measured unit of that pollutant.

12 The commission shall not assign a value or cost to that residual  
13 pollutant for the current operating capacity of that powerplant  
14 because the alternative protocol for dealing with the pollutant  
15 operates to internalize its cost for the purpose of planning for and  
16 acquiring new generating resources.

17 (e) (1) The values determined pursuant to subdivision (c) to  
18 represent costs and benefits to the environment shall not be used  
19 by the commission, in and of themselves, to require early  
20 decommissioning or retirement of an electric utility powerplant  
21 that complies with applicable prevailing environmental regulations.

22 (2) Further, the environmental values determined pursuant to  
23 subdivision (c) shall not be used by the commission in a manner  
24 that, when those values are aggregated, will result in advancing  
25 an electric utility's need for new powerplant capacity by more than  
26 15 months.

27 (f) This subdivision shall apply whenever a powerplant bid  
28 solicitation is required by the commission for an electric utility  
29 and a portion of the amount of new powerplant capacity, which is  
30 the subject of the bid solicitation, is the result of the commission's  
31 use of environmental values to advance that electric utility's need  
32 for new powerplant capacity in the manner authorized by paragraph  
33 (2) of subdivision (e). The affected electric utility may propose to  
34 the commission any combination of alternatives to that portion of  
35 the new powerplant capacity that is the result of the commission's  
36 use of environmental values as authorized by paragraph (2) of  
37 subdivision (e). The commission shall approve an alternative in  
38 place of the new powerplant capacity if it finds all of the following:

39 (1) The alternative has been approved by the relevant air quality  
40 district.

1 (2) The alternative is consistent with federal and state law.

2 (3) The alternative will result in needed system reliability for  
3 the electric utility at least equivalent to that which would result  
4 from bidding for new powerplant capacity.

5 (4) The alternative will result in reducing system operating costs  
6 for the electric utility over those that would result from the process  
7 of bidding for new powerplant capacity.

8 (5) The alternative will result in equivalent or better  
9 environmental improvements at a lower cost than would result  
10 from bidding for new powerplant capacity.

11 (g) This section does not require an electric utility to alter the  
12 dispatch of its powerplants for environmental purposes.

13 (h) This section does not preclude an electric utility from  
14 submitting to the commission any combination of alternatives to  
15 meet a commission-identified need for new capacity, if the  
16 submission is otherwise authorized by the commission.

17 (i) This section does not change or alter any provision of  
18 commission Decision 92-04-045 (April 22, 1992), Application of  
19 Pacific Gas and Electric Company for an Ex Parte Order Approving  
20 Settlement Agreements Between Pacific Gas and Electric Company  
21 and Certain Winning Bidders in Pacific Gas and Electric  
22 Company's Biennial Resource Plan Update Auction.

23 *SEC. 8. No reimbursement is required by this act pursuant to*  
24 *Section 6 of Article XIII B of the California Constitution because*  
25 *the only costs that may be incurred by a local agency or school*  
26 *district will be incurred because this act creates a new crime or*  
27 *infraction, eliminates a crime or infraction, or changes the penalty*  
28 *for a crime or infraction, within the meaning of Section 17556 of*  
29 *the Government Code, or changes the definition of a crime within*  
30 *the meaning of Section 6 of Article XIII B of the California*  
31 *Constitution.*



**SENATOR DAVE CORTESE**

**SB 31**

**Decarbonization Programs Act**

**ISSUE**

The California Air Resources Board reports that the building sector is the second largest source of greenhouse gas (GHG) emissions in the state, second to only the transportation sector. To meet its ambitious state climate goals of ensuring that statewide GHG emissions are reduced to 40% below the 1990 level by 2030, swift action must be taken to curb emissions from our building sector. Currently, California has no statewide plan for achieving net-zero emissions in buildings.

Energy efficiency programs administered by the California Energy Commission (CEC) and the state's investor-owned utilities (IOU's), such as the Electric Program Investment Charge (EPIC) program, provide resources and funding for the development and adoption of new clean energy solutions. However, building decarbonization is not currently mentioned in statute, a change that could solidify the Commission's and utilities' authority to provide funding and create programs for building decarbonization.

**BACKGROUND**

In 2012, the EPIC program was established by the California Public Utilities Commission (CPUC) to fund public investments in research to create and advance new energy solutions. EPIC funds are awarded through a competitive process to projects that will benefit electricity ratepayers and lead to technological advancement and breakthroughs to overcome the barriers that prevent the achievement of the state's statutory energy goals. The CEC and the state's three largest investor-owned electric utilities – Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company – were selected to administer the EPIC funds and advance novel technologies, tools, and strategies that provide benefits to electric ratepayers.

According to recent reports, most Californians live in buildings that are not efficient enough for the state to

meet its ambitious climate goals. Achieving these goals will be most challenging for low-income occupants who often have less accessible financial resources to fund electrification projects. State law requires the CPUC to mandate each electrical corporation to identify a separate rate component to collect revenues to fund programs provided to low-income electricity customers for targeted energy efficiency services. However, building decarbonization projects are not specifically mentioned in statute, which might hinder the allocation of funding or resources to such programs.

**THIS BILL**

The bill requires the CEC, under the EPIC program, to award funds for projects that will benefit electricity ratepayers and lead to the development and deployment of commercial and residential building decarbonization technologies and investments that reduce or eliminate greenhouse gas generation in those buildings. The bill also allows the CEC to expend federal funding on projects for existing and new building decarbonization.

The bill also authorizes the expenditure of revenues from various IOU programs for existing and new building decarbonization.

**FOR MORE INFORMATION**

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**SENATE BILL****No. 32****Introduced by Senator Cortese**

December 7, 2020

An act to add Section 65302.0.5 to the Government Code, relating to energy.

## LEGISLATIVE COUNSEL'S DIGEST

SB 32, as introduced, Cortese. Energy: general plan: building decarbonization requirements.

The Planning and Zoning Law requires a city or county to adopt a comprehensive general plan that addresses a number of elements. Existing law requires, among other things, the city's or county's planning agency to investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan.

Existing law requires the State Energy Resources Conservation and Development Commission to assess, by January 1, 2021, the potential for the state to reduce the emissions of greenhouse gases from the state's residential and commercial building stock by at least 40 percent below 1990 levels by January 1, 2030.

This bill would require a city or county to amend, by January 1, 2023, the appropriate elements of its general plan to include goals, policies, objectives, targets, and feasible implementation strategies, as specified, to decarbonize newly constructed commercial and residential buildings. The bill would require a city or county to submit these draft general plan amendments to the commission at least 45 days prior to the adoption of the amendments. The bill would require the legislative body of the city or county to consider the commission's advisory comments, if any, prior to adopting the amendments.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 65302.0.5 is added to the Government  
2 Code, to read:

3 65302.0.5. (a) The Legislature finds and declares all of the  
4 following:

5 (1) California has adopted aggressive greenhouse gas emission  
6 reduction targets, including returning to 1990 levels by 2020, 40  
7 percent below 1990 by 2030, and carbon neutrality by 2045. The  
8 achievement of these targets require emissions reductions across  
9 all sectors of the economy at the state and local levels.

10 (2) According to the State Air Resources Board, California  
11 building energy use is responsible for roughly 25 percent of  
12 statewide greenhouse gas emissions.

13 (b) By January 1, 2023, the legislative body of each city or  
14 county shall amend the appropriate elements of its general plan,  
15 which may include, but are not limited to, the required elements  
16 dealing with land use, circulation, housing, conservation, and open  
17 space, to include goals, policies, objectives, targets, and feasible  
18 implementation strategies to decarbonize newly constructed  
19 commercial and residential buildings.

20 (c) The adoption of building decarbonization amendments, as  
21 described in subdivision (b), shall include all of the following:

22 (1) A report describing greenhouse gas emissions data for  
23 existing commercial and residential buildings, including significant  
24 sources of the emissions.

25 (2) A summary of local, state, and federal policies, programs,  
26 and regulations that may assist in the decarbonization of existing  
27 and newly constructed commercial and residential buildings.

1 (3) A comprehensive set of goals, policies, and objectives that  
2 may assist in decarbonizing newly constructed commercial and  
3 residential buildings in the city or county. This shall include a  
4 consideration of the commission’s assessment of greenhouse gas  
5 reduction potential in residential and commercial buildings  
6 pursuant to Section 25403 of the Public Resources Code. This  
7 shall also include the following targets for the decarbonization of  
8 newly constructed commercial or residential buildings:

9 (A) Greenhouse gas reduction consistent with the state’s target  
10 of 40 percent below 1990 levels by 2030.

11 (B) Carbon neutrality by 2045.

12 (4) A set of feasible implementation measures designed to carry  
13 out those goals, policies, and objectives.

14 (d) At least 45 days prior to the adoption of building  
15 decarbonization amendments pursuant to this section, each city  
16 and county shall send a copy of its draft amendments to the  
17 commission. The commission may review the draft amendments  
18 to determine whether the amendments will lead to building  
19 decarbonization. Within 30 days of receiving the draft amendments,  
20 the commission may send any comments and advice to the city or  
21 county. The legislative body of the city or county shall consider  
22 the commission’s comment and advice prior to the final adoption  
23 of building decarbonization amendments to the general plan. If  
24 the commission’s comments and advice are not available by the  
25 time scheduled for the final adoption of building decarbonization  
26 requirements to the general plan, the legislative body of the city  
27 or county may adopt the amendments without consideration of the  
28 commission’s comments. The commission’s comments shall be  
29 advisory to the city or county.

30 (e) For purposes of this section, both of the following definitions  
31 shall apply:

32 (1) “Commission” means the State Energy Resources  
33 Conservation and Development Commission.

34 (2) “Newly constructed” means constructed following January  
35 1, 2023.

36 (f) Notwithstanding Section 65803, the requirements of this  
37 section shall also apply to charter cities.

38 SEC. 2. The Legislature finds and declares that Section 1 of  
39 this act adding Section 65302.0.5 to the Government Code address  
40 a matter of statewide concern rather than a municipal affair as that

1 term is used in Section 5 of Article XI of the California  
2 Constitution. Therefore, Section 1 of this act applies to all cities,  
3 including charter cities.

4 SEC. 3. No reimbursement is required by this act pursuant to  
5 Section 6 of Article XIII B of the California Constitution because  
6 a local agency or school district has the authority to levy service  
7 charges, fees, or assessments sufficient to pay for the program or  
8 level of service mandated by this act, within the meaning of Section  
9 17556 of the Government Code.

LEGISLATIVE COMMITTEE MEETING  
OF 03/17/2021

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# SENATOR DAVE CORTESE SB 32 The Decarbonization Act of 2021

## SUMMARY

SB 32 requires all cities and counties in California to update their General Plans with objectives, targets, and policies to decarbonize newly constructed buildings.

## ISSUE

The State Air Resources Board finds that California’s building energy use accounts for almost 25 percent of our statewide greenhouse gas (GHG) emissions. In 2016, California’s building stock was responsible for directly emitting 37 million metric tons of greenhouse gases.

Because a third of California’s 2045 building stock will be built between now and 2045, decarbonizing newly constructed buildings is key to reaching the state’s fossil fuel reduction targets, including returning the state to its 1990 GHG emission levels by 2020, going 40 percent below our 1990 GHG emission levels by 2030, and achieving carbon neutrality by 2045.

Over 50 cities and counties in California have considered policies to support net-zero emission construction, while 39 have already updated their building codes to become GHG free. However, the state has not yet taken action to ensure all cities and counties in California take similar measures to embrace building decarbonization. Cities, counties, and the state must make a joint effort to decarbonize their building stock if we are to meet the state’s ambitious goals.

## BACKGROUND

California Planning and Zoning Law requires each city and county to prepare and adopt a General Plan to serve as a long-range guide for their land use and development. Elements of a General Plan include housing, land use, open space, conservation and more.

Every three years, cities and counties across the state adopt the new Building Energy Efficiency Standards for all buildings, or Title 24 of the California Code of

Regulations, that is updated by the California Energy Commission (CEC).

To “decarbonize” a building is to remove GHG emissions from a building’s energy use and ensure that the building relies solely on renewable, zero emission sources.

## THIS BILL

This bill would require all cities, including charter cities, and counties, to incorporate building decarbonization requirements into the appropriate section of their General Plan by January 1, 2023. These General Plan amendments should include a report on greenhouse gas emission data for existing commercial and residential buildings, a summary of local, state, and federal policies, programs, and regulations that may assist in the decarbonization of existing and newly constructed commercial and residential buildings; and a comprehensive set of feasible implementation strategies to decarbonize newly constructed commercial and residential buildings consistent with the state’s emission reduction targets.

Draft General Plan amendments from each city and county should be sent to the CEC 45 days prior to adoption and any comments from the Commission should be considered prior to adoption.

## SUPPORTERS\*

- Sierra Club California
- Fossil Free California
- Sunrise Movement, Silicon Valley
- Mothers Out Front Silicon Valley
- San Jose Community Energy Advocates
- Bay Area for Clean Environment
- Carbon Free Silicon Valley
- Silicon Valley Youth Climate Action
- Climate Reality Project, San Francisco Bay Area
- Pacific Climate Committees
- Zanker Recycling

*\*Selected List*

**FOR MORE INFORMATION**

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LEGISLATIVE COMMITTEE MEETING  
OF 03/17/2021



AMENDED IN SENATE MARCH 7, 2021

**SENATE BILL**

**No. 68**

**Introduced by Senator Becker**

December 7, 2020

~~An act relating to energy. An act to amend Section 25711.5 of, and to add Section 25233 to, the Public Resources Code, and to add Chapter 8 (commencing with Section 8400) to Division 4.1 of the Public Utilities Code, relating to electricity.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 68, as amended, Becker. Building decarbonization.

Existing law requires the State Energy Resources Conservation and Development Commission (*Energy Commission*) to assess the potential for the state to reduce the emissions of greenhouse gases from the state's residential and commercial building stock by at least 40% below 1990 levels by January 1, 2030.

~~This bill would state the intent of the Legislature to enact subsequent legislation that will help the state achieve its climate and air pollution reduction goals in the building sector through actions such as reducing barriers to upgrading electrical service panels or accommodating additional electrical appliances within existing service panels.~~

~~This bill would require the Energy Commission to develop and publish on its internet website a guide for electrification of buildings and to submit to the Legislature a report on barriers to electrifying existing buildings and to adding energy storage or vehicle charging equipment to existing buildings.~~

~~Existing law requires the Energy Commission to develop and implement the Electric Program Investment Charge (EPIC) program to award moneys for projects that will benefit electricity ratepayers,~~

lead to technological advancement and breakthroughs, and result in a portfolio of projects that is strategically focused and sufficiently narrow to make advancement on the most significant technological challenges, as specified.

This bill would authorize the award of moneys under the EPIC program for projects that will benefit electricity ratepayers and lead to technologies that reduce the costs of building electrification.

Existing requires the Public Utilities Commission (PUC) to enforce rules governing the extension of service by electrical corporations.

This bill would require the PUC to establish a timeframe within which an electrical corporation would be required to respond to requests from building owners for routine electrical service upgrades and a timeframe to respond to requests for extensions of electrical service or nonroutine electrical service upgrades. The bill would, beginning January 1, 2023, require each electrical corporation to report annually to the commission the number of requests for routine electrical service upgrades, extensions of electrical service, and nonroutine electrical service upgrades in the prior calendar year and all cases in which the electrical corporation fails meet the timeframes established by the commission. The bill would, except as provided, require the PUC to assess certain penalties on electrical corporations for failures to meet the timeframes.

Under the Public Utilities Act, a violation of an order, decision, rule, direction, demand or requirements of the PUC is a crime.

Because the bill would require the PUC to establish timeframes in which electrical corporations are required to respond to specified requests, a violation of which would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.

State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25233 is added to the Public Resources
- 2 Code, to read:

1 25233. To help building owners to decarbonize buildings and  
2 add energy storage or electric vehicle charging capacity to  
3 buildings, the commission, in coordination with the Department  
4 of Housing and Community Development, the California Building  
5 Standards Commission, and other relevant state agencies, shall  
6 do both of the following:

7 (a) (1) Develop, and publish on the commission internet website,  
8 a guide for electrification of buildings, including all of the  
9 following topics:

10 (A) Electrical equipment for replacement of the common  
11 fossil-fuel-powered appliances within buildings, including  
12 high-efficiency options that can minimize electrical service capacity  
13 requirements.

14 (B) Approaches for power budgeting to fit electrical  
15 replacements and vehicle-charging equipment within the existing  
16 electrical service capacity of the building whenever possible,  
17 including guidance on how to maximize the use of the  
18 nonconcurrent electrical load that is allowed under the California  
19 Electrical Code (Part 3 (commencing with Section 89.101.1) of  
20 Title 24 of the California Code of Regulations).

21 (C) Technologies that allow the noncoincidental sharing of  
22 electrical circuits.

23 (D) The development of whole building electrification plans in  
24 order to plan for cost-effective electrical panel upgrades and  
25 wiring changes, even if only a portion of appliances will be  
26 replaced, or energy storage or vehicle charging added, during an  
27 initial project.

28 (E) Guidance on the availability of rebates, tax credits, and  
29 financing options, such as Property Assessed Clean Energy (PACE)  
30 financing, utility provided on-bill financing, or home equity loans.

31 (2) This guide shall include model permit applications, an  
32 eligibility checklist for expedited permitting, and a concise  
33 inspection list for the most common building electrification or  
34 energy storage or vehicle charging installation projects. These  
35 materials shall be suitable for adoption by local governments  
36 seeking to streamline and standardize permitting and inspections.

37 (b) (1) Submit a report to the Legislature no later than  
38 December 31, 2022, on barriers to electrifying existing buildings  
39 and to adding energy storage or vehicle charging equipment to  
40 existing buildings, including consideration of all of the following:

1 (A) The availability of a sufficiently large workforce skilled and  
2 trained in building electrification to achieve the state’s goals for  
3 building decarbonization.

4 (B) Gaps in available technology for cost-effective replacement  
5 of certain existing fossil-fuel powered equipment for certain types  
6 of buildings.

7 (C) Inefficiencies and inconsistencies in permitting requirements  
8 and fees and inspection processes that unnecessarily cause delays  
9 or increase costs, including providing a survey of permitting fees  
10 from local governments across the state for common building  
11 electrification projects and for the installation of vehicle charging  
12 equipment and energy storage.

13 (D) The availability of low-cost financing options for building  
14 owners.

15 (E) The need for additional financial assistance for low-income  
16 building owners or owners of affordable housing.

17 (2) The report required pursuant to paragraph (1) shall be  
18 submitted in accordance with Section 9795 of the Government  
19 Code.

20 (3) Pursuant to Section 10231.5 of the Government Code, this  
21 subdivision shall become inoperative on December 31, 2026.

22 SEC. 2. Section 25711.5 of the Public Resources Code is  
23 amended to read:

24 25711.5. In administering moneys in the fund for research,  
25 development, and demonstration programs under this chapter, the  
26 commission shall develop and implement the Electric Program  
27 Investment Charge (EPIC) program to do all of the following:

28 (a) Award funds for projects that will benefit electricity  
29 ratepayers and lead to technological either of the following:

30 (1) Technological advancement and breakthroughs to overcome  
31 the barriers that prevent the achievement of the state’s statutory  
32 energy goals and that result in a portfolio of projects that is  
33 strategically focused and sufficiently narrow to make advancement  
34 on the most significant technological challenges that shall include,  
35 but not be limited to, energy storage, renewable energy and its  
36 integration into the electrical grid, energy efficiency, integration  
37 of electric vehicles into the electrical grid, and accurately  
38 forecasting the availability of renewable energy for integration  
39 into the grid.

1 (2) *Technologies that reduce the costs of building electrification,*  
2 *including by reducing or avoiding the costs of expanding electrical*  
3 *service and electrical panel upgrades for existing buildings.*

4 (b) In consultation with the Treasurer, establish terms that shall  
5 be imposed as a condition to receipt of funding for the state to  
6 accrue any intellectual property interest or royalties that may derive  
7 from projects funded by the EPIC program. The commission, when  
8 determining if imposition of the proposed terms is appropriate,  
9 shall balance the potential benefit to the state from those terms  
10 and the effect those terms may have on the state achieving its  
11 statutory energy goals. The commission shall require each reward  
12 recipient, as a condition of receiving moneys pursuant to this  
13 chapter, to agree to any terms the commission determines are  
14 appropriate for the state to accrue any intellectual property interest  
15 or royalties that may derive from projects funded by the EPIC  
16 program.

17 (c) Require each applicant to report how the proposed project  
18 may lead to technological advancement and potential breakthroughs  
19 to overcome barriers to achieving the state's statutory energy goals.

20 (d) Take into account, when applicable, the adverse localized  
21 health impacts of proposed projects to the greatest extent possible.

22 (e) Establish a process for tracking the progress and outcomes  
23 of each funded project, including an accounting of the amount of  
24 funds spent by program administrators and individual grant  
25 recipients on administrative and overhead costs and whether the  
26 project resulted in any technological advancement or breakthrough  
27 to overcome barriers to achieving the state's statutory energy goals.

28 (f) Notwithstanding Section 10231.5 of the Government Code,  
29 prepare and submit to the Legislature no later than April 30 of  
30 each year an annual report in compliance with Section 9795 of the  
31 Government Code that shall include all of the following:

32 (1) A brief description of each project for which funding was  
33 awarded in the immediately prior calendar year, including the  
34 name of the recipient and the amount of the award, a description  
35 of how the project is thought to lead to technological advancement  
36 or breakthroughs to overcome barriers to achieving the state's  
37 statutory energy goals, and a description of why the project was  
38 selected.

39 (2) A brief description of each project funded by the EPIC  
40 program that was completed in the immediately prior calendar

1 year, including the name of the recipient, the amount of the award,  
2 and the outcomes of the funded project.

3 (3) A brief description of each project funded by the EPIC  
4 program for which an award was made in the previous years but  
5 that is not completed, including the name of the recipient and the  
6 amount of the award, and a description of how the project will  
7 lead to technological advancement or breakthroughs to overcome  
8 barriers to achieving the state’s statutory energy goals.

9 (4) Identification of the award recipients that are  
10 California-based entities, small businesses, or businesses owned  
11 by women, minorities, or disabled veterans.

12 (5) Identification of which awards were made through a  
13 competitive bid, interagency agreement, or sole source method,  
14 and the action of the Joint Legislative Budget Committee pursuant  
15 to paragraph (2) of subdivision ~~(g)~~ (h) for each award made through  
16 an interagency agreement or sole source method.

17 (6) Identification of the total amount of administrative and  
18 overhead costs incurred for each project.

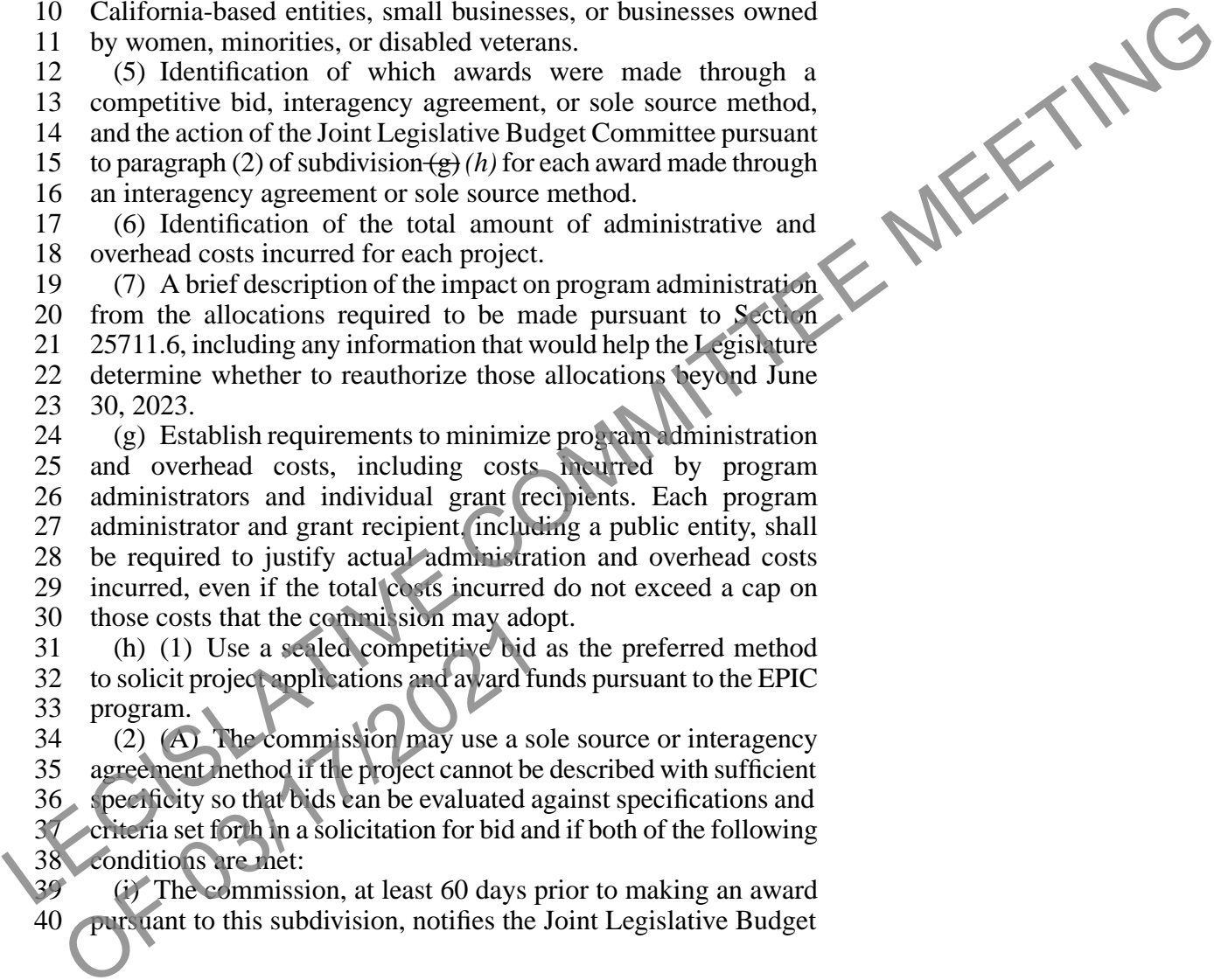
19 (7) A brief description of the impact on program administration  
20 from the allocations required to be made pursuant to Section  
21 25711.6, including any information that would help the Legislature  
22 determine whether to reauthorize those allocations beyond June  
23 30, 2023.

24 (g) Establish requirements to minimize program administration  
25 and overhead costs, including costs incurred by program  
26 administrators and individual grant recipients. Each program  
27 administrator and grant recipient, including a public entity, shall  
28 be required to justify actual administration and overhead costs  
29 incurred, even if the total costs incurred do not exceed a cap on  
30 those costs that the commission may adopt.

31 (h) (1) Use a sealed competitive bid as the preferred method  
32 to solicit project applications and award funds pursuant to the EPIC  
33 program.

34 (2) (A) The commission may use a sole source or interagency  
35 agreement method if the project cannot be described with sufficient  
36 specificity so that bids can be evaluated against specifications and  
37 criteria set for h in a solicitation for bid and if both of the following  
38 conditions are met:

39 (i) The commission, at least 60 days prior to making an award  
40 pursuant to this subdivision, notifies the Joint Legislative Budget





1 Committee and the relevant policy committees in both houses of  
2 the Legislature, in writing, of its intent to take the proposed action.

3 (ii) The Joint Legislative Budget Committee either approves or  
4 does not disapprove the proposed action within 60 days from the  
5 date of notification required by clause (i).

6 (B) It is the intent of the Legislature to enact this paragraph to  
7 ensure legislative oversight for awards made on a sole source basis,  
8 or through an interagency agreement.

9 (3) Notwithstanding any other law, standard terms and  
10 conditions that generally apply to contracts between the  
11 commission and any entities, including state entities, do not  
12 automatically preclude the award of moneys from the fund through  
13 the sealed competitive bid method.

14 *SEC. 3. Chapter 8 (commencing with Section 8400) is added*  
15 *to Division 4.1 of the Public Utilities Code, to read:*

16

17 *CHAPTER 8. ELECTRICAL SERVICE RESPONSE TIME STANDARDS*

18

19 *8400. (a) For purposes of this chapter, the following definitions*  
20 *apply:*

21 *(1) A request for a “nonroutine electrical service upgrade*  
22 *means a request for an electrical corporation to provide additional*  
23 *electrical capacity to an existing building that is not a routine*  
24 *electrical service upgrade. Notwithstanding paragraph (2), any*  
25 *provision of additional electrical capacity that requires the*  
26 *underground installation of any physical component is a nonroutine*  
27 *electrical service upgrade.*

28 *(2) A request for a “routine electrical service upgrade” means*  
29 *a request for an electrical corporation to provide additional*  
30 *electrical capacity to an existing building at or within 25 feet of*  
31 *the existing meter location that does not require a change in the*  
32 *location where the electrical service connects to the distribution*  
33 *system.*

34 *(b) An electrical service upgrade or extension of electrical*  
35 *service includes all aspects of the work of the electrical corporation*  
36 *or its agents necessary to complete the required project, including,*  
37 *as applicable, all of the following:*

38 *(1) A virtual or in-person inspection of the current meter*  
39 *location.*

40 *(2) Upgrades of service conductors.*

1 (3) *Transformer upgrades.*

2 (4) *On-pole upgrades.*

3 (5) *Virtual or in-person inspections of the electrical panel for*  
4 *the building.*

5 (6) *Service reconnection.*

6 8401. (a) *The commission shall establish the shortest feasible*  
7 *timeframe, not to exceed 10 business days, for an electrical*  
8 *corporation to complete its portion of the work associated with a*  
9 *request for a routine electrical service upgrade from the time the*  
10 *request is received until all work is completed and upgraded*  
11 *service is reconnected.*

12 (b) *If an electrical corporation determines, during its response*  
13 *to a request for a routine electrical service upgrade, that the*  
14 *location of the electrical meter is required to be moved to a new*  
15 *location on the building to comply with safety or other*  
16 *requirements, then the time from when the electrical corporation*  
17 *notifies the building owner's representative of the need for this*  
18 *relocation until the utility is notified that a new electrical panel is*  
19 *ready for connection at the new location shall not be counted*  
20 *toward the time permitted pursuant to subdivision (a).*

21 (c) *The commission shall require each electrical corporation*  
22 *to perform capacity planning to maintain an amount of additional*  
23 *capacity on its distribution system to meet the additional*  
24 *foreseeable demands for electrical services for existing buildings*  
25 *to meet the timeframe established under subdivision (a).*

26 (d) *The commission shall allow costs incurred as a result of*  
27 *this section that exceed the electrical corporation's Electric Tariff*  
28 *Rule 15 (distribution line extensions) and Rule 16 (service line*  
29 *extension) to be treated as a common facility costs to be recovered*  
30 *from all ratepayers.*

31 8402. *For extensions of electrical service or nonroutine*  
32 *electrical service upgrades, the commission shall, except as*  
33 *provided in Section 8403, require each electrical corporation to*  
34 *meet all of the following requirements:*

35 (a) *Have a representative of the electrical corporation available*  
36 *for a meeting, either onsite or remotely, with the representative of*  
37 *the building owner within five business days of a request for*  
38 *extension or upgrade of service.*

39 (b) (1) *Prepare, or review and approve, construction drawings*  
40 *for the provision of electrical service within 10 business days of*

1 receiving the required information from the building owner or the  
2 owner's representative.

3 (2) If the electrical corporation notifies the building owner's  
4 representative of deficiencies in the submitted documents, then the  
5 time from the notification until the deficiency is cured shall not be  
6 counted toward the time permitted by paragraph (1).

7 (c) Complete all work, if performed by the electrical  
8 corporation, necessary for the provision of electrical service within  
9 15 business days of the approval from a local agency authorizing  
10 the work.

11 8403. The commission shall determine special circumstances  
12 under which a failure to meet the requirements of Section 8401 or  
13 8402 is excused. Special circumstances may include, but are not  
14 limited to, unusual right-of-way or access issues, tree removal  
15 requirements, the location of the building relative to the  
16 distribution feeder line, an increase in service capacity significantly  
17 exceeding the building's prior total energy consumption plus  
18 anticipated energy requirements for occupants' vehicle charging,  
19 and a force majeure event occurring in the area in which the  
20 building is located.

21 8404. Each electrical corporation shall publish a notice on  
22 the relevant portion of its internet website describing the  
23 requirements and timeframes established by this chapter with  
24 content intended to make building owners aware of their rights  
25 pursuant to this chapter.

26 8405. (a) Beginning January 1, 2023, each electrical  
27 corporation shall report annually to the commission the number  
28 of requests for routine electrical service upgrades and for  
29 extensions of electrical service or nonroutine electrical service  
30 upgrades in the prior calendar year and all cases in which the  
31 electrical corporation fails to complete requests in compliance  
32 with Section 8401 or 8402. For requests for which the electrical  
33 corporation failed to meet the time period specified in Section  
34 8401 or 8402, the electrical corporation shall specify special  
35 circumstances, if any, as determined pursuant to Section 8403,  
36 that would excuse the failure.

37 (b) The commission may assess a civil penalty not to exceed ten  
38 thousand dollars (\$10,000) for each violation of Section 8401 or  
39 8402 that is not excused due special circumstances.

1     *SEC. 4. No reimbursement is required by this act pursuant to*  
 2     *Section 6 of Article XIII B of the California Constitution because*  
 3     *the only costs that may be incurred by a local agency or school*  
 4     *district will be incurred because this act creates a new crime or*  
 5     *infraction, eliminates a crime or infraction, or changes the penalty*  
 6     *for a crime or infraction, within the meaning of Section 17556 of*  
 7     *the Government Code, or changes the definition of a crime within*  
 8     *the meaning of Section 6 of Article XIII B of the California*  
 9     *Constitution.*

10     ~~SECTION 1. It is the intent of the Legislature to enact~~  
 11     ~~subsequent legislation that will help the state achieve its climate~~  
 12     ~~and air pollution reduction goals in the building sector through~~  
 13     ~~actions such as reducing barriers to upgrading electrical service~~  
 14     ~~panels or accommodating additional electrical appliances within~~  
 15     ~~existing service panels.~~

LEGISLATIVE COMMITTEE MEETING  
 OF 03/17/2021

o

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 11, 2021

Re: 2021 Legislative Platform

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**RECOMMENDED ACTION**

Staff requests Legislative Committee (Committee) review and approve the attached revised draft legislative platform for 2021.

**BACKGROUND**

The legislative platform is an attempt to provide overall advocacy principles to the Committee and Board of Directors, as well as provide guidance to Air District staff for the upcoming year.

Staff will provide follow up information to the Committee regarding usage of health impact metrics in the rulemaking process, per request from February 17, 2021 Committee meeting.

**DISCUSSION***Legislative Platform*

Attached for review and consideration is the revised draft legislative platform for 2021, the first year of a two-year state legislative session, a new Congress, and a new Presidential Administration. The platform is divided into three sections – state budget, state legislation, and federal legislation. The platform does not commit the Air District to positions on every legislative proposal in the listed categories but does provide a metric for use in bringing proposals to the Committee for discussion.

For information, a calendar is attached with likely future meetings and topics.

*Health Impact Metrics in Rulemaking*

At previous Committee meetings, advocates and committee members have expressed interest in legislation aimed at requiring use of health impact metrics in air district rulemaking processes. Staff will provide information on current non-legislative efforts in this area.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Jack P. Broadbent

Attachment 6A: Revised Draft of 2021 Legislative Platform  
Attachment 6B: 2021 Legislative Committee Calendar

LEGISLATIVE COMMITTEE MEETING  
OF 03/17/2021



## Legislative Platform (2021)

### State Budget

1. **State Funding for Clean Air Projects:** Advocate for new and continued funding for investment in projects that reduce air pollution and exposure in the Bay Area. The Air District will pursue funding to support programs in the Bay Area Region from all available sources, including Carl Moyer, the Greenhouse Gas Revenue Fund Assembly Bill (AB) 118, and the Air Pollution Control Fund.
2. **AB 617 Community Air Protection Implementation and Incentive Funding:** Advocate for adequate and continuous funding to support the Air District's AB 617 Community Air Protection Program. The state should provide necessary resources to fund the emissions inventory, regulatory, administrative, air monitoring, and community outreach activities necessary to effectively implement AB 617 requirements. The 2021/22 budget includes \$50 million (M) and \$265M statewide for implementation and incentives, respectively. When possible, the Air District will advocate support for continued funding and/or increases to funding.
3. **Carl Moyer Program AB 1274 Funding:** While passed in 2017 to boost funding to the Carl Moyer Program, AB 1274 funding was collected from certain motor vehicle registrations but not dispersed to air districts due to unchanged state budget caps. The 2021/22 budget corrects this error by providing approximately \$150M in collected funds to the Carl Moyer Program, of which approximately \$25M would go to the Bay Area Air District. The Air District will strongly advocate for this line item.
4. **Carl Moyer/Mobile Source Incentive Fund/AB 118 Reauthorization:** The 2021/22 budget proposes a reauthorization of the Carl Moyer Memorial Air Quality Standards Program, the AB 923 Program (also known as the Air District's Mobile Source Incentive Fund [MSIF]), and the California Energy Commission's AB 118 Program through 2045. These programs currently sunset at the end of 2023. The Air District will strongly advocate for extension of Moyer and 923 as part of the state budget process.
5. **Wildfire Smoke Public Health Response:** The Air District sponsored AB 836 Wildfire Smoke Clean Air Centers Pilot Program by Assemblymember Wicks in 2019, which received funding in the state budget for 2020/21 for \$5M. The 2021/22 budget does not currently fund this program, and the Air District will strongly advocate for continued funding.
6. **Support for Air District Activities Related to Wildfire Mitigation:** The passage of Senate Bill (SB) 1260 in 2018 provided funding for air districts to support prescribed fire and other forest health activities by land managers. The 2021/22 budget includes a small amount of funding for this purpose, which the Air District will continue to advocate for.
7. **Clean Tech Financing:** Support proposals to provide financing assistance to clean technology projects, and if possible, funding for the Air District's Climate Tech Finance Program.



## Legislative Platform (2021)

### State Legislation

1. **Vehicle Emissions and Congestion Relief:** Support legislative proposals that encourage active transportation, reduce vehicle miles traveled, and reduce emissions in the transportation sector. Oppose legislative proposals that roll back existing smog check and vehicle maintenance requirements.
2. **Climate Change:** Support legislative proposals that align with the Air District's 2017 Bay Area Clean Air Plan, including limiting fossil fuel combustion, stopping methane leaks, advancing zero-emission vehicle usage, advancing clean fuel adoption, accelerate low carbon buildings, supporting Community Choice Aggregation programs, and building energy efficiency in both new and existing buildings.
3. **AB 617 Community Air Protection Program:** Support legislative proposals that seek to reduce emissions and exposure in overburdened communities within the parameters of the Federal Clean Air Act and California Clean Air Act.
4. **Wildfire Smoke Public Health Response:** Support legislative proposals that would improve indoor air quality in public and non-public spaces through improved filtration or weatherization, especially in vulnerable and disadvantaged communities.
5. **Emergency Backup Generation:** Support legislative proposals that seek to reduce diesel particulate emissions in backup generation through use of cleaner generation. Oppose legislative proposals that restrict air district regulatory authority of diesel backup generators.
6. **Toxic Air Emissions:** Support legislative proposals to reduce emissions and exposure of air toxics. Oppose legislation that would potentially result in increases of air toxic emissions in the Bay Area Region.
7. **Stationary Source Greenhouse Gas Authority:** Support legislative proposals to allow local air district the authority to establish stationary source greenhouse gas permit requirements.





## Legislative Platform (2021)

### Federal Legislation

1. **Federal Funding for Air District Clean Air Programs:** Advocate for continuous and increased funding for Air District programs that reduce emissions and exposure, or that support monitoring and planning efforts in the Bay Area Region, including federal 103 and 105 grants, Diesel Emission Reduction Act grants, and Targeted Airshed Grants.
2. **Wildfire Smoke Public Health Response:** Support federal level efforts, including legislative efforts, to improve wildfire smoke public health response and indoor air quality in the Bay Area Region.
3. **Clean Transportation Programs:** Support efforts to include funding for clean transportation infrastructure in future federal transportation bills and economic stimulus bills.
4. **Clean Energy Programs:** Support efforts to promote clean energy technology through incentive funding or tax credits, especially in disadvantaged communities in the Bay Area. Support proposals to provide financing assistance to clean technology projects, and if possible, funding for the Air District's Climate Tech Finance Program.
5. **Particulate Matter Standards:** Support efforts to review EPA's 2020 decision to leave federal PM2.5 unchanged, per recommendations of Air District Board and Advisory Committee.
6. **Vehicle Emission Standards:** Support efforts to develop more stringent vehicle emission standards that align with current California standards for light duty, medium duty, and heavy-duty vehicles. Support efforts to retain California vehicle emission standard authority.

Legislative Committee Topics for 2021

03/05/2021

Meeting Schedule (Monthly)*	Topics
February	<ul style="list-style-type: none"> <li>• Review of Governor’s Proposed 2021-22 Budget</li> <li>• Review Bills of Interest – Take positions as appropriate.</li> <li>• Review 2021 Legislative Platform</li> <li>• Federal Update</li> </ul>
March	<ul style="list-style-type: none"> <li>• Review Bills of Interest – Take positions as appropriate.</li> <li>• Review/Approve Legislative Platform</li> <li>• Sacramento Update</li> <li>• Federal Update</li> </ul>
April	<ul style="list-style-type: none"> <li>• Review Bills of Interest – Take positions as appropriate.</li> <li>• Sacramento Update</li> <li>• Federal Update</li> </ul>
May	<ul style="list-style-type: none"> <li>• Review Bills of Interest – Take positions as appropriate.</li> <li>• State Budget Update</li> </ul>
June	<ul style="list-style-type: none"> <li>• State Budget Update</li> <li>• Federal Update</li> </ul>
July	<ul style="list-style-type: none"> <li>• Cancel</li> </ul>
<b>No scheduled meetings in August.</b>	
September	<ul style="list-style-type: none"> <li>• Cancel</li> </ul>
October	<ul style="list-style-type: none"> <li>• Legislative Session Year in Review</li> <li>• Federal Update</li> <li>• Discussion Regarding 2022 Priorities</li> </ul>
November	<ul style="list-style-type: none"> <li>• Cancel</li> </ul>
December	<ul style="list-style-type: none"> <li>• 2022 Priorities</li> <li>• 2022 Legislative Platform</li> </ul>

*\*Standing Legislative Committee meetings are the 3rd Wednesday of each month @ 1:00 p.m.*

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Margaret Abe-Koga and Pauline Russo Cutter, and Members of the Legislative Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 11, 2021

Re: Federal Legislative Update

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Legislative Committee (Committee) will receive an update on recent events of significance on the federal level.

DISCUSSION

Staff completed an initial round of meetings with congressional staff to discuss Air District priorities and legislators' priorities. Staff will provide a verbal update regarding those meetings.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Jack P. Broadbent

**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: April 1, 2021

Re: Report of the Mobile Source and Climate Impacts Committee Meeting of March 25,  
2021

---

RECOMMENDED ACTIONS

The Administration Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) ACTION REQUESTED: Discussion on Mobile Source and Climate Impacts Committee Mission Statement, Climate Agenda, and Schedule for 2021;
  - 1) Approve the calendar for its 2021 Meeting Schedule.
- B) ACTION REQUESTED: Projects and Contracts with Proposed Grant Awards Over \$100,000; and
  - 1) Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and
  - 2) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.
- C) ACTION REQUESTED: Fiscal Year Ending 2022 Transportation Fund for Clean Air Funding Allocation.
  - 1) Approve the proposed allocation of the estimated new Transportation Fund for Clean Air, or TFCA, monies to the programs and projects listed in Table 1;
  - 2) Authorize the proposed cost-effectiveness limits for the Air District-sponsored programs and projects listed in Table 2; and
  - 3) Authorize the Executive Officer/APCO to enter into funding agreements and contracts up to \$100,000 for projects and programs listed in Table 1.

BACKGROUND

The Committee met on Thursday, March 25, 2021, and received the following reports:

- A) Discussion on Mobile Source and Climate Impacts Committee Mission Statement, Climate Agenda, and Schedule for 2021;
- B) Projects and Contracts with Proposed Grant Awards Over \$100,000; and
- C) Fiscal Year Ending 2022 Transportation Fund for Clean Air Funding Allocation.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) 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; and
- C) None. The Air District distributes “pass-through” funds to grantees on a reimbursement basis. Administrative costs for the TFCA Regional Fund program are provided by the funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amanda Balneg  
Reviewed by: Vanessa Johnson

- Attachment 15A: 03/25/2021 – Mobile Source and Climate Impacts Committee Meeting  
Agenda #3
- Attachment 15B: 03/25/2021 – Mobile Source and Climate Impacts Committee Meeting  
Agenda #4
- Attachment 15C: 03/25/2021 – 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 Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 15, 2021

Re: Discussion on Mobile Source and Climate Impacts Committee Mission Statement,  
Climate Agenda, and Schedule for 2021

**RECOMMENDED ACTION**

Recommend the Committee:

1. Approve the calendar for its 2021 Meeting Schedule.

**BACKGROUND**

At its February 3, 2021, the Board of Directors merged elements of its “Mobile Source” and “Climate Protection Committees” to form the new “Mobile Source and Climate Impacts Committee.”

The description of the Mobile Source Committee stated that it “...*This committee reviews and recommends District policies and positions on transportation planning and funding, on-road and off-road mobile sources, and mobile source fuels. The committee stays informed on current and proposed actions by local, regional, state, and federal agencies related to mobile source emissions.*”

The description of the Climate Protection Committee stated that it “...*reviews the Air District’s climate protection policies, activities, and funding, and makes applicable recommendations to the Board of Directors. The committee stays informed on current and proposed climate protection actions by local, regional, state, federal, and international agencies and organizations.*”

As part of the amendments made to the Air District’s administrative code to establish the Committee, the Board of Directors included the following mission statement:

“...*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, and mobile source fuels. 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 funding 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...”*

#### DISCUSSION

As part of this meeting, the Committee will review its new mission statement, how the Air District’s mobile source Climate Agenda will be integrated into the Committee’s 2021 work plan, and a proposed schedule for meetings for 2021.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Damian Breen

Attachment 3A: Proposed 2021 Mobile Source and Climate Impacts Committee Workplan

MOBILE SOURCE AND CLIMATE  
IMPACTS COMMITTEE MEETING  
OF 03/25/2021

**Proposed 2021 Mobile Source and Climate Impacts Committee Workplan**

Meeting Schedule	Topics
March	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000</li> <li>• FYE 2022 TFCA Funding Allocation</li> <li>• Committee Calendar, Mission and Climate Focus</li> </ul>
April	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000</li> <li>• FYE 2022 TFCA County Program Manager Expenditure Plans</li> <li>• TFCA Audit (CPM, AD sponsored Programs)</li> </ul>
May	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000</li> <li>• Updates to the TFCA Regional Fund Policies and Evaluation Criteria for FYE 2022</li> <li>• Plan Bay Area Implementation Plan</li> <li>• Proposed CEQA thresholds for GHG (if not presented in May, can be carried over to June)</li> </ul>
June	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000</li> <li>• Acceptance of 2021 Greenhouse Gas Reduction Funds and other Monies from the California Air Resources Board (FARMER/CAP)</li> <li>• Update on Bay Area Transit Picture</li> <li>• Proposed CEQA thresholds for GHG (if not presented in May, can be carried over to June)</li> </ul>
July	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000 <i>(Will go to BOD if meetings are scheduled)</i></li> </ul>
August	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000 <i>(Will go to BOD if meetings are scheduled)</i></li> </ul>
September	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000</li> </ul>



AGENDA 3A – ATTACHMENT

	<ul style="list-style-type: none"> <li>• Final proposed Plan Bay Area</li> <li>• Preview of TFCA County Program Manager Fund Policies for FYE 2022</li> </ul>
October	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000</li> <li>• Proposed Updates to the TFCA County Program Manager Fund Policies for FYE 2022</li> <li>• Diesel Free by '33 Update and Case Studies</li> </ul>
November/December	<ul style="list-style-type: none"> <li>• Projects and Contracts with Proposed Grant Awards Over \$100,000</li> <li>• Report on Transportation Fund for Clean Air Projects Expenditures and Effectiveness for FYE 2020</li> <li>• Transportation Fund for Clean Air Program Regional Fund Projects - Audit #22 Results</li> </ul>

**Topics to be added later:**

- Update on USEPA-NTSB "SAFER" Regulation
- Update on State and Federal Rulemakings
- Incentives and Equity
- EV Action Plan

MOBILE SOURCE AND CLIMATE  
 IMPACTS COMMITTEE MEETING  
 OF 03/25/2021

**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: March 15, 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; and
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.

**BACKGROUND**

The Bay Area Air Quality Management District (Air District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (CARB), since the program began in fiscal year 1998-1999. The CMP provides grants to public and private entities to reduce emissions of nitrogen oxides (NOx), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, and stationary agricultural pump engines. 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 Air District 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 the AB 617 effort 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 GCRF 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.

## 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 February 22, 2021, the Air District had received or evaluated 95 project applications. Of the applications that were evaluated between January 27, 2021 and February 22, 2021, seven eligible projects have proposed grant awards over \$100,000. Five off-road agricultural projects will replace twelve pieces of mobile, diesel-powered equipment. One marine project will replace two propulsion diesel engines of a charter fishing vessel. One school bus project will replace two diesel school buses with electric school buses and charging infrastructure. These projects will reduce over 7.6 tons of NOx, ROG, and PM per year. Staff recommends the allocation of \$2,284,004 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 February 22, 2021 and includes information about equipment category, award amounts, estimated emissions reductions, and county location. To date, approximately 60% of the funds<sup>1</sup> have been awarded or allocated to low-income residents or to projects that reduce emissions in Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (Senate Bill (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

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<sup>1</sup> For the purpose of determining whether funding was awarded or allocated to low-income residents or to projects that reduce emissions in Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (SB 535) and/or low-income (AB 1550) communities, the total amount of funds awarded and allocated to date does not include amounts awarded to regional projects where all communities receive the benefit or amounts awarded to projects where the location of the benefit is unknown until additional information becomes available.

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 February 22, 2021, the Air District had received six project applications, in addition to a project that is discussed below. Besides this project, there were no other projects evaluated between January 27, 2021, and February 22, 2021, with proposed grant awards over \$100,000.

Staff evaluated one school bus project, which is recommended in the CMP section above, that proposes to replace two diesel school buses with electric school buses and install charging infrastructure (Project #22SBP14). Staff is recommending the allocation of up to \$204,598 in TFCA funding as matching funds for this project because one of the buses does not qualify for full funding under the CMP guidelines. This project benefits AB 1550 communities in Milpitas. Project #22SBP14 is recommended for \$622,556 in CMP, CHP and MSIF funding leaving a shortfall of approximately \$204,598, which is recommended for co-funding from the TFCA.

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

Table 1: Proposed award for school bus project #22SBP14

Project Description	2 buses and charging infrastructure
Total Project Cost	\$827,154
Proposed CMP/CHP/MSIF Award	\$622,556
Proposed TFCA Award (one bus only)	\$204,598
<b>Total Proposed Award</b>	<b>\$827,154</b>

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

Attachment 3, Table 1, lists all eligible TFCA projects that have been evaluated and awarded between July 1, 2020 and February 22, 2021, including information about the project category, award amount, estimated emissions reduction, and county location. To date, approximately 89%

of the funds<sup>2</sup> have been awarded or allocated to low-income residents or to projects that reduce emissions in Air District designated Community Air Risk Evaluation (CARE) areas or 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: Alona Davis and Linda Hui

Reviewed by: Minda Berbeco, Chengrong Wang, and 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 2/22/21

Attachment 3: TFCA projects awarded and allocated projects between 7/1/20 and 2/22/21

Attachment 4: Summary of funding awarded and allocated between 7/1/20 and 2/22/21

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<sup>2</sup> For the purpose of determining whether funding was awarded or allocated to low-income residents or to projects that reduce emissions in Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (SB 535) and/or low-income (AB 1550) communities, the total amount of funds awarded and allocated to date does not include amounts awarded to regional projects where all communities receive the benefit or amounts awarded to projects where the location of the benefit is unknown until additional information becomes available.

## AGENDA 4 - ATTACHMENT 1

Table 1 - Carl Moyer Program/ Mobile Source Incentive Fund, FARMER, and Community Health Protection Grant Program projects with grant awards greater than \$100k (Evaluated between 1/27/21 and 2/22/21)

Project #	Applicant name	Project Category	Project Description	Proposed contract award	Total project cost	Emission Reductions (Tons per year)			County
						NO <sub>x</sub>	ROG	PM	
22MOY5	Golden Eye 2000	Marine	Replacement of two Tier-0 propulsion diesel engines with two Tier-3 propulsion diesel engines on charter fishing vessel Golden Eye 2000	\$ 293,000	\$ 366,493	2.471	-0.025	0.097	Alameda
22MOY64	Joseph Rider	Off-road / Ag	Replacement of one Tier 0 ag excavator and one Tier 1 ag tractor with two Tier 4 final ag tractors	\$ 166,500	\$ 213,451	0.152	0.030	0.022	Napa
22MOY69	Lelmorini Custom Spreading, LLC	Off-road / Ag	Replacement of one Tier 0 ag wheel loader and one Tier 0 ag tractor with two Tier 4 final engines	\$ 276,450	\$ 307,233	2.124	0.200	0.116	Marin / Sonoma
22MOY72	West Marin Compost LLC	Off-road / Ag	Replacement of one Tier-1 ag rubber-tired loader with a Tier 4 rubber-tired loader.	\$ 318,200	\$ 353,631	0.945	0.042	0.024	Marin
22MOY80	Renteria Vineyard Management LLC	Off-road / Ag	Replacement of two Tier 0 ag tractor, two Tier 1 ag tractors, and one Tier 2 ag tractor, with five Tier 4 final ag tractors	\$ 300,900	\$ 383,958	0.699	0.098	0.072	Napa / Sonoma
22MOY81	Stephen Tenbrink	Off-road / Ag	Replacement of one Tier 0 ag tractor and one Tier 2 ag tractor with two Tier 4 final ag tractors	\$ 101,800	\$ 127,436	0.285	0.033	0.022	Solano
22SBP14*	Milpitas Unified School District	School Bus	Replacement of two diesel buses with electric school buses and supporting infrastructure	\$ 827,154	\$ 827,154	0.191	0.018	0.001	Santa Clara
<b>7 Projects</b>				<b>\$ 2,284,004</b>	<b>\$ 2,579,356</b>	<b>6.867</b>	<b>0.395</b>	<b>0.355</b>	

\*The award amount includes a total of \$204,598.00 in TFCA funds.

**AGENDA 4 - ATTACHMENT 2**

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated  
(between 7/1/20 and 2/22/21)*

Project #	Equipment category	Project type	# 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	0.051	10/7/2020	No	No	Sonoma/ Napa
21MOY212	On-road	Equipment replacement	1	\$ 55,000.00	Ram Narak & Son Trucking	0.356	0.030	0.002	APCO	Yes	Yes	Alameda
21MOY235	Ag/ off-road	Equipment replacement	1	\$ 51,800.00	Mertens Dairy	0.213	0.038	0.028	APCO	No	No	Sonoma
21MOY228	Ag/ off-road	Equipment replacement	3	\$ 130,200.00	Tumbul Wine Cellars	0.191	0.037	0.026	10/7/2020	No	No	Napa
21MOY239	Ag/ off-road	Equipment replacement	4	\$ 170,000.00	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	Prabhujit	0.321	0.027	0.000	APCO	No	Yes	San Joaquin
21MOY211	Ag/ off-road	Equipment replacement	2	\$ 70,100.00	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		\$ 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	0.184	0.041	0.033	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 2/22/21)*

Project #	Equipment category	Project type	# 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	2	\$ 260,707.00	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	StoneMan 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	\$ 51,300.00	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
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

## AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated  
(between 7/1/20 and 2/22/21)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
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	0.005	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 Spalletta	0.046	0.044	0.011	APCO	No	No	Sonoma
21MOY275	Off-Road	Equipment replacement + Infrastructure	2	\$ 90,000.00	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
21MOY276	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

**AGENDA 3 - ATTACHMENT 2**

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated  
(between 7/1/20 and 2/22/21)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
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 Poncia	0.256	0.007	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	Shaner Vineyards	0.208	0.007	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	Memo 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 Cropping, LLC	2.073	0.199	0.108	3/3/2021	No	No	Sonoma
22MOY68	Ag/ off-road	Equipment replacement	1	\$ 21,000.00	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	No	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	\$ 40,800.00	Gilardi's Family Farm	0.050	0.008	0.006	APCO	No	Yes	Sonoma
22MOY69	Ag/ off-road	Equipment replacement	2	\$ 276,450.00	Ielmorini Custom Spreading, LLC	2.124	0.200	0.116	TBD	No	Yes	Marin/Sonoma

**AGENDA 3 - ATTACHMENT 2**

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects awarded and allocated  
(between 7/1/20 and 2/22/21)*

Project #	Equipment category	Project type	# of engines	Proposed contract award	Applicant name	Emission Reductions (Tons per year)			Board approval date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22MOY72	Ag/ off-road	Equipment replacement	1	\$ 318,200.00	West Marin Compost LLC	0.945	0.042	0.024	TBD	No	Yes	Marin
22MOY80	Ag/ off-road	Equipment replacement	5	\$ 300,900.00	Renteria Vineyard Management LLC	0.699	0.098	0.072	TBD	No	No	Napa/Sonoma
22SBP14	School Bus	Equipment replacement + Infrastructure	2	\$ 622,556.00	Milpitas Unified School District	0.191	0.018	0.001	TBD	No	Yes	Napa/Sonoma
22MOY81	Ag/ off-road	Equipment replacement	2	\$ 101,800.00	Stephen Tenbrink	0.285	0.033	0.022	TBD	No	No	Solano
22MOY64	Ag/ off-road	Equipment replacement	2	\$ 166,500.00	Joseph Rider	0.152	0.030	0.022	TBD	No	No	Napa
<b>95 Projects</b>			<b>147</b>	<b>\$ 15,499,178.00</b>		<b>68.393</b>	<b>6.254</b>	<b>2.707</b>				

MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE MEETING OF 03/25/2021

## AGENDA 4 - ATTACHMENT 3

Table 1 - TFCA projects awarded and allocated (between 7/1/20 and 2/22/21)

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 <sub>x</sub>	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	\$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
21HMF01	LD Vehicles	Lease and operate 200 light-duty electric vehicles	\$1,000,000	Flexdrive Services, LLC	0.241	0.132	0.297	7/15/20	Yes	Yes	Regional
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*	Yes	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
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	N/A	N/A	N/A	7/15/20	N/A	N/A	Regional
21R03	Trip Reduction	Spare The Air/Intermittent Control Programs	\$2,290,000	BAAQMD	N/A	N/A	N/A	6/3/20	N/A	N/A	Regional
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**	Pending	No	Yes	Santa Clara
<b>Total</b>	<b>12 Projects</b>		<b>\$17,049,440</b>		<b>0.548</b>	<b>0.463</b>	<b>0.924</b>				

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

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

# AGENDA 4 - ATTACHMENT 4

Figures 1-3 Summary of funding awarded and allocated between 7/1/20 and 2/22/21 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

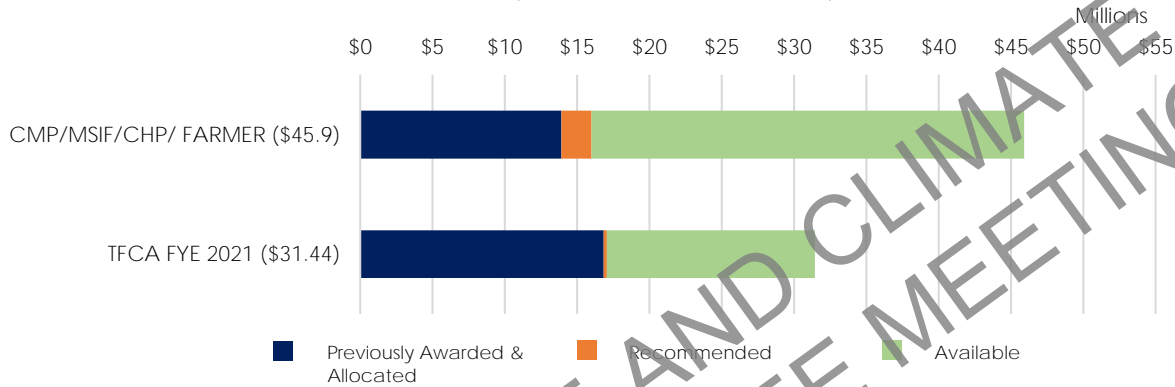


Figure 2. Funding awarded and allocated in FYE 2021 by county: includes funds awarded & recommended for award

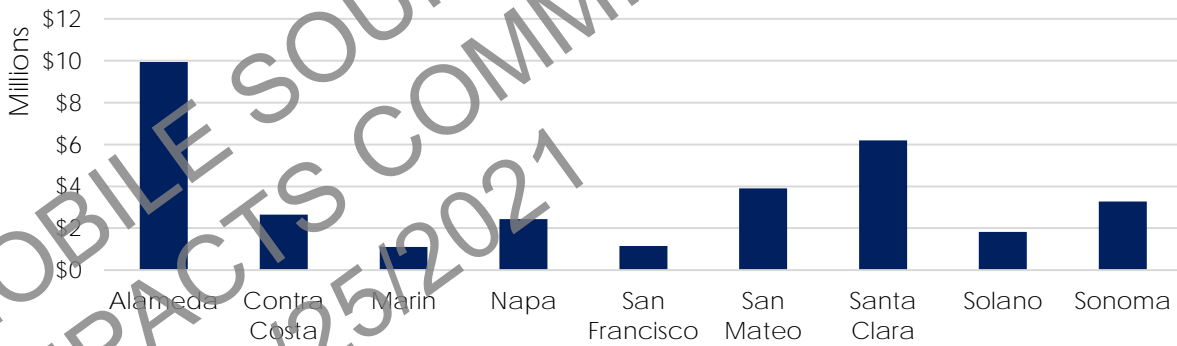
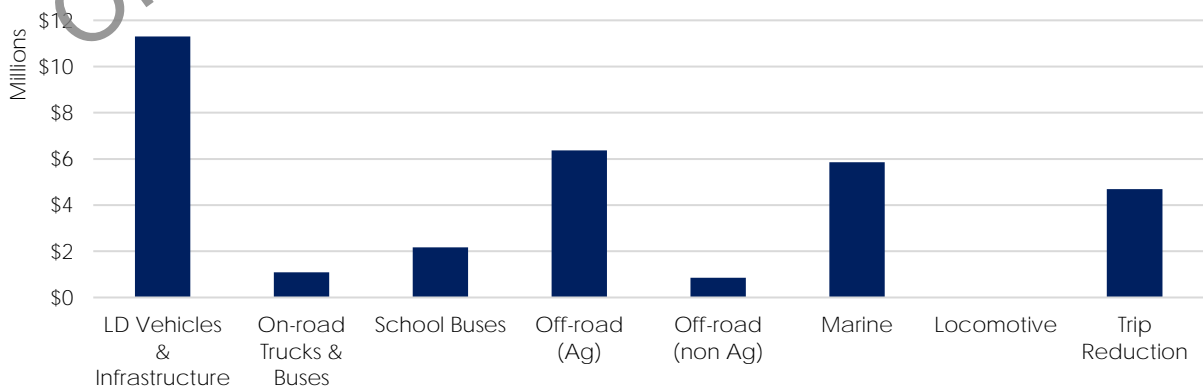


Figure 3. Funding awarded and allocated in FYE 2021 by project category includes funds awarded & recommended for award



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

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

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 15, 2021

Re: Fiscal Year Ending 2022 Transportation Fund for Clean Air Funding Allocation

**RECOMMENDED ACTIONS:**

Recommend Board of Directors:

1. Approve the proposed allocation of the estimated new Transportation Fund for Clean Air, or TFCA, monies to the programs and projects listed in Table 1;
2. Authorize the proposed cost-effectiveness limits for the Air District-sponsored programs and projects listed in Table 2; and
3. Authorize the Executive Officer/APCO to enter into funding agreements and contracts up to \$100,000 for projects and programs listed in Table 1.

**BACKGROUND**

The approximately six million on-road motor vehicles, including cars, trucks, and buses, in the Bay Area account for more than 40% of the criteria air pollutants and about 36% of greenhouse gases (GHG) emissions in the region<sup>1, 2</sup>. These on-road motor vehicles constitute the most significant sources of air pollution in the Bay Area, including unhealthy levels of ozone (summer "smog") and particulate matter. For this reason, emissions reductions from the on-road transportation sector are essential to attaining state and federal ambient air quality standards and meeting the region's GHG reduction commitments.

In 1991, the California State Legislature authorized the Bay Area Air Quality Management District (Air District) to impose a \$4 surcharge on motor vehicles registered in the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code (HSC) Sections 44241 and 44242. Each year, the Air District's Board of Directors (Board) allocates funding and adopts cost-effectiveness criteria that govern expenditure of TFCA funding and maximize emissions reductions and public health benefits.

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<sup>1</sup> BAAQMD, [Bay Area Emissions Inventory Summary Report: Criteria Air Pollutants Base Year 2011](#), May 2014.

<sup>2</sup> BAAQMD, [Bay Area Emissions Inventory Summary Report: Greenhouse Gases Base Year 2011](#), January 2015.

The authorizing legislation allows public agencies to be awarded funds for all project categories while non-public agencies including private businesses, non-profits, and residents may only be awarded funds for projects that reduce emissions from vehicle-based projects. Up to sixty percent of TFCA funds may be awarded by the Air District to eligible projects and programs that are implemented directly by the Air District (e.g., Spare the Air) and for distribution to other awardees through the TFCA Regional Fund. The remaining forty percent of TFCA funds are passed through to the County Program Manager Fund based on each county's proportionate share of vehicle registration fees paid and is awarded by the nine designated agencies within the Air District's jurisdiction.

This report discusses the proposed allocation of the sixty percent portion of the TFCA monies that will be available in FYE 2022 for distribution by the Air District and the proposed updates to the cost-effectiveness limits for the Air District-sponsored TFCA-funded programs and projects.

DISCUSSION

In developing this recommendation, staff considered input received from stakeholders along with factors such as current demand for funding for certain project categories, regulatory requirements scheduled to be phased-in in the near-term for truck and bus fleets, cost-effectiveness of clean air vehicle projects and trip reduction strategies, and the impacts to last years' projects from the shelter-in place orders issued in 2020. Staff assessed eligible incentive program options to identify the most effective strategies at reducing on-road motor vehicle criteria emissions in the region to help achieve criteria and GHG emissions reduction goals outlined in both the Air District's 2017 Clean Air Plan and Diesel Free by '33 initiative.

For FYE 2022, approximately \$12.89 million in new TFCA monies will be available for distribution by the Air District for programs and projects, approximately \$1.69 million will be available to cover administrative and audit expenses. Staff is recommending that the \$12.89 million in new TFCA monies be allocated to the program categories listed below in Table 1.

**Table 1 - Proposed Programs and TFCA Funding Allocation for FYE 2022 (in Millions)**

Program Categories	(A)	(B)	(C)
	Estimated New TFCA Monies	Estimated Carryover	Estimated Total Funds Available in FYE 2022*
Trip Reduction	\$4.25	\$7.00	\$11.25
Clean Air Vehicles	\$6.00	\$9.50	\$15.50
Other Air District Sponsored Programs	\$2.64	\$0.00	\$2.64
<b>Total Funding Available for Projects and Programs:</b>	<b>\$12.89</b>	<b>\$16.50</b>	<b>\$29.39</b>
Admin & Audit**	\$1.69	\$0.00	\$1.69
<b>Total Funding</b>	<b>\$14.58</b>	<b>\$16.50</b>	<b>\$31.08</b>

\*\* HSC Section 44233 authorized up to 6.25% of projected revenues can be used for administrative costs.

In the event a program category is undersubscribed, the Executive Officer/APCO may reallocate up to 20% of each program category's allocation to other categories based on demand, cost-effectiveness, and technology availability.



The estimate for new revenue shown in column A is based on the amount of DMV revenue received in 2020. Column B shows approximately \$16.5 million in carryover funds available to augment the new monies. Carryover funds include unobligated TFCA funds from prior years as well as projects recently completed under budget or canceled.

The following narrative provides additional information on the proposed programs and projects listed in Table 1.

- ***Trip Reduction***

Reducing single occupancy motor vehicle trips is a key strategy to reducing mobile source emissions. For nearly 30 years, TFCA revenues have been used to fund services, such as last-mile connection services, to help residents and commuters to mode-shift trips to mass transit as well as construction of new facilities and infrastructure, to support active transportation, e.g., biking and walking as alternatives to driving for short first- and last-mile trips. The authorizing legislation requires that sponsors of trip reduction projects be public agencies.

Trip reduction projects have many co-benefits such as supporting health, safety, equity, and climate protection, however the air quality benefits of these types of projects have been steadily decreasing over time as state and federal regulations have effectively reduced the criteria pollutants emitted from light-duty passenger cars. This erosion of air quality benefits is even more pronounced in projects that replace single-passenger car trips with larger vehicles, such as last-mile commuter connection feeder buses and shuttles, as the region's fleet of passenger vehicles has become significantly cleaner at a faster rate than the medium- and heavy-duty vehicles typically used to provide transit-connection services. Meanwhile Covid-19 has resulted in fewer people taking transit, further decreasing the effectiveness of services that work in conjunction with trips taken on mass transit.

Air District staff has been working to address these challenges, including examining the methodology used for evaluating a project's cost effectiveness and meeting with transit providers and project sponsors to understand the steps they are taking and timeline for encouraging commuters to return to transit post-shelter in place. During this next year, staff may also seek to evaluate these projects collectively rather than individually and capture this information as part of the evaluation of the Spare the Air program.

For FYE 2022, staff is recommending TFCA funds be allocated to support the following trip reduction project categories:

- ***Bicycle Facilities:*** To support the installation of new bikeways and secure bicycle parking to encourage and enable increased use of active modes of transportation such as walking, biking, and mode shift away from the use of motor vehicles for short first- and last-mile connections to mass transit.
- ***Infrastructure Improvements:*** To expand access and use of alternative transportation modes via design and construction of physical improvements of infrastructure such as ferry or bus terminals.

- **Last-Mile Commuter Connections:** To support the return of passengers to last-mile commute-connections, carpooling and rideshare services. The emission reduction benefits of these services may continue to be evaluated separately or may be evaluated as part of the Spare the Air program.

### **Clean Air Vehicles**

Accelerating the adoption of zero-emission vehicles is the other key strategy to reducing on-road motor vehicle emissions, improving air quality, protecting the climate, and reducing reliance on fossil fuels. Electrification of all sectors of transportation, including light-duty passenger cars and heavy-duty trucks and buses, is essential in helping the region achieve local, state, and federal criteria pollutants and GHG emissions reduction targets.

Air District staff identified a key pathway to achieve the goals of Diesel Free by '33 by encouraging a phased-in replacement of diesel-fueled vehicles and equipment, including on-road vehicles with zero-emission technologies, which is advancing rapidly. Air District staff will continue to update the assessments of zero-emissions options that become commercially available and ensure the availability of funding to help incentivize adoption of newly commercialize vehicles as they come on-line.

The TFCA-funded incentive programs are augmented by other Air District efforts to increase adoption of zero emission vehicles and equipment. These include outreach activities and forums that promote new technologies, share best practices, and encourage local agencies to adopt supporting policies and local ordinances. Air District's efforts, in combination with other initiatives, have contributed to the Bay Area's high adoption rate of light-duty EVs and deployment of zero-emission medium- and heavy-duty trucks and buses in the region.

TFCA funds for clean air vehicle projects may be awarded to both public and non-public entities. For FYE 2022, staff is recommending TFCA funds be allocated to support the following project categories to accelerate the region's transition to zero-emission vehicles.

- **EV Charging Stations:** To support adoption of passenger EVs by helping to expand access to EV chargers. In FYE 2022, the District's programs will continue to prioritize installation of EV charging stations in multi-family dwellings and impacted communities.
- **Zero-emissions Light-Duty Fleets:** To accelerate the adoption of light-duty zero-emission vehicles. In FYE 2022, the District's programs will continue to prioritize high mileage public and private fleets.
- **Zero-emission Medium- and Heavy- Duty Vehicles and Infrastructure:** To accelerate the adoption of zero-emission trucks and buses for public and private fleets and the installation of supporting refueling infrastructure.

- **Clean Cars for All:** To augment funding from other sources to provide incentives to qualifying low-income residents to purchase new and used light-duty EVs or to transition to clean mobility options. CCFA is currently funded through the state's California Climate Investments (CCI) initiative, Volkswagen Mitigation settlement fund, and TFCA.
- **Light-duty Vehicle Hydrogen Fueling Stations:** Approximately \$500,000 from prior year funding is available for awards as a match to complement funding from California Energy Commission or the Volkswagen Environment Mitigation Trust for installation, upgrades, and improvements of hydrogen dispensing facilities.

**Other Air District-Sponsored Programs:**

For FYE 2022, staff is recommending that TFCA funds also be used to reduce motor vehicle trips and increase the adoption of clean air vehicles via Air District-sponsored programs.

- **Spare the Air:** To provide funding to support this public outreach program for the summer ozone season to conduct advertising, media, and educational activities and to reduce vehicle miles traveled and emissions by behavior modification.
- **Flex Your Commute:** Flex Your Commute is the new program dedicated to helping reshape employee commutes in the Bay Area and to work with Bay Area employers to encourage them to develop effective commute programs in the workplace.
- **Commuter Benefits Program.** To support the Air District's conducting compliance assistance and outreach to companies and government agencies, including education, outreach, monitoring, and tracking of Bay Area employers subject to the legislative requirements.
- **Enhanced Mobile Source Inspections:** To support the enhanced inspection patrols for reporting smoking vehicles and enforcement of the state's drayage truck regulation and related truck/mobile source regulations conducted at and adjacent to the Port of Oakland.
- **Vehicle Buy Back:** To support administrative and marketing efforts undertaken by the Air District's contractors to implement this voluntary early retirement program that pays \$1,200 to owners of operable and registered model year 1997 or older vehicles. This funding augments approximately \$7 million annually in funding from the Carl Moyer and Mobile Source Incentive Fund programs, which provide the funding that is used for payment to program participants.

## ***TFCA Cost-Effectiveness***

The TFCA authorizing legislation requires the Air District to adopt cost-effectiveness criteria to maximize emissions reductions and public health benefits. Cost-effectiveness (C/E) is one of the key criteria used to evaluate and select projects to be funded by TFCA<sup>3</sup>. In addition to reducing pollutants, TFCA-funded projects provide other co-benefits such as conserving energy and reducing GHG emissions; reducing traffic congestion; improving quality of life for residents and commuters by expanding access to services that provide first- and last-mile connections to rail, ferry, and mass transit; and improving physical fitness and public safety by facilitating active modes of transportation such as walking and biking.

Due to their overlapping target audience and shared goals, staff is exploring the option of evaluating the emissions reductions benefits from all Air District sponsored outreach and education programs collectively including the Spare the Air, Flex Your Commute, and Commuter Benefits programs. This next year the benefits from the last-mile commuter connection services may also be evaluated under the Spare the Air program. Further, staff recommends a temporary increase to the maximum C/E from \$90,000 to \$500,000 for these programs until the Shelter-in-Place ends and ridership on last-mile connection shuttles, ride share and similar projects returns to pre-pandemic levels. The remaining Project Categories would maintain the same maximum C/E as last year. The proposed cost-effectiveness limits and project operational period (POP) for each of the Air District-sponsored programs is shown in Table 2:

**Table 2 – Proposed Cost-Effectiveness and POP for Air District-Sponsored Programs**

<b>Program Categories</b>	<b>Max. C/E</b> <b>(per ton of emissions reduced)</b>	<b>POP</b> <b>(in Years)</b>
<b>Spare the Air, Flex Your Commute &amp; Commuter Benefits</b>	\$500,000*	1
<b>Enhanced Mobile Source Inspections</b>	\$500,000	1
<b>Clean Cars for All</b>	\$500,000	3
<b>Vehicle Buy Back</b>	NA	NA

\*Temporary increase due to Global Pandemic

\*\*Emission reductions would be entirely credited to the Carl Moyer Program.

For programs and projects offered under the Regional Fund, staff will return to the Mobile Source Committee with a recommendation for C/E limits later this Spring.

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<sup>3</sup> C/E is calculated by dividing TFCA funds awarded by the sum of surplus emissions reduced of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted particulate matter (PM10) over the project operational period (POP).

*Administration*

Staff is proposing that the Executive Officer/APCO continue to approve TFCA Grant Agreements with individual grant award amounts up to \$100,000. TFCA projects with grant award amounts over \$100,000 will continue to be brought to the Committee for consideration at least on a quarterly basis.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Air District distributes “pass-through” funds to grantees on a reimbursement basis. Administrative costs for the TFCA Regional Fund program are provided by the funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Director/APCO

Prepared by: Minda Berbeco  
Reviewed by: Karen Schkolnick and Chengfeng Wang

MOBILE SOURCE AND CLIMATE  
IMPACTS COMMITTEE MEETING  
OF 03/25/2021

**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: April 1, 2021

Re: Report of the Community Equity, Health & Justice Committee Meeting of April 1,  
2021

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**RECOMMENDED ACTIONS**

The Community Equity, Health and Justice Committee (Committee) recommends Board of Directors (Board) approval of the following:

- A) Community Perspective;
  - 1) None; receive and file.
- B) ACTION REQUESTED: Discussion on the Community Equity, Health & Justice Committee's Mission Statement and Draft Schedule for 2021;
  - 1) The Committee will review and consider recommending Board of Directors' approval of the Proposed 2021 Community Equity, Health & Justice Committee calendar for its meeting schedule.
- C) ACTION REQUESTED: Transparent and Equitable Funding Project;
  - 1) Seeking feedback from the Committee and the public on the purpose, scope, road map and deliverables timeline for the Transparent and Equitable Funding Project.
- D) ACTION REQUESTED: Consideration of AB 617 Richmond-North Richmond-San Pablo Emissions Reduction Plan Steering Committee Proposed Stipend; and
  - 1) The Committee will consider the proposed stipend for community members appointed to the Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan Community Steering Committee for Board of Directors' consideration and approval.

- E) ACTION REQUESTED: Consideration of Appointment of Contra Costa Health Services Representative to AB 617 Richmond-North Richmond-San Pablo Emissions Reduction Plan Steering Committee.
  - 1) The Community Equity, Health, and Justice Committee (Committee) will consider recommending appointment of a representative from the Contra Costa County Health Services Agency to the Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan (CERP) Community Steering Committee for Board of Directors' consideration and approval.

BACKGROUND

The Committee met on Thursday, April 1, 2021, and received the following reports:

- A) Community Perspective;
- B) Discussion on the Community Equity, Health & Justice Committee's Mission Statement and Draft Schedule for 2021;
- C) Transparent and Equitable Funding Project;
- D) Consideration of AB 617 Richmond-North Richmond-San Pablo Emissions Reduction Plan Steering Committee Proposed Stipend; and
- E) Consideration of Appointment of Contra Costa Health Services Representative to AB 617 Richmond-North Richmond-San Pablo Emissions Reduction Plan Steering Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None;
- C) None;
- D) None. The stipends will be paid from AB 617 grant funds; and
- E) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Amanda Balneg  
Reviewed by: Vanessa Johnson

- Attachment 16A: 04/01/2021 – Community Equity, Health & Justice Committee Meeting  
Agenda #3
- Attachment 16B: 04/01/2021 – Community Equity, Health & Justice Committee Meeting  
Agenda #4
- Attachment 16C: 04/01/2021 – Community Equity, Health & Justice Committee Meeting  
Agenda #5
- Attachment 16D: 04/01/2021 – Community Equity, Health & Justice Committee Meeting  
Agenda #6
- Attachment 16E: 04/01/2021 – Community Equity, Health & Justice Committee Meeting  
Agenda #6



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue, and Members  
of the Community Equity, Health & Justice Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 26, 2021

Re: Community Perspective

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

The Community Equity, Health & Justice Committee provides local and regional community environmental justice advocates a platform to present and share their expertise and/or lived experiences. Specific subjects/topics will vary based upon each community member's unique experience.

Brightline Defense is an environmental justice non-profit organization that works to empower communities and create sustainable environments. Its work includes public policy advocacy, environmental justice advocacy, ensuring job creation and retention, and advocating for the development of fair, affordable, and sustainable housing.

The Brightline Defense team is composed of legal experts, policy advocates, communication specialists, community organizers, volunteers, and a board of directors committed to the empowerment of traditionally under-served communities in local neighborhoods, the San Francisco Bay Area, and beyond.

**DISCUSSION**

Commissioner Eddie Ahn is the Executive Director of Brightline Defense. Commissioner Ahn and his team will discuss Brightline Defense's work relative to air quality monitoring, including the organization's recent work on ambient air monitoring around homeless encampments. The Brightline team will also discuss the organization's relationship with the Air District, which currently assists the organization with air quality monitoring technical support.

Commissioner Ahn serves on the San Francisco (SF) Commission on the Environment, which sets policy for the SF Department of Environment and advises the City and County on environmental matters. He is also a Commissioner on the SF Bay Conservation and Development Commission (BCDC) and the Metropolitan Transportation Commission (MTC).

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tim Williams  
Reviewed by: Mary Ann Okpalaugo

COMMUNITY EQUITY, HEALTH &  
JUSTICE COMMITTEE MEETING  
OF 04/01/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue, and Members  
of the Community Equity, Health & Justice Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 26, 2021

Re: Discussion on the Community Equity, Health & Justice Committee's Mission  
Statement and Draft Schedule for 2021

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**RECOMMENDED ACTION**

The Committee will review and consider recommending Board of Directors' approval of the Proposed 2021 Community Equity, Health & Justice Committee calendar for its meeting schedule.

**BACKGROUND**

The Board of Directors (Board) at its March 4, 2020, meeting established the Ad Hoc Committee on Equity and Environmental Justice for one year with a sunset of becoming a full committee if agreed upon, if not agreed upon after one year, a second year granted.

The Board of Directors at its January 20, 2021, meeting noticed amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees, Section 6.2: Standing Committees, the work of the existing Ad Hoc Committee on Equity, Access, and Inclusion was amended within the Board's standing committees. Administrative Code Amendments require the noticing of proposed amendments at a preceding meeting of the Board of Directors before adoption can take place.

The Board of Directors at its February 3, 2021, meeting adopted amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees, Section 6.2: Standing Committees.

The Board of Directors merged elements of its "Community and Public Health Committee" and the "Ad Hoc Committee on Equity, Access and Inclusion Committee" to form a new standing Community Equity, Health & Justice Committee.

DISCUSSION

As part of the formation of this new standing Committee, the Board of Directors added the following to the Air District’s Administrative Code to define its mission:

The Community Equity, Health & Justice Committee states that it 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, or sexual orientation.

The Community Equity, Health & Justice 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 will hear proposals and make recommendations to the Board of Directors regarding the selection of contractor(s) to assist the Air District with aspects of the public engagement programs.

As part of the April 1, 2021 meeting, the Committee will review its mission statement and a proposed calendar for its meeting 2021 schedule.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Mary Ann Okpalauugo

Reviewed by: Veronica Eady

Attachment 4A: Proposed 2021 Community Health, Equity & Justice Committee Work Plan Schedule

**Proposed 2021 Community, Equity, Health & Justice Committee Work Plan Meeting Schedule**

Meeting Schedule	Topics
April	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• Community Convening</li> <li>• Committee 2021 Work Plan Schedule</li> <li>• AB 617 Steering Committee Richmond/San Pablo Steering Committee Term of Office and Stipends</li> <li>• AB 617 Appointment of Contra Costa County Health Office Representative to the Richmond/San Pablo Steering Committee</li> <li>• Transparent &amp; Equitable Funding Project   Scope, Road Map and Deliverables Timeline</li> </ul>
May	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• AB 617: Richmond-San Pablo Monitoring Data Update</li> <li>• AB 617 Work Program &amp; Community Selection Process</li> <li>• Community Advisory Council Process Update</li> <li>• Community Benefits Fund Framework</li> <li>• Transparent &amp; Equitable Funding Project</li> </ul>
June	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• Community Convening</li> <li>• AB 617 Community Selection Discussion</li> <li>• Air District-Wide Equity Plan Update</li> <li>• James Cary Smith Community Health Grant Program Discussion</li> <li>• Electric Bicycle and Other Active Transit Mobility Incentives</li> </ul>
July (Meeting 1)	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• Transparent and Equitable Funding Project</li> <li>• Community Advisory Council Update</li> <li>• Community Benefit Fund Update</li> </ul>
<b>August – No Meeting</b>	
September	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• Community Convening</li> </ul>

	<ul style="list-style-type: none"> <li>• Air District-Wide Training Update</li> <li>• Community Engagement Guidelines Update</li> <li>• Bay Air Center Update</li> </ul>
October	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• Diversity, Equity &amp; Inclusion Office Update</li> <li>• AB 617 Community Selection</li> <li>• AB 617 West Oakland Community Action Plan Annual Report</li> </ul>
November	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• Community Convening</li> <li>• Mobile Monitoring Van Update</li> </ul>
December	<ul style="list-style-type: none"> <li>• Community Perspectives</li> <li>• AB 617 Program FYE 23 Update/Next Steps</li> </ul>

COMMUNITY EQUITY, HEALTH &  
 JUSTICE COMMITTEE MEETING  
 OF 04/01/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue, and Members  
of the Community Equity, Health & Justice Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 26, 2021

Re: Transparent and Equitable Funding Project

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**RECOMMENDED ACTION**

Seeking feedback from the Committee and the public on the purpose, scope, road map and deliverables timeline for the Transparent & Equitable Funding Project.

**BACKGROUND**

Community members have requested Air District staff, the Board of Directors, and its various Committees for increased transparency in Air District expenditures in specific communities and across various program areas, including Assembly Bill (AB) 617 implementation and community monitoring.

While the Air District provides a public Annual Budget and prepares annual reports to the California Air Resources Board regarding AB 617 expenditures, community members have requested more detailed information.

The specific request for more information includes:

- Total funding to Community Air Risk Evaluation (CARE) and disadvantaged communities;
- Total funding to African American/Black communities;
- Total funding to African American/Black community-based organizations, businesses, and other consultants;
- A list of opportunities and programs available for funding;
- The total funding provided to the Richmond/North Richmond/San Pablo Monitoring Plan; and
- Details on how the Air District plans to spend its portion of the next \$50 million AB 617 CARB grant (*approx. \$9 million is estimated to be allocated to the Air District*).

Additionally, Air District Board of Directors' Chairperson Cindy Chavez and Secretary John Bauters, in a March 1, 2021, memo addressed to the Administrative Committee, requested that Air District staff respond to community stakeholder requests for additional information about "the revenues and expenditures related to local environmental monitoring programs and investments."

As a result of the requests, staff have been working to respond to the community's request via a comprehensive project, the Transparent & Equitable Funding Project, to increase transparency, and equity in Air District funding and expenditures.

This project has three primary goals:

- Respond to both the specific community requests and to the most recent memo prepared by Board Chairperson Chavez and Secretary Bauters;
- Set the groundwork for a more inclusive and participatory budgeting process for programs that benefit inequitably burdened communities; and
- Create a framework for including racial equity as a performance metric for Air District external funding programs.

## DISCUSSION

The purpose of the Transparent & Equitable Funding Project is to improve transparency in Air District program budgets and spending allocations in communities, especially Black/African American communities, as well as to better communicate funding opportunities for communities. Increasing transparency in spending and funding opportunities may increase the equitable distribution of resources at the Air District and improve community capacity to access resources.

The project is comprised of four phases: 1) Research, 2) AB 617 Budget 3) Funding Distribution and 4) Funding Opportunities. Each phase is described below, along with estimated timeline and major deliverables.

- **Research (Fall 2020 – April 2021):** Research data availability, identify data constraints and make recommendations regarding both short- and long-term deliverables, considering constraints, including program modifications to overcome constraints, i.e., improved demographic data collection in contracting and/or funding allocation programs.

*Deliverables:*

- Analysis and summary of data availability on funding distribution by race, including grants, incentives, and contracts.
- Constraints analysis and recommendations for deliverables and long-term program and/or specific policy changes.
- **AB 617 Program and Budget (February – June 2021):** Prepare a budget and accompanying narrative for the overall AB 617 program and specific communities, e.g., Richmond-North Richmond-San Pablo. Summarize community monitoring expenditures.

*Deliverables:*

- Summary of community monitoring expenditures, including funding sources, restrictions, expenditures by county and county demographics.



- Work program and budget narrative for the AB 617 program, that includes budget and work efforts for specific communities, e.g., Richmond-North Richmond-San Pablo.
- **Funding Distribution (February – August 2021):** Collect, analyze, and summarize incentive, grants, and contracts distribution into CARE/Disadvantaged areas, Black/African American communities and to Black/African American-owned community-based organizations and/or businesses. Map the distribution of incentives, grants, and contracts, by race. Identify and summarize all Air District funding sources and funding restrictions/requirements.

*Deliverables:*

- List and description of Air District funding sources and funding restrictions/requirements.
  - Narrative and tables describing how Air District funds are distributed to CARE/Disadvantaged areas, Black/African American communities and to Black/African American-owned community-based organizations and/or businesses, pending data availability.
  - Maps depicting incentives, grants, and contracts distribution with geographic and demographic overlays.
- **Funding Opportunities (July – October 2021):** Assess current mechanisms for communicating all Air District funding programs available to community members and/or organizations, including contracting opportunities. Perform community needs assessment for improving communication of funding opportunities; develop and implement improvements to communicating funding opportunities, based on needs assessment findings.

*Deliverables:*

- Needs assessment and summary of all funding programs, including contracting opportunities. Include requirements and current availability of funds.
- Recommendations/plan for improving how Air District communicates grant and incentive opportunities.
- Improved communication of funding opportunities, as identified by needs assessment and in plan for improving communication.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Christy Riviere, Tim Williams  
Reviewed by: Veronica Eady, Greg Nudd

COMMUNITY EQUITY, HEALTH &  
JUSTICE COMMITTEE MEETING  
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**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue, and Members of the Community Equity, Health & Justice Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 26, 2021

Re: Consideration of AB 617 Richmond-North Richmond-San Pablo Emissions Reduction Plan Steering Committee Proposed Stipend

**RECOMMENDED ACTION**

The Committee will consider the proposed stipend for community members appointed to the Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan Community Steering Committee for Board of Directors' consideration and approval.

**BACKGROUND**

On April 3, 2021, the Bay Area Air Quality Management District Board of Directors voted to establish a 31-member community steering committee to help guide the development of a Community Emissions Reduction Plan (CERP) for the Richmond-North Richmond-San Pablo area. The Committee must now determine the stipend amount for Steering Committee members.

**DISCUSSION**

Air District staff recommend that stipend amounts be set to \$100 per meeting attended. The stipend amount is consistent with the Path to Clean Air Community Air Monitoring Plan Steering Committee and West Oakland CERP Steering Committee.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

None. The stipends will be paid from AB 617 grant funds.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kevin Olp  
Reviewed by: Greg Nudd

COMMUNITY EQUITY, HEALTH &  
JUSTICE COMMITTEE MEETING  
OF 04/01/2021

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairpersons Davina Hurt and Tyrone Jue, and Members of the Community Equity, Health & Justice Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 26, 2021

Re: Consideration of Appointment of Contra Costa Health Services Representative to AB 617 Richmond-North Richmond-San Pablo Emissions Reduction Plan Steering Committee

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**RECOMMENDED ACTION**

The Community Equity, Health & Justice Committee (Committee) will consider recommending appointment of a representative from the Contra Costa County Health Services Agency to the Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan (CERP) Community Steering Committee for Board of Directors' consideration and approval.

**BACKGROUND**

On February 19, 2021, the Committee reviewed applications and made recommendations for the Path to Clean Air CERP Steering Committee. Less than 24 hours before the meeting, Air District staff were notified that the representative from the Contra Costa County Health Services Agency could no longer serve on the CERP Steering Committee. The Committee voted to approve a slate of 31 members for Board of Directors approval. The slate consisted of 30 identified members, and one seat for a representative from the Health Services Agency to be appointed at a later date.

**DISCUSSION**

The Committee shall review the application and Conflict of Interest form for the Contra Costa Health Services representative to determine whether to appoint them to the Path to Clean Air Steering Committee.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kevin Olp  
Reviewed by: Greg Nudd

Attachment 7A: Path to Clean Air Steering Committee Application: Luz M. Gomez (Redacted)  
Attachment 7B: Path to Clean Air Steering Committee Conflict of Interest Disclosure Form:  
Luz M. Gomez (Redacted)

COMMUNITY EQUITY, HEALTH &  
JUSTICE COMMITTEE MEETING  
OF 04/01/2021

## Path to Clean Air: Steering Committee Application

The Steering Committee is a community group that will direct the process of discussing and developing a Community Emissions and Exposure Reduction Plan. The CARB Blueprint for AB 617 states that the Air District will convene a community steering committee using an open and transparent nomination process. The final community steering committee membership should reflect the diverse makeup of the Richmond-North Richmond-San Pablo Area and should bring together an inclusive group with a range of knowledge and expertise. In order for your application to be considered, you must complete the Path to Clean Air Conflict of Interest and Financial Disclosure Form.

\* 1. Please share your name and contact information.

Name	<input type="text" value="Luz M. Gomez"/>
Address	<input type="text" value="REDACTED"/>
City/Town	<input type="text" value="Martinez"/>
ZIP/Postal Code	<input type="text" value="94553"/>
Email Address	<input type="text" value="REDACTED"/>
Phone Number	<input type="text" value="REDACTED"/>

2. Were you a member of the Path to Clean Air Steering Committee?

- Yes  
 No  
 I'm not sure

The next set of questions asks about the Path to Clean Air Study Area. Please see the map on the final page of this application - the area within the boundary line in the map highlights the area we are referring to.

Path to Clean Air Study Area

3. Do you live in the Path to Clean Air Study Area?

- Yes  
 No

4. If you live in the Path to Clean Air Study Area, what is the name of the neighborhood or community you reside in?

5. Do you work in the Path to Clean Air Study Area?

- Yes
- No

6. If you work in the Path to Clean Air Study Area, please share the name and address of your place of work.

7. Do you own a business in the Path to Clean Air Study Area?

- Yes
- No

8. If you own a business in the Path to Clean Air Study Area, please share the name and address of your business.

9. If you are a part of the Path to Clean Air Study Area area in any other way, please specify (for example: volunteer, committee membership, clubs etc.).

COMMUNITY EQUITY, HEALTH &  
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10. We all wear many hats, please select the sector you would represent on the Steering Committee:

- |  |  |
|--|--|
| <input type="radio"/> Faith Leader                   | <input type="radio"/> Industry/business                              |
| <input type="radio"/> Community serving organization | <input type="radio"/> Neighborhood group                             |
| <input type="radio"/> Education provider             | <input type="radio"/> Youth  |
| <input checked="" type="radio"/> Government          | <input type="radio"/> Senior   |
| <input type="radio"/> Health care provider           | <input type="radio"/> People who live in the Richmond San Pablo Area |
| <input type="radio"/> Other (please specify)         |  |

11. If you selected Government, what area of government best represents your primary focus?

- Air Quality
- Land Use
- Transportation
- Public Health
- Sustainability
- Other (please specify)

12. Do you have decision making power for your organization, agency, group, or company?

- Yes
- No
- I don't know
- Other (please explain)

For this effort I report directly to Dan Peddycord, our County's Public Health Director.

**Please share more information about your experiences in the community.**

13. What are your community interests and your experiences with air quality in the Path to Clean Air Study Area? How do you see these interests and experiences contributing to the Steering Committee?

I worked in Richmond in 2012 when the Chevron fire erupted. I helped organize community meetings in the aftermath. I experienced first hand the fear of not knowing what we were breathing or whether it was harmful to our health. My work as County liaison to the North Richmond Municipal Advisory Council for 10 years gave me a unique perspective about the community's lived experience with regards to air quality and health. I went on to work for BAAQMD helping to steer the community engagement efforts in West Oakland toward the creation of the first Community Emissions Reduction Plan as part of AB 617. Now, back in CC Public Health,

14. Why do you want to join the Path to Clean Air Steering Committee?

Contra Costa Health Services is committed to participating in the work of the Committee. I am honored to follow in the footsteps of former Monitoring Committee member, Rohan Radhakrishna - big shoes to fill. Dr. Radhakrishna was appointed Deputy Director of the Office of Health Equity at the California Department of Public Health by Governor Newsom and has offered to continue to assist from this new position. I look forward to bringing the resources of the Health Department and appropriate staff to meetings as needed. I also have a personal passion for this work, for eliminating health inequities, and for working to ensure all residents have access to clean air. Also, the County is updating its General Plan and I am helping with that process. This will be important for land use conversations in the unincorporated areas of the study area.

15. A Community Emissions and Exposure Reduction Program may include many strategies. Choose the **TOP THREE (3)** areas that you are most excited to work in.

- Public Health
- Land use
- Public Transportation/Transport
- Active Transportation/Bike/Walk
- Parks/Openspace
- Environmental Conservation
- Goods Movement
- Utilities
- Energy
- Ports/Marine Terminal
- Water Wastewater
- Health Protection
- Climate
- Other (please specify)

**A little more about you**

**Please tell us a little more about yourself. These questions are completely optional.**

16. What is your gender?

- Female
- Male
- Non binary / Third gender
- I prefer to not say
- I prefer to self describe:

17. What is your ethnicity? [Choose all that apply]

- Asian
- Black/African
- Hispanic/Latino
- Native American
- Pacific Islander
- Caucasian/White
- I prefer not to say
- I prefer to self identify:

18. Do you, or someone in your household, experience health conditions that can be impacted by poor air quality?

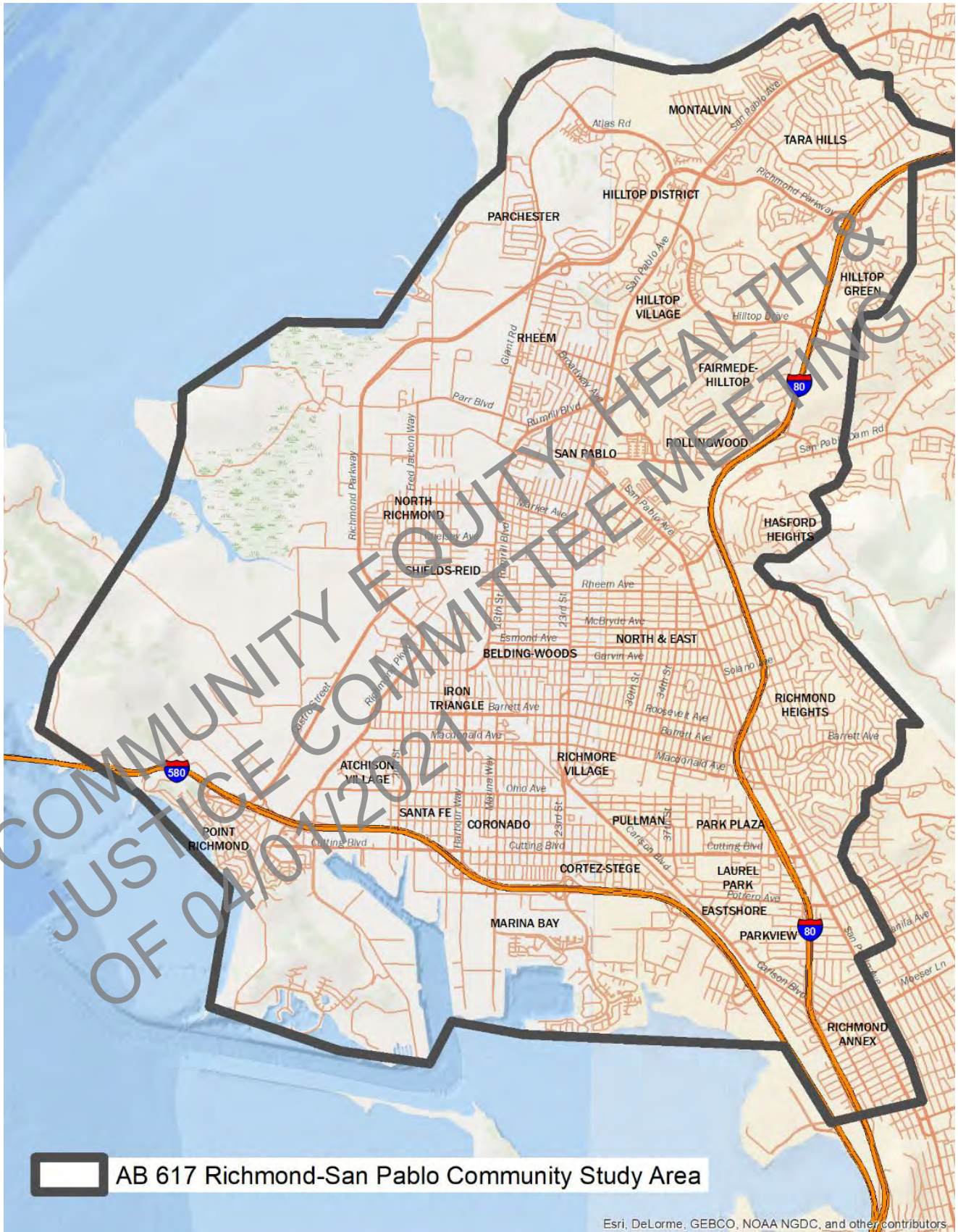
- Yes
- No
- I don't know
- I prefer not to say

Thank you!

**Thank you for taking the time to complete this application. In order for your application to be considered, you must complete the Path to Clean Air Conflict of Interest and Financial Disclosure Form. Please know that your application may or may not be selected. If selected, any false or misleading information may result in your release as a member of the Steering Committee. If you have any questions or need a copy of the Conflict of Interest and Financial Disclosure Form, please contact Elinor Mattern at [emattern@baaqmd.gov](mailto:emattern@baaqmd.gov) or Kelly Malinowski [kmalinowski@baaqmd.gov](mailto:kmalinowski@baaqmd.gov).**

# Map of the AB 617 Richmond-North Richmond-San Pablo Community Study Area

## Mapa del área de estudio para el Proyecto de Ley AB 617 en Richmond-North Richmond-San Pablo







**Conflict of Interest Disclosure Form for the  
Path to Clean Air in the Richmond-North Richmond-San Pablo Area**

Name: Luz M Gomez  
First Middle Initial Last

Mailing Address: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

Job Title: Building Healthy Comm. Mgr. Employer: Contra Costa Health Services, Public

Do you live in the Richmond-North Richmond-San Pablo Area?  No  Yes

Transparency related to members' financial, material, and vested interests is essential to ensuring public trust and building strong programs. Those seeking to serve on the Committee must disclose any actual, potential, or perceived conflicts of interest in their applications. Committee members must disclose such conflicts on an ongoing basis and failure to do so may result in dismissal from the Steering Committee.

"Interest" as used in this Conflict of Interest Disclosure Forum means a substantial financial, material, or vested interest in a business or organization that may be impacted by the work of this Committee. To avoid an actual, potential or perceived conflict of interest, a person who serves on the Richmond CERP Steering Committee that works for, is employed by, receives compensation from or serves on the Board of Directors or as an officer of an organization that receives funding, in-kind services or volunteers from an entity that is required to report emissions to or regulated by BAAQMD or CARB, must disclose said conflict.

A conflict of interest occurs when an individual's personal or professional interests and affiliations – family, friendships, financial, or social factors – could compromise his or her judgment, decisions, or actions as a member of the Steering Committee. Conflicts of interest can be differentiated between actual, potential, and perceived conflicts of interest. An **actual conflict** exists if an action taken by a member **will** result in a financial or personal gain or loss to the member or to the member's relative or any business/organization in which they have a material interest. A **potential conflict** exists if an action taken by a member **may** result in a financial or personal gain or loss to the member or to the member's Relative or any business/organization in which they have a material interest. A **perceived conflict** exists when the public or a third party could form the view that a member's private or professional interests could improperly influence their decisions or actions, now or in the future.

List all names under which you or members of your household do any business which may be impacted by the Path to Clean Air in Richmond-North Richmond-San Pablo Steering Committee decisions. Include the business address and a brief description of the business. (If you need more space, please use a Word document to submit additional information.)

Name	Business Name & Address	Description



**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: April 1, 2021

Re: Public Hearing to Receive Testimony on Proposed Amendments to Air District  
Regulation 3: Fees

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**RECOMMENDED ACTION**

Staff recommends that the Board of Directors receive testimony on proposed amendments to Air District Regulation 3 that would apply in the upcoming Fiscal Year Ending (FYE) 2022. A second public hearing, which has been scheduled for June 2, 2021 is required prior to adoption.

**BACKGROUND**

Staff develops recommended amendments to the Air District's fee regulation, as part of the budget preparation process. On March 7, 2012, the Board of Directors adopted a Cost Recovery Policy that established a goal of increasing fee revenue sufficient to achieve a minimum of 85 percent recovery of regulatory program costs. Progress towards this target is reported to the Board annually by staff and is periodically reviewed by outside consultants.

**DISCUSSION**

Consistent with the Cost Recovery Policy, draft amendments to specific fee schedules were made in consideration of the 2017-18 Matrix Consultant Group cost recovery and containment analysis. This work, conducted at the fee schedule-level, recommends larger increases being proposed for the schedules that have larger cost recovery gaps.

Existing fee schedules would be amended as follows:

- 1.5 percent increase for fee schedules that are recovering 95 to 110 percent of costs.
- 7 percent increase for fee schedules that are recovering 85 to 94 percent of costs.
- 8 percent increase for fee schedules that are recovering 75 to 84 percent of costs.
- 9 percent increase for fee schedules that are recovering 50 to 74 percent of costs.
- 15 percent increase for fee schedules that are recovering less than 50 percent of costs.

Fees that are administrative in nature would be increased by the annual Consumer Price Index for Bay Area Urban Wage Earners and Clerical Workers (CPI-W) of 1.5 percent from 2020 to 2021.

The annual Assembly Bill 617 Community Health Impact Fee will remain at 6.7 percent of permit renewal fees for Title V facilities.

The following additional amendments are proposed:

- Revise Section 3-327, Permit to Operate, Renewal Fees as follows:
  - A new fee for each facility subject to California Air Resource Board's (CARB's) Criteria Pollutant and Toxics Emissions Reporting (CTR) Regulation would be charged during permit renewal.
    - As part of Assembly Bill 617 (AB 617), CARB adopted the CTR Regulation in 2020 for the reporting of criteria air pollutants and toxic air contaminants for stationary sources.
    - The cost to implement the CTR Regulation is estimated at \$1.5 million per year.
    - Staff is proposing a CTR fee of 4.4 percent of the permit renewal fees for all facilities with a Permit to Operate. The maximum CTR fee will be capped at \$50,000 per year per facility.
- Other Fee Schedule changes:
  - Due to an increase in complexity for conducting a Health Risk Assessment (HRA) required during an application for a gas dispensing facility (GDF), the Risk Assessment Fee (RAF) in Schedule D.A will be charged at the actual average cost for a new GDF application and will be increased by 15 percent for all other GDF applications requiring HRAs.

Staff will provide the committee with additional details regarding the draft fee amendments, overall cost recovery, and the proposed 6 percent average fee increase for the upcoming fiscal year. A summary of public comments received to date will be provided.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed fee amendments would increase fee schedule revenue in FYE 2022 by an estimated \$2.5 million from fee schedule revenue that would otherwise result without the amendments. The proposed new CTR Regulation fee would increase fee revenues by approximately \$1.5 million.



Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Fred Tanaka  
Reviewed by: Pamela Leong, Damian Breen, and Jeff McKay

Attachment 17A: Proposed Amendments to Regulation 3: Fees

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FEES  
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## REGULATION 3 FEES

(Adopted June 18, 1980)

### 3-100 GENERAL

**3-101 Description:** This regulation establishes the regulatory fees charged by the District.

*(Amended 7/6/83; 11/2/83; 2/21/90; 12/16/92; 8/2/95; 12/2/98; 5/21/03; 5/21/08; 5/20/09; 6/19/13)*

**3-102 Deleted July 12, 1989**

**3-103 Exemption, Abatement Devices:** Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, P, and T.

*(Amended 6/4/86; 7/1/98; 6/7/00; 5/21/08)*

**3-104 Deleted August 2, 1995**

**3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

*(Adopted 1/5/94; Amended 5/21/03)*

**3-106 Deleted December 2, 1998**

**3-107 Exemption, Sources Exempt from Permit Requirements:** Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

*(Adopted ~~June 7, 2000~~ 6/7/00)*

### 3-200 DEFINITIONS

**3-201 Cancelled Application:** Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

*(Amended 6/4/86; 4/6/88)*

**3-202 Gasoline Dispensing Facility:** Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

*(Amended ~~February 20, 1985~~ 2/20/85)*

**3-203 Filing Fee:** A fixed fee for each source in an authority to construct.

*(Amended ~~June 4, 1986~~ 6/4/86)*

**3-204 Initial Fee:** The fee required for each new or modified source based on the type and size of the source. The fee is applicable to new and modified sources seeking to obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.

*(Amended ~~June 4, 1986~~ 6/4/86)*

- 3-205 Authority to Construct:** Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.  
(Amended June 4, 1986)
- 3-206 Modification:** See Section 1-217 of Regulation 1.
- 3-207 Permit to Operate Fee:** The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.  
(Amended 6/4/86; 7/15/87; 12/2/98; 6/7/00)
- 3-208 Deleted June 4, 1986**
- 3-209 Small Business:** A business with no more than 10 employees and gross annual income of no more than \$750,000 that is not an affiliate of a non-small business.  
(Amended 6/4/86; 6/6/90; 6/7/00; 6/15/05; 6/16/10)
- 3-210 Solvent Evaporating Source:** Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.  
(Amended July 3, 1994; 7/3/91)
- 3-211 Source:** See Section 1-227 of Regulation 1.
- 3-212 Deleted August 2, 1995**
- 3-213 Major Stationary Source:** ~~For the purpose of Schedule M, a~~ major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM<sub>10</sub> in an amount calculated by the APCO equal to or exceeding 50 tons per year.  
(Adopted 11/2/83; Amended 2/21/90; 6/6/90; 8/2/95; 6/7/00)
- 3-214 Deleted October 20, 1999, effective March 1, 2000**
- 3-215 Deleted October 20, 1999, effective March 1, 2000**
- 3-216 Deleted October 20, 1999, effective March 1, 2000**
- 3-217 Deleted October 20, 1999, effective March 1, 2000**
- 3-218 Deleted October 20, 1999, effective March 1, 2000**
- 3-219 Deleted October 20, 1999, effective March 1, 2000**
- 3-220 Deleted October 20, 1999, effective March 1, 2000**
- 3-221 Deleted October 20, 1999, effective March 1, 2000**
- 3-222 Deleted October 20, 1999, effective March 1, 2000**
- 3-223 Start-up Date:** Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.  
(Adopted 6/4/86; Amended 6/6/90)
- 3-224 Permit to Operate:** Written authorization from the APCO pursuant to Section 2-1-302.  
(Adopted 6/4/86; Amended 6/7/00)
- 3-225 Deleted June 3, 2015**
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987:** The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information from industry on emissions of potentially toxic air contaminants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.  
(Adopted 10/21/92; Amended 6/15/05)
- 3-227 Toxic Air Contaminant, or TAC:** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in Table 2-5-1 of Regulation 2, Rule 5.  
(Adopted 10/21/92; Amended 6/15/05)

- 3-228 Deleted December 2, 1998
- 3-229 Deleted December 2, 1998
- 3-230 Deleted December 2, 1998
- 3-231 Deleted December 2, 1998
- 3-232 Deleted December 2, 1998
- 3-233 Deleted December 2, 1998
- 3-234 Deleted December 2, 1998
- 3-235 Deleted December 2, 1998
- 3-236 Deleted December 2, 1998
- 3-237 **PM<sub>10</sub>**: See Section 2-1-229 of Regulation 2, Rule 1.  
(Adopted ~~June 7, 2000~~6/7/00)
- 3-238 **Risk Assessment Fee**: Fee for a new or modified source of toxic air contaminants for which a health risk assessment (HRA) is required under Regulation 2-5-401, for an HRA required under Regulation 11, Rule 18, or for an HRA prepared for other purposes (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402).  
(Adopted ~~June 15, 2005~~6/15/05; Amended: ~~June 21, 2017~~6/21/17)
- 3-239 **Toxic Surcharge**: Fee paid in addition to the permit to operate fee for a source that emits one or more toxic air contaminants at a rate which exceeds a chronic trigger level listed in Table 2-5-1.  
(Adopted ~~June 15, 2005~~6/15/05)
- 3-240 **Biogenic Carbon Dioxide**: Carbon dioxide emissions resulting from materials that are derived from living cells, excluding fossil fuels, limestone and other materials that have been transformed by geological processes. Biogenic carbon dioxide originates from carbon (released in the form of emissions) that is present in materials that include, but are not limited to, wood, paper, vegetable oils, animal fat, and food, animal and yard waste.  
(Adopted ~~May 21, 2008~~5/21/08)
- 3-241 **Green Business**: A business or government agency that has been certified under the Bay Area Green Business Program coordinated by the Association of Bay Area Governments and implemented by participating counties.  
(Adopted ~~June 16, 2010~~6/19/10)
- 3-242 **Incident**: A non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage.  
(Adopted ~~June 19, 2013~~6/19/13)
- 3-243 **Incident Response**: The District's response to an incident. The District's incident response may include the following activities: i) inspection of the incident-emitting equipment and facility records associated with operation of the equipment; ii) identification and analysis of air quality impacts, including without limitation, identifying areas impacted by the incident, modeling, air monitoring, and source sampling; iii) engineering analysis of the specifications or operation of the equipment; and iv) administrative tasks associated with processing complaints and reports.  
(Adopted ~~June 19, 2013~~6/19/13)
- 3-244 **Permit to Operate Renewal Date**: The first day of a Permit to Operate's Permit Renewal Period.  
(Adopted ~~June 19, 2013~~6/19/13)
- 3-245 **Permit Renewal Period**: The length of time the source is authorized to operate pursuant to a Permit to Operate.  
(Adopted ~~June 19, 2013~~6/19/13)
- 3-300 **STANDARDS**
- 3-301 **Hearing Board Fees**: Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A.  
(Amended ~~June 7, 2000~~6/7/00)
- 3-302 **Fees for New and Modified Sources**: Applicants for authorities to construct and permits to operate new sources shall pay for each new source: a filing fee of ~~\$508~~516, the initial fee, the



risk assessment fee, the permit to operate fee, and toxic surcharge (given in Schedules B, C, D, E, F, H, I or K). Applicants for authorities to construct and permits to operate modified sources shall pay for each modified source, a filing fee of ~~\$508~~~~516~~, the initial fee, the risk assessment fee, and any incremental increase in permit to operate and toxic surcharge fees. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. If any person requests more than three HRA scenarios required pursuant to Regulation 2, Rule 5 in any single permit application, they shall pay an additional risk assessment fee for each of these scenarios. Except for gasoline dispensing facilities (Schedule D) and semiconductor facilities (Schedule H), the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification. Where applicable, fees for new or modified sources shall be based on maximum permitted usage levels or maximum potential to emit including any secondary emissions from abatement equipment. The fee rate applied shall be based on the fee rate in force on the date the application is declared by the APCO to be complete according to 2-1-402, excluding 2-1-402.3 fees. The APCO may reduce the fees for new and modified sources by an amount deemed appropriate if the owner or operator of the source attends an Industry Compliance School sponsored by the District.

302.1 Small Business Discount: If an applicant qualifies as a small business and the source falls under schedules B, C, D (excluding gasoline dispensing facilities), E, F, H, I or K, the filing fee, initial fee, and risk assessment fee shall be reduced by 50%. All other applicable fees shall be paid in full. If an applicant also qualifies for a Green Business Discount, only the Small Business Discount (i.e., the 50% discount) shall apply.

302.2 Deleted July 3, 1991

302.3 Fees for Abatement Devices: Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a ~~\$508-516~~ filing fee and initial and risk assessment fees that are equivalent to 50% of the initial and risk assessment fees for the source being abated, not to exceed a total of ~~\$10,588~~~~10,747~~. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 Fees for Reactivated Sources: Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, risk assessment, permit, and toxic surcharge fees.

302.5 Deleted June 3, 2015

302.6 Green Business Discount: If an applicant qualifies as a green business, the filing fee, initial fee, and risk assessment fee shall be reduced by 10%. All other applicable fees shall be paid in full.

*(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/XX/21)*

**3-303 Back Fees:** An applicant required to obtain a permit to operate existing equipment in accordance with District regulations shall pay back fees equal to the permit to operate fees and toxic surcharges given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The applicant shall also pay back fees equal to toxic inventory fees pursuant to Section 3-320 and Schedule N. The maximum back fee shall not exceed a total of five years' permit, toxic surcharge, and toxic inventory fees. An owner/operator required to register existing equipment in accordance with District regulations shall pay back fees equal to the annual renewal fee given in Schedule R prorated from the effective date of registration requirements, up to a maximum of five years.

*(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87, 6/6/90; 7/3/91; 10/8/97; 6/15/05; 5/20/09)*

**3-304 Alteration:** Except as provided below, an applicant to alter an existing permitted source shall pay the filing fee and 50% of the initial fee for the source, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. For gasoline dispensing facilities subject to Schedule D, an applicant for an alteration shall pay a fee of 1.75 times the filing fee.

304.1 Schedule D Fees: Applicants for alteration to a gasoline dispensing facility subject to Schedule D shall pay a fee of 1.75 times the filing fee.



304.2 Schedule G Fees: Applicants for alteration to a permitted source subject to Schedule G-3, G-4, or G-5 shall pay the filing fee, 100% of the initial fee,<sup>7</sup> and, if District regulations require a health risk assessment of the alteration, the risk assessment fee provided for in Schedule G-2. The applicant shall pay the permit renewal and the toxic surcharge fees applicable to the source under Schedules G-3, G-4, or G-5.

*(Amended 6/4/86; 11/15/00; 6/2/04; 6/3/15, 6/15/16, 6/6/18, 6/5/19)*

**3-305 Cancellation or Withdrawal:** There will be no refund of the initial fee and filing fee if an application is cancelled or withdrawn. There will be no refund of the risk assessment fee if the risk assessment has been conducted prior to the application being cancelled or withdrawn. If an application for identical equipment [for the same project](#) is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

*(Amended 7/6/83; 4/6/88; 10/8/97; 6/15/05, 6/21/17, 6/XX/21)*

**3-306 Change in Conditions:** If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

- 1.1 The condition change applies to a single source or a group of sources with shared permit conditions.
- 1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.
- 1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, or PM<sub>10</sub> at any source or the emission of a toxic air contaminant above the trigger levels identified in Table 2-5-1
- 1.4 The condition change does not require a public notice.

306.2 Other Condition Changes: Applicant shall pay the filing, initial, and risk assessment fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees and toxic surcharges.

*(Amended 7/6/83; 6/4/86; 6/6/90; 10/8/97; 6/7/00; 6/15/05, 6/21/17)*

**3-307 Transfers:** The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Upon submittal of a \$102 transfer of ownership fee, permits are re-issued to the new owner/operator of record with no change in expiration dates.

*(Amended 2/20/85; 6/4/86; 11/5/86; 4/6/88; 10/8/97, 5/1/02; 5/21/03; 6/02/04; 6/19/13; 6/4/14, 6/15/16)*

**3-308 Change of Location:** An applicant who wishes to move an existing source, which has a permit to operate, shall pay no fee if the move is on the same facility. If the move is not on the same facility, the source shall be considered a new source and subject to Section 3-302. This section does not apply to portable permits meeting the requirements of Regulation 2-1-220 and 413.

*(Amended 7/6/83; 6/4/86; 6/15/05)*

**3-309** Deleted June 21, 2017

*(Amended 5/19/99; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

**3-310 Fee for Constructing Without a Permit:** An applicant for an authority to construct and a permit to operate a source, which has been constructed or modified without an authority to construct, shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees pursuant to Section 3-303, and a late fee equal to 100% of the initial fee. A modified gasoline dispensing facility subject to Schedule D that is not required to pay an initial fee shall pay fees for a modified source pursuant to Section 3-302, back fees, and a late fee equal to 100% of the filing fee.

310.2 Sources previously exempt from permit requirements that lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee and toxic surcharge for the coming year and any back fees pursuant to Section 3-303.

310.3 Sources previously exempt from permit requirements that lose their exemption due to a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.

310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.

*(Amended 7/6/83; 4/18/84; 6/4/86; 6/6/90; 7/3/91; 8/2/95; 10/8/97; 6/02/04; 6/15/05; 6/6/12)*

**3-311**

**Emission Banking Fees:** An applicant to bank emissions for future use, to convert an emission reduction credit (ERC) into an Interchangeable Emission Reduction Credit (IERC), or to transfer ownership of ERCs shall pay the following fees:

311.1 Banking ERCs: An applicant to bank emissions for future use shall pay a filing fee of ~~\$508~~ ~~516~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.2 Converting Existing ERCs: An applicant to convert an existing ERC into an IERC shall pay a filing fee of ~~\$508~~ ~~516~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules.

311.3 Transferring ERC Ownership: An applicant to transfer an ERC it currently owns to another owner shall pay a filing fee of ~~\$508~~ ~~516~~.

*(Amended 7/6/83; 6/4/86; 7/15/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19; 6/XX/21)*

**3-312**

**Emission Caps and Alternative Compliance Plans:** Any facility which elects to use an alternative compliance plan contained in:

312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.

312.2 Regulation 2, Rule 9, or Regulation 9, Rule 10 shall pay an annual fee of ~~\$1,2861,305~~ for each source included in the alternative compliance plan, not to exceed ~~\$12,860~~ ~~13,053~~.

*(Adopted 5/19/82; Amended 6/4/86; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/23/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19)*

**3-313**

**Deleted May 19, 1999**

**3-314**

**Deleted August 2, 1995**

**3-315**

**Costs of Environmental Documentation:** An applicant for an Authority to Construct shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing any environmental evaluation and preparing and filing any documents pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq), including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or filing any environmental evaluation or documentation.

*(Adopted 12/18/85; Amended 5/1/02; 6/3/15)*

**3-316**

**Deleted June 6, 1990**

**3-317**

**Asbestos Operation Fees:** After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.

*(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)*

**3-318**

**Public Notice Fee, Schools:** Pursuant to Section 42301.6(b) of the Health and Safety Code, an applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:

318.1 A fee of \$2,272 per application, and

- 318.2 The District's cost exceeding \$2,272 of preparing and distributing the public notice.
- 318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.

*(Adopted 11/1/89; Amended 10/8/97; 7/1/98; 5/19/99; 6/7/00; 5/21/03; 6/2/04; 6/16/10, 6/15/16, 6/21/17, 6/6/18)*

**3-319 Major Stationary Source Fees:** Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM<sub>10</sub> shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

*(Adopted 6/6/90; Amended 8/2/95; 6/7/00)*

**3-320 Toxic Inventory Fees:** Any facility that emits one or more toxic air contaminants in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate, toxic surcharge, and other fees otherwise authorized to be collected from such facilities.

320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of ~~\$10,056~~ 10,207 per year.

*(Adopted 10/21/92; Amended 5/19/99; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 5/4/11, 6/15/16, 6/21/17, 6/5/19, ~~6/XX/21~~)*

**3-321 Deleted December 2, 1998**

**3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.

*(Adopted 1/5/94; Amended 8/2/95; 5/21/03)*

**3-323 Pre-Certification Fees:** An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.

*(Adopted June 7, 1995)*

**3-324 Deleted June 7, 2000**

**3-325 Deleted December 2, 1998**

**3-326 Deleted December 2, 1998**

**3-327 Permit to Operate, Renewal Fees:** After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the renewal of a permit to operate is the permit to operate fee and toxic surcharge listed in Schedules B, C, D, E, F, H, I, and K, prorated for the period of coverage. When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. The permit renewal invoice shall also specify any applicable major stationary source fees based on Schedule M, toxic inventory fees based on Schedule N, major facility review fees based on Schedule P, greenhouse gas fees based on Schedule T, petroleum refining emissions tracking fees based on Schedule W, and community air monitoring fees based on Schedule X. Where applicable, renewal fees shall be based on actual usage or emission levels that have been reported to or calculated by the District.

~~327.1~~ 327.1 **Renewal Processing Fee:** In addition, the facility shall also pay a processing fee at the time of renewal that covers each Permit Renewal Period as follows:

~~327.1.1~~ 327.1.1 ~~\$100-102~~ for facilities with one permitted source, including gasoline dispensing facilities,

~~327.1.2~~ 327.1.2 ~~\$198-201~~ for facilities with 2 to 5 permitted sources,

~~327.1.3~~ 327.1.3 ~~\$395-401~~ for facilities with 6 to 10 permitted sources,

~~327.1.4~~ 327.1.4 ~~\$593-602~~ for facilities with 11 to 15 permitted sources,

~~327.1.5~~ 327.1.5 ~~\$787-799~~ for facilities with 16 to 20 permitted sources,

~~327.1.6~~ 327.1.6 ~~\$984-999~~ for facilities with more than 20 permitted sources.

327.2 **Assembly Bill 617 Community Health Impact Fee:** ~~Also, each n~~ owner/operator of a permitted facility subject to Schedule P (Major Facility Review Fees) shall pay an Assembly Bill 617 community health impact fee of 5.7 percent of the facility's total

renewal fee, up to a maximum fee of \$100,000 per year per facility owner.

327.3 Criteria Pollutant and Toxic Emissions Reporting (CTR): The owner/operator of a permitted facility shall pay a CTR fee of 4.4 percent of the facility's total renewal fee, up to a maximum fee of \$50,000 per year.

*(Adopted 6/7/00; Amended 6/2/04, 6/16/04, 6/15/05, 6/7/06, 5/2/07, 5/21/08, 5/20/09, 6/16/10, 5/4/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/3/20, ~~6/XX/21~~)*

**3-328 Fee for OEHHA Risk Assessment Reviews:** Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard Assessment (OEHHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

*(Adopted June 7, 2006/6/7/00)*

**3-329 Fees for New Source Review Health Risk Assessment:** Any person required to submit a health risk assessment (HRA) pursuant to Regulation 2-5-401 shall pay an appropriate Risk Assessment Fee pursuant to Regulation 3-302 and Schedules B, C, D, E, F, H, I or K. In addition, any person that requests that the District prepare or review an HRA (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402) shall pay a Risk Assessment Fee. A Risk Assessment Fee shall be assessed for each source that is proposed to emit a toxic air contaminant (TAC) at a rate that exceeds a trigger level in Table 2-5-1: Toxic Air Contaminant Trigger Levels. If a project requires an HRA due to total project emissions, but TAC emissions from each individual source are less than the Table 2-5-1 trigger levels, a Risk Assessment Fee shall be assessed for the source in the project with the highest TAC emissions.

*(Adopted June 15, 2005/6/15/05; Amended 6/21/17)*

**3-330 Fee for Renewing an Authority to Construct:** An applicant seeking to renew an authority to construct in accordance with Regulation 2-1-407 shall pay a fee of 50% of the initial fee in effect at the time of the renewal. If the District determines that an authority to construct cannot be renewed, any fees paid under this section shall be credited in full against the fee for a new authority to construct for functionally equivalent equipment submitted within six months of the date the original authority to construct expires.

*(Adopted June 15, 2005)*

**3-331 Registration Fees:** Any person who is required to register equipment under District rules shall submit a registration fee, and any annual fee thereafter, as set out in Schedule R. The APCO may reduce registration fees by an amount deemed appropriate if the owner or operator of the equipment attends an Industry Compliance School sponsored by the District.

*(Adopted June 6, 2007; Amended 6/16/10)*

**3-332 Naturally Occurring Asbestos Fees:** After July 1, 2007, any person required to submit or amend an Asbestos Dust Mitigation Plan (ADMP) pursuant to Title 17 of the California Code of Regulations, Section 93105, Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations shall pay the fee(s) set out in Schedule S.

*(Adopted June 6, 2007; Amended 6/5/19)*

**3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees:** Any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR permit, an initial synthetic minor operating permit, or a revision to a synthetic minor operating permit, shall pay the applicable fees set forth in Schedule P.

*(Adopted May 21, 2008)*

**3-334 Greenhouse Gas Fees:** Any permitted facility with greenhouse gas emissions shall pay a fee based on Schedule T. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities, and shall be included as part of the annual permit renewal fees.

*(Adopted May 21, 2008)*

**3-335 Indirect Source Review Fees:** Applicants that must file an Air Quality Impact Assessment pursuant to District rules for a project that is deemed to be an indirect source shall pay a fee based on Schedule U.



(Adopted May 20, 2009)

**3-336 Open Burning Operation Fees:** Effective July 1, 2013, any person required to provide notification to the District prior to burning; submit a petition to conduct a Filmmaking or Public Exhibition fire; receive an acreage burning allocation to conduct a Stubble fire; or submit a smoke management plan and receive an acreage burning allocation to conduct a Wildland Vegetation Management (Prescribed Burning) fire or Marsh Management fire shall pay the fee given in Schedule V.

(Adopted June 19, 2013; Amended 6/3/20)

**3-337 Exemption Fee:** An applicant who wishes to receive a certificate of exemption shall pay a filing fee of ~~\$508~~516 per exempt source.

(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/21/17, 6/XX/21;

**3-338 Incident Response Fee:** Any facility required to obtain a District permit, and any District-regulated area-wide or indirect source, that is the site where an incident occurs to which the District responds, shall pay a fee equal to the District's actual costs in conducting the incident response as defined in Section 3-243, including without limitation, the actual time and salaries, plus overhead, of the District staff involved in conducting the incident response and the cost of any materials.(Adopted June 19, 2013)

**3-339 Petroleum Refining Emissions Tracking Fees:** Any person required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15 shall pay the applicable fees set forth in Schedule W.

(Adopted 6/15/16)

**3-340 Major Stationary Source Community Air Monitoring Fees:** Any major stationary source emitting 35 tons per year of organic compounds, sulfur oxides, nitrogen oxides, carbon monoxide or PM<sub>10</sub> shall pay a community air monitoring fee based on Schedule X. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

(Adopted 6/15/16)

**3-341 Fee for Risk Reduction Plan:** Any person required to submit a Risk Reduction Plan in accordance with Regulation 11, Rule 18 shall pay the applicable fees set forth below:

341.1 ~~\$1,559~~1,582 for facilities with one source subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;

341.2 ~~\$3,117~~3,164 for facilities with 2 to 5 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.3 ~~\$6,234~~6,328 for facilities with 6 to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.4 ~~\$12,468~~12,655 for facilities with 11 to 15 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.5 ~~\$24,936~~25,310 for facilities with 16 to 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18;

341.6 ~~\$33,248~~33,747 for facilities with more than 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

(Adopted 6/21/17, Amended 6/5/19, 6/3/20, 6/XX/21)

**3-342 Fee for Facility-Wide Health Risk Assessment:** Any person required to undergo a health risk assessment (HRA) to assess compliance with the Regulation 11, Rule 18 risk action levels shall pay a risk assessment fee for each source pursuant to Regulation 3-329 and Schedules B, C, D, E, F, H, I or K. The maximum fee required for any single HRA of a facility conducted pursuant to Regulation 11, Rule 18 shall not exceed a total of ~~\$155,850~~158,188.

If a facility retains a District-approved consultant to complete the required facility-wide HRA, the facility shall pay a fee to cover the District's costs of performing the review of the facility-wide HRA, including the costs of any outside consulting assistance which the District may employ in connection with any such review, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the facility-wide HRA. The total HRA review cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of ~~\$213~~216 per hour. Facilities shall pay an HRA review fee as

indicated below and the District's cost exceeding the applicable HRA review fees indicated below for performing the review of the facility-wide HRA:

- 342.1 ~~\$2,598~~2,596 for facilities with one to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
- 342.2 ~~\$6,857~~6,960 for facilities with 11 to 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
- 342.3 ~~\$14,546~~14,764 for facilities with more than 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of performing the review of the facility-wide HRA.

*(Adopted 6/21/17; Amended 6/6/18, 6/5/19, 6/XX/21)*

**3-343**

**Fees for Air Dispersion Modeling:** An applicant for an Authority to Construct or Permit to Operate shall pay, in addition to the fees required under Section 3-302 and 3-329 and in any applicable schedule, the District's costs of performing any air dispersion modeling needed to determine compliance with any District regulatory requirement. The total air dispersion modeling fee cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of ~~\$213~~216 per hour. This fee shall also apply for costs incurred in reviewing air dispersion modeling submittals by applicants and the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the air dispersion modeling.

*(Adopted 6/5/19; Amended 6/XX/21)*

**3-400**

**ADMINISTRATIVE REQUIREMENTS**

**3-401**

**Permits:** Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.

**3-402**

**Single Anniversary Date:** The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.

**3-403**

**Change in Operating Parameters:** See Section 2-1-404 of Regulation 2, Rule 1.

**3-404**

**Deleted June 7, 2000**

**3-405**

**Fees Not Paid:** If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:

- 405.1 Authority to Construct: The application will be cancelled, but can be reactivated upon payment of fees.
- 405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will be notified that operation, including startup, is not authorized.
  - 2.1 Fees received during the first 30 days following the due date must include a late fee equal to 10 percent of all fees specified on the invoice.
  - 2.2 Fees received more than 30 days after the due date must include a late fee equal to 25 percent of all fees specified on the invoice.
- 405.3 Renewal of Permit to Operate: The owner or operator of a facility must renew the Permit to Operate in order to continue to be authorized to operate the source. Permit to Operate Fees for the Permit Renewal Period shall be calculated using fee schedules in effect on the Permit to Operate Renewal Date. The permit renewal invoice will include all fees to be paid in order to renew the Permit to Operate, as specified in Section 3-327. If not renewed as of the date of the next Permit Renewal Period, a Permit to Operate lapses and further operation is no longer authorized. The District will notify the facility that the permit has lapsed. Reinstatement of lapsed Permits to Operate will require the payment of all unpaid prior Permit to Operate fees and associated reinstatement fees for each unpaid prior Permit Renewal Period, in addition to all fees specified on the permit renewal invoice.
- 405.4 Reinstatement of Lapsed Permit to Operate: To reinstate a Permit to Operate, the

owner or operator must pay all of the following fees:

- 4.1 The applicable Permit to Operate Fees for the current year, as specified in Regulation 3-327, and the applicable reinstatement fee, if any, calculated as follows:
  - 4.1.1 Fees received during the first 30 days following the due date must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 10 percent of all fees specified on the invoice.
  - 4.1.2 Fees received more than 30 days after the due date, but less than one year after the due date, must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 25 percent of all fees specified on the invoice.
- 4.2 The applicable Permit to Operate Fees specified in Regulation 3-327 for each prior Permit Renewal Period for which all Permit to Operate Fees and associated reinstatement fees have not been paid. Each year's Permit to Operate Fee shall be calculated at the fee rates in effect on that year's Permit to Operate Renewal Date. The reinstatement fee for each associated previously-unpaid Permit to Operate Fee shall be calculated in accordance with Regulation 3-405.4.1 and 4.1.2.

Each year or period of the lapsed Permit to Operate is deemed a separate Permit Renewal Period. The oldest outstanding Permit to Operate Fee and reinstatement fees shall be paid first.

405.5 Registration and Other Fees: Persons who have not paid the fee by the invoice due date, shall pay the following late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.

- 5.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 10 percent of all fees specified on the invoice.
- 5.2 Fees received more than 30 days after the due date must include an additional late fee equal to 25 percent of all fees specified on the invoice.

*(Amended 7/6/83; 6/4/86; 11/5/86; 2/15/89; 6/6/90; 7/3/91; 8/2/95; 12/2/98; 6/15/05; 6/7/06; 6/6/12; 6/19/13; 6/4/14, 6/6/18, 6/5/19)*

**3-406**

**Deleted June 4, 1986**

**3-407**

**Deleted August 2, 1995**

**3-408**

**Permit to Operate Valid for 12 Months:** A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

*(Amended 6/4/86; Amended 6/7/00)*

**3-409**

**Deleted June 7, 2000**

**3-410**

**Deleted August 2, 1995**

**3-411**

**Advance Deposit of Funds:** The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

*(Adopted 12/18/85; Amended 8/2/95)*

**3-412**

**Deleted December 2, 1998**

**3-413**

**Toxic "Hot Spots" Information and Assessment Act Revenues:** No later than 120 days after the adoption of this regulation, the APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

*(Adopted ~~October 21, 1992~~ 10/21/92)*

**3-414**

**Deleted December 2, 1998**

Bay Area Air Quality Management District

**TBD June 3, 2020**

**3-415 Failure to Pay - Further Actions:** When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

415.1 Issuance of a Notice to Comply.

415.2 Issuance of a Notice of Violation.

415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person who is delinquent for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.

415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

*(Adopted 8/2/95; Amended 12/2/98; 6/15/05)*

**3-416 Adjustment of Fees:** The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

*(Adopted ~~October 8, 1997~~ 10/8/97)*

**3-417 Temporary Amnesty for Unpermitted and Unregistered Sources:** The APCO has the authority to declare an amnesty period, during which the District may waive all or part of the back fees and/or late fees for sources that are currently operating without valid Permits to Operate and/or equipment registrations.

*(Adopted ~~June 16, 2010~~ 6/16/10)*

**3-418 Temporary Incentive for Online Production System Transactions:** The APCO has the authority to declare an incentive period for transactions made using the online production system, during which the District may waive all or any part of the fees for these transactions.

*(Adopted 6/6/18)*



**SCHEDULE A  
HEARING BOARD FEES<sup>1</sup>**

Established by the Board of Directors December 7, 1977 Resolution No. 1046  
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

		Large Companies	Small Business	Third Party
1.	For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance ..... Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of .....	<del>\$6,086</del> <u>6</u> .999  <del>\$3,047</del> <u>3</u> .504	<del>\$910</del> <u>1</u> .047  <del>\$307</del> <u>3</u> .53	
2.	For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance ..... Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of .....	<del>\$3,654</del> <u>2</u> .202  <del>\$1,824</del> <u>2</u> .098	<del>\$1,047</del> <u>9</u> 940  <del>\$353</del> <u>3</u> 07	
3.	For each application to modify a variance in accordance with §42356 ... Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of.....	<del>\$2,424</del> <u>2</u> .788  <del>\$2,098</del> <u>4</u> .824	<del>\$353</del> <u>3</u> 07  <del>\$353</del> <u>3</u> 07	
4.	For each application to extend a variance, in accordance with §42357 .. Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of.....	<del>\$2,788</del> <u>2</u> .424  <del>\$2,098</del> <u>4</u> .824	<del>\$353</del> <u>3</u> 07  <del>\$353</del> <u>3</u> 07	
5.	For each application to revoke a variance .....	<del>\$4,202</del> <u>3</u> .654	<del>\$353</del> <u>3</u> 07	
6.	For each application for approval of a Schedule of Increments of Progress in accordance with §41703.....	<del>\$2,788</del> <u>2</u> .424	<del>\$353</del> <u>3</u> 07	
7.	For each application for variance in accordance with §41703, which exceeds 90 days ..... Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of .....	<del>\$6,086</del> <u>6</u> .999  <del>\$3,504</del> <u>3</u> .047	<del>\$1,047</del> <u>9</u> 940  <del>\$353</del> <u>3</u> 07	
8.	For each application for variance in accordance with §41703, not to exceed 90 days ..... Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of .....	<del>\$4,202</del> <u>3</u> .654  <del>\$2,098</del> <u>4</u> .824	<del>\$1,047</del> <u>9</u> 940  <del>\$353</del> <u>3</u> 07	

		Large Companies	Small Business	Third Party
9.	For each Appeal (Permit, Banking, Title V).....	<del>\$6,086</del> , <u>999</u> per hearing day	<del>\$3,504</del> , <u>047</u> per hearing day	<del>\$3,504</del> , <u>047</u> for entire appeal period
10.	For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6.....	<del>\$3,504</del> , <u>047</u>	<del>\$612</del> , <u>04</u>	
11.	For each application to Modify or Terminate an abatement order .....	<del>\$6,086</del> , <u>999</u> per hearing day	<del>\$3,504</del> , <u>047</u> per hearing day	
12.	For each application for an interim variance in accordance with §42351	<del>\$3,504</del> , <u>047</u>	<del>\$612</del> , <u>04</u>	
13.	For each application for an emergency variance in accordance with §42359.5 .....	<del>\$1,519</del> , <u>747</u>	<del>\$353</del> , <u>07</u>	
14.	For each application to rehear a Hearing Board decision in accordance with §40861 .....	100% of previous fee charged	100% of previous fee charged	
15.	Excess emission fees.....	See Attachment I	See Attachment I	
16.	Miscellaneous filing fee for any hearing not covered above	<del>\$3,504</del> , <u>047</u>	<del>\$1,047</del> , <u>910</u>	<del>\$1,047</del> , <u>910</u>
17.	For each published Notice of Public Hearing.....	Cost of Publication	\$0	\$0
18.	Court Reporter Fee (to be paid only if Court Reporter required for hearing) .....	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket	\$0	Actual Appearance and Transcript costs per hearing solely dedicated to one Docket

NOTE 1 Any applicant who believes they have a hardship for payment of fees may request a fee waiver from the Hearing Board pursuant to Hearing Board Rules.  
 (Amended 10/8/97; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/XX/21)

**SCHEDULE A  
ATTACHMENT I  
EXCESS EMISSION FEE**

**A. General**

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

**B. Excess Visible Emission Fee**

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

**C. Applicability**

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

**D. Fee Determination**

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

## **E. Small Businesses**

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

## **F. Group, Class and Product Variance Fees**

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

## **G. Adjustment of Fees**

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

## **H. Fee Payment/Variance Invalidation**

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I  
SCHEDULE OF EXCESS EMISSIONS FEES**

Air Contaminants All at \$~~5.835-83~~6.70 per pound

Organic gases, except methane and those containing sulfur  
Carbon Monoxide  
Oxides of nitrogen (expressed as nitrogen dioxide)  
Gaseous sulfur compounds (expressed as sulfur dioxide)  
Particulate matter

Toxic Air Contaminants All at \$~~29.0029.00~~33.35 per pound

Asbestos  
Benzene  
Cadmium  
Carbon tetrachloride  
Chlorinated dioxins and dibenzofurans (15 species)  
Diesel exhaust particulate matter  
Ethylene dibromide  
Ethylene dichloride  
Ethylene oxide  
Formaldehyde  
Hexavalent chromium  
Methylene chloride  
Nickel  
Perchloroethylene  
1,3-Butadiene  
Inorganic arsenic  
Beryllium  
Polynuclear aromatic hydrocarbons (PAH)  
Vinyl chloride  
Lead  
1,4-Dioxane  
Trichloroethylene

**TABLE II  
SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity} * \text{equivalent} - 20) \times \text{number of days allowed in variance} \times \$\del{5.965.96}\u{6.85}$$

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity} * \text{equivalent} - 40) \times \text{number of days allowed by variance} \times \$\del{5.965.96}\u{6.85}$$

\* Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

(Adopted 6/7/00; Amended 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/XX/21)

**SCHEDULE B  
COMBUSTION OF FUEL**  
(Adopted June 18, 1980)

For each source that burns fuel, which is not a flare and not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity (expressed as higher heating value, HHV) of the source.

1. INITIAL FEE: ~~\$67.64~~68.62 per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$364~~366
  - b. The maximum fee per source is: ~~\$126,117~~128,009
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$508~~516 plus  
68.62 ~~67.64~~ per MM BTU/hr
  - b. Minimum RAF for first TAC source: ~~\$869~~882
  - c. RAF for each additional TAC source: ~~\$68.62~~67.64 per MM BTU/hr  
\*
  - d. Minimum RAF per additional TAC source: ~~\$364~~366\*
  - e. Maximum RAF per source is: ~~\$128,009~~126,117
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$33.79~~34.30 per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$256~~260
  - b. The maximum fee per source is: ~~\$63,058~~64,004
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
6. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.
7. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU of higher heat value  
One MM BTU/HR = 1.06 gigajoules/HR

(Amended 6/5/85; 6/4/86; 3/4/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 7/1/98; 5/19/99; 6/7/00; 6/6/01, -5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/XX/21)

**SCHEDULE C**  
**STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS**  
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

1. INITIAL FEE: 0.185 cents per gallon
  - a. The minimum fee per source is: \$204
  - b. The maximum fee per source is: \$27,858
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$508~~ 516 plus 0.185 cents per gallon
  - b. Minimum RAF for first TAC source: \$678
  - c. RAF for each additional TAC source: 0.185 cents per gallon \*
  - d. Minimum RAF per additional TAC source: \$204 \*
  - e. Maximum RAF per source is: \$27,858

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: 0.093 cents per gallon
  - a. The minimum fee per source is: \$147
  - b. The maximum fee per source is: \$13,928
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/XX/21)



**SCHEDULE D**  
**GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES,**  
**BULK PLANTS AND TERMINALS**  
(Adopted June 18, 1980)

A. All gasoline dispensing facilities shall pay the following fees:

1. INITIAL FEE: \$~~350.79~~356.05 per single product nozzle (spn)  
\$356.05 ~~350.79~~ per product for each multi-product nozzle (mpn)
2. PERMIT TO OPERATE FEE: \$~~134.36~~136.38 per single product nozzle (spn)  
\$136.38 ~~134.36~~ per product for each multi-product nozzle (mpn)
3. Initial fees and permit to operate fees for hardware modifications at a currently permitted gasoline dispensing facility shall be consolidated into a single fee calculated according to the following formula:

$$\$485.14\text{--}492.42 \times \left[ \frac{((mpn_{\text{proposed}})(\text{products per nozzle}) + spn_{\text{proposed}}) - ((mpn_{\text{existing}})(\text{products per nozzle}) + spn_{\text{existing}})}{mpn} \right]$$

*mpn* = multi-product nozzles  
*spn* = single product nozzles

The above formula includes a toxic surcharge.

If the above formula yields zero or negative results, no initial fees or permit to operate fees shall be charged.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will not be subject to initial fees or permit to operate fees.

4. RISK ASSESSMENT FEE (RAF) if required pursuant to Regulation 3-329 or 3-342 (including increases in permitted throughput for which a health risk assessment is required.) of:

a. \$3,827 per application for a new gas dispensing facility

b. \$~~508~~584 per application for all other

~~if required pursuant to Regulation 3-329 or 3-342 [including increases in permitted throughput for which a health risk assessment is required.]~~

5. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.

B. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:

1. INITIAL FEE: \$~~4,607.65~~4,676.76 per single product loading arm  
\$4,676.76 ~~4,607.65~~ per product for multi-product arms
2. RISK ASSESSMENT FEE (RAF)-, if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$~~5,217.5~~5,295
  - b. RAF for each additional TAC source: \$~~4,608~~4,677 \*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$~~1,284~~1,303 per single product loading arm  
\$~~1,284~~1,303 per product for multi-product arms



- |
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

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- C. Fees in (A) above are in lieu of tank fees. Fees in (B) above are in addition to tank fees.
- D. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, [6/XX/21](#))

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**SCHEDULE E**  
**SOLVENT EVAPORATING SOURCES**  
(Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
  - a. The fee per source is: \$~~1,752~~1,892 per 1,000 gallons
  - b. The minimum fee per source is: \$~~872~~942
  - c. The maximum fee per source is: \$~~69,611~~75,180
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$~~508~~516 plus initial fee
  - b. Minimum RAF for first TAC source: \$~~1,436~~1,551
  - c. RAF for each additional TAC source: equal to initial fee \*
  - d. Minimum RAF per additional TAC source: \$~~942~~872 \*
  - e. Maximum RAF per source is: \$~~75,180~~69,611

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE:
  - a. The fee per source is: \$~~942~~872 per 1,000 gallons
  - b. The minimum fee per source is: \$~~629~~679
  - c. The maximum fee per source is: \$~~34,803~~37,587
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 5/19/82; 10/17/84; 6/5/85; 6/4/86; 10/8/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, ~~6/XX/21~~)*

**SCHEDULE F**  
**MISCELLANEOUS SOURCES**  
(Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, (except for those sources in the special classification lists, G-1 - G-5) the fees are:

1. INITIAL FEE: \$664,707
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first (toxic air contaminant) TAC source in application: \$1,241,328
  - b. RAF for each additional TAC source: \$664,707\*
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$480,514
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1. List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, G-4, and G-5.

G-1 FEES FOR SCHEDULE G-1. For each source in a G-1 classification, fees are:

1. INITIAL FEE: \$4,992,741
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$5,665,515
  - b. RAF for each additional TAC source: \$5,741,992\*
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$2,492,866
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-2 FEES FOR SCHEDULE G-2. For each source in a G-2 classification, fees are:

1. INITIAL FEE: \$6,953,579
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$7,662,352
  - b. RAF for each additional TAC source: \$7,579,953\*
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$3,473,787
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-3 FEES FOR SCHEDULE G-3. For each source in a G-3 classification, fees are:

1. INITIAL FEE: \$36,691,399,993
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$37,290,40,646
  - b. RAF for each additional TAC source: \$39,993,36,694 \*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: ~~\$18,342~~19,993
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-4 FEES FOR SCHEDULE G-4. For each source in a G-4 classification, fees are:

1. INITIAL FEE: ~~\$91,933~~100,207
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$92,643~~100,981
  - b. RAF for each additional TAC source: ~~\$100,207~~91,933\*
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$45,964~~450,101
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-5 FEES FOR SCHEDULE G-5. For each source in a G-5 classification, fees are:

1. INITIAL FEE: \$51,731
2. RISK ASSESSMENT FEE (RAF) is only applicable for new and modified sources of toxic air contaminants (TACs) for which a health risk assessment is required under Regulation 2-5-401.
  - a. RAF for first TAC source in application: \$52,193
  - b. RAF for each additional TAC source: \$51,731\*
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$25,865
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

*(Amended 5/19/82; 6/5/85; 6/4/86; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17; 6/6/18; 6/5/19; 6/XX/21)*

**SCHEDULE G-1**  
(Adopted June 18, 1980)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Asphalt Roofing Manufacturing – Asphalt Dipping	Asphalt Roofing or Related Materials
Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns)	Any Materials except cement, lime, or coke
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more	Any Inorganic Materials
Chemical Manufacturing, Organic – Latex Dipping	Any latex materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more	Any Organic Materials
Compost Operations – Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods	Any waste materials such as yard waste, food waste, agricultural waste, mixed green waste, bio-solids, animal manures, etc.
Crushers	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Electroplating Equipment	Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome
Foil Manufacturing – Any Converting or Rolling Lines	Any Metal or Alloy Foils
Galvanizing Equipment	Any

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators	Any Dry Materials
Glass Manufacturing – Mixers	Any Dry Materials
Glass Manufacturing – Molten Glass Holding Tanks	Any molten glass
Grinders	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Incinerators – Crematory	Human and/or animal remains
Incinerators – Flares	Any waste gases
Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)	Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste
Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)	Pathological waste only
Loading and/or Unloading Operations – Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol)	Any Organic Materials except gasoline or gasohol
Petroleum Refining – Alkylation Units	Any Hydrocarbons
Petroleum Refining – Asphalt Oxidizers	Any Hydrocarbons
Petroleum Refining – Benzene Saturation Units/Plants	Any Hydrocarbons
Petroleum Refining – Catalytic Reforming Units	Any Hydrocarbons
Petroleum Refining – Chemical Treating Units including alkane, naphthenic acid, and naptha merox treating, or similar processes	Any Hydrocarbons
Petroleum Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes	Any Hydrocarbons
Petroleum Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)	Any Hydrocarbons
Petroleum Refining – Hydrogen Manufacturing	Hydrogen or Any Hydrocarbons

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Petroleum Refining – Hydrotreating or Hydrofining	Any Hydrocarbons
Petroleum Refining – Isomerization	Any Hydrocarbons
Petroleum Refining – MTBE Process Units/Plants	Any Hydrocarbons
Petroleum Refining – Sludge Converter	Any Petroleum Waste Materials
Petroleum Refining – Solvent Extraction	Any Hydrocarbons
Petroleum Refining – Sour Water Stripping	Any Petroleum Process or Waste Water
Petroleum Refining – Storage (enclosed)	Petroleum Coke or Coke Products
Petroleum Refining – Waste Gas Flares (not subject to Regulation 12, Rule 11)	Any Petroleum Refining Gases
Petroleum Refining – Miscellaneous Other Process Units	Any Hydrocarbons
Remediation Operations, Groundwater – Strippers	Contaminated Groundwater
Remediation Operations, Soil – Any Equipment (excluding sub-slab depressurization equipment)	Contaminated Soil
Spray Dryers	Any Materials
Sterilization Equipment	Ethylene Oxide
Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at petroleum refineries (see G-2 for Petroleum Refining - Oil-Water Separators)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at petroleum refineries (see G-2 for Petroleum Refining – Strippers)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial - Storage Ponds, excluding storage ponds at petroleum refineries (see G-2 for Petroleum Refining – Storage Ponds)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Municipal – Preliminary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Primary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Digesters	Municipal Wastewater
Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)	Sewage Sludge

(Amended 6/4/86; 6/6/90; 5/19/99; 6/7/00; 6/2/04; 6/15/05, 6/6/18)



**SCHEDULE G-2**  
(Adopted June 6, 1990)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Asphalt Roofing Manufacturing – Asphalt Blowing	Asphalt Roofing or Related Materials
Asphaltic Concrete Manufacturing – Aggregate Dryers	Any Dry Materials
Asphaltic Concrete Manufacturing – Batch Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Drum Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers	Any Dry Materials or Asphaltic Concrete Products
Concrete or Cement Batching Operations – Mixers	Any cement, concrete, or stone products or similar materials
Furnaces – Electric	Any Mineral or Mineral Product
Furnaces – Electric Induction	Any Mineral or Mineral Product
Furnaces – Glass Manufacturing	Soda Lime only
Furnaces – Reverberatory	Any Ores, Minerals, Metals, Alloys, or Related Materials
Incinerators – Hazardous Waste including any unit required to have a RCRA permit	Any Liquid or Solid Hazardous Wastes
Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators)	Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste)
Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)	Any Metals or Alloys
Petroleum Refining – Stockpiles (open)	Petroleum Coke or coke products only
Petroleum Refining, Wastewater Treatment – Oil-Water Separators	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Storage Ponds	Wastewater from petroleum refineries only
Pickling Lines or Tanks	Any Metals or Alloys
Sulfate Pulping Operations – All Units	Any
Sulfite Pulping Operations – All Units	Any

*(Amended ~~June 7, 2006~~ 6/7/00)*

**SCHEDULE G-3**  
(Adopted June 18, 1980)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Furnaces – Electric Arc	Any Metals or Alloys
Furnaces – Electric Induction	Any Metals or Alloys
Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)	Any Medical or Infectious Wastes
Loading and/or Unloading Operations – Marine Berths	Any Organic Materials
Petroleum Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers)	Any Hydrocarbons
Petroleum Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)	Any Petroleum Crude Oils
Phosphoric Acid Manufacturing – All Units (by any process)	Phosphoric Acid

*(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00; 6/15/05; 5/2/07)*

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**SCHEDULE G-4**  
(Adopted June 6, 1990)

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Acid Regeneration Units	Sulfuric or Hydrochloric Acid only
Annealing Lines (continuous only)	Metals and Alloys
Calcining Kilns (see G-1 for Calcining Kilns processing other materials)	Cement, Lime, or Coke only
Fluidized Bed Combustors	Solid Fuels only
Nitric Acid Manufacturing – Any Ammonia Oxidation Processes	Ammonia or Ammonia Compounds
Petroleum Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns	Petroleum Coke and Coke Products
Petroleum Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units)	Any Hydrocarbons
Petroleum Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants	Any Petroleum Refining Gas
Sulfuric Acid Manufacturing – Any Chamber or Contact Process	Any Solid, Liquid or Gaseous Fuels Containing Sulfur

*(Amended ~~June 7, 2000~~ [6/7/00](#))*

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**SCHEDULE G-5**

<b>Equipment or Process Description</b>	<b>Materials Processed or Produced</b>
Petroleum Refinery Flares (subject to Regulation 12, Rule 11)	Any Petroleum Vent Gas (as defined in section 12-11-210 and section 12-12-213)

*(Adopted ~~May 2, 2007~~ 5/2/07)*

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**SCHEDULE H**  
**SEMICONDUCTOR AND RELATED OPERATIONS**  
(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

- a. The minimum fee per source is: ~~\$760~~821
- b. The maximum fee per source is: ~~\$60,818~~65,683

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);  
Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$514~~555 per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$1,527~~1,649 per 1,000 gallon

2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.

- a. RAF for first toxic air contaminant (TAC) source in application: ~~\$508~~516 plus initial fee
- b. Minimum RAF for first TAC source: ~~\$1,322~~1,428
- c. RAF for each additional TAC source: equal to initial fee \*
- d. Minimum RAF per additional TAC source: ~~\$760~~821 \*
- e. Maximum RAF per source is: ~~\$60,818~~65,683

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:

- a. The minimum fee per source is: ~~\$550~~594
- b. The maximum fee per source is: ~~\$30,404~~32,836

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);

Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$258-279~~ per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$760-821~~ per 1,000 gallon

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. The fee for each source will be rounded to the whole dollar. Fees for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 1/9/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/20/99; 6/7/00; 6/6/01; 5/1/02;  
5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17,  
6/6/18, 6/5/19, ~~6/XX/21~~)

**SCHEDULE I  
 DRY CLEANERS  
 (Adopted July 6, 1983)**

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: \$700
  - b. If the washing or drying capacity exceeds 100 pounds: \$700 plus  
 For that portion of the capacity exceeding 100 pounds: \$20.95 per pound
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$508 plus initial fee
  - b. Minimum RAF for first TAC source: \$1,245
  - c. RAF for each additional TAC source: equal to initial fee\*
  - d. Minimum RAF per additional TAC source: \$700\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: \$511
  - b. If the washing or drying capacity exceeds 100 pounds: \$511 plus  
 For that portion of the capacity exceeding 100 pounds: \$10.52 per pound
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 10/17/84; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19)*

**SCHEDULE K  
SOLID WASTE DISPOSAL SITES**  
(Adopted July 15, 1987)

1. INITIAL FEE:
  - a. Landfill (Decomposition Process) \$~~5,808~~6,679
  - b. Active Landfill (Waste and Cover Material Dumping Process) \$~~2,903~~3,338
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$~~3,338~~2,903
  
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$~~508~~516 plus initial fee
  - b. RAF for each additional TAC source: equal to initial fee\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  
3. PERMIT TO OPERATE FEE:
  - a. Landfill (Decomposition Process) \$~~2,903~~3,338
  - b. Active Landfill (Waste and Cover Material Dumping Process) \$~~1,454~~1,669
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) \$~~1,669~~1,454
  
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
  
5. Evaluation of Reports and Questionnaires:
  - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) \$~~3,200~~3,680
  - b. Evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$~~1,604~~1,845
  - c. Evaluation of Solid Waste Air Assessment Test Report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) \$~~1,845~~1,604
  - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 \$~~1,180~~1,357
  - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34, Sections 406 or 407 \$~~3,375~~3,881
  - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 \$~~1,180~~1,357
  - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 \$~~2,953~~3,396
  
6. Fees for each source will be rounded off to the nearest dollar. The fee for sources will be rounded up or down to the nearest dollar.
  
7. For the purposes of this fee schedule, landfill shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

*(Amended 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/6/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/2/17, 6/6/18, 6/5/19, 6/XX/21)*



**SCHEDULE L**  
**ASBESTOS OPERATIONS**  
(Adopted July 6, 1988)

1. Asbestos Operations conducted at single family dwellings are subject to the following fees:
  - a. OPERATION FEE: \$185 for amounts 100 to 500 square feet or linear feet.  
\$679 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
\$988 for amounts 1001 square feet or liner feet to 2000 square feet or linear feet.  
\$1,358 for amounts greater than 2000 square feet or linear feet.
  - b. Cancellation: \$90 of above amounts non-refundable for notification processing.
2. Asbestos Operations, other than those conducted at single family dwellings, are subject to the following fees:
  - a. OPERATION FEE: \$524 for amounts 100 to 159 square feet or 100 to 259 linear feet or 35 cubic feet  
\$754 for amounts 160 square feet or 260 linear feet to 500 square feet or linear feet or greater than 35 cubic feet.  
\$1,098 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
\$1,620 for amounts 1001 square feet or liner feet to 2500 square feet or linear feet.  
\$2,309 for amounts 2501 square feet or linear feet to 5000 square feet or linear feet.  
\$3,169 for amounts 5001 square feet or linear feet to 10000 square feet or linear feet.  
\$4,031 for amounts greater than 10000 square feet or linear feet.
  - b. Cancellation: \$248 of above amounts non-refundable for notification processing.
3. Demolitions (including zero asbestos demolitions) conducted at a single-family dwelling are subject to the following fee:
  - a. OPERATION FEE: \$90
  - b. Cancellation: \$90 (100% of fee) non-refundable, for notification processing.
4. Demolitions (including zero asbestos demolitions) other than those conducted at a single family dwelling are subject to the following fee:
  - a. OPERATION FEE: \$372
  - b. Cancellation: \$248 of above amount non-refundable for notification processing.
5. Asbestos operations with less than 10 days prior notice (excluding emergencies) are subject to the following additional fee:
  - a. OPERATION FEE: \$619
6. Asbestos demolition operations for the purpose of fire training are exempt from fees.

*(Amended 9/5/90; 1/5/94; 8/20/97; 10/7/98; 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/5/19)*

**SCHEDULE M**  
**MAJOR STATIONARY SOURCE FEES**  
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM<sub>10</sub>, the fee shall be based on the following:

- |    |                   |  |
|----|-------------------|--|
| 1. | Organic Compounds | \$ <del>124.51</del> <u>126.38</u> per ton |
| 2. | Sulfur Oxides     | \$ <u>126.38</u> <del>124.51</del> per ton |
| 3. | Nitrogen Oxides   | \$ <u>126.38</u> <del>124.51</del> per ton |
| 4. | PM <sub>10</sub>  | \$ <u>126.38</u> <del>124.51</del> per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM<sub>10</sub>, if occurring in an amount less than 50 tons per year, shall not be counted.

*(Amended 7/3/91; 6/15/94; 7/1/98; 5/9/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/XX/21)*



**SCHEDULE P**  
**MAJOR FACILITY REVIEW FEES**  
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2, Rule 6, shall pay annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay the fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

- a. MFR SOURCE FEE ..... ~~\$869-930~~ per source
- b. MFR EMISSIONS FEE..... ~~\$34-20~~36.59 per ton of regulated air pollutants emitted

Each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

- c. MFR/SYNTHETIC MINOR MONITORING FEE ~~\$8,688~~9,296 per monitor per pollutant

2. SYNTHETIC MINOR APPLICATION FEES

Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit shall pay application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

- a. SYNTHETIC MINOR FILING FEE ..... ~~\$1,210~~1,295 per application
- b. SYNTHETIC MINOR INITIAL PERMIT FEE ..... ~~\$869-930~~ per source
- c. SYNTHETIC MINOR REVISION FEE..... ~~\$869-930~~ per source modified

3. MFR APPLICATION FEES

Each facility that applies for or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit shall pay, with the application and in addition to any other fees required by this regulation, the MFR filing fee and any applicable fees listed in 3b-h below. The fees in 3b apply to each source in the initial permit. The fees in 3g apply to each source in the renewal permit, The fees in 3d-f apply to each source affected by the revision or reopening.

- a. MFR FILING FEE ..... ~~\$1,210~~1,295 per application
- b. MFR INITIAL PERMIT FEE ..... ~~\$1,210~~1,295 per source
- c. MFR ADMINISTRATIVE AMENDMENT FEE ..... ~~\$342-366~~ per application
- d. MFR MINOR REVISION FEE ..... ~~\$1,718~~1,838 per source modified
- e. MFR SIGNIFICANT REVISION FEE ..... ~~\$3,203~~3,427 per source modified
- f. MFR REOPENING FEE ..... ~~\$1,050~~1,124 per source modified
- g. MFR RENEWAL FEE..... ~~\$510-546~~ per source

Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.

- h. MFR PERMIT SHIELD FEE ..... ~~\$1,809~~1,936 per shielded source or group of sources

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

MFR PUBLIC NOTICE FEE ..... Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

a. MFR PUBLIC HEARING FEE .... Cost of Public Hearing not to exceed \$~~14,784~~15,819

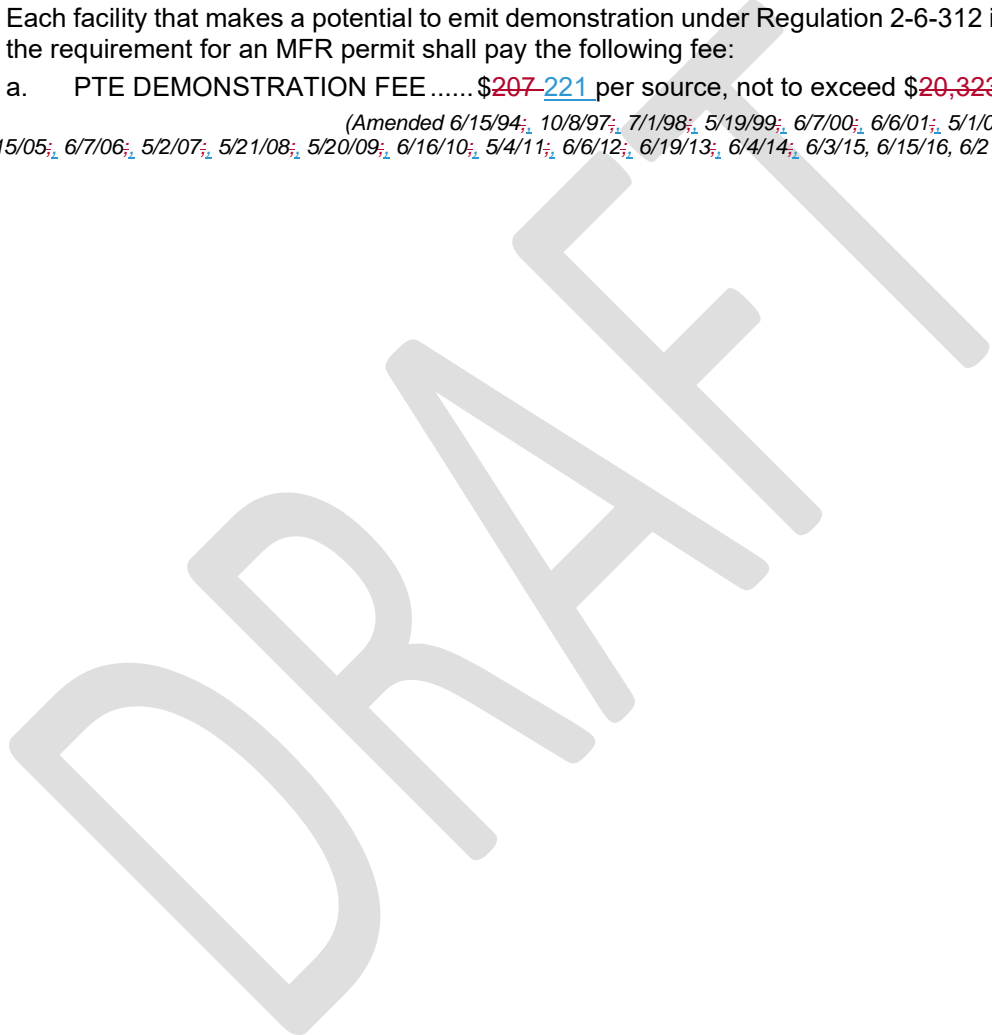
b. NOTICE OF PUBLIC HEARING FEE ..... Cost of distributing Notice of Public Hearing

6. POTENTIAL TO EMIT DEMONSTRATION FEE

Each facility that makes a potential to emit demonstration under Regulation 2-6-312 in order to avoid the requirement for an MFR permit shall pay the following fee:

a. PTE DEMONSTRATION FEE ..... \$~~207,221~~ per source, not to exceed \$~~20,323~~21,746

*(Amended 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/XX/21)*



**SCHEDULE Q**  
**EXCAVATION OF CONTAMINATED SOIL AND**  
**REMOVAL OF UNDERGROUND STORAGE TANKS**  
(Adopted January 5, 1994)

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:

a. OPERATION FEE: \$168

*(Amended 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/4/14; 6/3/15; 6/15/16)*

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**SCHEDULE R  
EQUIPMENT REGISTRATION FEES**

1. Persons operating commercial cooking equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Conveyorized Charbroiler REGISTRATION FEE: \$744 per facility
  - b. Conveyorized Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
  - c. Under-fired Charbroiler REGISTRATION FEE: \$744 per facility
  - d. Under-fired Charbroiler ANNUAL RENEWAL FEE: \$209 per facility
  
2. Persons operating non-halogenated dry cleaning equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Dry Cleaning Machine REGISTRATION FEE: \$371
  - b. Dry Cleaning Machine ANNUAL RENEWAL FEE: \$259
  
3. Persons operating diesel engines who are required to register equipment as required by District or State rules are subject to the following fees:
  - a. Diesel Engine REGISTRATION FEE: \$250
  - b. Diesel Engine ANNUAL RENEWAL FEE: \$166
  - c. Diesel Engine ALTERNATIVE COMPLIANCE PLAN FEE (for each plan submitted under District Regulation 11-17-402): \$250
  
4. Persons operating boilers, steam generators and process heaters who are required to register equipment by District Regulation 9-7-404 are subject to the following fees:
  - a. REGISTRATION FEE \$137 per device
  - b. ANNUAL RENEWAL FEE: \$115 per device
  
5. Persons owning or operating graphic arts operations who are required to register equipment by District Regulation 8-20-408 are subject to the following fees:
  - a. REGISTRATION FEE: \$446
  - b. ANNUAL RENEWAL FEE: \$278
  
6. Persons owning or operating mobile refinishing operations who are required to register by District Regulation 8-45-4 are subject to the following fees:
  - a. REGISTRATION FEE \$209
  - b. ANNUAL RENEWAL FEE \$123

*(Adopted 7/6/07; Amended 12/5/07; 5/21/08; 7/30/08; 11/19/08; 12/3/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18)*

**SCHEDULE S  
NATURALLY OCCURRING ASBESTOS OPERATIONS**

1. ASBESTOS DUST MITIGATION PLAN INITIAL REVIEW AND AMENDMENT FEES:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for initial review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): ~~\$635~~730

Any person submitting a request to amend an existing ADMP shall pay the following fee: ~~\$325~~374

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: ~~\$4,900~~5,635

3. INSPECTION FEE:

The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District after July 1, 2012 in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: ~~\$144~~166 per hour

*(Adopted 6/6/07; Amended 5/21/08; ~~5/20/09~~; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, ~~6/XX/21~~)*



**SCHEDULE T  
GREENHOUSE GAS FEES**

For each permitted facility emitting greenhouse gases, the fee shall be based on the following:

1. Carbon Dioxide Equivalent (CDE) Emissions \$~~0.120~~0.131 per metric ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. The annual emissions of each greenhouse gas (GHG) listed below shall be determined by the APCO for each permitted (i.e., non-exempt) source. For each emitted GHG, the CDE emissions shall be determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility shall be based on the sum of the CDE emissions for all GHGs emitted by the facility, except that no fee shall be assessed for emissions of biogenic carbon dioxide.

**Global Warming Potential Relative to Carbon Dioxide\***

GHG	CAS Registry Number	GWP**
Carbon Dioxide	124-38-9	1
Methane	74-82-8	34
Nitrous Oxide	10024-97-2	298
Nitrogen Trifluoride	7783-54-2	17,885
Sulfur Hexafluoride	2551-62-4	26,087
HCFC-22	75-45-6	2,106
HCFC-123	306-83-2	96
HCFC-124	2837-89-0	635
HCFC-141b	1717-00-6	938
HCFC-142b	75-68-3	2,345
HCFC-225ca	422-56-0	155
HCFC-225cb	507-55-1	633
HFC-23	75-46-7	13,856
HFC-32	75-10-5	817
HFC-125	354-33-6	3,691
HFC-134a	811-97-2	1,549
HFC-143a	420-46-2	5,508
HFC-152a	75-37-6	167
HFC-227ea	431-89-0	3,860
HFC-236fa	690-39-1	8,998
HFC-245fa	460-73-1	1,032
HFC-365mfc	406-58-6	966
HFC-43-10-mee	138495-42-8	1,952
PFC-14	75-73-0	7,349
PFC-116	76-16-4	12,340
PFC-218	76-19-7	9,878
PFC-318	115-25-3	10,592

\* Source: Myhre, G., et al., 2013: Anthropogenic and Natural Radiative Forcing (and Supplementary Material). In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., et al. (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available from www.ipcc.ch.

\*\* GWPs compare the integrated radiative forcing over a specified period (i.e.100 years) from a unit mass pulse emission to compare the potential climate change associated with emissions of different GHGs. GWPs listed include climate-carbon feedbacks.

(Adopted 5/21/08; Amended 5/20/09; 6/16/10; 6/4/14; 6/3/15; 6/15/16, 6/21/17, 6/6/18,6/5/19, 6/XX/21)

**SCHEDULE U  
INDIRECT SOURCE REVIEW FEES**

The applicant for any project deemed an indirect source pursuant to District rules shall be subject to the following fees:

1. APPLICATION FILING FEE

When an applicant files an Air Quality Impact Assessment as required by District rules, the applicant shall pay a non-refundable Application Filing Fee as follows:

- |  |       |
|--|-------|
| a. Residential project:                  | \$615 |
| b. Non-residential or mixed use project: | \$918 |

2. APPLICATION EVALUATION FEE

Every applicant who files an Air Quality Impact Assessment as required by District rules shall pay an evaluation fee for the review of an air quality analysis and the determination of Offsite Emission Reduction Fees necessary for off-site emission reductions. The Application Evaluation fee will be calculated using the actual staff hours expended and the prevailing weighted labor rate. The Application Filing fee, which assumes eight hours of staff time for residential projects and twelve hours of staff time for non-residential and mixed use projects, shall be credited towards the actual Application Evaluation Fee.

3. OFFSITE EMISSION REDUCTION FEE

(To be determined)

*(Adopted 5/20/09; Amended 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

**SCHEDULE V  
OPEN BURNING**

1. Any prior notification required by Regulation 5, Section 406 is subject to the following fee:

- a. OPERATION FEE: ~~\$438~~150
- b. The operation fee paid as part of providing notification to the District prior to burning will be determined for each property, as defined in Regulation 5, Section 217, and will be valid for one year from the fee payment date when a given fire is allowed, as specified in Regulation 5, Section 401 for the following fires:

<b>Regulation 5 Section – Fire</b>	<b>Burn Period</b>
401.1 - Disease and Pest	January 1 – December 31
401.2 - Crop Replacement <sup>1</sup>	October 1 – April 30
401.3 - Orchard Pruning and Attrition <sup>2</sup>	November 1 – April 30
401.4 - Double Cropping Stubble	June 1 – August 31
401.6 - Hazardous Material <sup>1</sup>	January 1 – December 31
401.7 - Fire Training	January 1 – December 31
401.8 - Flood Debris	October 1 – May 31
401.9 - Irrigation Ditches	January 1 – December 31
401.10 - Flood Control	January 1 – December 31
401.11 - Range Management <sup>1</sup>	July 1 – April 30
401.12 - Forest Management <sup>1</sup>	November 1 – April 30
401.14 - Contraband	January 1 – December 31

<sup>1</sup> Any Forest Management fire, Range Management fire, Hazardous Material fire not related to Public Resources Code 4291, or any Crop Replacement fire for the purpose of establishing an agricultural crop on previously uncultivated land, that is expected to exceed 10 acres in size or burn piled vegetation cleared or generated from more than 10 acres is defined in Regulation 5, Section 213 as a type of Prescribed Burning and, as such, is subject to the Prescribed Burning operation fee in Section 3 below.

<sup>2</sup> Upon the determination of the APCO that heavy winter rainfall has prevented this type of burning, the burn period may be extended to no later than June 30.

- c. Any person who provided notification required under Regulation 5, Section 406, who seeks to burn an amount of material greater than the amount listed in that initial notification, shall provide a subsequent notification to the District under Regulation 5, Section 406 and shall pay an additional open burning operation fee prior to burning.

2. Any Marsh Management fire conducted pursuant to Regulation 5, Section 401.13 is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:

- a. OPERATION FEE: ~~\$495~~540 for 50 acres or less  
~~\$673~~734 for more than 50 acres but less than or equal to 150 acres  
~~\$849~~925 for more than 150 acres

- b. The operation fee paid for a Marsh Management fire will be valid for a Fall or Spring burning period, as specified in Regulation 5, Subsection 401.13. Any burning subsequent to either of these time periods shall be subject to an additional open burning operation fee.

3. Any Wildland Vegetation Management fire (Prescribed Burning) conducted pursuant to Regulation 5, Section 401.15 is subject to the following fee, which will be determined for each prescribed burning project by the proposed acreage to be burned:

- a. OPERATION FEE: \$602 for 50 acres or less  
\$816 for more than 50 acres but less than or equal to 150 acres  
\$1,062 for more than 150 acres

- b. The operation fee paid for a prescribed burn project will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
- 4. Any Filmmaking fire conducted pursuant to Regulation 5, Section 401.16 and any Public Exhibition fire conducted pursuant to Regulation 5, Section 401.17 is subject to the following fee:
  - a. OPERATION FEE: ~~\$744~~778
  - b. The operation fee paid for a Filmmaking or Public Exhibition fire will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
- 5. Any Stubble fire conducted pursuant to Regulation 5, Section 401.5 that requires a person to receive an acreage burning allocation prior to ignition is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
  - a. OPERATION FEE: ~~\$353~~385 for 25 acres or less  
~~\$495~~540 for more than 25 acres but less than or equal to 75 acres  
~~\$602~~656 for more than 75 acres but less than or equal to 150 acres  
~~\$708~~772 for more than 150 acres
  - b. The operation fee paid for a Stubble fire will be valid for one burn period, which is the time period beginning September 1 and ending December 31, each calendar year. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
- 6. All fees paid pursuant to Schedule V are non-refundable.
- 7. All fees required pursuant to Schedule V must be paid before conducting a fire.

*(Adopted June 19, 2013; Amended 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/3/20, 6/XX/21)*

**SCHEDULE W  
PETROLEUM REFINING EMISSIONS TRACKING FEES**

1. ANNUAL EMISSIONS INVENTORIES:

Any Petroleum Refinery owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: ~~\$58,860~~67,689
- b. Each subsequent annual submittal: ~~\$29,430~~33,845

Any Support Facility owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- a. Initial submittal: ~~\$3,597~~4,137
- b. Each subsequent annual submittal: ~~\$1,799~~2,069

2. AIR MONITORING PLANS:

Any person required to submit an air monitoring plan in accordance with Regulation 12, Rule 15, Section 403 shall pay a one-time fee of ~~\$8,175~~9,401.

*(Adopted 6/15/16, ~~Amended~~ 6/5/19, 6/XX/21)*

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**SCHEDULE X  
MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES**

For each major stationary source, emitting 35 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide and/or PM<sub>10</sub> within the vicinity of a District proposed community air monitoring location, the fee shall be based on the following:

- |    |                   |                 |
|----|-------------------|-----------------|
| 1. | Organic Compounds | \$60.61 per ton |
| 2. | Sulfur Oxides     | \$60.61 per ton |
| 3. | Nitrogen Oxides   | \$60.61 per ton |
| 4. | Carbon Monoxide   | \$60.61 per ton |
| 5. | PM <sub>10</sub>  | \$60.61 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, or PM<sub>10</sub>, if occurring in an amount less than 35 tons per year, shall not be counted.

*(Adopted: 6/15/16; Amended: 6/21/17)*

**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: April 1, 2021

Re: Update on the Status of the Air District’s Rule Development Efforts

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

California Health and Safety Code sections 39002, 40000, et seq., and 40910, et seq., provide California air districts primary authority to regulate stationary sources of air pollutants, including criteria, toxic, and climate pollutants. Under Health and Safety Code section 40702 air districts are granted general powers to adopt rules and regulations to execute these various required obligations to reduce air pollutants.

In executing our authority as listed above, Air District staff identified multiple types of stationary sources, where further emission reductions may be achieved through new rules, regulatory amendments, or other types of programs. These efforts include several criteria pollutant measures identified in the adopted Assembly Bill (AB) 617 Expedited Best Available Retrofit Control Technology (BARCT) Schedule — adopted December 2018, and other community-focused measures, particulate matter efforts, and rules aimed at reducing climate pollutants. In addition, there are other rules to which staff plan to make clarifying amendments to improve implementation and enforceability. The table below contains a listing of the regulations and sources staff anticipates addressing over the next several years. Additional details on these rule development efforts are also included in Attachment 10A: Rule Development Efforts Status Update.

<b>AB 617 Expedited BARCT Schedule</b>	<b>Pollutant(s)</b>	<b>Next Milestones</b>	<b>Board Hearing</b>
Rule 6-5: Refinery Fluid Catalytic Crackers	PM, SO <sub>2</sub>	n/a	Jun 2021
Rule 8-5: Organic Liquid Storage Tanks	VOCs, TACs	WS: Q2/Q3 2021	Q4 2021
Rule 8-8: Rule Petroleum Wastewater Treating	VOCs, TACs	WS: Q1 2022	Q4 2022
Rule 8-18: Refinery Heavy Liquids Leaks	VOCs, TACS	SSCI: Q4 2021	Q1/Q2 2022
Rule 9-13: Portland Cement Manufacturing	PM, SO <sub>2</sub>	SSCI: Q1 2022	TBD
Rule 9-14: Petroleum Coke Calcining Operations	PM, SO <sub>2</sub>	SSCI: Q1 2022	TBD

Other Rule Development Efforts	Pollutant(s)	Next Milestones	Board Hearing
Rule 2-5: Toxic Permitting	TACs	WS: Q2 2021	Q4 2021
Particulate Matter Efforts - Construction and Concrete Plants - Data Centers and Back-up Generators	PM, TACs DPM	SSCI: Q4 2021 SSCI: Q2 2021	n/a n/a
Organic Materials - Rule 13-2 and Organic Material Handling - Rule 13-3: Composting Operations	VOCs, PM	BMPs: Q3 2021	n/a
Rule 13-5: Hydrogen Plants	GHGs, VOCs	SSCI: Q4 2021	Q2 2022
Residential Appliances - Rule 9-4: Residential Furnaces - Rule 9-6: Gas-Fired Water Heaters	NOx, PM, GHGs	SSCI: Q2 2021 WS: Q3 2021	Q2 2022
Regulation 1: Definition of Refinery	n/a	n/a	Q4 2021/Q1 2022

Progress on developing and completing these regulatory efforts has not been as expeditious as staff would have liked or as past schedules indicated it should be. Several factors have contributed to some of these delays; these factors are discussed below.

Changes and Experience of the Rule Development Staff:

- *Issue:* Over the past few years, the make-up of the Rules team changed; several long-term staffers have either retired or left the section, resulting in a large amount of experience and of institution being lost, while the team has simultaneously expanded. The result is a group of highly talented engineers and scientists; however, the vast majority are new to the rulemaking process. The learning curve for this process is steep.
- *Solution:* These folks have grown a lot in a short time, and the pace of rulemaking will quicken with experience (we've seen this over the past six months or so).
- *Issue:* The Rule Development Section has had to re-allocate resources to the implementation of AB 617; both the BARCT schedule and staffing for Community Emissions Reduction Plan (CERP) development, which has consumed a large amount of staff resources. Further, Rule Development has had a larger than usual slate of rule development projects; this increase in activity requires greater coordination and input from other divisions, which has strained their already limited resources and reduced their ability to be as responsive and able to assist Rule Development staff on the various regulatory projects.
- *Solution:* An increase in staffing (Rules, Meteorology and Measurement (M&M), Compliance & Enforcement (C&E), Engineering, etc.) will help increase the bandwidth of the agency to research, develop, and implement the rules.



### The Nature of the Regulated Sources Is Changing:

- *Issue:* Typically, by the time a source gets to the rulemaking process, much of the technical assessment research phase (such as inventory development, evaluation of control technologies, etc.) has been conducted via the clean air planning process and is mostly complete. However, for many of the new sources the Rules team were evaluating (e.g., organics, AB 617 BARCT schedule), this information was not fully developed or was not available. Therefore, the rulemaking timelines had to be extended due to the additional research needed, and new requirements, such as the AB 617 BARCT schedule, which caused reprioritization of resources.
- *Solution:* We are establishing several new processes (e.g., an early technical assess process and an emissions estimation project) to more quickly flesh out our knowledge of data gaps and come to consensus on most appropriate path forward earlier in the rule development process. This will also help to pivot more easily as priorities shift, and as more community focused sources are highlighted through the AB 617 CERP process.

### Uncertainty of the Current Times:

- *Issue:* The COVID 19 pandemic has drastically altered the way we interact internally with teams of staff that assist in rule development, and with our critical community and industry stakeholders. It has taken much longer than usual to coordinate and schedule workshops and to interact with our stakeholders. Community, other government entities, and industry have had much higher priority issues related to the pandemic and have limited time and resources to devote towards engaging in the Air District's rulemaking processes.
- *Solution:* This is improving as all groups get more comfortable with the virtual interactions. In addition, as vaccine availability is broadened, we are hopeful that the stress of the pandemic will decrease, allowing for greater stakeholder involvement.

### BUDGET CONSIDERATION/FINANCIAL IMPACT

This plan presumes the additional staff for the Rules, M&M, Engineering, C&E, and Community Engagement Divisions, as requested in the Proposed Budget for Fiscal Year 2021-2022.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Victor Douglas  
Reviewed by: Elizabeth Yura

Attachment 18A: Rule Development Efforts Status Update

## **Rule Development Efforts Status Update**

### Rule 6-5: Refinery Fluid Catalytic Crackers (Assembly Bill [AB] 617 Expedited Best Available Retrofit Control Technology [BARCT] Schedule):

Air District staff is developing amendments to Regulation 6: Particulate Matter, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5) to address emissions of particulate matter, including condensable particulate matter, from petroleum refinery fluidized catalytic cracking units. Petroleum refinery fluidized catalytic cracking units are some of the largest individual sources of particulate matter emissions in the San Francisco Bay Area, and further reductions of these emissions are needed to ensure progress towards attainment of state and national ambient air quality standards and to achieve further clean air and public health benefits.

Air District staff released draft amendments to Rule 6-5 and an Initial Staff Report in May 2020 for public review and comment. Air District staff also presented an update on the draft amendments to Rule 6-5 at a Board of Directors Stationary Source Committee meeting in June 2020. Staff provided further information on the draft amendments and more stringent potential control options at a Board of Directors Stationary Source Committee meeting in July 2020 and in October 2020 to discuss the potential impacts of the repurposing of two refineries and the impacts of the COVID-19 pandemic.

Following the release of the May 2020 draft amendments, staff has further evaluated other potential control options, including a more stringent potential control option, and presented preliminary information on this control option at the following Stationary Source Committee meetings. Staff released a workshop package with additional and updated information on these control options for public comment, and conducted a virtual public workshop to present, discuss, and receive comments on these potential control options in February 2021. Staff received a total of 69 written comments on the workshop package. Staff provided an update to the Board of Directors Stationary Source and Climate Impacts Committee in March 2021 to present feedback received and discuss the direction of the effort moving forward. Staff considered comments received on the workshop package, and published the proposed amendments reflecting the more stringent standard on March 30, 2021 in preparation for the Board of Directors consideration at a Public Hearing on June 2, 2021. For more information on this effort, please visit the Rule 6-5 webpage at <http://www.baaqmd.gov/reg6rule5>.

### Rule 8-5: Organic Liquid Storage Tanks (AB 617 Expedited BARCT Schedule):

Regulation 8: Organic Compounds, Rule 5: Storage of Organic Liquids (Rule 8-5) was selected as one of the six high-priority rule development projects in the AB 617 BARCT Schedule because stored organic liquids are estimated to emit over 400 tons of volatile organic compounds per year and emit toxic air contaminants, such as benzene, toluene, ethylbenzene, and xylene. Storage tank designs used for organic liquid storage vessels include fixed roof tank (vertical and horizontal), external floating roof tank, domed external (or covered) floating roof tank, internal floating roof tank, variable vapor space tank, and pressure tanks (low and high).

Staff is currently working to development amendments to Rule 8-5 that would further reduce emissions of organic compounds, including toxic emissions. Staff anticipates holding a public workshop to present these draft amendments in the second/third quarter of this year, discussing this effort at the Stationary Source and Climates Impact Committee in quarter three of 2021, and bringing this effort to the Board of Directors for their consideration by the end of 2021.

Rule 8-8: Rule Petroleum Wastewater Treating (AB 617 Expedited BARCT Schedule):

Regulation 8: Organic Compounds, Rule 8: Wastewater Collection and Separation Systems (Rule 8-8) was selected as one of the six high-priority rule development projects that would fully satisfy the Expedited BARCT Implementation Schedule requirement of AB 617 based on high emissions of volatile organic compounds per year, based on the Air District's emissions inventory. Air District staff conducted early stakeholder outreach on this rule development effort in meetings of the Refinery Rules Technical Working Group in 2020. Draft amendments to Rule 8-8 that correspond to the front end of the wastewater treatment system (collection and separation systems) are primarily administrative. The estimated annual volatile organic compound emissions reductions expected from this portion of the draft amendments to Rule 8-8 can potentially be quite small (about four tons/year).

Air District staff believes that the amendments pertaining only to the front-end emissions reductions to Rule 8-8 alone would not meet the "Necessity Standard" of the California Health and Safety Code (HSC § 40727 (b)(1)) since the estimated volatile organic compound emissions reduction is significantly lower than what was committed to in the BARCT Schedule. The secondary or back-end emissions and potential emission reductions are at this time poorly understood and need to be better characterized to determine if there is an actual need to amend Rule 8-8 as required under AB 617. Staff is currently focused on characterizing emissions from petroleum refinery wastewater treatment plants as part of the Air District's internal Organics Emission Estimation Project. The knowledge assessment phase of this process was completed in March 2021, and more in-depth stakeholder engagement is anticipated in early 2022. Staff is tentatively scheduled to present this rule to the Board of Directors in the fourth quarter of 2022.

Rule 8-18: Refinery Heavy Liquids Leaks (AB 617 Expedited BARCT Schedule):

This rule development project would address emissions of reactive organic gases (ROG) from petroleum refineries, chemical plants, bulk terminals and bulk plants, and other facilities that store, transport, and use organic liquids. Amendments to Regulation 8, Rule 18: Equipment Leaks (Rule 8-18) in December 2015 addressed equipment that service heavy liquids at these sources, but those amendments have not yet been fully implemented due to uncertainty regarding proper emissions factors for heavy liquid fugitive emissions. Air District staff coordinated with each of the five Bay Area refineries to conduct a Heavy Liquid Leak Study. These studies are designed to determine appropriate emission factors for heavy liquid leaks. The results of these studies are currently being finalized. Staff recommends using results of the Heavy Liquid Leak Study to amend Rule 8-18 and address the current issues with the 2015 amendments. Any recommended and implemented requirements to address reactive organic compound emissions from these sources are also anticipated to reduce toxic air contaminant (TAC) emissions. Once the results of the heavy liquids study are finalized, the results will be used to complete rulemaking for emissions of organics from

equipment that service heavy liquid. Staff anticipates updating the Stationary Source and Climate Impacts Committee in the fourth quarter of 2021 and presenting this effort at a Board Hearing in the first quarter of 2022.

Rule 9-13: Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing:

On November 18, 2020, a consent decree (CD) was entered into Federal Court between Lehigh Cement Company and US Environmental Protection Agency (EPA), the Air District, and other environmental jurisdictions throughout the United States. This consent decree compels Lehigh to implement modifications for enhanced control of oxides of nitrogen and sulfur dioxide emissions at several facilities including the kiln in Cupertino. The consent decree requires Lehigh to enter into a “test and set” procedure to establish the lowest achievable sulfur dioxide emission level for the Cupertino kiln. The “test and set” process may take between two and three years and includes time for preparation, submittal, and approval of a design and optimization plan, optimization report, and demonstration report, along with a period to design and install equipment and operational modifications, an optimization period, and a demonstration period. Review and approval periods for US EPA are not set and there may be extensions due to non-operation of the kiln, required permitting, or other reasons.

Staff will coordinate with Lehigh Cupertino to conduct a series of source tests during the demonstration period as proscribed in the consent decree to measure and characterize the back half (condensable fraction) particulate matter, along with oxides of nitrogen, sulfur dioxide, total organic compounds, and Ammonia (measurements for these emissions may be corroborated by continuous emissions monitoring systems). Staff will evaluate the effectiveness of the consent decree in reducing particulate matter emissions and will determine if additional rulemaking is needed to ensure adequate control of this pollutant.

Rule 9-14: Coke Calcining Operations (AB 617 Expedited BARCT Schedule):

This rule limits sulfur dioxide emissions from coke calcining kilns; of which there is only one in the Air District operated by Phillip 66. The amendments to Rule 9-14 would address oxide of nitrogen emissions from the coke calciner. However, Phillip 66 has announced that it will convert to a renewable fuels production operation. This announcement leaves in doubt the future of the coke calciner. There is one of three potential outcomes: 1) With the conversion of Phillip 66 to renewable fuels production, the refinery could shut down the operation of the coke calciner; 2) Phillip 66 could continue operation of the calciner by accepting green coke from another source; or 3) Phillip 66 could resume petroleum refining and continue operations of the coke calciner. Until one of the above outcomes is decided upon, the impacts of coke plant operation remain unknown. Staff will continue to track the status of the coke calciner and will be evaluating potential paths forward later this year.

## Regulation 2: Rule 5: Toxic New Source Review:

Staff is working with community stakeholders to develop regulatory concepts geared towards making the Air District's permitting processes more health protective, with a focus on overburdened communities. The next step in this process is to hold a virtual workshop in May 2021 to solicit feedback on early concepts staff is developing. Below are concepts staff has developed for potential amendments to Rule 2-5: New Source Review for Toxic Air Contaminants:

- (1) Make the allowable project risk limit in Rule 2-5 more stringent. Staff will evaluate how to make Rule 2-5 more health protective by reducing the allowable cancer risk and acute and chronic hazards.
- (2) Develop a metric to consider local disparities in air pollution and community health, if possible. In response to public comment received, staff is continuing to research potential methods to increase the health protectiveness and community sensitivity of the air toxics New Source Review process.
- (3) Update the health risk screening assessment (HRA) procedure for gasoline dispensing facilities (GDFs) that are subject to Rule 2-5. Revisions to the HRA procedure will make New Source Review for Toxic Air Contaminants more accurately reflect the risk projects at GDFs pose to nearby receptors.

Following receipt of feedback from the workshop process, staff will continue to engage community stakeholders and industry representative as we further evaluate and develop concepts to improve the permitting processes. Staff anticipates updating the Stationary Source and Climate Impacts Committee in the second quarter of 2021 and presenting this effort at a Board Hearing later this year.

## Particulate Matter Reduction Efforts:

The Air District's Advisory Council convened a conference series on undifferentiated particulate matter, with a focus on fine ( $PM_{<2.5}$ ) particulate matter. This series included presentations and discussions among nationally recognized scientists, health professionals, industry, community members, and the Air District, identifying the most effective measures to further protect public health. The symposia highlighted this public health challenge, as well as information and tools to inform future policy decisions. The first symposium took place on October 28, 2019 and covered topics on particulate matter health effects and particulate matter exposure and risk. In February 2020, staff also participated in a Particulate Matter Community Summit held in Richmond, California. The Summit was co-organized by representatives from 350 Bay Area, 350 Marin, All Positives Possible, California Climate Health Now, New Voices Are Rising, the Sunflower Alliance, and Vallejo Citizen Air Monitoring Network, and highlighted Air District's efforts to better assess the impacts of particulate matter, current rule development efforts to reduce particulate matter emissions and exposure, and policy concepts for further addressing particulate matter and reducing the public's exposure. Approximately 30 people attended, sharing a meal in addition to expressing their concerns regarding particulate matter, its sources, and its health effects. Staff also presented information to the Advisory Council during a technical policy discussion in May 2020.

At a joint meeting with the Air District Board of Directors in December 2020, the Advisory Council presented its Particulate Matter Reduction Strategy Report, which included findings, a framework for evaluation reduction strategies, and recommendations. Staff is currently investigating ways to further reduce particulate matter emissions that are consistent with the Air District's authority under that California Health and Safety Code, including potential measures to further reduce emissions and public exposure from particulate matter sources, such as restaurants and concrete batch plants.

#### Construction and Concrete Plants:

Construction sites and concrete batch plants have been identified by community advocates as sources of concern due to dust impacts and are included as measures in the West Oakland Community Emissions Reduction Plan. While both of these source types can often be located in overburdened communities and pose temporary particulate matter exposures, they are often overlooked because currently construction sites are not required to have notify the Air District of their operations and concrete batch plants may not have equipment that require an Air District permit.

Air District staff intends to further review and assess these sources to determine if additional regulation is needed because even short-term exposure to particulate matter can exacerbate respiratory illness and increase mortality rates. Potential options for further control include requiring construction projects to register with the Air District, so we can be aware of their presence and activities in various communities. We are also looking at ensuring that these activities have personnel that can monitor and be responsible for managing dust mitigation options, such as curtailing operations during high wind events or ensure trackout requirements of Rule 6-6 are complied with to minimize the generation of road dust. Staff anticipates updating the Stationary Source and Climate Impacts Committee in the fourth quarter of 2021.

#### Data Centers and Back-up Generators:

Air District staff is evaluating measures that could reduce diesel particulate matter from the use of back-up generators at new and existing data centers across the Region. Data centers are a growing source of diesel particulate matter and are often located in overburdened communities. While the backup engines are permitted, the emissions associated with their potential emergency use is not considered in the permitting process and there is no limit on emergency as long as this operation meets the emergency definition. Further, at existing data centers, these engines are often some of the higher polluting engines — tiers 0, 1, and 2. There are cleaner engines that could be used to reduce diesel particulate matter emissions and staff is considering requiring these cleaner engines at these facilities. Staff is looking at requiring lower emitting engines when permitting facilities that use multiple engines like data centers. Also, facilities like data centers are exempt from the Rule 11-18: Toxic Risk Reduction at Existing Facilities as long as there are no other sources of toxic emissions located at the facility. Revising that exemption might be a means to address the risk these facilities pose. Staff anticipates updating the Stationary Source and Climate Impacts Committee in the second quarter of 2021.

## Rules 13-2: Organic Material Handling, and 13-3: Composting Operations:

As part of its 75 percent by 2020 waste recycling goal and to reduce greenhouse gas emissions, California has mandated that organic waste be diverted from landfills. The increased volume of organic waste diverted from landfills is resulting in excess methane and volatile organic compound (VOC) emissions and significant odors from poorly managed composting operations, stockpiles, and other organic waste handling operations. It is anticipated that the waste diversion goals will nearly double the amount of organic waste processed in the Bay Area requiring 12 to 15 new facilities in addition to the 20 facilities currently permitted in the Air District.

In 2018, staff initiated rule development for this industrial sector. In 2018, staff published draft concept papers for sources within the organic recovery sector and in 2019, followed that up with workshops to provide draft regulatory language. In response to feedback from the regulated community, we modified our approach and scope, and then met again with specific industry groups in August 2019 to refine our focus. In January 2020, staff provided draft language in a Request for Comments, and received a clear message from the regulated community that we needed to further refine our approach.

Given this feedback, we suspended formal rule development process for both rules and developed plans to continue stakeholder engagement through the formation of an Organic Recovery Technical Working Group to establish a forum for collaboration with stakeholders on technical issues, such as best management practices, data gathering and monitoring methods, and potential emissions controls. The Working Group was formed in September 2020 to establish a forum for collaboration with stakeholders on technical issues, such as best management practices, data gathering and monitoring methods, and potential emissions controls. The Working Group was composed of Air District staff members, industrial sector representatives (e.g., organic material handling facilities and industrial composting operations), technical experts, and representatives from industry associations, non-governmental organizations, other governmental agencies (e.g., CalRecycle and local enforcement agencies), and community advocacy groups. The Working Group met in October and November 2020. Drawing from input provided in the forum, staff prepared draft guidance documents, which were shared with the working group in February 2021. Staff is currently reviewing comments submitted by external working group members, discussing proposed changes internally, and these will be reflected in revised guidance document drafts by the end of March 2021.

The next step will be to determine if rulemaking is needed to reduce emissions. Permitting will be required to create new or expand existing facilities in order to achieve waste diversion goals. The methods identified through the Working Group could be incorporated into these permits, thereby avoiding the need for rulemaking, and enabling more site-specific customized approaches while still achieving the anticipated emissions reductions.



### Rule 13-5: Refinery Hydrogen Producing Operations:

Hydrogen gas releases from petroleum refinery hydrogen plant operations and from naphtha reforming operations sometimes include methane and other organic gases. Currently, methane emissions are exempt from most Air District regulations because methane emissions do not contribute to ozone formation. As a result, the Air District has no regulatory basis for requiring facilities to control methane emissions from these operations. Now that the Air District is addressing methane emissions, a powerful climate pollutant, staff is developing a rule to control methane emissions from hydrogen plants, one of the largest industrial sources of methane in the Bay Area.

In developing this new rule — Rule 13-5: Refinery Hydrogen Producing Operations — staff held a public workshop in January 2020. Based on comments received on the draft rule and additional research, staff revised the draft rule significantly and in October 2020, staff posted a revised version of the rule on the Air District’s web page. One of the things that arose during staff analysis of this sector was that one of the abatement methods, a hydrogen flare, may emit oxides of nitrogen and volatile organic compounds in quantities that could potentially exceed that Air District’s California Environmental Quality Act (CEQA) threshold. Because of this, a thorough environmental analysis is needed to determine if a CEQA environmental impacts analysis would be required for this rule development effort. Staff intends to present a proposed rule for consideration by the Board of Directors in the second quarter of 2022 following completion of its evaluation of stakeholder feedback on the revised version of the draft rule.

### Rules 9-4 and 9-6: Residential Appliances:

Staff is assessing potential rule development efforts to further reduce oxides of nitrogen (NOx) emissions from residential appliances. These sources are addressed by Rules 9-4: Residential Furnaces and 9-6: Gas-Fired Water Heaters. The current rulemaking approach would be to match ultra-low oxides of nitrogen standards currently required by South Coast Air Quality Management District and San Joaquin Valley Unified Air Pollution Control District, as well as determining a path to regulation of natural gas installation for new construction. Staff is also considering introducing a zero or near-zero emission standard for oxides of nitrogen as that can be met by some equipment currently available on the market. Because conversion to these appliances may require changes to homes electrical service, staff is developing an equity analysis to ensure the cost impacts to consumers, especially low-income consumers, are fully understood and means to mitigate those impacts are explored and considered.

Staff presented to the Climate Protection Committee in November 2020 and received direction to move forward with rulemaking for both new and existing buildings and bring language to the board in 2021. The Board and the public emphasized the need for swift action in this space but also noted the importance of balancing complicating factors, such as equity and the availability of funding mechanisms for incentives and subsidies. Staff will update the Stationary Source and Climate Impacts Committee in April of this year and plans to present the equity analysis to the Community Equity, Health & Justice Committee later this year. Staff anticipates bringing this effort to the Board for their consideration in the second quarter of 2022.

Definition of Refinery:

Air District staff are looking to revise the definition of “refinery” in all Air District rules to ensure that the two refineries that are transitioning from the use of petroleum to renewable fuels remain subject to current Air District requirements. This effort is underway, and a proposal should be ready to be presented to the Board of Directors for consideration for adoption sometime in either the fourth quarter of this year or the first quarter of 2022.

**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: April 1, 2021

Re: Presentations on Selected Brown Act Topics and Best Practices for Conducting Public Meetings

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RECOMMENDED ACTION

None; information only.

BACKGROUND

As a local public agency, Air District meetings are governed by the Ralph M. Brown Act (Brown Act), California's open meetings law applicable to local public entities. (California Government Code sections 54950, et. seq.). In addition, the Air District's Administrative Code stipulates that in conducting its meetings, the Air District should follow Robert's Rules of Order as nearly as practical.

DISCUSSION

Staff will provide a presentation on selected topics regarding the Brown Act of interest to the Board of Directors and the public. In addition, Board of Directors Secretary John Bauters will provide a presentation on best practices in conducting public meetings.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Brian C. Bunger