



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
SPECIAL MEETING
NOVEMBER 17, 2021**

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
ASSEMBLY BILL 361**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY
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BOARD OF DIRECTORS SPECIAL MEETING AGENDA

WEDNESDAY
NOVEMBER 17, 2021
9:00 A.M.

Chairperson, Cindy Chavez

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

PLEDGE OF ALLEGIANCE

PUBLIC MEETING PROCEDURE

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

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

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

CONSENT CALENDAR (ITEMS 2-9)

2. Minutes of the Board of Directors Regular Meeting of November 3, 2021

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Regular Meeting of November 3, 2021.

3. Board Communications Received from November 3, 2021, through November 16, 2021

J. Broadbent/5052

jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from November 3, 2021, through November 16, 2021, if any, will be distributed to the Board Members by way of email.

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

J. Broadbent/5052

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.

5. Request that \$100,000 of the \$1 million in the Fiscal Year Ending (FYE) 2022 Budget, Designated to Fund a Wildfire Preparedness Program, be Reallocated to Fund Home Air Filtration Program Projects

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the reallocation of \$100,000 of \$1 million in the Fiscal Year Ending (FYE) 2022 Budget, designated to fund a Wildfire Preparedness Program, to fund Home Air Filtration Program funds.

6. Set a Public Hearing for December 15, 2021, to Consider Adoption of Proposed Amendments to Regulation 2, Rule 1: General Requirements (Rule 2-1) and Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants (Rule 2-5) and Adoption of a Negative Declaration Pursuant to the California Environmental Quality Act (CEQA)

J. Broadbent/5052
jbroadbent@baaqmd.gov

At the December 15, 2021, meeting, the Board of Directors will consider adoption of proposed amendments to Regulation 2, Rule 1: General Requirements (Rule 2-1) and Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants (Rule 2-5) and adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA).

7. Mobile Source and Climate Impacts Committee Meeting
CO-CHAIRS: D. Canepa and K. Rice

J. Broadbent/5052
jbroadbent@baaqmd.gov

- 7.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of October 28, 2021

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

- 7.2 Report of the Mobile Source and Climate Impacts Committee Meeting of October 28, 2021

The Committee recommends Board of Directors approval of the following:

- A) **ACTION REQUESTED:** Projects and Contracts with Proposed Grant Awards Over \$100,000
- 1) *Approve recommended projects with proposed grant awards over \$100,000;*
 - 2) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects; and*
 - 3) *Allocate an additional \$2 million for the electric vehicle (EV) infrastructure, Charge! program, for projects serving multi-unit dwellings in Assembly Bill (AB) 617 communities.*

B) ACTION REQUESTED: Proposed Updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2023

1) *Approve the proposed updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending (FYE) 2023.*

a. *Increase cost-effectiveness threshold in Policy #2 for Infrastructure Improvements for Trip Reduction;*

b. *Rename “Shuttle/Feeder Bus Service” to “First-and-Last-Mile Connections” for clarification that services aren’t limited to only shuttles or buses; and*

c. *Under the Alternative Fuel Heavy-Duty Trucks and Buses category, increase the percentage of project costs that are eligible for reimbursement for School Bus projects from 90% to 100%.*

C) ACTION REQUESTED: Clean Cars for All Contractor Selection

1) *Approve the selection of GRID Alternatives Bay Area (GRID) as Clean Cars for All (CCFA) program contractor;*

2) *Authorize the Executive Officer/APCO to execute contracts with GRID for the CCFA program for up to \$624,755 for a two-year term; and*

3) *Authorize the Executive Officer/APCO to extend these services and budget for an additional three years, at the Air District’s discretion, based on contractor performance.*

8. Community Equity, Health and Justice Committee Meeting

CO-CHAIRS: D. Hurt and T. Jue

J. Broadbent/5052

jbroadbent@baaqmd.gov

8.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of November 4, 2021

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

www.baaqmd.gov/bodagendas

8.2 Report of the Community Equity, Health and Justice Committee Meeting of November 4, 2021

ACTION REQUESTED: Slate of Recommended Candidates for the Community Advisory Council

Approve the proposed slate of fifteen candidates, and two additional youth candidates (Kevin Ruano Hernandez and Cecilia Mejia, for a total of 17 Community Advisory Council members.

9. Nominating Committee Meeting
CHAIR: C. Chavez

J. Broadbent/5052
jbroadbent@baaqmd.gov

- 9.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of November 17, 2021

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

- 9.2 Report of the Nominating Committee Meeting of November 17, 2021

- A) **ACTION REQUESTED:** Consideration and Nomination of Board Officers for the Term of Office Commencing 2022

1) *Recommend approval of Board Officers for:*

- *Chairperson;*
- *Vice Chairperson; and*
- *Secretary.*

END OF CONSENT CALENDAR

PRESENTATIONS

10. Environmental Justice Training Module: Structural Racism and Environmental Injustice
V. Eady/4646
veady@baaqmd.gov

The Board of Directors will participate in a continuation of the first Environmental Justice Training session focused on the historical connection between racial segregation and structural racism and current day environmental injustices in the Bay Area, and across our nation. Deldi Reyes, the Director of the Community Air Protection Program at the California Air Resources Board (CARB) will deliver a presentation that has been adapted from a full day staff-wide training being implemented at CARB.

11. Report Out on COP26 Climate Conference

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will receive a report out from staff and Board members who attended the recent 2021 United Nations (UN) Climate Change Conference, COP26 (Conference of the Parties) annual summit, which brings nearly every country together to accelerate action towards the goals of the Paris Agreement and the UN Framework Convention on Climate Change.

END OF PRESENTATIONS

PUBLIC COMMENT ON NON-AGENDA MATTERS

12. 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

13. *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

14. Report of the Executive Officer/APCO

15. Chairperson's Report

16. Time and Place of Next Meeting:

Wednesday, December 1, 2021, at 8:30 a.m., via webcast, pursuant to procedures in accordance with Government Code Section 54593.

17. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

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

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

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

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE:

MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

NOVEMBER 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source and Climate Impacts Committee	Monday	15	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Nominating Committee	Wednesday	17	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Special Meeting	Wednesday	17	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	17	11:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee - CANCELLED	Wednesday	17	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee – CANCELLED AND RESCHEDULED TO MONDAY, DECEMBER 6, 2021, AT 1:00PM	Thursday	25	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

DECEMBER 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	1	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Community Equity, Health and Justice Committee	Thursday	2	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee	Monday	6	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Technology Implementation Office Steering Committee	Thursday	9	1:00 p.m.	Webcast only pursuant to Assembly Bill 361

DECEMBER 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Meeting	Monday	13	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Special Meeting	Wednesday	15	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	15	11:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Wednesday	15	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee	Monday	20	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee – CANCELLED AND RESCHEDULED TO MONDAY, DECEMBER 6, 2021, AT 1:00PM	Thursday	23	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

JB – 11/4/2021 – 12:30 P.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: November 12, 2021

Re: Minutes of the Board of Directors Regular Meeting of November 3, 2021

RECOMMENDED ACTION

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

DISCUSSION

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

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Board of Directors Regular Meeting of November 3, 2021

AGENDA: 2A – ATTACHMENT

Draft Minutes - Board of Directors Regular Meeting of November 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, November 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

This meeting was conducted under procedures in accordance with Assembly Bill 361. Members of the Board of Directors participated by teleconference.

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Cindy Chavez, called the meeting to order at 9:30 a.m.

Roll Call:

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

Absent: Directors Lynda Hopkins, David Hudson, Rob Rennie.

CONSENT CALENDAR (ITEMS 2 – 14)

2. Continuation of Remote Teleconferencing per Assembly Bill (AB) 361 (Rivas)
3. Minutes of the Board of Directors Special Meeting of October 20, 2021
4. Board Communications Received from October 20, 2021, through November 2, 2021
5. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of September 2021
6. Authorization to Approve Grant Awards for Fiscal Years (FY) 2021/2022, James Cary Smith Community Grant Program
7. Authorization to Execute a Contract Amendment with Kearns & West, Inc.
8. Authorization to Execute a Contract Amendment with Van Dermeyden Makus Law Corporation
9. Authorization to Execute a Contract Amendment with West Oakland Environmental Indicators Project

- 10. Authorization to Execute Contracts with RBA Creative LLC and Beth Altshuler Munoz Consulting
- 11. Stationary Source and Climate Impacts Committee Meeting
 - 11.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of October 18, 2021
 - 11.2 Report of the Stationary Source and Climate Impacts Committee Meeting of October 18, 2021
- 12. Richmond Area Community Emissions Reduction Plan Steering Committee Meeting
 - 12.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of October 18, 2021
 - 12.2 Report of the Richmond Area Community Emissions Reduction Plan Steering Committee Meeting of October 18, 2021
- 13. Administration Committee Meeting
 - 13.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of October 20, 2021
 - 13.2 Report of the Administration Committee Meeting of October 20, 2021
- 14. Advisory Council Meeting
 - 14.1 **ACTION REQUESTED:** Receive Committee Chair Summary Report of October 25, 2021
 - 14.2 Report of the Advisory Council Meeting of October 25, 2021

The Board of Directors approved the following:

A) ACTION REQUESTED: Election of Officers

- 1) *Elect Drs. Linda Rudolph and Gina Solomon to serve as Co-Chairpersons and Professor Michael Kleinman to serve as Vice Chairperson.*

Public Comments

Public comments were given by David Moller; and Bruce Nagel, Sustainable Silicon Valley.

Board Comments

Director Ross requested copies of written public comments regarding the Air District’s proposed nitrogen oxide emissions limit within Regulation 9-4.

Board Action

Director Cutter made a motion, seconded by Director Wagenknecht, to **approve** the Consent Calendar Items 2 through 14, inclusive; and the motion **carried** by the following vote of the Board:

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

PUBLIC HEARING

15. Public Hearing to Consider Adoption of Proposed Amendments to Refinery Rules Definition

Damian Breen, Senior Deputy Executive Officer of Operations, introduced Chris Crowley, Principal Air Quality Specialist, who gave the staff presentation *Public Hearing to Consider Adoption of Proposed Amendments to Refinery Rules Definitions*, including: outcome; outline; requested action; background; issue and goals; proposed rule amendments; rule development process; no expected impacts; and final recommendations.

Chair Chavez opened the required public hearing to consider adoption of proposed amendments to refinery rules definitions.

Public Comments

Public comments were given by Andres Soto, Communities for a Better Environment (CBE); and Jed Holtzman, San Francisco resident.

NOTED PRESENT: Director Rice was noted present at 10:02 a.m.

Board Comments

The Board and staff discussed the desire to see Air District regulations that are currently applicable to petroleum refineries applied to the same facilities after operations are modified to produce products from alternative feedstocks (including those not derived from petroleum); and the desire for science-based definitions for terms such as “renewable” and “sustainable”.

Chair Chavez closed the Public Hearing.

Board Action

Secretary Bauters made a motion, seconded by Director Constantine, to **adopt** proposed amendments pertaining to the following Air District regulations:

Regulation	Rule (21 Affected)
Reg. 3: Fees	--
Reg. 6: Particulate Matter	6-5
Reg. 8: Organic Compounds	8-1, 8-5, 8-6, 8-7, 8-8, 8-9, 8-10, 8-18, 8-28, 8-33, 8-39, 8-44, 8-53
Reg. 9: Inorganic Compounds	9-1, 9-10
Reg. 11: Hazardous Pollutants	11-10
Reg. 12: Misc. Standards of Performance	12-11, 12-12, 12-15

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

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

PRESENTATION

16. Assembly Bill 617 Community Emissions Reduction Plan Recommendation for East Oakland

Veronica Eady, Senior Deputy Executive Officer of Policy & Equity, gave the staff presentation *Assembly Bill 617 Community Emissions Reduction Plan Recommendation for East Oakland*, including: outcome; outline; requested action; background on selection process; recommendation – East Oakland; preliminary East Oakland boundary; East Oakland air pollution; sources of air pollution; disparate health outcomes; community workshop highlights; community feedback; selection timeline; guest speakers; and feedback requested.

Following Ms. Eady’s presentation, Ernesto Arevalo of CBE and Marquita Price of East Oakland Collective were invited to share their desire to see East Oakland become the next Bay Area AB 617 community.

Public Comments

Public comments were given by Jessica Tovar, New Voices are Rising; Robin Freeman, Brower Dellums Institute for Sustainable Policy Studies; Jill Ratner, New Voices are Rising; Jed Holtzman, San Francisco resident; Ms. Margaret Gordon, West Oakland Environmental Indicators Project; Jan Warren, Interfaith Climate Action Network of Contra Costa County; Maria Dominquez, Alameda County Public Health Department; Jasmine Gonzalez, East Oakland resident; Gabrielle Sloane-Law, East Oakland resident; Margie Lewis, East Oakland resident; Adele Watts, East Oakland resident; Beth Teper; and Andres Soto, CBE.

Board Comments

The Board and staff discussed whether a section of the City of San Leandro, which borders the proposed area to be selected, may be included in this proposal; and the request for a status update of high-priority communities being considered as potential AB 617 communities.

Board Action

Director Miley made a motion, seconded by Director Cutter, to **approve** a recommendation to California Air Resources Board for the selection of East Oakland for an AB 617 Community Emissions Reduction Plan; and the motion **carried** by the following vote of the Board:

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

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public comments were given by Andres Soto, CBE; Kevin Buchan, Western States Petroleum Association; Jan Warren, Interfaith Climate Action Network of Contra Costa County; and Marquita Price, East Oakland Collective.

BOARD MEMBERS' COMMENTS

18. Board Members' Comments

None.

OTHER BUSINESS

19. Report of the Executive Officer/APCO

On behalf of Jack P. Broadbent, Executive Officer/APCO, Mr. Breen reported ozone and PM exceedances in the Bay Area to date, and announced that the Air District's Winter Spare the Air season began on November 1.

20. Chairperson's Report

Chair Chavez reported that there will be two Board meetings in both November and December 2021, so that the Board may complete its equity training.

21. Time and Place of Next Meeting

Wednesday, November 17, 2021, at 9:00 a.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361.

22. **Adjournment**

The meeting adjourned at 11:15 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: November 12, 2021

Re: Board Communications Received from November 3, 2021, through November 16,
2021

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from November 3, 2021, through November 16, 2021, if any, will be distributed to the Board Members by way of email.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor
Reviewed by: Vanessa Johnson

BAY AREA AIR QUALITY MANGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 10, 2021

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

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 October 2021. The monthly out-of-state business travel report is presented in the month following travel completion.

DISCUSSION

The following out-of-state business travel activities occurred in the month of October 2021:

- Jack P. Broadbent, Executive Officer/APCO, attended AWMA Conference, Bryce Canyon, UT, October 4th - 8th, 2021
- Jack P. Broadbent, Executive Officer/APCO, attended COP26, Glasgow, Scotland, UK, October 27th - November 6th, 2021
- Alan Abbs, Legislative Officer, attended legislator meetings, Washington D.C., October 19th - 21st, 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: November 12, 2021

Re: Request that \$100,000 of the \$1 million in the Fiscal Year Ending (FYE) 2022 Budget, Designated to Fund a Wildfire Preparedness Program, be Reallocated to Fund Home Air Filtration Program Projects

RECOMMENDED ACTIONS

Recommend the Board of Directors:

1. Request one-hundred thousand dollars (\$100,000) of the \$1 million in the Fiscal Year Ending (FYE) 2022 Budget, designated to fund a Wildfire Preparedness Program, be reallocated to fund Home Air Filtration Program projects; and
2. Authorize the Executive Officer/Air Pollution Control Officer (APCO) enter into or expand contracts or agreements to expend this funding.

BACKGROUND

On July 7, 2021, the Bay Area Air Quality Management District (Air District) Board of Directors (Board) authorized that \$1 million (\$1 M) from “Woodsmoke” in the Fiscal Year Ending (FYE) 2022 Budget be redesignated to fund a Wildfire Preparedness Program, and the Executive Officer/Air Pollution Control Officer (APCO) to enter into or expand contracts or agreements with Bay Area Counties and the Red Cross to expend this funding.

Following this redesignation, staff have been working to develop partnerships with the Offices of Emergency Services (OES), allocating up to \$100,000 to each of the nine Bay Area counties to deploy air filtration units during wildfires, for a total of \$900,000 towards this effort.

DISCUSSION

Staff are seeking authorization to reallocate the remaining \$100,000 from the \$1 M allocated for the Home Air Filtration Program (HAFP) to purchase air filtration units for projects that help low-income individuals who suffer from severe asthma. This reallocation will support projects in all nine Bay Area counties as part of the HAFP expansion previously presented to the Board on September 1, 2021, and September 15, 2021.

A critical aspect of the Air District's Wildfire Air Quality Response Program is the Clean Air Filtration Program (CAFP). The CAFP aims to provide access to high efficiency air filtration to those who are most vulnerable to wildfire smoke and air pollution. The various components of the CAFP are:

- *Home Air Filtration Program (HAFP)* - provides home air filtration units to individuals most vulnerable to wildfire smoke and air pollution, focusing on low-income individuals on Medi-Cal who have been diagnosed with severe asthma or other respiratory conditions.
- *Partnerships with County Offices of Emergency Services* - provides heavy-duty portable air filtration units to regional emergency management authorities in the Bay Area to help communities prepare for wildfire smoke episodes that have the potential to impact air quality for consecutive days. These units will be deployed to sheltering and evacuation centers and indoor congregate facilities such as schools, libraries, and community centers.
- *Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program (Assembly Bill 836)* - In collaboration with the California Air Resources Board, the Air District will be implementing a grant program to establish a network of clean air spaces across the Bay Area. The program will provide funding to retrofit air filtration and ventilation systems and purchase portable air cleaners or replacement air filters to improve indoor air in public buildings located in disadvantaged and smoke-burned communities and those used for the purposes of emergency evacuation and sheltering.
- *Pilot Program and Partnership with American Red Cross* - As part of a two-year pilot project, the Air District is providing the American Red Cross with portable air filtration units to deploy to evacuation centers and sheltering facilities during wildfire disasters that affect the Bay Area. The Red Cross coordinates with local county emergency management officials to open evacuation centers and sheltering facilities and is affiliated with a broad network of facilities across the Bay Area that may open as emergency shelters to serve communities.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Geraldina Grünbaum
Reviewed by: Tracy Lee

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: November 12, 2021

Re: Set a Public Hearing for December 15, 2021, to Consider Adoption of Proposed Amendments to Regulation 2, Rule 1: General Requirements (Rule 2-1) and Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants (Rule 2-5) and Adoption of a Negative Declaration Pursuant to the California Environmental Quality Act (CEQA)

RECOMMENDED ACTION

Set a Public Hearing for December 15, 2021, to consider adoption of proposed amendments to Regulation 2, Rule 1: General Requirements (Rule 2-1) and Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants (Rule 2-5) and adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA).

BACKGROUND

In 2018, the Air District committed to evaluating changes to its permitting process in response to concerns from community advocates about permits issued in areas overburdened by air pollution and other environmental and public health stressors. Since that time, staff met internally and with community stakeholders who expressed concern over the Agency's permitting process to develop potential concepts to amend the Air District's permitting regulation, Regulation 2: Permits.

Air District staff held two virtual public workshops on May 12, 2021, and August 24, 2021, to present and receive public feedback on concepts and draft changes to two rules within the Air District's Permitting Regulation. The two rules for which amendments are proposed include Regulation 2, Rule 1, which details the general permitting requirements (Rule 2-1) and Regulation 2, Rule 5, which details the requirements for New Source Review of Toxic Air Contaminants (Rule 2-5). Air District staff revised the proposed amendments to Rule 2-1 and Rule 2-5 based on feedback received during both virtual public workshops.

Additionally, staff presented updates on the rule development effort to the Air District Community Equity, Health and Justice Committee on July 1, 2021, and to the Stationary Source and Climate Impacts Committee on May 17, 2021, and September 27, 2021.

DISCUSSION

The proposed amendments fall into three broad categories. First, they will make health risk limits for new and modified projects more stringent if the project will be located in an Overburdened Community—a change that recognizes the fact that air quality, health burdens, and exposures to other environmental contaminants are concentrated in certain parts of the Bay Area—particularly in communities with the highest concentrations of Black and Brown residents. They will also require enhanced notification of nearby residents and businesses of proposed projects in Overburdened Communities to better inform the public of projects that are proposed in their communities. The proposed amendments would incorporate the findings of the California Communities Environmental Health Screening Tool (CalEnviroScreen) to identify Overburdened Communities. Second, the proposed amendments will update health risk evaluation procedures so that the Air District is using the most accurate and up to date information when it assesses health risk from proposed projects. Third, the proposed amendments will update and clarify internal processing procedures to ensure that the first two changes can be implemented effectively. The proposed amendments to Rules 2-1 and 2-5 are discussed further below.

Proposed Amendments to Rule 2-1: General Requirements

The proposed changes to Rule 2-1 include a new definition to identify areas that experience relatively high levels of cumulative impacts (areas that experience relatively high levels of environmental and health burdens). As mentioned above, areas that experience high levels of cumulative impacts are defined as Overburdened Communities in the proposed changes to Rule 2-1. Overburdened Communities are census tracts that score at or above the 70th percentile in CalEnviroScreen, Version 4.0, as well as areas that are within 1,000 feet of the boundaries of those census tracts. There are two additional significant proposed changes to Rule 2-1. First, the proposed changes expand the public notice requirement to require notification of nearby addresses if a project will require a health risk assessment because of toxic air contaminant (TAC) emissions and the project will be located within an Overburdened Community. Second, the proposed changes extend the Air District's permit application action times. The completeness review period will be increased from 15 working days (21 calendar days) to 30 calendar days. The final action period (from date of completeness to the date of the Air Pollution Control Officer's decision) is currently 35 working days (49 calendar days) for all permit applications, except those subject to California Environmental Quality Act (CEQA) review, major facility review, or public notice requirements. The Proposed Amendments replace this time period with two possible final action periods: 90 days, which will apply to most applications, and 180 days for more complex applications, unless the application is subject to CEQA review. Applications subject to CEQA review will continue to require approval of CEQA certification documents before the Air District may make a decision on the application. The Proposed Amendments will also increase the time period allowed for responding to public comments on applications from 30 days to 60 days.

Proposed Amendments to Rule 2-5: New Source Review of Toxic Air Contaminants

There are three major categories of proposed changes to the Air District's Air Toxics New Source Review Rule, Rule 2-5. First, the cancer risk limit in Rule 2-5 will be more stringent in Overburdened Communities, as defined in the proposed changes to Rule 2-1. In Overburdened Communities, the risk limit will be reduced from ten in one million to six in one million. Second, proposed revisions to the Air District's Health Risk Assessment Guidelines incorporate updates to the health risk assessment procedures for gasoline dispensing facilities, to be consistent with existing procedures used to evaluate health risk from other sources of toxic air contaminants. Third, the proposed changes update Table 2-5-1, the Toxic Air Contaminant Trigger Levels table, by adding and revising trigger levels based on new and revised health effects values developed and approved by the California Office of Environmental Health Hazard Assessment (OEHHA). In addition, proposed acute trigger levels are updated based on an acute target hazard index of 0.20 to make them consistent with the acute hazard indices used to implement the Air District's Rule 11-18. Previous acute trigger levels were based on a target hazard index of 1.0. In addition to the proposed changes discussed above, Air District staff is proposing several changes to Rule 2-5 that are intended to prevent circumvention of Rule 2-5's health risk requirements and to enable the Air District to more effectively manage staff resources.

The Air District evaluated the potential for the proposed amendments to have significant adverse environmental impacts as required by the California Environmental Quality Act (CEQA), Public Resources Code Section 21800 et seq. An analysis of the potential environmental impacts of the Proposed Amendments concluded that there is no substantial evidence suggesting that the Proposed Amendments will have any significant adverse environmental impacts. Accordingly, Air District staff prepared a proposed Negative Declaration under CEQA for consideration by the Board of Directors.

Air District staff released the proposed amendments to Rule 2-1 and Rule 2-5, Staff Report, public hearing notice, CEQA Initial Study and Notice of Intent to Adopt Negative Declaration on October 19, 2021, for public review and comment. The materials are available on the Air District's website at <https://www.baaqmd.gov/reg-2-permits>.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

Staff anticipates that the Proposed Amendments will require additional staff time and resources in a number of areas. Additional Air District Engineering Division resources will be necessary due to more extensive engineering and health risk assessment reviews for permit applications for projects located in overburdened communities due to the potential need to refine projects to meet the proposed lower cancer risk limit. Engineering and possibly Community Engagement Division resources will also be necessary to implement the additional public noticing requirements for projects located in overburdened communities. Additional Engineering Division resources will be required to incorporate the updated Health Risk Assessment Guidelines into the gasoline dispensing facility program and to handle the more extensive health risk assessments that will be required for gas stations. Adding additional toxic air contaminants and updating health effects values are expected to result in a small number of additional health risk assessments per year. Air District Engineering Division resources may also be required for the processing and evaluation of

permit applications for installations of new air pollution control equipment and abatement devices. And finally, Engineering Division resources will be needed to reduce overall application review times to ensure that the proposed review times are achieved for all permit applications. Overall, staff expects that eight (8) Engineering Division full-time equivalents (FTEs) will be needed to fully and properly implement the proposed amendments to Rule 2-1 and Rule 2-5.

Staff also anticipates additional staff resources will be necessary in the Air District Meteorology and Measurement Division. These resources will be needed to review monitoring and testing reports submitted, and to verify compliance with testing and monitoring procedures. Additional resources would be required to coordinate and conduct testing at the affected facilities. This may involve the procurement of additional equipment, instrumentation, and testing infrastructure, and ongoing costs for additional staffing to conduct testing. Staff will need at least three (3) FTEs for the Source Test group to properly implement the Proposed Amendments.

Furthermore, at least one (1) additional FTE will be necessary for the Air District's Compliance and Enforcement Division to oversee additional compliance activities associated with implementing the Proposed Amendments. Compliance and Enforcement Division resources may be required for review and documentation of any rule requirements that are not met and may also be required for assistance in the evaluation of permit applications for any air pollution control equipment installations.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mark Tang
Reviewed by: David Joe & Victor Douglas

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

(Co-Chairs: David Canepa; Katie Rice)

The Mobile Source and Climate Impacts Committee met on Thursday, October 28, 2021, and approved the minutes of September 23, 2021. This meeting was conducted under procedures authorized by Assembly Bill 361. Members of the Committee participated by teleconference.

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

1. Approve recommended projects with proposed grant awards over \$100,000;
2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects; and
3. Allocate an additional \$2 million for the electric vehicle infrastructure, *Charge!* program, for projects serving multi-unit dwellings in Assembly Bill 617 communities.

The Committee then reviewed and discussed the staff presentation *Proposed Updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2023*. The Committee recommends the Board:

[OVER]

1. Approve the proposed updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2023:
 - a. Increase cost-effectiveness threshold in Policy #2 for Infrastructure Improvements for Trip Reduction;
 - b. Rename “Shuttle/Feeder Bus Service” to “First-and-Last-Mile Connections” for clarification that services aren’t limited to only shuttles or buses; and
 - c. Under the Alternative Fuel Heavy-Duty Trucks and Buses category, increase the percentage of project costs that are eligible for reimbursement for School Bus projects from 90% to 100%.

The Committee then reviewed and discussed the staff presentation *Clean Cars for All Contractor Selection*. The Committee recommends the Board:

1. Approve the selection of GRID Alternatives Bay Area as Clean Cars for All program contractor;
2. Authorize the Executive Officer/Air Pollution Control Officer to execute contracts with GRID for the Clean Cars for All program for up to \$624,755 for a two-year term; and
3. Authorize the Executive Officer/APCO to extend these services and budget for an additional three years, at the Air District’s discretion, based on contractor performance.

Finally, the Committee reviewed and discussed the presentation *State of the Market and Preparing for the Future*, given by Dan Bowermaster, Senior Program Manager of Electric Transportation.

The next meeting of the Mobile Source and Climate Impacts Committee will be held on Thursday, December 6, 2021, at 9:30 a.m. via webcast, pursuant to procedures in accordance with Assembly Bill 361. I move that the Board approves the Committee's recommended actions. This concludes the Chair Report of the Mobile Source and Climate Impacts Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 12, 2021

Re: Report of the Mobile Source and Climate Impacts Committee Meeting of October 28,
2021

RECOMMENDED ACTIONS

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

- A) ACTION REQUESTED: Projects and Contracts with Proposed Grant Awards Over \$100,000;
 - 1) Approve recommended projects with proposed grant awards over \$100,000;
 - 2) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects; and
 - 3) Allocate an additional \$2 million for the electric vehicle (EV) infrastructure, *Charge!* program, for projects serving multi-unit dwellings in Assembly Bill (AB) 617 communities.
- B) ACTION REQUESTED: Proposed Updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2023;
 - 1) Approve the proposed updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending (FYE) 2023.
- C) ACTION REQUESTED: Clean Cars for All Contractor Selection; and
 - 1) Approve the selection of GRID Alternatives Bay Area (GRID) as Clean Cars for All (CCFA) program contractor;
 - 2) Authorize the Executive Officer/APCO to execute contracts with GRID for the CCFA program for up to \$624,755 for a two-year term; and

- 3) Authorize the Executive Officer/APCO to extend these services and budget for an additional three years, at the Air District's discretion, based on contractor performance.
- D) Electric Transportation, State of the Market, and Preparing for the Future
 - 1) None; receive and file.

BACKGROUND

The Committee met on Thursday, October 28, 2021, and received the following reports:

- A) Projects and Contracts with Proposed Grant Awards Over \$100,000;
- B) Proposed Updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2023;
- C) Clean Cars for All Contractor Selection; and
- D) Electric Transportation, State of the Market, and Preparing for the Future

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None. The Air District distributes the CMP, MSIF, CHP Program, FARMER, and TFCA funding to project sponsors on a reimbursement basis. Funding for administrative costs is provided by each funding source.
- B) None. The recommended policy updates have no impact on the Air District's budget.
- C) None. Funds to administer the CCFA program are included in the total program allocations from the various sources. The contract will include a provision that would allow the Air District, at its sole discretion, the option to extend the contract term and budget for up to three additional years, based on contractor performance.
- D) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor
Reviewed by: Vanessa Johnson

Attachment 7.2A: 10/28/2021 – Mobile Source and Climate Impacts Committee Meeting Agenda
#3

Attachment 7.2B: 10/28/2021 – Mobile Source and Climate Impacts Committee Meeting Agenda
#4

Attachment 7.2C: 10/28/2021 – Mobile Source and Climate Impacts Committee Meeting Agenda
#5

Attachment 7.2D: 10/28/2021 – Mobile Source and Climate Impacts Committee Meeting Agenda
#6

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: October 21, 2021

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

RECOMMENDED ACTIONS

Recommend the Board of Directors:

1. Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1;
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects; and
3. Allocate an additional \$2 million for the electric vehicle (EV) infrastructure, *Charge!* program, for projects serving multi-unit dwellings in Assembly Bill (AB) 617 communities.

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 ending (FYE) 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.

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 January 20, 2021, the Board of Directors (Board) authorized the Air District's participation in Year 23 of the CMP and authorized the Executive Officer/APCO to execute grant agreements and amendments for projects funded with CMP funds or MSIF revenues with individual grant award amounts up to \$100,000.

In 2017, AB 617 directed the CARB, in conjunction with local air districts to establish the Community Air Protection Program (CAPP). AB 617 provides a new community-focused action framework to improve air quality and reduce exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. AB 617 includes a variety of strategies to address air quality issues in impacted communities, including community-level monitoring, uniform emission reporting across the State, stronger regulation of pollution sources, and incentives for reducing air pollution and public health impacts from mobile and stationary sources. Funding for incentives to support AB 617 communities was approved by the California Legislature beginning in 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. CAPP funds are primarily distributed through the Air District's Community Health Protection (CHP) 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 outline requirements for eligible equipment, i.e., agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations. On October 21, 2019, CARB's Executive Officer approved an update to the FARMER Program Guidelines to include eligibility criteria for demonstration projects. The 2020 California State Budget appropriated \$65 million in Fiscal Year 2019-20 GGRF funds to the CARB for the continued reduction of criteria, toxic, and greenhouse gas emissions from the agricultural sector through the FARMER Program. On November 20, 2019, the Board authorized the Air District's participation in the current cycle of the FARMER program.

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority and requirements for the Transportation Fund for Clean Air (TFCA) are set forth in the HSC Sections 44241 and 44242. Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air program) and to a program referred to as the Regional Fund. Each year, the Board allocates funding and adopts policies and evaluation criteria that govern the expenditure of TFCA monies. The remaining forty percent of TFCA funds are passed through to the designated County Program Manager in each of

the nine counties within the Air District's jurisdiction that in turn award TFCA funds to eligible projects within their communities.

On April 7, 2021, the Board authorized funding allocations for use of the sixty percent of the TFCA revenue in FYE 2022, cost-effectiveness limits for Air District-sponsored FYE 2022 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 16, 2021, the Board adopted policies and evaluation criteria for the FYE 2022 Regional Fund program.

Projects with grant award amounts over \$100,000 are brought to the Mobile Source and Climate Impacts Committee for consideration at least on a quarterly basis. Staff reviews and evaluates grant applications based upon the respective governing policies and guidelines established by the CARB, the Board, and other funding agencies/entities. Along with recommendations for projects and grant awards over \$100,000, staff also updates the Committee on the status of incentive funding for the current fiscal year, including total funding awarded, incentive fund balance available for award, funds allocated by county and by equipment category type, and percentages of funding benefitting impacted and low-income communities. The reported emissions reduction benefits to counties and impacted communities are based on information provided by each applicant.

DISCUSSION

Carl Moyer Program and Community Health Protection Grant Program:

For the FYE 2022 the Air District had approximately \$46 million available in CMP, MSIF, CHP Program, and FARMER funds for eligible projects, including prior year funds. This total may change as additional revenue are awarded to the Air District. The Air District accepts project applications on a rolling basis and evaluates them on a first-come, first-served basis.

As of September 28, 2021, the Air District has awarded or evaluated 43 project applications. Of the new applications that were evaluated between August 24, and September 28, 2021, four eligible projects have proposed grant awards over \$100,000. One marine project will replace two engines with cleaner diesel engines on a charter fishing vessel. Two off-road agricultural projects and one off-road industrial project will replace two diesel-powered agricultural tractors, a diesel-powered agricultural wheel loader, and a diesel-powered excavator with cleaner diesel equipment. These projects will reduce over 2.9 tons of NO_x, ROG, and PM per year. Staff recommends the allocation of \$840,300 for these projects from a combination of CMP, FARMER, CHP, 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, 2021, and August 24, 2021, and includes information about equipment category, award amounts, estimated emissions reductions, county location, and whether the project benefits Air District designated Community Air Risk Evaluation (CARE) areas or disadvantaged (Senate Bill (SB) 535) and/or low-income (AB 1550) communities. To date, approximately 88% of the funds¹ have been awarded or allocated to low-income residents or to projects that reduce emissions CARE areas, disadvantaged SB 535, and/or low-income AB 1550 communities. This percentage will change over time as the remaining funds are awarded later in the fiscal year and as more complete information about the location of projects and program participants becomes available.

Transportation Fund for Clean Air Program:

For the FYE 2022, the Air District had approximately \$29.39 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. There were no projects evaluated between August 24, 2021, and September 28, 2021, with proposed grant awards over \$100,000.

Attachment 3, Table 1, lists all eligible TFCA projects that have been evaluated and awarded between July 1, 2021, and September 28, 2021, including information about the project category, award amount, estimated emissions reduction, county location, and whether the project benefits Air District designated CARE areas or disadvantaged SB 535 and/or low-income AB 1550 communities. To date, approximately 84% of the funds¹ have been awarded or allocated to low-income residents or to projects that reduce emissions in CARE, disadvantaged SB 535, and/or low-income AB 1550 communities. The percentage of projects in these communities 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.

Proposed Allocation for the *Charge!* Program:

On April 7, 2021, the Board of Directors approved an allocation of \$5 million of TFCA FYE 2022 funds for the *Charge!* program. Currently, the Air District has a number of funding sources that can provide support to the *Charge!* program. As those funding sources have different expenditure deadlines, it is advantageous to remain flexible in terms of which funding source is used to pay for a given project. This allows staff to achieve the maximum benefit for our communities by ensuring that available funds are managed efficiently to maximize equipment deployment.

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

Therefore, staff's recommendation seeks to additionally allocate up to \$2 million from MSIF for the Charge program with the flexibility to backfill those monies with CMP, MSIF, CHP, or TFCA revenues as projects close out. The solicitation for this program is currently being developed and is planned to open later this year. Projects from this solicitation are expected to be evaluated in spring of 2022 and recommendations for up to \$7 million in awards brought to the Board for approval in mid-2022.

This recommendation seeks to build on the results of a pilot initiative in the prior-year *Charge!* program that awarded more than \$225,000 for 49 EV chargers at 12 multi-unit dwelling locations. Deploying electric vehicle charging stations at multi-unit dwellings and in AB 617 communities remains challenging due to the lower penetration of EV adoption at these locations and in these communities. The continuation of this program will help encourage more deployment of charging stations in AB 617 communities and support greater adoption of electric vehicles in the Bay Area. The proposed funding of EV chargers at multi-unit dwellings will also align with the recent Air District partnership with Stop Waste who will use their experience with the Bay Area Multi-family Building Enhancements initiative to increase awareness and installation of EV charging at Bay Area multi-unit dwellings. Stop Waste will provide technical assistance for multi-unit dwelling owners and managers to evaluate locations, increase EV charging installations, and assist with the grant application process. Staff will continue to seek opportunities to engage market-rate and affordable housing locations, particularly in AB 617 communities, and will simultaneously advertise EV incentives (e.g., Clean Cars for All) to residents living in these multi-family dwellings. Finally, staff will be looking for opportunities to bring in external funding to further support EV charging in multi-unit dwellings.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Air District distributes the CMP, MSIF, CHP Program, FARMER, 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: Linda Hui, Ken Mak, and Chad White

Reviewed by: Minda Berbeco, Alona Davis, Chengfeng 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 8/24/21 and 9/28/21

Attachment 3: TFCA Projects Awarded and Allocated Projects between 8/24/21 and 9/28/21

Attachment 4: Summary of Funding Awarded and Allocated between 8/24/21 and 9/28/21

MOBILE SOURCE AND
IMPACTS COMMITTEE
MEETING OF 10/28/2021

AGENDA 3 - ATTACHMENT 1

Table 1 - Carl Moyer Program, Mobile Source Incentive Fund, FARMER, Community Health Protection Program, and Transportation Fund for Clean Air projects with grant awards greater than \$100k (Evaluated between 8/24/21 and 9/28/21)

Project #	Applicant Name	Project Category	Project Description	Proposed Contract Award	Total Project Cost	Emission Reductions (tons per year)			County
						NO _x	ROG	PM	
22MOY170	Argent Materials INC	Off-Road	Replace one Tier-1 diesel-powered excavator with one Tier-4 final diesel-powered excavator.	\$ 106,000	\$ 385,875	0.814	0.041	0.021	Alameda
22MOY196	A.C. Fishing Charters, Inc. dba Tigerfish Sportfishing	Marine	Replace two Tier-2 diesel marine engines with two Tier-3 diesel marine engines on a charter fishing vessel.	\$ 256,000	\$ 320,151	0.576	0.000	0.031	Alameda/Contra Costa/Marin/San Francisco
22MOY167	Ielmorini Dairy	Off-Road/Ag	Replace one Tier-0 diesel-powered tractor and one Tier-1 diesel-powered tractor with two Tier-4 final diesel-powered tractors.	\$ 285,700	\$ 357,196	0.871	0.107	0.052	Sonoma
22MOY209	Global Mushrooms LLC.	Off-Road/Ag	Replace one Tier-3 diesel-powered ag wheel loader with one Tier-4 final diesel-powered ag wheel loader	\$ 192,600	\$ 240,790	0.362	0.049	0.029	Santa Clara
TBD	BAAQMD	LD Infrastructure	Charge! Program*	\$ 2,000,000	TBD*	TBD*	TBD**	TBD*	TBD*
5 Projects				\$ 2,840,300	\$ 1,304,012	2.623	0.198	0.132	

* Funding may come from Carl Moyer Program, Mobile Source Incentive Fund, Community Health Protection Program, and/or Transportation Fund for Clean Air

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

AGENDA 3 - ATTACHMENT 2

*CMP/MSIF, FARMER and Community Health Protection Grant Program projects
(awarded and allocated between 7/1/21 and 9/28/21)*

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22SBP71	School Bus	Equipment replacement + Infrastructure	12	\$ 3,775,186.00	Petaluma City Schools	0.932	0.071	0.005	7/7/2021	No	Yes	Sonoma
22MOY138	Ag/ off-road	Equipment replacement	3	\$ 525,300.00	Dave Soiland	2.035	0.165	0.097	7/7/2021	No	No	Sonoma
22SBP84	School Bus	Equipment replacement + Infrastructure	4	\$ 803,786.00	Rincon Valley Union School District	0.228	0.015	0.003	7/7/2021	No	Yes	Sonoma
22MOY149	Ag/ off-road	Equipment replacement	1	\$ 170,500.00	Renati Dairy	0.522	0.068	0.048	7/7/2021	No	No	Sonoma
22MOY127	Ag/ off-road	Equipment replacement	2	\$ 107,100.00	Napa Select Vineyard Services, Inc.	0.187	0.012	0.011	7/7/2021	No	No	Napa
22MOY142	Ag/ off-road	Equipment replacement	2	\$ 105,500.00	Cobb Creek Holdings, LLC DBA CCH Ag Services	0.205	0.034	0.021	7/7/2021	No	No	Napa
22MOY135	Marine	Engine replacement	1	\$ 154,000.00	William E. Smith	1.831	0.018	0.069	7/7/2021	No	NO	San Mateo
22SBP105	School Bus	Equipment replacement + Infrastructure	4	\$ 1,731,969.00	Fremont Unified School District	0.414	0.036	0.018	7/7/2021	No	Yes	Alameda
22MOY169	Ag/ off-road	Equipment replacement	2	\$ 132,260.00	Kenzo Estate, Inc.	0.223	0.020	0.015	7/7/2021	No	No	Napa
22SBP40	School Bus	Equipment replacement + Infrastructure	5	\$ 889,832.00	Franklin-McKinley School District	0.250	0.015	0.003	7/7/2021	Yes	Yes	Santa Clara
22MOY158	Marine	Engine replacement	1	\$ 174,000.00	Laurence J Collins	0.790	0.018	0.028	7/7/2021	No	No	San Francisco
2102-16395	LD Infrastructure	Charge!		\$ 21,000.00	The Millennium Tower Association	0.007	0.004	0.000	7/7/2021	Yes	No	San Francisco
2103-17230	LD Infrastructure	Charge!		\$ 64,000.00	REEF Energy CA Operations LLC	0.098	0.058	0.002	7/7/2021	Yes	Yes	San Francisco
2103-17359	LD Infrastructure	Charge!		\$ 48,000.00	The Shores at Marina Bay Community Association	0.005	0.003	0.000	7/7/2021	Yes	Yes	Contra Costa
2103-17527	LD Infrastructure	Charge!		\$ 24,000.00	EVmatch, Inc.	0.003	0.002	0.000	7/7/2021	Yes	Yes	Alameda
2103-17603	LD Infrastructure	Charge!		\$ 32,000.00	Bollinger Crest Apartment Investors, LP	0.011	0.006	0.000	7/7/2021	No	No	Alameda
2103-17638	LD Infrastructure	Charge!		\$ 48,000.00	Interie, Incorporated	0.017	0.010	0.000	7/7/2021	Yes	Yes	San Francisco
22MOY130	On-road	Equipment replacement	1	\$ 25,000.00	Min Jian Huang (jianhuang)	0.841	0.070	0.000	APCO	Yes	Yes	Alameda
22MOY151	Ag/ off-road	Equipment replacement	2	\$ 86,000.00	Hardin Vineyard Management LLC	0.257	0.055	0.023	APCO	No	No	Napa
22MOY124	On-road	Equipment replacement	1	\$ 25,000.00	Kulwant Khera (kskhera)	0.773	0.065	0.000	APCO	Yes	Yes	Alameda
22MOY78	Ag/ off-road	Equipment replacement	1	\$ 36,000.00	Cortina Vineyard Management	0.047	0.011	0.008	APCO	Yes	Yes	Napa
22MOY143	Ag/ off-road	Equipment replacement	1	\$ 120,800.00	Kabeela Inc.	0.304	0.022	0.015	TBD	No	Yes	Santa Clara
22MOY131	On-road	Equipment replacement	1	\$ 25,000.00	Karanbir Singh (karanbirsg)	0.820	0.690	0.000	APCO	No	No	Contra Costa

AGENDA 3 - ATTACHMENT 2
CMP/MSIF, FARMER and Community Health Protection Grant Program projects
(awarded and allocated between 7/1/21 and 9/28/21)

Project #	Project Category	Project Type	Number of Engines	Proposed Contract Award	Applicant Name	Emission Reductions (tons per year)			Board Approval Date	CARE Area	AB1550/SB535 Area	County
						NOx	ROG	PM				
22MOY166	Ag/ off-road	Equipment replacement	2	\$ 96,400.00	Stone Bridge Cellars Inc.	0.166	0.009	0.009	APCO	No	No	Napa
22MOY174	On-road	Equipment replacement	1	\$ 25,000.00	Can Yuan Chen (canchen)	1.008	0.085	0.000	APCO	Yes	Yes	Alameda
22MOY92	Ag/ off-road	Equipment replacement	1	\$ 29,550.00	Paul P. Bianchi, Inc	0.025	0.023	0.007	APCO	No	No	Sonoma
22SBP52	School Bus	Equipment replacement	3	\$ 435,306.00	Pittsburg Unified School District	0.290	0.022	0.000	TBD	Yes	Yes	Contra Costa
22MOY185	Ag/ off-road	Equipment replacement	1	\$ 67,100.00	Domenico J. Carinalli, Jr.	0.156	0.010	0.009	APCO	No	No	Sonoma
22MOY99	Ag/ off-road	Equipment replacement	1	\$ 41,100.00	Daylight Vineyard Management, Inc.	0.062	0.005	0.007	APCO	No	No	Sonoma
22MOY179	Marine	Engine replacement	1	\$ 72,000.00	Kyle Dryer dba Diamond Sportfishing	0.705	0.009	0.028	APCO	Yes	No	Alameda/Contra Costa/San Francisco
22MOY183	Marine	Engine Replacement	2	\$ 172,500.00	Joseph Mantua	0.661	0.028	0.028	TBD	No	No	Marin/San Maeto/San Francisco/Sonoma
22MOY140	Marine	Engine Replacement	1	\$ 72,000.00	Mike Carpenter	0.249	0.008	0.010	APCO	No	No	Marin/San Francisco/Sonoma
22MOY22	Ag/ off-road	Equipment replacement	2	\$ 57,100.00	Joseph Pinheiro	0.047	0.018	0.010	APCO	No	No	Sonoma
22MOY159	Marine	Engine replacement	4	\$ 3,529,000.00	Baydelta Navigation LTD	30.665	2.726	1.021	TBD	Yes	Yes	San Francisco, Alameda, Contra Costa, Marin, Solano
22MOY160	Marine	Engine replacement	4	\$ 3,529,000.00	Baydelta Navigation LTD	30.665	2.726	1.021	TBD	Yes	Yes	San Francisco, Alameda, Contra Costa, Marin, Solano
21SBP98*	School Bus	Equipment replacement + Infrastructure	--	\$ 242,828	Palo Alto Unified School District	--	--	--	TBD	Yes	Yes	Santa Clara
22SBP14**	School Bus	Equipment replacement + Infrastructure	--	\$ 95,327	Milpitas Unified School District	--	--	--	TBD	Yes	Yes	Santa Clara
22MOY128	On-road	Equipment replacement	1	\$ 15,000.00	Aman Khan	0.420	0.035	0.000	APCO	Yes	Yes	Alameda
22MOY187	Ag/ off-road	Equipment replacement	1	\$ 30,100.00	Dierke's Enterprises	0.017	0.015	0.004	APCO	No	No	Sonoma
22MOY190	Ag/ off-road	Equipment replacement	2	\$ 91,170.00	Anderson's Conn Valley Winery, Inc.	0.108	0.034	0.015	APCO	No	No	Napa
22MOY170	Off-road	Equipment replacement	1	\$ 106,000.00	Argent Materials INC	0.814	0.041	0.021	TBD	Yes	Yes	Alameda
22MOY209	Ag/ off-road	Equipment replacement	1	\$ 192,600.00	Global Mushrooms LLC.	0.362	0.049	0.030	TBD	No	Yes	Santa Clara
22MOY167	Ag/ off-road	Equipment replacement	2	\$ 285,700.00	Ielmorini Moody Dairy	0.871	0.107	0.052	TBD	No	Yes	Sonoma
22MOY196	Marine	Engine replacement	2	\$ 256,000.00	A.C. Fishing Charters Inc., dba Tigerfish Sportfishing	0.576	0.000	0.031	TBD	Yes	No	Alameda/Contra Costa/Marin/San Francisco
TBD	LD Infrastructure	Charge! [§]	--	\$ 2,000,000.00	BAAQMD	TBD [†]	TBD [†]	TBD [†]	TBD	TBD [†]	TBD [†]	Regional
44 Projects			77	\$ 20,565,014		78.7	7.4	2.7				

*This project was previously awarded \$513,500.00 of TFCA funds and \$323,778.00 of CMP/MSIF/CHP funds on 3/4/20. The proposed increase of \$242,828 in CMP/MSIF/CHP funds will allow for DC fast-charging infrastructure to be included as part of this project.

**This project was previously awarded \$204,598.00 of TFCA funds and \$622,556.00 of CMP/MSIF/CHP funds on 4/7/21. The proposed increase of \$95,327 in CMP/MSIF/CHP funds will allow for DC fast-charging infrastructure to be included as part of this project.

[§] Funding may come from either the CMP/MSIF/CHP or TFCA.

[†] Funds have been allocated to these programs and project results will be determined at the end of project period.

AGENDA 3 - ATTACHMENT 3

Table 1 - TFCA projects awarded and allocated (between 7/1/21 and 9/28/21)

Project #	Project Category	Project Description	Award Amount	Applicant Name	Emission Reductions (tons per year)			Board/ APCO Approval Date	CARE Area	AB1550 / SB535 Area	County
					NO _x	ROG	PM				
2101-15735	LD Infrastructure	Install and operate 38 DC Fast chargers at 6 transportation corridor facilities in San Francisco, South San Francisco, Millbrae, Menlo Park, and San Jose.	\$ 950,000	EVgo Services LLC	0.350	0.207	0.008	7/7/21	Yes	No	Multi-County
2103-17065	LD Infrastructure	Install and operate 5 Level 2 (high) dual port chargers at 1 transit parking facility in Napa.	\$ 20,000	Napa Valley Transportation Authority	0.014	0.008	0.000	7/7/21	No	No	Napa
2103-17315	LD Infrastructure	Install and operate 135 Level 2 (high) single port chargers and 123 DC fast chargers at 40 destination, transportation corridor, and transit parking facilities in Vallejo, San Jose, Kenwood, Fairfield, Vacaville, Mountain View, and Santa Clara.	\$ 2,999,000	EV Charging Solutions, Inc.	1.446	0.853	0.035	7/7/21	Yes	Yes	Multi-County
2103-17345	LD Infrastructure	Install and operate 2 DC Fast and 2 dual port Level 2 (high) chargers at 2 destination facilities in San Ramon.	\$ 44,000	City of San Ramon	0.024	0.014	0.001	7/7/21	Yes	No	Alameda
2103-17497	LD Infrastructure	Install and operate 17 DC Fast chargers at 1 transportation corridor facility in Oakland.	\$ 425,000	East Bay Community Energy Authority	0.157	0.093	0.004	7/7/21	Yes	Yes	Alameda
2103-17499	LD Infrastructure	Install and operate 8 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility in Alameda.	\$ 64,000	Alameda Multifamily Owner LLC	0.023	0.013	0.001	7/7/21	Yes	No	Alameda
2103-17520	LD Infrastructure	Install and operate 5 Level 2 (high) dual port and 2 Level 2 (high) single port chargers at 2 destination facilities in Dublin.	\$ 26,000	City of Dublin	0.019	0.011	0.000	7/7/21	No	No	Alameda
2103-17524	LD Infrastructure	Install and operate 110 Level 2 (high) single port chargers with solar and 24 Level 2 (high) single port chargers at 3 workplace and 1 destination facilities in Solano.	\$ 406,000	County of Solano	0.309	0.182	0.007	7/7/21	Yes	Yes	Solano
2103-17554	LD Infrastructure	Install and operate 2 Level 2 (high) dual port chargers with solar at 1 workplace facility in Richmond.	\$ 12,000	West County Wastewater District	0.006	0.003	0.000	7/7/21	Yes	Yes	Contra Costa
2103-17625	LD Infrastructure	Install and operate 11 Level 2 (high) dual port chargers at 1 multi-unit dwelling facility in Brentwood.	\$ 44,000	Silvergate Brentwood, LLC	0.037	0.022	0.001	7/7/21	No	No	Contra Costa
21R05	LD Infrastructure	FYE 21 Charge! Program	\$ 10,000	BAAQMD	TBD*	TBD*	TBD*	7/7/21	TBD*	TBD*	Regional
22R02	LD Vehicles	Vehicle Buy Back Program	\$ 200,000	BAAQMD	N/A**	N/A**	N/A**	6/16/21	N/A	N/A	Regional
21RSB03	School Bus	Match funding for Project #22SBP71 for the replacement of 12 diesel school buses with 12 electric school buses.	\$ 1,153,346	BAAQMD	N/A**	N/A**	N/A**	7/7/21	No	Yes	Sonoma
21RSB04	School Bus	Match funding for Project #22SBP84 for the replacement of 3 diesel school buses & 1 CNG school bus with 4 electric school buses.	\$ 892,045	BAAQMD	N/A**	N/A**	N/A**	7/7/21	No	Yes	Sonoma
21RSB05	School Bus	Match funding for Project #22SBP40 for the replacement of 5 diesel special needs school buses with 5 electric special needs school buses.	\$ 1,232,175	BAAQMD	N/A**	N/A**	N/A**	7/7/21	Yes	Yes	Santa Clara
21R12	Trip Reduction	Pleasanton Connector Shuttles	\$ 80,000	San Joaquin Regional Rail Commission	N/A ‡	N/A ‡	N/A ‡	6/22/21	No	No	Alameda
22R01	Trip Reduction	Enhanced Mobile Source & Commuter Benefits Enforcement	\$ 150,000	BAAQMD	TBD*	TBD*	TBD*	6/16/21	N/A	N/A	Regional
22R03	Trip Reduction	Spare The Air/Intermittent Control/Flex Your Commute Programs	\$ 2,290,000	BAAQMD	TBD*	TBD*	TBD*	6/16/21	N/A	N/A	Regional
Total	18 Projects		\$10,997,566		2.384	1.408	0.057				

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

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

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

AGENDA 3 - ATTACHMENT 4

Summary of funding awarded and allocated from the following revenue sources between 7/1/21 and 9/28/21

- Carl Moyer Program (CMP)
- Community Health Protection Program (CHP)
- Mobile Source Incentive Fund (MSIF)
- Transportation Fund for Clean Air (TFCA)
- Funding Agricultural Replacement Measures for Emission Reductions (FARMER)

Figure 1. Status of FYE 2022 funding by source

includes funds awarded, recommended for award, and available

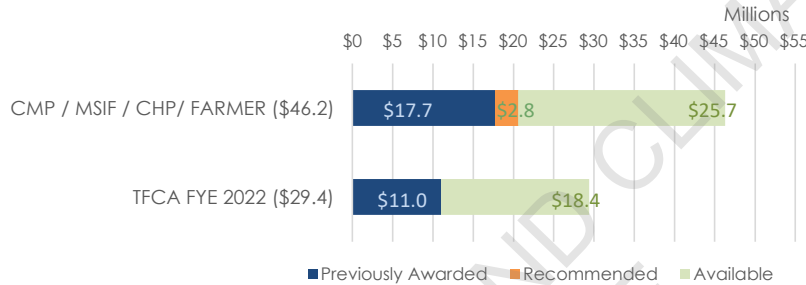


Figure 2. Funding awarded and allocated in FYE 2022 by county

includes funds awarded & recommended for award

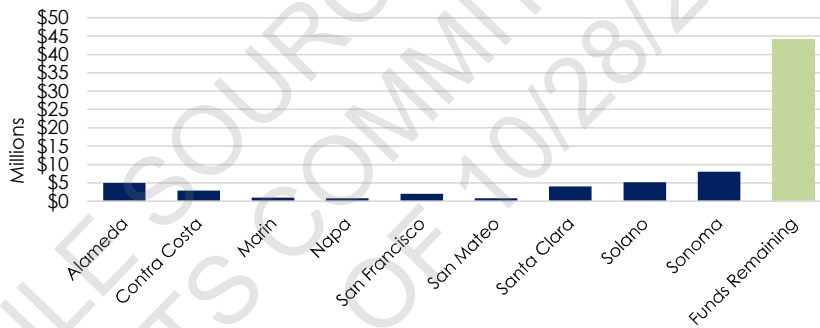
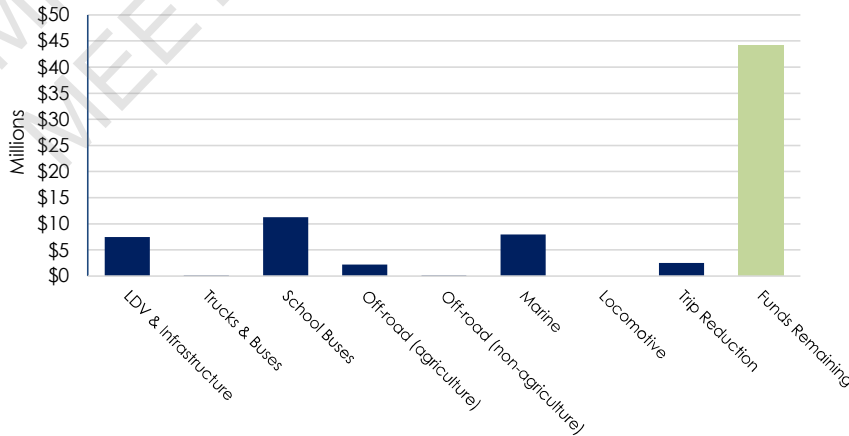


Figure 3. Funding awarded and allocated in FYE 2022 by project category

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: October 21, 2021

Re: Proposed Updates to the Transportation Fund for Clean Air County Program Manager
Fund Policies for Fiscal Year Ending 2023

RECOMMENDED ACTION

Recommend the Board of Directors approve the proposed updates to the Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending (FYE) 2023.

BACKGROUND

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 within the Air District's jurisdiction to fund projects that reduce on-road motor vehicle emissions. This surcharge is used to fund eligible projects through the Air District's 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 (HSC) Sections 44241 and 44242.

Forty percent of TFCA revenue is passed through to the County Program Manager (CPM) Fund, based on each county's proportionate share of vehicle registration fees paid, and are awarded by the nine designated CPMs. Each year the Air District Board of Directors adopts proposed updates to the TFCA CPM Fund Policies to maximize emissions reductions and public health benefits.

DISCUSSION

The annual update to the policies is a highly collaborative process that began early this year. This process involved Air District staff developing a draft that reflected recent updates made to the TFCA Regional Fund Policies and comments received during the past year from the CPMs. On June 28, 2021, Air District staff issued a draft to the CPMs for comment. The CPMs also distributed the policies for feedback from project sponsors within their respective jurisdictions. The Air District held two meetings, on July 12 and September 17, 2021, with CPM representatives to discuss the proposed policy updates, and followed up with the CPMs on specific questions and issues related to the proposed updates. Written comments were submitted by three of the nine CPMs.

In addition to minor text revisions to provide clarification on existing policies, the following is a high-level summary of key proposed updates to the TFCA CPM Policies for FYE 2023:

- Increased cost-effectiveness (C/E) threshold in policy #2 for Infrastructure Improvements for Trip Reduction;
- Renamed “Shuttle/Feeder Bus Service” to “First- and Last-Mile Connections” for clarification that services aren’t limited to only shuttles or buses; and
- Under the Alternative Fuel Heavy-Duty Trucks and Buses category, increased the percentage of project costs that are eligible for reimbursement for School Bus projects from 90% to 100%

The proposed updates to the CPM Policies for FYE 2023 are shown in Attachment 4A and a redlined version in Attachment 4B. Attachment 4C shows the written comments received and the responses from staff.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The recommended policy updates have no impact on the Air District’s budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Hannah Cha
Reviewed by: Karen Schkolnick, Minda Berbeco, Linda Hui and Ken Mak

- Attachment 4A: Proposed TFCA CPM Fund Policies for FYE 2023 (clean version)
Attachment 4B: Proposed TFCA CPM Fund Policies for FYE 2023 (redlined version of Board-approved TFCA CPM Fund Policies for FYE 2022)
Attachment 4C: Comments Received from CPMs on the Draft Proposed Updates to TFCA CPM Fund Policies for FYE 2023 and Air District Staff’s Responses

PROPOSED UPDATES TO THE TFCA COUNTY PROGRAM MANAGER FUND POLICIES FOR FYE 2023

The following Policies apply to the Bay Area Air Quality Management District's (Air District) Transportation Fund for Clean Air (TFCA) County Program Manager Fund for fiscal year ending (FYE) 2023.

BASIC ELIGIBILITY

1. **Reduction of Emissions:** Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA County Program Manager Fund Policies.

Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, ordinances, contracts, and other legally binding obligations at the time of the execution of a grant agreement between the County Program Manager and the grantee. Projects must also achieve surplus emission reductions at the time of an amendment to a grant agreement if the amendment modifies the project scope or extends the project completion deadline.

2. **TFCA Cost-Effectiveness:** Projects must not exceed the maximum cost-effectiveness (C-E) limit specified in Table 1. Cost-effectiveness (\$/weighted ton) is the ratio of TFCA funds awarded to the sum of surplus emissions reduced, during a project's operational period, of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted PM10 (particulate matter 10 microns in diameter and smaller). All TFCA-generated funds (e.g., reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route), each component must achieve this cost-effectiveness requirement.

County Program Manager administrative costs are excluded from the calculation of a project's TFCA cost-effectiveness.

Table 1: Maximum Cost-Effectiveness for TFCA County Program Manager Fund Projects

Policy No.	Project Category	Maximum C-E (\$/weighted ton)
22	Alternative Fuel Light- and Medium-Duty Vehicles	500,000
23	Reserved	Reserved
24	Alternative Fuel Heavy-Duty Trucks and Buses	500,000
25	On-Road Truck Replacements	90,000
26	Alternative Fuel Infrastructure	500,000
27	Ridesharing Projects – Existing	150,000

Agenda #4, Attachment A
Proposed TFCA County Program Manager Fund Policies for FYE 2023 (clean version)

28	First- and Last-Mile Connections – Existing	200,000; 250,000 for services in CARE Areas or PDAs
29.a.	First- and Last-Mile Connections – Pilot projects not in CARE Areas or PDAs. <i>These projects will be evaluated every year.</i>	Year 1 - 500,000 Year 2 and beyond - see Policy #28 service is considered existing
	First- and Last-Mile Connections – <i>Pilot shuttle projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive TFCA Funds under the Pilot designation. These projects will be evaluated every year.</i>	Years 1 & 2 - 500,000 Year 3 and beyond - see Policy #28 service is considered existing
29.b.	Pilot Trip Reduction	500,000
30.a.	Bicycle Parking	250,000
30.b.	Bikeways	500,000
31	Bike Share	500,000
32	Arterial Management	250,000
33	Infrastructure Improvements for Trip Reduction	500,000
34	Telecommuting	150,000

3. **Eligible Projects and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board-adopted policies, and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.
4. **Consistent with Existing Plans and Programs:** All projects must comply with the Transportation Control and Mobile Source Control Measures included in the Air District's most recently approved strategies for achieving and maintaining State and national ozone standards ([2017 Clean Air Plan](#)), those plans and programs established pursuant to HSC sections 40233, 40717, and 40919; and, when specified, other adopted federal, State, regional, and local plans and programs.
5. **Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District (Policies #8-10).
 - a. **Public agencies** are eligible to apply for all project categories.
 - b. **Non-public entities** are eligible to apply for only new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).

Agenda #4, Attachment A
Proposed TFCA County Program Manager Fund Policies for FYE 2023 (clean version)

6. **Readiness:** Projects must commence by the end of calendar year 2023 or within 24 months from the date of execution of the funding agreement with the subgrantee. For purposes of this policy, “commence” means a tangible preparatory action taken in connection with the project’s operation or implementation, for which the grantee can provide documentation of the commencement date and action performed. “Commence” includes, but is not limited to, the issuance of a purchase order to secure project vehicles and equipment, commencement of first- and last-mile connections and ridesharing service, or the delivery of the award letter for a construction contract.
7. **Maximum Two Years Operating Costs for Service-Based Projects:** Unless otherwise specified in policies #22 through #33, TFCA County Program Manager Funds may be used to support up to two years of operating costs for service-based projects (e.g., ridesharing, first- and last-mile connections service). Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Grantees who have failed either the financial statement audit or the compliance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for three (3) years from the date of the Air District’s final audit determination in accordance with HSC section 44242 or for a duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed financial statement audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed compliance audit means an uncorrected audit finding that confirms a program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

A failed financial statement or compliance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed:** Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District’s award of County Program Manager Funds. County Program Managers may incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) only after the Funding Agreement with the Air District has been executed.
10. **Maintain Appropriate Insurance:** Both the County Program Manager and each grantee must obtain and maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.

INELIGIBLE PROJECTS

11. **Duplication:** Projects that have previously received any TFCA funds, e.g., TFCA Regional Funds or County Program Manager Funds, and that do not propose to achieve additional emission reductions are not eligible.
12. **Planning Activities:** The costs of preparing or conducting feasibility studies are not eligible. Planning activities are not eligible unless they are directly related to the implementation of a specific project or program.

Agenda #4, Attachment A
Proposed TFCA County Program Manager Fund Policies for FYE 2023 (clean version)

13. **Reserved.**

14. **Cost of Developing Proposals and Grant Applications:** The costs to prepare proposals and/or grant applications are not eligible.

USE OF TFCA FUNDS

15. **Combined Funds:** TFCA County Program Manager Funds may not be combined with TFCA Regional Funds to fund a County Program Manager Fund project. Projects that are funded by the TFCA County Program Manager Fund are not eligible for additional funding from other funding sources that claim emissions reduction credits. However, County Program Manager-funded projects may be combined with funds that do not require emissions reductions for funding eligibility.

16. **Administrative Costs:** The County Program Manager may not expend more than 6.25 percent of its County Program Manager Funds for its administrative costs. The County Program Manager's costs to prepare and execute its Funding Agreement with the Air District are eligible administrative costs. Interest earned on County Program Manager Funds shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the Funding Agreement, and must be reported to the Air District.

17. **Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year, unless a County Program Manager has made the determination based on an application for funding that the eligible project will take longer than two years to implement. Additionally, a County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project.

18. **Unallocated Funds:** Pursuant to HSC 44241(f), any County Program Manager Funds that are not allocated to a project within six months of the Air District Board of Directors approval of the County Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make reasonable effort to award these funds to eligible projects in the Air District within the same county from which the funds originated.

19. Reserved.

20. Reserved.

21. Reserved.

ELIGIBLE PROJECT CATEGORIES

Clean Air Vehicle Projects

22. Alternative Fuel Light- and Medium-Duty Vehicles:

These projects are intended to accelerate the deployment of zero- and partial-zero emissions motorcycles, cars, and light-duty vehicles. All of the following conditions must be met for a project to be eligible for TFCA funds:

- a. Vehicles must have a gross vehicle weight rating (GVWR) of 8,500 lbs. or lower;
- b. Vehicles may be purchased or leased;

Agenda #4, Attachment A
Proposed TFCA County Program Manager Fund Policies for FYE 2023 (clean version)

- c. Eligible vehicle types include plug-in hybrid-electric, plug-in electric, fuel cell vehicles, and neighborhood electric vehicles (NEV) as defined in the California Vehicle Code. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas, and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 90% of the project's eligible cost; the sum of TFCA funds awarded with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;
- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and
- g. Projects that seek to scrap and replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

23. Reserved.

24. Alternative Fuel Heavy-Duty Trucks and Buses:

These projects are intended to accelerate the deployment of qualifying alternative fuel vehicles that operate within the Air District's jurisdiction by encouraging the replacement of older, compliant trucks and buses with the cleanest available technology. If replacing heavy-duty vehicles and buses with light-duty vehicles, light-duty vehicles must meet Policy #22. All of the following conditions must be met for a project to be eligible for TFCA Funds:

- a. Each vehicle must be new and have a GVWR greater than 8,500 lbs.;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types include plug-in hybrid, plug-in electric, and fuel cell vehicles. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 100% of the project's eligible cost for School Buses and 90% of the project's eligible cost for all other vehicle types; the sum of TFCA funds awarded combined with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;
- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and
- g. Projects that seek to scrap and replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

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25. **On-Road Truck Replacements:** These projects will replace Class 6, Class 7, and Class 8 diesel-powered trucks that have a gross vehicle weight rating (GVWR) of 19,501 lbs. or greater (per vehicle weight classification definition used by Federal Highway Administration (FHWA) with new or used trucks that have an engine certified to the 2010 CARB emissions standards or cleaner. The existing truck(s) to be replaced must be registered with the California Department of Motor Vehicles (DMV) to an address within the Air District's jurisdiction and must be scrapped after replacement.
26. **Alternative Fuel Infrastructure:** These projects are intended to accelerate the adoption of zero-emissions vehicles through the deployment of alternative fuel infrastructure, i.e., electric vehicle charging sites, hydrogen fueling stations.

Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites. This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. TFCA funds may be used to cover the cost of equipment and installation. TFCA funds may also be used to upgrade infrastructure projects previously funded with TFCA funds as long as the equipment was maintained and has exceeded the duration of its useful life after being placed into service.

Equipment and infrastructure must be designed, installed, and maintained as required by the existing recognized codes and standards and as approved by the local/state authority.

TFCA funds may not be used to pay for fuel, electricity, operation, and maintenance costs.

Trip Reduction Projects

27. **Existing Ridesharing Services:** The project provides carpool, vanpool, or other rideshare services. Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category. Projects that provide a direct or indirect financial transit or rideshare subsidy *exclusively* to employees of the grantee are not eligible.
28. **Existing First- and Last-Mile Connections:**
- The project reduces single-occupancy vehicle trips by providing short-distance connections between mass transit and commercial hubs or employment centers. All the following conditions must be met for a project to be eligible for TFCA funds:
- a. The service must provide direct connections between stations (e.g., rail stations, ferry stations, Bus Rapid Transit (BRT) stations, or airports) and a distinct commercial or employment location.
 - b. The service's schedule, which is not limited to commute hours, must be coordinated to have a timely connection with corresponding mass transit service.
 - c. The service must be available for use by all members of the public.
 - d. TFCA funds may be used to fund only shuttle services to locations that are under-served and lack other comparable service. For the purposes of this policy, "comparable service" means that there exists, either currently or within the last three years, a direct, timed, and publicly accessible service that brings passengers to within one-third (1/3) mile of the proposed commercial or employment location from a mass transit hub. A proposed service will not be deemed "comparable" to an existing service if the passengers'

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proposed travel time will be at least 15 minutes shorter and at least 33% shorter than the existing service's travel time to the proposed destination.

- e. Reserved.
- f. Grantees must be either: (1) a public transit agency or transit district that directly operates the service; or (2) a city, county, or any other public agency.
- g. Applicants must submit a letter of concurrence from all transit districts or transit agencies that provide service in the area of the proposed route, certifying that the service does not conflict with existing service.
- h. Each route must meet the cost-effectiveness requirement in Policy #2. Projects that would operate in Highly Impacted Communities or Episodic Areas as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in Priority Development Areas (PDAs), may qualify for funding at a higher cost-effectiveness limit (see Policy #2).

29. Pilot Projects:

a. Pilot First- and Last-Mile Connections:

The project provides new first- and last-mile connections service that is at least 70% unique and operates where no other service was provided within the past three years. In addition to meeting the conditions listed in Policy #28 for First- and Last-Mile Connections, project applicants must also comply with the following application criteria and agree to comply with the project implementation requirements:

- i. Demonstrate the project will reduce single-occupancy vehicle trips and result in a reduction in emissions of criteria pollutants.
- ii. Provide data and/or other evidence demonstrating the public's need for the service, such as a demand assessment survey and letters of support from potential users.
- iii. Provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation after the pilot period.
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
- v. Projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive a maximum of two years of TFCA County Program Manager Funds under the Pilot designation. For these projects, the project applicants understand and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
 - 1. During the first year and by the end of the second year of operation, projects must not exceed a cost-effectiveness of \$500,000/ton

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2. Projects entering a third year of operation and beyond are subject to all of the requirements, including cost-effectiveness limit, of Policy #28 (existing First- and Last-Mile Connections).
- vi. Projects located outside of CARE areas and PDAs may receive a maximum of two years of TFCA County Program Manager Funds under this designation. For these projects, the project applicant understands and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
 1. By the end of the first year of operation, projects shall meet a cost-effectiveness of \$500,000/ton, and
 2. By the end of the second year of operation, projects shall meet all of the requirements, including cost-effectiveness limit, of Policy #28 (existing First- and Last-Mile Connections).

b. Pilot Trip Reduction:

The project reduces single-occupancy commute vehicle trips by encouraging mode-shift to other forms of shared transportation. Pilot projects are defined as projects that serve an area where no similar service was available within the past three years, or that will result in significantly expanded service to an existing area. Funding is designed to provide the necessary initial capital to a public agency for the start-up of a pilot project so that by the end of the third year of the trip reduction project's operation, the project will be financially self-sustaining or require minimal public funds, such as grants, to maintain its operation.

- i. Applicants must demonstrate the project will reduce single-occupancy commute vehicle trips and result in a reduction in emissions of criteria pollutants;
- ii. The proposed service must be available for use by all members of the public;
- iii. Applicants must provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation by the end of the third year;
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
- v. Applicants must provide data and any other evidence demonstrating the public's need for the service, such as a demand assessment survey and letters of support from potential users;
- vi. Pilot trip reduction projects that propose to provide ridesharing service projects must comply with all applicable requirements in policy #27.

30. Bicycle Projects:

These projects expand public access to bicycle facilities. New bicycle facility projects or upgrades to an existing bicycle facility that are included in an adopted countywide bicycle plan, Congestion Management Program (CMP), countywide transportation plan (CTP), city plan, or the Metropolitan Transportation Commission's (MTC) Regional Bicycle Plan and/or Regional Active Transportation Plan are eligible to receive TFCA funds. Projects that are included in an adopted city general plan or

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area-specific plan must specify that the purpose of the bicycle facility is to reduce motor vehicle emissions or traffic congestion.

a. Bicycle Parking:

The project expands the public's access to new bicycle parking facilities (e.g., electronic bicycle lockers, bicycle racks), which must be publicly accessible and available for use by all members of the public. Eligible projects are limited to the purchase and installation of the following types of bike parking facilities that result in motor vehicle emission reductions:

- i. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- ii. Electronic bicycle lockers; and
- iii. Capital costs for attended bicycle storage facilities.

b. Bikeways:

The project constructs and/or installs bikeways for the purpose of reducing motor vehicle emissions or traffic congestion. Bikeways for exclusively recreational use are ineligible. Projects are limited to the following types of bikeways:

- i. Class I Bikeway (bike path), new or upgrade improvement from Class II or Class III bikeway;
- ii. New Class II Bikeway (bike lane);
- iii. New Class III Bikeway (bike route); and
- iv. Class IV Bikeway (separated bikeway), new or upgrade improvement from Class II or Class III bikeway.

All bikeway projects must, where applicable, be consistent with design standards published in the California Highway Design Manual or conform to the provisions of the Protected Bikeway Act of 2014. Projects must have completed all applicable environmental reviews and either have been deemed exempt by the lead agency or have been issued the applicable negative declaration or environmental impact report or statement.

31. Bike Share:

Projects that make bicycles available to individuals for shared use for completing first- and last-mile trips in conjunction with regional transit and stand-alone short distance trips are eligible for TFCA funds, subject to all the following conditions:

- a. Projects must either increase the fleet size of existing service areas or expand existing service areas to include new Bay Area communities.
- b. Projects must have a completed and approved environmental plan and a suitability study demonstrating the viability of bicycle sharing.
- c. Projects must have shared membership and/or be interoperable with the Bay Area Bike Share (BABS) project when they are placed into service, in order to streamline transit for end users by reducing the number of separate operators that would comprise bike trips.

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Projects that meet one or more of the following conditions are exempt from this requirement:

- i. Projects that do not require membership or any fees for use;
- ii. Projects that were provided funding under MTC's Bike Share Capital Program to start a new or expand an existing bike share program; or
- iii. Projects that attempted to coordinate with, but were refused by, the current BABS operator to have shared membership or be interoperable with BABS. Applicants must provide documentation showing proof of refusal.

TFCA funds may be awarded to pay for up to five years of operations, including the purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets.

32. Arterial Management:

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funds. Incident management projects on arterials are eligible to receive TFCA funds. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. Signal timing projects are eligible to receive TFCA funds. Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

33. Infrastructure Improvements for Trip Reduction:

The project expands the public's access to alternative transportation modes through the design and construction of physical improvements that support development projects that achieve motor vehicle emission reductions.

- a. The development project and the physical improvement must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan.
- b. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funds.
- c. The project must have a completed and approved environmental plan. If a project is exempt from preparing an environmental plan as determined by the public agency or lead agency, then that project has met this requirement.

34. Telecommuting: Implementation of demonstration projects in telecommuting. No funds expended under this policy shall be used for the purchase of personal computing equipment for an individual's home use.

**PROPOSED UPDATES TO THE
TFCA COUNTY PROGRAM MANAGER FUND POLICIES FOR FYE ~~2022~~2023**

The following Policies apply to the Bay Area Air Quality Management District’s (Air District) Transportation Fund for Clean Air (TFCA) County Program Manager Fund for fiscal year ending (FYE) ~~2022~~2023.

BASIC ELIGIBILITY

- Reduction of Emissions:** Only projects that result in the reduction of motor vehicle emissions within the Air District’s jurisdiction are eligible.

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA County Program Manager Fund Policies.

Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, ordinances, contracts, and other legally binding obligations at the time of the execution of a grant agreement between the County Program Manager and the grantee. Projects must also achieve surplus emission reductions at the time of an amendment to a grant agreement if the amendment modifies the project scope or extends the project completion deadline.

- TFCA Cost-Effectiveness:** Projects must not exceed the maximum cost-effectiveness (C-E) limit specified in Table 1. Cost-effectiveness (\$/weighted ton) is the ratio of TFCA funds awarded to the sum of surplus emissions reduced, during a project’s operational period, of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted PM10 (particulate matter 10 microns in diameter and smaller). All TFCA-generated funds (e.g., reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route), each component must achieve this cost-effectiveness requirement.

County Program Manager administrative costs are excluded from the calculation of a project’s TFCA cost-effectiveness.

Table 1: Maximum Cost-Effectiveness for TFCA County Program Manager Fund Projects

Policy No.	Project Category	Maximum C-E (\$/weighted ton)
22	Alternative Fuel Light- and Medium-Duty Vehicles	500,000
23	Reserved	Reserved
24	Alternative Fuel Heavy-Duty Trucks and Buses	500,000
25	On-Road Truck Replacements	90,000
26	Alternative Fuel Infrastructure	500,000
27	Ridesharing Projects – Existing	150,000

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28	Shuttle/Feeder Bus Service <u>First- and Last-Mile Connections</u> – Existing	200,000; 250,000 for services in CARE Areas or PDAs
29.a.	<u>First- and Last-Mile Connections</u> Shuttle/Feeder Bus Service – Pilot shuttle projects not in CARE Areas or PDAs. <i>These projects will be evaluated every year.</i>	Year 1 - 500,000 Year 2 and beyond - see Policy #28 service <u>huttle</u> is considered existing
	<u>First- and Last-Mile Connections</u> Shuttle/Feeder Bus Service – <i>Pilot shuttle projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive TFCA Funds under the Pilot designation. These projects will be evaluated every year.</i>	Years 1 & 2 - 500,000 Year 3 and beyond - see Policy #28 service <u>huttle</u> is considered existing
29.b.	Pilot Trip Reduction	500,000
30.a.	Bicycle Parking	250,000
30.b.	Bikeways	500,000
31	Bike Share	500,000
32	Arterial Management	250,000
33	Infrastructure Improvements for Trip Reduction	2500,000
34	Telecommuting	150,000

3. **Eligible Projects and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board-adopted policies, and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.
4. **Consistent with Existing Plans and Programs:** All projects must comply with the Transportation Control and Mobile Source Control Measures included in the Air District's most recently approved strategies for achieving and maintaining State and national ozone standards ([2017 Clean Air Plan](#)), those plans and programs established pursuant to HSC sections 40233, 40717, and 40919; and, when specified, other adopted federal, State, regional, and local plans and programs.
5. **Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District (Policies #8-10).
 - a. **Public agencies** are eligible to apply for all project categories.
 - b. **Non-public entities** are eligible to apply for only new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).

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6. **Readiness:** Projects must commence by the end of calendar year ~~2022~~ 2023 or within 24 months from the date of execution of the funding agreement with the subgrantee. For purposes of this policy, “commence” means a tangible preparatory action taken in connection with the project’s operation or implementation, for which the grantee can provide documentation of the commencement date and action performed. “Commence” includes, but is not limited to, the issuance of a purchase order to secure project vehicles and equipment, commencement of first- and last-mile connections ~~shuttle/feeder bus~~ and ridesharing service, or the delivery of the award letter for a construction contract.
7. **Maximum Two Years Operating Costs for Service-Based Projects:** Unless otherwise specified in policies #22 through #33, TFCA County Program Manager Funds may be used to support up to two years of operating costs for service-based projects (e.g., ridesharing, ~~shuttle and feeder bus~~ first- and last-mile connections service). Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Grantees who have failed either the financial statement audit or the compliance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for three (3) years from the date of the Air District’s final audit determination in accordance with HSC section 44242 or for a duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed financial statement audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed compliance audit means an uncorrected audit finding that confirms a program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

A failed financial statement or compliance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed:** Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District’s award of County Program Manager Funds. County Program Managers may incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) only after the Funding Agreement with the Air District has been executed.
10. **Maintain Appropriate Insurance:** Both the County Program Manager and each grantee must obtain and maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.

INELIGIBLE PROJECTS

11. **Duplication:** Projects that have previously received any TFCA funds, e.g., TFCA Regional Funds or County Program Manager Funds, and that do not propose to achieve additional emission reductions are not eligible.

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12. **Planning Activities:** The costs of preparing or conducting feasibility studies are not eligible. Planning activities are not eligible unless they are directly related to the implementation of a specific project or program.
13. **Reserved.**
14. **Cost of Developing Proposals and Grant Applications:** The costs to prepare proposals and/or grant applications are not eligible.

USE OF TFCA FUNDS

15. **Combined Funds:** TFCA County Program Manager Funds may not be combined with TFCA Regional Funds to fund a County Program Manager Fund project. Projects that are funded by the TFCA County Program Manager Fund are not eligible for additional funding from other funding sources that claim emissions reduction credits. However, County Program Manager-funded projects may be combined with funds that do not require emissions reductions for funding eligibility.
16. **Administrative Costs:** The County Program Manager may not expend more than 6.25 percent of its County Program Manager Funds for its administrative costs. The County Program Manager's costs to prepare and execute its Funding Agreement with the Air District are eligible administrative costs. Interest earned on County Program Manager Funds shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the Funding Agreement, and must be reported to the Air District.
17. **Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year, unless a County Program Manager has made the determination based on an application for funding that the eligible project will take longer than two years to implement. Additionally, a County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, ~~and the Funding Agreement is amended to reflect the revised schedule.~~
18. **Unallocated Funds:** Pursuant to HSC 44241(f), any County Program Manager Funds that are not allocated to a project within six months of the Air District Board of Directors approval of the County Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make reasonable effort to award these funds to eligible projects in the Air District within the same county from which the funds originated.

19. Reserved.
20. Reserved.
21. Reserved.

ELIGIBLE PROJECT CATEGORIES

Clean Air Vehicle Projects

22. **Alternative Fuel Light- and Medium-Duty Vehicles:**

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These projects are intended to accelerate the deployment of zero- and partial-zero emissions motorcycles, cars, and light-duty vehicles. All of the following conditions must be met for a project to be eligible for TFCA funds:

- a. Vehicles must have a gross vehicle weight rating (GVWR) of 8,500 lbs. or lower;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types include plug-in hybrid-electric, plug-in electric, fuel cell vehicles, and neighborhood electric vehicles (NEV) as defined in the California Vehicle Code. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas, and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 90% of the project's eligible cost; the sum of TFCA funds awarded with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;
- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and
- g. Projects that seek to scrap and replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

23. Reserved.

24. Alternative Fuel Heavy-Duty Trucks and Buses:

These projects are intended to accelerate the deployment of qualifying alternative fuel vehicles that operate within the Air District's jurisdiction by encouraging the replacement of older, compliant trucks and buses with the cleanest available technology. If replacing heavy-duty vehicles and buses with light-duty vehicles, light-duty vehicles must meet Policy #22. All of the following conditions must be met for a project to be eligible for TFCA Funds:

- a. Each vehicle must be new and have a GVWR greater than 8,500 lbs.;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types include plug-in hybrid, plug-in electric, and fuel cell vehicles. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 100% of the project's eligible cost for School Buses and 90% of the project's eligible cost for all other vehicle types; the sum of TFCA funds awarded combined with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;

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- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and
 - g. Projects that seek to scrap and replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.
25. **On-Road Truck Replacements:** These projects will replace Class 6, Class 7, and Class 8 diesel-powered trucks that have a gross vehicle weight rating (GVWR) of 19,501 lbs. or greater (per vehicle weight classification definition used by Federal Highway Administration (FHWA) with new or used trucks that have an engine certified to the 2010 CARB emissions standards or cleaner. The existing truck(s) to be replaced must be registered with the California Department of Motor Vehicles (DMV) to an address within the Air District's jurisdiction and must be scrapped after replacement.
26. **Alternative Fuel Infrastructure:** These projects are intended to accelerate the adoption of zero-emissions vehicles through the deployment of alternative fuel infrastructure, i.e., electric vehicle charging sites, hydrogen fueling stations.

Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites. This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. TFCA funds may be used to cover the cost of equipment and installation. TFCA funds may also be used to upgrade infrastructure projects previously funded with TFCA funds as long as the equipment was maintained and has exceeded the duration of its useful life after being placed into service.

Equipment and infrastructure must be designed, installed, and maintained as required by the existing recognized codes and standards and as approved by the local/state authority.

TFCA funds may not be used to pay for fuel, electricity, operation, and maintenance costs.

Trip Reduction Projects

27. **Existing Ridesharing Services:** The project provides carpool, vanpool, or other rideshare services. Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category. Projects that provide a direct or indirect financial transit or rideshare subsidy *exclusively* to employees of the grantee are not eligible.
28. **Existing ~~Shuttle/Feeder Bus Service~~ First- and Last-Mile Connections:**
- The project reduces single-occupancy vehicle trips by providing short-distance connections between mass transit and commercial hubs or employment centers. All the following conditions must be met for a project to be eligible for TFCA funds:
- a. The service must provide direct connections between a mass transit hub stations (e.g., a rail stations, ferry stations, ~~or~~ Bus Rapid Transit (BRT) stations, ferry or bus terminal, or airports) and a distinct commercial or employment location.
 - b. The service's schedule, which is not limited to commute hours, must be coordinated to have a timely connection with corresponding mass transit service.

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- c. The service must be available for use by all members of the public.
- d. TFCA funds may be used to fund only shuttle services to locations that are under-served and lack other comparable service. For the purposes of this policy, “comparable service” means that there exists, either currently or within the last three years, a direct, timed, and publicly accessible service that brings passengers to within one-third (1/3) mile of the proposed commercial or employment location from a mass transit hub. A proposed service will not be deemed “comparable” to an existing service if the passengers’ proposed travel time will be at least 15 minutes shorter and at least 33% shorter than the existing service’s travel time to the proposed destination.
- e. Reserved.
- f. Grantees must be either: (1) a public transit agency or transit district that directly operates the ~~shuttle/feeder bus~~ service; or (2) a city, county, or any other public agency.
- g. Applicants must submit a letter of concurrence from all transit districts or transit agencies that provide service in the area of the proposed route, certifying that the service does not conflict with existing service.
- h. Each route must meet the cost-effectiveness requirement in Policy #2. Projects that would operate in Highly Impacted Communities or Episodic Areas as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in Priority Development Areas (PDAs), may qualify for funding at a higher cost-effectiveness limit (see Policy #2).

29. Pilot Projects:

a. **Pilot ~~First- and Last-Mile Connections: Shuttle/Feeder Bus Service:~~**

The project provides new ~~first- and last-mile connections services~~~~shuttle/feeder bus service~~ that is at least 70% unique and operates where no other service was provided within the past three years. In addition to meeting the conditions listed in Policy #28 for ~~First- and Last-Mile Connections~~~~shuttle/feeder bus service~~, project applicants must also comply with the following application criteria and agree to comply with the project implementation requirements:

- i. Demonstrate the project will reduce single-occupancy vehicle trips and result in a reduction in emissions of criteria pollutants.
- ii. Provide data and/or other evidence demonstrating the public’s need for the service, such as a demand assessment survey and letters of support from potential users.
- iii. Provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation after the pilot period.
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
- v. Projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive a maximum of

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Proposed TFCA County Program Manager Fund Policies for FYE 2023
(redlined version of Board-approved TFCA CPM Fund Policies for FYE 2022)

two years of TFCA County Program Manager Funds under the Pilot designation. For these projects, the project applicants understand and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:

1. During the first year and by the end of the second year of operation, projects must not exceed a cost-effectiveness of \$500,000/ton
 2. Projects entering a third year of operation and beyond are subject to all of the requirements, including cost-effectiveness limit, of Policy #28 (existing First- and Last-Mile Connectionsshuttles).
- vi. Projects located outside of CARE areas and PDAs may receive a maximum of two years of TFCA County Program Manager Funds under this designation. For these projects, the project applicant understands and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
1. By the end of the first year of operation, projects shall meet a cost-effectiveness of \$500,000/ton, and
 2. By the end of the second year of operation, projects shall meet all of the requirements, including cost-effectiveness limit, of Policy #28 (existing First- and Last-Mile Connectionsshuttles).

b. Pilot Trip Reduction:

The project reduces single-occupancy commute vehicle trips by encouraging mode-shift to other forms of shared transportation. Pilot projects are defined as projects that serve an area where no similar service was available within the past three years, or that will result in significantly expanded service to an existing area. Funding is designed to provide the necessary initial capital to a public agency for the start-up of a pilot project so that by the end of the third year of the trip reduction project's operation, the project will be financially self-sustaining or require minimal public funds, such as grants, to maintain its operation.

- i. Applicants must demonstrate the project will reduce single-occupancy commute vehicle trips and result in a reduction in emissions of criteria pollutants;
- ii. The proposed service must be available for use by all members of the public;
- iii. Applicants must provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation by the end of the third year;
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
- v. Applicants must provide data and any other evidence demonstrating the public's need for the service, such as a demand assessment survey and letters of support from potential users;

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Proposed TFCA County Program Manager Fund Policies for FYE 2023
(redlined version of Board-approved TFCA CPM Fund Policies for FYE 2022)

- vi. Pilot trip reduction projects that propose to provide ridesharing service projects must comply with all applicable requirements in policy #27.

30. Bicycle Projects:

These projects expand public access to bicycle facilities. New bicycle facility projects or upgrades to an existing bicycle facility that are included in an adopted countywide bicycle plan, Congestion Management Program (CMP), countywide transportation plan (CTP), city plan, or the Metropolitan Transportation Commission's (MTC) Regional Bicycle Plan and/or Regional Active Transportation Plan are eligible to receive TFCA funds. Projects that are included in an adopted city general plan or area-specific plan must specify that the purpose of the bicycle facility is to reduce motor vehicle emissions or traffic congestion.

a. Bicycle Parking:

The project expands the public's access to new bicycle parking facilities (e.g., electronic bicycle lockers, bicycle racks), which must be publicly accessible and available for use by all members of the public. Eligible projects are limited to the purchase and installation of the following types of bike parking facilities that result in motor vehicle emission reductions:

- i. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- ii. Electronic bicycle lockers; and
- iii. Capital costs for attended bicycle storage facilities.

b. Bikeways:

The project constructs and/or installs bikeways for the purpose of reducing motor vehicle emissions or traffic congestion. Bikeways for exclusively recreational use are ineligible. Projects are limited to the following types of bikeways:

- i. Class I Bikeway (bike path), new or upgrade improvement from Class II or Class III bikeway;
- ii. New Class II Bikeway (bike lane);
- iii. New Class III Bikeway (bike route); and
- iv. Class IV Bikeway (separated bikeway), new or upgrade improvement from Class II or Class III bikeway.

All bikeway projects must, where applicable, be consistent with design standards published in the California Highway Design Manual or conform to the provisions of the Protected Bikeway Act of 2014. Projects must have completed all applicable environmental reviews and either have been deemed exempt by the lead agency or have been issued the applicable negative declaration or environmental impact report or statement.

31. Bike Share:

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Projects that make bicycles available to individuals for shared use for completing first- and last-mile trips in conjunction with regional transit and stand-alone short distance trips are eligible for TFCA funds, subject to all the following conditions:

- a. Projects must either increase the fleet size of existing service areas or expand existing service areas to include new Bay Area communities.
- b. Projects must have a completed and approved environmental plan and a suitability study demonstrating the viability of bicycle sharing.
- c. Projects must have shared membership and/or be interoperable with the Bay Area Bike Share (BABS) project when they are placed into service, in order to streamline transit for end users by reducing the number of separate operators that would comprise bike trips. Projects that meet one or more of the following conditions are exempt from this requirement:
 - i. Projects that do not require membership or any fees for use;
 - ii. Projects that were provided funding under MTC's Bike Share Capital Program to start a new or expand an existing bike share program; or
 - iii. Projects that attempted to coordinate with, but were refused by, the current BABS operator to have shared membership or be interoperable with BABS. Applicants must provide documentation showing proof of refusal.

TFCA funds may be awarded to pay for up to five years of operations, including the purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets.

32. Arterial Management:

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funds. Incident management projects on arterials are eligible to receive TFCA funds. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. Signal timing projects are eligible to receive TFCA funds. Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

33. Infrastructure Improvements for Trip Reduction:

The project expands the public's access to alternative transportation modes through the design and construction of physical improvements that support development projects that achieve motor vehicle emission reductions.

- a. The development project and the physical improvement must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan.
- b. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funds.

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Proposed TFCA County Program Manager Fund Policies for FYE 2023
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- c. The project must have a completed and approved environmental plan. If a project is exempt from preparing an environmental plan as determined by the public agency or lead agency, then that project has met this requirement.

34. **Telecommuting:** Implementation of demonstration projects in telecommuting. No funds expended ~~pursuant to this paragraph under this policy for telecommuting projects~~ shall be used for the purchase of personal computing equipment for an individual's home use.

MOBILE SOURCE AND CLIMATE
IMPACTS COMMITTEE
MEETING OF 10/28/2021

Commenter and Organization	Comments received from County Program Managers (CPMs) between June 28 – August 20, 2021	Air District Staff's Responses
<p>Bill Hough, Santa Clara Valley Transportation Authority</p>	<p>Policy 2. TFCA Cost-Effectiveness</p> <p>Policies 2, 28, 29: The C-E tables in this policy 2 and discussions of policies 28 and 29 mention "CARE Areas or PDAs." Additionally, MTC has something called "Equity Priority Communities" [formerly known as "Communities of Concern"]. It would be helpful if BAAQMD could clarify this alphabet soup and make clear what is eligible.</p>	<p>Noted. Staff will clarify the definition of these terms in the Guidance.</p>
	<p>Policy 2. TFCA Cost-Effectiveness</p> <p>Policies 2, 28, 29, and various references throughout: Change "Last-Mile Commuter Connections" to "Last-Mile Connections."</p>	<p>As requested, staff is recommending proposed updates to clarify the name of the project category.</p>
	<p>Policy 17. Expend Funds within Two Years</p> <p>Policy 17: VTA's downstream funding agreements are worded so that time extensions can be done administratively and do not require amending the funding agreement. VTA recommends that BAAQMD adopt that practice and can provide suggested language upon request.</p>	<p>Noted. Staff will continue working with CPMs over the next year to review this proposal.</p>
<p>Jacki Taylor, Alameda County Transportation Commission</p>	<p>Policy 17. Expend Funds within Two Years</p> <ul style="list-style-type: none"> a) Is the master funding agreement between BAAQMD and CPM or the agreement between CPM and sub-awardee? So, if the language is left in the policies this should be clarified. b) Could BAAQMD issue its approval for a third or subsequent time extension in writing (via email) suffice as documentation to revise the expenditure deadline in the BAAQMD's and CPM's records? 	<ul style="list-style-type: none"> a) This refers to the agreement between the Air District and CPM. b) Staff will continue working with CPMs over the next year to review this proposal.
	<p>Policy 28. Existing Shuttle/Feeder Bus Service & Policy 29. Pilot Projects</p> <ul style="list-style-type: none"> a) Regarding the proposed change of the policy title from "Shuttle/Feeder Bus" to "Last-mile Commuter Connections", while generally supportive of the name change as a way to encompass non-traditional first- and last-mile commute projects, please confirm that 	<ul style="list-style-type: none"> a) The name change does not alter the eligibility criteria.

	<p>the name change doesn't impact the continued eligibility of shuttle and feeder bus projects.</p> <p>b) Additionally, as stated in Policy 28.b., unlike the Regional TFCA program, County TFCA funds may be used to fund service hours outside the BAAQMD-defined peak commute hours, so please confirm that even though "Commuter" is proposed for the title, the intent is not to eventually return to limiting the eligible service hours to BAAQMD-defined peak commute hours.</p>	<p>b) As requested, staff is recommending proposed updates to clarify the category name to better describe the project category.</p>
	<p>Policy 34. Telecommuting The proposed clarification to the existing language is appreciated.</p>	<p>Noted.</p>
<p>Diana Meehan, Napa Valley Transportation Authority</p>	<p>Policy 1. Reduction of Emissions How are "surplus emissions" calcs established?</p>	<p>The surplus emission calculations in the Cost Effectiveness Worksheet are based on methodologies and emission factors determined by the California Air Resources Board.</p>
	<p>Policy 2. TFCA Cost-Effectiveness</p> <p>a) Shuttle/Feeder Bus Service proposed rename should be First-Mile and Last-Mile Connections.</p> <p>b) Can these be non-commute trips?</p> <p>c) The Regional Program for Bikeways is sporadic. There is no set scheduled Call for Projects and since funds from both programs can't be combined, this makes planning for larger bikeway projects difficult. More funding is available under the Regional Program making that program more appropriate for larger projects. Is there any discussion about regularly scheduled project calls under the regional program? This would help facilitate when/where we program and/or apply for funding under either source.</p>	<p>a) Staff is recommending proposed updates to clarify the category name to better describe the category.</p> <p>b) Non-commute trips may qualify and the name was revised to reflect this.</p> <p>c) Comment for Regional Program noted.</p>
	<p>Policy 10. Maintain Appropriate Insurance Where are these amounts shown in the guidance? Perhaps show a table with minimum required amounts in the guidance.</p>	<p>The Guidance provides this information in Appendix F.</p>

	<p>Policy 15. Combined Funds</p> <p>If a project far exceeds the ratio for C/E, but there are not enough funds in the PM program, can additional funds from the Regional Program be added to the level that the ratio allows? Many cost-effective local programs and projects are left underfunded under the PM program due to lack of funding in that program. Has the Air District considered a more even split of funding between the PM/Regional (50/50) or is the 60/40 split based in statute?</p>	<p>Staff will work with CPMs to explore different approaches to address this problem.</p>
	<p>Policy 17. Expend Funds within Two Years</p> <p>Could we simply create an addendum to the funding agreement instead of an amendment?</p>	<p>Staff will continue working with CPMs over the next year to review this proposal.</p>
	<p>Policy 18. Unallocated Funds</p> <p>Why is this a use it or lose it program? For instance, what happens to unallocated funds in the Regional program? If PM funds could be held for programming (perhaps up to 3 years) it would benefit quality projects that have higher costs.</p>	<p>Transportation Fund for Clean Air's (TFCA) purpose is to support clean air projects, so it prioritizes shovel-ready projects that can provide surplus emission reduction as soon as possible for all TFCA programs. This is the reason the legislation includes this requirement.</p>
	<p>Policy 22. Alternative Fuel Light- and Medium-Duty Vehicles</p> <ul style="list-style-type: none"> a) E-bikes should be included in the zero-emissions category. b) This whole section should be updated as it is confusing. Scrapping is included to match the regional policy here, but in the second sentence, cost for scrapping is not eligible. 	<ul style="list-style-type: none"> a) Staff reviewed the legislation and believe there are several avenues available to offer TFCA funding to encourage the use of active transportation modes. Staff will continue to work with the CPMs to explore potential options for this project type. b) Projects that are scrapping and replacing an existing vehicle may qualify for additional funds <i>for the cost of purchasing a new vehicle</i>, because scrapping a high-polluting

		<p>vehicle provides additional emission reductions. Separately, the cost of scrapping the vehicle is not considered an eligible project cost.</p>
	<p>Policy 24. Alternative Fuel Heavy-Duty Trucks and Buses Why are school buses at a not to exceed of 100% and other transit at 90%? It's my understanding that many school districts have eliminated their school bus programs. It seems the investment should be for all types of transit, not just school buses. Is this due to statute? Other subsidy in the state for just school buses?</p>	<p>The Air District has historically supported school buses at 100% because of the sensitive population that they serve, and that they travel through communities and neighborhoods more so than other types of transit.</p>
	<p>Policy 29. Pilot Projects</p> <ul style="list-style-type: none"> a) This is certainly a more broad conversation-but it would be good to discuss where funding would come from if not from regional Air District programs or from CARB? If programs/projects are effective, why wouldn't the Air District, or CARB for that matter want to continue funding? Where else would it come from? b) Why are only CARE area projects eligible for continued funding? If projects outside CARE areas are effective and provide Air Quality benefits, isn't there a way to continue funding? How exactly are CARE areas established, monitored? 	<ul style="list-style-type: none"> a) The Pilot Project category is specifically to support the start of an innovative project. The purpose is to fund projects or programs that can become self-sustaining and then future funds can be used to support other innovative projects start-up. b) Community Air Risk Evaluation (CARE) areas are prioritized for funding. The Air District identified these areas where air pollution contributes most to health impacts and are most vulnerable to air pollution, and these areas may require additional support.
	<p>Policy 30. Bicycle Projects Consider changing this to the Regional Active Transportation Plan (now under update and will likely be adopted by 2023).</p>	<p>As suggested, staff is recommending proposed updates to the new plan name.</p>
	<p>Policy 31. Bike Share</p>	<p>Noted.</p>

	<p>Here First Mile is mentioned, but not in other policies. This should be consistent and in alignment with TDM.</p>	
	<p>Policy 32. Arterial Management What about other arterial infrastructure improvements, such as roundabouts?</p>	<p>Roundabouts may be eligible under the Arterial Management category.</p>
	<p>Policy 34. Telecommuting Why demonstration? This is the future considering current and likely continued circumstances. It is also the lowest hanging fruit in terms of removing SOV's from our roadways. Teleworking should be supported by the Air District.</p>	<p>The word "demonstration" is included because this project category is relatively new. Examples are needed to guide how to estimate emission reductions for this project category.</p>

MOBILE SOURCE AND CLIMATE
 IMPACTS COMMITTEE
 MEETING OF 10/28/2021

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: October 21, 2021

Re: Clean Cars for All Contractor Selection

RECOMMENDATIONS

Recommend Board of Directors:

1. Approve the selection of GRID Alternatives Bay Area (GRID) as Clean Cars for All (CCFA) program contractor;
2. Authorize the Executive Officer/APCO to execute contracts with GRID for the CCFA program for up to \$624,755 for a two-year term; and
3. Authorize the Executive Officer/APCO to extend these services and budget for an additional three years, at the Air District's discretion, based on contractor performance.

BACKGROUND

Clean Cars for All (CCFA) is a voluntary program in which eligible income qualified consumers living in communities disproportionately burdened by pollution can receive an incentive (up to \$9,500) to scrap an old vehicle and buy a cleaner and more fuel-efficient replacement vehicle. Eligible vehicles include conventional hybrid vehicles, plug-in hybrid vehicles, and battery electric vehicles and fuel cell electric vehicles. Consumers may also select an incentive for mobility options, which includes a card for public transit and electric bicycles. Consumers that purchase an eligible vehicle through the program may receive a rebate of up to \$2,000 for electric vehicle service equipment, a portable charger or \$500 for public charging. This program may be paired with other incentives, including the California Clean Vehicle Rebate Project, Clean Fuel Reward, MCEv, Peninsula Clean Energy's Used Electric Vehicle Rebate Program, and the federal tax credit for purchasing qualifying clean air vehicle.

By replacing older, high-emitting vehicles and replacing them with newer, cleaner, and more fuel-efficient cars or other transportation options, this program reduces smog-forming pollutants (NOx and ROG) to help meet State and Federal air quality standards. CCFA also supports the Bay Area and California's goals for reductions in greenhouse gas emissions (80% below 1990 levels by 2050), and zero-and near-zero emission vehicle deployment (90% of the Bay Area passenger vehicles by 2050 and 5 million vehicles statewide by 2030).

The Air District launched the CCFA program in March 2019 and has received \$35 million in funding to date. The CCFA program receives funding from a variety of sources, such as proceeds from the state’s Cap-and-Trade program or California Climate Investments, Volkswagen Mitigation Fund, and Air Quality Improvement Program Fund which is overseen by the California Air Resources Board (CARB), each which may have different program requirements. Another source of funding is a \$4 Department of Motor Vehicles surcharge on vehicle registration through the Air District’s Transportation Fund for Clean Air. The Air District anticipates additional funding between \$5 million to \$20 million in CARB funding annually for the next two years for the CCFA program. Depending on the amount of funding available, consumers’ income levels, and consumers’ vehicle and transportation choices, the CCFA program may fund approximately 500 to 1,500 projects annually.

DISCUSSION

Case Management support is a critical component of this program due to the high-volume inquiries and applications to the CCFA program, need for direct vehicle owner assistance, consumer education and support, and need to provide multi-lingual and multi-cultural support to best serve Bay Area residents. The Air District issued a Request for Proposals (RFP) on August 26, 2021, to identify potential candidates for this role. Responses to the RFPs were due to the Air District by September 27, 2021. The selected organization will provide one-on-one support for applicants to CCFA, including recruitment; evaluating eligibility of vehicles and consumers; targeted outreach and marketing; and assisting applicants through the application and vehicle replacement process, while providing multilingual and multicultural support.

The scope of work contained in the RFP for the CCFA program contractor conforms to the CARB requirements. The RFP was sent to the Air District general vendors list, partner organizations and posted on the Air District website.

A three-person panel was convened to review the RFP responses, including Air District staff from the Technology Implementation Office, the Strategic Incentives Division, and a CARB CCFA program staff person. The panel evaluated the proposals using five criteria set forth in the RFP: Experience/Qualifications, Expertise, Experience, Approach, Cost, and Conflicts of Interest. The results of Air District staff’s scoring of the proposals are summarized in Table 1 below.

Table 1 – Scoring of CCFA program contractor proposals

Name	Points (100 possible points)
GRID Alternatives Bay Area	93.67
Center for Sustainable Energy (CSE)	84.33

The Air District received proposals for the RFP from GRID Alternatives Bay Area and the Center for Sustainable Energy (CSE). GRID Alternatives is the country's largest nonprofit providing clean energy solutions to low-income families and has over 15 years of experience providing multilingual and multicultural case management services to income qualified residents throughout the Bay Area and beyond. GRID Alternatives is the current CCFA program contractor and has been assisting the Air District and program participants since the program began in 2019. CSE is a nonprofit with over 25 years of experience designing and implementing innovative sustainable energy market transformation programs.

While both organizations have strong expertise and experience to support the CCFA Program, GRID Alternatives' proposal received the highest combined score of 93.67. Panelists noted that GRID Alternatives is highly experienced supporting clean energy projects for solar, electric vehicles, electric vehicle supply equipment, and electric bicycles. Their proposal provided a thoughtful approach that addressed barriers and challenges for low-income residents and solutions to help mitigate and overcome these barriers. GRID Alternatives' proposal also had lower costs for oversight and operations and included nearly \$90,000 in cost share.

Staff is recommending the approval of GRID Alternatives Bay Area as contractor to provide multilingual and multicultural case management and outreach support for the CCFA Program.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funds to administer the CCFA program are included in the total program allocations from the various sources. The contract will include a provision that would allow the Air District, at its sole discretion, the option to extend the contract term and budget for up to three additional years, based on contractor performance.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tin Le
Reviewed by: Anthony Fournier

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: October 21, 2021

Re: Electric Transportation, State of the Market, and Preparing for the Future

RECOMMENDATION

None; receive and file.

BACKGROUND

The transition from fossil fuel to electric technologies is critical to reaching our air quality and Greenhouse Gas reduction targets. California has set a goal of five million electric vehicles (EVs) sold by 2030, with the sale of new conventional light-duty vehicles phased out by 2035. The Air District has set as a target that 90 percent of vehicles in the Bay Area should be zero emissions by 2050 with an interim target of 1.5 million zero-emission vehicles by 2030. The Bay Area and California share the goal of cutting greenhouse gas emissions to 80 percent below 1990 levels by 2050. In addition to the push for zero-emission technologies for passenger vehicles, there is a push for zero-emission technologies in medium and heavy-duty trucks, buses, off-road equipment as well as building electrification, and efforts in other sectors. This increased focus on electric equipment creates a need to better understand the electrical grid and potential cumulative impacts.

DISCUSSION

Dan Bowermaster, Senior Program Manager for the Electric Power Research Institute (EPRI), will present an update to the Mobile Source and Climate Impacts Committee on projections for electric vehicle/equipment adoption and the impacts on the electrical grid.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Anthony Fournier
Reviewed by: Jeff McKay

MOBILE SOURCE AND CLIMATE
IMPACTS COMMITTEE
MEETING OF 10/28/2021

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

(Co-Chairs: Davina Hurt and Tyrone Jue)

The Community Equity, Health & Justice Committee met on Thursday, November 4, 2021, and approved the minutes of October 7, 2021. This meeting was conducted under procedures in accordance with Assembly Bill 361. Members of the Committee participated by teleconference.

The Committee then received a presentation from Johana Gurdian and Leticia Chavez, members of the North Richmond Resident Leadership Team, which was created to organize and voice the aspirations and concerns of the North Richmond community for the development of the Quality-of-Life-Plan. Ms. Gurdian's and Ms. Chavez' comments described the challenges of living within a fenceline community that is impacted by pollution from petroleum refinery operations.

The Committee then received and discussed the staff presentation *Rule Development Process Improvements: Source Prioritization*. Director Bauters proposed that the Air District's Community Advisory Council develops this item before it is presented to the Committee again.

The Committee then received and discussed the staff presentation *Slate of Recommended Candidates for the Community Advisory Council*. The Committee recommends the Board:

- 1) Approve the proposed slate of fifteen candidates, and two additional youth candidates (Kevin Ruano Hernandez and Cecilia Mejia), for a total of 17 Community Advisory Council members.

[OVER]

Finally, the Committee then received and discussed the staff presentation *Annual Progress Report on Owning Our Air: The West Oakland Community Action Plan*. This update was given by members of the West Oakland Environmental Indicators Project, the City of Oakland's Planning & Building Department, and Air District staff.

The next meeting of the Community Equity, Health & Justice Committee will be held on Thursday, December 2, 2021, at 9:30 a.m. via webcast, pursuant to procedures in accordance with Assembly Bill 361. I move that the Board approves the Committee's recommendation. This concludes the Chair Report of the Community Equity, Health & Justice Committee.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 12, 2021

Re: Report of the Community Equity, Health and Justice Committee Meeting of November
4, 2021

RECOMMENDED ACTIONS

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

- A) Community Perspectives;
 - 1) None; receive and file.
- B) Rule Development Process Improvements: Source Prioritization;
 - 1) None; receive and file.
- C) Slate of Recommended Candidates for the Community Advisory Council; and
 - 1) Review and approve the final slate of fifteen Community Advisory Council candidates; and
 - 2) Recommend this slate of candidates to the Board of Directors for its review and approval.
- D) Annual Progress Report on Owning Our Air: The West Oakland Community Action Plan (WOCAP)
 - 1) None; receive and file.

BACKGROUND

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

- A) Community Perspectives;
- B) Rule Development Process Improvements: Source Prioritization;
- C) Discussion on the Development of the Community Advisory Council;
- D) Annual Progress Report on Owning Our Air: The West Oakland Community Action Plan (WOCAP)

BUDGET CONSIDERATION/FINANCIAL IMPACT

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

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor
Reviewed by: Vanessa Johnson

- Attachment 8.2A: 11/04/2021 – Community Equity, Health and Justice Committee Meeting
Agenda #3
- Attachment 8.2B: 11/04/2021 – Community Equity, Health and Justice Committee Meeting
Agenda #4
- Attachment 8.2C: 11/04/2021 – Community Equity, Health and Justice Committee Meeting
Agenda #5
- Attachment 8.2D: 11/04/2021 – Community Equity, Health and 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 and Justice Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 1, 2021

Re: Community Perspectives

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Community Equity, Health and Justice Committee provides local and regional community environmental justice advocates and local leaders a platform to present and share their expertise and/or lived experiences. Specific subjects/topics will vary based upon each community perspective member's unique experience.

The North Richmond Resident Leadership Team (RLT) is a group of residents who represent an organized voice in North Richmond. RLT was created to organize and voice the aspirations and concerns of the North Richmond community for the creations and development of the Quality-of-Life Plan (Plan). The Plan is a practical roadmap for the implementation of future development in the neighborhood. The Plan process was initiated when community members learned that the Housing Authority of the County of Contra Costa sought to redevelop the historical affordable housing project, Las Deltas, which sits in the heart of the community. While this is an opportunity for improving the living conditions of the unincorporated neighborhood, residents are acutely aware of the threat of gentrification and displacement as the result of improvements to the area.

The Resident Leadership Team has organized several research meetings to learn about a variety of issues. Regional experts joined multiple planning sessions to present on best practice models, such as cooperative business development, equity-based community development efforts, and models for community benefit agreements. The group is supported administratively by Healthy Richmond and Richmond Neighborhood Housing Services.

DISCUSSION

North Richmond Resident Leadership Team members, Angela Dowell, Leticia Chavez, and Johana Gurdian will discuss their work as part of the group. Upon the group's inception, initial areas of focus included housing, youth and education, business opportunities and safety. As the group has evolved, the defining characteristics of quality of life have also evolved. As part of its Quality-of-Life Plan, the group will also discuss everyone's right to breathe clean air.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: J. Howard, Azibuike Akaba
Reviewed by: Veronica Eady

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 11/04/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 1, 2021

Re: Rule Development Process Improvements: Source Prioritization

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

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

In response to these needed changes, staff proposed several strategic actions at the Stationary Source and Climate Impacts Committee Meeting on June 21, 2021. These actions included developing detailed white papers before initiating the rulemaking process and creating a more transparent process for prioritizing rulemaking efforts.

DISCUSSION

Since the June 2021 Stationary Source and Climate Impacts Committee Meeting, staff continued to develop the white paper concept, and further developed a framework for prioritizing potential source evaluations and rulemaking efforts. At this meeting, staff will further discuss the white paper process, and a proposed Source Prioritization Framework, which will both aid in increasing transparency and certainty within the source evaluation and rulemaking process.

White Paper Process

Substantial technical analysis should be conducted prior to beginning a rule development effort. Past Air District practice was to do this work in the development of the Clean Air Plan. But that model hasn't been sufficiently agile to adjust to changing conditions. This is especially true as the Bay Area leads in new, innovative regulatory approaches to address issues like climate and environmental justice. Staff is proposing to begin source or rule evaluations with a white paper that will front load the technical analysis needed to better indicate the best path forward for achieving emissions reductions from a specified source. It is expected that white papers would sometimes result in new or amended rule making projects or may instead point to different policy

interventions such as targeted incentives, policy development, new enforcement strategies, or partnership agreements. These white papers would be completed in an abbreviated timeframe (3-6 months), and the results shared with the public and the Board to receive direction on the proposed path forward and next few milestones. By front loading the technical analysis and sharing that information earlier in the source evaluation process, staff anticipates more certainty in the chosen path forward and therefore a better ability to meet near term deadlines. In addition, this will also reduce the long intervals between updates to the Board, which typically occur when waiting for various aspects of technical analyses to be completed.

Source Prioritization Framework

Previously, Air District staff relied on the Clean Air Plan to provide priorities for source evaluations and rulemaking. However, there is now a need for a more frequent and nimbler process that can incorporate community priorities, such as the measures included in Assembly Bill (AB) 617 Community Emission Reduction Plans (CERPs). To address this need, staff is developing the Source Prioritization Framework to prioritize the long list of sources and rules currently identified as needing further research and/or development. This framework was born out of the multi-divisional work being done for the AB 617 Richmond-North Richmond-San Pablo CERP, and began with a list of prioritization factors, shown below, that will guide the selection of priorities. For deciding which factors are “key”, or weighted more heavily throughout the process, staff is proposing to lead with health, and to also place importance on meeting legal mandates and previous commitments.

Mandate/Commitment	<ul style="list-style-type: none"> • Legal/prior commitments
Environmental/Health Impact	<ul style="list-style-type: none"> • Magnitude of emissions, relative potency of pollutant (e.g., GWP, toxicity), and/or exposure potential
Authority/Purview	<ul style="list-style-type: none"> • Air District's statutory authority or purview to regulate/reduce emissions
Control/Reduction Potential	<ul style="list-style-type: none"> • Availability and feasibility of controls, and/or achieved and demonstrated performance levels
Other Feasibility Considerations/Impacts	<ul style="list-style-type: none"> • Economic, socioeconomic, other environmental, and equity impacts

Figure 1. Proposed Prioritization Factors

Staff is expecting to discuss the Source Prioritization Framework with the Community, Equity, Health and Justice Committee later this year, and will then finalize the proposed Framework. Staff then expects to discuss the use of the Framework and the priorities that emerge in front of the Board early next year.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Elizabeth Yura
Reviewed by: Greg Nudd

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 11/04/2021

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 1, 2021

Re: Slate of Recommended Candidates for the Community Advisory Council

RECOMMENDED ACTION

Staff respectfully requests the Community Equity, Health and Justice (CEHJ) Committee to:

- 1) Review and approve the final slate of fifteen Community Advisory Council candidates; and
- 2) Recommend this slate of candidates to the Board of Directors for its review and approval.

BACKGROUND

The Air District has proposed the creation of a Community Advisory Council, composed of community advocates, to provide input on key Air District projects.

Characteristics of Community Advisory Councilmembers

In June 2021, staff presented an overview of community feedback on the formation of the Community Advisory Council and sought input from the Board of Directors. During public meetings facilitated by Board members, community members provided feedback on the ideal characteristics of candidates. Drawing from that feedback, Community Advisory Council members should include people:

- Who reflect the diverse demographics of the Bay Area regarding age, race and languages spoken;
- With generational history and experience living in communities heavily impacted by air pollution;
- With a diversity of relevant experience – including environmental justice, technical expertise, health, and Air District functions (or knowledge of the Air District and our work); and
- With access to other people who have a range of relevant knowledge and technical experience (that could help inform the Community Advisory Council).

Composition of the Community Advisory Council

At the July 1, 2021, CEHJ Committee meeting, Committee Co-Chairs Hurt and Jue, together with Air District staff, shared a potential composition of the Community Advisory Council informed by CalEnviroScreen 4.0 data. With CEHJ Committee input, it was determined that the Community Advisory Council should be composed of 15 seats, as follows:

County	Number of Seats
Alameda	4 seats
Contra Costa	4 seats
San Francisco	1 seat
San Mateo	1 seat
Santa Clara	2 seats
Solano	1 seat
At Large	2 seats
Total	15 seats

The CEHJ Committee also determined that the At Large seats be reserved for community members with expertise in episodic events, like wildfires, or issues that are specific to the North Bay.

Application for the Community Advisory Council/Call for Applicants

At the May and June 2021 Community Convenings, hosted by Directors Hurt and Jue, the Air District received input on the proposed application for the Community Advisory Council. Staff considered this input and the application asked a variety of questions, including:

- Do you speak a language other than English at home?
- Please state your reasons for wanting to serve on the Air District’s Community Advisory Council. Please share how/why you feel you can represent the community where you live or work. If you are able, we invite you to share your history with the community, including when you or your family may have moved to the area or began working in the area (generational history in the community)
- Do you, or someone in your household, experience health conditions that can be impacted by poor air quality?
- Please share your experience working with communities in the Bay Area. If applicable, share the organization(s) and/or groups you worked with, location or community and the length of time
- Briefly state your experience with and/or interest in air quality, environmental justice and social equity, climate change, community outreach or other closely related fields

The application period opened on July 29, 2021. Air District staff posted the call for applications to social media channels, including Twitter, Facebook, and LinkedIn. Board members also shared the application and social media posts with their constituents. In addition, staff sent a web eblast to community members and stakeholders on August 2, 2021. Over 2,400 individuals received the email. The application closed in early September.

DISCUSSION

Applicant Demographics

The Air District received 148 applications to the Community Advisory Council. Applicants represented a diversity of place and demographics. The Air District received applications for the following geographic locations:

County	Number of Seats	Applicants
Alameda	4 seats	47
Contra Costa	4 seats	48
San Francisco	1 seat	31
San Mateo	1 seat	10
Santa Clara	2 seats	23
Solano	1 seat	12
Marin	2 seats	2
Napa		3
Sonoma		6
Total	15 seats	

Of the applicants, 92 (62%) identified as female, while 55 (37%) identified as male and one applicant identified as non-binary/third gender. Applicants represented a diversity of age groups:

Age Range	Applicants
12-17	2
18-24	7
25-34	18
35-44	39
45-54	32
55-64	21
65-74	23
75+	6

In addition, applicants were ethnically diverse:

Ethnicity	Applicants
Asian	11
Black/African American	31
Hispanic/Latinx	50
Native American	6
Pacific Islander	4
White/Caucasian	50
I prefer not to say	1
I prefer to self-identify	9

Of applicants, 58 (39%) said they speak a language other than English at home, while 88 (59%) said they do not speak a language other than English at home. Additionally, 98 (66%) applicants answered, ‘Yes’ to the question, “Do you, or someone in your household, experience health conditions that can be impacted by poor air quality?”

Application Review Process

An application review panel first screened the application. Based on guidance from CEHJ, the review panel consisted of one community member, one staff person from the California Air Resources Board, and one Air District staff person. These panelists scored applications on a 1 (Strongly Disagree) to 7 (Strongly Agree) scale. The review panel reviewed applicants collectively by the County each applicant sought to represent on the Council. For applicants who designated more than one county, the review panel scored the application separately for each eligible county represent. Per the CEHJ, the review panel was asked to consider applicants in Marin, Napa, and Sonoma counties for the At Large seats. After thoughtful review of applicants, the panelists recommended 29 candidates advance to interviews. Two candidates applied for consideration in more than one county. The review panel thus considered and ranked those candidates for more than one county.

Interviews

Staff developed interview questions with feedback and input from the CEJH Co-Chairs and from the interview panel. Staff then shared those questions with all the interviewees in advance of the interview. Those interview questions were as follows:

- What air quality, environmental health and/or environmental justice issues are you most passionate about and please talk about what strengths, skills and/or experience you will bring to impact the environmental justice issues that would come before the Council.
- What do you propose the Air District do to further equity and environmental justice? What are your expectations in how the Community Advisory Council can help move the Air District in this direction?

Due to the volume of candidates, Air District staff coordinated with candidates over several days in mid-October to record each interview over Zoom. Candidates had ten (10) minutes to respond to the questions. Though Air District staff were available in the virtual room to address any technical issues, to ensure fairness, Air District staff did not insert themselves in the interview process by asking candidates any follow-up questions or engaging in any other substantive way. Staff transferred recordings of the interviews to the interview review panel to review and score at their own pace and in their own time. The interview panel scored candidates on a 1 to 7 scale with 1 representing a low score and 7 representing a high score.

Interview Review Panel and Co-Chair Review

Based on guidance from the CEHJ Committee, the Interview Review Panel consisted of three (3) Air District Board of Directors and one (1) community member. After thoughtful review of the interviews, the interview review panel recommended 15 candidates for Air District’s Community Advisory Council. The Co-Chairs of the CEHJ Committee reviewed this list of recommendations. That list is as follows:

#	First Name	Last Name	Seat for Consideration
1	Ms. Margaret	Gordon	Alameda
2	Hana	Mendoza	Alameda
3	Joy	Massey	Alameda
4	Charles	Reed	Alameda
5	William	Goodwin	Contra Costa
6	Latasha	Washington	Contra Costa
7	Jeff	Ritterman	Contra Costa
8	Fernando	Campos	Contra Costa
9	Arieann	Harrison	San Francisco
10	Juan	Aguilera	San Mateo
11	Fagamalama Violet	Saena	Santa Clara
12	Mayra	Pelagio	Santa Clara
13	Ken	Szutu	Solano
14	John	Jefferson	At Large
15	Rio	Molina	At Large

Demographics of the Selected Slate of Candidates

The following is the demographics of the selected candidates:

Gender	Candidates
Male	8
Female	7

Ethnicity	Candidates
Asian	2
Black/African American	8
Hispanic/Latinx	4
Native American	0
Pacific Islander	1
White/Caucasian	1

Age	Candidates
12-17	0
18-24	0
25-34	3
35-44	2
45-54	4
55-64	3
65-74	3
75+	0

Air District staff is continuing to coordinate with the Co-Chairs of the CEHJ to consider adding a youth seat on the Council and developing a process for identifying alternate candidates in the case of attrition, along with a process for appointing future Community Advisory Council members. The Air District may continue to consider applicants from this process for any potential youth or alternate seats.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristen Law, Sonam Shah-Paul and Tim Williams
Reviewed by: Veronica Eady and Suma Peesapati

Attachment 5A: List of All Applicants for the Community Advisory Council Recruitment

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 11/04/2021

First Name	Last Name	City	State	Which County is the community you represent located in? (Select all that apply):	Gender	Age	Ethnicity	If you answered "yes"
Regina	Thompson	Fairfield	CA	Solano;	Female	55-64	Black/African American;	
Natalie	Wells	San Jose	CA	Santa Clara;	Female	35-44	Hispanic/Latinx;Native American;	
Andra	Anderson	Half Moon Bay	CA	San Mateo;	Female	65-74	White/Caucasian;	
Mike	Kirker	Crockett	CA	Contra Costa;	Male	55-64	I prefer not to say;	
Nancy	Piotrowski	Vallejo	CA	Solano;	Female	55-64	I prefer to self-identify;	
Norma	Anderson	Pleasanton	CA	Alameda;	Female	65-74	White/Caucasian;	
Quanah	Brightman	Richmond	CA	Contra Costa;	Male	35-44	Native American;	Lakota
jim	hite	Richmond	CA	Contra Costa;	Male	65-74	White/Caucasian;	
Jack	Weir	Pleasant Hill	CA	Contra Costa;	Male	75 years old or older	White/Caucasian;	
Pamela	Drake	Oakland	CA	Alameda;	Female	65-74	I prefer to self-identify;	
Seth	Franklin	Albany	CA	Alameda;	Male	35-44	White/Caucasian;	
Tina	Broder	Oakland	CA	Alameda;	Female	35-44	White/Caucasian;	
Marc	Bautista	Benicia	CA	Solano;	Male	45-54	Asian;	
NORMA ISABEL	MORALES RANGEL	Pittsburg	CA	Contra Costa;	Female	45-54	Hispanic/Latinx;	Spanish
Carolina	Archundia MOrales	Pittsburg	CA	Contra Costa;	Female	12-17	Hispanic/Latinx;	Spanish
Joseph	Yumang	Fairfield	CA	Solano;	Male	35-44	Pacific Islander;	
Musa	Kannike	Berkeley	CA	Alameda;	Male	35-44	Black/African American;	
Marthea	Alley-Caliz	Alameda	CA	Alameda;	Female	45-54	Black/African American;	
kim	chng	Oakland	CA	Alameda;	Female	75 years old or older	Asian;	
Woodrow	Shiflett	Vallejo	CA	Solano;	Male	65-74	White/Caucasian;	French
Christopher	Traugber	Oakland	CA	Alameda;	Male	25-34	I prefer to self-identify;	Spanish
Andrew	Middleton	Oakland	CA	Alameda;	Male	25-34	White/Caucasian;	
Hana	Mendoza	Oakland	CA	Alameda;	Female	55-64	Asian;Black/African American;	
Emily	Mendoza	Richmond	CA	Contra Costa;	Female	35-44	Hispanic/Latinx;	
John	Jefferson	San Francisco	CA	Alameda;San Francisco;Contra Costa;Marin;Napa;San Mateo;Santa Clara;Solano;Sonoma;	Male	45-54	Black/African American;	
Charles	Reed	Oakland	CA	Alameda;	Male	55-64	Black/African American;	
Ms.Margaret	Gordon	Oakland	CA	Alameda;	Female	65-74	Black/African American;	
Latasha	Washington	Richmond	CA	Contra Costa;	Female	35-44	Black/African American;	
Sarah	Buttitta	Los Gatos	CA	Santa Clara;	Female	18-24	White/Caucasian;	
David	Libby	Orinda	CA	Contra Costa;	Male	45-54	White/Caucasian;	
Liesa	Houdashelt	Fairfield	CA	Solano;	Female	65-74	White/Caucasian;	
ritchie	cook	Richmond	CA	Contra Costa;	Male	65-74	White/Caucasian;	SpaNISH
Renay	Jenkins	Oakland	CA	Alameda;San Francisco;San Mateo;	Female	45-54	Black/African American;	
Urvashi	Nagrani	San Francisco	CA	San Francisco;Santa Clara;	Female	25-34	Asian;	
Tsegi	Tamrat	Cupertino	CA	Santa Clara;	Female	25-34	I prefer to self-identify;Black/African American;	Amharic
Stephen	Inoue	San Jose	CA	Santa Clara;	Male	45-54	Asian;Native American;White/Caucasian;	
Christopher	Shannon	Castro Valley	CA	Alameda;	Male	45-54	White/Caucasian;	
Catherine	Barrisford	Santa Rosa	CA	Sonoma;	Female	45-54	White/Caucasian;	
Catherine	Barrisford	Santa Rosa	CA	Sonoma;	Female	45-54	White/Caucasian;	
Rachel	Kuykendall	Richmond	CA	Contra Costa;	Female	35-44	White/Caucasian;	

Chelsea	Busick	San Jose	CA	Santa Clara;	Female	25-34	White/Caucasian;	
Kevin G.	Ruano Hernandez	San Pablo	CA	Contra Costa;	Male	18-24	Hispanic/Latinx;	Spanish
Lena	Liu	Oakland	CA	Alameda;	Female	18-24	Asian;	Cantonese
Gabrielle	Sloane Law	Oakland	CA	Alameda;	Female	35-44	White/Caucasian;	
Jasmine	Gonzalez	Oakland	CA	Alameda;	Female	45-54	Hispanic/Latinx;	Spanish
Diane	Burr	Oakland	CA	Alameda;	Female	55-64	Black/African American;	N/A
Esther	Goolsby	Oakland	CA	Alameda;	Female	45-54	White/Caucasian;Black/African American;	
Lynna	Do	Dublin	CA	Alameda;	Female	45-54	Asian;	
Katherine	Scott-Smith	Oakland	CA	Alameda;	Female	35-44	White/Caucasian;	
Susan	Goolsby	Oakland	CA	Alameda;	Female	65-74	White/Caucasian;	
Veronica	Heath	Unhoused		Contra Costa;	Female	45-54	Hispanic/Latinx;	Spanish
Robert	Stanley	Richmond	CA	Contra Costa;	Male	35-44	White/Caucasian;	
David	Alvarado	San Pablo	CA	Contra Costa;	Male	55-64	Hispanic/Latinx;	
Claudia	Citroen	Richmond	CA	Contra Costa;	Female	55-64	White/Caucasian;	German, Dutch
Laura	Navarro	san pablo	CA	Contra Costa;	Female	25-34	Hispanic/Latinx;	Spanish
Jeff	Ritterman	Richmond	CA	Contra Costa;	Male	65-74	White/Caucasian;	
Miles	Lincoln	Oakland	CA	Alameda;	Male	25-34	White/Caucasian;	
Gloria	Sewell-Murphy	Richmond	CA	Contra Costa;	Female	75 years old or older	Black/African American;	
ALLAN	GUGGEMOS	Richmond	CA	Contra Costa;	Male	65-74	White/Caucasian;	
Phillip	Mitchell	Richmond	CA	Contra Costa;	Male	55-64	Black/African American;	Espanol
James	Boster	Richmond	CA	Contra Costa;	Male	35-44	White/Caucasian;	
Robert	Katz	Oakland	CA	Alameda;	Male	65-74	I prefer to self-identify;	
Bruce	Yow	El Cerrito	CA	Contra Costa;Alameda;	Male	65-74	Asian;	Cantonese
Nancy	Aguirre	Richmond	CA	Contra Costa;	Female	45-54	Hispanic/Latinx;I prefer to self-identify;	Spanish
Merika	Reagan	Oakland	CA	Alameda;	Female	45-54	Black/African American;	
Rhoda	Fry	Cupertino	CA	Santa Clara;	Female	55-64	White/Caucasian;	
								a little French, a little Spanish, a little Latin
Dr. Raymond	Tompkins	San Bruno	CA	San Francisco;	Male	65-74	Black/African American;	
Leslie	May	Antioch	CA	Contra Costa;	Female	65-74	Black/African American;	
Daniel	Hurst	San Jose	CA	Santa Clara;	Male	45-54	Pacific Islander;	
Shekinah	Samaya-Thomas	Oakland	CA	Alameda;	Female	55-64	White/Caucasian;	
Marie	Knutson	Martinez	CA	Contra Costa;	Female	55-64	White/Caucasian;	
Fagamalama Violet	Saena	Sunnyvale	CA	San Mateo;Santa Clara;	Female	45-54	Pacific Islander;	Samoan
Catherine	Newman	Oakland	CA	Alameda;	Female	35-44	Black/African American;Native American;White/Caucasian;	
Aiysha	Davis	Richmond	CA	Contra Costa;Alameda;	Female	35-44	Black/African American;	
Carol	Robinson	El Sobrante	CA	Contra Costa;	Female	75 years old or older	White/Caucasian;	
Rio	Molina	Petaluma	CA	Sonoma;Napa;Solano;Marin;Contra Costa;Alameda;Santa Clara;	Male	25-34	Hispanic/Latinx;	
Kristen	Van Dam	Port Costa	CA	Contra Costa;	Female	35-44	White/Caucasian;	
Colin	O'Malley	Sunnyvale	CA	Santa Clara;	Male	45-54	White/Caucasian;	
Lilian	Koenig	San Jose	CA	Santa Clara;	Female	65-74	White/Caucasian;	
Liana	Chavarin	West Berkeley	CA	Alameda;	Non-binary/tl	35-44	Hispanic/Latinx;Native American;	
Ashley	McClure	Berkeley	CA	Alameda;	Female	35-44	White/Caucasian;	spanish

Deborah	Small	Richmond	CA	Contra Costa;	Female	55-64	Black/African American;Hispanic/Latinx;	
Christine	Boehm	Palo Alto	CA	Santa Clara;	Female	35-44	Hispanic/Latinx;White/Caucasian;	
Lonnie	Mason	San Francisco	CA	San Francisco;	Male	55-64	Black/African American;	
Amerika	Sanchez	San Francisco	CA	San Francisco;	Female	35-44	Black/African American;	
Cleo	Rehkopf	Menlo Park	CA	San Mateo;	Female	12-17	White/Caucasian;	
Mark	Hughes	Benicia	CA	Contra Costa;Solano;	Male	55-64	White/Caucasian;	
								I speak Arabic as a second language, but I have no one who wishes to speak it with me.
John	Curtis	Martinez	CA	Contra Costa;	Male	65-74	White/Caucasian;	
Floy	Andrews	Richmond	CA	Contra Costa;	Female	55-64	White/Caucasian;	
valyan	evans	San Francisco	CA	San Francisco;	Female	45-54	Black/African American;	
Marcel	Evans	San Francisco	CA	San Francisco;	Male	45-54	Black/African American;Native American;	
Carla	Mays	San Francisco	CA	San Francisco;	Female	45-54	Black/African American;	
Adriana	Flores	San Francisco	CA	San Francisco;	Female	45-54	Hispanic/Latinx;	Spanish
William	Goodwin	Pittsburg	CA	Contra Costa;Alameda;	Male	55-64	Black/African American;	
								Spanish is slightly understood, ability to understand the gist of the conversation.
Cheryl	Davila	Berkeley	CA	Alameda;	Female	65-74	Black/African American;	
Henry	Alcaez	San Pablo	CA	Contra Costa;	Male	75 years old or older	Hispanic/Latinx;	Spanish
Donald	Kuehne	Hercules	CA	Contra Costa;	Male	65-74	White/Caucasian;	
ALICIA	Devora	San Francisco	CA	San Francisco;	Female	55-64	Hispanic/Latinx;	Spanish
Guido	Villar	San Francisco	CA	San Francisco;	Male	45-54	Hispanic/Latinx;	Spanish
Cecilia	Mejia	San Francisco	CA	San Francisco;	Female	18-24	Hispanic/Latinx;	Spanish
Guido	Villar	San Francisco	CA	San Francisco;	Male	45-54	Hispanic/Latinx;	Spanish
Madeleine	Lansky	San Francisco	CA	San Francisco;	Female	45-54	I prefer to self-identify;	
Kathy	Kerridge	Benicia	CA	Solano;	Female	65-74	White/Caucasian;	
Guido	Villar	San Francisco	CA	San Francisco;	Male	45-54	Hispanic/Latinx;	Español
								Spanish-Intermediate level
Lendri	Purcell	Petaluma	CA	Sonoma;	Female	35-44	White/Caucasian;	
Bertha	Ruelas	Oakland	CA	Alameda;	Female	35-44	Hispanic/Latinx;	Español
Jewelea	Rivas	San Francisco	CA	San Francisco;	Female	25-34	Hispanic/Latinx;	Spanish
Helga	Pons	San Francisco	CA	San Francisco;	Female	35-44	I prefer to self-identify;	Spanish
Lizeth	Romero	San Francisco	CA	San Francisco;	Female	25-34	Hispanic/Latinx;	Spanish
Juan	Aguilera	East Palo Alto	CA	Santa Clara;San Mateo;	Male	35-44	Hispanic/Latinx;	Spanish
Tia	Hicks	Oakland	CA	Alameda;	Female	25-34	Black/African American;	
Julia	Walsh	Piedmont	CA	Alameda;	Female	75 years old or older	White/Caucasian;	
Solange	Cuba	Oakland	CA	Alameda;	Female	25-34	Hispanic/Latinx;	Spanish
David	Rodriguez	Saratoga	CA	Santa Clara;	Male	25-34	Hispanic/Latinx;	Spanish
Hector D	Medina	Alameda	CA	Alameda;Contra Costa;	Male	45-54	Hispanic/Latinx;	Spanish
Hsing	Pao	San Carlos	CA	San Mateo;Santa Clara;	Male	35-44	Asian;	
Monica	Pacheco	San Leandro	CA	Alameda;	Female	35-44	Hispanic/Latinx;	Spanish

Maria	Bravo	Oakland	CA	Alameda;	Female	65-74	Hispanic/Latinx;	Spanish
Samantha	Columbus	Oakland	CA	Alameda;	Female	25-34	Pacific Islander;	
Evelin	Alfaro	San Francisco	CA	San Francisco;	Female	35-44	Hispanic/Latinx;	Español
Jeffrey	Crosby	Richmond	CA	Contra Costa;	Male	35-44	White/Caucasian;	
Ken	Szutu	Vallejo	CA	Solano;	Male	65-74	Asian;	Chinese
Alberto	Senan-Oliva	Concord	CA	Contra Costa;	Male	35-44	Hispanic/Latinx;	Español
Ana	Alfaro	San Francisco	CA	San Francisco;	Female	35-44	Hispanic/Latinx;	Español
Sonia	Ramírez	San Francisco	CA	San Francisco;	Female	25-34	White/Caucasian;	Spanish
Sadie	Domingue	San Francisco	CA	San Francisco;	Female	35-44	Black/African American;	
Ana	Ramirez	San Francisco	CA	San Francisco;	Female	35-44	Hispanic/Latinx;	
Elena	Castanon	San Francisco	CA	San Francisco;San Mateo;Alameda;	Female	55-64	Hispanic/Latinx;	Spanish
Yuliana	Ojeda	san francisco	CA	San Francisco;	Female	35-44	Hispanic/Latinx;	Espanol
Kristel	Rietesel	Kensington	CA	Contra Costa;	Female	35-44	White/Caucasian;	
Federico	Armando	San Francisco	CA	San Francisco;	Male	18-24	Hispanic/Latinx;	Spanish
Yolanda	Sullon	San Francisco	CA	San Francisco;	Female	55-64	Hispanic/Latinx;	Spanish
José	Devora	San Francisco	CA	San Francisco;	Male	55-64	Hispanic/Latinx;	Spanish
Nuria	Serina	San Francisco	CA	San Francisco;	Female	35-44	Hispanic/Latinx;	Spanish
Fernando	Campos	Concord	CA	Contra Costa;Solano;Sonoma;Napa;Alameda;	Male	45-54	Hispanic/Latinx;	Spanish
Gaurav	Keswani	Foster City	CA	San Mateo;	Male	35-44	Asian;	Hindi
Mark	Espinoza	Alviso	CA	Santa Clara;	Male	45-54	Hispanic/Latinx;	
Rachel	Shoemake	Concord	CA	Contra Costa;	Female	35-44	Hispanic/Latinx;White/Caucasian;	na
Juan-Carlos	Martinez	Hayward	CA	Alameda;Contra Costa;	Male	25-34	Hispanic/Latinx;	
Joy	Massey	Berkeley	CA	Alameda;Contra Costa;	Female	25-34	Black/African American;	
Arieann	Harrison	San Francisco	CA	San Francisco;	Female	45-54	Black/African American;	
Dulce	Bernal	Pittsburg	CA	Contra Costa;	Female	35-44	Hispanic/Latinx;	Spanish
Maria	Reyes	Pittsburg	CA	Contra Costa;	Female	35-44	Hispanic/Latinx;	Spanish
Laura	Flores	San Jose	CA	Santa Clara	Female	18-24	Hispanic/Latinx;	Spanish
Rebeca	Gomez	San Jose	CA	Santa Clara	Female	18-24	Hispanic/Latinx;	Spanish
Rosario	Aguirre	San Jose	CA	Santa Clara	Female	45-54	I prefer to self-identify;	Spanish
Mayra	Pelagio	San Jose	CA	San Mateo; Santa Clara	Female	25-34	Hispanic/Latinx;	Spanish
Ernesto	Barajas	San Jose	CA	Santa Clara	Male	65-74	Hispanic/Latinx;	Spanish

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

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

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 1, 2021

Re: Annual Progress Report on *Owning Our Air: The West Oakland Community Action
Plan (WOCAP)*

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Assembly Bill (AB) 617, signed in 2017, focuses on improving local air quality and health in disproportionately impacted communities. The West Oakland Environmental Indicators Project (WOEIP) partnered with the Air District (together, the “Co-leads”) to develop *Owning Our Air: The West Oakland Community Action Plan (Owning Our Air or Plan)*. The Board of Directors adopted *Owning Our Air* on October 2, 2019. Over the last two years, the Steering Committee and the Co-leads have worked together to implement *Owning Our Air*.

DISCUSSION

At the upcoming Community Equity, Health and Justice Committee meeting, staff will present an update on *Owning Our Air* implementation activities conducted since the Board of Directors adopted the Plan, and WOEIP leadership will provide reflections on implementation to date.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alison Kirk
Reviewed by: Henry Hilken

Attachment 6A: Owning Our Air Annual Progress Report Strategy Status, November 2021

COMMUNITY EQUITY, HEALTH
AND JUSTICE COMMITTEE
MEETING OF 11/04/2021

AGENDA 6A - ATTACHMENT

Owning Our Air Annual Progress Report Strategy Status, November 2021

Introduction: Attachment A provides an update on the status of all Strategies, Enforcement Measures, and Further Study Measures in *Owning Our Air: The West Oakland Community Action Plan (Plan)*. The list below describes how the Strategies and other Measures are organized in Attachment A:

1. Air District Strategies: These strategies commit the Bay Area Air Quality Management District to lead, adopt, and/or implement, for example, Air District regulations.
2. Air District Metrics: A summary of cumulative meetings, enforcement actions, incentives dollars and emissions reduced from incentive programs.
3. CARB Strategies: These strategies commit the California Air Resources Board (CARB) to lead, adopt, and/or implement, for example, CARB regulations.
4. CARB Incentives: A summary of incentive-related activities that CARB has participated in cumulatively; including events, projects, and funds spent, organized by incentive funding program.
5. Partner Strategies: These strategies commit action by regional and local partners, such as the City of Oakland, Port of Oakland, Alameda County Department of Public Health, and others, described as the "Lead Agency" on the partner strategies status update.

Partner strategies have been grouped into four subject matter areas as follows:

- Port & Freight: These strategies address emissions and exposure from activities at the Port of Oakland and related freight movement. These strategies require action by the City of Oakland, the Port of Oakland, and Caltrans.
- Land Use: These strategies address emissions and exposure from land use decisions. These strategies require action by the City of Oakland.
- Transit/Bike/Walk: These strategies address emissions and exposure from transportation activities. These strategies require action by the City of Oakland, AC Transit, Alameda County Transportation Authority, Bay Area Rapid Transit, and Caltrans.
- Health/Living Buffers: These strategies include health and greening programs and actions to mitigate exposure to emissions. These strategies require action by the City of Oakland and the Alameda County Public Health Department.

AIR DISTRICT STRATEGIES			
Strategy#	Strategy Description	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
2	The Air District will continue to engage in environmental review processes for development projects in West Oakland, such as the Oakland A's Ballpark and the MacArthur Maze Vertical Clearance Project, including coordinating with community partners and lead agency staff, providing data and technical assistance, and reviewing and commenting on CEQA documents through 2025.	District staff reviewed and submitted comment letters on the proposed Eagle Rock Aggregates, the Oakland A's Howard Terminal project, and the Prologis Air Quality Operations Plan (part of Oakland Army Base Project). District staff continue to engage in any development projects in or with potential impacts on West Oakland air quality. This work includes collecting data, writing letters, and attending meetings.	long-term
3	The Air District will study the potential air pollution and health outcomes of allowing truck traffic on I-580 and designating a truck lane on I-880. Allowing truck traffic on I-580 would require legislative approval, re-engineering, and re-construction.	District staff discussed studying truck trips with agency partners, determining that local street studies should be prioritized. District staff discussed with MTC a study on adding a truck lane on I-880. District staff leveraged resources to study magnet sources and local roads and will consider expanding studies to highways which will require coordination among several agencies. District staff began coordinating with ODOT and Caltrans to further study allowing truck traffic on I-580.	long-term
12	The Air District and the West Oakland Environmental Indicators Project intends to implement the green infrastructure project currently under development between Interstate I-880 and the Prescott neighborhood in West Oakland by 2021.	The Metropolitan Transportation Commission (MTC) award \$600,000 in Priority Conservation Areas program grant funds to WOEIP in conjunction with Alameda CTC matching funds of \$300,000. CARB provided \$125,000 and the Port has awarded \$50,000. The Steering Committee Health/Living Buffers Subcommittee, as part of implementing Strategies #10, 11, and 16, heard presentations from the City on the Equitable Climate Action Plan, Citywide Tree Inventory, and Urban Forest Master Plan. The Subcommittee recommends incorporating implementation of this strategy into the Adapt Oakland Plan.	long-term
14	The Air District provides subsidized loans for local small businesses to install energy storage systems (e.g. batteries, fuel cells) to replace stationary sources of pollution (e.g. back-up generators).	Air District staff is developing a Community Health Protection Program to fund the replacement of back-up diesel generators. In 2020, the District funded a zero-emission ferry that will operate between Oakland and San Francisco, and a developer of renewable microgrids for municipal and commercial buildings. Both are loan guarantee projects.	long-term
18	The Air District advocates for more electrical infrastructure and power storage, including development of (1) fast-charging facilities, (2) truck charging stations and (3) better land use support for electric trucks by 2025.	The Air District awarded approximately \$5.2M for Charge! projects in 2021. Staff are working on relaunching the program for another round of funding at the end of 2021. The Air District also offers grants for electrical infrastructure through the Community Health Protection Program and other programs.	long-term
21	The Air District works with the City and Port of Oakland and other agency and local partners to create a Sustainable Freight Advisory Committee to provide recommendations to each agency's governing board or council. The Committee's scope includes: air quality issues, enhanced/increased enforcement of truck parking and idling, improved referral and follow-up to nuisance and odor complaints related to goods movement, improvements to the Port appointment system, charging infrastructure and rates, developing land-use restrictions in industrial areas, funding, and consideration of video surveillance to enforce truck parking, route, and idling restrictions.	The West Oakland Environmental Indicators Project and EarthJustice formed the Sustainable Port Collaborative to implement this Strategy. The Collaborative has so far held two meetings in 2021, focusing their initial efforts on zero-emission drayage trucks.	long-term

AIR DISTRICT STRATEGIES			
Strategy#	Strategy Description	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
24	The Air District works with agency and local partners to improve referral and follow-up on nuisance and odor complaints by 2021. This work includes updates to complaint processes, enforcement procedures, and coordination with other public agencies regarding odors, backyard burning, and other complaints.	The Air Quality Complaint Policy and Procedures have been updated. New program updates can be found at https://www.baaqmd.gov/online-services/air-pollution-complaints/complaint-policy-and-procedures .	Complete
41	The Air District works with CARB to streamline the process for providing financial incentives for fueling infrastructure, and for low and zero-emission equipment. The Air District increases outreach and assistance to individual owner-operators and small companies by providing two workshops and enhanced outreach in West Oakland by 2022.	Air District staff have worked to get CAPCOA support to request streamlining guidance from CARB. The Air District is enhancing outreach for the Community Health Protection Program.	near-term
48	The Air District plans to offer up to \$7 million per year to replace older autos through the Vehicle Buy Back program, and up to \$4 million per year through the Clean Cars for All program to replace older autos and provide an incentive for a hybrid electric, plug-in hybrid electric, battery electric vehicle, or Clipper Card for public transit.	The Air District opened another round of Clean Cars for All funding in August 2021 and has 8.3 million in funding available. Funding for the Vehicle Buy Back program continues in 2021.	long-term
49	The Air District offers financial incentives to replace box and yard diesel trucks with zero emission trucks owned by West Oakland businesses every year.	The Air District continues to make funding available for this strategy.	long-term
50	The Air District plans to offer financial incentives to upgrade tugs and barges operating at the Port of Oakland with cleaner engines every year.	The Air District continues to make funding available for this strategy and has provided incentive funds for approximately half of the tugs at the Port to repower with cleaner diesel engines. Incentive funds for these projects and outreach to tug owners is ongoing, with projects in the pipeline.	long-term
51	The Air District plans to offer financial incentives to upgrade line-haul, passenger, and switcher (yard) locomotives with cleaner engines every year.	The Air District's Community Health Protection and Carl Moyer programs both are available to fund these projects.	long-term
52	The Air District plans to offer financial incentives to support the development of a hydrogen refueling station and the purchase of trucks and off-road equipment powered by fuel cells every year.	In 2021, the Air District awarded funds to deploy 30 hydrogen fuel cell drayage trucks domiciled at the Port of Oakland. Through the District's Climate Tech Finance Program, staff worked with SWITCH Maritime to provide a loan for a 100% hydrogen ferry. Staff is also discussing a possible loan to a company to install fuel cell vehicle fueling stations.	long-term
53	The Air District offers financial incentives to replace long-haul diesel trucks with zero-emission trucks owned by West Oakland businesses every year.	The Air District has several programs (Community Health Protection, Carl Moyer, and TFCA) that currently fund these projects and will continue to do so.	long-term

AIR DISTRICT STRATEGIES			
Strategy#	Strategy Description	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
54	The Air District will award up to \$1 million in funding incentives to pay for the cost of purchasing cleaner equipment in West Oakland, potentially including: electric lawn and garden equipment, battery electric Transport Refrigeration Units, and cargo-handling equipment, by 2021.	The Air District staff anticipates that the Air District will have awarded more than \$1 million in funding incentives to pay for the cost of purchasing cleaner equipment in West Oakland by the end of 2021.	long-term
57	Through the Pilot Trip Reduction Program, the Air District offers incentives for the purchase of electric bicycles for bike share programs.	The Air District continues promoting e-bike and mobility options to future grantees; Clean Cars for All offers a e-bikes to qualified residents who scrap an older vehicle. So far, 5 grantees have purchased e-bikes.	long-term
66	The Air District works with Schnitzer Steel to study the feasibility of installing a shore-power or bonnet system to capture and abate vessel emissions at the West Oakland facility by 2021.	In previous years, Air District Staff discussed this strategy with Schnitzer Steel. No new work completed on this strategy in 2021.	midterm
67	The Air District intends to seek authority in 2021 to reduce emissions and risk from magnet sources, such as the Port of Oakland, freight operations and warehouse distribution centers.	Air District staff worked with State Assembly Member Bauer-Kahan on AB 426, which would give the Air District authority over magnet sources. Unfortunately, AB 426 did not move forward in 2021.	midterm
68	The Air District proposes amendments to existing regulations to further reduce emissions from metal recycling and foundry operations, such as changes to: 1) Rule 6-4: Metal Recycling and Shredding Operations, which requires metal recycling and shredding facilities to minimize fugitive PM emissions through the development and implementation of facility Emission Minimization Plans; and 2) Rule 12-13: Foundry and Forging Operations, which requires metal foundries and forges to minimize fugitive emissions of PM and odorous substances through the development and implementation of facility Emission Minimization Plans by 2025.	Enforcement staff are reviewing the required Emission Minimization Plan updates and visiting the facilities to ensure plans are accurate and complete, and making additional recommendations to further reduce emissions at facility operations.	long-term
69	The Air District's Rule 11-18: Reduce Risk from TACS at Existing Facilities requires selected Bay Area facilities to reduce risk or install best available retrofit control technology for toxics on all significant sources of toxic emissions. Based on the results of the facility-specific health risk assessment, the Air District may require Schnitzer Steel and the East Bay Municipal Utility District to adopt a Risk Reduction Plan if the health risk exceeds a risk action level per the requirements of Rule 11-18 implementation.	The Air District continues to implement Regulation 11-18. Schnitzer Steel has submitted requested data to the Air District. Staff is reviewing the inventory and preparing the Health Risk Assessment (HRA). The preliminary HRA is anticipated in late 2021.	long-term
70	The Air District intends to provide incentives to replace existing diesel stationary and standby engines (fire pumps, dryers, conveyor belts, cranes) with Tier 4 diesel or cleaner engines. Priority is given to upgrading Tier 0, 1 & 2 engines located closest to schools, senior citizen centers, childcare facilities, and hospitals.	The Air District has supported renewable microgrid developers with loan guarantees. Thus far, the Air District has not funded any projects that directly replace diesel engines with renewable sources. Air District staff is expanding the Community Health Protection Program to fund replacement of back-up diesel generators.	long-term

AIR DISTRICT STRATEGIES			
Strategy#	Strategy Description	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
71	The Air District proposes new regulations to reduce emission sources from autobody and other coating operations, including the use of vanishing oils and rust inhibitors by 2025.	Not Started- 2023 Rule Development has not begun.	long-term
72	The Air District proposes new regulations to reduce emissions from wastewater treatment plants and anaerobic digestion facilities, such as a regulation to reduce emissions of methane, reactive organic gases, and oxides of nitrogen by 2020.	Currently under study; may be implemented as part of Rule 11-18. If further study is needed the schedule will be evaluated as part of the Source Prioritization Framework.	midterm
73	The Air District proposes amendments to existing Regulation 8-5 to further reduce emissions of reactive organic gases and other toxic compounds from organic liquid storage tanks by 2020. Organic liquid storage tanks are defined in Regulation 8-5.	Staff continues to evaluate controls and develop potential draft amendments; Board consideration anticipated in 2022.	midterm
74	The Air District advocates for a plan that East Bay Clean Energy and PG&E are spearheading to replace the Dynegy Power Plant with a cleaner and more reliable source of energy by 2022. The proposed location for this initiative is the Oakland C, Oakland L, Maritime Port of Oakland, and Schnitzer Steel substation pocket, which is located within PG&E's Oakland distribution planning area. Eligible resource types include: (1) in-front-of-the-meter renewable generation; (2) in-front-of-the-meter energy storage, and (3) behind-the-meter energy storage. EBCE is seeking to procure the energy, resource adequacy (RA), and renewable energy credits (RECs) associated with these local resources, while PG&E will focus on meeting Oakland's transmission reliability needs.	Not Started- the District anticipates this work would to be begin in 2022. The District included in its comment letter on the Oakland Waterfront Ballpark District Draft EIR in support of the conversation of the Dynegy Power Plant to a battery storage facility.	midterm
75	The Air District intends to develop and fund a program to reduce exposure to air pollution at schools, day care facilities, senior centers, health facilities, public facilities, apartments and homes in West Oakland by 2021. This Strategy includes policies or grants for building energy efficiency upgrades to reduce infiltration of pollutants and the installation of high-efficiency air filtration systems (rated MERV 14 or higher).	On 9/15/21 the Air District Board authorized acceptance of up to 2 million for the Bay Area Healthy Homes Initiative from the Automobile Emissions Research and Technology Fund to expand the Healthy Homes Initiative to Alameda County to serve adult & child high-risk asthma patients in communities impacted by air pollution. In fall of 2021, the Air District is providing 30 indoor air-filters to current respiratory health patients at the West Oakland Health Council.	midterm
80	The Air District researches actions that are potentially exposure-reducing, such as: 1) an engineering evaluation of exhaust stacks and/or vents to determine if relocation will reduce local exposure; (2) a study to determine if smart air filtration systems can reduce exposure by in-taking air during daily non-peak vehicle travel times, such as between midnight and four a.m.; and (3) a study of	Work on this Strategy anticipated to begin in 2023.	long-term

AIR DISTRICT STRATEGIES			
Strategy#	Strategy Description	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
	the potential air quality benefits of a centralized package delivery site such as personal lockers by 2025.		
87	CARB conducts a technology assessment of commercial cooking rules and control strategies and proposes incentives and/or a Suggested Control Measure for commercial cooking. The Air District offers incentives and/or proposes a regulation to reduce emissions from commercial cooking.	Air District staff are currently studying this strategy; implementation schedule will be evaluated as part of the Source Prioritization Framework.	Updated: long-term
E-1	Increase frequency of compliance inspections at stationary sources: a) Inspect all the permitted facilities and sources within a 2-year period; b) Inspect any unpermitted facilities and sources identified by the Steering Committee; and c) Annually track and document the number of inspections conducted, including type, date and location.	Enforcement staff completed compliance verification inspections for all permitted facilities (including gasoline dispensing facilities) in West Oakland, minus backup generators. Enforcement staff created an improved tracking system to annually track and document the inspection details, including date, type, and location. Staff are working to complete another round of inspection for all permitted sources in West Oakland by the end of 2021.	long-term
E-2	Develop education and outreach material on open burning: To address the community concern of illegal backyard burning in West Oakland, Air District Compliance & Enforcement staff will develop outreach materials to ensure the community understands health and air quality impacts from backyard burning	Completed. These materials were printed as door hangers and distributed in the West Oakland community in Feb 2021. The materials are also available on https://www.baaqmd.gov/community-health/community-health-protection-program/west-oakland-community-action-plan	near-term
E-3	Provide Annual Report on Enforcement Activities of Stationary Sources: a) Provide an annual inspection summary to the Steering Committee noting inspection results and a general description of violations in the West Oakland area; and b) Number of complaints received in the West Oakland area, including a description of the types of complaints.	See District Metrics (Compliance & Enforcement Metrics Table)	long-term

AIR DISTRICT STRATEGIES			
Strategy#	Strategy Description	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
E-4	Update Air District Complaint Policy: Review and update the complaint procedure to include the evaluation of new technologies to streamline complaint receipt, response and investigations. This work includes a series of community workshops throughout the Air District in the last quarter of 2019 to solicit input from Bay Area residents. Air District staff will work with the West Oakland Steering Committee in this endeavor.	Completed. District Enforcement staff updated the Air Quality Complaint Program based on comments and suggestions received from the 5 public workshops. Staff made updates to the Air Quality Complaint Policy & Procedures, brochure, emissions log, complaint webpage, complaint reporting system, and created additional materials such as helpful tips on reporting a complaint. Staff are also working on developing a video series to explain the complaint process.	December 2019 - February 2020
E-5	Enhanced Enforcement Referral Process: Through the course of Air District work in West Oakland, Air District inspectors may identify compliance concerns that fall within another local enforcement authority or jurisdiction. The Compliance and Enforcement Division will develop an enhanced referral system with the different agencies having jurisdiction in West Oakland. Any issues identified beyond the scope of Air District's authority will be referred to the appropriate agency on the day of the investigation.	Completed. Inspectors are trained to coordinate with local regulatory and enforcement agencies and initiate enforcement referrals when appropriate. The new complaint reporting system will list the contact information for different agencies that have regulatory authority that are outside the BAAQMD jurisdiction.	Complete
E-6	Identify Unpermitted Sources: CARB and District staff will consult the community for areas where there may be potentially unpermitted sources of emissions.	District staff continues to work with community members and other agency staff to identify unpermitted sources.	Complete
FSM 1	The Air District will investigate local impacts of backyard wood fires and strategies to minimize these impacts.	Air District staff will need to conduct more research to better understand the local impacts of and strategies to minimize impacts of wood burning. Also see the status update for Strategy E-2.	
FSM 2	The Air District will analyze road dust emission rates for local streets.	Air District staff are serving on a research project panel hosted by Caltrans on improving road dust emissions estimation. The panel members also include technical staff from CARB and US EPA. The panel met in July and August 2021 to select a lead research team and review the proposed work scope. The research project is scheduled to start in January 2022 and Air District staff will continue to be involved in this work as panel reviewers.	
FSM 3	The Air District will investigate potential rulemaking to limit fugitive dust from construction activity.	Air District staff will evaluate this strategy as part of the Source Prioritization Framework.	
FSM 4	The Air District will work with CARB, EBMUD, and other agency and community partners to identify strategies and incentives to address community concerns about odors, health-related emissions, and disclosing to the community information about complaints and complaint resolutions from the EBMUD facility in the Owning Our Air plan area.	Air District staff needs to conduct more research before beginning work on this further study measure.	

AIR DISTRICT STRATEGIES			
Strategy#	Strategy Description	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
FSM 5	The Air District will investigate the feasibility of amending Regulation 5 (Open Burning) and/or Reg. 6-3 (Wood Burning Devices) to prohibit recreational fires	Air District staff will evaluate a potential wood smoke rule as part of the Source Prioritization Framework. Staff also is developing a wood smoke incentive reduction program to replace woodburning devices with electric heat pumps. This incentive program will open in 2022.	
FSM 6	The Air District works with the Port of Oakland to optimize the Port appointment system to minimize truck idling.	Air District staff needs to conduct more research before beginning work on this further study measure.	

COMMUNITY EQUITY, HEALTH
 AND JUSTICE COMMITTEE
 MEETING OF 11/04/2021

Attachment 6A: Owning Our Air Annual Progress Report
Strategy Status

November 2021

District Incentive Program	Awarded Incentive Funding October 2018-June 2020		Awarded Incentive Funding July 2020-June 2021	
	Funding Amount (\$)	Number of Projects (Qty)	Funding Amount (\$)	Number of Projects (Qty)
Carl Moyer Program	\$ 12,248,500	43	\$ 179,000	2
West Oakland Zero Emissions Grant Program	\$ 1,106,630	11	-	-
Community Air Protection Grant ⁴	-	-	\$ 9,945,366	15
Clean Cars For All ³	\$ 236,154	43	\$ 43,000	5
Charge!	\$ -	-	\$ 1,902	1
Climate Tech. Finance ³	\$ 2,500,000	1	\$ -	0
Reformulated Gas Settlement (RFG) Funds	\$ -	-	\$ 25,286	1
Transportation Fund for Clean Air Fund	\$ -	-	\$ 3,360,000	1
Vehicle Buyback Program	\$ 146,000	12	\$ 9,800	9
Grand Total	\$ 16,237,284.27	110	\$ 13,564,354.00	34

Notes:

1. DPM = Diesel Particulate Matter
2. All DMP = PM10
3. Emission reductions currently not available
4. Data Provided by CARB

District Incentive Program	Awarded Incentive Funding October 2018-June 2020				Awarded Incentive Funding July 2020-June 2021			
	DPM ^{1,2} (tons/yr)	PM (tons/yr)	ROG (tons/yr)	NOx (tons/yr)	DPM ^{1,2} (tons/yr)	PM (tons/yr)	ROG (tons/yr)	NOx (tons/yr)
Carl Moyer Program	0.91	0.91	5.34	97.97	0.101	0.101	0.344	4.122
West Oakland Zero Emissions Grant Program	-	0.05	0.17	1.08	-	-	-	-
Community Air Protection Grant ⁴	-	-	-	-	13.108	-	13.071	328.423
Clean Cars For All ³	-	-	-	-	-	-	-	-
Charge!	-	-	-	-	-	-	-	-
Climate Tech. Finance ³	-	-	-	-	-	-	-	-
Reformulated Gas Settlement (RFG) Funds	-	-	-	-	-	-	-	-
Transportation Fund for Clean Air Fund	-	-	-	-	-	0.005	0.140	2.148
Vehicle Buyback Program	-	0.02	2.65	1.59	-	0.001	0.138	0.088
Grand Total	0.91	0.96	5.51	99.05	13.21	0.11	13.56	334.69

Notes:

1. DPM = Diesel Particulate Matter
2. All DMP = PM10
3. Emission reductions currently not available
4. Data Provided by CARB

AIR DISTRICT METRICS		January 2019 – August 2020	September 2020 – June 2021
Meeting Counts by Strategy Category			
Category		Amount	Amount
<i>Enforcement Total</i>		21	1
<i>Health Programs Total</i>		22	19
<i>Further Study Measures Total</i>		0	0
<i>Land-Use Total</i>		16	30
<i>Mobile Sources Total</i>		27	27
<i>Stationary Sources Total</i>		0	0
Grand Total		86	77

Compliance & Enforcement Metrics		January 2019 – August 2020	September 2020 – June 2021
Category		Amount	Amount
<i>Inspections Total</i>		167	104
<i>Violations Total</i>		24	10
<i>Complaints Total</i>		96	44
Grand Total		287	158

COMMUNITY EQUITY AND JUSTICE COMMITTEE
MEETING OF 11/18/21

CARB STRATEGIES		
Strategy#	Strategy Description	2021 Status
28	The California Air Resources Board develops improvements to the existing truck and bus inspection and maintenance programs. Potential improvements include increasing warranty requirements, adding a lower in-use emissions performance level, increasing inspections in West Oakland, using aggregated GPS and other telecommunication records to identify locations of idling trucks and buses, and partnering with the Air District to develop a system using on-board diagnostic and remote sensing devices to identify and fix faulty emissions abatement devices on trucks and buses.	CARB heavy duty enforcement activities continued in 2021. CARB provided enforcement demonstration tours for WOCAP co lead partners, including a demonstration of a Portable Emissions Acquisition System (PEAQS), a screening tool to identify high emitting vehicles for inspection.
29	The California Air Resources Board develops the following regulations to increase the number of zero-emission trucks and buses operating in West Oakland: 1) The Advanced Clean Trucks regulation to transition to zero-emission technology those truck fleets that operate in urban centers, have stop-and-go driving cycles, and are centrally maintained and fueled. 2) Amendment to the drayage truck regulation to transition the drayage truck fleet to zero emissions.	CARB adopted the Regulation in Summer 2020 which requires manufacturers to sell zero-emission trucks as a percentage of sales starting in 2024. CARB is developing the related program, the Advanced Clean Fleet regulation, to deploy zero-emission trucks throughout California with an emphasis on public fleets, drayage trucks and high priority fleets. CARB's board will hear the Advanced Clean Fleet regulation in Dec 2021. The Air District provided comments on the Eagle Rock Aggregates Oakland Terminal Project DRAFT EIR in Jan 2021. These comments support this regulation. Adopted on 6/25/20
30	The California Air Resources Board, in partnership with the Steering Committee, WOEIP and the Air District, conduct a pilot study to assess local idling impacts from trucks and buses. The Steering Committee, WOEIP and the Air District advocate for "Clean Idle" trucks and buses to idle no more than 5 minutes when in West Oakland.	In 2021, the State lifted COVID-19 restrictions and CARB Enforcement staff conducted limited roaming and roadside inspections. Work is still on-going. Air District staff reviewed and submitted comment letters on the proposed Eagle Rock Aggregates and Oakland A's Ballpark projects in support of this strategy. Air District CEQA comment letters recommend that lead agencies require a two-minute idle limit for both project construction and operations, where applicable.

COMMUNITY EQUITY AND JUSTICE COMMITTEE
MEETING OF 1/21/2021

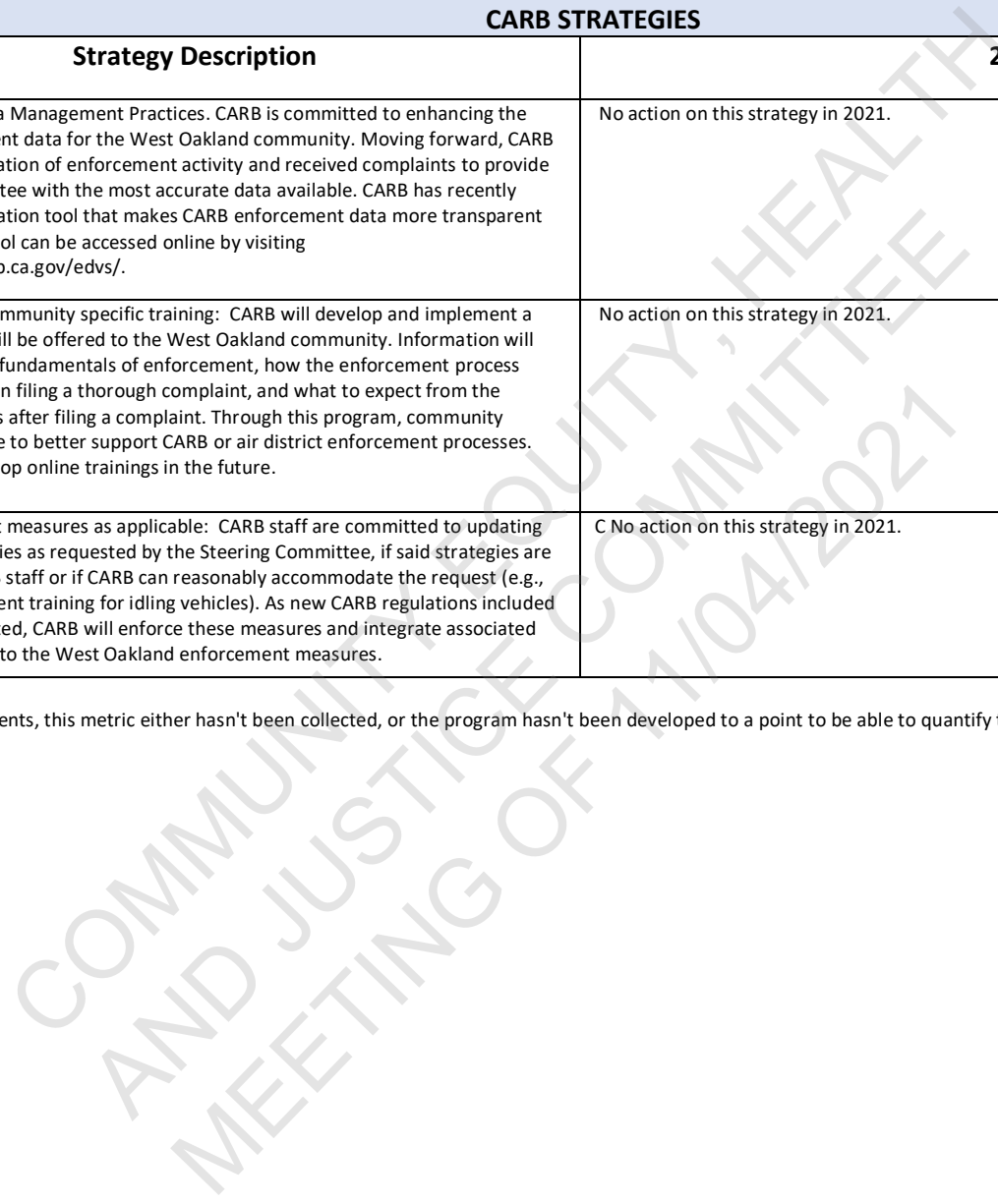
CARB STRATEGIES		
Strategy#	Strategy Description	2021 Status
31	The California Air Resources Board develops amendments to the transport refrigeration unit (TRU) regulation to transition the TRU fleet to zero-emission operations by requiring both zero-emission technology and supporting infrastructure.	In development since 2016, CARB's board held the first of two meetings to discuss proposed amendments to the TRU Regulation in Sept 2021 and a second meeting is scheduled for Feb 2022. Adoption expected in 2022. The Air District provided comments on the Oakland Waterfront Ballpark District DRAFT EIR (letter dated 4/27/21). Air District comments on the DEIR supports this regulation. The Air District submitted comments to CARB in support of the rule amendments on 9/22/2021.
32	The California Air Resources Board develops amendments to the existing cargo handling equipment regulation, which includes yard trucks, rubber-tired gantry cranes, and top handlers, that may reduce idling and transition the various types of equipment to zero-emission operation.	CARB is tracking existing demonstration and pilot projects, meeting with terminal operators to better understand operations and perspectives on zero-emission operation, participating in port air quality plan workgroups and task force meetings. Zero-emission equipment will likely require additional infrastructure to be installed at facilities for operation of equipment, charging of on-board batteries, and fueling with alternative (i.e. zero-emission tailpipe) fuel. Substantial terminal reconfiguration and/or construction may be required.
33	The California Air Resources Board develops a handbook that identifies best practices for the siting, design, construction, and operation of freight facilities to minimize community exposure to air pollution.	CARB staff resources assigned to the development of a standalone Freight Handbook have been reprioritized to work on development of freight regulations. To ensure that the recommendations included in the Concept Paper for the Freight Handbook and public stakeholder input are utilized, CARB staff are working to integrate this information into the Community Air Protection Program Resource Center (https://ww2.arb.ca.gov/ocap_resource_center)

CARB STRATEGIES		
Strategy#	Strategy Description	2021 Status
34	The California Air Resources Board develops regulations to expand California-specific standards for new light-duty vehicles, impacting 2026 and later model year vehicles, to increase the number of new zero-emission and plug-in hybrid electric vehicles sold in California and increase the stringency of fleet-wide emission standards for greenhouse gases and criteria pollutants.	CARB staff will host at least two additional workshops in 2021 on the Advanced Clean Cars II rulemaking before the targeted June 2022 board hearing. The Advanced Clean Cars 2 Regulation is tentatively scheduled for December 8, 2021
35	The California Air Resources Board develops new standards for small off-road engines (SORE), which are spark-ignition engines rated at or below 19 kilowatts and used primarily for lawn, garden, and other outdoor power equipment.	CARB conducted a third public workshops on the potential amendments in March 2021 and expects to take the rulemaking package to the Board in Dec 2021. CARB anticipates regulation implementation in 2024 or 2025.
60	The California Air Resources Board develops amendments to the At-Berth Air Toxics Control Measure to further reduce ship emissions at berth by strengthening the regulation to cover more vessel visits and types of ships.	CARB adopted the At-Berth Air Toxics Control Measure in 2020 and implementation begins in 2021. The Air District provided comments on the Eagle Rock Aggregates Oakland Terminal Project DRAFT EIR in a letter dated 1/8/21. These comments support this regulation.
61	The California Air Resources Board develops amendments to the Commercial Harbor Craft Air Toxics Control Measure to achieve additional control of harbor craft emissions. The Steering Committee, WOEIP, and the Air District advocate for early compliance of harbor craft operating near West Oakland.	CARB will consider amendments to the Harbor Craft regulation in November 2021. The regulation is expected to take effect in 2023. The Air District will submit comments to CARB, which will advocate for early compliance of harbor craft operating near West Oakland.
62	The California Air Resources Board develops regulations to reduce idling emissions from locomotives at rail yards with an emphasis on reducing emissions from locomotives not pre-empted under the federal Clean Air Act. The Steering Committee, WOEIP, and the Air District advocate for early compliance for locomotives operating in West Oakland.	CARB staff held a virtual listening session in March 2021 to discuss community concerns regarding railyard emissions. Also in March, CARB held a workshop on concepts for In-Use Locomotive Regulation. CARB's Board is scheduled to hear the first of two meetings on the proposed Locomotive Regulation in early 2022. The Air District took no action on this strategy in 2021.
87	CARB conducts a technology assessment of commercial cooking rules and control strategies and proposes incentives and/or a Suggested Control Measure for commercial cooking. The Air District offers incentives and/or proposes a regulation to reduce emissions from commercial cooking.	CARB did not report any action on this Strategy in 2021. Air District staff are currently studying this strategy; implementation schedule will be evaluated as part of the Source Prioritization Framework.

CARB STRATEGIES		
Strategy#	Strategy Description	2021 Status
Enf_CARB_1	Increase the frequency of compliance inspections with guidance from the community steering committee: CARB will collaborate with the West Oakland community emissions reduction program Co-leads to work with the Steering Committee to actively enhance enforcement activities. This will be done through a combination of improved complaint reporting, more focused inspections, and report-back meetings to update the community Steering Committee on both the status of inspections and to obtain additional areas of mobile source concern. CARB will work with the Co-leads to meet annually with the community Steering Committee in order to prioritize enforcement measures and identify possible locations where non-compliant vehicles are present. CARB will additionally report to the community the number of inspections performed, mapped locations of the enforcement, and the number of citations and/or Notices of Violations issued.	Compliance rate 98%. CARB provided enforcement demonstration tours for WOCAP co lead partners, including a demonstration of a Portable Emissions Acquisition System (PEAQS), a screening tool to identify high emitting vehicles for inspection.
Enf_CARB_2	Coordinate and conduct inspections of Stationary Source with Air District staff: CARB will coordinate with Air District staff and will select, based on Steering Committee input, stationary sources for joint inspections. CARB is also committed to assisting Air District staff with compliance inspections of unpermitted sources identified by the Steering Committee.	1 Joint inspections at Schnitzer Steel. EPA led the inspection and CARB and BAAQMD participated.
Enf_CARB_3	Achieve Compliance with the Truck and Bus Regulation via Senate Bill 1: In April 2017, the Governor signed Senate Bill 1 (SB 1) into law which included a provision that, beginning in 2020, a vehicle must demonstrate compliance with the State Truck and Bus regulation before it can be registered with the Department of Motor Vehicles (DMV). Beginning in 2020, the DMV, in conjunction with data provided by CARB, will deny vehicle registration to non-compliant heavy-duty vehicles based on the model year of the vehicle.	CARB did not report any action on this Strategy.
Enf_CARB_4	Provide Annual Report of Enforcement Activities: CARB's enforcement division will provide an annual report to the Steering Committee to update and summarize CARB's enforcement activities within the community.	See Strategy Enf_CARB_1.
Enf_CARB_5	Coordinate with other agencies: CARB will seek opportunities to coordinate with other agencies with enforcement authority in West Oakland like the City and Port of Oakland. One such opportunity could involve CARB staff working with the City of Oakland to provide truck idling signage in areas where community members observe trucks idling.	Pending Supplemental Environmental Project (SEP) approval. No further updates

CARB STRATEGIES		
Strategy#	Strategy Description	2021 Status
Enf_CARB_6	Enhance CARB's Data Management Practices. CARB is committed to enhancing the quality of enforcement data for the West Oakland community. Moving forward, CARB will maintain the location of enforcement activity and received complaints to provide the Steering Committee with the most accurate data available. CARB has recently completed a visualization tool that makes CARB enforcement data more transparent and available. The tool can be accessed online by visiting https://webmaps.arb.ca.gov/edvs/ .	No action on this strategy in 2021.
Enf_CARB_7	Provide in-person community specific training: CARB will develop and implement a new program that will be offered to the West Oakland community. Information will cover topics like the fundamentals of enforcement, how the enforcement process works, instructions on filing a thorough complaint, and what to expect from the enforcement process after filing a complaint. Through this program, community members will be able to better support CARB or air district enforcement processes. CARB may also develop online trainings in the future.	No action on this strategy in 2021.
Enf_CARB_8	Update enforcement measures as applicable: CARB staff are committed to updating enforcement strategies as requested by the Steering Committee, if said strategies are enforceable by CARB staff or if CARB can reasonably accommodate the request (e.g., additional enforcement training for idling vehicles). As new CARB regulations included in the Plan are adopted, CARB will enforce these measures and integrate associated activities and data into the West Oakland enforcement measures.	C No action on this strategy in 2021.

* - As of the publish date of this documents, this metric either hasn't been collected, or the program hasn't been developed to a point to be able to quantify this metric.



Attachment 6A: Owning Our Air Annual Progress Report
Strategy Status

November 2021

	Incentive Project Funds					Estimated Emissions Reductions			Outreach		
	2017	2018	2019	2020	Cumulative Total	Oxides of Nitrogen (Tons)	Reactive Organic Gasses (tons)	PM 2.5 (tons)	Events	Attendees	
ARB Programs	Carl Moyer Memorial Air Quality Standards Attainment Program	\$ 140,000			\$ 179,000	\$ 319,000	6.9	0.4	0.2		
	Clean Cars For All			\$ 16,500	\$ 175,226	\$ 191,726	0.2	0.0	0.0		
	Clean Off Road Equipment Voucher Incentive Project				\$ 308,000	\$ 308,000	0.1	0.0	0.0		
	Clean Vehicle Rebate Project	\$ 123,000	\$ 182,000	\$ 265,800	\$ 144,000	\$ 714,800	0.2	0.0	0.1		
	Community Air Grants		\$ 499,712			\$ 499,712	-	-	-		
	Community Air Protection Funds		\$ 9,201,000	\$ 7,748,000	\$ 9,945,366	\$ 26,894,366	1,444.0	59.4	40.0		
	Financing Assistance Incentives Pilot	\$ 5,000	\$ 7,500	\$ 12,000	\$ 21,000	\$ 45,500	0.0	0.0	0.0		
	Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project	\$ 285,000	\$ 1,160,000	\$ 705,000		\$ 2,150,000	3.8	0.2	0.1		
	Supplemental Environmental Projects			\$ 2,067,887		\$ 2,067,887	-	-	-		
	Truck Loan Assistance Program	\$ 136,420		\$ 166,245		\$ 302,665	-	-	-		
Zero and Near Zero-Emission Freight Facilities Project				\$ 50,000,000	\$ 50,000,000	187.2	5.4	0.8			
Total By State Agency	Air Resources Board	\$ 549,420	\$ 11,190,212	\$ 10,981,431	\$ 60,772,592	\$ 83,493,655	1,642.4	65.5	41.3	18	1200
	Department of Community Services and Development	\$ 461,167	\$ 670,493		\$ 38,438	\$ 1,170,098	0.3	0.0	0.0	-	-
	Department of Forestry and Fire Protection						-	-	-	4	80
	Department of Transportation				\$ 4,720,738	\$ 4,720,738	0.0	0.0	0.0	60	996
	Department of Water Resources		\$ 134,902	\$ 73,630		\$ 208,532	-	-	-	-	-
Grand Total	\$ 1,010,587	\$ 11,995,607	\$ 11,055,061	\$ 65,531,768	\$ 89,593,023	1,643	66	41	8	227	

PARTNER STRATEGIES: PORT & FREIGHT				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
7	The City of Oakland revises business licensing procedures to require current and proposed businesses to disclose truck visits per day and works with Caltrans to determine the number of trucks that park in the Caltrans right-of-way near West Oakland. Caltrans works with WOEIP and the Air District to address air quality issues from truck parking leases, such as by modifying leases to allow for collecting surveys and partnering with the Air District and CARB to allow enforcement access.	City of Oakland/Caltrans	The City is moving forward with amendments in 2021 to the Planning Code to add criteria for certain new industrial uses within 500 feet of residential uses.	long-term
9	The City of Oakland develops a plan to limit the hours that trucks can operate in the community.	City of Oakland	The City is moving forward with amendments in 2021 to the Planning Code that adds additional Conditional Use Permit (CUP) criteria (including a potential checklist of actions to reduce truck impacts) related to businesses that attract truck trips. As this Strategy is assigned to the Land Use Subcommittee, the Port & Freight Subcommittee did not consider this Strategy during the prioritization effort.	long-term
19	The Port of Oakland adopts an Electrical Infrastructure Plan for the maritime waterfront areas of Oakland. This Plan seeks to remove barriers to adoption of zero-emission trucks, such as cost, land, and ownership of charging equipment.	Port of Oakland	In 2020 and 2021 the Subcommittee received and discussion information from PG&E, East Bay Community Energy, and the Port of Oakland. The Port of Oakland continues to work on long-term planning and upgrades to its electrical system to accommodate future generations of zero-emission trucks. Actions in 2021 include installation of ten (10) electrical charging units for zero-emission trucks being used by Shippers Transport Express; initiation of upgrades and modernization to key substations; funding applications for the development of fuel cell and solar power facilities to provide local, zero-emission electricity to Port facilities; planning for truck electrification at the Roundhouse parking facility; and support for a fuel cell zero-emission truck demonstration project.	near-term

PARTNER STRATEGIES: PORT & FREIGHT				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
26	The City and Port of Oakland will work to establish permanent locations for parking and staging of Port related trucks and cargo equipment, i.e. tractors, chassis, and containers. Such facilities will provide long-term leases to parking operators and truck owner-operators at competitive rates. Such facilities will be at the City or Port logistics center or otherwise not adjacent to West Oakland residents.	City of Oakland & Port	During 2020 and 2021, the Subcommittee discussed potential parking for zero-emission vehicles under local freeways and formed a working group to explore this option in more detail. The City of Oakland continued efforts with OMSS, EBMUD, EBCE and others to develop sustainable zero-emission truck parking and infrastructure within the Oakland Gateway area. OMSS currently provides truck parking and related services to nearly 300 operators at the Burma/Wake Ave site. The City is working to improve the Wake Ave side of the site and under the freeway so OMSS can expand its offering and truckers will have the options of using the facility on a self-service basis. With the new Master Fee Schedule, the City now has fees for monthly and daily parking.	near-term
36	The City of Oakland requires industrial and warehouse facilities to provide electrical connections for electric trucks and transport refrigeration units in support of CARB regulations.	City of Oakland	The City has included external electrical connections as part of the options list for GHG mitigation under CEQA for the Howard Terminal development. Staff have not identified another mechanism for requiring these connections for existing buildings. Note that these standards are part of the Zero Emission Vehicle Action Plan currently under development, expected to be brought to City Council for consideration in early 2022.	long-term

COMMUNITY EQUITY AND JUSTICE MEETING OF 11/18/2021

PARTNER STRATEGIES: PORT & FREIGHT				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
37	The Port of Oakland, as part of the 2020 and Beyond Seaport Air Quality Plan, supports the transition to zero-emission drayage truck operations, including setting interim year targets out to 2035, coordinating an extensive zero-emission truck commercialization effort, working with the City of Oakland to amend local ordinances to increase the allowable weight limits for single-axle, zero-emission trucks on local streets located within the Port and the Oakland Army Base/Gateway areas, and developing an investment plan for needed upgrades to the Port's electrical infrastructure. The Port of Oakland also works with the California Public Utilities Commission and the California Energy Commission to study the development of time-of-day electric rate structures favorable to truck operators.	Port of Oakland	The Subcommittee received and discussed presentation on both battery and hydrogen zero-emission trucks; discussed equity issues related to owner-operators; discussed barriers to implement electric trucks; discussed working with CARB, the Port and the trucking community to host a trucker faire in 2022. The Port continues to study the issues related to the transition to zero-emission drayage trucks, including working with the City of Oakland on adjustments to local ordinances on allowable weight limits for trucks. The Port completed development of ten electric truck charging units, applied for funding for a solar power development and a fuel cell power system, allocated money in its Capital Improvement Program to replace and upgrade local substations and continued its planning for additional power upgrades. The Port also is contributing to a thirty-vehicle demonstration of hydrogen powered electric vehicle trucks.	near-term
38	The City of Oakland, consistent with the West Oakland Truck Management Plan: 1) improves training for police officers, community resource officers, and parking control technicians who issue truck and trailer parking tickets; 2) changes the parking regulations so they are easier to enforce; 3) increases truck parking fines; 4) targets enforcement at specific times and locations; and 5) improves signage directing drivers to available truck parking.	City of Oakland	In the summer of 2020, the City and Port engaged West Oakland Stakeholders to get feedback on the truck routes and truck parking proposals contained in the Truck Management Plan (TMP). Concerns were raised about Frontage Road and since then, the City and Port studied various scenarios for Frontage Road. An announcement will be made soon about the availability of the Frontage Road study. Check the TMP website for updates.	near-term
39	The City of Oakland, consistent with the West Oakland Truck Management Plan: 1) improves signage regarding existing truck routes; 2) works with businesses on preferred routes to use when destinations are not located on truck routes; and 3) adds to, or changes, truck routes and prohibited streets.	City of Oakland	In the summer of 2020, the City and Port engaged West Oakland Stakeholders to get feedback on the truck routes and truck parking proposals contained in the Truck Management Plan (TMP). Concerns were raised about Frontage Road and since then, the City and Port studied various scenarios for Frontage Road. An announcement will be made soon about the availability of the Frontage Road study. Check the TMP website for updates.	near-term

PARTNER STRATEGIES: PORT & FREIGHT				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
40	The City of Oakland, consistent with the West Oakland Truck Management Plan, implements, in consultation with West Oakland residents, traffic calming measures to keep truck traffic off residential streets.	City of Oakland	The Subcommittee took no action on this strategy during 2020 or 2021.	mid-term
42	The City and Port of Oakland award long-term leases to vendors that will deliver trucker services (including mini-market and convenience stores, fast food, and fast casual restaurants), and parking to keep trucks off West Oakland streets.	City of Oakland & Port	Not Yet Underway.	mid-term
43	The Port of Oakland studies the effects on truck flow and congestion due to increasing visits from larger container ships, the feasibility of an off-terminal container yard that utilizes zero-emission trucks to move containers to and from the marine terminals, and the potential efficiency gains from increasing the number of trucks hauling loaded containers on each leg of a roundtrip to the Port.	Port of Oakland	The Port of Oakland is currently studying truck flow, congestion and parking needs as part of their 2021 Strategic Planning process.	long-term
44	The Alameda County Transportation Commission works with West Oakland residents and businesses to develop mitigations to short- and long-term impacts caused by the construction of the 7th St Grade Separation East Project and the implementation of other elements of the GoPort Initiative.	ACTC	The Metropolitan Transportation Commission (MTC) award \$600,000 in Priority Conservation Areas program grant funds to WOEIP in conjunction with Alameda CTC matching funds of \$300,000, and CARB provided \$125,000 and the Port has awarded \$50,000; these funds will support tree planting activities in the Prescott neighborhood.	mid-term
63	The Port of Oakland implements a Clean Ship Program to increase the frequency of visits by ships with International Maritime Organization Tier 2 and Tier 3 engines.	Port of Oakland	The Port completed a feasibility study of this measure in December 2020. The study concluded that implementation is currently not feasible due to the lack of vessels with IMO-Tier 3 engines and vessel scheduling largely driven by routes to the Ports of Los Angeles and Long Beach.	long-term
64	The Port of Oakland implements a Clean Locomotive Program to increase the number of U.S. EPA Tier 4 compliant locomotives used by the UP, BNSF, and OGRE railways to provide service in and out of the Port of Oakland.	Port of Oakland	The Port completed a feasibility study of this measure in December 2020. The study concluded that implementation is currently not feasible due to rail car volumes being too low to prompt railways to prioritize Tier 4 locomotives at a reasonable incentive amount. The study also notes that no current clean locomotive incentive program exists within the US. CARB and the South Coast AQMD are studying an incentive program as part of the 2022 State Implementation Plan effort that may serve as a template for a program in Oakland.	long-term

PARTNER STRATEGIES: PORT & FREIGHT				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
65	The Port of Oakland studies the feasibility of using electric switcher locomotives at the two Port railyards.	Port of Oakland	Not Yet Underway.	long-term

COMMUNITY EQUITY, HEALTH
 AND JUSTICE COMMITTEE
 MEETING OF 11/04/2021

PARTNER STRATEGIES: LAND USE				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024
1	The City of Oakland continues working with California Waste Solutions and CASS, Inc. to relocate operations to the former Oakland Army Base and works with the property owners and local residents to redevelop the former sites in West Oakland with new business and light industrial uses that fit into a green economy.	City of Oakland	Oakland City Council approved land use entitlements to allow CWS to establish its recycling facility on the City's land at the former Oakland Army Base (now the Gateway Industrial District). This transfer of parcel ownership to CWS will relocate a source of air pollution from the residential community of West Oakland to industrial lands. In 2021, the Subcommittee continued to work with the City to identify incentives, as well as to help develop criteria for suitable relocation sites for CASS and other industrial sites, and to redevelop former sites in West Oakland with green economy businesses. These actions will be considered as part of City's industrial lands policy scheduled for completion in 2023.	near, mid and long term
4	Consistent with measures in the West Oakland Specific Plan, the City of Oakland identifies locations outside of West Oakland for heavier industrial businesses currently in West Oakland that contribute to air pollution emissions and negative health outcomes in West Oakland.	City of Oakland	These actions will be considered as part of City's development of land use tools to reduce emissions from truck attracting businesses, scheduled for completion in 2023.	near, mid and long term
5	The City of Oakland and Port of Oakland amends existing Ordinances, Resolutions, or Administrative policies to accelerate relocation of truck yards and truck repair, service, and fueling businesses in West Oakland currently located within the freeway boundaries that do not conform with the zoning designations adopted in the West Oakland Specific Plan.	City of Oakland	Both the Land-Use and Port & Freight Subcommittees have discussed this strategy and want to see equitable outcomes for residents as well as truck operators. In 2021, the City continued work on zoning amendments to address polluting businesses and magnet sources. City staff will present Planning Code Amendments to City Council in late 2021 and recommend updates to conditional use permit (CUP) and non-conforming use termination timeframes (i.e., the amount of time that may transpire between change of ownership at a conditionally permitted business or business that is "non-conforming" (i.e., "grandfathered").	near term

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6	The City of Oakland uses incentives and subsidies to relocate businesses away from West Oakland that do not conform with the zoning designations adopted in the West Oakland Specific Plan. The Air District will provide emissions data and technical support to assist the City in these efforts and to ensure that any relocated businesses do not cause exposure issues at the new location.	City of Oakland	These actions will be considered as part of City's development of land use tools to reduce emissions from truck attracting businesses, scheduled for completion in 2023.	near term
7	The City of Oakland revises business licensing procedures to require current and proposed businesses to disclose truck visits per day and works with Caltrans to determine the number of trucks that park in the Caltrans right-of-way near West Oakland. Caltrans works with WOEIP and the Air District to address air quality issues from truck parking leases, such as by modifying leases to allow for collecting surveys and partnering with the Air District and CARB to allow enforcement access.	City of Oakland	The City is moving forward with amendments in 2021 to the Emissions Reduction Planning Code that will add additional health-protective criteria for new heavy industrial uses within 500 feet of residential uses (requirements for Health Risk Assessment, etc.).	mid-term
8	The City of Oakland amends existing City Ordinances and Administrative policies to list new truck yards and truck service, repair and fueling businesses as prohibited uses within the area of West Oakland that is inside the freeways (excluding the Port, OAB, and 3rd St. corridor of Jack London Square from Brush St. to Union St.).	City of Oakland	Completed during 2014 rezoning as part of the West Oakland Specific Plan process; see Strategy #7 for additional action re 2021 Emission Reduction Planning Code.	near term
9	The City of Oakland develops a plan to limit the hours that trucks can operate in the community	City of Oakland	The City is moving forward with amendments in 2021 to the Emissions Reduction Planning Code that add additional CUP criteria (including a potential checklist of actions to reduce truck impacts) related to businesses that attract truck trips.	mid-term
13	The City of Oakland conducts a study regarding development fees for environmental mitigations.	City of Oakland	The Subcommittee believes that moving services for residents closer to residential areas will benefit the health and wellbeing of the community. To be considered as part of the City's General Plan update process.	near term
15	The City of Oakland continues requiring new developments to provide infrastructure for electrical vehicle charging stations.	City of Oakland	Completed. The City requires this for all new construction, which must have hook ups and "make-ready infrastructure" for vehicle charging stations; requires 100% of parking spaces in residential buildings to be plug-in electric capable; adopted standard requirements can be found on the City's Municipal Code and Charter page, in Chapter 15.04, Part 11.	near term

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17	The City of Oakland adopts policies to lessen air quality impacts of residential and office buildings through the reduction or elimination of natural gas systems.	City of Oakland	City Council adopted a complete ban on natural gas infrastructure for all new buildings in December 2020 (Ordinance No. 13632). Informational reports are planned for City Council in late 2021 on proposed approaches for eliminating natural gas systems in existing buildings. By end of 2022, staff will have a draft or final plan for electrifying all existing buildings.	near and long term
20	The City of Oakland revises development requirements to require the implementation of as many transportation demand management (TDM) strategies as feasible by developers of new buildings.	City of Oakland	OakDOT is currently enforcing TDM compliance on a case-by-case basis and is seeking capacity for more proactive TDM plan monitoring.	near term
22	The City of Oakland adopts more stringent air quality construction and operations requirements.	City of Oakland	The Subcommittee suggests that Oakland look at neighboring cities for model construction ordinances. The City will consider this strategy as part of General Plan update process.	near term
25	To address potential changes in local pollution exposure, the City of Oakland works with local community groups to address gentrification and the pricing out of long-term residents caused by gentrification. This effort includes meetings with local community groups and incentives and loans targeted to existing businesses and residents. Funding for this effort is identified as needed.	City of Oakland	To be considered as part of General Plan update process.	near term
27	The City of Oakland and other appropriate local agencies limit fugitive dust from construction activity through better enforcement of existing regulations and permit requirements.	City of Oakland	To be considered by the City as part of General Plan update process.	near term
77	Consistent with the Healthy Development Guidelines, the City of Oakland implements a project-wide smoking ban in Oakland at new developments.	City of Oakland	City has started conversations with Alameda County Department of Public Health and started workgroup with County and other community partners.	near term
78	Consistent with the State's Building Energy Efficiency Standards for air filtration in effect as of January 1, 2020, the City of Oakland requires newly constructed buildings of four or more habitable floors to include air filtration systems equal to or greater than MERV 13 (ASHRAE Standard 52.2), or a particle size efficiency rating equal to or greater than 50 percent in the 0.3-1.0 µm range and equal to or greater	City of Oakland	Completed. This requirement is in effect as part of the Oakland Municipal Code.	near term

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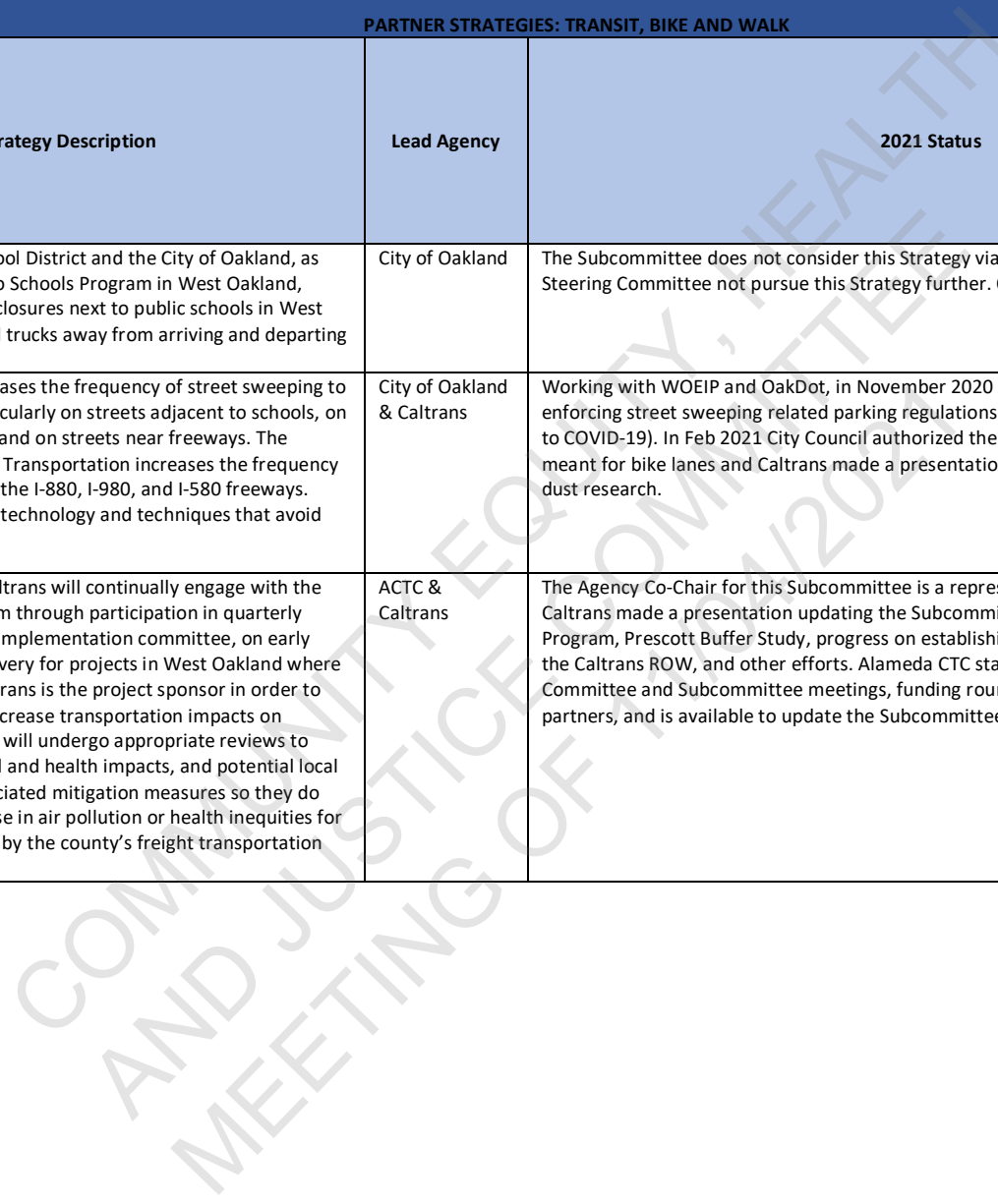
November 2021

	than 85 percent in the 1.0-3.0 μm range (AHRI Standard 680).			
81	The City of Oakland works with local businesses, partner agencies, and community members to develop a Green Business Strategic Plan to attract, retain, and support innovative green companies in West Oakland. This effort includes coordination with State and local agencies to develop criteria for green business certification for new and existing businesses.	City of Oakland	The Subcommittee believes that moving services for residents closer to residential areas will benefit the health and well being of the community. The City will consider this strategy as part of General Plan update process.	near and mid term
83	The City of Oakland works with community partners to implement the Healthy Development Guidelines for new building projects.	City of Oakland	To be considered as part of General Plan update process.	near term
88	The City of Oakland studies revising standard conditions of approval and/or similar requirements for large projects to require "opt-up" to East Bay Community Energy's Brilliant 100 carbon-free electricity supply.	City of Oakland	This action has been paused while EBCE restructures its rate offerings. EBCE is eliminating the Brilliant 100 option in 2021; the Subcommittee recommends that the Steering Committee reconsider this Strategy.	near term

COMMUNITY EQUITY, HEALTH AND JUSTICE COMMITTEE MEETING OF 11/01/2021

PARTNER STRATEGIES: TRANSIT, BIKE AND WALK				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
45	The City of Oakland collaborates with AC Transit, BART, Emery-Go-Round, and the local community to implement the broad array of transit improvements identified in the West Oakland Specific Plan.	City of Oakland	In Feb. 2021 OakDOT submitted applications to ACTC's Capital Investment Program for the West Oakland Transit Improvements project to upgrade 13 bus stops in West Oakland, and the Subcommittee heard a presentation from AC Transit on the status of each of the eleven projects called out in the West Oakland Specific Plan (WOSP) and prioritized projects by high, medium, and low.	near term
46	The City of Oakland collaborates with MTC and ACTC to consider a program for extending car sharing to low-income individuals and groups.	City of Oakland	The City of Oakland will explore Electric Vehicle (EV) Car Share as part of the Zero Emission Vehicle Action Plan. Oak dot is in preliminary conversations with car sharing providers. The lack of public EV Charging in West Oakland is a major barrier to establishing an EV program. OakDOT completed a survey on free-floating car share; see https://www.oaklandca.gov/documents/an-evaluation-of-free-floating-carsharing-in-Oakland-for-results .	mid term
47	AC Transit implements the Grand Avenue transit improvements identified in its Bus Rapid Transit Plan, as well as mitigations if the improvements cause increases in truck and auto idling on Grand Avenue.	AC Transit	In Feb 2021, AC Transit made a presentation to the Subcommittee on current and future transit in West Oakland which included information about the planned Grand Avenue transit improvements. OakDot made a presentation to the Subcommittee in Dec. 2020 on the Grand Avenue Mobility Plan, a related project to make improvements to serve pedestrians, cyclists, and transit users.	near term
55	The Bay Area Rapid Transit District will develop a bike station with controlled access at the West Oakland BART Station.	BART	In Jan 2021, WOEIP and Air District representatives met with BART staff to share information about WOCAP strategies and learn about BART's plans for bicycle and pedestrian access improvements at West Oakland BART. In March 2021, WOEIP and Air District representatives met with Mandela Station development project staff to learn more about the bike station and share information about the WOCAP.	near term
56	The City of Oakland implements the broad array of bicycle and pedestrian improvements identified in the West Oakland Specific Plan, the 2019 Oakland Bike Plan, and the 2017 Oakland Walks Pedestrian Plan.	City of Oakland	In Dec. 2020, the Subcommittee heard a presentation from Jennifer Hartle (San Jose State University) on focus groups she conducted with Oakland youth regarding bicycle and cargo cycle use. In Jan 2021, MTC presented to the Subcommittee information on the West Oakland Link Project. In Feb 2021 OakDOT submitted and was awarded a Caltrans Active Transportation Program grant for the 7th Street Connection project which will provide protected bike lanes, street trees, pedestrian crossing improvements, and truck/bus only lanes on 7th Street between Mandela and MLK; design and community engagement to begin in fall 2021.	near term

PARTNER STRATEGIES: TRANSIT, BIKE AND WALK				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
58	The Oakland Unified School District and the City of Oakland, as part of the Safe Routes to Schools Program in West Oakland, begin twice a day street closures next to public schools in West Oakland to keep cars and trucks away from arriving and departing students.	City of Oakland	The Subcommittee does not consider this Strategy viable and recommends that the Steering Committee not pursue this Strategy further. OUSD does not support this Strategy.	
59	The City of Oakland increases the frequency of street sweeping to decrease road dust, particularly on streets adjacent to schools, on designated truck routes, and on streets near freeways. The California Department of Transportation increases the frequency of street sweeping along the I-880, I-980, and I-580 freeways. Consideration is given to technology and techniques that avoid re-suspending road dust.	City of Oakland & Caltrans	Working with WOEIP and OakDot, in November 2020 Oakland Public Works began enforcing street sweeping related parking regulations on Market Street (after a pause due to COVID-19). In Feb 2021 City Council authorized the purchase of a mini street sweeper meant for bike lanes and Caltrans made a presentation to the Subcommittee on its road dust research.	near term
89	The Alameda CTC and Caltrans will continually engage with the community, at a minimum through participation in quarterly meetings of the WOCAP implementation committee, on early project planning and delivery for projects in West Oakland where Alameda CTC and/or Caltrans is the project sponsor in order to ensure projects do not increase transportation impacts on residents. These projects will undergo appropriate reviews to assess the environmental and health impacts, and potential local benefits, and adopt associated mitigation measures so they do not result in a net increase in air pollution or health inequities for residents most impacted by the county's freight transportation system in West Oakland.	ACTC & Caltrans	The Agency Co-Chair for this Subcommittee is a representative of Caltrans. In Feb 2021 Caltrans made a presentation updating the Subcommittee on the Active Transportation Program, Prescott Buffer Study, progress on establishing zero-emissions truck parking in the Caltrans ROW, and other efforts. Alameda CTC staff regularly attend Steering Committee and Subcommittee meetings, funding round tables with MTC and other partners, and is available to update the Subcommittee on its projects when requested.	near term



PARTNER STRATEGIES: HEALTH & LIVING BUFFERS				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
10	The City of Oakland creates a comprehensive, area-wide urban canopy and vegetation plan that identifies locations that trees can be added and maintained, such as parks and along Caltrans' rights-of-way and develops a plan to protect existing trees that reduce exposure to air pollution emissions in West Oakland. This includes partnering with local nonprofit groups, encouraging trees on private property, and working with the community on tree maintenance and (as needed) removal. The development of the Oakland Urban Forest Master Plan will inform this work.	City of Oakland	The Subcommittee heard presentations from the City presented the Equitable Climate Action Plan, Citywide Tree Inventory, and Urban Forest Master Plan. The Metropolitan Transportation Commission (MTC) award \$600,000 in Priority Conservation Areas program grant funds to WOEIP in conjunction with Alameda CTC matching funds of \$300,000. CARB provided \$125,000 and the Port has awarded \$50,000; these funds will support tree planting in the Prescott neighborhood. The Subcommittee recommends incorporating implementation of this strategy through the Adapt Oakland Plan.	near term
11	The City of Oakland works with local groups to train residents to maintain biofilters.	City of Oakland	See Strategy #10	mid term
16	The City of Oakland, in partnership with the Steering Committee, CARB and the Air District, studies the exposure reduction benefit of requiring solid or vegetative barriers to be incorporated into site design between buildings and sources of air pollution (for example, a freeway).	City of Oakland	See Strategy #10	mid term
23	The City adds the AB 617 Steering Committee Co-Chairs to the official lists to receive notification of "Applications on File" for discretionary planning projects and "Meeting Agendas" of the Planning Commission and its five subcommittees, and the Landmarks Preservation Board.	City of Oakland	Completed - The Steering Committee and Co-Chairs have been added to the City's notification list.	near term
76	The City of Oakland works with local and agency partners to implement regional and local adoption of the State Department of Public Health's "Health In All Policies" program.	City of Oakland	In 2021 WOEIP and EDF formed the Health Equity Advisory Committee (HEAC). The HEAC will bring together health experts from various agencies to further study the Plan's health strategies and make recommendations to the Steering Committee regarding both health and equity.	near term
79	The City of Oakland works with agency and community partners to undertake participatory budgeting with West Oakland community members to allocate local health improvement grants that reduce emissions or exposure to emissions.	City of Oakland	No action in 2021.	near term
82	The California Office of Environmental Health Hazard Assessment, in partnership with the Steering Committee, the City of Oakland, CARB, and the Air District, studies setting a limit on West Oakland's cumulative exposure to TACs.	OEHHA	See Strategy #76.	long term

PARTNER STRATEGIES: HEALTH & LIVING BUFFERS				
Strategy#	Strategy Description	Lead Agency	2021 Status	Implementation Timeframe near-term = 2020-21 midterm = 2022-23 long-term = 2024-25
84	The Alameda County Public Health Department expands its Asthma Management programs.	Alameda County Public Health Department	The Subcommittee heard a presentation from ACPHD on the Asthma Start and other asthma related programs and provided the group information on the County's COVID response. The Air District initiated discussions with ACPHD and BayRen on how to leverage each other's programs working at the nexus of public health, energy efficiency, home weatherization, and air quality. These partners applied and received a \$2 million dollar grant through the California Attorney General's office Automobile Emissions Research and Technology Fund.	near term
85	The City of Oakland works with Alameda County Public Health Department to improve access to medical services within West Oakland. This work expands existing programs such as: (1) Child Health and Disability Prevention Program free health check-ups for infants through teens; (2) Asthma Management at schools; (3) Building Blocks for Health Equity which works to correct inequity in health outcomes for children; (4) Urban Male Health Initiative which is charged with reducing the premature mortality of men and boys in Alameda County; and (5) Alameda County Health Improvement Plan to develop and implement a five-year county plan to improve health and achieve health equity.	City of Oakland	See Strategy #76 and 84	near term
86	The Alameda County Public Health Department works with agency and local partners to investigate the use of green building approaches in housing construction and renovation that will reduce emissions and exposure to air pollution emissions. This work examines weatherization/energy efficiency and renewable energy services. This work draws from the Contra Costa County Health Department's pilot effort in cooperation with the Regional Asthma Management Program.	Alameda County Public Health Department	See Strategy #84	mid term

COMMITTEE CHAIR SUMMARY REPORT OF THE NOMINATING COMMITTEE

(Chair: Cindy Chavez)

Note: As this report was written prior to the meeting of the Nominating Committee, the Committee's recommendation was not yet made at the time of this document's creation.

The Nominating Committee will meet on Wednesday, November 17, 2021, and approved the minutes of November 20, 2020. This meeting will be conducted under procedures authorized by Assembly Bill 361. Members of the Committee participated by teleconference.

The Committee will consider nomination of Board Officers for the 2022 Term of Office, including the Chairperson, Vice Chairperson, and Secretary. *[The recommendations proposed by the Nominating Committee will be read aloud by Chair Chavez at the November 17, 2021 Board of Directors meeting.]*

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: November 12, 2021

Re: Report of the Nominating Committee Meeting of November 17, 2021

RECOMMENDED ACTIONS

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

- A) Consideration and Nomination of Board Officers for the Term of Office Commencing 2022
 - 1) Consider recommending Board of Directors' approval of Board Officers for:
 - Chairperson;
 - Vice Chairperson; and
 - Secretary.

BACKGROUND

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

- A) Consideration and Nomination of Board Officers for the Term of Office Commencing 2022

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor
Reviewed by: Vanessa Johnson

Attachment 9.2A: 11/17/2021 – Nominating Committee Meeting Agenda #3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Nominating Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 1, 2021

Re: Consideration and Nomination of Board Officers for the Term of Office Commencing
2022

RECOMMENDED ACTION

Consider recommending Board of Directors' approval of Board Officers for:

- Chairperson;
- Vice Chairperson; and
- Secretary.

DISCUSSION

Acting Air District Counsel, Adan Schwartz, has provided a memorandum addressed to Chairperson Cindy Chavez that is attached for discussion. The memorandum includes pertinent provisions from the Air District's Administrative Code and the Board of Directors' Operating Policies and Procedures. The memorandum also discusses the role of the Nominating Committee.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson

Attachment 3A: Criteria for Recommendation of Officers of the Board of Directors
Attachment 3B: Administrative Code – Selected Provisions Section 2 Board of Directors,
Officers - Duties

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

OFFICE OF DISTRICT COUNSEL

MEMORANDUM

DATE: November 1, 2021

TO: Cindy Chavez, Chairperson
and Members of the Nominating Committee of the Board of Directors

FROM: Adan Schwartz
Acting District Counsel

SUBJECT: Criteria for Recommendation of Officers of the Board of Directors

The function of the Nominating Committee is “to recommend to the Board the officers for each calendar year.” Bay Area Air Quality Management District Administrative Code (“Admin. Code”), Division I, Section 6.8. In order to assist with this function, this memorandum discusses the criteria to be applied by the Nominating Committee in making its recommendations for officers to the Board.

The Administrative Code contains certain criteria that the Nominating Committee must follow in making its recommendation for officers of the Board.

First, “the Committee shall not be bound by a recommendation of a previous Nominating Committee.” Admin. Code, Div. I, § 6.8.

Second, “[t]he Committee need not follow a strict rule of rotation between supervisor and city members but may take into account their proportionate membership on the Board of Directors.” Admin. Code, Div. I, § 6.8.

Third, Section 6.8 further requires that “the Committee shall take into account the provisions of Section I-2.7.” Admin. Code, Div. I, § 6.8.

Section 2.7 of Division I of the Administrative Code sets forth a policy of the Board to rotate the positions of the Chairperson, Vice Chairperson, and Board Secretary among the members of the Board “in a manner to assure participation in the affairs of the District from a wide representation of the membership.” Admin. Code, Div. I § 2.7. In this regard, Section 2.7 provides that “[I]n making its recommendations, the Nominating Committee shall take into account such factors as representation by those members appointed by Boards of Supervisors, those members appointed by City selection committees, those members from large counties, and those from small counties.” Admin. Code, Div. I § 2.7.

Thus, the Board has expressed a policy of rotating officer positions in order to ensure broad participation by all Board members in the affairs of the Air District. However, the Nominating Committee is not required to follow a strict rule of rotation between supervisor and city members. Nor is the Committee to be bound by the actions of any prior Nominating Committee. Finally, the Nominating Committee must take into account such factors as representation of supervisor and city members on the Board and the representation of members from large and small counties.

For your convenience, attached are copies of the pertinent sections of the Air District's Administrative Code.

NOMINATING COMMITTEE
MEETING OF 11/17/2021

ADMINISTRATIVE CODE – SELECTED PROVISIONS

SECTION 2 BOARD OF DIRECTORS, OFFICERS - DUTIES

2.1 OFFICERS OF THE BOARD. (Revised 1/21/04)

The presiding officer of the Board is the Chairperson of the Board of Directors. The Chairperson, Vice Chairperson and Secretary shall, no later than the first meeting in December of each year, be elected by the Board of Directors and assume office January 1, (effective January 1, 2005). The Chairperson shall preserve order and decorum at regular and special meetings of the Board. The Chairperson shall state each question, shall announce the decision, shall decide all questions of order subject to an appeal to the Board. The Chairperson shall vote on all questions, last in order of the roll, and shall sign all ordinances and resolutions adopted by the District Board while the Chairperson presides. (see Section II-4.3)

In the event that the Chairperson is unable, for whatever reason, to fulfill his or her one-year term of office, the Vice-Chairperson shall succeed the Chairperson and the Secretary shall succeed the Vice-Chairperson. Section 2.3 below shall determine the filling of the Secretary vacancy. In any event, no Board Officer shall serve more than three (3) years in any one Board office (Chairperson, Vice-Chairperson, or Secretary).

2.2 CHAIRPERSON. (Revised 1/14/09)

The Chairperson shall take the chair at the hour appointed for the meeting and call the District Board to order. In the absence of the Chairperson, the Vice-Chairperson shall call the Board to order and serve as temporary Chairperson. Upon arrival of the Chairperson, the Vice-Chairperson shall relinquish the chair upon the conclusion of the business then pending before the Board. In the absence, or self-determined inability to act, of the Chairperson, or the Vice-Chairperson when the Chairperson is absent, the Board Secretary shall call the Board to order and serve as temporary Chairperson. Upon arrival of the Chairperson or Vice-Chairperson, the Secretary shall relinquish the Chair upon the conclusion of the business then pending before the Board. In the absence, or self-determined inability to act, of the Chairperson, Vice Chairperson or Secretary, members of the Board of Directors shall, by an order on the Minutes, select one of their members to act as temporary Chairperson. Upon the arrival or resumption of ability to act, the Chairperson or Vice-Chairperson shall resume the Chair, upon the conclusion of the business then pending before the Board. It shall be the duty of the Chairperson to attend all meetings of the Bay Area Air Quality Management District Advisory Council.

2.3 VICE CHAIRPERSON.

If, for any reason, the Chairperson ceases to be a member of the Board, the Vice-Chairperson shall automatically assume the office of Chairperson and the Board Secretary shall automatically assume the office of Vice-Chairperson. If, for any reason, the Vice-Chairperson ceases to be a member of the Board, the Board Secretary shall automatically assume the office of Vice-Chairperson. In either eventuality, the Board Nominating Committee shall, upon the request of the Chairperson, make a recommendation at the Board meeting following such request to fill the office of Board Secretary. An election will then immediately be held for that purpose.

2.4 BOARD SECRETARY.

The Board Secretary shall be official custodian of the Seal of the District and of the official records of the District and shall perform such secretarial duties as may require execution by the Board of Directors. The Board Secretary may delegate any of these duties to the APCO, or to the Clerk of the Boards.

2.5 MEETING ROLL CALL.

Before proceeding with the business of the Board, the Clerk of the Boards shall call the roll of the members, and the names of those present shall be entered in the Minutes. The names of members who arrive after the initial roll call shall be noted in the Minutes at that stage of the Minutes.

2.6 QUORUM.

A majority of the members of the Board constitutes a quorum for the transaction of business, and may act for the Board.

2.7 OFFICER ROTATION.

It is intended that the positions of Chairperson, Vice Chairperson, and Board Secretary be rotated among the members in a manner to assure participation in the affairs of the District from a wide representation of the membership. In making its recommendations, the Nominating Committee shall take into account such factors as representation by those members appointed by Boards of Supervisors, those members appointed by City selection committees, those members from large counties, and those from small counties.

SECTION 6 BOARD OF DIRECTORS, COMMITTEES

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

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

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: November 12, 2021

Re: Environmental Justice Training Module: Structural Racism and Environmental
Injustice

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

During the September 2, 2021, Community Equity, Health, and Justice Committee meeting, Air District staff committed to begin training initiatives for all Board of Directors and staff in the fall of 2021 to increase cultural competence and humility, better understand structural racism and social inequities, and help Board members and staff further build community relationships.

These training sessions will help provide the learning and training to further formulate and implement Air District policies that are inclusive and address disparities in air pollution across the Bay Area region. These trainings will be laid out in three upcoming meetings covering the following topics:

- Structural Racism and Environmental Injustice
- Partnerships and Power Sharing
- Navigating Conflict through Collaborative Problem Solving

DISCUSSION

The first module in this training series is focused on the historical connection between racial segregation and structural racism and current day environmental injustices in the Bay Area, and across our nation. It will introduce a model of change to become an anti-racist organization developed by the Government Alliance on Race and Equity. Deldi Reyes, the Director of the Community Air Protection Program at the California Air Resources Board (CARB), will deliver a presentation that has been adapted from a full day staff-wide training being implemented at CARB.

This first training will explore the origins of racism in the United States and explain how historical decisions to intertwine land use planning with racial segregation led to current day environmental injustices. It will then outline the different levels of racism, explore ways to better understand how structural racism affects the work we do, and then highlight different strategies and models to advance racial equity.

To prepare for the October 20, 2021, training, the following pre-work assignments were provided to the Board of Directors:

1. Please watch the 17-minute film, [Segregated by Design](#), an animated film by Mark Lopez and narrated by Richard Rothstein, author of [The Color of Law: A Forgotten History of How Our Government Segregated America](#)
2. Please read pages 13 – 49 of [Advancing Racial Equity: A Resource Guide to Put Ideas Into Action](#)
3. Please read this short article: ['False Beliefs' of Med Students May Lead to Racial Bias in Pain Management, Study Says](#)

The first module will conclude with a discussion among Board members regarding what progress towards racial equity goals will look like, and how to translate ideas into action.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kevin Olp
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: November 12, 2021

Re: Report Out on COP26 Climate Conference

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The 2021 United Nations Climate Change Conference, also known as COP26 and as the Glasgow Conference, was the 26th United Nations Climate Change conference. The COP26 summit, which was held this year from October 31 through November 12, 2021, brought parties together to accelerate action towards the goals of the Paris Agreement and the UN Framework Convention on Climate Change.

The Bay Area Air Quality Management District sent representatives to COP26 to connect with international climate leaders and policy makers. The representatives included Air District Executive Officer Jack Broadbent and Climate Manager Abby Young, and members of the Board of Directors, Davina Hurt and John Bauters. Director Lynda Hopkins also attended the conference, with another California delegation. Their COP26 participation enables the Air District to learn about revolutionary technologies being deployed and policies being enacted around the world that can be replicated in the Bay Area.

DISCUSSION

Air District staff and Board Members will provide a brief overview of the Air District's goals and insights, a summary of the various panels that were featured and share highlights from the COP26 conference.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristina Chu
Reviewed by: Kristine Roselius