

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

Board of Directors Regular Meeting  
Wednesday, February 3, 2021

### **APPROVED MINUTES**

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

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

### **CALL TO ORDER**

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

#### **Roll Call:**

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

Absent: Director Nate Miley and Lori Wilson.

### **CONSENT CALENDAR (ITEMS 2 – 4)**

2. Minutes of the Board of Directors Special Meeting/Retreat of January 20, 2021
3. Board Communications Received from January 20, 2021 through February 2, 2021
4. Consider Adopting Proposed Amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees

#### **Public Comments**

No requests received.

#### **Board Comments**

None.

## Board Action

Director Wagenknecht made a motion, seconded by Director Cutter, to **approve** the Consent Calendar Items 2 through 4, inclusive; and the motion **carried** by the following vote of the Board:

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

## **PRESENTATIONS, CONTINUATION OF JANUARY 13, 2021, BOARD OF DIRECTORS ORIENTATION**

### **5. Air District Legal Authorities 101**

Brian Bunger, District Counsel, gave the staff presentation *Air District Legal Authorities 101*, including: presentation outcome and outline; requested action; air quality problems; regulatory framework; Air District authority; roles of Board, staff, and Board-appointed bodies; criteria pollutant control – planning and regulations; Air District regulations; criteria pollutant control – permits; air toxics controls; greenhouse gases; Assembly Bill (AB) 617; and other topics.

### Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; Dr. Raymond Tompkins, African-American Community Health Equity Council; Dr. Stephen Rosenblum, 350 Silicon Valley; LaDonna Williams, All Positives Possible; Lonnie Mason, Bayview Hunters Point resident; and Bob Brown, Western States Petroleum Association.

NOTED PRESENT: Director Hopkins was noted present at 10:46 a.m.

### Board Comments

The Board and staff discussed ways in which the Air District addresses regulated facilities' violations and non-compliance; how much capacity the Air District has to pursue enforcement; joint plan adoption with the Metropolitan Transportation Commission; whether the term "New Source Review" pertains to residential buildings, and whether the Air District has authority to regulate residential buildings; ways in which the Air District is alerted of small businesses whose operations need to be permitted by the Air District; Equipment Registration Requirements for certain sources that do not require Air District permits; whether a facility would have to pay retroactive Air District permit fees should their operations require an Air District permit; ways in which facilities are notified that they are out of compliance with Air District regulations; whether the Air District offers incentives to upgrade equipment for permitted facilities; how to generate offsets at a facility; the intent of AB 398 and how it has affected Air District Rule 12-16; whether the California Air Resources Board imposes consequences upon air districts that do not achieve their intended emission reductions under AB 617 (Community Air Protection Program); whether AB 617 Community Emission Reduction Plans (CERP) establish metrics and milestones for making progress on reducing air emissions and improving community health, and CERP deadlines;

concerns from members of the public about delayed rule development timelines; the desire for the expansion of the Air District’s indirect source authority, especially to address warehouses and the rise of the online economy; the status of the implementation of the Air District’s 2017 Clean Air Plan; and whether the Air District can mandate the installation of electric vehicle charging infrastructure in low-income communities, and if not, the suggestion that the Air District seeks that authority.

Board Action

None; receive and file.

**6. Update on Core Programs**

Damian Breen, Senior Deputy Executive Officer of Operations, gave the staff presentation *Update on Core Programs*, including: presentation outcome and outline; requested action; background – why are they called the ‘Core Programs’, and what are their functions; Compliance and Enforcement; Engineering; Meteorology and Monitoring – South Bay Odor Study; and feedback requested.

Public Comments

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

Board Comments

The Board and staff discussed which of the Board’s current committees will address wildfire risk reduction and impacts, and the possibility of a new committee that would solely focus on wildfires; the suggestion that the Air District collaborates with the Sonoma County Office of Recovery and Resiliency and its partnership with Berkeley’s Center for Law, Energy, and the Environment to convene vegetation management policy discussion groups with state and local stakeholders to identify long-term vegetation management and policy; and whether the South Bay Odor Study can be used as a baseline for the entire Bay Area, or whether it is unique to the South Bay.

Committee Action

None; receive and file.

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

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

Public comments were given by Doron Amiran, The Climate Center; LaDonna Williams, All Positives Possible; Dr. Raymond Tompkins African-American Community Health Equity Council; Lonnie Mason, Bayview Hunters Point resident; and Perry Mistry.

## **BOARD MEMBERS' COMMENTS**

### **8. Board Members' Comments**

Director Rice asked when the 2021 Board Committee assignments would be released.

## **OTHER BUSINESS**

### **9. Report of the Executive Officer/APCO**

#### **A. Update on Bay Area Hyperlocal Air Quality Mapping Project (Aclima)**

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, introduced Ranyee Chiang, Director of Meteorology and Measurements, introduced the following slides: *Hyperlocal Air Quality (Aclima) project; project timeline and data review; and potential actions from Aclima data.*

#### **Public Comments**

Public comments were given by Tony Fisher, Coalition for Clean Air.

#### **Board Comments**

None.

#### **B. Update on California and Other Parties' Challenges to Environmental Protection Agency's (EPA) Failure to Lower the National Ambient Air Quality Standard for Particulate Matter (PM)**

Mr. Broadbent and Mr. Bungler gave an update on California and other parties' challenges to Environmental Protection Agency's (EPA) failure to lower the National Ambient Air Quality Standard for particulate matter, as well as the Air District's involvement in the litigation of the Trump Administration's Safer Affordable Fuel Efficient Vehicles Rule.

#### **Public Comments**

No requests received.

#### **Board Comments**

None.

### **10. Chairperson's Report**

Chair Chavez had nothing to report.

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

Wednesday, March 3, 2021 at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

12. **Adjournment**

The meeting adjourned at 12:11 p.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards