

Bay Area Air Quality Management District
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APPROVED MINUTES

Summary of Board of Directors
Stationary Source and Climate Impacts Committee Meeting
Monday, October 18, 2021

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

1. CALL TO ORDER – ROLL CALL

Stationary Source and Climate Impacts Committee (Committee) Co-Chairperson John Bauters called the meeting to order at 9:00 a.m.

Present: Committee Co-Chairperson John Bauters and Karen Mitchoff; Vice Chairperson Teresa Barrett; and Directors Rich Constantine, John Gioia, Carole Groom, Erin Hannigan, Davina Hurt, Tyrone Jue, and Mark Ross.

Absent: Director David Haubert.

2. APPROVAL OF THE MINUTES OF SEPTEMBER 27, 2021

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Constantine made a motion, seconded by Director Hurt, to approve the Minutes of September 27, 2021; and the motion carried by the following vote of the Committee:

AYES: Barrett, Bauters, Constantine, Gioia, Hannigan, Hurt, Jue, Mitchoff.
NOES: None.
ABSTAIN: None.
ABSENT: Groom, Haubert, Ross.

3. **DRAFT AMENDMENTS TO BUILDING APPLIANCE RULES – REGULATION 9, RULES 4 AND 6**

Greg Nudd, Deputy Air Pollution Control Officer of Policy, introduced Jennifer Elwell, Senior Air Quality Engineer, who gave the staff presentation *Draft Amendments to Rules 9-4 and 9-6*, include: outcome; outline; requested action; background; overview of existing rules; Rule 9-4 updates; Rule 9-6 updates; interim Report; projected emissions reductions; equity considerations; public feedback; timeline and next steps; and feedback requested/prompt.

Public Comments

Public comments were given by David McCoard, El Cerrito; Stephanie Morris, Mothers Out Front Silicon Valley; Tom Kabat, Menlo Park resident; Debbie Mytels, Palo Alto resident; Paul Wermer; Sander Kushen, California Public Interest Research Group (CALPIRG); Leah Louis-Prescott, Rocky Mountain Institute; Mara Stuart, Berkeley resident; Erin Redding, CALPIRG; Michael Corbett, Bradford White Corporation; Sven Thesen; Sara Greenwald; Jared Johnson, Acterra; David Page; Josie Gaillard; Nick Pilch, City of Albany; Bruce Naegel; Kyle Bergeron, Air-Conditioning, Heating & Refrigeration Institute; Jed Holtzman, San Francisco resident; Lizzi Nickerson, Oakland resident; Matthew Gough, Sierra Club; Ben Grundy, Environment California; Jan Warren, Interfaith Climate Action Network of Contra Costa County; Laura Feinstein, San Francisco Planning and Urban Planning Renewal Association; Daniel Tahara; Diane Bailey; Nate Dewart, Energy Solutions; Dr. Cynthia Carmichael; Howard Strassner; Todd Snyder, San Francisco resident; Stephen Taffee, Menlo Park resident; Dr. Susan Penner, Emeryville resident; and Helena Birecki, San Francisco resident.

Committee Comments

The Committee and staff discussed concerns about continuing to treat natural gas as a bridge fuel between fossil fuels and electrification; the desire to see the proposed timeline for Rules 9-4 and 9-6 accelerated and then extended, if necessary; the suggestion of offering incentives to landlords of residential buildings to accelerate their tenants' transition to electrification; whether the Air District can prioritize electrification for new construction over existing buildings; concerns that retrofitted infrastructure will disproportionately impact those who cannot afford increasing costs; the status of incentives and subsidies; point of sale requirements; anticipation of existing homes experiencing circuit breaker capacity issues during retrofitting, and how the needs of multi family dwelling tenants may be impacted; the suggestion of creating a working group to focus on equity issues that need consideration when low-income households transition to electrification, and whether the Air District's Community Advisory Council would be the appropriate body to examine these issues; the suggestion of aligning the rule implementation timeline with how quickly funding for equity considerations can be procured; concerns that tenants' rent may be increased to absorb the cost of electrification conversions; whether the Air District may require electrification retrofits on the resale of existing homes; the need to involve labor and trade councils, small businesses, and the California Public Utilities Commission with this rule development; when the Board will be presented with the Interim Report; whether condominiums and stock cooperatives (co-ops) require a different electrification transition strategy from existing single family and multifamily dwellings; potential industrial impacts and implications that may result from the implementation of Rules 9-4 and 9-6; and the suggestion of creating a Board Resolution (by January 2022) that would: 1) create a working implementation group (consisting of stakeholders such as labor representatives,

industry representatives, trades councils, construction businesses, homeowners, tenants, and environmental justice representatives); 2) require the aforementioned working group to annually report to the Committee and Board regarding the status of appliance development and subsidies/incentives; and 3) allow the Air District to move up Rule 9-4 and/or 9-6 implementation dates, if feasible.

The Committee directed staff to draft a Board Resolution (by January 2022) that would:

- a) create a working implementation group (consisting of stakeholders such as labor representatives, industry representatives, trades councils, construction businesses, homeowners, tenants, and environmental justice representatives);
- b) require the aforementioned working group to annually report to the Committee and Board regarding the status of appliance development and subsidies/incentives;
- c) allow the Air District to move up Rule 9-4 and/or 9-6 implementation dates, if feasible; and
- d) to move forward with Regulation 9, Rules 4 and 6 (as drafted) to a final publication by early December 2021.

4. RULE DEVELOPMENT PROCESS AND IMPROVEMENTS: SOURCE PRIORITIZATION

Elizabeth Yura, Director of Rules and Strategic Policy, gave the staff presentation *Rule Development Process Improvements: Source Prioritization*, including: outcome; outline; requested action; how should it work; how is it currently working; what is the result; proposed solutions; what is the prioritization framework; proposed prioritization factors; what prioritization factors are key; what needs prioritization; example prioritization exercise; proposed annual prioritization process; next steps; and feedback requested/prompt.

Public Comments

Public comments were given by Christine Wolfe, California Council for Environmental and Economic Balance; Tom Kabat, Menlo Park resident; and Jed Holtzman, San Francisco resident.

Committee Comments

The Committee and staff discussed the need for the Air District's Community Advisory Council and the voice of the community to be involved in the annual prioritization process.

Committee Action

None; receive and file.

5. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

6. COMMITTEE MEMBER COMMENTS

None.

7. TIME AND PLACE OF NEXT MEETING

Monday, November 15, 2021, at 9:00 a.m., via webcast, pursuant to procedures in accordance with Assembly Bill 361.

8. ADJOURNMENT

The meeting adjourned at 11:32 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards