



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE

COMMITTEE MEMBERS

LYNDA HOPKINS – CHAIR
KEN CARLSON
JOHN GIOIA
OTTO LEE
MARK ROSS

DAVID HAUBERT – VICE CHAIR
NOELIA CORZO
TYRONE JUE
MYRNA MELGAR
VICKI VEENKER

MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY
COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC

Main Meeting Location:

Bay Area Metro Center
1st Floor Yerba Buena Room
375 Beale Street, San Francisco, CA 94105

In-Person Remote Teleconference Location(s):

Office of Contra Costa County Supervisor
John Gioia
Conference Room
11780 San Pablo Ave., Suite D, El Cerrito, CA 94530

City of Palo Alto City Hall
250 Hamilton Ave., 7th Floor
Palo Alto, CA 94301

County of Santa Clara
Office of Supervisor Otto Lee
70 W. Hedding Street
East Wing, 10th Floor
San Jose, CA 95110

Office of Alameda County Supervisor
David Haubert
4501 Pleasanton Avenue
Pleasanton, CA 94566

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Stationary Source and Climate Impacts Committee reserves the right to conduct the meeting without remote webcast and/or Zoom access.

The public may observe this meeting through the webcast by clicking the link available on the air district's agenda webpage at www.baaqmd.gov/bodagendas.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/82409286473>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 824 0928 6473

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 a matter on the agenda will have two minutes each to address the Committee on that agenda item, unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again.

STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE MEETING AGENDA

WEDNESDAY, MAY 10, 2023

10:00 AM

1. Call to Order - Roll Call

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

2. Pledge of Allegiance

CONSENT CALENDAR (Item 3)

3. Approval of the Draft Minutes of the Stationary Source and Climate Impacts Committee Meeting of April 12, 2023

The Committee will consider approving the draft minutes of the Stationary Source and Climate Impacts Committee meeting of April 12, 2023.

INFORMATIONAL ITEM(S)

4. Prescribed Burning in the Bay Area

This is an informational item to provide the Committee an overview of prescribed burning in the Bay Area. This item will be presented by Patrick Wenzinger, Supervising Air Quality Specialist in the Compliance & Enforcement Division.

5. Air District Legal Authorities for Regulating Air Pollution

This is an informational item to provide the Stationary Source and Climate Impacts Committee with an outline of the Air District's authority to regulate air pollution from stationary sources and take other actions to protect air quality, public health, and the global climate. This item will be presented by District Counsel, Alexander Crockett.

OTHER BUSINESS

6. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Committee. Members of the public will have two minutes each to address the Committee, unless a different time limit is established by the Chair.

7. Committee Member Comments

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

8. Time and Place of Next Meeting

Wednesday, June 14, 2023, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source and Climate Impacts Committee members and members of the public will be able to either join in-person or via webcast.

9. Adjournment

The Committee meeting shall be adjourned by the Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@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, Suma Peesapati, at (415) 749-4967 or by email at speesapati@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**

MAY 2023

<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	Wednesday	10	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	10	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Special Meeting Budget Hearing	Wednesday	17	8:30 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Meeting	Wednesday	17	9:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	17	1:00 p.m.	1 st Floor, Yerba Buena Room
Community Advisory Council	Thursday	18	6:00 pm.	Cal State University, East Bay Grand Lake and Merritt 1 Rooms 1000 Broadway, Suite 109 Oakland, CA 94607

JUNE 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	7	9:00 a.m.	1 st Floor Board Room
Board of Directors Legislative Committee	Wednesday	7	10:30 a.m.	1 st Floor Board Room
Board of Directors Finance & Administration Committee	Wednesday	7	1:00 p.m.	1 st Floor Board Room
Advisory Council Meeting	Monday	12	8:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	14	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	14	1:00 p.m.	1 st Floor, Yerba Buena Room

JUNE 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	ROOM
Board of Directors Meeting	Wednesday	21	9:00 a.m.	1st Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	21	1:00 p.m.	1st Floor Board Room
MV 5/3/2023 – 1:12 p.m.				G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Lynda Hopkins and Members
of the Stationary Source and Climate Impacts Committee

From: Philip M. Fine
Executive Officer/APCO

Date: May 10, 2023

Re: Approval of the Draft Minutes of the Stationary Source and Climate Impacts
Committee Meeting of April 12, 2023

RECOMMENDED ACTION

Approve the attached draft minutes of the Stationary Source and Climate Impacts Committee meeting of April 12, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Stationary Source and Climate Impacts Committee meeting of April 12, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Stationary Source and Climate Impacts Committee meeting of April 12, 2023

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

Stationary Source & Climate Impacts Committee
Wednesday, April 12, 2023

DRAFT MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Board of Director Chairperson, John J. Bauters, called the meeting to order at 10:02 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Board Chairperson John J. Bauters; and Directors Noelia Corzo and Tyrone Jue.

Present, In-Person Satellite Location (County of Santa Clara, 70 West Hedding Street, 10th Floor, East Wing Conference Room, San Jose, California, 95110): Director Otto Lee.

Present, In-Person Satellite Location (Office of Alameda County Supervisor David Haubert, 4501 Pleasanton Ave., Pleasanton, California, 94566): Vice Chairperson David Haubert.

Absent: Committee Chairperson Lynda Hopkins; and Directors Ken Carlson, John Gioia, Myrna Melgar, Mark Ross, and Vicki Veenker.

2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC MEETING PROCEDURE**

CONSENT CALENDAR (ITEM 4)

4. **APPROVAL OF THE MINUTES OF THE STATIONARY SOURCE & CLIMATE IMPACTS COMMITTEE MEETING OF MARCH 8, 2023**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Vice Chair Haubert made a motion, seconded by Director Corzo, to **approve** the Minutes of the Stationary Source & Climate Impacts Committee Meeting of March 8, 2023; and the motion **carried** by the following vote of the Committee:

AYES: Bauters, Corzo, Haubert, Jue, Lee.
NOES: None.
ABSTAIN: None.
ABSENT: Carlson, Gioia, Hopkins, Melgar, Ross, Veenker.

INFORMATIONAL ITEMS (ITEMS 5 – 8)

5. FUGITIVE DUST REGULATORY ANALYSIS AND RECOMMENDATIONS

Elizabeth Yura, Director of Rules & Strategic Policy, introduced Eric Lara, Senior Air Quality Specialist, who gave the staff presentation *Fugitive Dust Regulatory Analysis and Recommendations*, including: outcome; outline; presentation for information only; background; sources of fugitive dust; feedback; overview of current Particulate Matter (PM) rules for fugitive dust; gap analysis of fugitive dust rules; recommendations; and next steps.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the anticipated timeline for engagement with stakeholders and impacted jurisdictions; and ways in which the Air District's enforcement activities may interact/coordinate with agencies whose projects are subject to water and/or soil contamination regulations, but may not observe air quality challenges.

Committee Action

None; receive and file.

6. UPDATED 2023 STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE WORK PLAN

Greg Nudd, Deputy Air Pollution Control Officer of Policy, gave the staff presentation *Updated 2023 Stationary Source and Climate Impacts Committee Work Plan*, including: outcome; 2023 Stationary Source and Climate Impacts Committee Work Plan.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the desire for the Air District to develop and adopt an indirect source rule; and the definition of “rule implementation” under “Pending Items” of the proposed Work Plan.

Committee Action

None; receive and file.

7. UPDATE ON THE BAY AREA HEALTHY HOMES INITIATIVE (BAHHI)

Dr. Idania Zamora, Planning and Climate Protection Assistant Manager, gave the staff presentation *Update on the Bay Area Healthy Homes Initiative*, including: presentation for information only; outline; rising asthma rates as a growing health and equity issue; Contra Costa County asthma hospitalizations; overburdened communities are also more vulnerable to climate impacts; BAHHI objective; partners and roles; participant pathways; resiliency of people and homes; and implementation.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed whether BAHHI participants must own their homes; whether mobile homes or other types of housing are eligible to participate; implementation challenges; the desire to see cost burden protection for renters created; whether the Air District has the resources to identify building electrification funds for participants, as an oversight agency of the initiative; and the prevalence of asthma in African American children living in low income areas, according to the data.

Committee Action

None; receive and file.

8. GREENER AND HEALTHIER BUILDINGS AT BAY AREA DISADVANTAGED COMMUNITIES BY BLOCPOWER

Mr. Nudd introduced Roopak Kandasamy, California General Manager of BlocPower, who gave the presentation *BlocPower and Bay Area Air Quality Management District*, including: mission; our approach; building electrification programs and projects powered by software and data; data-based project installation; Series B Raise March 1, 2023; Bay Area partnerships; national partnerships; community based approach centers local needs; and case study – BlocPower “Retrofit NYC” Program.

Public Comments

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

Committee Comments

The Committee and staff discussed the average amount of funding needed for low income building retrofit project costs; whether there are specific projects that BlocPower encourages people to complete first; workforce development efforts of BlocPower; why the City of Menlo Park has so many building retrofit projects underway, compared to other jurisdictions; and whether buildings qualify by household income.

Committee Action

None; receive and file.

OTHER BUSINESS

9. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

10. COMMITTEE MEMBER COMMENTS

None.

11. TIME AND PLACE OF NEXT MEETING

Wednesday, May 10, 2023, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Committee members and members of the public will be able to either join in-person or via webcast.

12. ADJOURNMENT

The meeting was adjourned at 11:30 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Lynda Hopkins and Members
of the Stationary Source and Climate Impacts Committee

From: Philip M. Fine
Executive Officer/APCO

Date: May 10, 2023

Re: Prescribed Burning in the Bay Area

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Outdoor fires, also known as open burning, produce particulate matter in the air we breathe in the Bay Area. To minimize the impact on public health, Air District Regulation 5 prohibits open burning. However, there are 17 types of fires that are conditionally allowed on designated permissive burn days and during predetermined permissive burn periods for the specific fire types. Permissive burn days are days when weather conditions are favorable for smoke dispersion. The allowable fires are primarily agricultural burns; however, there are several non-agricultural fire types.

One allowable fire type is “prescribed burning,” which is the planned, controlled application of fire to vegetation to achieve specific natural resource management objectives, including wildfire prevention and ensuring fire safety. Prescribed burns are designed to burn less intensely than wildfires and are ignited amid controlled conditions to minimize potential smoke impacts.

Any person seeking to conduct prescribed burning must submit a smoke management plan and receive written approval from the Air District. Regulation 5 requires the plan to include a smoke management prescription, which includes measurable criteria when a prescribed burn may be ignited. Prescription criteria may include, but are not limited to, procedures to minimize smoke impacts, as well as safety, economic, public health, environmental, geographic, administrative, social or legal considerations. The Air District reviews smoke management plans to ensure prescribed burns are conducted during specific meteorological conditions that achieve favorable smoke dispersion and reduce impacts to surrounding communities. Prior to ignition, the burner must request a burn allocation from the Air District. The Air District reviews these requests and determines the approvability of the burn allocation.

DISCUSSION

Staff will present an overview of prescribed burning in the Bay Area. The presentation will include background information on Regulation 5 and prescribed burning, the smoke management plan process, historical trends in prescribed burning, and recent program enhancements.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Patrick Wenzinger
Reviewed by: John Marvin and Charley Knoderer

ATTACHMENTS:

None

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Lynda Hopkins and Members
of the Stationary Source and Climate Impacts Committee

From: Philip M. Fine
Executive Officer/APCO

Date: May 10, 2023

Re: Air District Legal Authorities for Regulating Air Pollution

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area Air Quality Management District is the governmental entity vested with primary responsibility for controlling air pollution from stationary sources within the nine-county San Francisco Bay Area, for enforcing laws relating to air pollution, and for maintaining healthy air quality and protecting the global climate. The Air District adopts its own regulations, and it also implements and enforces state and federal legal mandates within the Bay Area region.

DISCUSSION

District Counsel Alexander "Sandy" Crockett will provide the Committee and the public with an overview of the Air District's legal authorities for regulating air pollution within the San Francisco Bay Area.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Alexander Crockett

ATTACHMENTS:

None