

Bay Area Air Quality Management District
City of San Pablo City Hall, Council Chambers
1000 Gateway Ave
San Pablo, CA 94806

Community Equity, Health & Justice Special Committee
Wednesday, April 22, 2024

APPROVED 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:** Community Equity, Health & Justice Committee (Committee) Chairperson, John Gioia, called the meeting to order at 5:39 p.m.

Roll Call:

Note: For this meeting only, Board Chair Hurt appointed herself to replace Director Nate Miley (who is a member of this Committee, but could not be present) to establish a quorum.

Present, In-Person (City of San Pablo City Hall, Council Chambers, 1000 Gateway Ave, San Pablo, CA 94806): Committee Chairperson John Gioia; Board Chairperson Davina Hurt; and Director Shamann Walton.

Participated Remotely, via Zoom (remote presence does not count for quorum, but votes are counted for all action items): Committee Vice Chairperson Noelia Corzo (just cause.)

Absent: Director Joelle Gallagher.

2. **PLEDGE OF ALLEGIANCE**

OTHER BUSINESS (OUT OF ORDER)

3. **REPORT OF THE ACTING DEPUTY EXECUTIVE OFFICER OF EQUITY AND COMMUNITY PROGRAMS (ITEM 8)**

Committee Chair Gioia asked Dr. Philip M. Fine, Executive Officer / Air Pollution Control Officer, to move his report up in the meeting. Dr. Fine announced the following appointments:

- Tim Williams was appointed as the new Director of Diversity, Equity, and Inclusion, effective April 22, 2024.
- Arsenio Mataka was appointed as the new Deputy Executive Officer for Equity and Community Programs, effective June 2024.

Public Comments

Public comments were given by Ms. Margaret Gordon, West Oakland Environmental Indicators Project.

CONSENT CALENDAR

4. **APPROVAL OF THE DRAFT MINUTES OF THE COMMUNITY EQUITY, HEALTH & JUSTICE COMMITTEE MEETING OF MARCH 13, 2024 (ITEM 3)**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Walton made a motion, seconded by Board Chair Hurt, to **approve** the Minutes of the Community, Equity, Health & Justice Committee of March 13, 2024; and the motion **carried** by the following vote of the Committee:

AYES:	Corzo, Gioia, Hurt, Walton.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Gallagher.

ACTION ITEM

5. **COMMUNITY EMISSIONS REDUCTION PLAN FOR THE RICHMOND, NORTH RICHMOND, AND SAN PABLO PATH TO CLEAN AIR (PTCA) AREA (ITEM 4)**

Diana Ruiz, Community Engagement Manager, and Dr. Wendy Goodfriend, Planning and Climate Protection Division Director, gave the presentation *Path to Clean Air Richmond-North Richmond-San Pablo Draft Final Community Emissions Reduction Plan*, including: outcome; outline; requested action; overview of the Path to Clean Air (PTCA); Community Steering Committee (CSC); PTCA Plan development process; PTCA plan goals; turning problems into solutions; fuel refining solutions; Example Fuel Refining Strategies the Air District Will Lead During Implementation; Fuel Refining Proposed Rules & Rule Related Actions; mobile source solutions; commercial and industrial solutions; Example C&I Strategies the Air District will Lead during Implementation; marine and rail solutions; public health solutions; Example Health Strategies the Air District Will Lead During Implementation; other proposed rules and rule related actions; Draft PTCA Plan public review; Community Steering Committee approval; compliance with California Environmental Quality Act (CEQA); Community Steering Committee Priorities and Insights; and recommended action.

Y’Anad Burrell, former Co-Chairperson of the Richmond, North Richmond, and San Pablo PTCA CSC, and Dr. Omoniyi Omotoso, M.D., a member of the aforementioned committee, gave additional comments on the proposed Draft Final Plan.

Public Comments

Public comments were given by Marilyn, Contra Costa County resident; Philip Rosenthal, Point Richmond Neighborhood Council; Willie Robinson, National Association for the Advancement of Colored People (NAACP) Richmond; Nancy Aguirre, PTCA CSC member; John; Jean Diller, San Pablo resident; Audrey Davidson, Richmond resident; Marisol Cantú, PTCA CSC member; Dr. Stephen Rosenblum, Palo Alto resident; Ms. Margaret Gordon, West Oakland Environmental Indicators Project; Maureen Brennan; Heidi Swillinger, PTCA CSC member; Jeff Kilbreth, PTCA CSC member; and Alfredo Angulo, PTCA CSC Co-Chair.

Committee Comments

The Committee and staff discussed the fact that this recommendation does not mark the end of a process, but the beginning; whether penalty funds allocated from the Air District Community Benefits Fund could fund the Final Plan's implementation; CEQA exemptions; whether any of the proposed strategies address reducing flaring events; the definition of 'just transition' within the Draft Final Plan; the percentage of the proposed strategies within the Draft Final Plan that are truly within the AD's control; whether there is a way to estimate implementation costs; anticipated metrics for progress and accountability; the desire to see a reduction in new public space and infrastructure; and appreciation for the time and experience of the PTCA CSC members and Air District staff who developed the Draft Final Plan.

Committee Action

Chair Gioia made a motion, seconded by Board Chair Hurt, to recommend the Board of Directors **adopt** the Draft Final Community Emissions Reduction Plan for the Richmond, North Richmond, and San Pablo Path to Clean Air Plan, and **approve** the determination that the adoption of the Draft Final Plan is exempt from the California Environmental Quality Act; and the motion **carried** by the following vote of the Committee:

AYES:	Corzo, Gioia, Hurt, Walton.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Gallagher.

INFORMATIONAL ITEM

6. **AIR DISTRICT RULE 6-5 SETTLEMENT AGREEMENT: COMMUNITY AIR QUALITY FUND (ITEM 5)**

Gregory H. Nudd, Deputy Executive Officer, Science and Policy, gave the staff presentation *Air District Rule 6-5 Settlement Agreement: Community Air Quality Fund*, including: outcome; outline; information only; what is Air District Rule 6-5; Chevron fluid catalytic cracking unit (FCCU) Particulate Matter (PM) Impacts; refineries' lawsuits; Chevron Settlement: Rule 6-5 Provisions; Community Air Quality Fund; examples of possible programs; and next steps.

Public Comments

The Committee solicited public input to develop a process to determine how the funds should be spent. Public comments were given by Cesar Zepeda, Richmond City Council; Nancy Aguirre, PTCA CSC member; Willie Robinson, NAACP Richmond Branch; Oscar Garcia, Iron Triangle Neighborhood Council;

Philip Rosenthal, Point Richmond Neighborhood Council; Sandra Marquez; Heidi Swillinger, PTCA CSC member; and Ms. Margaret Gordon, West Oakland Environmental Indicators Project.

Committee Comments

The Committee and staff discussed reporting requirements; how ‘consulting’ is defined, and how consultants will be used in this process; the suggestion of highlighting health statistics/metrics that are in the PTCA Draft Final Plan to identify the highest cancer risk from PM; the belief that the initial payment of \$20M for the Community Air Quality Fund should be billions instead of millions; the anticipation of many eligible project applicants competing for this funding, and the best way to organize their input so that they all feel heard; the fact that the unhoused population in the vicinity of Richmond need attention as well; how to integrate Richmond neighborhood councils into the funding allocation process; and whether there should be a parallel process for penalty fund allocations and settlement agreement allocations simultaneously to combine the efforts.

Committee Action

None; receive and file.

OTHER BUSINESS

7. PUBLIC COMMENT ON NON-AGENDA MATTERS (ITEM 6)

No requests received.

8. COMMITTEE MEMBER COMMENTS (ITEM 7)

The Committee thanked all who worked on Item 4, including the refinery workers’ experiences that were voiced.

9. TIME AND PLACE OF NEXT MEETING

Wednesday, May 8, 2024, at 1:00 p.m., at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Community Equity, Health, and Justice Committee members and members of the public will be able to either join in-person or via webcast.

10. ADJOURNMENT

The meeting was adjourned at 8:17 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards