



BOARD OF DIRECTORS
FINANCE AND ADMINISTRATION COMMITTEE

July 10, 2024

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

COMMITTEE MEMBERS

DAVINA HURT – CHAIR
MARGARET ABE-KOGA
DAVID HAUBERT
RAY MUELLER
MARK ROSS

LYNDA HOPKINS - VICE CHAIR
JUAN GONZÁLEZ III
TYRONE JUE
KATIE RICE

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

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

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

**Santa Rosa Junior College Campus
Doyle Library, Room 148
1501 Mendocino Ave.
Santa Rosa, CA, 95401**

**Office of Alameda County
Supervisor David Haubert
4501 Pleasanton Ave.
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 Finance and Administration 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/81138474850>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 811 3847 4850

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.

The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

FINANCE AND ADMINISTRATION COMMITTEE SPECIAL MEETING AGENDA

**WEDNESDAY, JULY 10, 2024
2:00 PM**

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 (Items 3-5)

The Consent Calendar consists of routine items that may be approved together as a group by one action of the Committee. Any Committee member or member of the public may request that an item be removed and considered separately.

3. Approval of the Draft Minutes of the Finance and Administration Committee Meeting of May 15, 2024

The Committee will consider approving the Draft Minutes of the Finance and Administration Committee Meeting of May 15, 2024.

4. Financial Update for the Fiscal Year (FY) 2023-2024 Third Quarter Ending March 31, 2024

The Committee will receive the FY 2023-2024 financial update for the third quarter ending March 31, 2024.

5. Proposed Amendments to Air District Procurement Policy

The Committee will consider recommending that the Board adopt proposed amendments to the Procurement Policy, originally adopted on May 1, 2024, and effective July 1, 2024. These amendments will 1) align policy language with the Administrative Code 2) specify renewals that can be approved by the Executive Officer 3) clarify allowances for special circumstances (e.g., single source, warranty, public interest) and 4) define blanket purchase orders as purchasing agreements, not substitutes for required contracts.

INFORMATIONAL ITEM(S)

6. Air District 2024-2029 Strategic Plan

The Committee will review the draft Strategic Plan that was developed with input from members of the Board, the Environmental Justice Policy Ad Hoc Committee of the Community Advisory Council, and Air District staff. Members of the public will have an opportunity to review and provide comment through early August. The draft Strategic Plan is scheduled to be considered by the Board for final adoption in September 2024. This item will be presented by Dr. Philip M. Fine, Executive Officer/Air Pollution Control Officer.

OTHER BUSINESS

7. 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. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.

8. 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)

9. Time and Place of Next Meeting

Wednesday, September 18, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Finance and Administration Committee members and members of the public will be able to either join in-person or via webcast.

10. 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 spesapati@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**

JULY 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Policy, Grants, and Technology Committee Special Meeting	Wednesday	10	11:00 a.m.	1st Floor, Temazcal Room
Board of Directors Finance and Administration Committee Special Meeting	Wednesday	10	2:00 p.m.	1st Floor, Temazcal Room
Board of Directors Meeting - CANCELLED	Wednesday	10	10:00 a.m.	1st Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	17	10:00 a.m.	1st Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	17	1:00 p.m.	1st Floor Board Room
Board of Directors Community Advisory Council Meeting – CANCELLED AND RESCHEDULED TO 6:00 P.M. THURSDAY, JULY 25, 2024	Thursday	18	6:00 p.m.	1st Floor Board Room
Board of Directors Policy, Grants, and Technology Committee – CANCELLED AND RESCHEDULED TO 11:00 A.M. WEDNESDAY, JULY 10, 2024	Wednesday	24	10:00 a.m.	1st Floor, Temazcal Room
Board of Directors Community Advisory Council Special Meeting	Thursday	25	6:00 p.m.	1st Floor Board Room
Advisory Council Meeting	Monday	29	9:00 a.m.	1st Floor Board Room

AUGUST 2024

NO MEETINGS SCHEDULED

SEPTEMBER 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	4	10:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	11	10:00 a.m.	1st Floor, Temazcal Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	11	1:00 p.m.	1st Floor, Temazcal Room
Board of Directors Finance and Administration Committee	Wednesday	18	10:00 a.m.	1 st Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	18	1:00 p.m.	1 st Floor Board Room
Board of Directors Community Advisory Council Meeting	Thursday	19	6:00 p.m.	1st Floor, Yerba Buena Room
Advisory Council Meeting	Thursday	19	9:30 a.m.	1 st Floor Board Room
MV 6/26/2024 – 12:09 p.m.				G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Finance and Administration Committee

From: Philip M. Fine
Executive Officer/APCO

Date: July 10, 2024

Re: Approval of the Draft Minutes of the Finance and Administration Committee
Meeting of May 15, 2024

RECOMMENDED ACTION

Approve the Draft Minutes of the Finance and Administration Committee Meeting of May 15, 2024.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Finance and Administration Committee Meeting of May 15, 2024.

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 Finance and Administration Committee Meeting of May 15, 2024

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

Finance and Administration Committee
Wednesday, May 15, 2024

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:** Finance and Administration Committee (Committee) Chairperson, Davina Hurt, called the meeting to order at 10:03 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center (375 Beale Street, 1st Floor Board Room, San Francisco, California, 94105): Committee Chairperson Davina Hurt; and Directors Juan González III, David Haubert, and Katie Rice.

Present, In-Person Satellite Location (Mountain View City Hall, 500 Castro Street, City Clerk Conference Room, 3rd Floor, Mountain View, CA 94041): Director Margaret Abe-Koga.

Present, In-Person Satellite Location (Santa Rosa Junior College Campus, Doyle Library, Room 148, 1501 Mendocino Ave, Santa Rosa, California, 95401): Vice Chairperson Lynda Hopkins.

Present, In-Person Satellite Location (Office of Contra Costa County Supervisor John Gioia, 11780 San Pablo Ave., Suite D, Conference Room, El Cerrito, California, 94530): Director Mark Ross.

Present, In-Person Satellite Location (Hall of Justice, Criminal Justice Training Room, 400 County Center, 1st Floor, Redwood City, California, 94063): Director Ray Mueller.

Absent: Director Tyrone Jue.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. **APPROVAL OF THE DRAFT MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE MEETING OF APRIL 17, 2024**

The Committee approved the Draft Minutes of the Finance and Administration Committee Meeting of April 17, 2024.

4. **HEARING BOARD QUARTERLY REPORT: JANUARY 2024 - MARCH 2024**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director González made a motion, seconded by Director Haubert to **approve** the Draft Minutes of the Finance and Administration Committee Meeting of April 17, 2024, inclusive; and the motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, González, Haubert, Hurt, Mueller, Rice, Ross.
NOES: None.
ABSTAIN: Hopkins.
ABSENT: Jue.

Director González made a motion, seconded by Director Haubert to **accept** the Hearing Board Quarterly Report: January 2024 - March 2024; and the motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, González, Haubert, Hopkins, Hurt, Mueller, Rice, Ross.
NOES: None.
ABSTAIN: None.
ABSENT: Jue.

INFORMATIONAL ITEM

5. **UPDATE ON THE AIR DISTRICT’S MANAGEMENT AUDIT RESPONSES**

John Chiladakis, Chief Technology Officer, and Hyacinth Hinojosa, Deputy Executive Officer of Finance and Administration, gave the staff presentation *Update on the Air District’s Management Audit Responses*, including: management audit status agenda; Human Resources Corrective Action Plan status and estimated timeline; My Air Online recap; audit recommendation status; celebrating the decommissioning of both legacy systems; cost savings from decommissioning; completed audits; and recommended action.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed concerns about staff’s proposal to pause external management audits to allow time for internal assessments and Strategic Plan implementation planning, and the suggestion of establishing a time certain for resuming the management audits; whether the Air District offers a permitting portal for transparency with stakeholders and the public, and whether such a portal is an audit recommendation; the suggestions that invoices for permit renewals and applications list details about actions that have been taken, for transparency and improved communication between the Air District and the regulated community; the request that the Air District tracks (in writing) internal changes to the My Air Online system and makes work plans transparent for the public; and the request that the Air District measures customer satisfaction, level of required maintenance of the My Air Online replacement system.

Committee Action

No action taken.

ACTION ITEMS

6. PERMITTING AND COMPLIANCE SYSTEM (MY AIR ONLINE) STATUS UPDATE AND AUTHORIZATION TO EXECUTE CONTRACT AMENDMENTS

Mr. Chiladakis gave the staff presentation *My Air Online Status Update and Authorization to Execute Contract Amendments*, including: outline; My Air Online recap; past and projected costs for maintenance and development; cost savings from Legacy System decommissioning; past and projected costs with decommissioning savings; My Air Online – Enterprise Technology Solutions Fiscal Year Ending (FYE) 25; examples of features in My Air Online (applying for a permit, automated calculations, checking permit application status); and recommended action.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed whether the My Air Online screenshots within the presentation reflect the current system, or future features of the system; whether status reporting for Engineering, Legal, and Compliance and Enforcement workflows need to be expanded, and are already built out; the request for a My Air Online product roadmap that shows the projected activity over the next six months (Legacy decommissioning, transition and performance enhancements, and Legal Department integration); the manner in which the Air District prioritizes decisions about the My Air Online system and how that affects the customer’s experience (are funds being spending money correctly, how much artificial intelligence is being utilized); whether permit applicants can view the amount of time remaining in the process, and who their assigned Air District permit engineer is; whether the Air District currently offers a “pre-application” process for those who might want or need an Air District permit in the future and want to know how the process would work, and whether potential permitted facilities may view the history of an existing permit to see what it entails (or the public in general); the way in which the Air District plans to measure the success of the My Air Online system; the suggestion of

reaching out to entities who have already launched successful similar infrastructure for lessons learned; the manner in which new Air District regulations may affect the current software, and whether that would delay implementation; and whether the Air District maintains conversation logs that can be shared with applicants, if so, whether those are kept in the My Air Online system, and the suggestion of providing legal language for staff regarding risk management.

Committee Action

Director Haubert made a motion, seconded by Director González, to do the following:

Recommend the Board of Directors **authorize** the Executive Officer/Air Pollution Control Officer (ACPO) to amend current vendor contracts to extend the term of each contract through July 1, 2025, and increase the contracted amounts by the amounts listed in the staff report and totaling \$1.4M for projected expenditures during the first half of Fiscal Year Ending 2025. These expenditures will be contingent upon the Board of Directors’ approval of the proposed FYE 2025 budget which includes these funds.

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

AYES: Abe-Koga, González, Haubert, Hopkins, Hurt, Mueller, Rice, Ross.
NOES: None.
ABSTAIN: None.
ABSENT: Jue.

7. MODERNIZATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE

Mr. Chiladakis gave the staff presentation *Modernization of Information Technology Infrastructure*, including: outline; requested action; background; current infrastructure connectivity; proposed infrastructure connectivity; cost; and recommended action.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed whether Microsoft would provide cloud infrastructure and management, and whether they, or Dell, will be held accountable to the Air District; and the Air District’s definition of “competitively qualified vendors.”

Committee Action

Director González made a motion, seconded by Director Rice, to do the following:

Recommend the Board of Directors approve reallocating and expending Capital Expenditure funds to modernize the Air District’s information technology infrastructure, which is at the end of its useful life. Specifically:

- Authorize the Executive Officer/APCO to execute contracts with qualified Information Technology fulfillment partners ePlus Technologies, Inc., CDWG Inc., SSP Data, Inc., and/or SHI, Inc. for information technology equipment and installation services in a total amount not to exceed \$1.5M; and
- Authorize the transfer of funds not to exceed \$650,000 for this effort from multiple program budgets where actual expenditures are below projected expenditures in their Fiscal Year Ending 2024 services, supply and capital budgets; and
- Authorize the Executive Officer/APCO to amend the competitively bid Contract with Dell, Inc to increase the annual expenditure on Microsoft Cloud services by \$250,000 per year.

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

AYES: Abe-Koga, González, Haubert, Hopkins, Hurt, Jue, Mueller, Rice, Ross.
NOES: None.
ABSTAIN: None.
ABSENT: Jue.

OTHER BUSINESS

8. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

9. COMMITTEE MEMBER COMMENTS

None.

10. TIME AND PLACE OF NEXT MEETING

At the end of the meeting, the next meeting of the Finance and Administration Committee was to be June 26, 2024. After the meeting concluded, the next meeting was scheduled for Wednesday, July 10, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Finance and Administration Committee members and members of the public will be able to either join in-person or via webcast.

11. ADJOURNMENT

The meeting was adjourned at 11:10 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Finance and Administration Committee

From: Philip M. Fine
Executive Officer/APCO

Date: July 10, 2024

Re: Financial Update for the Fiscal Year (FY) 2023-2024 Third Quarter Ending March
31, 2024

RECOMMENDED ACTION

No action required at this time.

BACKGROUND

None.

DISCUSSION

Staff provides an update on the Air District's General Fund financial activities quarterly. The financial update includes a report on revenues recognized and expenditures incurred during the reporting period. It also includes a summary of cash and investments and the procurement report required for certain procurement for the second quarter ending March 31, 2024, as shown in Attachment A.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Jun Pan
Reviewed by: Stephanie Osaze

ATTACHMENTS:

1. Attachment A - FYE 2024 Third Quarter Financial Report

Attachment A: Financial Summary for the Third Quarter (FYE 2024)

The finance staff will present an update on the Air District’s financial results for the Third quarter of the 2023-2024 fiscal year. The following information summarizes those results.

GENERAL FUND: STATEMENT OF REVENUES – Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

REVENUE TYPE	3rd QTR FY 2023	3rd QTR FY 2024	FY 2024 - % of BUDGETED REVENUES
Property Tax	\$26,106,149	\$27,170,119	61%
Permit Fees*	\$53,186,982	\$54,692,651	87%
Grants (includes AB617)	\$5,547,336	\$4,656,952	29%
Other Revenues	\$5,528,246	\$6,097,427	86%
Total Revenues (exclude transfers)	\$90,368,712	\$92,617,149	71%

GENERAL FUND: STATEMENT OF EXPENDITURES - Comparison of Prior Year Quarter Actual and Current Year Budget to Actual

EXPENDITURE TYPE	3rd QTR FY 2023	3rd QTR FY 2024	FY 2024 - % of BUDGETED EXPENDITURES
Personnel - Salaries	\$40,150,796	\$42,462,029	71%
Personnel - Benefits	\$22,944,256	\$19,861,219	69%
Operational Services and Supplies	\$18,414,911	\$18,652,846	32%
Capital Outlay	\$2,442,254	\$2,952,861	30%
Total Expenditures (General Fund)	\$83,952,216	\$83,928,956	54%

CASH INVESTMENTS IN COUNTY TREASURY – Account Balances as of the Third Quarter

CASH/INVESTMENTS	3rd QTR FY 2023	3rd QTR FY 2024
General Fund	\$108,844,331	\$131,505,380
TFCA	\$121,004,847	\$145,149,185
MSIF	\$63,023,808	\$75,448,681
Carl Moyer	\$85,959,387	\$105,271,952
CA Goods Movement	\$23,541,686	\$22,249,914
AQ Projects	\$2,702,247	\$1,671,455
Vehicles Mitigation	\$26,076,911	\$34,054,996
Total	\$431,153,217	\$515,351,564

VENDOR PAYMENTS

In August 2023, the Air District implemented an Interim Procurement Policy to address insufficient guidance in the Administrative Code on Purchasing Procedures. The interim policy is in place until a more comprehensive policy is implemented.

Pursuant to Section 3.2.1.2 of the Interim Procurement Policy, quarterly reporting in lieu of Board Authorization is permissible for renewal of procurements/contracts that exceed \$100,000. The \$100,000 threshold shall be determined by adding the amount of the procurement to the sum of all previous procurements from the same for the preceding 36-month period.

The quarterly reporting procurements are limited to only the following categories of goods or services:

- 1) Utilities
- 2) Software Licenses
- 3) Software as a Service
- 4) Computer/Cloud Hosting Services
- 5) OEM Equipment Warranties
- 6) OEM Equipment Maintenance/Service
- 7) Legal Services
- 8) Equipment Leases

Below is a list of eligible categories of goods and services payments made in the 36-month period as noted above. In addition, recurring benefit payments made by the Air District on behalf of its employees are included in the quarterly report to ensure transparency. These benefit payments include pension, health, dental and vision expenditures incurred in the second quarter of the 2023-2024 fiscal year and have been appropriately budgeted as a part of the overall Air District budget.

Thirty-Six Month Payment by Categories

Payment Categories	AMOUNT PAID (April 2021 - March 2024)
UTILITIES	
AT & T CALNET	164,293
COGENT COMMUNICATIONS, INC.	179,491
COMCAST CABLE COMMUNICATIONS	546,535
FASTRAK	113,185
PACIFIC GAS & ELECTRIC COMPANY	707,066
VERIZON WIRELESS	721,250
WEX FLEET UNIVERSAL-ENTERPRISE	486,978
SOFTWARE LICENSES	
EPLUS TECHNOLOGY, INC.	164,565
ORACLE AMERICA, INC.	143,078
SOFTWARE AS A SERVICE	
LIGHTHOUSE	117,262
MICROSOFT CORPORATION	458,364
DOCUSIGN	113,041
OEM EQUIPMENT MAINTENANCE/SERVICE	
AGILENT TECHNOLOGIES	106,449
CDW GOVERNMENT	747,232
LEGAL SERVICES	
SLOAN SAKAI YEUNG & WONG LLP	500,607
EQUIPMENT LEASES	
CANON FINANCIAL SERVICES, INC.	173,537
ENTERPRISE FLEET SERVICES	1,387,239
ENTERPRISE HOLDINGS, INC	111,315
OTHER	
CAL-CARD PROGRAM	445,661

The Third Quarter of FYE 2024 Health and Benefits Payments

Payment Categories	AMOUNT PAID (JULY 2023 - MAR 2024)
HEALTH & BENEFITS	
BENEFIT COORDINATORS CORPORATION	1,619,179
CA PUBLIC EMP RET SYSTEM- HEALTH	7,622,052
CA PUBLIC EMP RET SYSTEM- PENSION	8,749,231
P & A ADMINISTRATIVE SERVICES	333,653

CONTRACTS:

In November 2023, the Board of Directors approved a new interim Procurement Policy in conjunction with adopting the new Administrative Code effective January 1.

Pursuant to Section 9.4(a) of the Administrative Code, the APCO may execute contracts in an amount that does not exceed two hundred thousand dollars (\$200,000).

As mandated in Sections 9.4(b), 9.4(c), and 9.4(d) of the Administrative Code, and Section 2 of the Procurement Policy, quarterly reporting is required of all APCO authorized contracts (including amendments to contracts) with a contract value that exceeds \$100,000. For purposes of applying the \$100,000 Board of Directors reporting threshold, the value of a contract shall be determined by adding the amount of the procurement to the sum of all previous procurements from the same vendor in excess of \$30,000 (under a single purchase order) for the preceding 36-month period.

Below is a list of eligible contracts executed during the FY24 Third Quarter reporting period.

Vendor	Synopsis	Total Contract Value	Date Executed
New Contracts - 9.4 (b)			
CipherEx Inc.	Network infrastructure maintenance and support	\$105,000.00	13-Mar-24
Enterprise Fleet Management, Inc.	Open-end lease for three (3) vehicles for 60 months	\$131,136.60	18-Jan-24
The Regents of the University of California - Irvine	Develop methods for estimating Biogenic Emissions in the Bay Area	\$145,000.00	06-Mar-24
Amendments - 9.4 (c)			
Deborah Jordan	Strategic Planning Consulting Services	\$145,000.00	08-Feb-24
Marie Harrison Community Foundation Inc.	Development and administration of the District's Marie Harrison Environmental Justice Scholarship	\$145,000.00	10-Feb-24
Nancy Feldman	Legal Office Consulting Services	\$195,000.00	16-Feb-24
Emergency - 9.4 (d)			
Digital Mountain	Information Services Outage	\$150,000.00	29-Jan-24
Microsoft Licensing, GP	Information Services Outage	\$120,000.00	01-Feb-24

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Finance and Administration Committee

From: Philip M. Fine
Executive Officer/APCO

Date: July 10, 2024

Re: Proposed Amendments to Air District Procurement Policy

RECOMMENDED ACTION

Recommend to the Board of Directors that the Board adopt proposed amendments to the Procurement Policy, originally adopted on May 1, 2024, and effective July 1, 2024. These amendments will 1) align policy language with the Administrative Code 2) specify renewals that can be approved by the Executive Officer 3) clarify allowances for special circumstances (e.g., single source, warranty, public interest) and 4) define blanket purchase orders as purchasing agreements, not substitutes for required contracts.

Under Section 6 of the Procurement Policy, revisions to this Procurement Policy require approval by the Executive Officer/Air Pollution Control Officer (APCO) and the Board of Directors.

BACKGROUND

On May 1, 2024, the Board of Directors adopted a revised Administrative Code, Section 9.4 – Procurement and Contracting, and approved the updated version of the Air District Procurement Policy. The revised Administrative Code, Section 9.4, and Air District Procurement Policy went into effect on July 1, 2024.

DISCUSSION

The proposed revised Procurement Policy aims to align policy language with the Administrative Code, in particular, Section 9.4 (c) which pertains to amending existing Air District contracts. Due to an oversight in the alignment of the language, the adopted Procurement Policy was initially written with stricter language than the Administrative Code. The amendment to the Procurement Policy Section 8 (d) replaces the existing language with the same language that appears in the Administrative Code Section 9.4 (c), ensuring that both governing documents are aligned in approach to amendments.

In addition to the above change, it is proposed to insert a subsection to Section 8 (d) to provide for select renewals of contracts for specific categories of goods or services as specified in the Procurement Procedures. Examples of these may include utilities, fuel, software licenses, and other recurring operating expenses. This subsection allows for these select contracts to be renewed and recurring payments made under Executive Officer/APCO authority provided that the initial procurement was authorized under the then-applicable provisions of the Administrative Code and Procurement Policy, including the use of appropriate required competitive processes. For all such contracts, recurring payments shall be reported to the Board of Directors in the quarterly Financial Report.

The adopted Procurement Policy provides for exemptions to the competitive process in Section 8 (e). While developing the internal Procurement Procedure documents, it was recommended by staff that further specificity be inserted into the Procurement Policy for better governance of these exemptions.

Lastly, and based on staff recommendations, there are minor changes within Section 8 (f) regarding Blanket Purchase Orders. The amendments aim to clarify that a blanket purchase order is a long-term purchasing agreement with a vendor but may not replace a contract as required in the Procurement Policy and the Procurement Procedures (in the instances of services or goods over the formal threshold).

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Maricela Martinez
Reviewed by: Hyacinth Hinojosa

ATTACHMENTS:

- 1. Administrative Code Sec .9.4 Procurement Effective July 1, 2024
- 2. Procurement Policy Version 1.0 Effective July 1, 2024 - Clean Version
- 3. Procurement Policy Version 2.0 Proposed - Redline Version

Bay Area Air Quality Management District

Administrative Code, Section 9.4

(Adopted 05/01/24, Effective 07/01/24)

Procurement and Contracting

- a) The APCO shall develop for approval by the Board of Directors a Procurement Policy establishing procedures for competitive bidding, awarding, administering, and executing contracts for goods and services, leases, and other similar contractual agreements (collectively referred to herein as “contracts”). The APCO may further delegate its authority as defined in the Procurement Policy and Procedures.
- b) The APCO may execute contracts in an amount that does not exceed two hundred thousand dollars (\$200,000) as specified in the Procurement Policy. The APCO shall report such contracts to the Board of Directors if they exceed one hundred thousand dollars (\$100,000). Contracts in excess of two hundred thousand dollars (\$200,000) must receive prior approval by the Board of Directors. The APCO may bring any contract before the Board of Directors for approval if they deem it in the best interest of the Air District.
- c) The APCO may execute amendments to contracts if (1) the amount of a contract as amended does not exceed two hundred thousand dollars (\$200,000), or (2) if the contract had previously been approved by the Board of Directors, the cumulative amount of any amendments does not exceed the previously approved amount by more than two hundred thousand dollars (\$200,000) or 25%. All other amendments must be approved by the Board of Directors. The APCO shall report to the Board of Directors any amendments that (1) cause the amount of a contract as amended to exceed one hundred thousand dollars (\$100,000), or (2) cause the amount of a contract already exceeding one hundred thousand dollars (\$100,000) to increase by more than 25%. The APCO may bring any contract amendment before the Board of Directors for approval if they deem it in the best interest of the Air District.
- d) Notwithstanding any limitations in this Section 9.4, the APCO may execute contracts for goods and services without prior approval by the Board of Directors in the event of a declared state of emergency that causes a need to immediately procure such goods or services to make repairs, to safeguard the lives or property of residents within the Air District jurisdiction or Air District employees or property, or to otherwise protect public health or welfare as a result of extraordinary conditions created by war, epidemic, weather, fire, flood, earthquake or other catastrophe, or the breakdown of any plant, equipment, structure, or public work. The APCO may execute such a contract in an expeditious manner to the extent necessary to respond to the emergency; however, if the emergency permits, the APCO shall obtain the approval of the Chairperson of the Board of Directors. The APCO shall report to the Board of Directors on the execution of the contract as soon as practicably possible.

- e) Notwithstanding any limitations in this Section 9.4, the APCO may execute renewal contracts for select recurring standard services without approval by the Board of Directors, including those exceeding two hundred thousand dollars (\$200,000), provided the initial procurement was authorized under then-applicable provisions of the Administrative Code, including the use of appropriate required competitive processes. These select recurring services are limited to utilities and other core services specifically identified in the Procurement Policy and for which the Board of Directors has provided pre-approval given their essential and recurring nature.

For all such contracts, recurring payments shall be reported to the Board of Directors in the quarterly Financial Report. The provisions of this paragraph apply to qualifying renewals of existing contracts only. Approval by the Board of Directors is required for all new contracts if the goods or services are initially anticipated to be greater than two hundred thousand dollars (\$200,000), as calculated pursuant to the Procurement Policy.

- f) In circumstances where a contract is required to be executed independently from the APCO, and no other Air District employee can appropriately execute the contract due to legal, confidentiality, or personnel reasons, or because other extenuating circumstances exist, the Chairperson of the Board of Directors may execute the contract on behalf of the Air District, with notification to the Board of Directors, if the amount of the contract does not exceed two hundred thousand dollars (\$200,000). Such contracts in excess of two hundred thousand dollars (\$200,000) must be approved by the Board of Directors. In approving such contracts, the Board of Directors shall authorize and direct the Chairperson, the Vice-Chairperson, or another member of the Board of Directors to execute the contract on behalf of the Air District. In entering into contracts under this subsection 9.4(e), the Chairperson and the Board of Directors shall endeavor to follow the Procurement Policy to the extent practicable.
- g) The General Counsel may execute contracts for outside legal services as provided for in Section 8.2(b).

Bay Area Air Quality Management District Procurement Policy

(Adopted 05/01/24, Effective 07/01/24)

Table of Contents

Procurement Policy	2
1. Purpose.....	2
2. Policy Statement	2
3. Applicability	2
4. Authority to Contract	2
5. Related Laws.....	3
6. Policy Ownership and Revisions	3
7. Procurement Principles	3
8. Procurement Requirements.....	5

Procurement Policy

1. Purpose

This Procurement Policy (Policy) outlines the principles and objectives of the Bay Area Air Quality Management District (Air District) pursuant to Section 9.4 of the Air District’s Administrative Code establishing procedures for competitive bidding, awarding, administering, and executing contracts for goods and services, and other similar contractual agreements (collectively referred to herein as “contracts”). This Policy provides the framework for the Administrative Resources Division’s (ARD’s) Procurement Procedures, which offer detailed and practical guidance to staff as they carry out the procurement of goods and services in support of Air District operations. Under this policy, the ARD may develop additional procedures for specific agreement types, including, but not limited to, Interagency Agreements (IA), Memorandum of Understanding (MOU), Grant Agreements, Leases and Purchases of Real Property, Public Works, and Architectural and Engineering. Where a conflict exists between the Administrative Code, Policy, and Procedures, the most restrictive requirements control.

2. Policy Statement

The Air District recognizes its legal duty to implement uniform policies and procedures to ensure the efficient, effective, and ethical procurement of goods and services. The Air District’s Procurement Policy objectives include complying with local, state, and federal rules and regulations; ensuring the fairness, integrity, and transparency of process; meeting organizational needs effectively and efficiently; supporting the continuity of services and protection of health and safety; and achieving best value. (California State Constitution, PCC §§ 1100 et. al., HSC §§ 40200 – 40276, GOV §§ 29000 – 29009)

3. Applicability

All staff who participate in the process of procuring goods and services on behalf of Air District must follow and adhere to this Procurement Policy and any associated procedures.

4. Authority to Contract

The Air District is empowered by California Health and Safety Code (HSC § 40701) “to cooperate and contract with any federal, state, or local governmental agencies, private industries, or civic groups necessary or proper to the accomplishment of the purposes of [air pollution control].” The Air Pollution Control Officer (APCO) serves as the Air District’s ex-officio Procurement Agent and may further delegate its authority to approve procurements as defined in the Procurement Policy and Procedures.

5. Related Laws

As a public entity, as defined by the State of California, the Air District is required to comply with the California Public Contract Code. (PCC § 1100 et. al.) Per California Government Code (GOV § 54202), every local agency, including the Air District, must adopt policies and procedures for procuring supplies and equipment that must include bidding regulations and cannot conflict with state statutes. For procurements using federal funds, the Air District must also comply with the U.S. Code of Federal Regulations (2 CFR 200, et. al.), which outlines additional requirements for the procurement process and agreement terms, including documented procurement procedures (2 CFR 200.320). To the extent possible, Air District policies and procedures adopt the terms and definitions used in state and federal code to support compliance and avoid confusion.

6. Policy Ownership and Revisions

The APCO, as the ex-officio Procurement Agent for the Air District, is responsible and accountable for its procurement program. These responsibilities include the creation, maintenance, and implementation of this Procurement Policy. Revisions to this Procurement Policy require approval by the APCO and the Board of Directors. The APCO, as it deems appropriate, may delegate responsibility for developing and implementing Procurement Procedures, as well as the review and approval of select contracts. Such delegated authority shall be documented in the Air District's Procurement Procedures.

7. Procurement Principles

a) Comply with local, state, and federal rules and regulations

The Air District shall adhere to its procurement policies and procedures, and requirements established by federal, state, and local entities. The Air District is also responsible for complying with additional requirements associated with other sections of Air District administrative policies, various funding sources, and procurement methods. Where a conflict exists between the applicable laws, regulations, policies and procedures, the most restrictive requirements control.

b) Meet the organization's needs effectively and efficiently

The Air District's procurement process must balance the benefits and burdens of procedures and controls with the operational needs and risk tolerance of the organization. The Air District's Procurement Procedures shall provide a structure to define the required reporting, approvals, insurance, and procurement process needs based on criteria such as contract amount, type, term, and complexity. Any exemptions from standard processes must fall under an approved justification. The purchase of goods and services shall not be split into separate contracts to circumvent the thresholds for approvals, reporting, and competitive procurement. All purchases of goods and services require justification and are restricted to that necessary to the operation of the agency and accomplishment of its mission and goals.

c) Ensure the continuity of services and protection of health and safety

In limited circumstances, the Air District may find justification for exemptions from standard procurement rules, such as when needed to ensure the continuity of critical services and protection of health and safety. This includes the Emergency Exemption defined in the Administrative Code 9.4(d). This and any other exemptions shall be further defined in the Procurement Procedures and be restricted in their application.

d) Achieve value for money

As a steward of public funds, the Air District is committed to implementing policies and procedures that support achieving the lowest cost and best value in its procurement of goods and services. The criteria for quote and proposal evaluation and contract award may be different for various goods and services, as defined in the Procurement Procedures, and may sometimes consider more factors than cost alone when in the best interest of the Air District.

e) Maintain the fairness and integrity of an open competitive process

The Air District shall ensure a fair and transparent procurement process that promotes full and open competition consistent with applicable regulations and best practices. This encompasses Air District's commitment to nondiscrimination, desire to contract with diverse types of businesses and organizations, and the implementation of internal controls and conflict of interest policies, which are described below.

f) Encourage purchasing from local, small, and disadvantaged businesses

The Air District shall, to the extent lawful and appropriate, encourage minority, veteran, and women owned businesses to bid on contracts. The Air District shall also encourage purchasing from local and small businesses and will implement goals and preference programs as permitted by law. To support the creation of a diverse and competitive contractor community, Air District encourages the equitable distribution of its contracting opportunities by procuring from a variety of contractors when possible. For these purposes, local businesses are considered those located within the Air District's nine-county geographic jurisdiction.

g) Nondiscrimination in the procurement process

No employee, officer, advisor, or agent of the Agency shall, on the grounds of race, color, sex, sexual orientation, marital status, religion, national origin, ancestry, ethnic group identification, age, physical or mental disability, medical condition, genetic information, or pregnancy, childbirth, or related medical conditions, permit discrimination against any person or group of persons in connection with the procurement process.

h) Conflict of interest policies

Air District conflict of interest policies apply to both personal and organizational conflicts of interest and apply to both real and apparent conflicts. An apparent conflict of interest exists when a reasonable person with all the material facts believes that there appears to be a conflict. Violators of these standards are subject to penalties, sanctions, or other disciplinary actions, up to and including termination. Any questions regarding a potential conflict of interest should be referred

to the Legal Division for advice and consultation. As applicable, Air District officials, staff, and consultants are required to file a Statement of Economic Interests/Form 700 with the Air District's Filing Officer.

Personal conflicts

No employee, officer, advisor, or agent of the Air District shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, is involved. Such a conflict would arise if any of the following has a financial or other interest in the prospective consultant or contractor (or any subcontractors) considered for award: (1) The employee, officer, advisor, or agent; (2) Any member of their immediate family; (3) Their domestic or business partner; or (4) An organization that employs any of the above, or with which any of them have an arrangement concerning prospective employment.

No employee, officer, advisor, or agent of the Air District may have a financial interest in any contract made by them in their official capacity, or in the case of Board members, by the Board when they are members. (Government Code §§1090 and 87100)

Organizational conflicts

It is the Air District's policy not to award contracts to consultants when there is an organizational conflict of interest. An organizational conflict of interest exists when a consultant or contractor, because of other activities, relationships, or contracts, is unable or potentially unable to render impartial assistance or advice to the Air District, and the consultant's objectivity in performing the contract work is or might be otherwise impaired, or a consultant has an unfair competitive advantage. Whenever the Air District is awarding a contract that involves the rendering of advice, it will consider whether there exists the potential for bias, because of other activities, relationships, or contracts of the consultant.

Gifts and gratuities

No employee, officer, advisor, or agent of the Agency shall solicit or accept gratuities, favors, or anything of monetary value from consultants, vendors, contractors or potential consultants, vendors, contractors or parties to sub-agreements in accordance with the restrictions, thresholds, and reporting requirements established by the California Fair Political Practices Commission (FPPC) and Government Code §87100, et al., which may be updated from time to time. Further, the Air District prohibits practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration.

8. Procurement Requirements

a) Approvals and reporting requirements

Within the thresholds established in Administrative Code 9.4, the APCO may further delegate the authority to approve contracts for goods and services based on thresholds and criteria specified in the Procurement Procedures. These Procedures will also outline the requirements

for seeking and documenting approvals and the process for quarterly reporting to the Board of Directors. It is the Air District's policy that a requesting party cannot serve as the approving party for their own procurement request.

b) Competitive procurement requirements

The Air District shall prescribe when solicitation and evaluation requirements apply to procurements based on thresholds and criteria specified in the Procurement Procedures. This includes parameters that limit the instances and amounts by which the Air District can amend existing contracts before having to undertake a new procurement process.

c) Purchase dollar amount determination

For the purpose of applying the dollar thresholds in the Procurement Policy and Procedures, the amount of the contract shall be determined by adding together the amount of the base contract and, if applicable, any amendments and option years. It is the total potential amount of the contract receiving approval. In instances in which the total amount of the contract is uncertain (e.g., bench contracts, blanket purchase orders), the Air District must provide a best estimate and will be limited to the amount authorized unless it receives the approvals required of the higher amount. To determine the total cost of a lease, the Air District must account for monthly rent, operating expenses, optional renewals, tenant improvements, and any other expenses that it will pay for in the lease.

The Air District prohibits contracts from being split into smaller quantities or amounts or artificial phases for the purposes of evading or circumventing the Air District's approval, reporting, and competitive bidding requirements. Repeat contracts for the same goods or services with the same contractor must be noted by the requestor and tracked by the Air District Administrative Resources Division, and they shall be subject to increased scrutiny, require additional justification, and are subject to denial or additional requirements at the discretion of the APCO or its designee.

d) Contract length, amendments, and options

Unless otherwise stated in the contract in question, the Air District cannot amend a contract for an amount that exceeds 25% of the originally approved contract amount. One-time amendments for time only are generally permitted with justification. The total number of years of a contract, inclusive of any amendments and option years, cannot exceed five years, unless an exception is approved by the APCO. Contract terms governing amendments and option years must be specific and limited, provide a process for exercising an amendment or option, and specify any planned changes to contract terms. Unless otherwise stated, Air District presumes original contract pricing and terms will apply to all amendments and options. Under all circumstances, the Air District shall retain discretion regarding the exercising of an amendment or option. Amendments and options must be accompanied by a justification and be made to a contract prior to its expiration and are subject to Air District approval and reporting requirements.

e) Purchases exempt from competitive process

The Air District has identified the following types of purchases eligible to be exempted from the competitive procurement process. The contract cover memo must include justification for the waiving of competitive requirements and cite one of these pre-defined exemptions. Unless otherwise noted, Air District approval and reporting requirements still apply.

Purchases of goods and services under \$10,000

Purchases of goods and services that cost less than \$10,000 do not require a competitive process but do need to show the purchase is fair and reasonable. The Air District finds the competitive process overly burdensome relative to the low dollar value and risk of these purchases. Nevertheless, the Director of the ARD may choose to add requirements to these purchases if deemed in the best interest of the Air District. To the extent practicable, the Air District encourages distributing such purchases equitably among qualified suppliers.

Emergency Purchases

Per Administrative Code 9.4(d), the APCO is authorized to make purchases during an emergency exempt from Board of Directors approval and the standard competitive process if required to ensure the continuity of critical services and the protection of health and safety. In an emergency, contact the Business Office staff for guidance and to coordinate the purchase of goods and services. Provide as many details as possible so that the Business Office can assess the situation and determine the best course of action. A supporting cover memo will be required to justify the emergency purchase. The extent of the purchase should be limited to that required for the emergency.

Pre-approved purchases for select goods and testing

Purchases of standardized equipment, and purchases of goods for product testing are exempt from the three-quote requirement and competitive bidding requirements, provided the purchases have been pre-approved by the Director of Administrative Resources.

Sole Source Purchases

Bidding may not be required when there is only one provider of the specific goods or services required by the Air District. In general, the Air District does not promote sole source contracts and they will only be approved in narrow circumstances in which there is compelling justification for the specific good or service needed, no reasonable substitute, supporting evidence that the selected vendor is the only viable provider, and the costs for the goods or services are reasonable. Sole source purchases typically include scientific and technical equipment and services uniquely available. A contract cover memo detailing the justification must be provided and attached to the contract file. In the absence of a competitive process, all sole source purchases under \$200,000 are subject to APCO approval.

Limited Board of Directors Contracts

Per Administrative Code 9.4(e), there are limited circumstances under which the Board of Directors authorizes its officers to enter into contracts without prior approval and outside of the Air District Policies and Procedures.

f) Bench Contracts and Blanket Purchase Orders

There may be instances in which it is in the Air District’s best interest to establish contracts for goods and services that it knows it needs yet the specific timing and quantity of the need is uncertain. The Bench Contract and Blanket Purchase Order options provide an opportunity for the Air District to meet its needs under various scenarios while remaining compliant with its Procurement Policy and Procedures by either pre-qualifying contractors or permitting multiple orders under one purchase order. These options are to be restricted to specific circumstances that are pre-approved by the APCO or its designee based on circumstances and need.

Bench Contracts

Bench Contracts may be used when the Air District determines it is in its best interest to develop a list of pre-qualified contractors for the purchase of specific types of goods or services on a timely basis. This is most commonly appropriate when there is a known recurring need for select goods or services, there are multiple contractors that can meet the Air District’s needs, and the specific timing and quantity of services is uncertain. The Bench Contract approach may save the Air District time by front-loading the process of locating and verifying qualified contractors and pricing as well as streamlining the collection of select internal approvals. A Request for Qualifications (RFQ) process is used to establish the bench and a Task Order Solicitation is used to select bench contractors for specific projects.

Blanket Purchase Orders

Blanket Purchase Orders may be used when the Air District determines it is in its best interest to establish a long-term agreement with a contractor that allows for recurring orders with multiple payments for the same goods or services over a set period based on pre-set terms. This is most commonly appropriate when there is a known recurring need for specific goods or services, there is one contractor that can best meet the Air District’s needs, and the specific timing and quantity of goods and services is uncertain. A common example of this is maintenance and service contracts. The Blanket Purchase Order approach may save the Air District time by allowing it to avoid repeat procurement efforts for the same goods and services with the same contractor and allow for the creation of only one Purchase Order number for easier processing of multiple orders and invoices.

g) Federally Funded Purchases

Air District purchases using federal funds are subject to Office of Management and Budget (OMB) Guidance for Grants and Agreements, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200), which set forth a series of regulations required of non-federal entities that impact many aspects of the

procurement process, including thresholds and bid types, evaluation criteria, conflict of interest, documentation, contract provisions, and post-award management. General procurement requirements for non-federal recipients are located in 2 CFR 200.318 and language required to be included in all contracts are located in Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. Programs planning on using federal funds for a purchase must contact the Business Office prior to starting the procurement process to receive guidance on these requirements.

h) Public Works Contracts

Air District public works contracts are subject to additional state provisions, defined in California Public Contract Code. The Code defines a public works contract as “an agreement for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind,” (PCC § 1101). This includes the construction, reconstruction, erection, alteration, renovation, improvement, and repair including painting and repainting of publicly owned property. It excludes maintenance work such as routine or recurring work for protection or preservation, minor painting, or landscape maintenance. (PCC § 22002). Programs planning on entering a contract that may have a public works component must contact the Business Office prior to starting the procurement process to receive guidance on these requirements.

i) Architectural and Engineering (A&E) Contracts

Professional services of an architectural or engineering nature, that are required to be performed or approved by a person licensed, registered, or certified to provide A&E services. A&E services include research, planning, development, design, construction, alteration, or repair of real property. A&E services also include studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services. (40 USC § 1102(2)). A&E contracts are subject to additional state requirements. Programs planning on entering an A&E contract must contact the Business Office prior to making the purchase to receive guidance on these requirements.

j) Lease Agreements

Lease Agreements and License Agreements follow the same review and approval process as a typical contract but may be subject to additional forms and considerations. Divisions entering into a new lease agreement or renewing an existing lease agreement must complete the Lease Term Worksheet as a part of the contracting process. It is also expected that the Air District performed a cost-benefit analysis of leasing versus purchasing. Board of Directors approval is required for leases and licenses that exceed two hundred thousand (\$200,000) over the life of the lease or license. To determine the total cost of the lease, the Air District must account for monthly rent, operating expenses, optional renewals, tenant improvements, and any other expenses that it will pay for in the lease.

k) Leveraged Procurement Agreements

In some circumstances, the Air District may have access to a Leveraged Procurement Agreement (LPA) established by itself, the state, or another entity, which offers a streamlined option for procuring select goods and services from a list of pre-qualified contractors. Oftentimes, these contractors have been prequalified and undergone a competitive process or negotiations to get on the lists, which are limited to specific goods and services. Each leveraged procurement type will have its own rules and processes for when and how it can be used, which will be binding on the Air District. This may include requesting multiple bids from pre-qualified vendors.

Examples of State of California leveraged procurements include the IT and non-IT California Multiple Award Schedule (CMAS), IT Master Services Agreement (IT MSA), Software Licensing Program (SLP), and California Network and Telecommunications (CALNET) Program. Cooperative agreements and purchasing programs may also provide access to multi-state contracts, such as the National Association of State Procurement Officials (NASPO) ValuePoint. Before using a Leveraged Procurement Agreement, contact the Business Office to confirm the applicability of and processes associated with the agreement.

l) Methods of Payment

The Air District may allow multiple payment methods to facilitate the purchasing of goods and services, including checks, credit cards, fuel cards, and charge cards. All purchases, regardless of method of payment, must comply with Air District Procurement Policy and Procedures. In addition, the Air District has specific requirements regarding the issuance, oversight, management, and usage limitations of each payment method. Staff are responsible for understanding and complying with these requirements. Air District-issued credit card payments for food and beverages are only permitted as a method of last resort when a vendor does not accept other payment methods.

Bay Area Air Quality Management District Procurement Policy

(Adopted 05/01/24, Effective 07/01/24 Proposed Effective 09/04/2024)

Table of Contents

Procurement Policy	2
1. Purpose.....	2
2. Policy Statement.....	2
3. Applicability.....	2
4. Authority to Contract.....	2
5. Related Laws	3
6. Policy Ownership and Revisions.....	3
7. Procurement Principles	3
8. Procurement Requirements.....	6
Procurement Policy	2
1. Purpose	2
2. Policy Statement.....	2
3. Applicability.....	2
4. Authority to Contract.....	2
5. Related Laws	3
6. Policy Ownership and Revisions.....	3
7. Procurement Principles	3
8. Procurement Requirements.....	5

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Formatted: Default Paragraph Font, Font: (Default)
+Body (Calibri), Check spelling and grammar

Procurement Policy

1. Purpose

This Procurement Policy (Policy) outlines the principles and objectives of the Bay Area Air Quality Management District (Air District) pursuant to Section 9.4 of the Air District’s Administrative Code establishing procedures for competitive bidding, awarding, administering, and executing contracts for goods and services, and other similar contractual agreements (collectively referred to herein as “contracts”). This Policy provides the framework for the Administrative Resources Division’s (ARD’s) Procurement Procedures, which offer detailed and practical guidance to staff as they carry out the procurement of goods and services in support of Air District operations. Under this Policy, the ARD may develop additional procedures for specific agreement types, including, but not limited to, Interagency Agreements (IA), Memorandum of Understanding (MOU), Grant Agreements, Leases and Purchases of Real Property, Public Works, and Architectural and Engineering. Where a conflict exists between the Administrative Code, Policy, and Procedures, the most restrictive requirements control.

2. Policy Statement

The Air District recognizes its legal duty to implement uniform policies and procedures to ensure the efficient, effective, and ethical procurement of goods and services. The Air District’s Procurement Policy objectives include complying with local, state, and federal rules and regulations; ensuring the fairness, integrity, and transparency of process; meeting organizational needs effectively and efficiently; supporting the continuity of services and protection of health and safety; and achieving best value. (California State Constitution, PCC §§ 1100 et. al., HSC §§ 40200 – 40276, GOV §§ 29000 – 29009)

3. Applicability

All staff who participate in the process of procuring goods and services on behalf of Air District must follow and adhere to this Procurement Policy and any associated procedures.

4. Authority to Contract

The Air District is empowered by California Health and Safety Code (HSC § 40701) “to cooperate and contract with any federal, state, or local governmental agencies, private industries, or civic groups necessary or proper to the accomplishment of the purposes of [air pollution control].” The Air Pollution Control Officer (APCO) serves as the Air District’s ex-officio Procurement Agent and may further delegate its authority to approve procurements as defined in the Procurement Policy and Procedures.

5. Related Laws

As a public entity, as defined by the State of California, the Air District is required to comply with the California Public Contract Code. (PCC § 1100 et. al.) Per California Government Code (GOV § 54202), every local agency, including the Air District, must adopt policies and procedures for procuring supplies and equipment that must include bidding regulations and cannot conflict with state statutes. For procurements using federal funds, the Air District must also comply with the U.S. Code of Federal Regulations (2 CFR 200, et. al.), which outlines additional requirements for the procurement process and agreement terms, including documented procurement procedures (2 CFR 200.320). To the extent possible, Air District policies and procedures adopt the terms and definitions used in state and federal code to support compliance and avoid confusion.

6. Policy Ownership and Revisions

The APCO, as the ex-officio Procurement Agent for the Air District, is responsible and accountable for its procurement program. These responsibilities include the creation, maintenance, and implementation of this Procurement Policy. Revisions to this Procurement Policy require approval by the APCO and the Board of Directors. The APCO, as it deems appropriate, may delegate responsibility for developing and implementing Procurement Procedures, as well as the review and approval of select contracts. Such delegated authority shall be documented in the Air District's Procurement Procedures.

7. Procurement Principles

a) Comply with local, state, and federal rules and regulations

The Air District shall adhere to its procurement policies and procedures, and requirements established by federal, state, and local entities. The Air District is also responsible for complying with additional requirements associated with other sections of Air District administrative policies, various funding sources, and procurement methods. Where a conflict exists between the applicable laws, regulations, policies and procedures, the most restrictive requirements control.

Formatted: Indent: Left: 0.25"

b) Meet the organization's needs effectively and efficiently

The Air District's procurement process must balance the benefits and burdens of procedures and controls with the operational needs and risk tolerance of the organization. The Air District's Procurement Procedures shall provide a structure to define the required reporting, approvals, insurance, and procurement process needs based on criteria such as contract amount, type, term, and complexity. Any exemptions from standard processes must fall under an approved justification. The purchase of goods and services shall not be split into separate contracts to circumvent the thresholds for approvals, reporting, and competitive procurement. All purchases of goods and services require justification and are restricted to that necessary to the operation of the agency and accomplishment of its mission and goals.

Formatted: Left

c) Ensure the continuity of services and protection of health and safety

In limited circumstances, the Air District may find justification for exemptions from standard procurement rules, such as when needed to ensure the continuity of critical services and protection of health and safety. This includes the Emergency Exemption defined in the Administrative Code 9.4(d). This and any other exemptions shall be further defined in the Procurement Procedures and be restricted in their application.

Formatted: Indent: Left: 0.25"

d) Achieve value for money

As a steward of public funds, the Air District is committed to implementing policies and procedures that support achieving the lowest cost and best value in its procurement of goods and services. The criteria for quote and proposal evaluation and contract award may be different for various goods and services, as defined in the Procurement Procedures, and may sometimes consider more factors than cost alone when in the best interest of the Air District.

Formatted: Indent: Left: 0.25"

e) Maintain the fairness and integrity of an open competitive process

The Air District shall ensure a fair and transparent procurement process that promotes full and open competition consistent with applicable regulations and best practices. This encompasses Air District's commitment to nondiscrimination, desire to contract with diverse types of businesses and organizations, and the implementation of internal controls and conflict of interest policies, which are described below.

Formatted: Indent: Left: 0.25"

f) Encourage purchasing from local, small, and disadvantaged businesses

The Air District shall, to the extent lawful and appropriate, encourage minority, veteran, and women owned businesses to bid on contracts. The Air District shall also encourage purchasing from local and small businesses and will implement goals and preference programs as permitted by law. To support the creation of a diverse and competitive contractor community, Air District encourages the equitable distribution of its contracting opportunities by procuring from a variety of contractors when possible. For these purposes, local businesses are considered those located within the Air District's nine-county geographic jurisdiction.

Formatted: Indent: Left: 0.25"

g) Nondiscrimination in the procurement process

No employee, officer, advisor, or agent of the Agency shall, on the grounds of race, color, sex, sexual orientation, marital status, religion, national origin, ancestry, ethnic group identification, age, physical or mental disability, medical condition, genetic information, or pregnancy, childbirth, or related medical conditions, permit discrimination against any person or group of persons in connection with the procurement process.

Formatted: Indent: Left: 0.25"

h) Conflict of interest policies

Air District conflict of interest policies apply to both personal and organizational conflicts of interest and apply to both real and apparent conflicts. An apparent conflict of interest exists when a reasonable person with all the material facts believes that there appears to be a conflict. Violators of these standards are subject to penalties, sanctions, or other disciplinary actions, up to and including termination. Any questions regarding a potential conflict of interest should be

Formatted: Indent: Left: 0.25"

referred to the Legal Division for advice and consultation. As applicable, Air District officials, staff, and consultants are required to file a Statement of Economic Interests/Form 700 with the Air District’s Filing Officer.

Personal conflicts

No employee, officer, advisor, or agent of the Air District shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, is involved. Such a conflict would arise if any of the following has a financial or other interest in the prospective consultant or contractor (or any subcontractors) considered for award: (1) The employee, officer, advisor, or agent; (2) Any member of their immediate family; (3) Their domestic or business partner; or (4) An organization that employs any of the above, or with which any of them have an arrangement concerning prospective employment.

Formatted: Indent: Left: 0.5", First line: 0"

Formatted: Indent: Left: 0.5"

No employee, officer, advisor, or agent of the Air District may have a financial interest in any contract made by them in their official capacity, or in the case of Board members, by the Board when they are members. (Government Code §§1090 and 87100)

Formatted: Indent: Left: 0.5"

Organizational conflicts

It is the Air District’s policy not to award contracts to consultants when there is an organizational conflict of interest. An organizational conflict of interest exists when a consultant or contractor, because of other activities, relationships, or contracts, is unable or potentially unable to render impartial assistance or advice to the Air District, and the consultant’s objectivity in performing the contract work is or might be otherwise impaired, or a consultant has an unfair competitive advantage. Whenever the Air District is awarding a contract that involves the rendering of advice, it will consider whether there exists the potential for bias, because of other activities, relationships, or contracts of the consultant.

Gifts and gratuities

No employee, officer, advisor, or agent of the Agency shall solicit or accept gratuities, favors, or anything of monetary value from consultants, vendors, contractors or potential consultants, vendors, contractors or parties to sub-agreements in accordance with the restrictions, thresholds, and reporting requirements established by the California Fair Political Practices Commission (FPPC) and Government Code §87100, et al., which may be updated from time to time. Further, the Air District prohibits practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration.

8. Procurement Requirements

a) Approvals and reporting requirements

Within the thresholds established in Administrative Code 9.4, the APCO may further delegate the authority to approve contracts for goods and services based on thresholds and criteria

specified in the Procurement Procedures. These Procedures will also outline the requirements for seeking and documenting approvals and the process for quarterly reporting to the Board of Directors. It is the Air District's policy that a requesting party cannot serve as the approving party for their own procurement request.

b) Competitive procurement requirements

The Air District shall prescribe when solicitation and evaluation requirements apply to procurements based on thresholds and criteria specified in the Procurement Procedures. This includes parameters that limit the instances and amounts by which the Air District can amend existing contracts before having to undertake a new procurement process.

c) Purchase dollar amount determination

For the purpose of applying the dollar thresholds in the Procurement Policy and Procedures, the amount of the contract shall be determined by adding together the amount of the base contract and, if applicable, any amendments and option years. It is the total potential amount of the contract receiving approval. In instances in which the total amount of the contract or purchasing agreement is uncertain (e.g., bench contracts, blanket purchase orders), the Air District must provide a best estimate and will be limited to the amount authorized unless it receives the approvals required of the higher amount. To determine the total cost of a lease, the Air District must account for monthly rent, operating expenses, optional renewals, tenant improvements, and any other expenses that it will pay for in the lease.

The Air District prohibits contracts from being split into smaller quantities or amounts or artificial phases for the purposes of evading or circumventing the Air District's approval, reporting, and competitive bidding requirements. Repeat contracts for the same goods or services with the same contractor must be noted by the requestor and tracked by the Air District Administrative Resources Division, and they shall be subject to increased scrutiny, require additional justification, and are subject to denial or additional requirements at the discretion of the APCO or its designee.

d) Contract length, amendments, and options

Unless otherwise stated in the contract in question, the APCO may execute amendments to contracts if (1) the amount of a contract as amended does not exceed two hundred thousand dollars (\$200,000), or (2) if the contract had previously been approved by the Board of Directors, the cumulative amount of any amendments does not exceed the previously approved amount by more than two hundred thousand dollars (\$200,000) or 25%. All other amendments must be approved by the Board of Directors. The APCO shall report to the Board of Directors any amendments that (1) cause the amount of a contract as amended to exceed one hundred thousand dollars (\$100,000), or (2) cause the amount of a contract already exceeding one hundred thousand dollars (\$100,000) to increase by more than 25%. The APCO may bring any contract amendment before the Board of Directors for approval if they deem it in the best interest of the Air District.~~Air District cannot amend a contract for an amount that exceeds 25% of the originally approved contract amount.~~

-One-time amendments for time only are generally permitted with justification. The total number of years of a contract, inclusive of any amendments and option years, cannot exceed five years, unless an exception is approved by the APCO. Contract terms governing amendments and option years must be specific and limited, provide a process for exercising an amendment or option, and specify any planned changes to contract terms. Unless otherwise stated, Air District presumes original contract pricing and terms will apply to all amendments and options. Under all circumstances, the Air District shall retain discretion regarding the exercising of an amendment or option. Amendments and options must be accompanied by a justification and be made to a contract prior to its expiration and are subject to Air District approval and reporting requirements.

Select Renewals & Associated Recurring Payments Reporting

Notwithstanding any of the requirements referenced above, the APCO may renew contracts for which the total contract amount exceeds two hundred thousand dollars (\$200,000) for select categories of goods and services as specified in the Procurement Procedures without approval by the Board of Directors, provided that the initial procurement was authorized under the then-applicable provisions of the Administrative Code and Procurement Policy, including the use of appropriate required competitive processes.

Such renewals shall still be bound by other procurement requirements provided for within this policy document, as reasonably possible. Including the requirement that the standard total number of years of a contract, inclusive of any amendments and option years, cannot exceed five years, unless an exception is approved by the APCO. For all such contracts, recurring payments shall be reported to the Board of Directors in the quarterly Financial Report. The provisions of this paragraph apply to qualifying renewals of existing contracts only.

Formatted: Font: Bold

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Indent: Left: 0.5"

e) Purchases exempt from competitive process

The Air District has identified the following types of purchases eligible to be exempted from the competitive procurement process. ~~The A Request for Exemption contract~~ cover memo must include justification for the waiving of competitive requirements and cite one of these pre-defined exemptions. Unless otherwise noted, Air District approval and reporting requirements still apply.

Purchases of goods and services under \$10,000

Purchases of goods and services that cost less than \$10,000 do not require a competitive process but do need to show the purchase is fair and reasonable. The Air District finds the competitive process overly burdensome relative to the low dollar value and risk of these purchases. Nevertheless, the Director of the ARD may choose to add requirements to these purchases if deemed in the best interest of the Air District. To the extent practicable, the Air District encourages distributing such purchases equitably among qualified suppliers.

Formatted: Font: Not Bold, No underline

Formatted: Font: Not Bold, No underline

Emergency Purchases

Per Administrative Code 9.4(d), the APCO is authorized to make purchases during an emergency exempt from Board of Directors approval and the standard competitive process if required to ensure the continuity of critical services and the protection of health and safety. In an emergency, contact the Business Office staff for guidance and to coordinate the purchase of goods and services. Provide as many details as possible so that the Business Office can assess the situation and determine the best course of action. A supporting cover memo will be required to justify the emergency purchase. The extent of the purchase should be limited to that required for the emergency.

~~Pre-approved purchases for select goods and testing~~

~~Purchases of standardized equipment, and purchases of goods for product testing are exempt from the three-quote requirement and competitive bidding requirements, provided the purchases have been pre-approved by the Director of Administrative Resources.~~

Formatted: Font: Not Bold, No underline

Formatted: Font: Not Bold

Sole Source Purchases

Bidding may not be required when there is only one provider of the specific goods or services required by the Air District. In general, the Air District does not promote sole source contracts and they will only be approved in narrow circumstances in which there is compelling justification for the specific good or service needed, no reasonable substitute, and supporting evidence that the selected vendor is the only known capable provider due to a monopoly or proprietary ownership of the good or service viable provider, and the costs for the goods or services are reasonable. Sole source purchases typically include scientific and technical equipment and services uniquely available. A supporting contract cover memo detailing the justification must be provided and attached to the contract file. In the absence of a competitive process, all sole source purchases under \$200,000 are subject to APCO approval.

Pre-approved purchases for select goods and testing

Purchases of standardized equipment, and purchases of goods for product testing are exempt from the three-quote requirement and competitive bidding requirements, provided the purchases have been pre-approved by the Director of Administrative Resources.

Formatted: Font: Not Bold

Formatted: Justified, Indent: Left: 0.5", Space After: 0 pt

Other Special Circumstances, including Single Source and Other Restrictions

Bidding may not be required under other special circumstances such as with single source purchases, where warranty restrictions apply, or where other time and public interest constraints may occur.

Single source purchases will only be approved in narrow circumstances in which there is compelling justification for the specific good or service needed, and supporting evidence that the selected vendor is the only known capable provider due to the unique nature of the

Formatted: Not Highlight

requirement and/or market conditions and the costs for the goods or services are reasonable.

Circumstances in which a product warranty would be void if a different vendor was selected, time constraints not caused by the Air District's own actions or inactions, or when competitive selection methods may be contrary to the public interest may also be approved with prior detailed justification and explanation. A supporting cover memo must specify which special circumstance the purchase falls under and provide sufficient detail as to justify the exemption. In the absence of a competitive process, all special circumstances without competition purchases under \$200,000 are subject to APCO approval.

Limited Board of Directors Contracts

Per Administrative Code 9.4(e), there are limited circumstances under which the Board of Directors authorizes its officers to enter into contracts without prior approval and outside of the Air District Policies and Procedures.

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

~~Limited Board of Directors Contracts~~

~~Per Administrative Code 9.4(e), there are limited circumstances under which the Board of Directors authorizes its officers to enter into contracts without prior approval and outside of the Air District Policies and Procedures.~~

f) **Bench Contracts and Blanket Purchase Orders**

There may be instances in which it is in the Air District's best interest to establish open contracts or purchase orders for goods and services that it knows it needs yet the specific timing and quantity of the need is uncertain. The Bench Contract and Blanket Purchase Order options provide an opportunity for the Air District to meet its needs under various scenarios while remaining compliant with its Procurement Policy and Procedures by either pre-qualifying contractors or permitting multiple orders under one purchase order. These options are to be restricted to specific circumstances that are pre-approved by the APCO or its designee based on circumstances and need.

Bench Contracts

Bench Contracts may be used when the Air District determines it is in its best interest to develop a list of pre-qualified contractors for the purchase of specific types of goods or services on a timely basis. This is most commonly appropriate when there is a known recurring need for select goods or services, there are multiple contractors that can meet the Air District's needs, and the specific timing and quantity of services is uncertain. The Bench Contract approach may save the Air District time by front-loading the process of locating and verifying qualified contractors and pricing as well as streamlining the collection of select internal approvals. A Request for Qualifications (RFQ) process is used to establish the bench and a Task Order Solicitation is used to select bench contractors for specific projects.

Blanket Purchase Orders

Blanket Purchase Orders may be used when the Air District determines it is in its best interest to establish a long-term purchasing agreement with a vendor that allows for recurring orders with multiple payments for the same similar goods or services over a set period based on pre-set terms. This is most commonly appropriate when there is a known recurring need for specific goods or services, there is one contractor that can best meet the Air District's needs, and the specific timing and quantity of goods and services is uncertain. ~~A common example of this is maintenance and service contracts.~~ The Blanket Purchase Order approach may save the Air District time by allowing it to avoid repeat procurement purchasing efforts for the same goods and services with the same contractor vendor and allow for the creation of only one Purchase Order number for easier processing of multiple orders and invoices. A Blanket Purchase Order does not replace the requirement for an executed contract as required by this Policy and the Procurement Procedures.

g) **Federally Funded Purchases**

Air District purchases using federal funds are subject to Office of Management and Budget (OMB) Guidance for Grants and Agreements, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200), which set forth a series of regulations required of non-federal entities that impact many aspects of the procurement process, including thresholds and bid types, evaluation criteria, conflict of interest, documentation, contract provisions, and post-award management. General procurement requirements for non-federal recipients are located in 2 CFR 200.318 and language required to be included in all contracts are located in Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. Programs planning on using federal funds for a purchase must contact the Business Office prior to starting the procurement process to receive guidance on these requirements.

h) Public Works ~~Procurement~~Contracts

Air District public works ~~contracts~~procurements are subject to additional state provisions, defined in California Public Contract Code. The Code defines a public works contract as “an agreement for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind,” (PCC § 1101). This includes the construction, reconstruction, erection, alteration, renovation, improvement, and repair including painting and repainting of publicly owned property. It excludes maintenance work such as routine or recurring work for protection or preservation, minor painting, or landscape maintenance. (PCC § 22002). Programs planning on entering a contract that may have a public works component must contact the Business Office prior to starting the procurement process to receive guidance on these requirements.

Formatted: Justified, Space After: 0 pt

i) Architectural and Engineering (A&E) Contracts

Professional services of an architectural or engineering nature, that are required to be performed or approved by a person licensed, registered, or certified to provide A&E services. A&E services include research, planning, development, design, construction, alteration, or repair of real property. A&E services also include studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services. (40 USC § 1102(2)). A&E contracts are subject to additional state requirements. Programs planning on entering an A&E contract must contact the Business Office prior ~~to starting the procurement process to making the purchase~~ to receive guidance on these requirements.

j) Lease Agreements

Lease Agreements and License Agreements follow the same review and approval process as a typical contract but may be subject to additional forms and considerations. Divisions entering into a new lease agreement or renewing an existing lease agreement must complete the Lease Term Worksheet as a part of the contracting process. It is also expected that the Air District

performed a cost-benefit analysis of leasing versus purchasing. Board of Directors approval is required for leases and licenses that exceed two hundred thousand (\$200,000) over the life of the lease or license. To determine the total cost of the lease, the Air District must account for monthly rent, operating expenses, optional renewals, tenant improvements, and any other expenses that it will pay for in the lease.

k) Leveraged Procurement Agreements

In some circumstances, the Air District may have access to a Leveraged Procurement Agreement (LPA) established by itself, the state, or another entity, which offers a streamlined option for procuring select goods and services from a list of pre-qualified contractors. Oftentimes, these contractors have been prequalified and undergone a competitive process or negotiations to get on the lists, which are limited to specific goods and services. Each leveraged procurement type will have its own rules and processes for when and how it can be used, which will be binding on the Air District. This may include requesting multiple bids from pre-qualified vendors. A supporting cover memo must specify which leveraged procurement agreement or purchasing program the purchase is qualified under and provide sufficient detail as to justify linking to the lead agency's procurement. In the absence of a competitive process, all contracts under \$200,000 executed as a result of a leveraged procurement method are subject to APCO approval.

Examples of State of California leveraged procurements include the IT and non-IT California Multiple Award Schedule (CMAS), IT Master Services Agreement (IT MSA), Software Licensing Program (SLP), and California Network and Telecommunications (CALNET) Program. Cooperative agreements and purchasing programs may also provide access to multi-state contracts, such as the National Association of State Procurement Officials (NASPO) ValuePoint. Before using a Leveraged Procurement Agreement, contact the Business Office to confirm the applicability of and processes associated with the agreement.

l) Methods of Payment

The Air District may allow multiple payment methods to facilitate the purchasing of goods and services, including checks, credit cards, fuel cards, and charge cards. All purchases, regardless of method of payment, must comply with Air District Procurement Policy and Procedures. In addition, the Air District has specific requirements regarding the issuance, oversight, management, and usage limitations of each payment method. Staff are responsible for understanding and complying with these requirements. Air District-issued credit card payments for food and beverages are only permitted as a method of last resort when a vendor does not accept other payment methods.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Finance and Administration Committee

From: Philip M. Fine
Executive Officer/APCO

Date: July 10, 2024

Re: Air District 2024-2029 Strategic Plan

RECOMMENDED ACTION

No action required at this time.

BACKGROUND

The *2024-2029 Strategic Plan* was developed through a collaborative process with community leaders, Air District employees, the Board of Directors and Community Advisory Council members, representatives from regulated industries, and our government partners. Over the course of many months, we discussed what needs to change, what we are doing well, and where we can do better. We talked about the Air District's internal strengths and weaknesses, and external opportunities and threats. We held visioning exercises to learn about what we aspire to be over the long term and hope to achieve in the short term. We collaborated on goals and strategies and the actions needed to achieve real change.

What we learned is that people value the Air District's renewed focus on environmental justice and community engagement. They appreciate our knowledge and technical expertise, and our emphasis on science. We heard about our internal challenges, like poor internal communication and bureaucratic processes that disincentivize change, innovation, and collaboration. We heard that there continues to be a lack of trust in the Air District, particularly in communities overburdened by pollution. There is also a sense of opportunity. Permitting and enforcement of our regulations on industries, gas stations, generators and other stationary sources could be more transparent, efficient, and a mechanism for advancing environmental justice. People also see an opportunity to embrace new technology and funding sources to achieve our air quality goals.

Notably, communities, Board members, and employees all share the belief that the Air District is an air quality leader, in California and nationally. Being a leader, however, means we need to continue to be bold and visionary to ensure that all communities have equitable access to clean air.

DISCUSSION

The *2024-2029 Strategic Plan* is centered on four primary goals: achieve impact, advance environmental justice, foster cohesion and inclusion, and maintain an effective, accountable, and customer-oriented organization. The plan's goals are designed to move us closer to our long-term mission and near-term vision of organizational transformation. Thirty-six strategies advance these goals. Goals and strategies are grounded in the Air District's core values: environmental justice, equity, integrity, partnership, transparency, and trust.

Environmental Justice: A Strategic Focus

Over the last two and a half years, the Air District Community Advisory Council has been advising the Air District on what environmental justice means and about what we should consider as we shift toward centering our work in environmental justice.

To help us understand the strategies and actions that would move toward more equitable outcomes in communities, the council formed an Ad Hoc committee on Environmental Justice Policy in late 2022 to work directly with Air District leadership and employees. The *2024-2029 Strategic Plan* reflects this partnership. It also reflects the knowledge gained from our many conversations with the council and other community members on what we need to do to advance environmental justice.

The strategies in this plan were developed not only in consultation with the Community Advisory Council, but also in consideration of their *Environmental Justice Priorities*. More than three quarters of the strategies in this plan link directly to one or more of the Community Advisory Council priorities.

Next Steps

Much of the work described in the strategic plan is well under way. With approval from the Board, we will continue our implementation efforts through the completion and development of action plans, which will include performance timelines, milestones, metrics, and targets. We will also continue our work with communities in our efforts to implement most of the plan's strategies. Each year, we will do an annual implementation progress report for increased transparency and to reassess and realign resources, as needed.

The Air District is gathering public comment on the *2024-2029 Strategic Plan* through August 5. The plan will be discussed at the July 25 Community Advisory Council Meeting. There will be two public workshops the week of July 29. The Board of Directors will consider the *2024-2029 Strategic Plan* at the September 4 Board meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Christy Riviere, Deborah Jordan, Ph.D.

Reviewed by: Philip M. Fine, Ph.D.

ATTACHMENTS:

1. Attachment A: 2024-2029 Air District Strategic Plan Goals and Strategies
2. Air District Strategic Plan
3. Strategic Plan Update Presentation

2024-2029 Strategic Plan Goals and Strategies

Goal 1: Achieve Impact

The strategies in Goal 1 are organized around three broad objectives: **reduce health impacts of air pollution, hold violators accountable, and mitigate climate change and its impacts**. These objectives and their associated strategies are designed to achieve real, measurable reductions in air pollution, with a focus on communities that continue to be most heavily impacted by exposures to air pollution.

Reduce Health Impacts of Air Pollution

Strategy 1.1 Change Approach to Air Quality: We will change our approach to reducing air pollution so that we achieve more meaningful improvements to air quality in communities, with a focus on those overburdened by air pollution.

Strategy 1.2 Stronger Regulations: We will develop stronger regulations on the sources of air pollution, prioritizing those that can improve local air pollution.

Strategy 1.3 Minimize Flaring: We will minimize flaring at oil refineries to lessen the impact flaring has on communities, including air pollution and odors.

Strategy 1.4 Reimagine Funding: We will reimagine funding programs so that they better benefit communities impacted by air pollution.

Hold Violators Accountable

Strategy 1.5 Enhance Violation Investigations: We will enhance our procedures for investigating violations of Air District regulations in communities overburdened by air pollution to better protect community health.

Strategy 1.6 New Enforcement Policy: We will collaborate with communities to develop an enforcement policy to better prevent violations of air quality regulations.

Mitigate Climate Change and Its Impacts

Strategy 1.7 New Climate Solutions: We will develop new regional solutions for climate change and support partners to advance climate change mitigation.

Goal 2: Advance Environmental Justice

The strategies in Goal 2 are organized around three objectives: **build partnerships and community capacity, identify disparities, and reduce disparities**. These objectives and their associated strategies are designed to help us work in partnership with communities to better understand and solve local air quality problems.

Build Partnerships and Community Capacity

Strategy 2.1 Community Partnership: We will develop partnerships with communities so they can directly participate in the solutions to the air quality problems that impact them.

Strategy 2.2 Collect Community Data: We will build community capacity to collect air pollution data and ensure the Air District better utilizes those data to reduce the pollution that harms communities most.

Strategy 2.3: Make Data Accessible: We will give communities the tools and data they need to access and understand air pollution data so they can be better informed of any potential air pollution problems.

Strategy 2.4 Community Health Data: We will provide communities with better health information, so they know the potential health implications of air pollution and are better able to participate in decision-making.

Strategy 2.5 Air Quality Complaints: We will improve the complaint process to ensure it is effective and transparent.

Strategy 2.6: Talk with Communities: We will meet with communities about air pollution problems in their neighborhood, their concerns, how we are addressing them, and what more they need from us, so we are more responsive to communities.

Identify Disparities

Strategy 2.7 Understand Local Air Pollution: We will work with communities overburdened by air pollution to develop a more complete understanding of air pollution in their neighborhoods.

Reduce Disparities

Strategy 2.8 Community-Directed Funds: We will develop a community-led process where communities participate in decisions on how to spend money that illegal air polluters pay in penalties so that funded projects benefit communities, especially the communities where the illegal pollution occurred.

Strategy 2.9 Address Legal Barriers: We will strive to change laws that prevent the Air District from advancing environmental justice.

Strategy 2.10 Civil Rights Laws: We will advance and prioritize compliance with civil rights laws, including the federal Civil Rights Act of 1964 and related California laws.

Strategy 2.11 Cumulative Health Impacts: We will develop our understanding of the cumulative and synergistic effects of air pollution in conjunction with other environmental, socioeconomic, and other stressors, and use this information to focus regulatory efforts in areas experiencing the most serious air pollution and related cumulative public health impacts.

Goal 3: Foster Cohesion and Inclusion

The strategies in Goal 3 are organized around two objectives: **embody diversity, equity, inclusion, and belonging**; and **become *One Air District***. These objectives and their associated strategies are designed to create a more diverse and welcoming workplace, one that is united in common purpose, so that the Air District can meet its air pollution, environmental justice, and equity priorities.

Embody Diversity, Equity, Inclusion, and Belonging

Strategy 3.1 A Diverse Workforce: We will build on our efforts to ensure the Air District's workforce is diverse and reflective of the communities we serve to instill community trust and develop better solutions to air quality problems.

Strategy 3.2 Be Welcoming and Inclusive: We will make sure everyone in the organization understands and respects the value of a diverse workforce, one that welcomes and includes everyone to increase organizational cohesion.

Become One Air District

Strategy 3.3 One Air District Community: We will broaden internal knowledge of Air District activities and create more opportunities for relationship building to increase understanding of how different employee roles and perspectives come together in support of the organization's mission and vision.

Strategy 3.4 Environmental Justice Expertise: We will increase the capacity and effectiveness of employees, Board members, and advisory bodies to advance environmental justice and to better integrate environmental justice into all aspects of our work.

Strategy 3.5 Recognize Employees: We will better recognize employees' contributions to increase morale and overall organizational effectiveness.

Strategy 3.6 Support Employee Success: We will expand professional development opportunities to foster success and diversity, boost morale, enhance workforce retention, and improve overall organizational effectiveness.

Goal 4: Be Effective, Accountable, and Customer-Oriented

The strategies in Goal 4 are organized around three objectives: **improve permitting, monitoring, and enforcement; build relationships and enhance communications;** and **be accountable.** These objectives and their associated strategies will help us to become a more efficient and effective organization, responsive and accountable to the communities we serve. They are also designed to increase awareness and support of our efforts to reduce air pollution and to advance environmental justice.

Improve Permitting, Monitoring, and Enforcement

Strategy 4.1 Timely Permits: We will improve the timeliness of permitting decisions.

Strategy 4.2 Transparent Permit Process: We will improve our permitting process to be more transparent and accountable to applicants and the public.

Strategy 4.3 Consistent Permits: We will ensure Air District regulations and associated air quality permits issued are clear, consistent, and enforceable so that air pollution affecting communities is minimized.

Strategy 4.4 Improve Air Monitoring: We will update the design and operations of the air quality monitoring network to improve reliability, efficiency, data quality, and accessibility to better meet monitoring objectives and to support efforts to understand local exposure to air pollution.

Strategy 4.5 Improve Compliance Investigations: We will increase the efficiency and effectiveness of inspection and investigation resources to improve compliance and increase the impact of our enforcement program.

Build Relationships and Enhance Communication

Strategy 4.6 Inspire Action: We will expand our public communication to inspire the public to support efforts to reduce air pollution and to mitigate climate change.

Strategy 4.7 Customer Service: We will strengthen employees' organization-wide knowledge and communication skills, so people experience the highest level of service from the Air District.

Strategy 4.8 Air Quality Incidents: We will enhance our incident response program in collaboration with government partners.

Strategy 4.9 Land Use Impacts: We will provide tools for local governments to consider environmental justice, air quality, and climate priorities in local land use plans, policies, projects, and permitting decisions.

Be Accountable

Strategy 4.10 Ensure Success: We will ensure we have the resources and capacity to meet both Board and community expectations and honor our commitments, thereby building trust in the Air District's capacity to succeed.

Strategy 4.11 Align Resources: We will be intentional about ensuring the Air District's resources and annual budgets are well-aligned with organization and community priorities, as identified in the *2024-2029 Strategic Plan*.

Strategy 4.12 Report Progress: We will transparently report on progress in meeting the *2024-2029 Strategic Plan* goals and strategies to be accountable for our commitments and meeting expectations.

Bay Area Air Quality Management District

2024-2029
Strategic Plan

DRAFT





Contents

1. A Vision for Change	5
2. Centering on Environmental Justice. . .	18
3. Targeted Goals and Strategies	29
4. Accountability and Implementation. . .	91
Glossary	101



1. A Vision for Change

"To me, environmental justice is a question about who gets the dignity of shade from a big, beautiful tree on a hot summer day."

– **Michael Tubbs**, author of *The Deeper the Roots* and Special Advisor to Governor Gavin Newsom

1. A Vision for Change

Together Advancing Clean Air and Environmental Justice

Not everyone in the Bay Area “gets the dignity of shade from a big, beautiful tree on a hot summer day.” Just as not everyone can experience the privilege of breathing clean air.

For nearly seventy years, the Bay Area Air Quality Management District has led the way toward cleaner air for people living in the Bay Area. We have adopted groundbreaking regulations on businesses and industry, funded cleaner cars and trucks, and partnered with local governments to create a healthier environment. These efforts have transformed smog-filled skies into those that are mostly clean. Unfortunately, not everyone has shared equally in these improvements.

Since 1955, our efforts have focused on regional solutions to what many experience as local problems. Communities located near freeways, busy roadways, distribution centers, and large industrial facilities are exposed to relatively higher levels of air pollution than

most everyone else in the Bay Area. These communities are also most often lower-income, communities of color.

That communities of color continue to experience higher levels of air pollution is

not accidental. Communities such as West and East Oakland, Richmond, North Richmond, San Pablo, and Bayview-Hunters Point have endured decades of exclusionary and discriminatory government policies, resulting in longstanding environmental injustices. Such injustices have resulted in communities that experience higher than average levels of air pollution, poorer health outcomes, and associated lower life expectancy.

So, while our efforts over the last seven decades have improved overall air quality at the regional level, we must do more for communities

continuing to experience local air pollution and environmental injustices. We have decades of damage to undo. We must rebuild trust with communities who have been ignored by government agencies for generations. We must focus our efforts on

It is our commitment to transform the organization from one that solves air quality problems at the regional level to one that works in partnership with communities to reduce air pollution at the local level.

It is our commitment to proactively advance environmental justice in and through our work.



ensuring that communities who have been harmed by pollution can be meaningfully heard and experience the clean air and better health that the rest of the region often takes for granted.

Doing this work successfully will require organizational change. We need to become better equipped and committed to achieving more meaningful and measurable improvements to local air quality and to be able to do so in partnership with communities. We need to be more cohesive and inclusive, One Air District united in common purpose, with clear direction and properly aligned resources. We must be more efficient, effective, and transparent, with the ability to respond to the needs of the Bay Area and its communities, especially those historically impacted by environmental injustices.

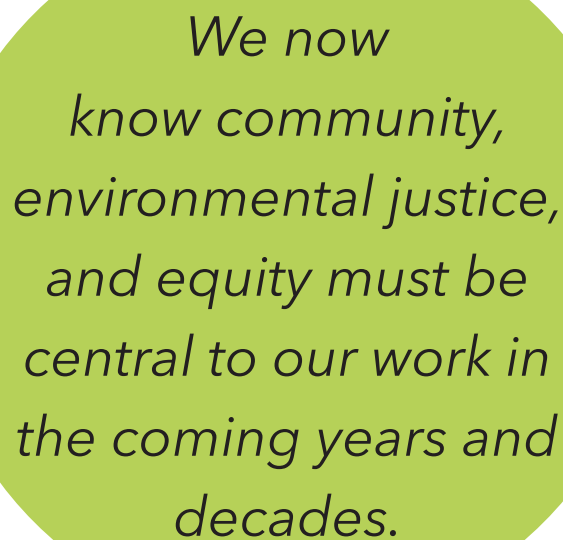
Strategic Plan Scope

The Air District is responsible for regulating **stationary sources** of air pollution in the San Francisco Bay Area. We pass and enforce a wide variety of regulations on industries, businesses, and activities, from wood burning in fireplaces to refining fossil fuels, to ensure air pollution is minimized. We also distribute over \$150 million in state and federal

incentive funding every year to reduce air pollution from **mobile sources**, such as cars, trucks, school buses, port and construction equipment, lawn and garden equipment, and wood-burning stoves and fireplaces.

This core work of the Air District is foundational to our efforts to reduce air pollution, protect people's health and mitigate **climate change**. The 2024-2029

Strategic Plan is about how we will transform this work to address air quality issues more effectively, with a focus on communities most overburdened by air pollution. It is also about how we will transform our organization to align more closely with our core values of **environmental justice, equity, integrity, partnership, transparency, and trust**.



We now know community, environmental justice, and equity must be central to our work in the coming years and decades.

An Inspired Transformation in Focus

The 2024-2029 Strategic Plan is a significant step in the Air District's environmental justice journey. While the Air District has engaged in several community-based environmental justice efforts over the last few decades, it has not been enough. It is our commitment to transform the organization from one that solves air quality problems at the regional level to one that works in partnership with communities to reduce air pollution at the local level. It is our commitment to proactively

advance environmental justice in and through our work. This commitment is inspired by our partnerships with communities over the last five years to develop plans to reduce inequitable exposure to local air pollution and the recently appointed **Community Advisory Council**.

State Law Inspires Community Partnership

In September 2017, a new state law, **Assembly Bill 617**, fundamentally changed how local air districts approach air quality planning. The law requires local air districts to partner with communities to develop plans for monitoring and reducing pollution in their neighborhoods. Communities selected for partnership are those that have relatively higher levels of air pollution than the rest of the Bay Area, along with health vulnerabilities, such as higher asthma rates, cardiovascular disease, and cancer risk. These are the same communities that have been subjected to discriminatory federal, state, and local policies including **redlining**, urban renewal, highway construction, and local zoning codes that allow polluting industries to locate in or alongside residential neighborhoods. These communities have experienced resulting disinvestment, limited access to health services and healthy food, low quality education, and few local parks and open spaces. They are most often low-income communities of color.

Since the law passed, two emission reduction plans and a monitoring plan have been adopted in the Bay Area. *Owning Our Air* was co-developed with the West Oakland Environmental Indicators Project and a

Community Steering Committee. The plan includes 84 strategies for reducing air pollution and exposure to air pollution in West Oakland. A community monitoring plan and the *Path to Clean Air* emission reduction plan was developed with the Richmond-North Richmond-San Pablo community. *Path to Clean Air* has 31 strategies and 140 actions for reducing air pollution. We are now working with East Oakland and Bayview-Hunters Point-Southeast San Francisco to develop similar plans.

Council Lifts Community Voice in Decision-Making

The Air District's Community Advisory Council, composed of 17 community leaders and experts who live or work in communities overburdened by local air pollution, was formed in 2021. The council provides guidance to the Board of Directors on programs and policies that impact all communities, including overburdened communities. They make recommendations to the Air District on equity and environmental justice matters to improve air quality in all communities, prioritizing communities most impacted by air pollution.

Since they began meeting in January 2022, the Community Advisory Council has been discussing environmental justice concepts and possible actions with Air District leadership and employees across the organization. The council developed a set of **Environmental Justice Priorities** to serve as a foundational guide as the Air District began developing its strategic plan. Conversations with the council about the fundamental work of the Air District and how it could shift to

incorporate the core value of environmental justice have informed and improved the strategies in the 2024-2029 Strategic Plan.

Through these community partnerships and the Community Advisory Council, we have continued our learning about environmental injustice. We have come to value community voice and knowledge, and our relationships with them. We now know community, environmental justice, and equity must be central to our work in the coming years and decades.





Planning for Change, Together

The *2024-2029 Strategic Plan* was developed through a collaborative process with community leaders, Air District employees, the Board of Directors and Community Advisory Council members, representatives from regulated industries, and our government partners. Over the course of many months, we discussed what needs to change, what we are doing well, and where we can do better. We talked about the Air District's internal strengths and weaknesses, and external opportunities and threats. We held visioning exercises to learn about what we aspire to be over the long term and hope to achieve in the short term. We collaborated on goals and strategies and the actions needed to achieve real change.

What we learned is that people value the Air District's renewed focus on environmental justice and community engagement. They appreciate our knowledge and technical expertise, and our emphasis on science. We heard about our internal challenges, like poor

internal communication and bureaucratic processes that disincentivize change, innovation, and collaboration. We heard that there continues to be a lack of trust in the Air District, particularly in communities overburdened by pollution. There is also a sense of opportunity. Permitting and enforcement of our regulations on industries, gas stations, generators and other stationary sources could be more transparent, efficient, and a mechanism for advancing environmental justice. People also see an opportunity to embrace new technology and funding sources to achieve our air quality goals.

Notably, communities, Board members, and employees all share the belief that the Air District is an air quality leader, in California and nationally. Being a leader, however, means we need to continue to be bold and visionary to ensure that all communities have equitable access to clean air.

Strategic Plan Framework

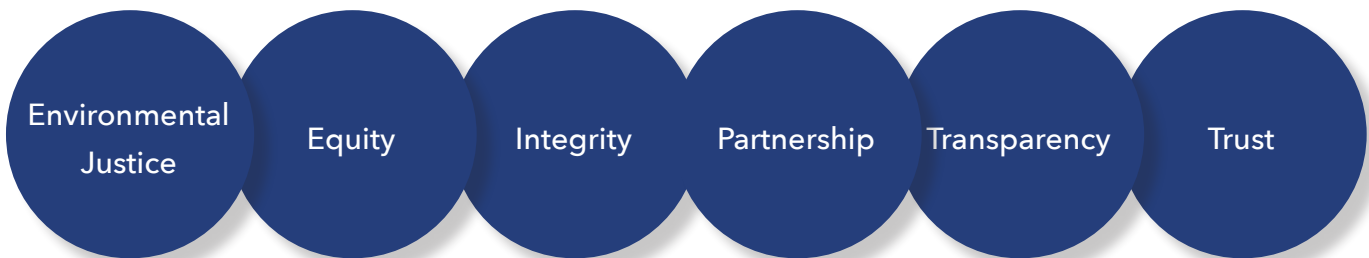
The 2024-2029 Strategic Plan includes an update to the Air District's mission and core values, and a 5-year vision with four primary goals: 1. Achieve impact, 2. Advance environmental justice, 3. Foster cohesion and inclusion, and 4. Be an effective, accountable, and customer-oriented organization.

The plan's Strategic Framework aligns our long-term mission and near-term vision of organizational transformation. They are grounded in the Air District's core values, defined on the following page, and further the Community Advisory Council's Environmental Justice Priorities, described in Chapter 2.

MISSION

The Air District improves air quality to protect public health, reduce historical and current environmental inequities, and mitigate climate change and its impacts.

CORE VALUES



5-YEAR VISION

Over the next 5 years, the Air District will transform its workforce, operations, community engagement, and programs to improve air quality, increase public trust, and demonstrate leadership in equity-centered environmental stewardship.

Environmental Justice Priorities

5-YEAR GOALS





CORE VALUES

Transparency

We are dedicated to full transparency toward holding us accountable for our decisions and actions.

Partnership

We value our partners, fostering meaningful collaboration both internally and externally to achieve shared objectives.

Environmental Justice

We will integrate environmental justice principles within all aspects of our work, and we seek enhanced environmental justice outcomes for overburdened communities.

Equity

We commit to equity and ensuring that our organizational culture fosters a diverse workforce that reflects our communities.

Trust

We gain public trust by grounding our programs and policies in law, science, and the lived experience of our communities.

Integrity

We lead with integrity, serving as honest and responsible stewards of public resources, grounding our actions in law and science, and pioneering effective and innovative solutions in partnership with the communities we serve.



GOAL 1: ACHIEVE IMPACT

Under Goal 1, we will achieve impact by improving our approach to air quality planning. While we continue to reduce regionwide air pollution, we will ensure we have a complete and accurate picture of local air pollution, one that includes community experience and perspectives of local air pollution.

To achieve impact, we will also strengthen our regulations, permitting and enforcement policies, and improve how we hold industry accountable when our regulations are violated. We will work with communities to reimagine how we distribute state and federal funding for electric vehicles and charging stations to our most vulnerable communities. We will develop innovative regional solutions to climate change. We will better support our local government partners and other agencies in their efforts to mitigate climate change.

Goal objectives:

- **Reduce Health Impacts of Air Pollution**
- **Hold Violators Accountable**
- **Mitigate Climate Change and Its Impacts**

GOAL 2: ADVANCE ENVIRONMENTAL JUSTICE



Under Goal 2, we will advance environmental justice by supporting, partnering with, and uplifting communities overburdened by pollution, so that we may work together to identify and reduce disparities in air pollution exposure.

So that communities can collect their own air pollution data, we will help to build their data collection skills and knowledge. We will also provide the tools they need to access and better understand existing air pollution data.

We will improve our air quality complaint process to ensure it is effective and transparent. We will directly engage with communities about compliance and enforcement activities, including recent incidents or other air pollution violations, our enforcement response, the extent of public harm, and legal actions we may take.

We will work with communities to identify air pollution disparities and to develop a more complete understanding of air pollution in their neighborhoods. We will use this information to develop more effective strategies to reduce pollution from the sources that most impact them.

We will develop a community-led process where communities participate in decisions on how to spend money that illegal air polluters pay in penalties so that projects benefit communities. We will work to change laws that prevent the Air District and others from advancing environmental justice and will advance and prioritize our compliance with civil rights laws, and better address cumulative impacts.

Goal objectives:

- **Build Partnerships and Community Capacity**
- **Identify Disparities**
- **Reduce Disparities**



GOAL 3: FOSTER COHESION AND INCLUSION

Under Goal 3, we will foster cohesion and inclusion by striving to make the Air District’s workforce more diverse and reflective of the communities we serve. To increase organizational cohesion, we will make sure everyone in the organization understands and respects the value of a diverse workforce, one that welcomes and includes everyone.

We will become One Air District, where employees have a sense of belonging and understand and value how diverse backgrounds and expertise come together in support of the organization’s mission and vision. We will also be more united in our goal to advance environmental justice by increasing the capacity and effectiveness of employees, Board members and advisory bodies to integrate environmental justice into all aspects of our work. We will broaden all employees’ internal knowledge of the Air District and create more opportunities for relationship building among employees.

To increase morale and overall organizational effectiveness, we will better recognize employees’ contributions. We will expand professional development opportunities to foster success, boost morale, and enhance workforce retention.

Goal objectives:

- **Embody Diversity, Equity, Inclusion, and Belonging**
- **Become One Air District**

GOAL 4: BE EFFECTIVE, ACCOUNTABLE, AND CUSTOMER-ORIENTED



Under Goal 4, we will maintain an effective, accountable, and customer-oriented organization, delivering exemplary services with transparency and efficiency. We will improve our permitting, monitoring, and enforcement processes. We will improve the timeliness of permitting decisions and improve the process to be more transparent to applicants and the public. We will ensure Air District rules and associated air quality permits that we issue are clear, consistent, and enforceable to minimize air pollution affecting communities.

We will improve air monitoring and associated data management systems. We will improve reliability, efficiency, data quality and accessibility, especially to support our efforts to understand local exposure to air pollution. We will also increase the efficiency and effectiveness of our inspection and investigation resources to improve compliance rates and increase the impact of our enforcement programs.

We will expand our public communication to inspire the public to support efforts to reduce air pollution and to mitigate climate change. We will strengthen communication skills and organization-wide knowledge. We will also enhance our incident response program, in collaboration with government partners.

To make sure we keep the promises we make, we will align the Air District's resources and annual budgets with organization and community priorities, as identified in the 2024-2029 Strategic Plan, and report on our progress.

Goal objectives:

- **Improve Permitting, Monitoring, and Enforcement**
- **Build Relationships and Enhance Communications**
- **Be Accountable**

Page Intentionally Left Blank

A woman with long dark hair, wearing a blue denim jacket and a black skirt, stands with her back to the camera, looking out over a vast cityscape at dusk. The city lights are visible in the distance, and the sky is a mix of purple and blue. The woman is positioned in the lower center of the frame, looking towards the horizon.

2. Centering on Environmental Justice

“The Air District must value the voices, lived experience, and leadership of environmental justice communities, develop respectful relationships and partnerships with these communities....”

– Community Advisory Council

2. Centering on Environmental Justice

With the *2024-2029 Strategic Plan*, the Air District commits to proactively advancing environmental justice in and through our work. According to the Community Advisory Council's Environmental Justice Priorities, "to advance environmental justice effectively over the long-term, we must practice restorative justice by creating policies, practices, procedures, and norms that both recognize the trauma and adverse health impacts caused by environmental racism and honor the emotional work and investment of time that is required for staff and community leaders to work together effectively in advancing environmental justice."

To advance environmental justice, we will do what is required to understand the history and meaning of environmental justice, as envisioned by advocates. We commit



to understanding and acknowledging the legacy of harmful government policies and **environmental racism** as the root cause of environmental injustice. The Air District commits to training employees, executive leadership, and the Air District Board on these issues to ensure we fully understand what it means to advance environmental justice in our work. We will build relationships with communities with environmental justice concerns and honor **environmental justice principles** to ensure our work is done "with community and not to community".

What is Environmental Justice?

The origins of the Environmental Justice Movement can be traced back to the Civil Rights and Farm Labor movements of the 1960s and 1970s. Local activists, community and faith leaders, and academics started the movement in reaction to the vastly disproportionate siting of polluting facilities and widespread inequity in environmental enforcement and public health protections for low-income neighborhoods, Indigenous Peoples, and communities of color.



Racism, "**othering**," and white supremacist attitudes are foundational to the reason why communities of color experience the greatest environmental burdens. The effects of environmental injustice, such as poor air quality, disproportionate health impacts, and quality-of-life differences, are outcomes based on this foundation in environmental racism.

The publication of the landmark report "Toxic Waste and Race in the United States,"

published by the United Church of Christ Commission for Racial Justice in 1987, elevated this concept of environmental injustice and environmental racism into the national discourse. Environmental justice has two primary types of definitions – one type generated from within the advocacy community and one generated by the United States Environmental Protection Agency in 1992. Both are valuable in understanding of environmental justice.

Environmental Protection Agency:

"Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn, and work."

Dr. Bunyan Bryant, Pioneering Environmental Justice Scholar:

"Environmental Justice ... refers to those cultural norms and values, rules, regulations, behaviors, policies, and decisions [that] support sustainable communities where people can interact with confidence that the environment is safe, nurturing, and productive. Environmental justice is served when people can realize their highest potential ... where both cultural and biological diversity are respected and highly revered and where distributive justice prevails."

*We aim to
integrate
environmental
justice principles
into all aspects
of our work.*



Environmental Justice: A Strategic Focus

Over the last two and a half years, the Air District Community Advisory Council has been advising the Air District on what environmental justice means and about what we should consider as we shift toward centering our work in environmental justice.

To help us understand the strategies and actions that would move toward more equitable outcomes in communities, the council formed an Ad Hoc committee on Environmental Justice Policy in late 2022 to work directly with Air District leadership and employees. The *2024-2029 Strategic Plan* reflects this partnership. It also reflects the knowledge gained from our many conversations with the council and other community members on what we need to do to advance environmental justice.

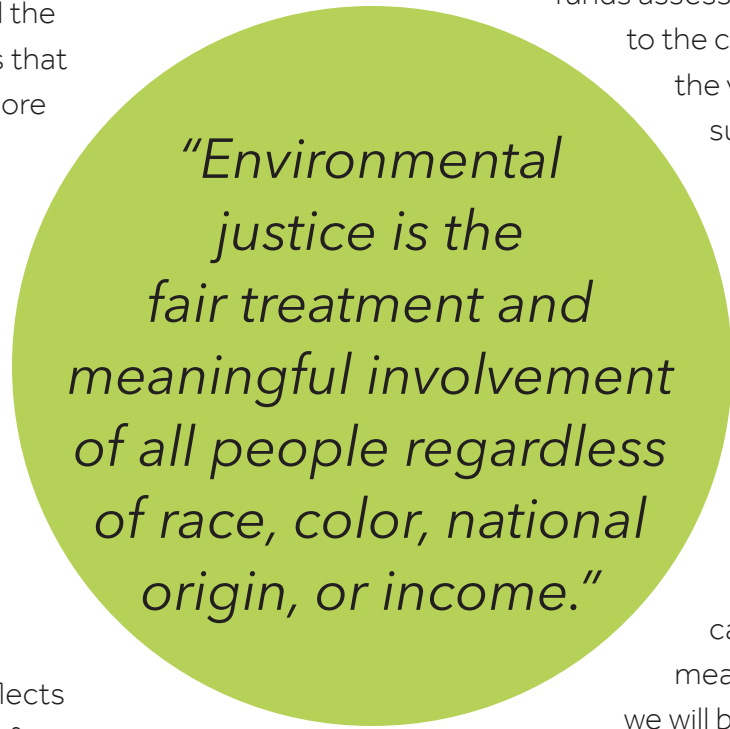
The strategies in this plan were developed not only in consultation with the Community Advisory Council, but also in consideration of their Environmental Justice Priorities. More than three quarters of the strategies in this plan link directly to one or more of the Community Advisory Council priorities.

As we move toward actions to implement the *2024-2029 Strategic Plan*, we will

better understand and reduce **disparities** in exposure to air pollution. We will value community voice and knowledge by incorporating that knowledge and community-gathered data into our decision-making. We commit to supporting, partnering with, and uplifting communities overburdened by air pollution. We will vigorously enforce our permits and regulations. We will return a portion of any funds assessed through penalties to the communities in which the violations occurred to support projects that benefit communities and are selected through a community-driven process. We will provide information with greater transparency so that communities can engage meaningfully, and we will be accountable

to communities for meeting our commitments. We will enhance and implement rules, policies, and enforcement actions that consider environmental justice and **cumulative impacts**.

Although these strategies and actions may seem ambitious, we are committed to making environmental justice a central component of our work. In doing so, we will transform the Air District into a truly strategic organization. We will use our limited resources to address the air quality problems that need the most attention and to achieve



our new Vision: *“Over the next 5 years, we will transform our workforce, operations, community engagement, and programs to improve air quality, increase public trust, and demonstrate leadership in equity-centered environmental stewardship.”*

We will need communities and their allies to continue to walk with us, push us, encourage us, and hold us to account. We need community knowledge, perspectives, and experiences to succeed. Therefore, we invite and appreciate their partnership as we move forward in our environmental justice journey.





COMMUNITY ADVISORY COUNCIL'S ENVIRONMENTAL JUSTICE PRIORITIES

1. Advance Environmental Justice
2. Meaningful Agency Support
3. Incorporate Environmental Justice into Core Functions
4. Implement Environmental Justice Best Practices and Innovation
5. Communicate with Clarity, Transparency, and Integrity
6. Growing the Capacity of Staff and Board Members to Integrate Environmental Justice
7. Growing the Capacity of Environmental Justice Communities and Organizations
8. Seek Appropriate Legal Remedies and Coordinate with Environmental Justice Communities
9. Provide Technical Assistance to Local Governments



The Community Advisory Council developed the following environmental justice priorities which are intended to direct the Air District in advancing and addressing environmental justice within all aspects of its operations. They identify the conditions needed for the Air District to be an effective partner with frontline communities who are most affected by pollution, and to improve air quality and overall environmental justice outcomes.

1. Advance Environmental Justice

To advance environmental justice effectively over the long-term, the Air District must practice restorative justice by creating agency-wide policies, practices, procedures, and norms that both recognize the trauma and adverse health impacts caused by environmental racism and honor the emotional work and investment of time that is required for staff and community leaders to work together effectively in advancing environmental justice.

The Air District must value the voices, lived experience, and leadership of environmental

justice communities, develop respectful relationships and partnerships with these communities, hire from these communities, view these communities as a resource, provide compensation for their time and expertise, gather their input, use that input to directly inform decision-making, and establish formal participatory processes for addressing and implementing community input and increasing agency accountability to communities.

The field of Environmental Justice is inherently intersectional and interdisciplinary. Therefore, the Air District must dismantle internal silos by reorganizing and restructuring to build an agency structure and culture that supports cross-divisional work.

For staff to better enact environmental justice, the Air District must cultivate a culture of innovation, embrace learning by doing, and adopt clear definitions for environmental justice and equity (and related terms) that are grounded in community input.

2. Meaningful Agency Support

For staff and community leaders to have the meaningful agency support needed to advance Environmental Justice, Air District leadership must: Provide a strong vision and set a clear tone for achieving environmental justice and ensuring that communities of concern breathe clean air; lead the revision of internal policies, practices, and procedures with an equity lens; and lead the revision of mission-related policies, practices, and procedures with an environmental justice lens.

3. Incorporating Environmental Justice into Core Functions

The Air District must prioritize incorporating into its core functions the following environmental justice considerations: community-based science and real-time air monitoring and data collection, public health considerations, cumulative impact analysis, disparate impact analysis and civil rights compliance, and recognition of historical impacts and damages as well as the need for restorative steps.

4. Implement Environmental Justice Best Practices and Innovation

The Air District must create and implement a strategy for incorporating environmental justice best practices and innovation into its day-to-day operations and core functions -- including data collection and analysis, measurement, and monitoring, permitting, environmental analysis, inspections, enforcement, legal actions including litigation, mitigation, planning, rule-making, and incentives funding.

5. Communicate with Clarity, Transparency, and Integrity

The Air District must communicate with clarity, transparency, and integrity to environmental justice communities about the agency's role, responsibilities, and limitations, as well as where there is room to grow, improve, and bring about transformational change within the agency's regulatory charge.

6. Growing the Capacity of Staff and Board Members to Integrate Environmental Justice

The Air District must invest in growing the capacity of staff and Board members to integrate environmental justice into their day-to-day roles and responsibilities, developing communities and middle management level on new policies, practices, and procedures, establishing environmental justice as a core competency for staff, prioritizing hiring, retention and promotion of staff with lived experience living in and/or working in frontline environmental justice communities, and ensuring that staff and leadership at all levels of the agency reflect the diversity of the communities the agency serves.

7. Growing the Capacity of Environmental Justice Communities and Organizations

The Air District must invest in growing the capacity of environmental justice communities and organizations to work effectively with the Air District on systemic change, in creating economic benefits and workforce opportunities in



these communities, and in enabling these communities to access and manage resources to address disparities.

8. Seek Appropriate Legal Remedies and Coordinate with Environmental Justice Communities

The Air District must seek appropriate legal remedies, collaborate, and coordinate with environmental justice communities on those remedies, impose high enough penalties, reach deterrence-based outcomes with violators, and ensure that environmental justice communities benefit from and have a say in the use of related funds.

9. Provide Technical Assistance to Local Governments

The Air District must provide technical assistance to local governments to enable them to more effectively incorporate environmental justice analysis into their local land use, planning and zoning decision-making and permitting practices, and must also weigh in on the environmental justice frameworks being developed by cities and counties in the nine Bay Area county jurisdictions as part of their general plan, to integrate environmental justice policy and help establish a plan for implementation and enforcement.

PRINCIPLES OF ENVIRONMENTAL JUSTICE

The environmental justice movement was galvanized in 1987, when the United Church of Christ Commission for Racial Justice released a study demonstrating that across the country, toxic and hazardous waste facilities were overwhelmingly located in or nearby Black, Brown, and Indigenous communities. In 1991, delegates to the First National People of Color Environmental Leadership Summit drafted and adopted the Principles of Environmental Justice, and it has served as the defining document and central organizing principles for the burgeoning environmental justice movement.

1. Environmental justice affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
2. Environmental justice demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
3. Environmental justice mandates the right to ethical, balanced, and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
4. Environmental justice calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.
5. Environmental justice affirms the fundamental right to political, economic, cultural, and environmental self-determination of all peoples.
6. Environmental justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
7. Environmental justice demands the right to participate as equal partners at every level of decision-making including needs assessment, planning, implementation, enforcement, and evaluation.
8. Environmental justice affirms the right of all workers to a safe and healthy work environment, without being forced to

choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.

9. Environmental justice protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.
10. Environmental justice considers governmental acts of environmental injustice a violation of international law, the Universal Declaration on Human Rights, and the United Nations Convention on Genocide.
11. Environmental justice must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.
12. Environmental justice affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and providing fair access for all to the full range of resources.
13. Environmental justice calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.
14. Environmental justice opposes the destructive operations of multi-national corporations.
15. Environmental justice opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.
16. Environmental justice calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.
17. Environmental justice requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to insure the health of the natural world for present and future generations.

3. Goals and Strategies

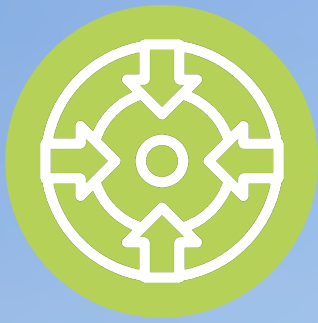


3. Goals and Strategies

The 2024-2029 Strategic Plan is centered on four primary goals: 1. Achieve impact, 2. Advance environmental justice, 3. Foster cohesion and inclusion, and 4. Maintain an effective, accountable, and customer-oriented organization. The plan’s goals are designed to move us closer to our long-term mission, and near-term vision of organizational transformation.

Each goal includes objectives, strategies, and our commitments to action. We also include a detailed narrative for the strategies to describe how they will advance the plan’s goals and objectives.



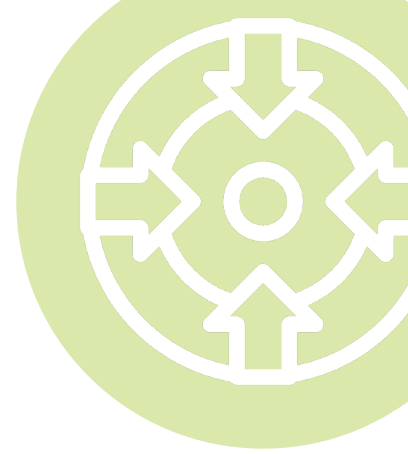


Goal 1: Achieve Impact

The strategies in Goal 1 are organized around three broad objectives:

- **Reduce health impacts of air pollution,**
- **Hold violators accountable**
- **Mitigate climate change and its impacts**

These objectives and their associated strategies are designed to achieve real, measurable reductions in air pollution, with a focus on communities that continue to be most heavily impacted by exposures to air pollution.



Reduce Health Impacts of Air Pollution

Strategy 1.1 Change Approach to Air Quality: We will change our approach to reducing air pollution so that we achieve more meaningful improvements to air quality in communities, with a focus on those overburdened by air pollution.

While the traditional approach to air quality management has successfully reduced air pollution across the region, many communities still face higher levels of exposure to air pollution than others. Air agencies across the state and country have historically focused on reducing specific pollutants to meet federal and state air quality standards for regional air pollution. After many decades of applying this approach in the Bay Area, there remains a difference between regional and local air pollution in some communities. Communities where air pollution remains high are mostly located near freeways, busy roadways, or large industrial facilities and are often impacted by more than one of these sources of pollution. They are also more often lower-income communities of color.

Reducing disparities in air pollution requires a different approach to air quality planning. This strategy is about that different approach. Under this strategy, we will not only focus on the sources that are driving up regional levels of air pollution but will also focus on the sources of air pollution that are causing

the most harm to communities and are causing the greatest disparities in exposure to air pollution.

Understanding which sources of air pollution are causing the most harm will require new ways of looking at air pollution data. Under this strategy, we will analyze existing air pollution data to determine which sources have the highest levels of pollution and partner with communities to better understand which sources most impact them. We will do computer modeling of emissions data and collect new monitoring data at and near sources to understand which are most significant. Our efforts will center on the **air pollutants** that cause the greatest health effects, including **fine particulate matter** and **toxic air contaminants**.

Not only will we look at our data differently, but we will also build community capacity to collect air pollution data. We will ensure we have a complete and accurate picture of local air pollution, one that includes community experience and perspectives of local air pollution. These efforts are described in

Commitments to Change Approach to Air Quality

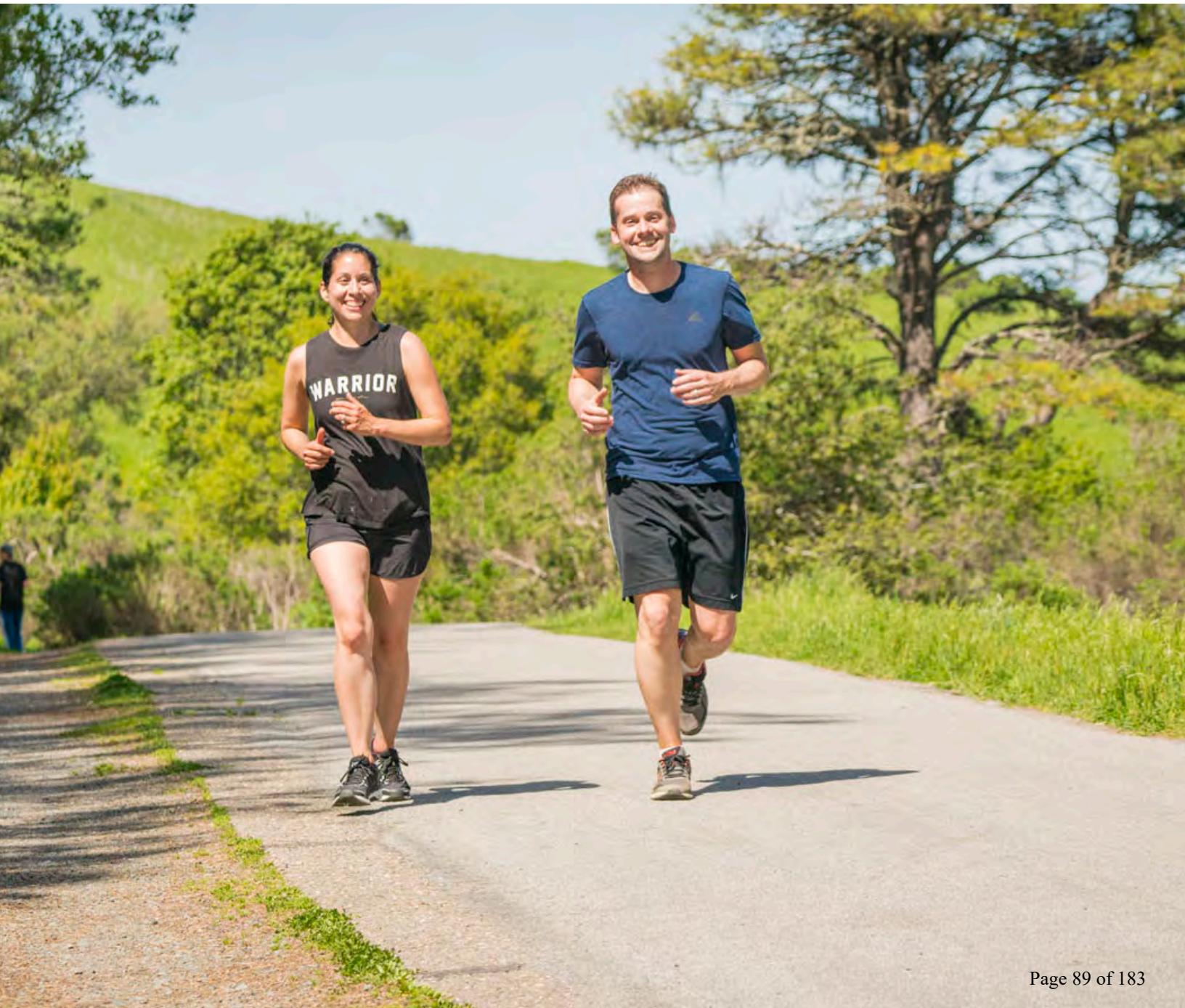
With community partners, determine which sources cause highest level of air pollution.

Determine which actions have the greatest impact in reducing pollution.

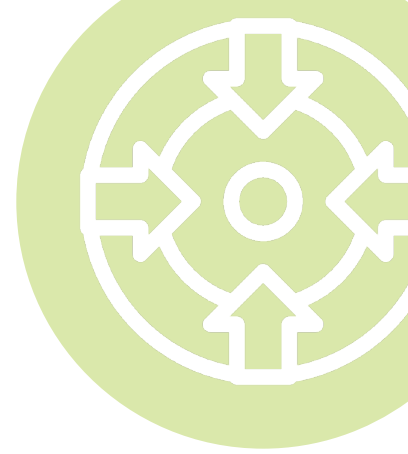
Strategy 2.2 Collect Community Data
and **Strategy 2.7 Understand Local**
Air Pollution.

We will also work to better understand how we can reduce pollution from the sources that cause the most harm. Through computer modeling of possible actions, we can learn which actions would be most effective at reducing harmful pollution in communities.

What we learn through our efforts under this strategy will inform many of the strategies in the *2024-2029 Strategic Plan*. Strategies that speak to new regulations, better enforcement of air pollution sources in communities, and more strategic incentive programs, will all be informed by what we do to better understand local air pollution and the actions needed to reduce that pollution.



Reduce Health Impacts of Air Pollution



Strategy 1.2 Stronger Regulations: We will develop stronger regulations on the sources of air pollution, prioritizing those that can improve local air pollution.

We need stronger regulations on activities that contribute most to local air pollution disparities. What we learn through our efforts in **Strategy 1.1 Change Air Quality**

Approach about which sources contribute the most to local air pollution and which actions can be most impactful in reducing pollution will help us build these stronger regulations.

Under this strategy, for the sources of air pollution that we find contribute most to local air pollution, we will review existing regulations, including any existing **exemptions**.

We will ensure these regulations are updated and that they reflect our current understanding of the health burdens associated with air pollution. We will also ensure regulations include the latest technological advancements in reducing emissions. Where we find our existing regulations do not provide adequate health protection, or that there are inappropriate or outdated exemptions, we will update the regulation. Or, if needed, we will develop

new regulations to ensure the appropriate level of health protection for communities.

After our initial review, we will repeat this process at regular intervals and prioritize

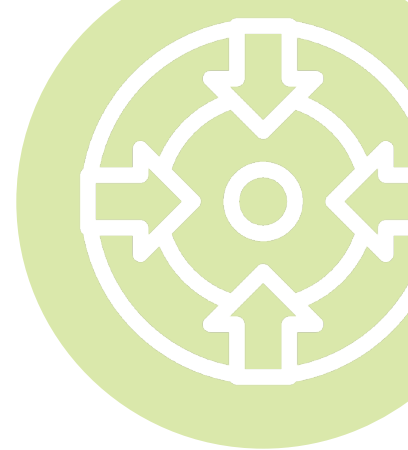
the development of new or amended rules to ensure that the stringency of the regulations continues to keep up with advances in technology and local circumstances.

Commitments to Stronger Regulations

Review and update regulations to ensure health protection and stringency.

Review regulations on regular basis, for health protection stringency.

Reduce Health Impacts of Air Pollution



Strategy 1.3 Minimize Flaring: We will minimize flaring at oil refineries to lessen the impact flaring has on communities, including air pollution and odors.

People living near oil refineries are concerned about **flaring**, as flaring can periodically release uncertain, and potentially unsafe, amounts of air pollution. Flaring involves visible flames, smoke, and odors from tall smokestacks that have a burner, used to destroy gases produced at industrial sources such as refineries, sulfur recovery plants, and hydrogen production plants. Flare systems should be operated as last-resort safety devices.

Our current regulations prohibit routine flaring by requiring refineries to submit and comply with annual **Flare Minimization Plans**. These plans require refineries to evaluate and implement all feasible prevention measures, or actions that can be done to reasonably prevent expected flaring, such as during maintenance events. Our regulations also require refineries to record flaring events, to monitor the volume and composition of the flare gas, and to submit monthly flaring reports to the Air District. Flare Minimization Plans, monthly flaring reports, and general information on flaring

events and associated emissions for each facility are posted on our website

Under this strategy, we will explore new and additional ways to minimize flaring.

Options include automating monitoring, implementing better ways to limit pollution related to flare systems, and strengthening our flare minimization-related regulations. In updating these regulations, we will consider health impacts, better enforceability, and more stringent flaring requirements, as described in **Strategy 1.2 Stronger Regulations**. We will also increase our public engagement on flaring and develop ways to share timely and accessible information with affected communities. Furthermore, we will better hold refineries accountable for any illegal flaring incidents

through increased inspections and monitoring where an incident occurs.

Commitments to Minimize Flaring

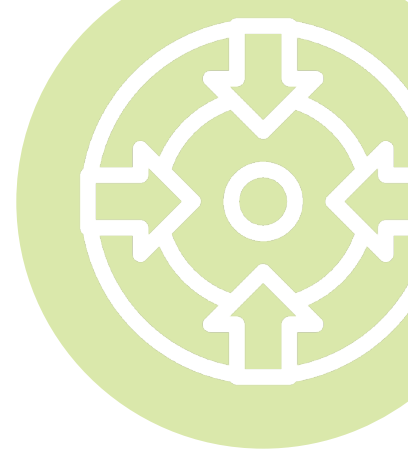
Explore ways to minimize flaring.

Increase public engagement on flaring.

Share timely, accessible information.

Increase inspections and air pollution monitoring where flaring occurs.

Reduce Health Impacts of Air Pollution



Strategy 1.4 Reimagine Funding: We will reimagine funding programs so that they better benefit communities impacted by air pollution.

The Air District has a variety of funding programs available to reduce air pollution.

Grant funding is available for fleet and equipment owners to upgrade older, highly polluting engines in trucks, school and transit buses, construction equipment, marine vessels, trains, airport ground support equipment, and agricultural equipment. We also have money for electric vehicle charging stations and financial support for innovative climate technology solutions. Public agencies can apply for money to build clean air centers and to install bicycle lanes. Funding is also available to residents to replace their older cars with cleaner options or to replace wood-burning stoves or fireplace inserts with electric heat pumps. They can even turn in older vehicles for cash.

While these funding programs are effective in reducing air pollution, there are challenges. State and federal funding

requirements significantly limit who can apply and the kinds of projects that can be

funded. There are also short deadlines for completing projects. Additionally, community

members often tell us that our funding programs are not directly responsive to their needs or are difficult to access. The application and reporting requirements can be cumbersome and stringent. Communities would also like more involvement in the types of projects we fund.

Under this strategy, we will use the information we learn from **Strategy 1.1 Change Approach to Air Quality**, about which sources of air pollution cause the most harm to communities and which actions are most effective in reducing pollution, to inform changes to our funding programs. We will ask community members what changes they would like to see, to better understand their needs and the types of programs they believe would directly benefit them. Where

possible, we will reduce barriers to applying for funds and develop creative solutions to

Commitments to Reimagine Funding

Ask community members what changes they want to see in funding programs.

Review funding programs to reduce barriers to applying for funds.

Develop creative solutions to fund a wider variety of projects.

Work with communities on new project ideas and find funding sources.

Partner with communities on grant application and implementation.

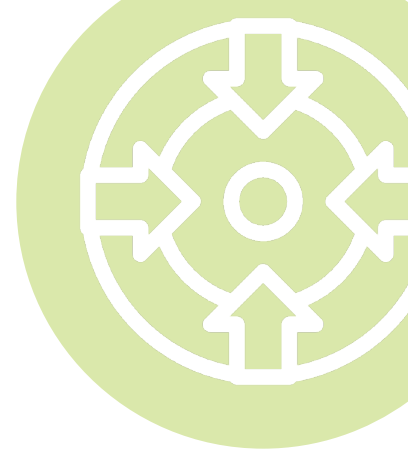
fund a wider variety of projects that respond to community needs.

Under this strategy, we will also work with communities to identify and access new, non-Air District funding sources, such as state, federal, or other grants. We will talk with communities about defining new

project ideas, and in the funding application process. We will also, if possible, partner with communities on project implementation.



Hold Violators Accountable



Strategy 1.5 Enhance Violation Investigations: We will enhance our procedures for investigating violations of Air District regulations in communities overburdened by air pollution to better protect community health.

The Air District is responsible for regulating emissions from stationary sources of air pollution, including oil refineries, power plants, wastewater treatment plants, gas stations, and many other commercial, manufacturing, and industrial activities. If an industry or business violates any of our regulations, we have a process for identifying and investigating such violations.

In our investigations, we sometimes do not have all the information we need to fully demonstrate the significance of the violation, especially hearing from community members on how the violation impacted them. We may also have limited information on the public health consequences of the violation or potential cost savings to the violators from actions that led to the violations. Such additional information could be useful in building more stringent enforcement actions and related penalty assessments for violations. This, in turn, could better deter industries from violating regulations and

improve future compliance.

Under this strategy, we will develop an enhanced investigation procedure for

violations, especially for violations that occur in communities overburdened by air pollution. The protocol will include a way for community members to tell us how the violation impacted them. We will better quantify the extent of illegal emissions in communities and, where possible, analyze the health impacts of violations. We will also investigate the duration of violations and the avoided costs that may have led to violations.

We will prioritize implementing the new investigation

procedure for any violations that occur from air pollution sources found to have the greatest impact on community health, as identified in **Strategy 1.1. Change Approach to Air Quality.**

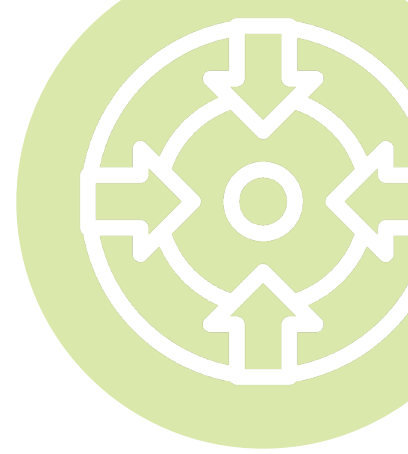
Commitments to Enhance Investigations

Develop enhanced investigation procedure for violations.

Better quantify illegal emissions and analyze health impacts.

Investigate duration of violations, financial benefit, avoided costs.

Hold Violators Accountable



Strategy 1.6 New Enforcement Policy: We will collaborate with communities to develop an enforcement policy to better prevent violations of air quality regulations.

A big part of what the Air District does is enforce its air quality regulations. Effective enforcement is central to making sure our regulations have real and measurable impacts on air quality. Enforcement is done through regular inspections of oil refineries, power plants, wastewater treatment plants, and other industrial facilities and businesses we regulate. The Air District also responds to complaints, which can trigger investigations of potential regulation violations. The Air District also partners with the state to help enforce state regulations on trucks, port equipment, and other mobile sources of air pollution.

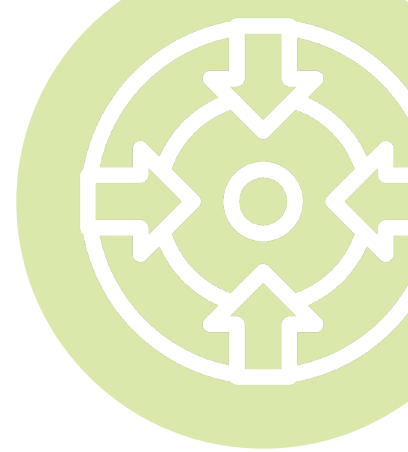
Communities want more transparency and accountability in how we enforce our regulations, so they feel confident we are holding violators fully accountable. Even though active enforcement cases must be confidential, we can openly develop a policy for how we approach enforcement cases.

Under this strategy, we will develop an enforcement policy that considers environmental justice principles, and community voices, experiences, and perspectives, to build community confidence and trust in our efforts to enforce air quality regulations. The policy would also include a set of principles to guide how the Air District evaluates and applies penalties, as allowed by state law, community-focused legal remedies, consideration of repeat violations, as well as the types of enforcement actions we would consider, such as an abatement order or coordinating with other enforcement agencies, like local district attorneys or the state Attorney General.

Commitments to New Enforcement Policy

Develop enforcement policy that considers environmental justice principles, community voices, experiences, and perspectives.

Mitigate Climate Change and Its Impacts



Strategy 1.7 New Climate Solutions: We will develop new regional solutions for climate change and support partners to advance climate change mitigation.

Human activity has changed our climate. The impacts from a warmer planet are being felt around the world, including intensifying heat waves, wildfires, hurricanes, drought, and floods. These impacts do not affect everyone equally. The same communities that have struggled for years to access clean air, safe drinking water, nutritious food, living-wage jobs, and affordable housing are also the most vulnerable to climate impacts. Communities overburdened by air pollution and poverty tend to have higher rates of asthma, cardiovascular disease, and other health conditions that make them more vulnerable to wildfire smoke, extreme heat, and other climate impacts. The impacts from a warming climate are only expected to get worse in the coming decades.

Carbon dioxide is the most prevalent heat-trapping gas (also known as a **greenhouse gas**) contributing to climate change. The amount of carbon dioxide covering the planet has been quickly increasing, mostly due to the burning of coal, oil, and natural gas. The Air District does not have the regulatory authority to adopt regulations that reduce carbon dioxide from large industrial sources such as oil refineries or natural gas-fired

power plants. We also do not have the authority to regulate cars, trucks, and other mobile sources of air pollution; that authority belongs to the state and federal governments. These sources produce over 75 percent of the greenhouse gas emissions in the region. However, we do have authority to regulate methane and other greenhouses gases that are more powerful than carbon dioxide.

The California Air Resources Board, the agency that oversees all efforts to reduce air pollution in the state, adopted a **statewide climate plan** to achieve its goal of **carbon neutrality**, or net zero greenhouse gas emissions, by the year 2045. In the Bay Area, cities and counties have adopted more than 80 local climate action plans. Regional government agencies, like transportation agencies,

are developing and implementing plans to address climate change. Unfortunately, these plans are not always developed in coordination, nor in partnership with communities most vulnerable to climate impacts. At the same time, there are now once-in-a-generation federal funding opportunities available for local governments and community-based organizations to

Commitments to Mitigate Climate Change

Maximize climate change benefits of regulations and nonregulatory programs.

Develop a regional climate plan.

reduce greenhouse gas emissions, help communities adapt to climate impacts, and to thrive in a carbon-neutral economy.

Under this strategy, we will maximize climate change benefits from our air quality related regulations and nonregulatory programs.

Often the same activities that produce carbon dioxide also produce other harmful air pollution. As we build stronger regulations on industries, businesses, and activities that contribute most to local air pollution, as described

in **Strategy 1.2 Stronger Regulations**, we will also evaluate potential ways to reduce greenhouse gas emissions.

We will also work with our state, regional and local government partners to develop regional solutions to climate change. We will develop a regional climate plan that describes how regional efforts can work

synergistically and with local and state efforts to achieve carbon neutrality. In

developing this plan, we will engage with the Bay Area's diverse communities to better understand their climate concerns and priorities. The regional climate plan will support more coordinated and successful funding applications, and better implementation of existing and future climate priority efforts.



The impacts from a warming climate are only expected to get worse in the coming decades.



Goal 2: Advance Environmental Justice



The strategies in Goal 2 are organized around three objectives:

- **Build partnerships and community capacity**
- **Identify disparities**
- **Reduce disparities**

These objectives and their associated strategies are designed to help us work in partnership with communities to better understand and solve local air quality problems.

Build Partnerships and Community Capacity



Strategy 2.1 Community Partnership: We will develop partnerships with communities so they can directly participate in the solutions to the air quality problems that impact them.

In September 2017, a new state law, Assembly Bill 617, fundamentally changed how local air districts approach air quality planning. The law requires all major local air districts in the state to partner with communities to develop community monitoring plans and/or plans to reduce air pollution in their neighborhoods, if selected to do so by the state. In the Bay Area, we have partnered with communities in West Oakland, the Richmond-North Richmond-San Pablo area, East Oakland, and Bayview-Hunters Point-Southeast San Francisco to identify local air pollution concerns and strategies for reducing that pollution. For the Richmond area, we also developed a community monitoring plan, in partnership with the community. This work has taught us that partnership is essential to build trust and achieve success.

Local air quality planning requires extensive community input and should align with environmental justice principles. People living in communities historically overburdened by air pollution are the experts on what is

impacting their communities, their health, and quality of life. The Air District has air pollution expertise, vast amounts of air quality data, and knowledge of how various government agencies at the local, state, and

federal level can help address community problems. Both government and community bring something valuable and necessary to the partnership.

More importantly, people living in communities long harmed by air and other pollution burdens have historically been excluded from meaningful participation in government decision-making. Partnering with communities is one of many steps needed to undo and correct the harm caused by

past discriminatory practices.

Most of the strategies in the *2024-2029 Strategic Plan* will require partnering with communities. We will partner with communities to better understand their experience with air pollution and the sources that concern them, and to identify pollution reduction actions. We will work with communities to develop a new enforcement policy and to talk about compliance and

Commitments to Community Partnership

Expand community partnership models to other communities impacted by air pollution.

Work with community to develop and define community partnership.

enforcement efforts, air quality data needs, new funding programs, and to reimagine our existing policies and programs. Under this strategy, we will form the relationships and partnerships needed to implement these strategies.

We will take what we learned in West Oakland, Richmond, East Oakland, and Bayview-Hunters Point and expand those partnership models to other communities impacted by air pollution. How we partner with community will be as unique as the communities are. We will work with community leaders to develop and define what partnership looks like from their perspective. Partnership can take many forms, from the formation of a formal steering committee to regular Air



District attendance at standing community meetings. The degree of community participation may also vary, depending on their needs. Some may want to develop formal emission reduction plans, like those adopted in West Oakland and Richmond. Others may want regular updates on how we are improving air quality in their communities, access to tools to collect their own air quality data, or to provide input on local pollution sources and the actions we can take. Under this strategy, we will meet communities where they are.

COMMUNITY PARTNERSHIP IN PRACTICE

West Oakland

The West Oakland Environmental Indicators Project, led by co-founders Ms. Margaret Gordon and Brian Beveridge, has a long, successful track record of organizing community members to advocate for better air quality in West Oakland. The Indicators Project was uniquely positioned to engage quickly and effectively in the West Oakland community air quality action planning effort, one that has served as a model for emission reduction plans throughout California. Ms. Gordon and Mr. Beveridge led the West Oakland Community Action Plan Steering Committee in developing *Owning Our Air*, adopted by the Air District Board in October 2019. The committee represents residents, researchers, academics, public agencies, non-profits, and community institutions. Since the plan's adoption, the committee, in partnership with the Air District and other public agencies, has been working on implementation.

Richmond-North Richmond-San Pablo

In March 2021, a community steering committee convened to guide the development of a community emission reduction plan for the Richmond-North Richmond-San Pablo area, the *Path to Clean Air*. The committee developed the plan in partnership with the Air District, the California Air Resources Board, and local governments. Community steering committee members represent the diverse communities of the Richmond-North Richmond-San Pablo area and have a range of knowledge and expertise. They represent individuals who work, live, or grew up in the area, including residents, community leaders, public agency staff, business representatives, and non-profit groups. About thirty individuals make up the steering committee. In May 2024, the Air District Board adopted the final *Path to Clean Air*. The committee continues to meet as we move forward together on plan implementation.

East Oakland

In 2022, the Air District and Communities for a Better Environment worked together to select members for a Community Steering Committee to lead the development of a community plan to reduce local air pollution in East Oakland. Steering committee members include representatives who grew up, live or work in East Oakland. Non-voting members include a member of the business community, and representatives from the Port of Oakland, City of Oakland, and Alameda County Public Health Department. The steering committee has selected the plan boundary and drafted a vision and principles for the plan. They also recently completed a mapping project to collect information from community members about East Oakland's community assets and locations of pollution concerns. The committee meets monthly and is currently developing strategies to reduce air pollution in East Oakland.

Bayview Hunters Point-Southeast San Francisco

In February 2023, the state selected Bayview Hunters Point-Southeast San Francisco to develop a community emission reduction plan. The nomination effort was spearheaded by Bayview Hunters Point Community Advocates and Marie Harrison Community Foundation. A 21-member community steering committee will now lead the development of the community plan. The committee represents the diverse community that lives or works in Bayview Hunters Point-Southeast San Francisco. The committee started meeting publicly in January 2024, co-chairs have been selected, and a charter was recently adopted. The steering committee recently created maps showing the location of sources of pollution and places where community members live, work, play, and pray. Over the next year, the steering committee will identify existing data and other data needs, and it will develop the vision statement and plan boundary. These efforts are part of creating goals, strategies, and actions for the final community plan.

Build Partnerships and Community Capacity



Strategy 2.2 Collect Community Data: We will build community capacity to collect air pollution data and ensure the Air District better utilizes those data to reduce the pollution that harms communities most.

Community members want to understand air quality in their neighborhoods. They also want to be part of the solution in getting more information about air quality. However, community members often do not have the tools they need to collect actionable air pollution data. These tools include not just the equipment needed to take air quality measurements, but also the techniques and methods to collect and interpret the data and make sure it is useful in our efforts to reduce air pollution.

In building the capacity of community members to collect and interpret air pollution data, we can also build stronger relationships and instill more trust between communities and the Air District. We can work together to better understand local air pollution.

Under this strategy, we will provide community members with air quality data collection tools, training on how to best use tools, and standard data collection procedures. We will work with communities

to collect data that can help with improved enforcement, more stringent regulations, better targeted or new incentive programs,

or other programs and policies to reduce pollution. Data collected could include samples of particulate matter that collects on surfaces, odor complaints, and observations of dust crossing fence lines and other air monitoring data.

We are starting with communities impacted by refineries. We will help train community members in data collection procedures and record keeping. Through this and similar efforts, we will help the community collect data that will be most helpful in enforcing existing regulations and in the development of the more health-protective actions we take.

Commitments to Collect Community Data

- Provide community with air quality data collection tools.
- Provide training on use of tools and in standard data collection procedures.
- Work with communities to collect air pollution data.

Build Partnerships and Community Capacity



Strategy 2.3: Make Data Accessible: We will give communities the tools and data they need to access and understand air pollution data so they can be better informed of any potential air pollution problems.

There are many sources of air pollution data available to the public, especially in communities known to have high levels of pollution and near large sources of air pollution. Data sources include the Air District's own air monitoring stations, refinery fenceline air monitors, community monitors, and **low-cost air pollution sensor networks** such as PurpleAir. Other data sources include the Air District's facility-level emission estimates, permit information, and compliance histories. With so much data available, there come challenges. When there are questions about community air quality, it can be difficult for community members to know which data source to use, or why there may be conflicting or different data in the same community. Also, seeing air pollution data without appropriate context can be confusing, as community members may not know how to interpret the data. They may not know if the number they are seeing is considered high or low, or how it compares to health standards, or if it is an

unusually high number that points to an air quality problem.

Commitments to Make Data Accessible

Work with community members to better describe available data and understand how they want to access data.

Customize approach to sharing data to meet specific needs of individual communities.

In addition to publicly available air quality data, community members want more access to our data on permitting, emissions, and enforcement activities. Much of this data is either inaccessible or difficult to find.

Under this strategy, we will make air quality data more available, accessible, and understandable. We will work with community members to better describe available data and understand how they want to access it. Different communities have different data needs. So, we will do our best to customize

our approach to meet specific needs of individual communities.

Build Partnerships and Community Capacity



Strategy 2.4 Community Health Data: We will provide communities with better health information, so they know the potential health implications of air pollution and are better able to participate in decision-making.

Decades of discrimination, disinvestment, and the consequences of federal government redlining, and local land use policies have all contributed to dramatic differences in people’s health outcomes in communities of color, compared to the Bay Area as a whole. These communities are often located near major industrial facilities, highways, busy roadways, and ports, with higher levels of exposure to air pollution. People living in these communities want to better understand the health conditions in their neighborhood, and how health conditions are impacted by air pollution.

Existing health data is challenging to use, especially if it is used to understand and reduce environmental injustice. Most health data is available at a zip code, city, or county level, which can mask differences between different neighborhoods or parts of a neighborhood. For example, a neighborhood block may have severe health issues that are unseen in the data if averaged with wealthier residents who live farther from major air pollution sources.

Additionally, available health data comes with complex definitions for each health condition. These definitions often change, making it nearly impossible to track health trends, or changes, over time.

We currently work with public health departments and community health centers to provide health data to communities. Such data includes asthma rates, cardiovascular and respiratory disease, cancer rates, and emergency room visits. Under this strategy, we will expand our efforts to collect, analyze and provide health data to communities. We will use **Health Impact Assessment** methodologies using multiple data sources and consider input from community members and others, to determine the potential effects of a proposed policy, program, or project on community health. Moving forward, we will work with health care providers to gain access

to better data and with community members to collect neighborhood, block-by-block level data using survey techniques.

Commitments to Health Data

- Expand efforts to collect, analyze, and provide health data to communities.
- Use Health Impact Assessment methodologies to determine potential effects of proposed policy, program, or project on community health.
- Work with health care providers to gain access to better data and community members to collect neighborhood-level data.

Build Partnerships and Community Capacity



Strategy 2.5 Air Quality Complaints: We will improve the complaint process to ensure it is effective and transparent.

With limited air monitors and air quality inspectors to cover the entire Bay Area and its hundreds of thousands of possible sources of air pollution, members of the public are often the first to become aware of air pollution problems or incidents in their neighborhood. Odors, smoke, dust, and particulates from a variety of commercial, manufacturing, and industrial operations, portable equipment, cars and trucks, and residential activities can all generate air pollution. Sometimes, this pollution is visible or can be smelled, alerting people to a potential problem.

Members of the public are part of the solution in alerting us to potential air quality violations. Alerts come to us in the form of **air quality complaints**. The Air District's complaint process serves an important role in early identification of air quality issues, but it relies on effective participation by the public. The complaint process is only as strong as community members who know about it and use it effectively. Improving

our responsiveness and transparency is also important to foster a robust complaint system that reduces local air pollution.

However, community members have expressed frustrations with our complaint system. They feel that at times we do not arrive in time to document the issue, especially if the problem occurs late at night or on a weekend. They also become frustrated when the Air District cannot track down the source of the problem or does not follow up on what happened with the complaint, whether it was addressed and how. In addition, we have heard from community members that they would like our air monitors to be better able to identify potential air quality problems, and to have those problems followed up or confirmed through inspections.

Commitments to Air Quality Complaints

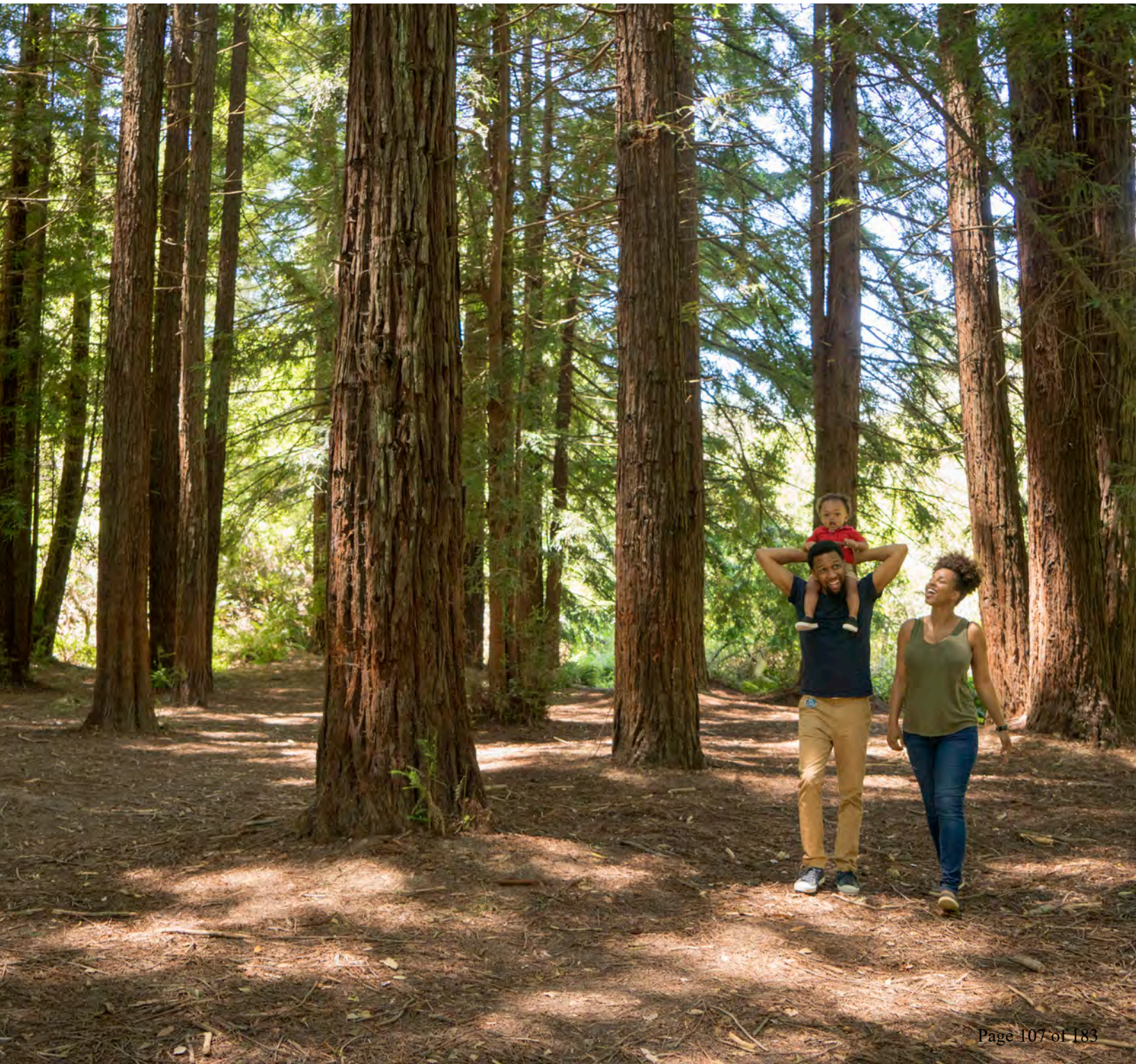
Explore new ways to provide complaint information to the public.

Improve the transparency of complaint outcomes and follow up with community members on what the problem was and how it was resolved.

Ensure better responsiveness, especially for off-hours, including nights, weekends, and holidays.

Under this strategy, we will explore new ways to provide complaint information to the public. We will also improve the transparency of complaint outcomes and follow up with community members on what the problem was and how it was resolved. We will ensure better responsiveness, especially for off-hours, including nights, weekends, and holidays.

The efforts we undertake in this strategy will be supported by our efforts in **Strategy 4.8 Air Quality Incidents**, where we will enhance our air pollution incident response program, in collaboration with community partners, to better respond to and communicate about air quality incidents.



Build Partnerships and Community Capacity



Strategy 2.6: Talk with Communities: We will meet with communities about air pollution problems in their neighborhood, their concerns, how we are addressing them, and what more they need from us, so we are more responsive to communities.

Communities with a long history of being exposed to pollution, understandably, do not always trust government agencies. They have little trust that they are being protected from pollution, including air pollution, and they want more transparency and information on what we are doing to protect them. Communities want to know how we are holding industries, businesses, and others accountable for polluting their communities. They also want more air pollution data from air monitoring and to be informed about any legal actions we have taken against those who violate air quality regulations.

Communities also want to tell us about their experience with air pollution and violations in their neighborhoods. Such information could increase our capacity to enforce air quality regulations.

Although we meet with some community groups to share information about our

enforcement activities, we do not have a formal, structured program. Under this strategy, we will develop a structured program to meet regularly with community members to talk about air pollution in their neighborhoods, including compliance and enforcement activities, recent incidents or other air pollution violations, our enforcement response, the extent of public harm, and legal actions we may take. We will also share information about air monitoring activities and data in their neighborhoods.

Commitments to Talk with Communities

Meet regularly with community members on compliance and enforcement activities, recent incidents or other air pollution violations, enforcement response, the extent of public harm, and legal actions we may take.

Share information about air monitoring activities and data.

Identify Disparities



Strategy 2.7 Understand Local Air Pollution: We will work with communities overburdened by air pollution to develop a more complete understanding of air pollution in their neighborhoods.

In **Strategy 1.1 Change Approach to Air Quality**, we describe how we will change our approach to reducing air pollution, where we will continue efforts to both attain national and state air quality standards and to ensure that we reduce inequities in local air pollution exposure. Under this strategy, we will build partnerships with community members to incorporate their knowledge and experience into our understanding of local air pollution. Community knowledge is crucial for a complete and accurate understanding of local air pollution, especially which sources of air pollution are most affecting people's health and quality of life.

The Air District's air quality monitoring network was historically designed to assess regional air quality. This is done through a limited number of monitoring locations in the region that collect and

Commitments to Understand Local Air Pollution

Build relationships and partnerships with communities to understand their experience and knowledge.

Use community experience and knowledge to inform additional air monitoring.

Use modeling programs to get a more complete picture of local air pollution.

Partner with community to identify monitoring needs.

Report on air pollution data we collect.

measure air quality data. As a result, there are gaps in data about local air quality in communities that don't have a large, traditional air monitoring station. In addition, our historical approach to understanding air pollution focuses on those sources that are large enough to impact air pollution regionally. We therefore do not always have a good understanding of sources that can have air pollution impacts at the local or neighborhood level.

A more local understanding of air pollution impacts will help communities know more about what they are breathing and, where possible, what actions they can take to reduce their exposure to air pollution. A better understanding of sources of air pollution that impact communities will also help the Air District develop more effective strategies to reduce those sources' impacts.

Under this strategy, we will build relationships and partnerships with communities to understand their experience and knowledge of local air pollution. We will talk with communities about what air pollution they are experiencing and where it might come from. We will use their experience and knowledge to inform where we do additional air monitoring,



including mobile monitoring and short-term monitoring studies. We will run air pollution data, including emissions and monitoring data, through computer modeling programs to get a more complete picture of air pollution within specific neighborhoods. We will also partner with communities to identify their additional air monitoring needs, and report back on the air pollution data we collect.

Reduce Disparities



Strategy 2.8 Community-Directed Funds: We will develop a community-led process where communities participate in decisions on how to spend money that illegal air polluters pay in penalties so that funded projects benefit communities, especially the communities where the illegal pollution occurred.

If a specific industry or business violates an Air District regulation, we take enforcement action and often assess a financial penalty. These financial penalties can be substantial for significant air quality violations. The money we collect through penalties has historically been used to help pay for the Air District's enforcement program. This means that penalty funds have not necessarily directly reduced air quality impacts in the location where the violation occurred.

In May 2024, the Air District adopted a new policy that will direct a portion of the money generated through penalties back into communities where the violation occurred. Additionally, in 2021, the Air District created a "Community Benefit Fund" of \$3 million for projects that will directly benefit communities. These funding sources are an opportunity.

And as described in **Strategy 1.4 Reimagine Funding**, communities want to decide how such funding is used. They want to participate in the decisions on the types of air

quality projects we fund and to ensure projects directly benefit them. Under this strategy, in collaboration with the Community Advisory Council and local community-based organizations, we will develop a community-led process where communities participate in decisions on how to spend the portion of the penalty funds and the Community Benefit Fund that will be directed back to communities.

Commitments to Direct Funds to Community

Develop community-led process where communities participate in decisions on how to spend the portion of the penalty funds and the Community Benefit Fund that is to be directed back to communities.

Reduce Disparities



Strategy 2.9 Address Legal Barriers: We will strive to change laws that prevent the Air District from advancing environmental justice.

Most actions the Air District can take to reduce pollution are authorized, and restricted, by state and federal laws. The sources we can regulate, how we issue and enforce permits, the penalties we can collect, and even how we operate our incentive programs are all bound by law. Some of these laws can act as barriers to advancing environmental justice. For example, state law sets limits on penalties we can collect for air quality violations of our permits and regulations. When illegal air pollution harms community members, the Air District collects penalties, as described in **Strategy 1.6 New Enforcement Policy**. As described in **Strategy 2.8 Community-Directed Funds**, the community can benefit from these penalty funds. Limits on penalties mean less deterrence and accountability for facilities and less funding for communities to reduce the impacts of air pollution.

Under this strategy, we commit to working toward

changing state law limiting the amount of money in penalties we can collect for illegal air pollution. We will work with the state legislature on other ideas for changes to laws that can benefit overburdened communities and to do the advocacy necessary to get ideas into law. We will also bring our state and federal representatives into the conversation on the local health impacts of air pollution. We will share our story of how the Air District and communities are partnering together to improve local air quality. Building legislators' knowledge about air pollution's health impacts may help lawmakers champion the legal changes we need. For example, we need more money for grant programs for projects that reduce air pollution in communities. Communities also need more direct funding to partner with the Air District in reducing air pollution and to help us in taking down other barriers to overcoming environmental injustices.

Commitments to Address Legal Barriers

Work to change state law limiting the amount of penalties we can collect for illegal air pollution.

Work with state legislature on ideas and advocacy for changes to laws that can benefit overburdened communities.

Bring state and federal representatives into the conversation.

Share how the Air District and communities are partnering together to improve local air quality.

Reduce Disparities



Strategy 2.10 Civil Rights Laws: We will advance and prioritize compliance with civil rights laws, including the federal Civil Rights Act of 1964 and related California laws.

Title VI of the Civil Rights Act of 1964

prohibits recipients of federal financial assistance from discriminating based on race, color, religion, sex, national origin, or disability. California Government Code section 11135 contains similar prohibitions against discrimination under state law. The Air District is responsible for ensuring that its actions and practices are not discriminatory.

Public participation practices that are inclusive and nondiscriminatory, access to programs for people with limited English proficiency, and access for people with disabilities are part of complying with civil rights laws. In addition, permitting, rulemaking, enforcement, and other actions taken by the Air District must not have a discriminatory effect, meaning that the actions cannot have an inequitable impact on members of a group identified by race, color, or national origin.

Under this strategy, we will review how we issue permits to ensure we are following civil rights laws and regulations. In 2022, the United States Environmental Protection Agency published guidance to

help state and local governments comply with civil rights laws as they carry out

their permitting programs.

This interim guidance may be a starting point in examining whether additional steps need to be taken in reviewing permit decisions for civil rights compliance, as part of **Strategy 4.3 Consistent Permits.**

We will also implement the Air District's *Plan for Language Services to Limited English Proficient Populations* to ensure compliance with civil rights laws. This plan details our commitment to provide meaningful access to important Air District services and programs to persons

with limited English proficiency, including providing information in multiple languages and upon request, to best meet community needs to engage with and participate in Air District programs.

Commitments to Civil Rights Laws

Review how we issue permits to ensure we are following civil rights laws and regulations.

Implement the Air District's *Plan for Language Services to Limited English Proficient Populations* to ensure compliance with civil rights laws.

Reduce Disparities



Strategy 2.11 Cumulative Health Impacts: We will develop our understanding of the cumulative effects of air pollution and other stressors, and use this information to focus regulatory efforts in areas experiencing the most serious air pollution and related cumulative impacts.

The Air District is researching ways to better understand and more effectively address cumulative impacts in communities overburdened by air pollution and other chronic environmental, income, health, housing, job security, and other stressors. Cumulative impacts occur when private businesses or governments make individual decisions that, when added together, can cause impacts that accumulate over time to negatively affect people’s health, well-being, and quality of life.

Certain communities and populations are at greater risk from air pollution and other environmental pollution because of things like neighborhood characteristics, education, and income, that are well-known contributors to greater health problems than average. Cumulative exposure to pollution and other chronic stressors affect lower-income communities of color more so than whiter, wealthier communities.

Under this strategy, the Air District will develop a better understanding of where

cumulative impacts exist and how they should be considered in both our and local government decision-making. We will develop and share methods for understanding which communities and community members are most heavily impacted by cumulative environmental burdens and chronic stressors and why. We will use this information as we consider cumulative impacts in our programs, including permitting, regulations and compliance.

We will also provide tools and guidance to local governments to incorporate a more complete understanding of cumulative impacts as they make decisions affecting their communities, including plan and policy recommendations and guidance for siting, designing, and permitting land use projects.

Commitments to Cumulative Health Impacts

Develop and share methods to better understand where cumulative impacts exist and how they should be considered in decision making.

Consider cumulative impacts in our programs, including permitting, regulations and compliance.

Provide tools and guidance to local governments to address cumulative impacts.



Goal 3: Foster Cohesion and Inclusion

The strategies in Goal 3 are organized around two objectives:

- **Embody diversity, equity, inclusion, and belonging**
- **Become *One Air District***

These objectives and their associated strategies are designed to create a more diverse and welcoming workplace, one that is united in common purpose, so that the Air District can meet its air pollution, environmental justice, and equity priorities.

Embody Diversity, Equity, Inclusion, and Belonging



Strategy 3.1 A Diverse Workforce: We will build on our efforts to ensure the Air District’s workforce is diverse and reflective of the communities we serve to instill community trust and develop better solutions to air quality problems.

Having a diverse workforce means that the organization reflects the people and communities it serves. Successful organizations need people with different backgrounds, cultures, and viewpoints, who may speak different languages or have different life experiences. They also need people from different races, ethnicities, different genders, gender identities, sexual orientations, sexual identities, ages, countries, ability statuses, or cultural, political, religious, and other affiliations.

The San Francisco Bay Area is one of the most diverse places in the world. It is important that the Air District prioritizes being just as diverse. Over the years, we have improved our diversity at the Air District to more fully reflect our region, including the communities who have been long harmed by air pollution. As we implement the *2024-2029 Strategic Plan*, it will be important that the organization continue to recruit, develop,

Commitments to a Diverse Workforce

Establish recruitment, hiring, retention, and advancement policies and practices that promote diversity and inclusion and remove any structural biases.

Create development programs tailored to employees from diverse backgrounds.

Establish and grow employee support groups.

Regularly assess recruitment, retention, and promotion rates for under-represented employees, especially in leadership positions.

Gather employee feedback and adjust as needed.

and welcome people who have first-hand experience of the impacts of air pollution in overburdened communities, who know the challenges and are invested in solutions.

Under this strategy, for all levels of the organization we will establish recruitment, retention, and advancement policies and practices that promote diversity and inclusion. We will review and revise our hiring practices to ensure they are inclusive and to remove any structural biases.

We will implement targeted recruitment strategies, to attract candidates from diverse backgrounds and life experiences.

To improve retention, we will create development programs tailored to the needs of employees from diverse backgrounds. We will support the establishment and growth of employee support groups who represent different demographics within the

organization. Such groups provide a platform for networking, support, and advocacy, and contribute to a sense of belonging and community among employees. Finally, we will regularly assess our recruitment, retention,

and promotion rates for under-represented employees, especially in leadership positions, as well as gather employee feedback and adjust our efforts as needed.



Embody Diversity, Equity, Inclusion, and Belonging



Strategy 3.2 Be Welcoming and Inclusive: We will make sure everyone in the organization understands and respects the value of a diverse workforce, one that welcomes and includes everyone to increase organizational cohesion.

While **Strategy 3.1 A Diverse Workforce** is about having a workforce that better reflects the communities we serve, this strategy is about how our workforce works together inclusively, respecting and valuing diverse backgrounds and ideas. People of different races, economic and cultural backgrounds, sexual orientation, gender identity, of different ages, or with different physical and mental abilities, should all be welcomed and treated fairly. Equity is about the creation of equal access to opportunities that closes any demographic disparities within all areas of the organization and society at large. Inclusion is about all employees feeling valued, respected, and supported in achieving their full potential. Inclusion is reflected within the organization's culture, practices, and relationships that support diverse communities.

The purpose of the Air District's Office of Diversity,

Equity & Inclusion, created in 2017, is to ensure that the Air District has an equitable, welcoming, and inclusive environment for all employees. The office supports recruitment and retention efforts, the development of communication strategies, and engaging with community. The office builds cultural awareness at the Air District, supports professional development, and holds employee engagement events to help everyone feel included in the organization.

Under this strategy, we will redouble our efforts to consider diversity, equity, and inclusion in our work, including internal and external decision-making, policies, procedures, regulations, funding initiatives, public outreach, planning, and in our hiring practices. We will also conduct annual diversity and unconscious bias training for people at all levels of the organization, with a focus on those making hiring and promotional decisions.

Commitments to Being Welcoming and Inclusive

Redouble efforts to consider diversity, equity, and inclusion in our work, including internal and external decision-making, policies, procedures, regulations, funding initiatives, public outreach, planning, and in hiring practices.

Conduct annual diversity and unconscious bias training for all levels of the organization, with a focus on those making hiring and promotional decisions.

Become One Air District



Strategy 3.3 One Air District Community: We will broaden internal knowledge of Air District activities and create opportunities for relationship building to increase understanding of how different roles and perspectives come together in support of the organization’s mission and vision.

Internal cohesion and collaboration are critical to any organization’s success. Cohesion in an organization means all employees work well together, united in purpose toward a shared vision and aligned with the organization’s values. When people work cohesively, they focus more on organizational goals, rather than only on their own success or the success of their department or division.

Broad knowledge of how an organization operates and how various expertise comes together to meet an organization’s mission and goals is key to organizational cohesion and success. Building relationships across departments or divisions helps to break down organizational siloes and can create a sense of community, or One Air District, working toward a common purpose.

The Air District has a history of being a “siloes” organization.

Commitments to Being One Air District

- Build employees’ knowledge of the Air District activities.
- Enhance opportunities for knowledge sharing through more engagement events and collaboration.
- Create opportunities for relationship building across divisions to create a One Air District culture.
- Develop “job shadowing” opportunities.
- Develop an internal communications program, building a One Air District story.

Divisions often act independently, working toward their own agendas or priorities, sometimes in conflict with the priorities of another division, or overall agency priorities. Information sharing and collaboration are often limited. Many employees also have limited knowledge about what is happening outside of their own division. Additionally, they lack a foundational knowledge of the Air District, how the organization functions, and the roles and responsibilities of each division.

Employees have also expressed feeling isolated, with limited understanding or connections to efforts outside of their own, furthering a siloes culture. Being siloes not only impacts agency culture and effectiveness, but also our ability to serve the community, as described in **Strategy 4.7 Customer Service.**

Under this strategy we will break down siloes to become

One Air District. We will build all employees' knowledge of the Air District, across the organization. We will enhance opportunities for knowledge sharing through more engagement events and opportunities for people to share information and collaborate. We will create opportunities for relationship building across divisions to create a One Air District culture, where people feel connected to each other and to the overall mission of the organization. We will develop "job shadowing" opportunities where employees

can experience the work of their peers, to broaden their understanding of the challenges, opportunities, and connections to their own work. We will also develop an internal communications program, building a One Air District story that helps everyone see the connections of their individual efforts to the entire organization.



Become One Air District



Strategy 3.4 Environmental Justice Expertise: We will increase the capacity and effectiveness of employees, Board members, and advisory bodies to advance and better integrate environmental justice into all aspects of our work.

As described in Chapter 2, the United States Environmental Protection Agency describes environmental justice as the “just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other activities that affect human health and the environment so that people are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards...”. Without consideration of environmental justice, communities and individuals may be harmed by decisions made by governments and private entities. Environmental justice gives people more control over the decisions that impact their lives and quality of life.

Over recent years, our awareness of and acknowledgment of environmental justice has

Commitments to Environmental Justice Expertise

Train Board and Advisory Committee members, and employees on environmental justice.

Add advancing environmental justice and equity as a core competency in performance plans and reviews.

Recruit candidates with environmental justice expertise.

Develop environmental justice teams and have them review compliance with the Civil Rights Act of 1964, including Title VI.

grown. However, we still have much to do. Environmental justice expertise in the agency is concentrated in a few departments or individuals. Knowledge and expertise are not diffused throughout the organization in a way that best serves communities who are overburdened by air and other pollution.

Under this strategy, we will build our knowledge, expertise, and capacity across the organization to work with communities. We will train Board and Advisory Committee members, and employees at all levels of the organization on environmental justice principles and issues. Training programs will ensure we are One Air District, as described in **Strategy 3.3 One Air District Community**, working together to advance our understanding and competency of environmental justice. This includes the historical context of environmental justice,

discriminatory and racist government policies, and how to work in and partner with communities sensitively, respectfully, and effectively.

To ensure training programs are effective, we will add advancing environmental justice and equity as a core competency in all employees' performance plans and reviews. We will also recruit candidates with environmental justice expertise, who have experience living in or working with communities harmed by air pollution.

We will develop environmental justice teams, who will work across the organization to integrate environmental justice in our work, ensuring deeper connections with communities we serve. Environmental justice teams would review compliance with civil rights laws such as the Civil Rights Act of 1964 and California Government Code section 11135.



Become One Air District



Strategy 3.5 Recognize Employees: We will better recognize employees' contributions to increase morale and overall organizational effectiveness.

Ensuring employees' skills, talents and contributions are valued and properly recognized is critical to a positive work environment, employee morale, and employee retention. Employee retention is critical to organizational success. Productivity, recruitment and training costs, organizational culture, organizational knowledge and expertise, and **customer** service can all suffer with high employee turnover rates.

In government agencies, where merit increases or other performance-based benefits are often limited or unavailable, recognizing employees' accomplishments can be challenging. The Air District has a highly dedicated workforce, yet limited recognition programs and activities have left some employees feeling discouraged, and high-achieving employees often feel overworked and overlooked.

Commitments to Recognize Employees

Develop and implement an employee achievement incentive program which could include prizes or bonuses.

Better recognize employees who lead by example and exemplify the core values.

Recognize employees through performance evaluations that reward and encourage employees to engage in cross-functional learning, collaboration, innovation, and skill development opportunities.

To better show appreciation for our employees' contributions, under this strategy the Air District will develop and implement an incentive program which could include awards or bonuses based on achievement. We will better recognize employees who lead by example and exemplify the core values of the organization. We will also recognize employees through performance evaluations that reward and encourage employees to engage in cross-functional learning, collaboration, innovation, and skill development opportunities.

Become One Air District



Strategy 3.6 Support Employee Success: We will expand professional development opportunities to foster success and diversity, boost morale, enhance workforce retention, and improve overall organizational effectiveness.

Providing employees opportunities to learn and develop skills boosts organization morale and supports workforce retention. Workforce retention also helps develop a positive organizational culture and institutional knowledge and skills critical in achieving long-term goals.

Under this strategy, we will help employees build a career path and gain institutional knowledge. We will do this through an expanded mentoring program to encourage employees to join and develop skills as mentors and mentees. In addition, for new employees, the Air District will develop more detailed and comprehensive on-boarding to help them know the

Commitments to Support Employee Success

Develop an expanded mentoring program.

Create more detailed and comprehensive on-boarding.

Develop comprehensive training and cross-training on Air District programs for employees.

Consider more comprehensive performance reviews that encourage employees to explore opportunities to develop skills.

organization and feel able to publicly represent the Air District. We will also develop comprehensive training and cross-training on Air District programs for employees. In addition, we will consider more comprehensive performance reviews that encourage employees to explore opportunities to develop skills, as described in Strategy 3.2 Recognize Employees.



Goal 4: Be Effective, Accountable, and Customer-Oriented



The strategies in Goal 4 are organized around three objectives:

- **Improve permitting, monitoring, and enforcement**
- **Build relationships and enhance communications**
- **Be accountable**

These objectives and their associated strategies will help us to become a more efficient and effective organization, responsive and accountable to the communities we serve. They are also designed to increase awareness and support of our efforts to reduce air pollution and to advance environmental justice.

Improve Permitting, Monitoring, and Enforcement



Strategy 4.1 Timely Permits: We will improve the timeliness of permitting decisions.

The Air District is responsible for issuing air quality permits for stationary equipment in the Bay Area. Air quality permits specify how the Air District’s regulations apply to particular items of equipment, how the equipment can be operated, and what emission limits the equipment must comply with. Many different types of stationary equipment that emit one or more air pollutants require an Air District permit.

The Air District receives over 1,000 new air quality permit applications each year. We also handle about 10,000 permit renewals and manage 78 **Major Facility Review Permits** (also known as “Title V permits”) for large industrial facilities in the Bay Area. Fees from permits generate significant revenue to support Air District operations related to regulating permitted facilities.

Sometimes we are not able to issue air quality permits within the timeframes outlined in our regulations. Untimely permits can negatively impact businesses, including small businesses, which may have to suspend or delay their

operations because they have not received their permit. Delays can also result in lost or late fee collection, inefficient permit

reviews, and even increased emissions if installation of pollution controls is delayed. It can also lead to uneven public participation and awareness if the process takes too long.

Under this strategy, we will update our regulations and other policies to ensure efficient and timely permitting processes. We will better track permit applications, address bottlenecks in the permitting process, and improve our internal coordination to ensure permits are processed more quickly. We will establish permit project teams for complex sources and implement updated resource management systems and tools that better match the needs of our permit workload. As outlined in the next two strategies, we will ensure that improved timeliness

does not sacrifice transparency, public participation, nor the proper application of permit requirements.

Commitments to Make Permits Timely

Update regulations to ensure permits can be done efficiently and timely.

Better track permit applications, address bottlenecks in permitting process, and improve internal coordination.

Establish permit project teams for complex permits.

Update resource management to align with permit workload.

Improve Permitting, Monitoring, and Enforcement



Strategy 4.2 Transparent Permit Process: We will improve our permitting process to be more transparent and accountable to applicants and the public.

When an air quality permit application is submitted to the Air District, we perform a detailed review of the application. The Air District reviews applications for completeness, compliance with regulations, whether the best available pollution control technology is being used, and what emission and health impacts are expected. Depending on the type of permit application and the expected impact, our regulations may require more analysis before we can decide whether to issue the permit and what the permit should contain. We notify the public when an application is submitted, so that people can provide comments.

The timing and status of permit applications is often uncertain. The required analyses can be complex, and the permit application may not initially contain all the information we need to process it. The Air District also conducts outreach to involve members of the public in the permitting

Commitments to Make Permits Transparent

Provide more information to applicants and the public throughout permitting process.

Create user-friendly reports and enhance publicly accessible, web-based tools for permit applications, online tracking, and easily accessible information on permitted sources, permit activity, and related emissions.

Improve how we communicate information about permits and the permitting process to communities and applicants using more understandable, less technical language.

process and incorporates public input it receives, which can be time-consuming if there is substantial public interest in a project. Insufficient staffing levels, loss of institutional knowledge due to retirements, and outdated computer systems are also major factors contributing to permitting delays.

The permit process complexity, delays, and uncertainty all contribute to both the permit applicants' and community members' frustration and distrust with the process. They feel it is too lengthy and has too little transparency. The technical nature of permit reviews can also make it difficult for the public to understand the outcome of our permit application review.

Under this strategy, we aim to build trust with the community and with permit applicants by providing more information throughout the process, which will promote

more meaningful engagement for everyone. We plan to create user-friendly reports and enhance publicly accessible, web-based tools for permit applications, online tracking, and easily accessible information on permitted sources, permit activity, and related air pollution emissions. We will improve how we communicate information about permits and

the permitting process to communities and applicants using more understandable, less technical language.



Improve Permitting, Monitoring, and Enforcement

Strategy 4.3 Consistent Permits: We will ensure Air District regulations and associated air quality permits issued are clear, consistent, and enforceable so that air pollution affecting communities is minimized.



Air quality permits are a critical tool in the Air District's efforts to reduce air pollution from stationary sources. Permits issued by the Air District list all requirements that a business or facility must follow for each piece of equipment covered by the permit to comply with applicable air quality regulations.

For permits we issue, the permit process does not create the air quality requirements that the facility must follow. That happens through our regulations or regulations at the state and federal levels. Our permit process involves analyzing which regulations apply to a given piece of equipment and writing permit conditions that reflect those regulations clearly, so they can be enforced effectively and achieve all the air quality benefits intended by the regulations. The permit should be well understood by the business owner and operator, so they can more

Commitments to Make Permits Consistent

Review regulations, as they are being developed, to ensure they will be clear and enforceable when included in a permit.

Review standard permit conditions and our process for translating regulations to permit conditions.

Review how we issue permits to ensure we are following civil rights laws and regulations.

Explore how to further consider cumulative impacts in our permitting process.

Review when to do a broad environmental analysis of a permitting decision.

easily meet all the regulations that apply to them.

Permits will not effectively implement our regulations if they are not written clearly. If not written clearly, the permit will also not be understood by the public, the facility, or by Air District inspectors checking to see whether the business is complying with the permit conditions. Permits can also be ineffective if the regulation it reflects is not easily understood, or needs to be strengthened to adequately protect communities, as described in **Strategy 1.2 Stronger Regulations.**

Under this strategy, we will improve the outcomes of our permit process by making sure permits are written consistently and clearly and that they protect the public's health to the greatest extent that our regulations allow. We will review regulations as they are being developed to be sure they will be clear and

enforceable when included in a permit. We will review our set of standard permit conditions and our process for translating regulations to permit conditions, to be sure the conditions can be understood and enforced.

As described in **Strategy 2.10 Comply with Civil Rights Laws**, we will review how we issue permits to ensure we are following civil rights laws and regulations. We will also explore how to further consider cumulative

impacts in our permitting process, as described in **Strategy 2.11 Cumulative Impacts**. Finally, we will review when to do a broad environmental analysis of a permitting decision under the **California Environmental Quality Act**, which may provide for additional community engagement and pollution mitigation opportunities.



Improve Permitting, Monitoring, and Enforcement



Strategy 4.4 Improve Air Monitoring: We will update the design and operations of the air quality monitoring network to improve reliability, efficiency, data quality, and accessibility to better meet monitoring objectives and to support efforts to understand local exposure to air pollution.

The Air District maintains a comprehensive air quality monitoring network that includes over 30 monitoring stations across the Bay Area's nine counties. Our air monitors' main purpose is to take air pollution measurements to determine regional compliance with national and state air quality standards. We also use air monitoring data to provide air quality forecasts and trends. Air monitoring data informs our strategies to improve air quality and our health research studies. We also do special monitoring projects to gain better knowledge about specific pollutants and local air pollution problems as described in **Strategy 1.1 Change Approach to Air Quality** and **Strategy 2.7 Understand Local Air Pollution**.

Operating the air monitoring network is highly complex. The work includes the design of the network, identifying sites to locate monitors, and setting up the monitors. We then collect air pollution data, analyze and manage the data, and maintain and

calibrate the monitors. There are also quality assurance, reporting, and state and federal auditing procedures and requirements we must comply with.

The air monitoring network needs some improvements. The demands on the monitoring network have evolved over time, and there are both gaps and redundancies in the network. We also need to update our data systems, as the existing systems have not kept pace with the increasing volume and complexity of data we gather nor with advancements in data science and technology. Upgrades will allow for better access to a wider range of data for internal use and for the public, especially for people who live in areas with high levels of air pollution.

Under this strategy, we will update our air monitoring data systems, prioritizing improvements that can support more efficient data collection, review, reporting, accessibility, and security. We will strengthen quality control systems,

Commitments to Improve Air Monitoring

- Update air monitoring data systems.
- Strengthen quality control systems.
- Evaluate the monitoring network for possible changes and improvements.
- Consider changes to the air monitoring network.

including updating quality assurance documentation and standardizing procedures, communication, training, tracking, and project management. We will also evaluate the monitoring network for possible changes and improvements. This update will consider community input. We will especially consider the location of monitors relative to the location of communities overburdened by air pollution. We will use this evaluation to consider changes to the air

monitoring network, such as relocating and decommissioning some monitoring sites, and changing which pollutants are measured.



Improve Permitting, Monitoring, and Enforcement



Strategy 4.5 Improve Compliance Investigations: We will increase the efficiency and effectiveness of inspection and investigation resources to improve compliance and increase the impact of our enforcement program.

The Air District reduces air pollution in communities by ensuring that an industrial facility, business, or activity that we regulate complies with the regulations and applicable permits. The Air District performs regular inspections, air monitoring and testing of specific sources to determine compliance. We also conduct inspections based on complaints we receive from the public.

If we find during our inspections that a business or industry may be violating our regulations, we investigate. If the investigation shows the industry or business owner is not meeting its permit requirements or not complying with regulations, the Air District takes enforcement action by issuing notices of violation and following up with legal action as necessary to ensure they get back into compliance.

This process takes resources.

If we can make the best use of the Air District's inspection and investigation resources, we will help ensure that all

industries and businesses in the Bay Area are minimizing air pollution and complying with the law, especially those located in communities overburdened by air pollution.

Further, businesses complying with our regulations benefit from a strong inspection program, which levels the playing field by penalizing competitors not meeting Air District requirements.

While **Strategy 1.5 Enhance Violation Investigations** and **Strategy 1.6 New Enforcement Policy** focus on improving our investigations and developing an enforcement policy with communities, this strategy centers on the efficiency and effectiveness of our inspection and compliance processes and practices. Under this strategy, we will undertake efforts to target our inspections and other compliance activities where they are most needed for ensuring compliance with permits and regulations. We will

also streamline the process inspectors use to document violations they find and improve our program of compliance assistance

Commitments to Improve Compliance Investigations

Target inspections and other compliance activities where they are most needed.

Streamline process inspectors use to document violations.

Improve our program of compliance assistance through better information technology tools and access to compliance resources.

through better information technology tools and access to compliance resources.

Targeting our compliance and enforcement resources where they are most needed will be informed by our efforts in **Strategy 2.2 Collect Community Data** and **Strategy 2.7 Understand Local Air Pollution**. With these two strategies, information from people

living in areas overburdened by air pollution will help us better understand which sources of pollution are most harming community members. With that information, we will be better able to focus our inspection resources where they will have the greatest impact on compliance, and therefore, the greatest benefits to community air quality and health.



Build Relationships and Enhance Communication

Strategy 4.6 Inspire Action: We will expand our public communication to inspire the public to support efforts to reduce air pollution and to mitigate climate change.



The Air District is widely known by the public for our award-winning Spare the Air program.

This program has inspired hundreds of thousands of people to consider how their individual actions can contribute to better air quality. They choose to reduce how much they drive by carpooling, using public transportation, biking, or walking. They avoid using gas-powered lawn and garden equipment or do not burn wood on days when air pollution levels are particularly high. While this campaign has had much success, we would like to do more to inspire individual actions to limit air pollution and to fight climate change.

Under this strategy, we will develop an expanded public information campaign to raise awareness of the actions people can take to reduce pollution. We will also increase our social media presence to expand our youth outreach and engage young people in our mission and work. We will increase our advertising to share more information

about the ways to reduce pollution and the associated health benefits of cleaner air, especially at the local level.

We will also work with our local government partners and Board of Directors to establish an increased presence in all nine Bay Area counties. We will share our efforts to reduce air pollution in communities most harmed by pollution, the health impacts of exposure to pollution, and what local governments and other partners can do to reduce local air pollution, as described in **Strategy 4.9 Land Use Impacts.**

Commitments to Inspire Action

Develop an expanded public information campaign.

Increase social media presence to expand youth outreach and engage young people.

Increase advertising to share more information about the ways to reduce pollution and the associated health benefits of cleaner air, especially at the local level.

Build Relationships and Enhance Communication



Strategy 4.7 Customer Service: We will strengthen employees’ organization-wide knowledge and communication skills, so people experience the highest level of service from the Air District.

The public relies on the Air District for critical air quality information. They rightly expect a high level of service and care when reaching out to us for help or information. Helping customers and communities resolve issues or provide information in a timely manner creates greater transparency, builds trust, and helps the agency improve its effectiveness. This is especially important in communities overburdened by air pollution.

Air District employees are highly skilled and knowledgeable professionals in their area of expertise and in the work they do. However, many employees may not be aware of what others in the organization are working on, and not all employees have the same level of customer-oriented communication skills. Similarly, when contacting the Air District, customers and communities may not be aware of who the best resource is for their questions or concerns. To be an organization with a foundation in strong customer service

and one that can effectively serve our communities requires that all employees have a high level of organization-wide knowledge. Such knowledge can ensure we provide the best possible customer service.

Commitments to Customer Service

Strengthen internal organizational knowledge and communication skills.

Develop an organization-wide curriculum for existing and new employees.

Under this strategy, we will strengthen organizational knowledge and communication skills. We will develop an organization-wide curriculum for existing and new employees so everyone can be fluent in all programs at the Air District. This will also help unify all Air District employees to better support customers and communities, furthering our efforts to be One Air District, as described in **Strategy 3.3: One Air District Community.**

Build Relationships and Enhance Communication

Strategy 4.8 Air Quality Incidents: We will enhance our incident response program in collaboration with government partners.



When a business experiences an air pollution incident, or any non-routine release of air pollution, the surrounding community relies on multiple government agencies to coordinate a response. Government agencies that may respond include the fire department, the local public health department, hazardous materials response units, and specialized pollution control agencies like the Air District. Although Air District employees are not authorized or trained to play a role as first-responders, we work closely and quickly with those on scene to evaluate potential air quality impacts and inform the public about how the incident may affect their health. We also investigate the cause of the incident and whether any air quality regulations may have been violated.

Providing better information to communities during an incident requires us to develop additional capabilities, including information

Commitments to Air Quality Incidents

Work with industry, community, and other local agencies to establish better systems to detect and assess emissions from incidents.

Explore technology solutions that proactively notify communities of incidents including potential health concerns.

Partner with communities near facilities with recurring incidents to provide enhanced community-led monitoring.

Deliver short, understandable, actionable alerts during incidents, and more robust and transparent after-incident resolution and investigations.

on air pollution and the potential health impacts for community members. Such information can also help us determine the extent and impact of the incident for purposes of any enforcement action we may take. We also need better and more streamlined coordination with other government agencies who respond to the incident, better technology-driven incident detection, and proactive community notifications.

In addition, we need to develop better ways to incorporate and act on information from community members as part of our incident response. Communities closest to an incident are often the first ones to become aware of it and to experience the effects.

Under this strategy, we will work with industry, communities, and other local agencies to establish better systems to detect

and assess emissions from incidents. We will explore technology solutions that proactively notify communities of incidents including health information.

We will further partner with communities near facilities with recurring incidents to provide enhanced community-led monitoring to more thoroughly and

more rapidly understand exposure to air pollution experienced by community members. Ultimately, we will leverage these tools and partnerships to deliver short, understandable, actionable alerts during incidents, and more robust and transparent after-incident resolution and investigations.



Build Relationships and Enhance Communication



Strategy 4.9 Land Use Impacts: We will provide tools for local governments to consider environmental justice, air quality, and climate priorities in local land use plans, policies, projects, and permitting decisions.

By considering air quality and climate impacts at the local level in land use decisions and using techniques to redress environmental injustices and prevent further harm, local land use decision makers can help reduce exposure to air pollution and improve public health.

While air districts are prohibited by law from making local land use decisions, local land use plans, policies and permitting decisions are at the forefront of improving air quality. They shape the built environment and can be instrumental in advancing environmental justice, building community resilience, and elevating local climate priorities. Land use decisions determine where new development projects – sometimes a new source of air pollution – are located and how they are built. For example, zoning regulations that require adequate buffers between where people live, play and work and polluting land uses such as freeways can help protect health. Site development standards and conditions of approval can reduce the impact of new land uses and prevent new polluting land uses

from being placed near people who are most sensitive to air pollution.

Under this strategy, we will develop, share, and support the use of technical resources, data, tools, and best practices. Such practices

will enable local governments to incorporate air quality, climate and environmental justice analyses and solutions more effectively into local land use planning, policies, and permitting practices. We will provide guidance on how to strategically use land use regulations to address and prevent incompatible land uses, which means separating pollution sources from places people live and frequent, easing environmental burdens, and preventing the concentration of polluting industries near communities. In the guidance,

we will highlight innovative land use tools, such as techniques to phase out the highest polluting businesses located near people most sensitive to air pollution, along with how to use zoning overlays, standard conditions of approval, and other permitting approaches.

Commitments to Land Use Impacts

Develop, share, and support the use of technical resources, data, tools, and best practices.

Provide guidance on how to strategically use land use regulations to address and prevent incompatible land uses.

Be Accountable



Strategy 4.10 Ensure Success: We will ensure we have the resources and capacity to meet both Board and community expectations and honor our commitments, thereby building trust in the Air District’s capacity to succeed.

The Air District’s drive to improve public health often means we take on more than we have the capacity to perform. To ensure we meet community expectations, and do not overpromise, we need to adequately assess our capacity to take on new work, and properly resource existing commitments. We need to be better equipped to minimize unforeseen costs and be able to achieve successful outcomes. We need to enhance our ability to prioritize efforts and ensure that all divisions within the Air District work cohesively towards common goals, and to link these goals with the resources needed for long-term success. Ensuring we have the resources and capacity to take on new efforts, including those identified in the *2024-2029 Strategic Plan*, will build trust and accountability both within the Air District and with the communities we serve.

The Air District currently lacks

Commitments to Ensure Success

Put processes in place to ensure the successful launch and implementation of new rules and regulations, policy and program changes, new initiatives, and modifications to the strategic plan.

Develop detailed operational plans and business processes that estimate the required resources and timelines, with clear responsibilities.

Develop and apply standard and best operating procedures and practices across the organization.

Apply continuous process improvement models to operations and procedures.

a systematic approach to thoroughly scope and plan new initiatives. Without a clear process to evaluate the needed resources and a collaborative process to ensure broad internal and external support, we can struggle to meet projects’ objectives.

Under this strategy, we will put processes in place to ensure the successful launch and implementation of new regulations, policy and program changes, new initiatives, and modifications to the strategic plan. We will develop detailed operational plans and business processes that estimate the required resources and timelines, and that establish clear responsibilities. These plans and processes will involve all relevant Air District divisions and ensure executive commitment and alignment across the organization.

We will continue to make sure



we are using best practices across all our operations and initiatives. We will develop and apply standard operating procedures across the organization, from our information technology systems to contracting with suppliers. We will also make sure these systems connect well with one another to easily communicate information internally and with communities.

We will also apply a continuous process improvement model to our operations and procedures to increase efficiency and quality over time. This commitment will improve customer service, our productivity, and our capacity to succeed.

Be Accountable



Strategy 4.11 Align Resources: We will be intentional about ensuring the Air District’s resources and annual budgets are well-aligned with organization and community priorities, as identified in the 2024-2029 Strategic Plan.

For any plan to succeed, goals and priorities must be well resourced. Resources include time, personnel, leadership focus, and money. Too often, big plans for change, new ideas, programs, or priorities are not well resourced.

Under this strategy, the Air District will ensure we resource the goals identified in the 2024-2029 Strategic Plan. We will re-orient our annual budget process, including the allocation of funds, to the specific objectives, strategies, and actions in the plan. We will be intentional in matching our spending to be in alignment with achieving real impact by adopting new approaches to air quality management that focus on understanding and reducing disparities in local air pollution. Spending will also be used to support our efforts in advancing environmental justice, being more

Commitments to Align Resources

Ensure we resource the goals identified in the 2024-2029 Strategic Plan.

Re-orient annual budget process, including the allocation of funds, to the specific objectives, strategies, and actions in the plan.

Be intentional in matching spending to be in alignment with achieving real impact by adopting new approaches to air quality management that focus on understanding and reducing disparities in local air pollution.

cohesive and inclusive, and becoming a more effective, accountable, and customer-oriented organization.

In addition to aligning our resources to our goals and priorities, annual strategic plan progress reports, as described in **Strategy 4.12 Report Progress**, will be aligned with the development of our annual budget. Each annual budget cycle and the accompanying strategic plan progress report will be an opportunity for the Air District and communities to assess and reaffirm our shared priorities.

Be Accountable



Strategy 4.12 Report Progress: We will transparently report on progress in meeting the 2024-2029 Strategic Plan goals and strategies to be accountable for our commitments and meeting expectations.

Developing and adopting an organizational strategic plan is crucial in providing clarity around an organization’s mission, vision, goals, and strategic priorities. The *2024-2029 Strategic Plan* is designed to give the Air District the clarity we have long needed on shared goals and priorities. And while the plan is important in setting clear priorities, implementing the plan is even more important. We need to take actions that will reduce unequal exposures to air pollution, build community capacity and partnership, and build a better and cohesive organization.

Under this strategy, and as further described in **Chapter 4**, we will track our progress in implementing the *2024-2029 Strategic Plan*. We will be responsive and accountable to our Board of Directors and communities by doing an annual review of our progress. We will create measurable performance metrics for

each strategy and associated actions. During our annual reporting, we will also identify challenges or resources needed to accomplish each strategy.

Commitments to Report Progress

Track progress in implementing the 2024-2029 Strategic Plan.

Do an annual progress review.

Create measurable performance metrics for each strategy and associated actions.

Identify challenges or resources needed to accomplish each strategy, as part of annual review.

Page Intentionally Left Blank



4.

Accountability Through Action

4. Accountability Through Action

The Air District has prepared the *2024-2029 Strategic Plan* to guide our work, and more importantly to hold ourselves accountable. We have discussed with the Board of Directors, community leaders, industry, and local governments much of what is described in this plan. We have even begun to make progress. However, we needed to be clear and transparent about our priorities and commitments.

The *2024-2029 Strategic Plan* empowers communities, the Board of Directors, and Air District employees to clearly see and understand the commitments we have made. It also allows us to assess whether our actions are in alignment with these commitments and the needs of the communities we serve. It also enables us to track our progress in meeting commitments. This plan is a mechanism to hold us accountable.

Commitments in Action

Making commitments aligned with our Board of Directors, communities, and core

values is a critical step in achieving our mission, vision, and goals. Acting on those commitments is even more important. Without action, nothing is achieved.

To ensure we honor our commitments, we have already begun developing action plans, initiatives, and programs to advance the strategies in the *2024-2029 Strategic Plan*. We will also develop performance timelines, milestones, metrics, and targets. In our annual budget process, we will ensure resources are made available to complete the actions identified in action plans. We will annually report progress and transparently communicate what we have accomplished. Every five years, we will do a full review of the strategic plan and update it to reflect current conditions and priorities.

Community Advisory Council Weighs In

The Community Advisory Council has been focusing on areas they view as crucial to advancing environmental justice. Areas include better collection and use of air quality data, permitting, and enforcement. Over the course of several months, we have been talking with members of the council about possible actions across these topics. Those actions now span more than 20 strategies in the *2024-2029 Strategic Plan*.

Action Plans

Over the next several months, we will continue developing implementation, or “action,” plans to address one or more strategies in the *2024-2029 Strategic Plan*. Through conversations with the members of the Community Advisory Council, we have identified actions to support many of the strategies in the plan. In consultation with our Board of Directors and through other employee-led efforts, we have also identified actions we can take to implement strategies and, in some cases, have begun to act.

Performance Metrics

We will create performance metrics for each strategy and associated actions to better enable us to report progress. Metrics will be specific and tangible. Quantitative metrics will be used where possible, along with qualitative measures and milestones. We will track and annually report progress on each metric to our Board and communities.

Resource Alignment

As described in **Strategy 4.11 Align Resources**, we will ensure that we properly resource the strategies and supporting action plans in the *2024-2029 Strategic Plan*. We will reorient our annual budget process, including the allocation of funds,

to support the plan's implementation. Each annual budget cycle will be an opportunity to evaluate whether our commitments in the plan are adequately resourced, and to adjust if necessary.

Progress Reports

Each year, we commit to reporting progress on our efforts to implement the *2024-2029 Strategic Plan*, as described in **Strategy 4.12 Report Progress**. In the annual progress report, we will include a summary of all actions we have completed, along with associated performance metrics. We will describe actions not taken and why. Progress reports will be used to determine whether we need to revise our action plans to be more effective.

As described above, we will align the annual progress reports with the development of our annual budget, allowing for the assessment of additional resource needs, or reallocation of existing resources.

Annual progress reports will be an opportunity to hear from our community partners on how we are doing, and if we are continuing to meet their needs and expectations. Each annual budget cycle and the accompanying progress report will allow the Air District and communities to reassess

We have even begun to make progress. However, we needed to be clear and transparent about our priorities and commitments.



and reaffirm alignment on shared priorities. And as we have learned by our discussions with Community Advisory Council members to identify actions to advance environmental justice, such partnership is important to ensure alignment.

Updating the Strategic Plan

Every five years we will perform a comprehensive strategic plan update. The five-year update will be an opportunity to

reassess our priorities, considering current conditions and resources. As with the development of the *2024-2029 Strategic Plan*, we will consult with communities, employees, our partners, and the Board of Directors in the plan update.

Actions Underway

We are already actively working to implement the *2024-2029 Strategic Plan*. Below is a snapshot of some of the actions we have taken or are taking to realize the plan's vision and goals through the implementation of specific plan strategies.

Changing Approach to Air Quality

We are working with communities in West Oakland, Richmond, North Richmond, and San Pablo to identify pollution sources of concern in their neighborhoods. We are developing methods to better understand local risks from fine particulate matter, like those used to understand health risks from toxic air contaminants. We also recently completed neighborhood-scale computer modeling of all known air pollution sources in West Oakland and Richmond-North Richmond-San Pablo to determine which sources are driving exposure to air pollution in each neighborhood. These efforts support implementation of **Strategy 1.1 Change Approach to Air Quality**.



Better Responding to Air Quality Incidents

The Air District Board of Directors recently approved new approaches and improvements to how we respond to air quality incidents. The changes will improve how we communicate about incidents and how we coordinate with government agencies in our response. We will improve information accessibility regarding our air quality incident response and investigation. The revisions will also improve how we collect information about an incident's impact on the surrounding community. As a first step, we will work with community members near refineries to develop a program to sample and analyze particulate matter emitted during incidents and to communicate the results.

We are also working closely with industries, such as oil refineries, to install continuous monitors near their equipment to better estimate emissions from flaring events. These actions will help us provide more timely and relevant information to communities potentially impacted by an incident.

These actions support **Strategies 4.8 Air Quality Incidents** and **2.2 Collect Community Data**. Many are also consistent with actions in the Richmond-North Richmond-San Pablo *Path to Clean Air*.



MOTORS
CE CENTER
W • PORICHE • AUD
AROUND THE CORNER

Stronger Regulations

Two adopted community plans, *Owning Our Air* and *Path to Clean Air*, for reducing local air pollution in West Oakland and in Richmond-North Richmond-San Pablo contain commitments for stronger regulations. Some of the priority areas for both communities include to reduce dust, restaurant related emissions, metal recycling and foundry operation emissions, smoke from backyard wood fires, open burning, recreational fires and fireplaces, marine and rail emissions, and air pollution from oil refineries. To meet these commitments, and to support **Strategy 1.2 Stronger Regulations**, we have developed a priority list of regulations to direct our regulation efforts over the next few years.

We have also recently updated permitting regulations to set stricter air pollution requirements and to require expanded public notice for new and modified sources of toxic air pollution in communities overburdened by air pollution. We are also developing stricter regulations for dust sources such as construction sites, batch plants, and materials handling facilities.

Minimizing Flaring

We are evaluating data from flaring incidents to understand what material is being flared and how often the incidents take place. We are also talking with communities near refineries to understand their concerns about flaring, including how they are notified



and what the possible health impacts are. These actions will help us decide what additional steps we need to take to minimize flaring.

In addition, the recently adopted Richmond-North Richmond San Pablo *Path to Clean Air* includes a strategy to reduce “persistent” flaring from oil refineries. The strategy includes six actions. Actions include working with the community and the City of Richmond to strengthen their local ordinance on industrial safety, coordinating with the community to improve and expand communications about flaring events, collaborating with Contra Costa County to improve their Community Warning System, and evaluating potential updates to the Air District’s flaring regulations. These actions will be the starting point for a detailed action plan for **Strategy 1.3 Minimize Flaring**.

Climate Solutions

We are partnering with local governments, community-based organizations, and community advocates to begin developing a regional climate plan. This plan will complement the statewide climate plan and facilitate local and regional actions to reduce greenhouse gas emissions, as described in **Strategy 1.7 New Climate Solutions**. We are also assisting a network of local governments in its efforts to electrify the homes of thousands of low-income families

and to develop new policies to advance building electrification, also in support of **Strategy 1.7**.

Understanding Local Air Pollution

We are evaluating five years of air quality data from the Purple Air monitoring network, which gives us information about air quality in specific locations across the Bay Area. In Richmond, we sent a van containing air monitoring equipment to conduct more detailed studies of toxic air pollution and particulate matter, with direction from community members. We are planning a similar effort in East Oakland, in partnership with Communities for a Better Environment. These actions support **Strategy 2.7 Understand Local Air Pollution**.



Improving the Permitting Process

To improve the timeliness of permits, we have identified all backlogged permits and where in the process the permit is getting delayed. We are developing plans to address these sticking points. We are also taking steps to improve the efficiency of our permitting requirements for large, complex industries, back-up generators, and composting. These include improving our process for testing emission levels at specific facilities, which is often part of the permit process at complex facilities. In addition, we are looking at ways we

can change regulations to streamline the permitting process.

To improve permit consistency, we have recently overhauled our permit handbook, which provides emission calculations, applicable regulations, and standard permit conditions. This new handbook will be piloted internally to see if it indeed improves permit consistency and timeliness. To improve transparency of the permitting process, we are developing a public dashboard on permit application status, where applicants and members of the public can see the status of permit applications. These actions support **Strategies 4.1 Timely Permits, 4.2 Transparent Permit Process, and 4.3 Consistent Permits**.

Improving Air Quality Monitoring

We are evaluating our network of air monitors to see if we need to change the locations of any monitors to better measure air quality in communities overburdened by air pollution. We are also taking steps to improve our air quality data system, so the public can be confident the data are reliable and secure. These actions are the first steps to implement **Strategy 4.4 Improve Air Monitoring**.

New Policy for Directing Penalty Funds to Community

The Board of Directors adopted a policy in May 2024 to allocate a significant portion of penalty funds to benefit affected communities. For the largest penalties, 80 percent of the penalty will go to the community impacted by the air quality violation. The broader region will also benefit from penalties. Implementation of this groundbreaking policy is underway. This action supports **Strategies 2.8 Community-Directed Funds** and **1.4 Reimagine Funding**.

Recognizing Employees and Supporting their Development

We have developed action plans to recognize our employees for their outstanding performance and to support our employees' professional development and growth through their career life cycles. We have already taken the first steps, including creating ways to spotlight employees' successes, launching a learning program for supervisors, and expanding our mentoring program. These actions support **Strategies 3.5 Recognize Employees** and **3.6 Support Employee Success**.

Strategic Plan Aligns with Community Plans

As described in **Chapter 1**, Assembly Bill 617 requires the state to select communities to partner with local air districts to develop plans for community monitoring and for reducing pollution in communities. Since the law passed, we have worked with two communities, West Oakland and Richmond-North Richmond-San Pablo, to develop and adopt a community monitoring plan and emission reduction plans. We are now working with East Oakland and Bayview Hunters Point-Southeast San Francisco on similar plans.

These community plans and partnerships have inspired the transformative focus of the *2024-2029 Strategic Plan*. They have also inspired many of the strategies in the plan; the plan's strategies are consistent with or supportive of strategies and actions in both the West Oakland and Richmond-North Richmond-San Pablo plans.

In the West Oakland plan, *Owning Our Air*, we committed to reporting on enforcement activities and to strengthening a variety of regulations. In the Richmond area plan, *Path to Clean Air*, there are strategies calling for stronger regulations to control dust, pollution from backyard fires and restaurant cooking, and marine and rail activity. There are also strategies about more imaginative incentives, the consideration of land use and cumulative impacts, improving permitting to ensure better health protection, minimize flaring, holding violators accountable, and ensuring resources are aligned to deliver the commitments made to community.

Many of the actions we need to take to finish implementing West Oakland's *Owning our Air* and to begin implementing *Path to Clean Air* will benefit other communities and the region more broadly. The ideas developed in the adopted community plans will also be building blocks of action plans to advance strategies in the *2024-2029 Strategic Plan*.

Glossary of Terms

Air pollutants

Any substance in the air that can have harmful effects on human health, the environment, or both. Air pollutants can come from natural sources, such as wildfires, or from human activities, including industrial processes, transportation, and energy production. Common air pollutants include particulate matter, ozone, nitrogen oxides, sulfur dioxide, toxic air contaminants, and carbon monoxide.

Air quality complaints

Reports by members of the public about an air quality problem. Reports can be made online on the Air District's website or by calling a 24-hour toll-free phone line. Air pollution complaint investigations are a crucial part of the daily work of Air District inspectors. The Air District investigates all air pollution complaints to determine facts and circumstances surrounding alleged air emission releases and takes appropriate enforcement and legal actions to address violations of any air quality regulation.

Assembly Bill 617

Bill passed into state law in 2017 that requires all major local air districts in the state to partner with communities to develop plans to reduce air pollution in their neighborhoods or to do community air monitoring. Communities selected by the state for partnership are those that have relatively higher levels of air pollution than

average, along with health vulnerabilities, such as higher asthma rates, cardiovascular disease, and cancer risk. These are often the same communities that have been subjected to discriminatory federal, state, and local policies including redlining, urban renewal, highway construction and local zoning codes that allow polluting industries to locate in or alongside residential neighborhoods. These communities have experienced resulting disinvestment, limited access to health services and healthy food, low quality education, and few local parks and open spaces. They are most often low-income communities of color.

California Environmental Quality Analysis

A California law that requires government agencies to consider the environmental consequences of their actions before they approve plans and policies, or prior to acting on a project. The law has multiple purposes. The purposes include: to inform government decisionmakers and the public about the potential environmental effects of proposed activities; to identify the ways that environmental damage can be avoided or significantly reduced; to prevent significant, avoidable environmental damage by requiring changes in projects, either by the adoption of alternatives or imposition of mitigation measures; and to disclose to the public why a project was approved if that project has significant environmental impacts that cannot be mitigated to a less

than significant level. Overall, the law aims to promote informed decision-making, transparency, and environmental protection in California's development and land use planning processes.

Carbon neutrality

Any carbon dioxide released into the atmosphere from human activities is balanced by an equivalent amount being removed.

Civil Rights Act of 1964, including Title VI

A federal law in the United States that prohibits discrimination based on race, color, or national origin in programs and activities receiving federal financial assistance. The law states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The purpose of Title VI is to promote equal access and opportunities for all individuals, regardless of race, color, or national origin, and to address discrimination in federally funded programs and activities.

Climate change

Changes to the Earth's climate that affect weather, oceans, ecosystems, and global temperatures. Human activities are driving climate change, primarily through the release of billions of tons of greenhouse gases each year. Greenhouse gases trap heat in the atmosphere, which increases global temperatures. Resulting climate impacts include more frequent and severe heatwaves,

rain and snow, floods, droughts, and wildfires. Climate change also raises ocean temperatures, acidity, and sea level due to rapid melting of glaciers and sea ice.

Community Advisory Council

Established in late 2021 to provide guidance to the Air District Board of Directors on programs and policies that impact all communities, including those overburdened by air pollution. The Community Advisory Council makes recommendations to the Air District on equity and environmental justice matters to improve air quality in all communities, prioritizing those most impacted by air pollution.

Cumulative impacts

The United States Environmental Protection Agency defines cumulative impacts as "the total effects of chemical and non-chemical stressors on the health, well-being, and quality of life of individuals, communities, or populations. These stressors can come from one or more sources in the built, natural, and social environments and can accumulate over time. Cumulative impacts can be positive or negative. For example, in communities that are already overburdened, unequal environmental conditions and exposure to multiple stressors can lead to disproportionate impacts."

Customer

A person or organization receiving services from the Air District. Services can include air quality permits, public records, grant funding, or air quality information. Members of the communities whose air quality we work to improve are also our customers.

Disparities

Differences in level or treatment, especially ones that are seen as unfair.

Environmental justice

Environmental justice has two primary types of definitions – one type generated by the advocacy community and one generated by government, including the United States Environmental Protection Agency. Both are valuable in understanding environmental justice.

The Environmental Protection Agency defines environmental justice as, "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn, and work."

Dr. Bunyan Bryant, a pioneering environmental justice scholar, defines environmental justice as "...cultural norms and values, rules, regulations, behaviors, policies, and decisions [that] support sustainable communities where people can interact with confidence that the environment is safe, nurturing, and productive. Environmental justice is served when people can realize their highest potential ... where both cultural and biological diversity are respected and highly revered and where distributive justice prevails."

Environmental justice principles

The environmental justice movement was galvanized in 1987, when the United Church of Christ Commission released a study demonstrating that, across the country, toxic facilities were consistently located in Black and Brown communities. In 1991, delegates to the First National People of Color Environmental Leadership Summit drafted and adopted The Principles of Environmental Justice, and it has served as a defining document for the growing environmental justice movement.

Environmental racism

Dr. Benjamin F. Chavis Jr, a civil rights leader, coined the phrase and defined it to mean the intentional siting of polluting and waste facilities in communities primarily populated by African Americans, Latines, Indigenous People, Asian Americans and Pacific Islanders, migrant farmworkers, and low-income workers.

Equity

The quality of being fair and impartial. In environmental justice work, equity is also often defined as increasing access to power, redistributing, and providing additional resources, and eliminating barriers to opportunity, to empower low-income communities of color to thrive and reach full potential.

Exemptions

In the content of Air District regulations and permitting, a regulatory exemption means that a source or facility that produces air pollution does not have to comply with one or more requirements in a regulation

or that the facility or source is not subject to the regulation (for example, if the source is subject to another regulation or if its emissions or possible emissions of air pollution are below a certain level). A permitting exemption means that a source or facility or piece of equipment is not required to receive a permit to operate (for example, because the emissions or possible emissions of air pollution are below a certain level). A source or facility or piece of equipment may be exempt from permitting but still be subject to one or more Air District regulations.

Fine particulate matter

Tiny particles suspended in the air, which vary greatly in terms of their size and mass, physical state (solid or liquid), chemical composition, toxicity, and how they behave and transform in the air. Particles can be made up of various substances such as dust, pollen, soot, and smoke. Particulate matter can penetrate deep into the lungs and cause respiratory problems.

Flare Minimization Plans

Plans required by the Air District for all industrial operations that use flare systems. Plans describe each flare at a given facility, the equipment and procedures used to reduce flaring, and any other measures needed to prevent flaring.

Flaring

Flare systems at oil refineries are used to safely dispose of hydrocarbon gases. The flare systems gather the vented gases and combust them to keep them from being released directly into the air. Flaring may

result from the start-up and shutdown of equipment, during accidents, or because of equipment malfunctions.

Greenhouse gas

Any gas that traps some of Earth's outgoing energy, thus retaining heat in the atmosphere. Greenhouse gases include water vapor, carbon dioxide, methane, nitrous oxide, halogenated fluorocarbons, ozone, perfluorocarbons, sulfur hexafluoride, and hydrofluorocarbons.

Health Impact Assessment

A process that uses multiple data sources and analytic methods, including input from community members, to determine the potential effects of a proposed policy, plan, program, or project on people's health and the distribution effects within a community.

Low-cost air pollution sensor networks

Low-cost air pollution sensor networks, such as Purple Air, can provide information about air quality on a neighborhood-by-neighborhood basis. Low-cost sensors often report data on time scales shorter than an hour, and therefore can provide information about rapid changes in air quality, which can be useful in certain cases, like during wildfire smoke episodes.

The Air District recommends using the official Air Quality Index, calculated from Air District monitoring data when assessing whether the air quality in your area is safe. Low-cost sensor data, however, can be used to determine whether air quality is getting worse. Using Air District monitoring

data along with low-cost sensors can provide a more robust understanding of when and where poor air quality conditions may be occurring.

Major Facility Review Permit (Title V)

A permit required by a section of the 1990 modifications to the federal Clean Air Act for certain large sources of air pollution requires. This permit, which is enforceable by the United States Environmental Protection Agency and by citizens, contains all applicable requirements under the Clean Air Act.

Mobile sources

Any motor vehicle or moving equipment that produces air pollution. Examples include cars, trucks, motorcycles (also known as on-road mobile sources) or airplanes, trains, and construction equipment (also known as off-road mobile sources).

Othering

Treating individuals or groups differently based on perceived differences, such as ethnicity, religion, gender, sexual orientation, or other characteristics.

Redlining

Policies and practices that financing entities and governments deployed to segregate communities of color in "declining" neighborhoods while reserving the "best" and most "desirable" neighborhoods for whites.

Statewide Climate Action Plan (California Air Resources Board 2022 Scoping Plan)

The California Air Resources Board's 2022 Scoping Plan is, "A statewide plan to reduce greenhouse gas emissions by 85 percent and achieve carbon neutrality by 2045. The plan provides a detailed sector-by-sector roadmap to move the state away from its dependence on petroleum and fossil gas to clean and renewable energy resources and zero-emission vehicles."

Stationary source

A fixed, non-mobile producer of pollution, usually at industrial or commercial facilities. Examples include gas stations, oil refineries, restaurants, auto-body shops, recycling facilities, and wastewater treatment plants.

Toxic air contaminants

Air pollutants identified by the California Air Resources Board that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential health hazard. Health effects may occur at extremely low levels of toxic air contaminants.



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 6

Strategic Plan Update

Finance and Administration Committee Special Meeting
July 10, 2024

Dr. Philip M. Fine
Executive Officer/Air Pollution Control Officer
pfine@baaqmd.gov

Presentation Overview

- Purpose and Scope
- Review of Strategic Plan Development
- Strategic Plan Overview
 - Goals
 - Objectives
 - Strategies
 - Accountability
- Next Steps

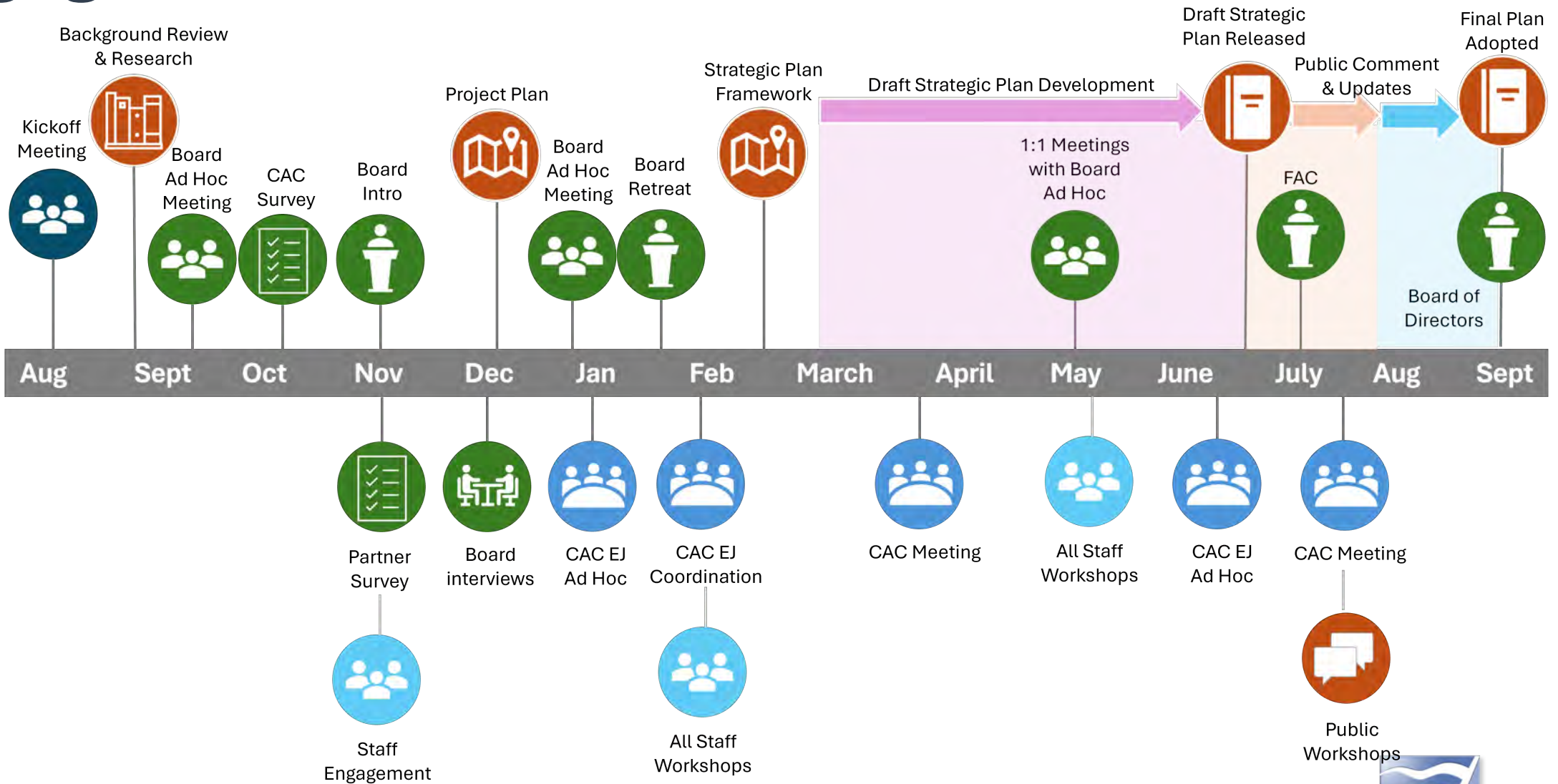


Strategic Plan: Purpose

- Align Board of Directors, Community Advisory Council (CAC), staff, and public on mission, vision, values
- Set goals and objectives for next 5 years
- Develop strategies that will guide action development
- Prioritize and properly resource our work
- Create accountability mechanisms



Engagement Process and Timeline



Engagement Findings

- Advance and integrate environmental justice (EJ) and equity
- Increase transparency and accountability
- Enable bold, visionary, but focused work
- Commit to strong enforcement program
- Achieve organizational excellence
 - Permitting efficiency and transparency
 - Improve organizational culture
 - Better coordination amongst divisions
 - Update processes and technology



Partnership with CAC EJ Policy Ad Hoc

- Ad Hoc selected **three priority areas** for strategy and action co-creation:
 - Data collection and usage
 - Permitting
 - Enforcement
- Ad Hoc and Air District staff worked together to:
 - create strategies and initial actions
 - focus on transformation from regional to local air quality improvements
- **80% of Strategic Plan Strategies support one or more EJ Priorities**



Strategic Plan Framework



Mission and Core Values

Mission

The Air District improves air quality to protect public health, reduce historical and current environmental inequities, and mitigate climate change and its impacts

Core Values

Environmental
Justice

Equity

Integrity

Partnership

Transparency

Trust



Organizational Vision

5-Year Organizational Vision

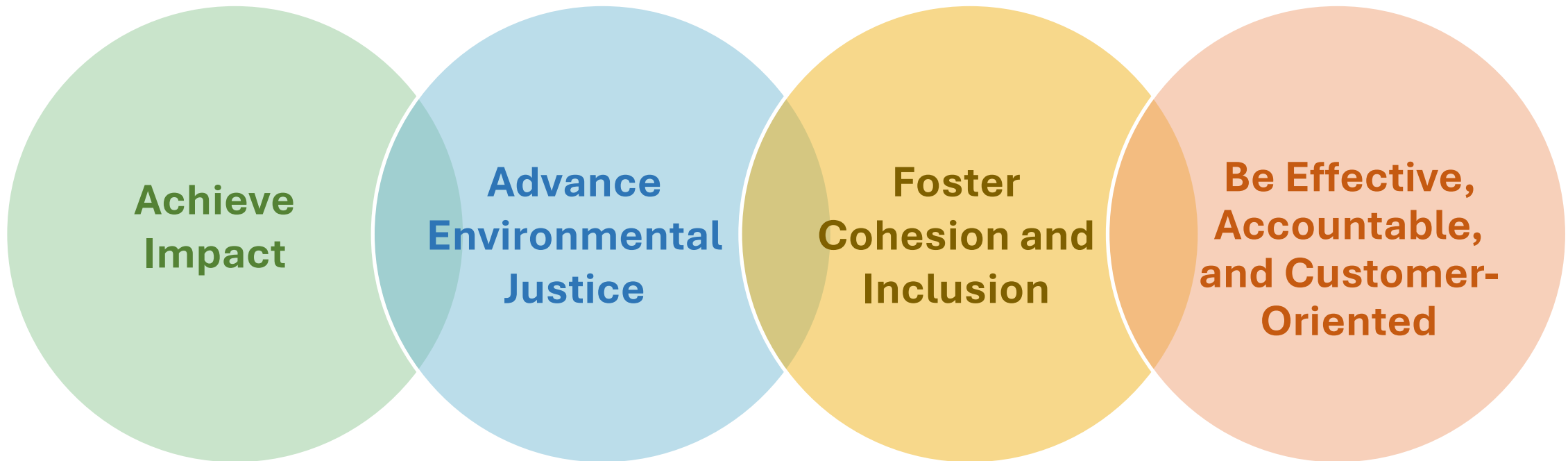
Over the next 5 years, the Air District will transform its workforce, operations, community engagement, and programs to improve air quality, increase public trust, and demonstrate leadership in equity-centered environmental stewardship



Environmental Justice Priorities & Goals

Environmental Justice Priorities

Goals



Goal 1: Achieve Impact

Objective:
**Reduce
Health
Impacts of Air
Pollution**

1.1: Change Approach to Air Quality

1.2: Stronger Regulations

1.3: Minimize Flaring

1.4: Reimagine Funding



Goal 1: Achieve Impact (cont.)

**Objective:
Hold
Violators
Accountable**

1.5: Enhance Violation Investigations

1.6: New Enforcement Policy



Goal 1: Achieve Impact (cont.)

Objective:
**Mitigate
Climate
Change and
Impacts**

1.7: New Climate Solutions



Goal 2: Advance Environmental Justice

Objective:
**Build
Partnerships
and
Community
Capacity**

2.1: Community Partnership

2.2: Collect Community Data

2.3: Make Data Accessible

2.4: Community Health Data

2.5: Air Quality Complaints

2.6: Talk with Communities



Goal 2: Advance Environmental Justice (cont.)

**Objective:
Identify
Disparities**

2.7: Understand Local Air Pollution



Goal 2: Advance Environmental Justice (cont.)

Objective:
Reduce
Disparities

2.8: Community-Directed Funds

2.9: Address Legal Barriers

2.10: Civil Rights Laws

2.11: Cumulative Impacts



Goal 3: Foster Cohesion and Inclusion

**Objective:
Embody
Diversity,
Equity,
Inclusion &
Belonging**

3.1: A Diverse Workforce

3.2: Be Welcoming and Inclusive



Goal 3: Foster Cohesion and Inclusion (cont.)

**Objective:
Become One
Air District**

3.3: One Air District Community

3.4: Environmental Justice Expertise

3.5: Recognize Employees

3.6: Support Employee Success



Goal 4: Be Effective, Accountable and Customer-Oriented

Objective:
Improve
Permitting,
Monitoring &
Enforcement

4.1: Timely Permits

4.2: Transparent Permit Process

4.3: Consistent Permits

4.4: Improve Air Monitoring

4.5: Improve Compliance Investigations



Goal 4: Be Effective, Accountable and Customer-Oriented (cont.)

Objective:
Build
Relationships
and
Enhance
Communication

4.6: Inspire Action

4.7: Customer Service

4.8: Air Quality Incidents

4.9: Land Use Impacts



Goal 4: Be Effective, Accountable and Customer-Oriented (cont.)

Objective:
Be
Accountable

4.10: Ensure Success

4.11: Align Resources

4.12: Report Progress



Accountability: Action Plans

- Actions under way in all goal areas
- Partnering with Community Advisory Council EJ Ad Hoc on action plans supporting EJ Priority strategies
- Action plans will include performance timelines, metrics, and milestones



Accountability: Resource Alignment and Progress

Resource Alignment

- Align with budget process
- Identify resources needed to support priorities
- Confirm priorities with Board and public

Progress

- Annual progress report
- Update strategic plan every 5 years



Actions already underway: examples

- **Changing Approach to Air Quality:** regional → local
 - Neighborhood-scale modeling of air pollution sources in **West Oakland** and **Richmond-North Richmond-San Pablo** to identify sources driving exposures
 - Evaluating Purple Air monitoring data for location-specific information
 - Mobile monitoring van sent to **Richmond**; **East Oakland** study is next.
- **Timely and transparent permits:**
 - Identified backlogged permits and where there are delays.
 - Improving process for testing emission levels at facilities.
 - Looking at possible regulation changes to streamline permitting process.
 - Developing public dashboard on permit application status.
- **Directing penalty funds to community:** policy adopted, implementation starting.

