

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

Stationary Source Committee Meeting
Wednesday, September 11, 2024

APPROVED MINUTES

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

CALL TO ORDER

1. **Opening Comments:** Neither the Stationary Source Committee (Committee) Chairperson, nor Vice Chairperson, were present at the meeting. Per (§)5 (Conduct of Meetings) of the Board Rules of Procedure, “In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both officers, the Clerk of the Boards shall call the meeting to order. The Directors present shall then, by majority vote of those present, appoint a temporary presiding officer.” The Clerk called the meeting to order at 10:02 a.m., and took roll to establish a quorum:

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Directors Ken Carlson, John Gioia, and Lynda Hopkins.

Present, In-Person (Office of Contra Costa County Supervisor John Gioia, 11780 San Pablo Ave., Suite D Conference Room, El Cerrito, CA 94530): Directors Gabe Quinto and Steve Young.

Present, In-Person (City of Palo Alto City Hall, 250 Hamilton Ave., Palo Alto, CA 94301): Director Vicki Veenker.

Present, In-Person (Office of Santa Clara County Supervisor Otto Lee, 70 W Hedding St, East Wing, 10th Floor, San Jose, CA 95110): Director Otto Lee.

Absent: Vice Chairperson Ross.

The Clerk then asked for a motion and second to appoint a member of the Committee to preside.

Committee Action

Director Carlson made a motion, seconded by Director Gioia, to **appoint** Director Lynda Hopkins to preside over the Stationary Source Committee meeting of September 11, 2024; and the motion **carried** by the following vote of the Committee:

AYES: Carlson, Gioia, Hopkins, Lee, Quinto, Veenker.
NOES: None.
ABSTAIN: None.
ABSENT: Ross, Young.

Committee member, Lynda Hopkins, acknowledged the 23rd anniversary of the September 11, 2001 attacks.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. **APPROVAL OF THE DRAFT MINUTES OF THE STATIONARY SOURCE COMMITTEE MEETING OF JULY 17, 2024**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Carlson made a motion, seconded by Director Gioia, to **approve** the Draft Minutes of the Stationary Source Committee meeting of July 17, 2024; and the motion **carried** by the following vote of the Committee:

AYES: Carlson, Gioia, Hopkins, Lee, Quinto, Veenker.
NOES: None.
ABSTAIN: None.
ABSENT: Ross, Young.

INFORMATIONAL ITEMS

4. **UPDATES TO THE 2024 - 2025 REGULATORY AGENDA**

Victor Douglas, Director of the Rules and Strategic Policy Division, gave the staff presentation *Update to the 2024-2025 Regulatory Agenda*, including: requested action; outcome; outline; updating our prioritization process; regulatory commitments; recent updates – appliance rules changes for US Environmental Protection Agency (EPA) State Implementation Plan (SIP) approval, Strategic Plan

commitments for fenceline and community monitoring, Strategic Plan commitments to minimize flaring; Permitting Efficiencies (Strategy 4.1); and next steps.

Public Comments

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County; and Gary Hughes, biofuelwatch.org.

NOTED PRESENT: Director Young was noted present at 10:25 a.m.

Committee Comments

The Committee and staff discussed changes that the EPA is making to the Air District's submitted appliance rules to ensure federal enforceability of the rules and consistency with the current SIP, and whether the Air District's SIP Letter of Commitment to the EPA requires Board approval; whether the Air District plans to propose additional regulations focusing on Nitrogen Oxides (NO_x) emissions; whether diesel generators that emit fewer emissions exist, and whether the Air District may enforce regulations requiring such technology; the desire for the Air District to prioritize refinery flaring, permitting efficiencies, and fenceline air monitoring rulemakings; the anticipated timeline for the Air District's whitepaper on refinery flaring; and whether the Air District plans to propose an indirect source regulation and whether that would be agendized at the Board's Stationary Source Committee or Policy, Grants, and Technology Committee.

Committee Action

No action taken.

5. UPDATE ON INDIRECT SOURCES

Mark Tang, Assistant Manager in the Planning Division, and Laura Cackette, Principal Environmental Planner, gave the staff presentation *Update on Indirect Sources*, including: outcome; outline; recap of March presentation; recap of background; recap of objective; regulatory landscape of other air districts, California Air Resources Board, and new legislation; emissions data; resources needed for rule development and implementation; local action to address indirect sources; proactive long-range planning; example: Draft Contra Costa County 2045 General Plan; local land use decisions; example best practices for indirect sources; next steps discussion; and detailed emissions.

Public Comments

Public comments were given by Mars Keith, Sierra Club; Jan Warren, Interfaith Climate Action Network of Contra Costa County; Emma Ishii, Asian Pacific Environmental Network (APEN); and Sarah Chen Small, Communities for a Better Environment.

Committee Comments

The Committee and staff discussed the comparison of the size of the Air District's Rules and Strategic Policy Division with those of other California air districts, and the desire to prioritize hiring additional employees in that division; a realistic amount of rulemakings that can be accomplished in the next two

years with the Air District’s current number of Rules and Strategic Policy staff; the public’s desire for action that will result in immediate emissions reductions, and how action from local jurisdictions may achieve that (over having to wait for state regulations to be implemented); the example of a new FedEx distribution center in Richmond that is designed to have zero emissions within five years of operation and is regarded as the greenest distribution facility in the west, with infrastructure enabled to support its electric fleet; the desire for an indirect source regulation that would address both existing and new facilities; the suggestion of engaging with indirect source entities that attract mobile sources of pollution to impress upon them the importance of protecting overburdened, disadvantaged communities and encouraging their investments into particular areas; whether emissions from marine vessels are decreasing, and the suggestion of mapping vessels’ locations to assess their proximity to AB 617 communities and measuring wind patterns; the definition of “hoteling ships”; the fact that the League of California Cities is in opposition to Assembly Bill 98 (Carrillo, Juan and Reyes) Planning and Zoning: Logistics Use: Truck Routes, and how those efforts may affect any indirect source rule of the Air District’s; the desire for port electrification; whether an indirect source regulation could address the driving of autonomous vehicles that impact certain communities; the estimated number of existing facilities that may be indirect sources in the Bay Area and the potential growth trajectory (under more stringent land use regulations); the suggestion that the Air District partners with local jurisdictions in which indirect sources may be located and provide them with general plan policies and conditions for new warehouse facilities; and California Attorney General Rob Bonta’s involvement with indirect source rules.

Committee Action

No action taken.

OTHER BUSINESS

6. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

7. COMMITTEE MEMBER COMMENTS

None.

8. TIME AND PLACE OF NEXT MEETING

Wednesday, October 9, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source Committee members and members of the public will be able to either join in-person or via webcast.

9. ADJOURNMENT

The meeting was adjourned at 11:48 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards