

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**RESOLUTION NO. 2019-11**

**RESOLUTION NO. 2019-12**

**Resolution No. 2019-11: A Resolution of the  
Board of Directors of the Bay Area Air Quality Management District  
To Certify the Final Environmental Impact Report for the Owning Our Air: The  
West Oakland Community Action Plan**

**&**

**Resolution No. 2019-12: A Resolution of the  
Board of Directors of the Bay Area Air Quality Management District  
To Adopt the Owning Our Air: The West Oakland Community Action Plan**

WHEREAS, Assembly Bill 617 (C. Garcia 2017) (AB 617) requires CARB to work with air districts, community groups, industry, environmental organizations, and others to select locations around the state where communities and their air district will work together to reduce local air pollution;

WHEREAS, in September 2018, CARB approved the Air District's recommendation to develop and implement a community emission reduction plan for West Oakland;

WHEREAS, pursuant to AB 617, the Air District, in conjunction with the West Oakland Environmental Indicators Project (Indicators Project), developed a community emissions reduction program for West Oakland, referred to as Owning Our Air: The West Oakland Community Action Plan (the Plan);

WHEREAS, to formulate the Plan, the Air District and Indicators Project convened and led a Steering Committee of local stakeholders, including West Oakland residents, community leaders, public agency staff, business representatives, and non-profit groups, with monthly meetings open to the public starting in July 2018, and continuing for approximately a year;

WHEREAS, the Plan includes strategies at the community level to maximize emission reductions and reduce residents' cumulative exposure to criteria air pollutants, diesel particulate matter (Diesel PM), fine particulate matter less than 2.5 micrometers in length (PM<sub>2.5</sub>), and toxic air contaminants (TAC);

WHEREAS, the Plan includes land use strategies, mobile source strategies, stationary source strategies, and health programs strategies;

WHEREAS, the Plan is an integrated community air quality plan to reduce the community's burden from air pollution and eliminate health risk disparities in West Oakland;

WHEREAS, Air District staff, in conjunction with the Indicators Project and the Plan Steering Committee, have prepared the Plan, as presented to the Board of Directors and proposed for adoption at a public meeting of the Board of Directors on October 2, 2019, a copy of which is attached hereto and incorporated herein by reference, in order to approve and implement the Air District's Plan in accordance with AB 617;

WHEREAS, pursuant to AB 617 and Health & Safety Code section 44391.2, the Plan is a community emissions reduction program to achieve emissions reductions for West Oakland using cost-effective measures, and it includes assessments of existing and available measures for reducing emissions from contributing sources and categories of sources, including but not limited to best available control technology, best available retrofit control technology, and best available control technology for toxic air contaminants;

WHEREAS, the Plan was released on July 23, 2019 and introduced to the public at a Town Hall meeting on August 17, 2019 attended by over 100 people, including several local and state elected officials and community leaders;

WHEREAS, Air District staff engaged in a variety of written outreach efforts, including email notices and a web page on the District's website to keep interested members of the public up to date with current information and documentation regarding the development of the Plan;

WHEREAS, as a result of these public outreach efforts, the District received comments, suggestions and input on the Draft Plan from approximately 23 individuals, organizations and other entities;

WHEREAS, District staff have reviewed and considered all of the comments received and have revised the Draft Plan accordingly, as reflected in the Final Plan, and have prepared written responses to the comments that have been provided to the Board of Directors for review;

WHEREAS, the proposed adoption of the Plan constitutes a "project" pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code §§ 21000 et seq.);

WHEREAS, the Air District is the lead agency for this project under CEQA Guidelines section 15050 (14 California Code of Regulations section 15050);

WHEREAS, the Air District analyzed the Plan for potential environmental impacts pursuant to CEQA and released an Initial Study for the project in May 2019;

WHEREAS, District staff caused to be prepared an environmental impact report ("EIR") analyzing the potential environmental impacts of the Plan in accordance with the requirements of CEQA;

WHEREAS, District staff caused a Draft EIR to be publicized for review and comment by interested members of the public and others as required by CEQA;

WHEREAS, on or before July 25, 2019, the District published the Draft EIR and provided notification to the public and to other interested parties, via newspaper advertisement, email notifications, and on the District's website (among other means), that the Draft EIR was complete and was available for public review and comment;

WHEREAS, the public notification materials published by the District (i) informed the public that the Draft EIR was available on the District website and by request to the District and (ii) invited public comments on the Draft EIR during the period from July 25, 2019 to September 9, 2019;

WHEREAS, the District received 11 written comment letters during the 45-day public review and comment period;

WHEREAS, District staff considered all of the comments received and has prepared a Final EIR, which incorporates certain revisions to the Draft EIR based on the comments received as well as other considerations, and which includes copies of the comments received as well as written responses to the comments prepared by District staff;

WHEREAS, the Final EIR, a copy of which is attached hereto and incorporated herein by reference, was presented to the Board of Directors and proposed for certification by the Board of Directors at a public meeting of the Board of Directors on October 2, 2019,

WHEREAS, none of the revisions to the Draft EIR include any significant new information that would require recirculation of the Draft EIR under CEQA Guidelines Section 15088.5;

WHEREAS, the EIR found that the Plan will not have any significant adverse environmental impacts;

WHEREAS, this matter has been duly noticed and heard in compliance with applicable requirements of the Health & Safety Code and the Public Resources Code;

WHEREAS, the documents and other materials that constitute the record of proceedings on which the Plan and the Final EIR are based are located at the Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, 94105, and the custodian for these documents is Marcy Hiratzka, Clerk of the Boards;

WHEREAS, District staff provided copies of (i) the Plan, and (ii) the Final EIR, including the comments received on the Draft EIR and staff's responses thereto, to each of the members of the Board of Directors for their review and consideration in advance of the public meeting of the Board of Directors on October 2, 2019;

WHEREAS, District staff has recommended that the Board of Directors adopt the Plan;

WHEREAS, the Board of Directors concurs with recommendations of District staff regarding the Plan;

WHEREAS, District staff has recommended that the Board of Directors certify the Final EIR, which was prepared as the CEQA document for the Plan, as being in compliance with all applicable requirements of CEQA;

WHEREAS, the Board of Directors concurs with recommendations of District staff regarding the Final EIR for the Plan;

WHEREAS, the Board of Directors took a vote on certifying the Final EIR for the Plan;

WHEREAS, the Board of Directors subsequently took a separate vote on adoption of the Plan;

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**RESOLUTION NO. 2019-11**  
**TO CERTIFY THE FINAL EIR FOR OWNING OUR AIR: THE WEST**  
**OAKLAND COMMUNITY ACTION PLAN**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Bay Area Air Quality Management District does hereby certify and adopt the Final EIR for the Owing Our Air: The West Oakland Community Action Plan (the Plan), a copy of which is attached hereto and incorporated herein by reference.

**BE IT FURTHER RESOLVED** that in support of and as part of its certification and adoption of the Final EIR for the Plan, the Board of Directors hereby makes the following findings and certifications:

1. The Final EIR for the Plan has been prepared in accordance with all requirements of CEQA.
2. The Final EIR for the Plan was duly presented to the Board of Directors for its consideration in accordance with CEQA and other applicable legal requirements.
3. The Board of Directors has reviewed and considered the information in the Final EIR and the evidence in the record described and summarized in the Final EIR, including but not limited to the Final EIR's conclusion that the Plan will not have any significant adverse environmental impact.
4. The Final EIR (including responses to comments) is complete, adequate and in full compliance with CEQA as a basis for considering and acting upon the proposed Plan.
5. The Final EIR reflects the independent judgment and analysis of the Bay Area Air Quality Management District.
6. The Board of Directors has exercised its own independent judgment in reviewing, considering and certifying the Final EIR and in making the findings and certifications set forth in this Resolution, which reflects the independent judgment and analysis of the Board of Directors.
7. The documents and other materials that constitute the record of proceedings upon which the Board of Directors bases this Resolution and the findings and certifications contained herein are located at the Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, 94105; and the custodian for these documents and other materials is Marcy Hiratzka, Clerk of the Boards.

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The foregoing Resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of DIRECTOR BAUTERS, seconded by DIRECTOR HUDSON, on the 2nd day of October, 2019, by the following vote of the Board:

AYES: BARRETT, BAUTERS, CANEPA, CHAVEZ, CUTTER, GIOIA, HUDSON, JUE, KNISS, MILEY, RICE, ROSS, SINKS, SPERING, WAGENKNECHT, ZANE

NOES: NONE

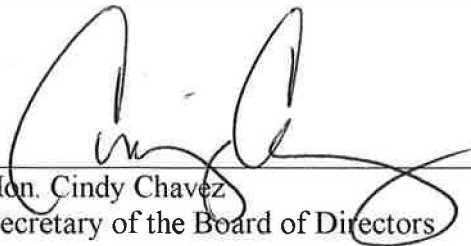
ABSTAIN: NONE

ABSENT: ABE-KOGA, GROOM, HAGGERTY, KIM, MAR, MITCHOFF, WALTON, WILSON



Hon. Katie Rice  
Chairperson of the Board of Directors

ATTEST:



Hon. Cindy Chavez  
Secretary of the Board of Directors

**RESOLUTION NO. 2019-12**  
**TO ADOPT THE OWNING OUR AIR: THE WEST OAKLAND COMMUNITY**  
**ACTION PLAN**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Bay Area Air Quality Management District does hereby adopt the Owning Our Air: The West Oakland Community Action Plan (the Plan), a copy of which is attached hereto and incorporated herein by reference.

**BE IT FURTHER RESOLVED** that in support of and as part of its adoption of the Plan, the Board of Directors hereby makes the following findings and certifications:

1. The Plan provides for a community emissions reduction program including strategies to achieve emissions reductions for West Oakland using cost-effective measures.
2. The Plan includes an assessment of the existing and available measures for reducing emissions from contributing sources and categories of sources, both stationary and mobile sources.
3. Such measures for reducing emissions include but are not limited to best available control technology, best available retrofit control technology, and best available control technology for toxic air contaminants.
4. The Plan applies methodologies for assessing and identifying the contributing sources and categories of sources, both stationary and mobile, as well as estimates of those sources' relative contributions to elevated exposure to air pollution in the impacted community of West Oakland.
5. The Plan includes strategies at the community level, including land use, mobile source, stationary source, and health programs strategies, to maximize emission reductions and reduce residents' cumulative exposure to criteria air pollutants, Diesel PM, PM<sub>2.5</sub>, and TAC;
6. The Board of Director's approval of the Plan is based on and supported by (among other things) the Board's consideration of the Final EIR for the Plan.

The foregoing Resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of DIRECTOR BAUTERS, seconded by DIRECTOR HUDSON, on the 2nd day of October, 2019, by the following vote of the Board:

AYES: BARRETT, BAUTERS, CANEPA, CHAVEZ, CUTTER, GIOIA, HUDSON, JUE, KNISS, MILEY, RICE, ROSS, SINKS, SPERING, WAGENKNECHT, ZANE

NOES: NONE

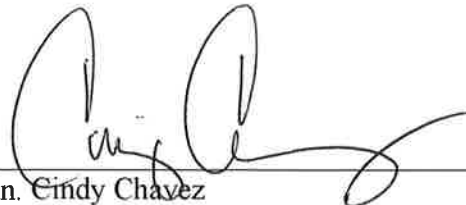
ABSTAIN: NONE

ABSENT: ABE-KOGA, GROOM, HAGGERTY, KIM, MAR, MITCHOFF, WALTON, WILSON



Hon. Katie Rice  
Chairperson of the Board of Directors

ATTEST:



Hon. Cindy Chavez  
Secretary of the Board of Directors