



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

COMMUNITY ADVISORY COUNCIL  
SPECIAL / RETREAT  
MEETING

September 14-15, 2023

**THIS SPECIAL MEETING WILL BE HELD IN PERSON AT:**

**Sheraton Sonoma Wine Country Petaluma Hotel  
745 Baywood Drive  
Petaluma, CA 94954**

**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 Community Advisory Council 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](http://www.baaqmd.gov/bodagendas).**

**Members of the public may participate remotely via Zoom at <https://us02web.zoom.us/j/88484581391>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. Para Español, marque: (888) 688-2099. Esta línea telefónica es solo para escuchar, no hay moderador.**

**The Webinar ID for this meeting is 884 8458 1391**

**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 Council on that agenda item, unless a different time limit is established by the Co-Chairs. No speaker who has already spoken on an item will be entitled to speak to that item again. Members of the public who wish to speak on matters on the agenda for the meeting, and who are speaking through an interpreter, will have six minutes each to address the Council.**

**The Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Council meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Council 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.**

## **COMMUNITY ADVISORY COUNCIL SPECIAL / RETREAT MEETING AGENDA**

**THURSDAY, SEPTEMBER 14, 2023**

**12:00 PM**

**1. Call to Order - Roll Call (Day 1)**

*The Facilitator, on behalf of the Council Co-Chairs, shall call the meeting to order and the Clerk of the Boards shall take roll of the Council Members.*

**2. Grounding the Work of the Community Advisory Council on Environmental Justice**

**A) Organizational Level Setting**

*Air District Board of Directors Chair Bauters and Vice Chair Hurt will provide welcoming remarks and Dr. Philip Fine, Executive Officer / APCO will provide an overview of Air District functions.*

**B) Team Building Discussion**

*The Community Advisory Council will engage in a team building discussion to strengthen their communication, collaboration, and connections.*

**C) Federal Perspective on Environmental Justice**

*Robin Collin, Senior Advisor to the U.S. EPA Administrator for Environmental Justice will provide a perspective on how government can partner with local communities to promote wellness.*

**3. Environmental Justice Action Planning**

*Vernice Miller-Travis of The Metropolitan Group will engage the Community Advisory Council (CAC) in the development of the Environmental Justice (EJ) Action Plan and CAC Co-Chair Latasha Washington will provide an update from the EJ Policy Ad Hoc Committee.*

**CONSENT CALENDAR (Item 4)**

**4. Approval of the Draft Minutes of the Community Advisory Council Meeting of July 20, 2023**

*The Council will consider approving the Draft Minutes of the Community Advisory Council Meeting of July 20, 2023.*

**FRIDAY, SEPTEMBER 15, 2023**  
**9:00 A.M.**

5. **Call to Order - Roll Call (Day 2)**

*The Facilitator shall resume the meeting on Day 2 and the Clerk of the Boards shall take roll of the Council members.*

6. Environmental Justice Perspectives

A) Team Building Discussion

*The Community Advisory Council will engage in a team building discussion to strengthen their communication, collaboration, and connections.*

B) Local Perspective on Environmental Justice

*Marisol Cantú, third generation Richmond resident, teacher, and advocate will provide a perspective on local efforts to reduce emissions as a member of the Richmond-North Richmond-San Pablo Area AB617 Community Steering Committee.*

7. Development of Community Advisory Council Goals and Work Plan

*Community Advisory Council Member William Goodwin will provide an overview and progress update on the CAC Work Plan development. Belinda Lyons-Newman of Lyons-Newman Consulting will engage the Community Advisory Council in a working session to further refine and develop the CAC Work Plan, including the development of goals for the year.*

**OTHER BUSINESS**

8. Time and Place of Next Meeting

*Thursday, November 16, 2023, at 6:00 p.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Community Advisory Council members and members of the public will be able to either join in-person or via webcast.*

9. Adjournment

*The Council meeting shall be adjourned by the facilitator.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://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](http://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](mailto: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

#### SEPTEMBER 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Meeting	Monday	11	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	13	10:00 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Wednesday	13	1:00 p.m.	1 <sup>st</sup> Floor, Yerba Buena Room
Community Advisory Council Retreat (2-day event)	Thurs/Fri	14/15	11:00 a.m. / 8:00 a.m.	Sheraton Sonoma Wine Country Petaluma Hotel Ballroom 745 Baywood Drive Petaluma, CA 94954
Board of Directors Meeting	Wednesday	20	9:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	20	1:00 p.m.	1 <sup>st</sup> Floor Board Room

#### OCTOBER 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	4	9:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Legislative Committee	Wednesday	4	11:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Finance and Administration Committee	Wednesday	4	1:00 p.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	11	10:00 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	11	1:00 p.m.	1 <sup>st</sup> Floor, Yerba Buena Room
Board of Directors Meeting	Wednesday	18	9:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Finance and Administration Committee	Wednesday	18	11:30 a.m.	1 <sup>st</sup> Floor Board Room

## OCTOBER 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Community Equity, Health and Justice Committee</b>	<b>Wednesday</b>	<b>18</b>	<b>1:00 p.m.</b>	<b>1<sup>st</sup> Floor Board Room</b>

MB 9/06/2023 – 5:10 p.m.  
G/Board/Executive Office/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 14, 2023

Re: Grounding the Work of the Community Advisory Council on Environmental Justice

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This is an informational item for the Community Advisory Council (CAC) to hear welcoming remarks and a federal perspective on environmental justice from Robin Collin, Senior Advisor to the U.S. EPA Administrator for Environmental Justice, and to learn from each other’s experience with air pollution. Collin is nationally recognized for her leadership and scholarship in the areas of sustainability, energy, and environmental justice. Collin held professorships at Willamette University, Tulane Law School, McGeorge School of Law, and the University of Oregon, and visiting faculty positions at Washington & Lee Law School, and Pepperdine Law School. Collin served as founding chair of the State of Oregon’s Environmental Justice Task Force, among other positions on local, state, and federal environmental justice organizations.

DISCUSSION

During the first part of this item, A. “Organizational Level Setting,” the CAC will hear welcoming remarks from Board leadership and Dr. Philip Fine will provide an overview of how the Air District functions. The second part, B. “Team Building Discussion,” will be an opportunity for the CAC to answer the question: What air pollution problem exists in your neighborhood or the community you work with? In the last part of this item, C. “Federal Perspective on Environmental Justice,” Robin Collin, Senior Advisor to the U.S. EPA Administrator for Environmental Justice will share her perspective on partnering with local communities.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Miriam Torres  
Reviewed by: Veronica Eady

ATTACHMENTS:

None



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 14, 2023

Re: Environmental Justice Action Planning

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This is an informational item for the Community Advisory Council (CAC) to learn about the progress and engage in the work of the Environmental Justice Policy Ad Hoc Committee. During the CAC meeting on September 9, 2022, the CAC voted to establish an Environmental Justice Policy Ad Hoc Committee to work on the development of an Environmental Justice (EJ) Policy for recommendation to the Board of Directors. The EJ Policy will include a companion EJ Action Plan to promote equity and Environmental Justice in the Air District's work. The Environmental Justice Policy Ad Hoc Committee started meeting in December 2022 and is working with The Metropolitan Group and the Air District to plan and develop an EJ Policy and Action Plan. With Dr. Phil Fine's launch of the Air District's strategic planning process, the Environmental Justice Policy Ad Hoc Committee is now working to prioritize EJ actions for integration into the agency's strategic planning process.

The Metropolitan Group is a social change agency that crafts strategic and creative services to amplify the power of voice of change agents in building a just and sustainable world. The Metropolitan Group's Executive Vice President, Vernice Miller-Travis, provides unparalleled Environmental Justice expertise in working with the CAC, staff, and the Board to develop an agency-wide Environmental Justice Action Plan. Vernice Miller-Travis previously worked with Bay Area communities during her tenure as Environmental Program Officer at the Ford Foundation. Moreover, in her roles as a Strategist, a National Environmental Justice Advisory Council (NEJAC) Councilmember for US EPA, coupled with her ongoing EJ training work, Vernice Miller-Travis has developed a national profile and an original EJ curriculum. She specializes in local, state, and national environmental policy development, sustainable economic development strategies and community revitalization, brownfields revitalization, environmental justice, urban and land-use planning, and equitable and sustainable community development.

## DISCUSSION

During the upcoming CAC September 14-15 Retreat, Agenda Item #3 “Environmental Justice Action Planning,” will consist of presentations and discussions related to the development of an Environmental Justice Policy and Action Plan for the Air District. The Environmental Justice Policy Ad Hoc Committee of the CAC and the consultant on this project, The Metropolitan Group, will provide their expertise on Environmental Justice perspectives as well as engage the CAC in a discussion about the Environmental Justice Policy and Action Plan.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

Funds for the EJ Action Planning session presentation by The Metropolitan Group are included in the budget within the Air District’s professional services Contract No. 2021.073.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Amy Smith  
Reviewed by: Veronica Eady

## ATTACHMENTS:

1. EJ Policy Ad Hoc Committee’s Brainstorm Responses to the Questions What is the environmental justice need\_HANDOUT
2. EJ Policy Ad Hoc progress update HANDOUT

**Community Advisory Council  
Environmental Justice (EJ) Policy Ad Hoc Committee  
Theory of Change Exercise: Brainstorm Results of Question 1A  
Summer 2023**

**Defining the Need: Question 1A: What is the Environmental Justice need? (e.g., what is the problem to solve? what changes are we seeking?)**

1. Atonement for past wrongs and Air District actions behind the words
2. Equity for all
3. Equity means a reinvestment back to the people who have been neglected and disenfranchised. Equity should be defined through the community's eyes.
4. Just transition - reducing impacts, advancing justice for impacted communities
5. The transition itself must be just and equitable; redressing past harms and creating new relationships of power for the future through reparations.
6. EJ community involvement in all the processes, especially concerning enforcement and penalty funding back to community
7. Representation. Having community voice and opinions matter in the end result. Let us tell you what will work for us.
8. Community-led solutions
9. Community engagement
10. Better communication with impacted communities
11. Impacted communities need to include the unhoused population. It can't exclude the unhoused population as it overlaps with impacted areas.
12. If impacted communities are doing better, everyone is doing better
13. Laws that prohibit discrimination and air pollution regulations will be enforced. Laws such as AB617 were created to center communities.
14. Resources to ensure actions
15. Should be a scientific-driven process to Air District act upon.
16. Consider cumulative impact
17. Having community-level air quality information
18. Fence line monitoring
19. Current audit of monitoring system with 3<sup>rd</sup> party input and a roadmap for change
20. Making the data more community-friendly and understandable
21. Companies that incorporate violation fees into their business models (and don't have integrity re: the impact on pollution in communities)
22. Accountability, transparency, inclusion, and accessibility for EJ communities in Air District practices
23. Are we working with the existing staff structure, or would it shift to effectively address both (1) Clean Air Act and (2) EJ community needs?
24. Breaking the cycle of discriminatory regulatory practices
25. We need a close-loop feedback mechanism to get community input
26. Shifting the power dynamic

**Community Advisory Council (CAC)'s  
Environmental Justice (EJ) Policy Ad Hoc Committee  
EJ Policy and Action Plan Progress Update  
December 2022 – August 2023**

## **Introduction**

At its September 8, 2022 meeting, the Community Advisory Council (CAC) established the Environmental Justice (EJ) Policy Ad Hoc Committee. The goal of the EJ Policy Ad Hoc Committee is to develop an EJ Policy for the Bay Area Air Quality Management District (Air District) in collaboration with Air District leadership, the Board of Directors, Air District Division Directors and other Air District staff. The EJ Policy will include a companion EJ Action Plan to promote equity and Environmental Justice in the Air District's work. The EJ Policy Ad Hoc Committee and the Air District are engaging in a shared-learning process about environmental justice, and what environmental justice should look like in action at the Air District. The EJ Policy and Action Plan development will continue to be a collaborative process. The Air District is currently starting a strategic planning process and the goal is to integrate the EJ Action Plan into the process.

## **History of the EJ Policy Ad Hoc Committee's Process**

- During the first meeting of the EJ Policy Ad Hoc Committee on December 12<sup>th</sup>, 2022, Committee Members:
  - Met with the consultants from The Metropolitan Group, who were hired to provide guidance to the Air District in the development of an EJ Policy and Action Plan.
    - The Metropolitan Group is a social change agency that crafts strategic and creative services to amplify the power of voice of change agents in building a just and sustainable world. They build the capacity of change agents to leverage their power of voice, and they design, implement and evaluate direct efforts to create change. They do this through three practice areas: Strategic Communication, Intercultural Engagement, and Organizational Strategy and Innovation.
    - Vernice Miller-Travis, who is working closely with the Air District and the EJ Policy Ad Hoc Committee on this project, is the Executive Vice President of The Metropolitan Group and leads their Environmental Justice Focus Area. She is one of the nation's pioneering and most respected thought leaders on environmental justice and the interplay of civil rights and environmental policy.
  - Selected the EJ Policy Ad Hoc Committee leadership model and elected Co-Chair Washington and Council Member Ruano Hernandez to serve as Co-Chairs for the EJ Policy Ad Hoc Committee.

- Established a regular EJ Policy Ad Hoc Committee meeting as biweekly Mondays at 4 p.m. for 1.5 hours.
- During the January, February, and March meetings, the EJ Policy Ad Hoc Committee:
  - Learned about and discussed the draft EJ Policy Outline, which was developed by Suma Peesapati, the Environmental Justice and Community Engagement Officer for the Air District. The committee discussed different elements of the draft EJ Policy Outline, adding technical details and asking questions about current Air District rules and processes.
  - Discussed plans for meeting with District leadership and The Metropolitan Group as part of an EJ Policy and Action Plan development and implementation strategy.
  - Divided into subgroups that worked on key elements of the draft EJ Policy Outline to add community perspectives on these EJ solutions.
- On April 19<sup>th</sup>, CAC Co-Chair Washington and Veronica Eady presented the EJ Policy and Action Plan timeline and development plan at the Board of Director's Community Equity, Health, and Justice (CEHJ) committee meeting as part of the CAC March meeting update.
  - The CEHJ committee advises the Board of Directors regarding equitable and inclusive actions the Air District takes to create a healthy breathing environment for all people of the Bay Area, regardless of race, ethnicity, age, gender identity, national origin, immigration status, or sexual orientation. This committee addresses disparities by applying an equity lens to Air District programs, policies, practices, and procedures, and prioritizes traditionally marginalized and disinvested communities for investment opportunities to ensure communities highly impacted by air pollution receive program and policy prioritization.
- During the April and May EJ Policy Ad Hoc Committee meetings, the members:
  - Developed talking points for the EJ Policy and Action Plan to establish a shared understanding of the process and building consensus among all stakeholders that include Air District staff, Leadership, Board Members, and CAC Members.
- May meetings with The Metropolitan Group, Air District leadership, and the EJ Policy Ad Hoc Committee finalized an approach to successfully implement the EJ Action Plan and align with the Air District's upcoming Strategic Planning process.
- Part of the pre-planning for the Strategic Plan development that is involved in this EJ Policy and Action Plan process, includes:
  - Developing overarching EJ Goals for the EJ Policy and Action Plan.
  - Discussing concrete EJ solutions for potential integration into the Air District's Strategic Plan.
  - Engaging Air District Division Directors to discuss current Division actions and EJ perspectives.
  - Holding meetings between the EJ Policy Ad Hoc Committee and Air District Division Directors to build relationships and engage in collaboration on the EJ Policy and Action Plan.

- During the May and June EJ Policy Ad Hoc Committee meetings, the members:
  - Engaged in a “Theory of Change” discussion exercise in order to gather ideas from the EJ Policy Ad Hoc Committee members to align with a shared purpose and approach to developing a successful EJ Policy and Action Plan for the Air District. The group discussed topics central to environmental justice that included defining the immediate need and the desired changes for EJ solutions and outcomes.
- During the August 7<sup>th</sup> meeting, the EJ Policy Ad Hoc Committee had a training from The Metropolitan Group on Communicating with Decision-Makers for effective organizing for transformational agency change.
- In the coming months meetings are being planned between the EJ Policy Ad Hoc Committee and Air District Division Directors to build relationships and engage in collaboration on the EJ Policy and Action Plan.
- Vernice Miller-Travis of The Metropolitan Group is providing an update on the EJ Policy and Action Plan process and will lead an activity at the September 14<sup>th</sup> CAC Retreat meeting. This is a good opportunity for all CAC Members to engage on this EJ Policy and Action Plan development process.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 14, 2023

Re: Approval of the Draft Minutes of the Community Advisory Council Meeting of July  
20, 2023

RECOMMENDED ACTION

Approve the Draft Minutes of the Community Advisory Council Meeting of July 20, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Community Advisory Council Meeting of July 20, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Community Advisory Council Meeting of July 20, 2023

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

**DRAFT MINUTES**

Community Advisory Council  
Thursday, July 20, 2023

**1. CALL TO ORDER - ROLL CALL**

The meeting Facilitator, Randolph Belle of Randolph Belle, Artist (RBA) Creative, called the Community Advisory Council (Council) in-person meeting to order at 6:05 p.m. After reciting the expectations and ground rules of the meeting, Co-Chair Latasha Washington made the following announcements:

- On July 5, 2023, the Air District’s Board of Directors approved the Council’s proposed Governing Structure and Charter and adopted the Council’s proposed Compensation Policy and Procedures. The Council and Air District staff thank Council Member Goodwin and the Governance Ad Hoc Committee for developing these documents.
- The Council and Air District staff send condolences to Council Members who have recently lost loved ones.

**Roll Call:**

Present, In Person: Council Co-Chairpersons Ms. Margaret Gordon, Kevin John Jefferson, and Latasha Washington; and Council Members William Goodwin, Arieann Harrison, Cecilia Mejia, Hana Mendoza, Rio Molina, Charles Reed, Dr. Jeff Ritterman, Kevin G. Ruano Hernandez, and Ken Szutu.

Absent: Council Members Dr. Juan Aguilera, Fernando Campos, Joy Massey, Mayra Pelagio, and Violet Saena.

*Note: Dr. Aguilera listened into the meeting remotely via Zoom as member of the public since his reason for attending remotely did not fall under exemptions for “just cause,” which allows for remote participation under Assembly Bill (AB) 2449 (Rubio, 2022). Thus, he was marked as “absent.”*

**CONSENT CALENDAR**

**2. APPROVAL OF THE DRAFT MINUTES OF MAY 18, 2023**

Public Comments

No requests received.



Council Comments

None.

Council Action

Council Member Ruano Hernandez made a motion, seconded by Council Member Reed, to **approve** the Draft Minutes of May 18, 2023, and the motion **carried** by the following vote of the Council:

AYES: Goodwin, Harrison, Jefferson, Mejia, Mendoza, Molina, Reed, Ritterman, Ruano Hernandez, Szutu, Washington.  
NOES: Gordon.  
ABSTAIN: None.  
ABSENT: Aguilera, Campos, Massey, Pelagio, Saena.

Motion Approved

**INFORMATIONAL ITEMS**

**3. COMPLIANCE AND ENFORCEMENT (C&E) UPDATE: AIR QUALITY COMPLAINT DATA AND PROGRAM REVIEW**

Ying Yu, Senior Air Quality Specialist of the Compliance and Enforcement Division, gave the staff presentation *Compliance and Enforcement Update: Air Quality Complaint Data and Program Review*, including: requested action; outcome; glossary of terms; outline; Air Quality Complaint Program goals and objectives; steps in the Air Quality Complaint investigation process; complaint response time goals; how is the complaint status determined; complaints and enforcement actions; rules and enforcement actions; complaint coordination with other agencies; complaints by type and city; 5-year complaint summary; complaint confirmation rate; variables that influence confirmation rates; other factors that influence complaint response and investigation; and opportunities for community assistance and support to complaint investigations.

Public Comments

Public comments were given by Kathy Kerridge.

Council Comments

The Council and staff discussed whether the Air District can impose a penalty on permitted facilities that release odors that become public nuisances; whether Notices of Violation are shared with the city councils of impacted jurisdictions, and the request to supply the City of Richmond with such information; concerns about the way in which the Air District handles unconfirmed complaints; the request for actions resulting from investigations based upon complaints; how the Air District's current Air Quality Complaint Program impacts affected fenceline communities; the sources of complaints in the City of Milpitas; whether the Air District can decipher the components of detected odors; the geographic distribution of Air Quality Inspectors; which public agencies the

Air District coordinates with when investigating complaints; the desire for more detailed information in staff presentations; the request that an environmental justice/community element be added to the Air Quality Complaint Program and enforcement and penalty processes; whether the Air District has ever provided technical support to community members who were pursuing legal action against a polluting facility; who determines the threshold of a complaint before it is investigated; the fact that the Air District’s definition of an “emergency” may be defined differently by the public; whether the Air District responds to incidents on weekends and/or during evening hours, and how it interacts with first responder agencies; whether the Air District is considered an emergency response agency/ first responders; whether the Air District is required to send reports to jurisdictions (not including to Board members who are also city councilmembers and county supervisors); whether the Air District is part of the IVAN Air Monitoring network; the types of injuries that public nuisances cause; the frequency in which three or more violation notices issued in a 30 day period to a facility for public nuisance occurs; the suggestion that the Air District holds reoccurring community events to address air quality complaints; whether a permitted facility may be issued a permit while they have an outstanding Notice of Violation; the desire that Air District facility inspectors be familiar with Bay Area impact zones; methods, tools, equipment, and technologies utilized by the Air District to confirm that a facility has committed a violation of Air District regulations; the suggestion that the Air District utilizes data that the community gathers during incidents and uses it as supporting evidence; the request for a “feedback” step of the Air Quality Complain Program, in which the complainant can provide feedback on the communication of the inspector’s findings; how the Air District’ complaint confirmation rate compares to those of other California air districts of comparable size, as well as those of the US and California Environmental Protection Agencies; proposed changes to the Air District’s anticipated Air Quality Complaint Policy; whether the Air District is using its mobile monitoring trucks; the suggestion that this item be a standing item on every Council agenda; and the suggestion of the creation of a Citizen Science/Community Engagement Ad Hoc Committee.

**THE COUNCIL RECESSED AT 7:52 P.M., AND RESUMED AT 8:07 P.M.**

Council Action

None; receive and file.

**4. GOVERNANCE AD HOC COMMITTEE UPDATE**

Mr. Belle announced that the Co-Chairs requested that these updates be sent to the Council via electronic mail. No updates were given verbally.

Public Comments

No requests received.

Council Comments

None.

Council Action

None; receive and file.

**5. ENVIRONMENTAL JUSTICE POLICY AD HOC COMMITTEE UPDATE**

Mr. Belle announced that the Co-Chairs requested that these updates be sent to the Council via electronic mail. No updates were given verbally.

Public Comments

No requests received.

Council Comments

None.

Council Action

None; receive and file.

**OTHER BUSINESS**

**6. REPORT OF THE EXECUTIVE OFFICER / AIR POLLUTION CONTROL OFFICER (APCO)**

Dr. Philip M. Fine, Executive Officer/APCO, gave remarks on the following items:

- On June 7, 2023, the Air District’s Board of Directors approved the Budget for the Fiscal Year Ending June 30, 2024 (FY 2023-2024)
- Recruitment has been underway for the following positions: Deputy Executive Officer of Administration, Deputy Executive Officer of Engineering & Compliance, and Deputy Executive Officer of Public Affairs.
- Vernice Miller-Travis, Executive Vice President for Environmental Justice and Social Justice of the Metropolitan Group, has contracted with the Air District to provide guidance on how to incorporate environmental justice into the Air District’s upcoming strategic plan.
- The Air District is sponsoring or monitoring the following bills that are still actively being considered by the California Legislature:
  - AB 1465 (Wicks) - Nonvehicular air pollution: civil penalties;
  - SB 674 (Gonzalez) - Air pollution: refineries: community air monitoring systems: fence-line monitoring systems; and
  - AB 849 (Garcia) - Community emissions reduction programs.
- The Air District has partnered with the Bay Air Center, a community resource for community-based organizations that have received funding from either the California Air Resources Board or the Environmental Protection Agency for technical, community-led air quality projects. The Bay Air Center provides technical guidance, materials, and training

to Bay Area community members and organizations, free of charge, to support their efforts to understand and improve air quality.

- The Air District received a grant from the American Rescue Plan for enhanced community air monitoring (sensors and home filtration units) in East Oakland.

### Council Comments

The Council and staff discussed concerns about the perceived lack of communication between community organizations, community steering committees under the Community Health Protection Program (AB 617), and the Air District regarding the sharing of information and opportunities.

#### **7. PUBLIC COMMENT ON NON-AGENDA ITEMS**

No requests received.

#### **8. COUNCIL MEMBER COMMENTS / OTHER BUSINESS**

None.

#### **9. TIME AND PLACE OF NEXT MEETING**

Thursday, September 14, 2023(12:00 p.m.-5:00pm) through Friday, September 15, 2023 (9:00 a.m.- 2:30pm) at Sheraton Sonoma Wine Country Sheraton, 745 Baywood Dr, Petaluma, CA 94954. The meeting will also be webcast for members of the public.

#### **10. ADJOURNMENT**

The meeting was adjourned at 9:03 p.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington  
and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 14, 2023

Re: Environmental Justice Perspectives

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This is an informational item for the Community Advisory Council (CAC) to hear from each other and a local speaker on equity and environmental justice.

DISCUSSION

During the first part of the item, “A. Team Building Discussion,” the CAC will have an opportunity to answer the question: How do you define equity? During the second part, “B. Local Perspective on Environmental Justice,” the CAC will hear a presentation and engage in discussion with Marisol Cantú. Marisol Cantú is a third generation Richmond resident, teacher, and advocate who will provide a perspective on community listening sessions and just transition related to local efforts to reduce emissions as a member of the Richmond-North Richmond-San Pablo Area AB617 Community Steering Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Marisol Cantú will receive a stipend for speaking at the CAC retreat on September 15, 2023.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Amy Smith  
Reviewed by: Veronica Eady

ATTACHMENTS:

None

Name: \_\_\_\_\_

Date: \_\_\_\_\_

### Deep Listening Activity

**Instructions:**

1. Summarize- give a synopsis of what you heard from this community member
2. List- Key Themes, Takeaways, and Messages that stood out to you
3. Write- Emotions you heard from differences in tones, pauses, pitches, inflections
4. Express- How you personally felt while listening to the community member's emotions

<p><b>Listening to Summarize</b> <u><a href="#">Episode 2: At Our Expense</a></u> Dr. Amanda Milstein (2:45-5:12)</p>	<p><b>Listening for Key Themes + Messages</b> <u><a href="#">Episode 5: Asthma Club</a></u> City Councilmember Eduardo Martinez + Randy Joseph (8:53-11:16)</p>
<p><b>Listening for Emotions + Tones + Pauses</b> <u><a href="#">Episode 2: At Our Expense</a></u> Lidia (21:48-22:48)</p>	<p><b>Listening to Respond</b> <u><a href="#">Episode 1: Lay of the Land</a></u> Saeed (28:50-29:33)</p>

Probing Question:

If you could ask this community member one follow-up question, what would it be?

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairpersons Margaret Gordon, John Kevin Jefferson, and Latasha Washington and Members of the Community Advisory Council

From: Philip M. Fine  
Executive Officer/APCO

Date: September 14, 2023

Re: Development of Community Advisory Council Goals and Work Plan

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This is an informational item for the Community Advisory Council (CAC) to review the background on the development of the work plan and engage in an activity to develop goals and an updated work plan. During the March 16, 2023 CAC Meeting, the Work Plan Ad Hoc Committee presented a draft CAC Work Plan. The CAC asked for numerous edits to revamp the draft work plan, including: goals, benefiting counties, specific benefits to communities, and other pertinent information (updated version attached). Air District leadership also requested flexibility in the work plan to address potential emerging or urgent matters, which has been addressed through the CAC Charter. The Work Plan Ad Hoc Committee has worked with staff to make the requested edits and has provided updates during the CAC meeting or via email. During the editing process, agenda items that were no longer relevant were deleted at the request of the Council Member who originally proposed the item. With a resulting shorter work plan, the Work Plan Ad Hoc Committee decided to embark on a new process to re-imagine and develop a new work plan. The CAC Co-Chairs approved the Work Plan Ad Hoc Committee's recommendation to hire the Lyon-Newman Consulting firm to support the development of the CAC work plan. Lyons-Newman Consulting provides equity-centered strategic planning, facilitation, and organizational development services to nonprofit and governmental organizations.

DISCUSSION

During this session of the retreat, the CAC will work together to develop overarching goals and a work plan that reflects a shared vision. Belinda Lyons-Newman of Lyons-Newman Consulting will facilitate a two-hour session at the CAC Retreat on September 15, 2023 on the Development of CAC Goals and Work Plan. After the retreat, the consultant will work with the Work Plan Ad Hoc Committee to finalize the CAC Goals and Work Plan.



BUDGET CONSIDERATION/FINANCIAL IMPACT

The total not-to-exceed amount of the contract with Lyons-Newman Consulting is \$14,963 and will be deducted from the Fiscal Year Ending 2024 budget for Community Advisory Council work.

Respectfully submitted,

Philip M. Fine  
Executive Officer/APCO

Prepared by: Lisa Flores and Miriam Torres  
Reviewed by: Veronica Eady

ATTACHMENTS:

- 1. 2023-2024 DRAFT Work Plan Updated Sept 2023
- 2. Work Plan Goals Survey Synthesis for CAC Retreat

## 2023-2024 Work Plan DRAFT

*During the March 16, 2023 Community Advisory Council (CAC) Meeting, the Work Plan Ad Hoc Committee presented an initial draft of this work plan to the CAC. The CAC asked for numerous edits to revamp the draft work plan, including: goals, benefiting counties, specific benefits to communities, and other pertinent information. The updated version below reflects the changes requested by the CAC and integrated by the Work Plan Ad Hoc Committee.*

### **November 2023**

#### **1. Compliance & Enforcement Update (Case Study)**

- Requested by: Co-Chair Jefferson and Council Member Szutu
- Goal: To share real-time information on issues and resolutions regarding settlements, violations, and lawsuits.
- County: Any community in any county within the Air District's jurisdiction.
- How it benefits the community: Better understanding of rules and regulations, real-time updates of issues.
- Note: This item reoccurs every other meeting and the specifics are defined in collaboration with interested council members.

#### **2. Presentation on the Progress of Amendments to Rules 9-4 and 9-6 that would Reduce Emissions of Nitrogen Oxides from Residential and Commercial Furnaces and Water Heaters in Buildings in the Bay Area and related funding.**

- Requested by: Council Members Szutu and Molina, suggested by a Board member.
- Goal: The Bay Area Air Quality Management District adopted amendments in March 2023 to Regulation 9, Rule 4: Nitrogen Oxides from Fan Type Residential Central Furnaces ("Rule 9-4") and Regulation 9, Rule 6: Nitrogen Oxides Emissions from Natural Gas-Fired Boilers and Water Heaters ("Rule 9-6") to improve overall regional air quality and health outcomes by reducing nitrogen oxides and associated pollutants. The goal of bringing this item to the CAC is to focus on creating supporting structures and equitable outcomes of the Rules 9-4, 9-6 for environmental justice communities.
- Rule 9-4 applies to the natural gas-fired space-heating furnaces commonly found in single-family homes and Rule 9-6 applies to natural gas-fired water heaters commonly found in residential and commercial applications. These sources generate a substantial portion of nitrogen oxides (NO<sub>x</sub>) emissions from sources in the Bay Area. In 2019, emissions from residential natural gas combustion accounted for roughly the same amount of NO<sub>x</sub> emissions as passenger vehicles. Furnaces and water heaters, which vent emissions to the outdoors and therefore

impact regional air quality, account for about 90 percent of the total emissions from building appliances.

- County: Health benefits to all Bay Area counties, particularly communities of color.
- How it benefits the community: Exposure to NO<sub>x</sub> and their atmospheric reaction products can greatly impact health. Breathing air with a high concentration of NO<sub>x</sub> can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases, particularly asthma, leading to respiratory symptoms (such as coughing, wheezing or difficulty breathing), hospital admissions and visits to emergency rooms. Longer exposures to elevated concentrations of NO<sub>x</sub> may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly are generally at greater risk for the health effects of NO<sub>x</sub>.
- Nitrogen oxides react with other chemicals in the air to form both fine particulate matter (PM<sub>2.5</sub>) and ozone (O<sub>3</sub>). Both of these pollutants are harmful when inhaled. PM<sub>2.5</sub> has been linked to a broad range of health effects, including premature mortality, adverse respiratory health effects, cardiovascular diseases, impacts to cognitive function, and cancer. Through the reduction of NO<sub>x</sub> and PM<sub>2.5</sub> emissions, the amendments are projected annually to prevent up to 85 premature deaths and save up to \$890 million in health impacts.

## **January 2024 & March 2024**

### **1. Update on the Wildfire Mitigation and Home Air Filtration Program**

- This would be an update of the program's impact following up on the first presentation in June 2022.
- Goal: Provide an update on the program, which was previously recommended to the Board of Directors by the Community Advisory Council.
- County: AB 617 communities and communities with an overall score of 70 to 100 in CalEnviroScreen 4.0.
- How it benefits the community: The program seeks to ameliorate the impact of wildfire smoke and poor air quality on vulnerable populations.

### **2. Discuss How the CAC Can Support Biomonitoring Work in More Communities, With More People, and to Promote Policy Changes.**

- Requested by: Council Member Harrison
- Goal: To create better understanding of the health impacts from pollution through biomonitoring
- County: Any community in any county within the Air District's jurisdiction.

- Note: The Air District does not conduct biomonitoring and does not have staff with this expertise.

## **May 2024 & June 2024**

### **2. Compliance & Enforcement Update**

- Requested by: Co-Chair Jefferson and Council Member Szutu
- Goal: To share real-time information on issues and resolutions regarding settlements, violations, and lawsuits.
- County: Any community in any county within the Air District's jurisdiction.
- How it benefits the community: Better understanding of rules and regulations, real-time updates of issues.
- Note: This item reoccurs every other meeting and the specifics are defined in collaborations with interested council members.

### **3. Bay Air Center / Technical Support for Overburdened communities**

- Suggested by: Air District Staff
- Goal: Explain how to access and use air monitoring data, including fenceline monitoring data (weather information/wind direction).
- County: Any community in any county within the Air District's jurisdiction.
- How it benefits the community: Knowledge or data of local air quality can potentially point to the source with the ultimate goal of reducing emissions.

## **Community Advisory Council Retreat Work Plan Survey - Synthesis**

### **Context**

Air District staff shared a one-way survey, "Work Plan Survey," with the Community Advisory Council (CAC) in advance of the CAC retreat. The following document was prepared based on the responses received on the Work Plan Survey. The survey was sent to CAC members on August 21st and closed on August 25th. The survey consisted of one question—included below—which asked respondents: "Given the CAC's mission and purpose, what are the 1 - 3 most important, highest impact goals for the CAC to work on in the year ahead?" Additionally, respondents were able to submit additional comments using a general text field on the survey form. A total of 10 CAC members responded to the survey, and their responses are organized by similar themes. The themes that arose were then used to develop four goal areas, which are outlined below. These four goal areas and CAC member responses will be utilized during the goal setting activity of the work plan agenda item during the CAC retreat.

### **Goal areas and responses**

#### **A. Educate and engage communities most affected by air pollution**

- "Actively educate our communities about the toxins present in their communities and how those toxins have impacted their communities health."
- "Create a community benefits fund ad hoc committee."
- "Increase air pollution preventive measures instead of reactive measures."
- "Focus on strengthening community engagement channels, especially in the most impacted and overburdened communities."
- "Foster solidarity between different communities and stakeholders by promoting shared power and resource allocation. By encouraging cross-community collaboration, the CAC can identify common challenges and solutions, and thereby effectively address the underlying structural inequities that lead to disparate air quality and health outcomes."
- Educate poor communities and help them apply for funding to improve air quality."
- "The development of a tool kit for advocate interface with agencies, District Attorney, and City Attorney offices per county and city"
- "Provide community members that live in high impact areas with access to free or low cost home test kits."

#### **B. Boost monitoring and reporting on air quality and enforcement of laws**

- "To significantly improve the effectiveness of BAAQMD's reporting and enforcement department."
- "Provide community members with a one-pager that includes contact numbers, including BAAQMD, for them to easily report a complaint and follow up."
- "Improve air quality throughout the bay area with an emphasis on improving the air quality in poor and front line communities. Teach community members how to monitor their local air quality."
- "Increase in monitoring and increased enforcement through larger lawsuits/settlements with fenceline health conditions as a true determining factor"
- "Trying CAC and impacted communities, when polluter violations turn in police authority to stop the polluter from doing business?"
- "How does the CAC advocate for the community to close the business of polluters in the EJ communities?"

**C. Support Community Members to replace indoor gas appliances**

- “Help poor communities replace indoor gas appliances with electrical alternatives with grants and subsidies that make the replacements affordable.”

**D. Develop an environmental justice and equity framework to inform BAAQMD processes and the CAC’s decision-making.**

- “Create an EJ framework for BAAQMD budget decision-making.”
- “Shared understanding of environmental justice and equity, shared understanding of work planning for the CAC in the year and community building within CAC members.”
- “Support and advise strategies to enable equitable tangible actions to address the current burdens to the most impacted communities.”
- “Implement targeted strategies to eliminate pollution threats both upstream and downstream. This will require developing and implementing equitable solutions that are mindful of regional differences but can be applied across various communities. The approach should include not only addressing current air quality issues but also proactively strategizing to prevent future threats.”
- “The goal would be to ensure that decision-making is truly representative, democratic, and aligned with community priorities, thereby directly amplifying the voices of those most affected by air pollution.”
- “When applicable, I sincerely hope any suggestions and recommendations - the CAC makes - to the general board, takes into account the impact those could have on workers and their families especially those men and women who both live and work in the affected areas and in fields such as construction and or refineries, that do impact the environment etc and when these situations do surface, that possible alternative solutions are explored to mitigate these potential financial and career changing impacts on workers and their families.”
- “Utilize equity as a priority for all decisions made.”

**Other Comments:**

- “Yes, CAC advise the Board of Director, but staff that has authority can't have bring police or criminal action against polluters.”
- “Create actions items that leads to policy change that can positively impact all 9 Bay Area counties.”
- “CAC has not power to make changes per community we represent.”