

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

Board of Directors Regular Meeting  
Wednesday, November 6, 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](http://www.baaqmd.gov/bodagendas)*

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, Davina Hurt, called the meeting to order at 10:05 a.m.

#### **Roll Call:**

Present, In-Person (Bay Area Metro Center, 375 Beale Street, 1<sup>st</sup> Floor Board Room, San Francisco, CA, 94105): Chairperson Davina Hurt; and Directors Ken Carlson, Noelia Corzo, Joelle Gallagher, Juan González III, Tyrone Jue, Katie Rice, Mark Ross, Mark Salinas, and Vicki Veenker.

Present, In-Person (Santa Rosa Junior College Campus Doyle Library, Room 148, 1501 Mendocino Ave., Santa Rosa, CA, 95401): Director Brian Barnacle.

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

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

Present, In-Person (Office of Alameda County Supervisor David Haubert, Heritage House, 4501 Pleasanton Avenue, Pleasanton, CA 94566): Director David Haubert.

Present, In-Person (San Mateo County Board of Supervisors Offices, 500 County Center - 5<sup>th</sup> Floor, Redwood City, CA 94063): Director Ray Mueller.

Present, In-Person (City of Palo Alto City Hall, 250 Hamilton Ave., Palo Alto, CA 94301): Directors Margaret Abe-Koga and Sergio Lopez.

Absent: Vice Chairperson Lynda Hopkins; and Directors Nate Miley and Shamann Walton.

2. **PLEDGE OF ALLEGIANCE**

3. **SPECIAL ORDERS OF THE DAY**

Chair Hurt welcomed the following new employee: Galina Velikovich Assistant Counsel II, in the Legal Division. Chair Hurt also congratulated the following employees on their recent promotions: Joy Chen, Manager in the Information Services Division; Somphanat (Nunu) Phengphanh, Supervising Staff Specialist in the Office of Diversity, Equity, and Inclusion; and Chad White, Principal Staff Specialist in the Strategic Incentives Division. Chair Hurt also congratulated Bernard Salalila, Air Quality Inspector II, in the Compliance & Enforcement Division, will be retiring after 34 years at the Air District.

NOTED PRESENT: Director Rice was noted present at 10:06 a.m.

**CONSENT CALENDAR (ITEMS 4 – 22)**

4. Approval of the Draft Minutes of the Board of Directors Meeting of October 2, 2024
5. Board Communications Received from October 2, 2024 through November 5, 2024
6. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of September 2024
7. Acceptance of Fiscal Year 2024-2025 State Incentive Funds: Carl Moyer, Funding Agricultural Reduction Measures for Emission Reductions, and Community Air Protection Incentives  
[Click here to view approved Board Resolution No. 2024-09](#)  
[Click here to view approved Board Resolution No. 2024-10](#)  
[Click here to view approved Board Resolution No. 2024-11](#)
8. Transportation Fund for Clean Air 40% Fund Policies Commencing Fiscal Year Ending 2026
9. Grants for Recommended Projects with Proposed Grant Awards Over \$500,000
10. Authorization to Amend the Agreement with the Peninsula Corridor Joint Powers Board for the Caltrain Electrification Project
11. Authorization to Extend the Term and Increase the Total Dollar Amount of the Professional Services Agreement No. 2021.180 with Kadash & Associates, LLC
12. Authorization to Extend the Term and Increase the Total Dollar Amount of the Professional Services Agreement with ICF Incorporated, LLC
13. Authorization to Extend the Term and Increase the Total Dollar Amount of the Master Services Agreement with the Marie Harrison Community Foundation for the Bayview Hunters Point/Southeast San Francisco Assembly Bill (AB) 617 Community Emissions Reduction Plan
14. Authorization to Increase the Total Dollar Amount of the Professional Services Agreement with GRID Alternatives Bay Area
15. Authorization to Execute a Contract Amendment with Metropolitan Group, LLC for the Design and Finalization of the Community Advisory Council's (CAC) Document: *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*
16. Re-authorize the Climate Registry Sponsorship Contract for United Nations (UN) COP29
17. Funding to Support the Bay Area Regional Collaborative (BARC)
18. Report of the Advisory Council Meeting of September 19, 2024
19. Report of the Stationary Source Committee Meeting of October 9, 2024
20. Report of the Community Equity, Health, and Justice Committee Meeting of October 9, 2024
21. Report of the Finance and Administration Committee Meeting of October 16, 2024

22. Report of the Policy, Grants, and Technology Committee Meeting of October 16, 2024

Public Comments

No requests received.

Board Comments

None.

Board Action

Director González made a motion, seconded by Director Ross, to **approve** Consent Calendar Items 4-22, inclusive; and the motion **carried** by the following vote of the Board:

- AYES: Barnacle, Carlson, Corzo, Gallagher, Gioia, González, Hannigan, Haubert, Hurt, Jue, Lee (Items 4-7, and 9-22), Lopez, Mueller, Quinto, Rice, Ross, Veenker, Young.
- NOES: None.
- ABSTAIN: Lee (Item 8 only).
- ABSENT: Abe-Koga, Hopkins, Miley, Salinas, Walton.

**ACTION ITEM**

23. **APPOINTMENT OF NEW COMMUNITY ADVISORY COUNCIL MEMBER**

At the recommendation of the CAC and the Board’s Community Equity, Health, and Justice Committee, the Board of Directors considered appointing Cynthia Prieto-Diaz to the vacant Alameda County CAC seat.

Community Advisory Council Member Kevin Ruano Hernandez and CAC Co-Chair Mayra Pelagio gave the presentation *Community Advisory Council Recommendation for New CAC Member*, including: outcome; outline; requested action; creation of Member Selection ad Hoc Committee; prior to first meeting; outreach; and selected applicant.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director González made a motion, seconded by Director Gallagher, to **appoint** Cynthia Prieto-Diaz to the vacant Alameda County Community Advisory Council seat; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barnacle, Carlson, Corzo, Gallagher, Gioia, González, Hannigan, Haubert, Hurt, Jue, Lee, Lopez, Mueller, Quinto, Rice, Ross, Veenker, Young.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Hopkins, Miley, Salinas, Walton.

## **INFORMATIONAL ITEM**

### **24. OVERVIEW OF 2024-25 SPARE THE AIR WINTER SEASON AND SUMMARY OF 2024 SPARE THE AIR SUMMER SEASON**

Erin DeMerritt, Public Information Officer, and Dr. Tim McLarney of True North Research, gave the presentation *Overview of 2024-25 Spare the Air Winter Season and Summary of 2024 Spare the Air Summer Season*, including: outline; requested action; Winter campaign; creative and advertising; media and social media; community outreach; Summer campaign; creative and advertising; outreach and social media; Employer program; survey; annual Particulate Matter (PM)<sub>2.5</sub> trends; 24-hour PM<sub>2.5</sub> trends; 8-hour ozone trends; and other residential wood burning initiatives.

#### **Public Comments**

Public comments were given by Tony Fisher, Coalition for Clean Air.

#### **Board Comments**

The Board and staff discussed the differences in woodsmoke-related air quality trends from AB 617 communities and those from non-AB 617 communities; the desire to reiterate the health impacts of woodsmoke without maligning those who burn wood who may not realize the health impacts or those who do so as a sole source of heat; the desire to see the Spare the Air Free Transit program, which offered free Bay Area Rapid Transit (BART) rides on the first six non-holiday weekday Summer Spare the Air days, reinstated; whether the current rate of driving alone in the Bay Area is returning to pre-Covid 19 pandemic rates; whether Spare the Air 2024 Summer survey results regarding transit ridership, trip reduction, and driving habits are analyzed for consistency and accuracy, and whether survey results track with those of surveys conducted by the Metropolitan Transportation Commission (MTC); whether the Air District plans to ask larger employers if they are willing to let their employees work remotely during Spare the Air days; the extent to which the Air District partners with county transit authorities; how the Air District measures the impact and effectiveness of Spare the Air campaigns (actual transportation mode shifts and emission reductions); to what degree the survey data translates into market and behavioral changes; concern regarding the level of woodsmoke components other than PM<sub>2.5</sub>; the request that language outreach be extended to Arabic, Korean, and Hindi; the request for technical assistance for woodsmoke campaigns in Napa County; whether the survey addressed participants' awareness or (un)favorability about the Air District, as well as correlations between Spare the Air and the Air District; the suggestion that the Air District partner with social media influencers, including Board members, regarding its Spare the Air programs; the importance of measuring the cost effectiveness of the Spare the Air programs; the suggestion that the Air District utilities WeChat, an application that combines instant messaging and social media; and appreciation for Air District staff incorporating the Board's input into the Spare the Air programs.

NOTED PRESENT: Director Salinas was noted present at 11:13 a.m.

## Board Action

No action taken.

## **OTHER BUSINESS**

### **25. PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

### **26. BOARD MEMBER COMMENTS**

- Several Board members voiced their thoughts regarding the primary results of the Presidential Election, which occurred on November 5, 2024. General Counsel reminded the Board that under the California Brown Act, a governing body cannot discuss or take action on any items that are not listed on the posted agenda for a meeting. Subsequently, multiple Board members requested a future Board agenda item that would address post-election results, timing of contracts that need to be executed as soon as possible, proposed federal issues and policies that could impact the Air District's work, and whether legal or enforcement action needs to be taken by the Air District, in light of the incoming administration. Dr. Philip M. Fine, Executive Officer/APCO, said that this would be agendized in February or March 2025.
- Director Young acknowledged the nearly \$82 million penalty recently imposed upon Valero Refining Co., regarding significant air pollution violations at its Benicia refinery since 2019. Over \$64 million of these funds will be returned to the local community to finance projects aimed at reducing air pollution exposure, mitigating air pollution impacts and improving public health in areas surrounding the refinery. These projects will be selected through a public process with input from residents, community organizations, elected officials and advocates representing the impacted area. The remainder of the penalty will be used to fund beneficial clean air projects in overburdened communities throughout the Bay Area, as well as to offset the costs of investigating and prosecuting the case. This penalty is the largest ever assessed in the Air District's history. [The press release can be found here.](#)
- Chair Hurt thanked Air District staff for creating the Community Benefits Program.

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

Dr. Fine reported the following:

- The Air District is announcing the availability of \$1.5 million through Cycle 2 of the James Cary Smith Community Grant Program for community groups, neighborhood associations and nonprofits to participate in decisions that impact their environment and health. The Air District seeks to partner with community leaders in the Bay Area to uplift local efforts that improve environmental health. Grants must be used to design and implement strategies that support the full involvement and leadership of communities most directly impacted by environmental injustices to influence policy and improve air quality.
- Chair Hurt and Dr. Fine will be attending the United Nations Climate Change Conference, COP29, in Baku, Azerbaijan, from November 11 through November 21, to showcase the Air

District’s climate leadership, engage with global partners, and gather insights to strengthen local climate action.

- Additional details were given regarding the Valero settlement (mentioned in Item 26.)
- Last week, the Air District was notified that the Port of Oakland was awarded \$322 million from the Environmental Protection Agency (EPA) Clean Ports Program: Zero-Emission Technology Deployment Competition. With this funding, the Port will be providing funding to their operators to replace 475 drayage trucks and 188 pieces of cargo-handling equipment operating at the Port of Oakland with zero emission equipment and associated infrastructure by 2028. This initiative will significantly help to electrify and reduce emissions from older, highly polluting diesel equipment, identified through our emissions inventory as the primary sources of air pollution affecting adjacent neighborhoods. The Air District provided a letter committing Air District technical support for air quality monitoring efforts, participation in community and project meetings, and continued offering of grant funding to support their transition to zero emissions. This is an historic award, representing the second largest award from this program, which funded nearly \$3 billion across 55 projects this fall.
- Anticipated Agenda Topics for October Committee Meetings
  - **Stationary Source Committee Meeting - 11/13**
    - Update on Refinery Corridor Air Quality Monitoring
    - Update on Indirect Sources and Questions on Marine Source Impacts
    - Implementation of Programs related to Zero NOx Building Appliances
  - **Community Equity, Health, and Justice Committee Meeting - 11/13**
    - Assembly Bill 617 Program Update
  - **No meetings on 11/20**
  - **Board Meeting – 12/4**
    - Informational update Regarding Regulation 9, Rule 6: Nitrogen Oxides Emissions from Natural Gas-Fired Water Heaters less than 75,000 BTU/hr. Further updates and potential action items for the Board to consider in 2025 are also anticipated.

## 28. CHAIRPERSON’S REPORT

Chair Hurt announced the following:

- Chair Hurt hosted the Air District’s 4<sup>th</sup> in-person “Clean Air Talk” on Saturday, November 2, 2024, at the East Palo Alto Public Library. The first three Clean Air Talks of 2024 were held in San Jose, San Carlos, and Vallejo. The conversation focused on community questions and concerns regarding air quality issues and climate change. The 5<sup>th</sup> and final Clean Air Talk for 2024 is scheduled for December 7, 2024, at noon, at the San Lorenzo Public Library.
- The Finance and Administration Committee will be meeting immediately following this Board meeting.
- She urged the Board to continue advocating for and promoting the Air District’s mission of improving air quality, protecting public health, reducing historical and current environmental inequities, and mitigating the impacts of climate change, in the face of the presidential transition.

29. **TIME AND PLACE OF NEXT MEETING**

Wednesday, December 4, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Board of Directors members and members of the public will be able to either join in-person or via webcast.

30. **ADJOURNMENT**

The meeting was adjourned at 11:38 a.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards