

AB 617 Steering Committee Meeting Minutes

5/26/2020

6:00 pm - 8:00 pm

NOTES

Link to all presentations and meeting materials:

<https://www.sandiegocounty.gov/content/sdc/apcd/en/community-air-protection-program--ab-617-/ab-617-steering-committee-documents.html>

Meeting Objectives

- Vote to approve revised Charter
- Report back from the four (4) subcommittees
- Discuss next steps on proposed projects for incentive funding process
- Hear updates from SDAPCD Staff on air monitoring sites and data

Meeting Action Items

- Approval of 4/28/20 Meeting Notes and 5/26/2020 Agenda with no edits
- Approval of revised Charter with minor modifications and clarifications related to an orientation for new members, alternate voting privileges, and options for continuing virtual meetings depending on logistical capacity.
- Approval to support APCD's recommendation to fund the remaining incentive funding projects.
- Approval to formally sign onto Environmental Health Coalition's CERP Deadline Extension Letter to CARB with some revisions that capture Steering Committee feedback discussed.

Agenda

- I. **Welcoming Remarks (Chuy Flores, Daniela Simunovic, Facilitators Bill Brick, SDAPCD)**
 - a. Review Meeting Objectives & Agenda
 - b. Roll call Steering Committee (SC) members
 - c. Review voting
- II. **Vote: Approval of 4/28/2020 Meeting Notes and tonight's agenda (Daniela Simunovic, Facilitator)**
 - a. **MOTION by Jose, seconded by Ashley** to approve 4/28/20 Meeting Notes and 5/26/20 agenda with no edits.
 - b. **Motion passed** by consensus with 1 ABSTENTION (US NAVY Non-voting member).
- III. **Subcommittee Updates (Daniela Simunovic, Facilitator and Sub-committee Representative)**
 - a. CERP – **Jim Swaney, APCD**
 - i. Still looking for a sub-committee representative to report back to SC
 - ii. Provided an update on CERP Timeline
 - (A) Present draft CERP to SC in **August**
 - (B) 2 Public Workshops in Barrio Logan and National City by **September**
 - (C) Make edits and report back to SC and then to Air Pollution Control Board
 - (D) Submit final draft to CARB Staff in **December**
 - (E) Eligible for CARB hearing in **January**
 - b. Trucks - **Larry (Sub-Committee Rep)**
 - i. First meeting took place Friday, May 22nd and will meet weekly from 9:30 -10:30 AM
 - ii. Discussed non-port related trucks affecting the community and the City of San Diego truck route focusing on how it relates to technology, especially geofencing.
 - iii. Sub-Committee members were assigned to brainstorm goals and strategies for the group moving forward that will be shared at the next meeting
 - iv. Discussions with Port Staff from early action items to bring to Port Authority in July
 - (A) Part of that includes administering Truck Surveys focusing on tenants from 10th Avenue marine terminal and the National City marine terminal

- (B) Preliminary results indicate new potential areas for projects and interviews are ongoing
- c. Port - **Joy**
 - i. No representative has been determined yet.
 - ii. Joy volunteered to help setup first subcommittee meeting.
 - iii. First meeting information will be sent out in the next few days.
- d. Land Use – **David Flores (Sub-Committee Rep)**
 - i. Group also discussed/reviewed CERP Timeline
 - ii. Advised SC of 2 requests needed by the Land Use Sub-Committee
 - (A) Support from APCD to provide language interpretation resources for meetings
 - (B) Request to clarify if sub-committee meetings notes are required to submit to full SC
 - iii. Land Use sub-committee will be meeting **bi-weekly** (Next meeting will be **Wednesday, June 3rd at 5:00 PM**)
 - iv. Strategies:
 - (A) Divide into area-wide strategies and community specific strategies
 - a. Community strategies will focus on Barrio Logan and National City
 - b. Area-wide strategies will focus on different land uses that overlap with each of the communities
 - c. Discussed permitting process and how it intersects with APCD
 - v. Agenda Items for next meeting:
 - (A) Updates SANDAG and CalTrans on Transportation projects within AB 617 communities
 - (B) Update from Navy on shipyard expansion impacts
 - (C) Update from Port of San Diego on projects within AB 617 communities
 - (D) Updates from City of San Diego and National City re: community infrastructure projects

IV. Discussion and Vote: Steering Committee Charter (Chuy Flores, Facilitator)

- a. Presentation: Review Charter Provisions
 - i. **Membership** and **Meetings** have the most substantive changes in the updated Charter
 - (A) Membership:
 - a. Majority of SC members must be community residents or work/own business in the area
 - b. SC members are appointed for 2 years with an option to extend
 - c. Stipend is currently being explored by APCD
 - (B) Meetings:
 - a. Quorum is determined by simple majority
 - i. Meetings are not bound by Brown Act requirements but will follow intent and spirit
 - b. Voting procedure:
 - i. A SC member will file a motion, and another will second that motion to begin the vote
 - c. Charter Revisions can happen either annually or as needed
 - d. SC has power to create subcommittees and working groups as needed
- b. Discussion
 - i. **Sara** – Offered support for attendance requirements in an effort to increase efficiency of meeting procedures and asked if there could be some sort of orientation for new members. Also asked for clarification on whether the code of conduct in the charter differed from the code of conduct document that was sent out for SC members to sign.
 - (A) Daniela – Having attendance requirements is up to SC to decide and Code of Conduct document is the same from the Charter.**
 - (B) Bill – In agreement that orientation packet for new members is a good idea.**
 - ii. **Larry** – Asked for clarification regarding alternates and voting

- (A) **Chuy - Alternates can vote only if the primary SC member is absent; otherwise, only Primary SC members will cast votes in meetings.**
 - iii. **Ashley** – Asked if a providing a virtual option is possible for future meetings as safer at home orders begin to be lifted in San Diego
 - (A) **Bill – Bandwidth constraints at the original meeting location (Perkins Elementary School) could make it difficult to broadcast meetings but it can be considered.**
 - iv. **Daniela** – Reminded SC members to please designate an alternate if they have not already done so. APCD will send out Code of Conduct sheet for SC members to sign.
- c. **Vote**
 - i. **MOTION by Larry, seconded by Ted** to adopt new Charter with slight modifications and clarifications related to an orientation for new members, alternate voting privileges, and options for continuing virtual meetings depending on logistical capacity.
 - ii. **Motion passed by consensus with 1 ABSTENTION (US NAVY Non-voting member).**

V. Discussion: Follow-up Incentive Funding Applications (Kathy Keehan, SDAPCD)

- a. Review Steering Committee decision from April Meeting
 - i. Feedback from Applicants included:
 - (A) Not enough electrical equipment available to accomplish the jobs that need to be done
 - (B) Procurement process for electrical equipment would take too long resulting in applicants possibly missing deadlines for compliance or grant programs
 - (C) Applicants mentioned prices for electrical equipment is still expensive and grant funding does not make up the difference
 - (D) Concern regarding costs of electricity and available charging infrastructure
 - (E) Concern over range, time of charging, maintenance, and changes to businesses practices
 - (F) Overall, there was consensus from applicants that they would prefer to use electrical equipment; however, it is just not practical at the moment
 - ii. Updates on project funding:
 - (A) Portside Communities
 - a. Electric projects (including Port Bonnet) - **\$12,414,415**
 - b. Fossil Fuel Projects - **\$868,296**
 - (B) Non-Portside Communities:
 - a. Electric Projects - **\$2,112,788**
 - b. Fossil Fuel Projects - **\$1,773,465**
 - iii. SDAPCD comments:
 - (A) Recommended that SC approve to fund all eligible projects that benefit the region's Disadvantaged Communities
 - (B) Reminder to SC that the solicitation process stated that fossil fuel projects are eligible if they met all State guidelines
 - (C) Still committed to find creative ways to incorporate electric equipment as a CERP measure and securing funding from additional sources
 - a. SDAPCD recently secured **\$2M** from the EPA for electric tug-boat project
- b. Questions from SC and Public:
 - i. **Joy** – Offered support for recommendations from SDAPCD
 - ii. **Jack** – Thanked Kathy for following up with applicants and presenting information.
 - iii. **Elisa** – Does funding roll over to next cycle?
 - (A) **Kathy – It depends and will be up for discussion at the next meeting**
 - iv. **Silvia** – Due to budget struggles at the State level, will this negatively impact applicants moving forward?
 - (A) **Kathy – There have been some applicants reconsidering/hesitant to participate**
 - v. **David** – Will there be community specific projects eligible for funding

- (A) **Kathy – CERP would allow for that kind of flexibility**
- vi. **Tom Gardner (Public Comment, Local business owner and member of the APCD Advisory Committee)** – Urged SC to vote in favor on approving these projects based on the limited window and offered his support both as a business owner and concerned resident to have this motion move forward.
- c. **Vote**
 - i. **MOTION by Jack, seconded by Ashley** to support APCD’s recommendation to fund the remaining incentive funding projects.
 - ii. **Motion passed by consensus with 1 ABSTENTION** (US NAVY Non-voting member).

VI. SDAPCD Staff Updates (Bill Brick, SDAPCD)

- a. **Air Quality Data**
 - i. Black Carbon levels were recorded to estimate the amount of toxic diesel particulate matter in the air
 - (A) January – February data shows consistent peaks in the morning and evening hours
 - (B) March data saw a significant drop in evening hour peaks due to the implementation of safer at home orders
 - (C) Most recent data from April 23 – May 19 shows highest peaks in the morning hours and significantly lower black carbon levels in the evening
- b. **Update on Monitoring sites**
 - i. Four currently operational sites in Portside Communities:
 - (A) Sherman Elementary
 - (B) 10th Avenue Marine Terminal
 - (C) Caltrans-Chavez
 - (D) Fire Station #19
 - ii. Three sites coming online soon:
 - (A) Burbank Elementary – Portside
 - (B) Train Museum -Portside
 - (C) Fire Station #29 – South SD
 - iii. Two sites in early development:
 - (A) Caltrans-29th St – Portside
 - (B) CHP Safety Check – South SD
- c. **Questions from SC and Public:**
 - i. **Jack** – Why was there a significant decline in April – May?
 - (A) **Bill** – **It is caused by a combination of atmospheric conditions and the transition to warmer months as well as stay at home orders**
 - ii. **Joy** – Will there be corrections to this data to account for weather impacts?
 - (A) **Bill** – **It would not necessarily be beneficial to the group to factor this into the current results**
 - iii. **Ashley** – Are we seeing movement of Ozone pollutants in San Diego?
 - (A) **Bill** – **Ozone is formed from emissions from vehicles and other gases in the presence of sunlight. Initially, nitric oxide (NOx) emissions eat up ozone in the atmosphere but as it starts to drift downwind and mixes with other chemicals in sunlight it alters the chemical balance and creates ozone. At times we also observe a phenomenon known as the weekend effect. With safer at home orders, the reduction in NOx emissions has mimicked the weekend affects and is one of the reasons why we see ozone levels not dropping as much as one might expect.**
 - iv. **Jack** – Will there be comparisons to see how data holds up in different communities?
 - (A) **Bill** – **This is something being considered; however, there is limited access to locating the equipment needed.**
 - v. **David** – Commented that it is important to look at how this raw data lines up with

CalEnviroScreen scores and health data to provide more context for influencing strategies moving forward.

- vi. **Tom Gardner (Public Comment, Local business owner and member of the APCD Advisory Committee)** – Shared his enthusiasm for looking deeper to ground truth the raw data to provide better context and exploring funding options to increase monitoring capacity.
- vii. **Marcia Baverman (Public Comment, Environmental Audit)** – Where are we heading with source attribution?
(A) Bill shared that source attribution work is still ongoing

VII. **Vote: Proposal to Request CERP Deadline Extension from CARB**

- a. Review draft letter to CARB prepared by EHC (**David Flores, EHC**)
 - i. COVID-19 has resulted in about a 1½ month delay negatively impacting community outreach capacity
 - ii. San Diego deserves a fair timeline to complete all the tasks it has been asked to do by CARB
 - iii. Recommendation to SC is to approve sending a letter to CARB asking for a timeline extension
- b. Questions/Comments from SC and Public
 - i. **Ashley** – Offered support for the letter but added concern about including staff transitions at CARB as a justification for an extension. This is something that should be taken into consideration regardless of pandemic.
 - ii. **Elisa** – Offered support for letter and asked SDAPCD staff if they had insight into what the response may be from CARB.
 - (A) **Bill – The timeline is statutory but unknown what official response may be.**
 - (B) **David Salardino (CARB)** - Offered that CARB understands that COVID-19 has impacted the ability to meet the set deadlines but reminded the SC that the deadlines are in statute. However, they would not refuse the submittal of a letter or request asking for a delay due to COVID-19 related obstacles.
 - iii. **Jack** – Recommended that the letter stress the fact that the San Diego SC was essentially built from the ground up unlike other SCs in different regions. In that time, the San Diego SC has made impressive progress, but COVID-19 had made it extremely difficult to meet the upcoming deadlines.
 - iv. **Ashley** – Asked what the repercussions would be if deadlines in statute are not met?
 - (A) **David (CARB) – There is a potential for lawsuits since they are in statute. It would be beneficial if the letter sent to CARB focused on the tasks that can still be realistically accomplished rather than those that cannot.**
 - v. **Joy** – Asked if members of the SC would be open to having these comments mentioned tonight be included into the letter to EHC's best ability before being sent to CARB
 - (A) **SC members offered support for this proposal**
- c. Vote
 - i. **Motion by Jack, with no "No" votes**, to formally sign onto CERP Deadline Extension Letter to CARB with some revisions that capture SC feedback discussed.

VIII. **Public Comments**

- a. Each speaker is limited to 3 minutes
 - i. **Joy** – Shared reports of a new emission source in the portside communities and stressed importance of staying vigilant of both existing and developing pollutants.

IX. **Closing Remarks**

- a. Future agenda topics
 - i. **Update on Charter**
 - ii. **Second Solicitation of Project Funding**
 - iii. **Subcommittee Updates**

X. **Adjourn**

Next scheduled meeting is 6/23/20 Tentatively Virtual Meeting via Zoom