

AB 617 Steering Committee Meeting Agenda

10/13/2020

6:00 pm - 8:00 pm

Virtual Meeting via Zoom

NOTES

[Click here for meeting materials](#)

Meeting Objectives

- Take a vote on supporting the Draft Community Emissions Reduction Program (CERP)
- Amend Steering Committee Charter to include protocol for letters of support and stipends
- Receive update from CARB report on San Diego County's response to Navy Ship Fire

Meeting Action Items

- Approval of 9/29/2020 Meeting Notes and 10/13/2020 Agenda
- Approval of CERP Phase 1 Strategies and Draft CERP
- Approval to amend Portside Steering Committee Charter to include protocol for support letters and stipends for Community Resident representatives

Agenda

- I. **Welcoming Remarks (Daniela Simunovic, Facilitator and Mahiany Luther, SDAPCD) pm**
 - a. Review Meeting Objectives & Agenda
 - b. Roll call SC members
 - c. Updates
 - i. Estolano Advisors will move forward on administering stipends
- II. **Approval of 9/29/2020 Meeting Notes and tonight's agenda (Daniela, Facilitator)**
 - a. Motion to approve September Meeting Notes and October agenda with no changes made by **David Flores**
 - i. Seconded by **Sandy Naranjo**
 - b. **MOTION PASSED unanimously**
- III. **Presentation and Vote: CERP Overview (Mahiany Luther, SDAPCD)**
 - a. CERP: Phase I Strategies Update
 - i. [CERP Presentation link](#) (Slides 1 – 13)
 - ii. Proposed Outcomes of tonight's meeting
 - (A) Vote on Phase 1 proposal
 - (B) Finalize Draft CERP
 - (C) Vote on Draft CERP
 - iii. Mahiany shared that Phase I Strategies are not necessarily the most important but are ready to implement. The remainder of the CERP will include the rest of the strategies. The strategies laid out in the presentation are high-level. Chapter 7 of the CERP includes more detail on these strategies.
 - iv. **Steering Committee Comments/Feedback:**
 - (A) **Jack Monger** - Regarding Action E3 (Support dedicated truck route and avoid truck impacts to local community), can the City of San Diego publicize approved truck routes on their website? Truckers do not have a good understanding of these new truck routes.
 - a. **Ashley Rosia-Tremonti** – That might warrant another conversation with the City's Transportation Stormwater department overseeing the truck routes, so we would not be able to add it to the CERP tonight. I think there is an action in the CERP for Phase 2 that addresses truck routes where we can emphasize the communication exercise for spreading

awareness to truck drivers.

- (B) Roman Partida-Lopez** – Can we talk about the timeline for Phase I implementation? How does the timeline tie into the CERP approval?
- a. **Mahiany** – The Phase 1 strategies that we approve tonight will go to the SD APCD Board. Upon Board approval, we can start implementation. If there needs to be adjustments, we can recommend them for next May when the Board will approve the entire CERP.
 - b. **Roman** – What is the deadline to meet Phase I?
 - c. **Mahiany** – CARB established that we have 5 years to implement these strategies. Phase I includes the CERP strategies we can implement sooner. If they are approved and ready to go, we can start them now rather than wait 6 months when the rest of the CERP is approved.
- (C) David Flores** – EHC is going to recommend the approval of Phase I strategies. We want to continue to work towards developing overall goals for the CERP, both quantitative emissions reductions and qualitative goals for the community. We appreciate the inclusion of a lot of our comments, for augmenting public participation process and considering environmental justice in agency actions. We applaud strengthening of the rules, and we do want to work towards APCD providing proposals and recommendations for the CERP and to the Board. We identified some gaps. These should be included in the CERP, but not necessarily in Phase I:
- a. New rules to address other indirect sources such as shopping centers, warehouses/distribution centers, and large housing projects
 - b. Currently the District does not have clear regulations regarding welding activities. We want to keep that discussion going to get a rule that addresses this
 - c. For trucks, our CERP has not identified a phase-in strategy for all of the Portside community. There should be a plan that move in advance of current regulation to have all electric trucks by 2030. We are open and look forward to working closely with the Port and their tenants with the Maritime Clean Air Strategy
 - d. We don't have a plan in the CERP for charging infrastructure. This is where Steering Committee members at SDG&E and SANDAG will be key. We need to stay ahead of the trucks if this is going to work and develop goals by 2021.
- (D) Ted Godshalk** – I appreciate the overlap of actions B2, E3, and G10 which all deal with traffic and transportation. The shipyards with employee transportation and the Navy traffic measures need some work on how they will get trucks off the road. Glad to see everyone working together.
- (E) Sara Giobbi** – I wanted to point a gap that was mentioned in the CERP workshops: we should seek out small business participation on the Steering Committee. With respect to strategies being proposed by ACPD, what is the process for figuring out the costs and where the funding comes from? Will AB 617 funding pay for this?
- a. **Mahiany** These strategies can be implemented with existing staff. The satellite office proposal (designed to increase our presence) was the only strategy that required additional funding but we have revised this strategy since there are other way to increase our presence in the Portside.. Some of the proposed strategies require evaluations that might result in recommendations that require additional funding. In this case we would need to get board approval. Everything proposed here is within budget. Is there a specific strategy that you're interested in?
 - b. **Sara** – Many of these looks like the have some element of cost in them. For example, do the air filters come from AB 617 funds? If that hasn't

been worked out, how does the process work out regarding costs and funding?

- c. **Mahiany** – The APCD Board has already allocated funds to pay for this initiative. We need approval from Board for the program, but the funds have already been allocated. Nothing that is being proposed requires additional funding.

(F) Roman Partida-Lopez – Going back to timeline, my concern is the 5-year implementation. How can we set some goals to phase these goals in? Which of these Phase 1 strategies are the priority that need to be accomplished to move on? We should start laying out what that looks like. 5 years is a long time.

- a. **Mahiany** – I agree. We have to have metrics. We do have some standards that we need to meet, including annual updates to CARB. We will continue to work with Steering Committee to provide updates and make sure we are on track. In Chapter 7, there is a discussion how this will happen. We can certainly further enhance it.

- b. **Roman** – My comment was more regarding incorporating accountability in the process. As we phase this in, what do we have to accomplish in year one 1 versus year two? When those updates come in, we will be able to point to some metric and goal.

(G) Sylvia Calzada (chat box) – Echoing Roman’s question, I wanted to raise that the 5-year phase and implementation work addresses the challenges raised in the pandemic.

(H) David Flores – Getting back to Sara’s question, this is where AB 617 can be a seed or fulfill a match for larger state funding. This is where having more definition will benefit Portside. We have a tremendous opportunity to leverage by getting more specific in each strategy. For example, the cargo handling equipment is a great strategy that is very specific. We should do that with the others to leverage and maximize our funding opportunities.

(I) Elisa Arias – SANDAG is working with the Board, the transit agencies, Caltrans, SDG&E and other partners on a grant application to develop an original set of blue print for trucks and buses. We have requested a Letter of Support from the Steering Committee to vote on later.

(J) Jack Monger – Extremely encouraging to see the progress we have done over the past three months. Regarding Action F1 (buffers), is that a Phase 2 item?

- a. **Mahiany** - Yes, this is a Phase 2 item. We do want the SC to review and vote on this Draft CERP with all the strategies so that is why it is included.

v. **Public Comments**

(A) None.

vi. **Vote**

(A) Motion to Approve Phase 1 strategies as is by **Ted Gottschalk**

- a. Seconded by **Silvia Calzada**.

(B) MOTION PASSED unanimously.

b. **Draft CERP (Chapters and Phase II Strategies – Presented by Topic)**

- i. [CERP Presentation link](#) (Slides 14 – 24)
- ii. Mahiany emphasized that this is a Draft CERP that will presented to the SD APCD board as an update. The Steering Committee will have the opportunity to further refine this document for the next 6 months. Draft Portside CERP is available on APCD website.
- iii. Steering Committee Comments/Feedback:

(A) David Flores – Going back to trucks, there is a concern that truck owners and individuals would be mixed up so that is why it was separate. For the land use strategies, we were not able to get input in time for a lot of these.

- a. **Mahiany** – The draft CERP has strategies referred as Phase I that will not be presented as Phase I since they need further development. If we

present this Draft CERP with references to Phase I, it may cause confusion.

- b. **David** – I understand where there might be confusion. If we do not give the cities an opportunity to identify opportunities to identify a street improvement, there should also be an opportunity to elevate those into a Phase I if the city is ready to commit resources.
 - c. **Mahiany** – My only concern is terminology, perhaps instead of calling it Phase I we say “high priority.” Would that be okay?
 - d. **David** – Yes, that works. If we can’t identify how to leverage and point to prioritization in Portside for land use, we are missing a big vote.
 - e. **Mahiany** - Perhaps we can re-word to say high-priority. Also, nothing is stopping these entities from initiating implementing these strategies on their own. They do not need APCD Board approval to move forward. So, to avoid confusion you want me to change Phase I to high priority to avoid confusion.?
 - f. **David** - Yes, but I want to go back to the idea that these pollution mitigation strategies could be stronger. So, I want to make sure that we don’t let up and hold cities accountable.
- (B) Mahiany Luther** – For Strategy G1, Larry do you have any thoughts? We already have incentive strategies, does this need to be a separate strategy?
- a. **Larry Hofreiter** – Looking at it again, I think you are probably right. Unless someone from the Port Subcommittee thinks different. I do think it’s good for us, the Port, to keep the third line in terms of identifying new funding through new fees.
 - b. **Mahiany** – We can keep as it is.
- (C) Roman Partida-Lopez** – I’m curious whether those in Phase 1 are considered high priority? I thought the determining factor was that they were ready to go, not necessarily based on priority.
- a. **Daniela** – I think the Land Use Sub Committee was confused on the definition of Phase I. So, we will be rephrasing Phase 1 to high priority to avoid confusion at the Board.
- (D) Jack Monger** – I’m not sure whether it’s best in advocacy section or section F, but Chapter 3 talks about the fact that diesel particulate matter is the pollutant of most concern. So, I think it is essential that this committee consider encouraging a limitation on development near the freeway at a specific distance. Should that be included in Strategy F2? Or does it need separate discussion?
- a. **Joy** – I wanted to speak briefly to Jack’s comment. There is an update to Barrio Logan Community Plan that could happen before next May. In the draft version, it includes limits on both industrial and residential land uses in the blocks closest to industrial waterfront. So, there is already some buffer concept in there that could be supported by the Steering Committee.
 - b. **Daniela** – Let us bike rack this for the next pass. This would warrant more discussion at the Land Use Subcommittee level.
 - c. **Jack** – Agrees. There is a development being proposed near the I-5, which seems to be going in a different direction than we are. As long as we can have this a discussion item, I’m okay with that. It seems like it would fit well under F2.
 - d. **David** – I think that’s correct Jack. We have started outlining those strategies around new construction in those areas and air filtration. Caltrans is reviewing on what happens near the freeways and what can be done. This can be included in conversations about F2. Regarding the Draft CERP, were ECH Comments be included?
 - e. **Mahiany** – Yes. I sent the latest Draft CERP version to the Steering

Committee. We did incorporate a lot of the comments. There were some that needed some further discussion.

- (E) **Raymond Pe** – We have a few comments from National City:
 - a. For Action F1: Removing reference to remove amortization. We see amortization as a tool, which we adopted in 2016 which the Council uses from time to time with nonconforming uses. Amortization is a tool, not necessarily a goal in itself.
 - b. For Urban Miniparks (F3): We would like to re-word that to include “as funding allows” or “become available” rather than tying the city down to do a feasibility study. This is would be a new addition and city is strapped for resources and staff.
 - c. Under F4, public school exposure, regarding implementing agencies: We are not geared up in terms of resources to implement in what is being asked of us other than facilitating contact with the school districts.
 - d. In reference to the Harbor Drive Multi-modal Project (F7): Our engineering department needs more time to review and ensure funding was addressed behind all the implementation requirements.
 - e. **David** – Would we be able to review these in the Land Use Subcommittee?
 - f. **Raymond** – That would be fine.
- (F) **Ashley Rosia-Tremonti** – It sounds like Phase 2 is going in front of the SD APCD Board in November. Will there be information presented to the Board be that there still needs to be approval and coordination with the other municipalities?
 - a. **Mahiany** – We are presenting Phase I to the Board and the CERP Draft will be presented as an update, noting that further advancement is needed and required approval from other municipalities. The only change we are making tonight will be to change references of Phase I in the Draft CERP Land Use section to “High Priority.”
- (G) **Ted Godshalk** – On D6, can we delete the first three words? “Evaluate the feasibility”
 - a. **Mahiany** – We need to a study on this to explore different options based on availability of inspectors to avoid compromising the quality of other programs. It is very likely that we will need more inspectors, which will require us to review the APCD budget.
- (H) **Roman Partida-Lopez** - I would recommend that we get this upcoming process in writing, what is going on before the Board in November as Phase I, and then what is Phase 2, and when and how we will provide comments.
- (I) **David Flores** – It would be important to confirm that any other comments are referred to the appropriate subcommittee/agency to further refine and implement.

iv. Vote

- (A) Motion to approve CERP Draft as an update noting comments for next phase by **Salvador Razo Abrica**
 - a. Seconded by **David Flores**
- (B) Motion passed UNANIMOUSLY

IV. **Update: CARB Report on San Diego County Response to Navy Ship Fire (Steven Theantanoo, CARB)**

- a. CARB plans to hold a public meeting in November to discuss current findings from the Navy Ship Fire review and collect further input and feedback on areas of concern for inclusion in its review.
 - i. The meeting will not focus on answering questions on any listed finding nor questions regarding the fire incident
 - (A) November meeting is designed to focus on ensuring that all the categories,

concerns, and findings are adequately identified for inclusion in the evaluation by the community.

- (B) The meeting will be followed up by a final report that will provide CARB's findings as well as their recommendations moving forward to improve agency response
- ii. An email notice for the November meeting will be sent to all Steering Committee members and to participants that attended the July Steering Committee meeting
- iii. The meeting will most likely be hosted on Zoom and translation services will be provided
- iv. The CARB findings document that will be reviewed at the meeting can be found on CARB's website at least one week in advance of the meeting
 - (A) Comments will be accepted one week before and after the meeting and can be submitted to the email provided in the email notice
 - (B) Comments from community will help direct the working group to determine which areas to focus on and consider to best voice the community concern
 - (C) A timeline of agency responses to the fire will be provided to the community
- v. The final report is scheduled to be completed by the end of the year and will be published on CARB's website in both English and Spanish
- b. **Steering Committee Comments/Feedback:**
 - i. **Jack Monger** – Just confirming that this meeting will only be focusing on community recommendations regarding what other perspectives the working group should consider and that final findings will not be available until the end of the year?
 - (A) **Steven (CARB)** – We will be sending out our findings sent out in a document but there will be no recommendations included. The community will have an opportunity to provide feedback or concerns regarding findings they may want added to the evaluation being conducted.
 - (B) **Jack** – Can you also please sent out the notice all the Steering Committee members even if they were not in attendance in July?
 - (C) **Steven (CARB)** – Yes, we will be sending out emails to all Steering Committee members

V. **Vote: Proposed Amendments to Charter (Chuy Flores, Facilitator)**

- a. Protocol for Stipends ([Link to Proposal](#))
 - i. Revise the contract with Estolano Advisors to authorize payments of stipends
 - ii. Only current voting community resident members will be eligible for stipends
 - iii. Starting January 202, these stipends will be in the amount of \$75 per meeting
 - iv. Each eligible member receiving a stipend will have to fill out a W-9
 - v. Eligible members may choose to not collect a stipend for any reason without explanation
 - vi. **Steering Committee Comments/Feedback:**
 - (A) **Sara Giobbi** – When looking at the CARB guidance, they have a distinct definition of community members that says “community resident steering committee members who are not paid or do not have expenses reimbursed to participate in the process.” So, anyone who attends and participates in meetings as part of their job should not be eligible. Is this included in our process?
 - a. **Daniela** – Yes, so community members listed here in our roster fills that role. Folks that are nonprofit representatives or from other entities have their affiliation next to them.
 - b. **Sara** – I wasn't clear on how affiliations were identified. We recently had a couple of meetings where folks came in and one guy identified as a community member but also seemingly wanted to sell a product. I'm not sure in our process if we have a clear way of identifying if someone is in fact being compensated for attending a meeting.
 - c. **Mahiany** – When community residents apply, there is an application form and review process that evaluates conflicts of interests.
 - d. **Daniela** – We can make sure to include that definition.

(B) Jack Monger – Is this APCD funded or CARB funded? Given stipends are retroactive, how much would this total?

a. **Mahiany** – It's funded from the District from AB 617 funding. Only folks that have attended would be paid.

b. **Daniela** – Based on our analysis, around \$3,000 funds would be used back from January.

vii. **Vote**

(A) Motion to approve community resident stipends by **David Flores**

a. Seconded by **Larry Hofreiter**

(B) Motion passed UNANIMOUSLY

b. Protocol for letters of support ([Link to Amended Proposal](#))

i. Modifications from September Proposal:

(A) Letters of Support will be using an approved Portside Community SC letterhead developed by APCD

(B) Final letter will be transmitted by AB 617 coordinator to the receiving entity

ii. **Vote**

(A) Motion to approve community resident stipends by **David Flores**

a. Seconded by **Ashley Rosia-Tremonti**

(B) Motion passed UNANIMOUSLY

VI. Public Comments

a. Reserved for comments on items not listed on the agenda

b. Each speaker is limited to 3 minutes

VII. Closing Remarks

a. Committee feedback on meeting, future agenda topics

b. **Larry Hofreiter** – Two announcements for the Steering Committee

i. Will be sending out an invite for the first MCAST subcommittee meeting

(A) Meeting will be on Tuesday, October 20th from 4:00 PM to 5:00 PM

ii. The Port Tenant's Association is closing out a CEC grant where they identified 10 pieces of electrical equipment as well as freight prioritization technology

(A) Recommended that the Port Tenant's Association provide an update to the SC at the November SC Meeting

VIII. Adjourn

Next scheduled meeting is 11/17/20 Tentatively Virtual Meeting via Zoom