

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109

APPROVED MINUTES

Advisory Council Regular Meeting
10:00 a.m., Wednesday, May 10, 2006

CALL TO ORDER – ROLL CALL

Opening Comments: Vice-Chairperson Glueck called the meeting to order at 10:00 p.m.

Roll Call: Present: Fred Glueck, Vice-Chair, Cassandra Adams, Sam Altshuler, P.E., Ken Blonski, Robert Bornstein, Ph.D., Jeffrey Bramlett, Harold M. Brazil, Irvin Dawid, Emily Drennen, William Hanna, Stan Hayes, John Holtzclaw, Ph.D., Janice Kim, M.D., Steven Kmucha, M.D., Karen Licavoli-Farnkopf, MPH, Ed Proctor, Linda Weiner.

Absent: Louise Bedsworth, Ph.D., Kraig Kurucz, Chairperson, Brian Zamora.

PUBLIC COMMENT PERIOD: There were no public comments.

CONSENT CALENDAR:

1. **Approval of Minutes of March 22, 2006.** Dr. Bornstein moved approval of the minutes; seconded by Ms. Adams; carried unanimously.

COMMITTEE REPORTS:

2. **Public Health Committee Meeting of April 11, 2006.** Mr. Bramlett stated that the Committee received reports from Puget Sound and San Joaquin Valley air district staff on wood smoke abatement. The speakers noted that the process for addressing wood smoke requires patience over the long-term. Ms. Weiner added that the speakers urged that the discussion of wood smoke focus on smoke and not the combustion unit. Later today, the Committee will meet to receive presentations on wood smoke abatement from members of the Hearth Products, Patio & Barbeque Association and the North Bay Association of Realtors.

Mr. Altshuler inquired if health risk assessment has ever been applied to wood smoke. Mr. Bramlett suggested that the Public Health Committee could follow-up on this question. Mr. Dawid inquired if there is a ban on outdoor burning of leaves in the Bay Area. Mr. Bramlett replied that the District's Regulation 5 on Open Burning prohibits this kind of activity.

3. **Air Quality Planning Committee Meeting of April 12, 2006.** Mr. Hayes stated that the Committee received a presentation from Abby Young from the International Council on Local Environmental Initiatives—now known as Local Governments for Sustainability—on climate protection activities at the local level. Mr. Hayes referred the Council members to the minutes in today's agenda packet which set forth the details of the presentation. The Committee discussed possible areas of climate protection activities for recommendation to the full Council.

One topic that has emerged is the possible creation of a carbon footprint for the Committee. Environ International Corporation has conducted a corporate carbon footprint—the emissions contents of which are comprised primarily of employee travel data—in attempting to offset its carbon emissions. In applying this approach to the Committee, climate protection and the setting of an emission reduction target would be brought to the personal level using the ICLEI process. Mr. Dawid noted that the Loma Prieta Chapter of the Sierra Club has posted a carbon footprint calculator on its website. He added that a number of local governments have dropped out of the California Climate Action Registry. This is an issue that requires further investigation.

4. **Report of the Technical Committee Meeting of April 12, 2006.** Dr. Bornstein stated the Committee received a presentation from Amy Luers of the Union of Concerned Scientists (UCS) on global warming in California. She reviewed the impacts of projected higher temperatures on various environmental, agricultural and economic sectors in the state. The details of the lecture are provided in the minutes in today’s agenda packet. The Committee’s future directions—based on the topics of climate change, particulate matter (PM) research and the Community Air Risk Evaluation (CARE) program—that were adopted at the Council Retreat in January, will be discussed in the context of where these overlap with the work of the other Committees. Mr. Hayes inquired as to the status of the Community Risk Air Evaluation (CARE) program. Peter Hess, Deputy APCO, stated that the preliminary draft results should be ready for review by the end of July, and the AQPC and Technical Committees should consider jointly receiving a presentation on these results at that time.
5. **Report of the Executive Committee Meeting of May 10, 2006.** Vice-President Glueck stated that the Committee met earlier this morning and briefly reviewed today’s Committee reports.

PRESENTATION

6. **California Goods Movement Action Plan.** Cindy Tuck, Assistant Secretary for Policy at the California Environmental Protection Agency (Cal-EPA) presented “California Goods Movement Action Plan,” stating that Cal-EPA is developing this Plan with the California Business Transportation and Housing Agency (CBTHA). The concept is to develop an integrated Plan that addresses infrastructure, public health, environmental impact mitigation, community impact mitigation, workforce development, and port security. A cabinet level work group was formed and is chaired by Secretaries Alan Lloyd of Cal-EPA and Sunne Wright McPeak of CBTHA.

At the end of 2004, a policy statement for the Plan was issued which declared that “the State’s economy and quality of life depend on the efficient, safe delivery of goods to and from our ports and borders. At the same time the environmental impacts from goods movement activities must be reduced to ensure protection of public health.” Public health and environmental issues must both be addressed. Goods movement is not limited only to ports: it encompasses the delivery to ports and the subsequent distribution of goods throughout four major corridors in California.

Listening sessions were held around the state early in 2005, and later in September a Phase I “Foundations” report was issued which addressed four key regions and corridors in the State: Los Angeles-Long Beach, Bay Area, Central Valley, and San Diego. The assessment took account both of port and rail activities, and addressed various needs and challenges in infrastructure, environmental impact mitigation, community impact mitigation, workforce development, security and public safety, and innovative finance and alternative funding.

Input from regulators and the community was sought on all of these categories. Emission source information was obtained for cargo handling equipment, ships, harbor craft, locomotives, diesel trucks and airplanes. Trucks are now the largest source of emissions, but these will be surpassed by emissions from ships by the year 2020.

The preliminary findings on air pollution issued in the September 2005 report indicate that even if no growth is expected from trade, the current emissions from goods movement constitute a significant contribution to air pollution. Another finding was that future emissions are expected to increase unless aggressive action is taken to turn current trends around, especially as the number of containers coming into California is expected to triple by 2020. With regard to health effects, the report projects an increase in cancer risk and non-cancer respiratory and cardiovascular effects. The report also forecasts a significant increase in the cost of mitigating adverse air quality effects. A December 2005 estimate of the cost of mitigation ranged between \$2-5 billion, while a revised estimate for the statewide Plan increases this to \$6-10 billion.

The Phase II portion of the Plan identifies the actions needed to address the challenges presented in the Phase I report, and the Action Plan was the outcome of this analysis. The public process includes the Governor, to whom the Cabinet Work Group reports. In turn, the Integrating Work Group—which is comprised of five groups: Public Health and Environmental Impact Mitigation, Infrastructure, Innovative Finance & Alternative Funding, Homeland Security & Public Safety, Community Impact Mitigation and Workforce Development—reports to the Cabinet Work Group. The Emission Reduction Plan that has been developed by the Air Resources Board (ARB) is integrated into the Public Health & Environmental Impact Mitigation group, and is an added key component for environmental mitigation and public health issues. The Integrating Work Group has been regularly conducting meetings and will meet again in June. Meetings have been held in more highly impacted communities near ports and rail yards and public comment has been received. There are approximately 40 participants in this Group.

Phase II produced the “Framework for Action” which was the predecessor document to the Action Plan. Three drafts were issued, in December 2005, February 2006 and March 2006. The report addressed environmental challenges and included summary information on air quality, water quality and hazardous waste. It also included an overview of issues as background, draft principles developed by the Work Group, draft criteria for how actions will be selected, draft metrics for the evaluation of actions after implementation, and a draft list of actions. More specifically, on the draft actions, they cover infrastructure, public health and environmental mitigation, community impact mitigation and workforce development and public safety at ports.

The ARB Emission Reduction Plan is extensive and its first draft was issued in December 2005. It was revised in March and approved by the ARB on April 20, 2006. It addressed diesel PM, nitrates and sulfates that form particles in the atmosphere, and ozone—with a focus on the contribution of nitrogen oxide (NO_x) and reactive organics to ozone formation. The Plan estimates that diesel PM is the pollutant of the greatest concern in terms of statewide emissions from goods movement, with 70% of statewide diesel emissions deriving from goods movement.

In terms of health issues, ARB studies in October of 2005 calculated increased lifetime cancer risk for the population near the ports of Los Angeles and Long Beach. An ARB study in October of 2004 found increased life cancer risk for the year 2000 at the Roseville rail yard.

The goals of the Emission Reduction Plan are:

- By 2010, to reduce emissions from goods movement to the greatest extent possible and at least back to 2001 levels.
- By 2015, to reduce South Coast NOx 30% and by 50% in 2020 (these are preliminary targets).
- Apply strategies statewide to aid all regions in attaining standards. (This demonstrates that the ARB is a statewide plan).
- Reduce diesel PM cancer risk by 85% by 2020.
- Reduce localized risk in communities adjacent to goods movement facilities. (This goal is also consistent with the District's CARE program).

The Emission Reduction Plan sets forth strategies to achieve its goals, and to take the elements from the goods movement plan and incorporate them into the State Implementation Plan (SIP) elements by early 2008. The next steps are to revise the March 24 draft of the Plan, release it in June, convene an Integrating Work Group meeting in June, and then finalize the Action Plan.

There are linkages to this effort in the SB1266 bond package (Perata) which proposes \$1 billion for emission reductions from activities related to movement of freight along trade corridors. It is intended as incentive funding for areas that are not reached by broader regulatory measures. These funds must be appropriated by the Legislature, which will promulgate allocation criteria.

In reply to questions, Ms. Tuck stated:

- cost/benefit analysis for the measures proposed in the Plan is a future feature of the rule-making. There will be a "price tag" for each infrastructure project. However, the listed projects are still in draft form and have not yet been approved.
- A chapter on greenhouse gases (GHGs) may be included in the report, but the focus was on criteria pollutants. The State has a Climate Action Team, which has discussed the mandatory reporting requirement for GHGs from local entities.
- emergency response issues for the ports are being worked on by a Group in the plan development that is addressing port security and emergency preparedness.
- among the largest element of the \$6-10 billion in air pollution mitigation costs is the clean-up of truck transport to and from the ports.
- the lack of regulation of ship emissions even at the international level is of concern, and a proposal under consideration is placing conditions on ships that come into the ports.
- there is a need to increase the placement of containers on trains, and to improve railroad track beds as well as the placement of containers on trains at the dock. CARB is promoting these. Review of short sea shipping is underway, pending further environmental evaluation.
- the report addresses "other critical issues" in Chapter VII regarding land-use, and this addresses the issue of sprawl and increased densification for in-fill development.

- diesel emissions will decrease by 2020 due to new and more stringent truck emission standards and fleet turnover.
- coordination of ship arrivals with the ebb and flow of tides has been considered for port expansion project work in the City of Pittsburg.
- the estimation of environmental mitigation costs did take into account cost savings on health care in the context of avoiding lost work days. The Plan proves to be cost-effective when its medical benefits are factored into the overall cost/benefit analysis.
- technology is being considered as a mitigation measure by the Ad Hoc Group on Technology with regard to effective movement of goods at the port. Ms. Weiner noted that at a recent climate change meeting in San Francisco, a panel addressed this issue and provided an update on the relevant research currently being conducted in Silicon Valley.

AIR DISTRICT OVERVIEW

7. Report of the Executive Officer/APCO. Jack P. Broadbent, Executive Officer/APCO, introduced Gayle B. Uilkema, Chair, Air District Board of Directors, who stated:

- the Budget & Finance Committee today forwarded the proposed Budget for FY 2006-07 to the full Governing Board for review and approval.
- the Governing Board is sensitive to the issues the Council is discussing, including diesel emissions, refinery flaring, and emissions from port activities.
- the Governing Board appreciates the Council's devotion of time and effort in serving the Air District and in providing advice to the Governing Board. The Council should reach out to the public and be reflective of the public's concerns.
- in county supervisory activities, there is a common theme of health, safety and welfare. The Council needs to keep these criteria in mind in its deliberations and recommendations.

Mr. Broadbent stated that:

- the District is gearing up for the summer Spare the Air program. It will cover three full work days of free commutes with public transit funding. This effort is being conducted in partnership with the Metropolitan Transportation Commission (MTC) and almost every transit operator in the Bay Area. The free transit days will be offered for those days when an ozone excess is predicted the previous day. With regard to the wintertime Spare the Air Tonight season, no advisories were called as PM levels were low due to the high level of precipitation.
- the proposed Budget will continue the core programs of the District, with slight (8%) fee increases contemplated for certain schedules on certain schedules.
- due to air quality concerns at the Port of Oakland, the District has started to engage the Port in collaboration with MTC and local communities to discuss the pooling of resources to mitigate port-related emission activities and develop a Bay Area Goods Movement & Air Quality Plan. This will complement the State plan. The District has funded Carl Moyer projects in the Port, and will endeavor to get more trucking activities involved in retrofits.

Jean Roggenkamp, Deputy APCO, stated that:

- the Program Manager position for the CARE program has been filled by Dr. Phil Martien from the District.
- for the District's Climate Protection Leadership Program, the Board adopted a six-initiative approach. It includes moving forward with a climate protection planning summit in September based on recommendations from a steering committee which has met three times and will meet again. The District has released an RFP to identify and evaluate different GHG emission reduction processes and technologies, as an informational tool. Staff is reviewing the proposals and a contractor will be selected soon. The District will also integrate climate protection into its other programs. Staff will include an energy and climate protection component in the District's comment letters issued in the context of the California Environmental Quality Act (CEQA) process. For grant programs under the Transportation Fund for Clean Air (TFCA) the District will evaluate both CO₂ emissions and criteria pollutants, and on Monday of next week, the Mobile Source Committee will consider adopting a CO₂ criterion for inclusion in ranking and evaluating TFCA projects.

Mr. Hess stated that the State Legislature has removed exemptions from the agricultural permit process, and staff has now put together a regulatory package to include agricultural operations in its permit system. Workshops on the new rule are being planned for the near future. He added that at the June meeting of the Air & Waste Management Association in New Orleans, he will host an open house in the Presidential Suite at the Hilton.

In reply to Council member questions and comments, executive management replied as follows:

- the deferral of the CARE pilot project is due to the District's current focus on the emission density graphs for the region and the assessment of areas with high potential for exposure to emissions. There are also new issues regarding the Port of Oakland that must be reviewed in the immediate future. The pilot project is therefore going to be held in abeyance.
- proposed new guidelines for the Transportation Fund for Clean Air (TFCA) will be presented to the Mobile Source Committee on May 15, and have received public comment. The largest change is that state law governing TFCA funding now allows both private and public agencies to submit projects for funding from the Regional TFCA fund.
- with regard to controversy in Napa County over the absence of a PM_{2.5} monitor, the District has used its air quality models and larger measuring devices to assess the PM issues there, which is the only county to date that has not adopted the District's model wood smoke ordinance. The District will continue its outreach to that county regarding the ordinance.
- staff will continue to review the literature on the significance of ultrafine particles in exposure to the public, including the information provided at a recent conference at the South Coast AQMD on ultrafine particles. There is a great deal of research currently regarding nanoparticles and the measurement of PM not on the basis of a mass basis but on the number of particles per a specified volume of air. The Advisory Council may want to consider receiving presentations on the state of research in this area and prepare its own recommendations. Mr. Altshuler volunteered to compile some summary slides and make a presentation for the Council after the South Coast AQMD completes the Proceedings disk.

Ms. Weiner added that EPA held three conferences on the PM standards and is considering making the standards more stringent. Many speakers addressed the EPA at these conferences. There is a wealth of expertise on PM in the Bay Area. Mr. Hayes urged the Council to receive a presentation on new developments in the PM field. PM is a key element in the Council's work plan this year. There is enormous potential implications for source attribution and understanding of the emission inventory if the form of the standard shifts from a mass basis to a particle per volume ratio.

- the CARE program will assess which communities are disproportionately impacted. The results could lead to the adoption of other policies which may be directed to specific communities to help reduce their relative exposure risk and increase funding for targeted emission mitigation. The District participated in the creation of ARB's guidelines for land-use, exposure and siting. The Bay Area is an increasingly dense area, in which there is advocacy for in-fill development and affordable housing near transit stations and hubs.

OTHER BUSINESS

8. Report of Advisory Council Chair. Vice-Chairperson Glueck stated there was no report.

9. Council Member Comments/Other Business. There were no further comments.

10. Time and Place of Next Meeting. 10:00 a.m., Wednesday, July 12, 2006, 939 Ellis Street, San Francisco, CA 94109.

11. Adjournment. 11:58 a.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards