

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Approved Minutes: Board of Directors Regular Meeting – July 16, 2003

Call To Order

Opening Comments: Chairperson Haggerty called the meeting to order at 9:50 a.m.

Roll Call: Present: Scott Haggerty, Chair, Chris Daly, Jerry Hill, Patrick Kwok, Jake McGoldrick (10:15 a.m.), Nate Miley, Julia Miller, Dena Mossar, Mark Ross, John Silva, Tim Smith, Pam Torliatt, Marland Townsend (9:52 a.m.), Gayle Uilkema, Brad Wagenknecht, Shelia Young.

Absent: Maria Ayerdi, Harold Brown, Roberta Cooper, Mark DeSaulnier, Liz Kniss.

Pledge of Allegiance: Director Torliatt led the Board in the Pledge of Allegiance.

Commendations/Proclamations: Clean Air Champions Awards 2003.

Since 1992, the Air District, along with the American Lung Association, RIDES for Bay Area Commuters, KCBS Radio 74, Alice 97.3, LIVE 105 and the U.S. Environmental Protection Agency (EPA) have co-sponsored the Clean Air Champions awards to honor Bay Area individuals and organizations for their exceptional efforts to clean up the air. Seven champions were honored this year.

The Board of Directors recognized the winners of the 2003 Bay Area Clean Air Champions. The awards were presented as follows: Directors Haggerty, Wagenknecht, Daly, Miley, Uilkema, Young and Miller presented plaques to James Paxson, Walt Bilofsky, Reverend Sally Grover Bingham, Lucy Gigli, the Brandt family, Port of Oakland, Specialty Solid Waste and Recycling, respectively.

Public Comment Period: Speaker: Irvin Dawid
Advisory Council Member

Mr. Dawid thanked the Board for sponsoring his attendance at the Air & Waste Management Association's 2003 Conference, the International Urban Air Quality Forum and the Local Government Commission (LGC) Conference in San Diego. The LGC Conference was on planning and building more livable communities and featured a public health track. The Air District co-sponsored this Conference.

Mr. Dawid requested the Board of Directors to view the Air District as a public health agency rather than strictly a regulatory agency for air quality, and urged them to consider making that transition.

Consent Calendar (Items 1 – 6)

1. Minutes of July 2, 2003
2. Communications. Correspondence addressed to the Board of Directors.
3. Report of the Advisory Council.
4. Monthly Activity Reports - *Division Activities for the month of June, 2003*
5. Quarterly Report of the Clerk of the Boards
6. Quarterly Report of Air Resources Board Member Honorable Mark DeSaulnier

Board Action: Director Townsend moved approval of the above Consent Calendar items; seconded by Director Miller; carried unanimously without objection.

Committee Reports and Recommendations

7. Report of the Mobile Source Committee Meeting of July 10, 2003

Action: The Committee recommended approval of FY 2003/2004 TFCA County Program Manager projects.

Director Young reported that the Committee met on Thursday, July 10, 2003. Staff reported on its review of applications for Transportation Fund for Clean Air (TFCA) Program Manager Funds for FY 2003/2004. A total of 71 projects applied for funding. Seven were subsequently withdrawn by mutual agreement between the County Program Managers and District Staff. Staff reviewed each project for consistency with state law, the Clean Air Plan, and Board adopted policies, and evaluated all of the projects submitted by a county according to an aggregate cost-effectiveness criterion of \$90,000 per ton of emissions reduced.

For one project, the Napa County Transportation Planning Agency retrofit of seven Napa County transit buses equipped with diesel engines, Staff recommended the Committee waive Section B.5 of TFCA Policy No. 27. Currently available particulate traps do not meet the 2004 California Air Resources Board's limit of 20% nitrogen dioxide (NO₂) in the total emissions of oxides of nitrogen. However, since the quantity of particulate matter reduced by the traps far outweighs this shortcoming, Staff recommended that the project should go forward.

The Committee unanimously endorsed the staff recommendations to allocate Program Manager funds for the 64 projects presented in the staff report.

Board Action: Director Young moved that the Board approve the recommendations of the Mobile Source Committee; seconded by Director Torliatt; carried unanimously without objection.

Presentation

8. Clēaire Briefing of Retrofit Emission Control Technologies

Kevin Shanahan, President, and Brad Edgar, Vice President of Clēaire provided the Board of Directors with a briefing on control technologies that reduce emissions from diesel engines to improve air quality.

Kevin Shanahan, President, and Dr. Bradley Edgar, Executive Vice President and Chief Technology Officer of Clēaire provided the Board of Directors with a briefing on control technologies that reduce emissions from diesel engines to improve air quality.

Director Uilkema inquired whether Clēaire's catalytic converter emitted sulfuric acid, and requested technical assistance to better understand the whole range of low sulfur diesel fuel impacts. Mr. Norton stated that the District would provide the requested information to her.

9. Presentation on Implementation of Smog Check II in the Bay Area

The Enhanced Smog Check program began in the Bay Area on July 1, 2003, and is expected to be fully implemented on October 1, 2003. The Bureau of Automotive Repair (BAR), which is part of the California Department of Consumer Affairs, is responsible for implementing the program.

Mr. Rocky Carlisle, of BAR and the coordinator for the Enhanced Smog Check program in the Bay Area, made a presentation on the enhanced program and provided an update on the Bay Area's implementation of the program.

Other Business

10. Report of the Executive Officer/APCO. Mr. Norton announced the following:

- a) The access codes for all the digi pad locks in the building had changed. A copy of the new codes was distributed to the Board members at the meeting.
- b) The Environmental Protection Agency issued a press release last week in which it is proposing to approve the Bay Area's 2001 Ozone Attainment Plan. There will be a 30-day comment period after which it will review the comments and determine whether or not it will render the approval.
- c) Recent appointments of two new key staff members. Mr. Norton introduced Kelly Wee, Director of Enforcement and Michael Rich, Human Resources Officer. Both staff members briefly addressed the Board of Directors.

11. Chairperson's Report. There was none.

Closed Session (The Board adjourned to Closed Session at 11:00 a.m.)

12. Conference with Legal Counsel

Existing Litigation:

Pursuant to Government Code Section 54956.9(a), a need existed to meet in closed session with legal counsel to consider the following case:

Communities for a Better Environment and Transportation Defense and Education Fund v. Bay Area AQMD, Metropolitan Transportation Commission, Association of Bay Area Governments, and California Air Resources Board, San Francisco Superior Court, Case No. 323849

Open Session (The Board reconvened to Open Session at 11:05 a.m.)

Brian Bunger, Counsel, stated that the Board met in Closed Session and received a status report on Agenda Item No. 12 and provided general direction to Counsel.

13. Board Members' Comments: Director Townsend inquired about the status of SB 288. Mr. Norton stated that amendments to SB 288 have been made. However, District Staff are not satisfied and are still negotiating on the language of the bill.
14. Time and Place of Next Meeting - 9:45 a.m., Wednesday, September 3, 2003, 939 Ellis Street, San Francisco, California.
15. Adjournment: The meeting was adjourned at 11:06 a.m.

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Neel Advani
Deputy Clerk of the Boards

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