

## BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Lawrence D. Dahms Auditorium, MetroCenter, 101 Eighth Street, Oakland, CA 94607

Approved Minutes: Board of Directors Regular Meeting – February 18, 2004

### **Call To Order**

Opening Comments: Chairperson Haggerty called the meeting to order at 9:52 a.m.

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

Roll Call: Present: Scott Haggerty, Chair, Roberta Cooper, Mark DeSaulnier, Jerry Hill, Patrick Kwok, Nate Miley (10:03 a.m.), Julia Miller, Pam Torliatt, Gayle Uilkema, Brad Wagenknecht, Shelia Young.

Absent: Harold Brown, Chris Daly, Liz Kniss, Jake McGoldrick, Dena Mossar, Mark Ross, John Silva, Tim Smith, Marland Townsend.

Commendations/Proclamations: There were none.

**Consent Calendar (Items 1 – 7)** – The Consent Calendar was deferred until a quorum was present.

### **Committee Reports and Recommendations**

#### 8. Report of the Regional Agency Coordinating Committee Meeting of January 23, 2004

Director DeSaulnier presented the report and stated that the Regional Agency Coordinating Committee met on Friday, January 23, 2004 at MetroCenter in Oakland. Metropolitan Transportation Commission (MTC) staff presented a report on the Commission's recent action regarding Phase I of the *Transportation 2030 Plan*, including approval of criteria for evaluating prior funding commitments from the 2001 Regional Transportation Plan, and approval of a regional investment strategy for uncommitted funding.

Air District staff presented an update regarding the current ozone planning process, including a summary of federal redesignation request and maintenance plan requirements, and the status of continuing ozone planning and control efforts.

The Association of Bay Area Governments (ABAG) and MTC staff presented information regarding the outcome and discussions of the ABAG – MTC Task Force regarding the working relationship between the two agencies. The RACC members discussed whether there is a potential role for RACC in addressing this issue. Director DeSaulnier noted that there was considerable discussion on this item and whether or not the Air District should be a part of it.

ABAG staff provided an update on the status of the Bay Area Corridor Planning Program. The next meeting will be at the call of the Chair.

**Board Action:** None. This report provided for information only.

9. Report of the Stationary Source Committee Meeting of January 26, 2004

Director DeSaulnier presented the report and stated that the Committee met on Monday, January 26, 2004. Staff presented a status report on implementation of the requirements of Regulation 12, Rule 11: Flare Monitoring at Petroleum Refineries and summarized the progress of the refineries in meeting the requirements of the Rule adopted in June 2003. Staff presented information on real time web casting and a text-based web page and discussed the following:

- The public wants to know when refinery flares are operating and has requested web cams.
- The existing Rule requires video still image recording, archiving and reporting.
- With video streaming there are several factors that could cause problems with the images, such as weather and time of day. The percentage of useful images is very small.
- Staff has evaluated the feasibility and costs of web cams and recommends a text-based solution.
  - Text-based installation and first year costs would be \$25,000
  - Text-based annual cost would be \$2,000
  - Video streaming installation and first year costs would be \$250,000
  - Video streaming annual cost would be \$100,000
- The text-based web solution provides useful information and meets most of the community requirements.

The consensus of the Committee was to proceed with the text-based web solution. Staff provided a status report on implementation of stationary source control measures in the 2001 Ozone Attainment Plan, further study measures, and preliminary evaluations of potential new ozone control measures. Staff reviewed the 2001 Attainment Plan Control Measures, their descriptions, the dates of adoption and the total Volatile Organic Compound (VOC) reductions, which is 8.4 tons per day. Staff reported that six Technical Assessment Documents (TAD's) have been developed and potential regulatory amendments are being considered on five of the assessments.

Staff reported that 370 potential stationary source, mobile source and other measures have been evaluated for consideration as new control measures for possible inclusion in the 2004 Attainment Strategy. Staff is working on developing detailed control measure descriptions for those evaluations that are potentially viable and that would then be put into the 2004 Plan for further consideration. The next meeting of the Committee is scheduled for Monday, March 22, 2004.

**Board Action:** None. This report provided for information only.

**Public Comment Period: Speaker:** There were none.

**Other Business**

11. Report of the Executive Officer/APCO

Jack Broadbent, Executive Officer/APCO stated he had no report.

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The Board took a brief recess until a quorum was present. With the arrival of Director Miley at 10:03 a.m., a quorum was present and the Board meeting was reconvened.

**Consent Calendar (Items 1 – 7)**

1. Minutes of January 21, 2004
2. Communications. Correspondence addressed to the Board of Directors
3. Report of the Advisory Council
4. Monthly Activity Report – *Activities for the month of January 2004.*
5. Consider Establishing a New Classification of Principal Air Quality Chemist and Allocate the New Classification to Range 139 on the Professional Salary Schedule

*Considered approval of establishment of a new classification of Principal Air Quality Chemist and allocate the new classification to Range 139 on the Professional Salary Schedule.*

6. Consider Authorizing Executive Officer/APCO to Execute Agreements to Continue Participation in the Congestion Mitigation and Air Quality Improvement (CMAQ) Program.

*Considered approval of Resolution authorizing the Executive Officer/APCO to execute agreements necessary to continue receiving CMAQ funding used by the Air District to fund the public outreach and related components of the Spare the Air program.*

7. District Personnel on Out of State Travel

**Board Action:** Director Young moved approval of Consent Calendar Items 1 through 7; seconded by Director Torliatt; carried unanimously with the following Board members voting:

AYES: Cooper, DeSaulnier, Hill, Kwok, Miley, Miller, Torliatt, Uilkema, Wagenknecht, Young, Haggerty.

NOES: None.

ABSENT: Brown, Daly, Kniss, McGoldrick, Mossar, Ross, Silva, Smith, Townsend.

**Adopted Resolution No. 2004-03: A Resolution of the Bay Area Air Quality Management District Board of Directors Authorizing District Participation in the Congestion Mitigation and Air Quality Improvement Program (“CMAQ”) for the San Francisco Bay Area.**

**Committee Reports and Recommendations (Continued)**

10. Report of the Public Outreach Committee Meeting of February 9, 2004

*Action: The Committee recommended Board of Directors approval of the following:*

- A) Referral of a transfer in the amount of \$135,000 from the Reserves for Contingencies to implement the Lawn Mower Buyback Programs for the 2004 Spring time campaign to the Budget and Finance Committee for consideration.*
- B) Staff recommendations of contractors for media, advertising, youth, measurement and community outreach programs for a one-year period with the possibility of continuing the contracts for two additional one-year periods.*

Director Cooper presented the report and stated that the Public Outreach Committee met on Monday, February 9, 2004. Staff presented an update on the Air District’s wintertime outreach program, which will run through February 2004. As of February 9<sup>th</sup>, the District has had no excesses of the federal 2.5 PM standard compared to seven last year. Staff reported on the Santa Clara County Woodstove/Fireplace Changeout Program and noted about 200 stoves and fireplaces have been changed out. The goal is to change out at least 1500 stoves and fireplaces through the duration of this program. The Committee recommended staff provide “point of sale” language to cities and counties considering a Woodsmoke Ordinance. Director Cooper noted that the cities of San Leandro and Hayward just passed Woodsmoke Ordinances.

Staff and the consultant, Community Focus, updated the Committee on the revised draft of the Air Pollution Report to the Community. Changes were made so that only closed Notice of Violations (NOV’s) are being listed, the specific addresses of the air monitoring stations has been deleted, more educational information is listed on the Report, and the Title V permit information listed is now Bay Area wide. The Report will be sent to 60-75 businesses and community organizations. The Committee recommended several additional changes that will be incorporated into the Report.

Staff reviewed the rebidding process for the Public Outreach Contracts. The proposed contracts would be for a one-year period, with the possibility of continuing the contracts for two additional one-year periods. The Committee recommends the Board approve the following contracts:

- 1. Communications West for youth outreach.
- 2. Community Focus for community outreach.
- 3. O’Rorke Public Relations Inc. for advertising.
- 4. Allison and Partners for media relations.
- 5. True North Research for research.

The Committee also recommends that the elements of the “Thank you” man campaign be incorporated into future campaigns.

Staff discussed the lawn mower buy-back programs for the spring of 2004. Six counties – Contra Costa, Solano, Sonoma, Napa, San Mateo, and San Francisco – and the City of Sunnyvale are interested in working with the Air District on local lawn mower buy-back programs. The Committee directed staff to contact Alameda County to try to coordinate another buy-back program this year in that County. The Committee recommends the Board refer the transfer of \$135,000 from the Reserve for Contingencies to the Budget and Finance Committee to implement the Lawn Mower Buyback Programs for the 2004 Spring-time campaign, including expanding it to Alameda County.

The next meeting of the Committee is scheduled for 9:45 a.m., Monday, April 12, 2004.

**Board Action:** Director Cooper moved the Board approve the report and the recommendations of the Public Outreach Committee; seconded by Director Torliatt; carried unanimously without objection.

**Other Business (Continued)**

12. Chairperson's Report. Chairperson Haggerty stated he had no report.
13. Board Members' Comments: There were none.
14. Environmental Community Tour of Oakland

The Board of Directors participated in a tour that visited some of the communities in the vicinity of the following facilities:

1. LeSaffre Yeast Corporation (formerly Red Star Yeast)
2. AMCO Chemical Site (also known as DC Metals)
3. Port of Oakland
4. Owens Brockway
5. Integrated Environmental Systems (IES)
6. American Brass and Iron (AB&I)

Members of environmental groups and/or community members spoke at each of the sites.

15. Time and Place of Next Meeting - 9:45 a.m., Wednesday, March 3, 2004, 939 Ellis Street, San Francisco, California.
16. Adjournment: The meeting was adjourned at 12:20 p.m.

*Mary Romaidis*

Mary Romaidis  
Clerk of the Boards

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