



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
EXECUTIVE COMMITTEE MEETING**

COMMITTEE MEMBERS

**MARLAND TOWNSEND – CHAIRPERSON
MARK ROSS – SECRETARY
SCOTT HAGGERTY
JULIA MILLER
BRAD WAGENKNECHT**

**GAYLE B. UILKEMA – VICE CHAIRPERSON
MARK DeSAULNIER
JERRY HILL
SHELIA YOUNG**

**FRIDAY
FEBRUARY 4, 2005
9:00 A.M.**

**FOURTH FLOOR CONFERENCE ROOM
DISTRICT OFFICES**

AGENDA

- 1. CALL TO ORDER – ROLL CALL**
- 2. PUBLIC COMMENT PERIOD** *(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.*
- 3. APPROVAL OF MINUTES OF NOVEMBER 29, 2004**
- 4. QUARTERLY REPORT OF THE HEARING BOARD** **T. Dailey/4965**
- 5. REPORT OF THE ADVISORY COUNCIL** **B. Zamora/4965**
Bzamora@co.sanmateo.ca.us
- 6. UPDATE ON BAY AREA OZONE STRATEGY** **J. Roggenkamp/4646**
jroggenkamp@baaqmd.gov
Staff will present an update on the Bay Area Ozone Strategy.
- 7. REPORT OF THE NORTHERN CALIFORNIA AIR QUALITY COORDINATING GROUP MEETING** **J. Broadbent/5052**
jbroadbent@baaqmd.gov
Staff will present a summary of the January 28, 2005 meeting.
- 8. OVERVIEW OF JOINT POLICY COMMITTEE** **J. Roggenkamp/4646**
jroggenkamp@baaqmd.gov
Ted Droettboom, Regional Planning Program Director, will present an overview on the Joint Policy Committee, its mandate and work program.
- 9. STATUS REPORT ON THE DISTRICT'S COMMUNITY AIR RISK EVALUATION (CARE) PROGRAM** **B. Bateman/4653**
bbateman@baaqmd.gov
Staff will provide a status report on the District's Community Air Risk Evaluation (CARE) Program.

10. INFORMATION SYSTEMS DIVISION UPDATE

J. McKay/4629

jmckay@baaqmd.gov

Staff will present the status of ongoing work to define the future Production System that will replace IRIS and Databank.

11. CLOSED SESSION

Conference with District's Labor Negotiators

(Government Code § 54957.6(a))

Agency Negotiators: Jack P. Broadbent, Executive Officer/APCO

Michael Rich, Human Resources Officer

Employee Organization: Bay Area Air Quality Management District Employees' Association, Inc.

12. COMMITTEE MEMBER COMMENTS/OTHER BUSINESS

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2).

13. TIME AND PLACE OF NEXT MEETING: 9:45 A.M. MARCH 30, 2005, 939 ELLIS STREET, SAN FRANCISCO, CA

14. ADJOURNMENT

**CONTACT CLERK OF THE BOARDS - 939 ELLIS STREET
SAN FRANCISCO, CA 94109**

(415) 749-4965

FAX: (415) 928-8560

BAAQMD homepage:

www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Clerk's Office should be given at least three working days prior to the date of the meeting so that arrangements can be made accordingly.

**Bay Area Air Quality Management District
939 ELLIS STREET
SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000**

DRAFT MINUTES

Summary of Board of Directors
Executive Committee Meeting
9:45 a.m., Monday, November 29, 2004

1. **Call to Order - Roll Call:** Chairperson Scott Haggerty called the meeting to order at 9:45 a.m.
Present: Scott Haggerty, Chair, Mark DeSaulnier, Jerry Hill, Julia Miller, Mark Ross, Tim Smith, Pamela Torliatt, Marland Townsend, Gayle Uilkema.
Absent: None.
2. **Public Comment Period:** There were no public comments.
3. **Approval of Minutes of September 29, 2004:** Director Miller moved approval of the minutes; seconded by Director Townsend; carried unanimously without objection.
4. **Quarterly Report of the Hearing Board:** Hearing Board Vice-Chair Christian Colline. P.E., presented the Hearing Board Quarterly Report – July 2004 – September 2004.
5. **Report of the Advisory Council:**
 - a. *Recommendations for reappointment of Advisory Council members*
 - b. *Recommendations for fence-line monitoring*
 - c. *Advisory Council Officers for 2005*
 - d. *Summary of key issues discussed at meetings of the Council and its Standing Committees*

Stan Hayes, Chairperson of the Advisory Council Applicant Selection Working Group, recommended the reappointment of nine Advisory Council members to another two-year term on the Council and the appointment of Cassandra Adams to the “Architect” category for a two-year term on the Council. The two-year terms would begin January 1, 2005 and end December 31, 2006.

The Committee discussed the possibility of, in the future, changing the method by which applicants are selected to the Advisory Council.

Committee Action: Director Townsend moved to recommend Board approval of the appointments to the Advisory Council as stated above; seconded by Director Miller; carried unanimously without objection.

Elinor Blake, Chairperson of the Advisory Council, reviewed Agenda Item 5d and discussed the Council's seven recommendations on fence-line monitoring. There was discussion on the community meetings that were held and providing the public access to the monitoring information and putting it on the District's web site. The Committee directed staff to bring information back to the Stationary Source Committee on how this could be accomplished.

Committee Action: Director Townsend moved to receive the report and recommended staff provide information to the Stationary Source Committee on how the District can improve the public's access to real-time and recent refinery emissions data; seconded by Director Hill; carried unanimously without objection.

Ms. Blake announced the Council Officers for calendar year 2005 as follows: Chairperson, Brian Zamora; Vice-Chairperson, Kraig Kurucz; and Secretary, Fred Glueck. Ms. Blake highlighted the key issues discussed at meetings of the Council and its Standing Committees and stated that the Council had 14 items on its agenda for 2004; 11 are completed and the three not completed were long-range issues and they may be discussed next year.

Ms. Blake introduced incoming Chair, Brian Zamora.

6. Status Report on the Ozone Strategy: *Staff presented a status report on the Ozone Strategy.*

Jack Broadbent, Executive Officer/APCO, introduced Jean Roggenkamp and announced her promotion to Deputy APCO.

Henry Hilken, Air Quality Planning Manager, presented the report and provided an overview of the status of the Ozone Strategy. Mr. Hilken reviewed the extensive public involvement and acknowledged the organizations and other stakeholders who contributed to a wide range of Control Measure ideas. Mr. Hilken reviewed the draft Stationary Source Measures, Mobile Source Measures and Transportation Control Measures. Mr. Hilken stated that the draft Ozone Strategy and draft EIR would be released for public review in January 2005 and that the Ozone Strategy would be before the Board for hearing and adoption during the second quarter of 2005.

There was discussion on the CCOS Study and Director Uilkema requested staff provide periodic updates on the Study. There was also discussion on the Climate Protection Campaign, transport issues, and global warming.

Speaker: Irvin Dawid
Palo Alto, CA 94301

Committee Action: None. This report provided for information only.

7. Labor Relations Update: Memorandum of Understanding (MOU) Extension; Update to Affirmative Action Plan: *Staff presented a labor relations update on the MOU extension as well as an update on the status of the Affirmative Action Plan.*

Mr. Broadbent stated management worked with the Employees' Association on a tentative agreement to extend the Memorandum of Understanding (MOU). Mr. Broadbent reported that the

Employees' Association members voted, almost unanimously, to extend the contract. The contract will be before the Board for approval at its December 1st meeting.

Michael Rich, Human Resources Manager, presented the report on the District's Affirmative Action Plan. The report covered the background of the District's Affirmative Action Plan, highlights of the updated Plan, and utilization highlights.

Committee Action: None. This report provided for information only.

8. Discussion Regarding Teleconferencing Options/Alternatives: *The Committee considered staff's recommendations regarding Board of Director and Committee meetings held via teleconferencing.*

Mr. Broadbent stated that there has been some interest expressed in providing additional teleconferencing capabilities at the District and the possibility of setting up several satellite locations for Board members to participate in the Committee meetings and/or Board meetings. The issue will be brought before the Budget and Finance Committee on December 20th.

Brian Bunger, Counsel, discussed the requirements of the Brown Act with respect to noticing the meetings at all locations. Mr. Bunger stated that satellite locations could be set up and people could attend from those locations and public comments would be received from those locations. Mr. Bunger commented that the Brown Act requirements for teleconference meeting using audio vs. video are the same. Mr. Bunger reported that remote locations were looked at in both Santa Clara County and Sonoma County.

The Committee requested staff look at the system that the California State Association of Counties (CSAC) uses and to also talk to people at the Alameda County offices.

Other issues discussed were: 1) labor costs and who would staff the remote locations; 2) if the system would be needed in both the 4th floor conference room and the Board room; 3) security problems and Closed Sessions; 4) the need to look at the offset of costs; and 5) whether it is easier for constituents to access meetings through video teleconferencing.

There was also the opinion expressed that Board members should come to the District for the meetings to be face-to-face with the public as there is value to that. The Committee also discussed using a system of this type only under extraordinary circumstances.

Committee Action: None. This report provided for information only.

9. Information Systems Division Update: *Staff presented the status of ongoing work to define the future Production System that will replace IRIS and Databank.*

Jeff McKay, Director of Information Services, presented the report and updated the Committee on the implementation of the District's production system for the IRIS/Databank replacement. Mr. McKay stated that the District's financial system has been replaced with JD Edwards and work is now being done on the production system that will replace the DataBank/IRIS system.

Committee Action: None. This report provided for information only.

10. **Committee Member Comments:** Chairperson Haggerty thanked the Hearing Board and Advisory Council for their work this year. He also thanked the Board of Directors, staff, and members of the Executive Committee for all of their hard work.
11. **Time and Place of Next Meeting:** 9:45 a.m., Wednesday, March 30, 2005, 939 Ellis Street, San Francisco, CA. Chairperson Haggerty reminded the Committee of the Board Retreat on Wednesday, December 1st.
12. **Adjournment.** The meeting was adjourned at 11:22 a.m.

Mary Romaidis
Clerk of the Boards

EXECUTIVE COMMITTEE

Follow-up Items for Staff

November 29, 2004

1. The Committee directed staff to bring information back to the Stationary Source Committee on how the District can provide the public access to flare monitoring information.
2. The Committee requested staff look at the teleconferencing system that the California State Association of Counties (CSAC) uses and to also talk to people in the Alameda County offices.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
 Memorandum

TO: Chairperson Marland Townsend and Members of the Executive Committee
FROM: Chairperson Thomas M. Dailey, M.D., and Members of the Hearing Board
DATE: January 14, 2005
RE: Hearing Board Quarterly Report – OCTOBER 2004 – DECEMBER 2004

RECOMMENDED ACTION:

This report is provided for information only.

DISCUSSION:

<u>COUNTY/CITY</u>	<u>PARTY/PROCEEDING</u>	<u>REGULATION(S)</u>	<u>STATUS</u>	<u>PERIOD OF VARIANCE</u>	<u>ESTIMATED EXCESS EMISSIONS</u>
Alameda/Pleasanton	DUBLIN SAN RAMON SERVICES DISTRICT (Variance – Docket No. 3479) – Variance from regulation requiring compliance with permit conditions (APCO not opposed.)	2-1-307	Granted	11/12/04 to 2/2/05	1,660 # (CO)
Contra Costa/Martinez	TESORO REFINING & MARKETING (Variance - Docket No. 3480) – Variance from regulation requiring compliance with permit conditions; and from regulation limiting emissions of organic compounds from storage tanks (APCO opposed.)	2-1-307; 8-5-305.5, 320, 321 & 322	Withdrawn	===	(VOC) (TACs) (Benzene and other TACs)
Contra Costa/Richmond	CHEVRON USA, RICHMOND REFINERY (Emergency Variance – Docket No. 3478) – Emergency Variance from regulation limiting emissions of organic compounds from storage tanks (APCO not opposed.)	8-5-305.5	Granted	11/2/04 to 11/9/04	(VOC)
Santa Clara/Santa Clara	SILICON VALLEY POWER-PICO POWER PLANT CITY OF SANTA CLARA, CA. (Variance – Docket No. 3481) – Variance from regulation requiring compliance with permit conditions; and from regulation to provide for the review of new and modified sources and provide mechanisms, including the use of BACT, TBACT and emissions offsets, by which authorities to construct such sources may be granted (APCO not opposed.) – Interim Variance Hearing	2-1-307 2-2-419	Granted (Full Variance hearing scheduled for 1/27/05)	12/1/04 to 2/28/05	(NOx)

**NOTE: During the fourth quarter of 2004, the Hearing Board dealt with 2 Dockets on 2 hearing days.
A total of \$2,163.65 was collected as excess emission fees during this quarter.**

Respectfully submitted,

Thomas M. Dailey, M.D.
Chair, Hearing Board

Prepared by: Neel Advani, Deputy Clerk of the Boards

FORWARDED: _____
NA:na (1/14/05) (HBEXQURT)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Townsend and Members of the Executive Committee
From: Brian Zamora, Chairperson, Advisory Council
Date: January 21, 2005
Re: Report of the Advisory Council: November 18, 2004 – January 12, 2005

RECOMMENDED ACTIONS:

Receive and file.

DISCUSSION:

Presented below are summaries of the key issues discussed at meetings of the Advisory Council and its Standing Committees during the above reporting period.

- a) Joint Air Quality Planning & Technical Committee Meeting – December 16, 2004. The two Committees jointly discussed issues related to alternative fuel and alternative fuel vehicles, and identified specific subjects for separate and joint Committee review in 2005. *(Draft minutes included in the February 4, 2005 Board of Directors Executive Committee Meeting Agenda packet.)*
- b) Advisory Council Regular Meeting & Retreat – January 12, 2005. The Council discussed with District staff the key issues facing the District and adopted its work plan for 2005. *(Draft minutes included in the February 4, 2005 Board of Directors Executive Committee Meeting Agenda packet.)*

Respectfully submitted,

Brian Zamora
Advisory Council Chairperson

Prepared by: James Corazza

FORWARDED BY: _____

AGENDA NO. 5a

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

DRAFT MINUTES

Advisory Council Regular Meeting
Joint Meeting of the Technical and Air Quality Planning Committees
9:30 a.m., Thursday, December 16, 2004

- 1. Call to Order – Roll Call.** Chairperson Brazil called the meeting to order at 9:40 a.m. Air Quality Planning Committee Members present: Harold Brazil, Joint Committee Chairperson; Irvin Dawid, Emily Drennen, Fred Glueck, John Holtzclaw, Ph.D., Kraig Kurucz, Kevin Shanahan. Technical Committee Members present: Joint Committee Chairperson, Louise Bedsworth, Ph.D., William Hanna, John Holtzclaw, Ph.D., Norman A. Lopera, Jr. Technical Committee Members absent: Sam Altshuler, P.E., Stan Hayes, Robert Bornstein, Ph.D.
- 2. Public Comment Period.** There were no public comments.
- 3. Approval of Minutes of October 12, 2004.** Dr. Bedsworth requested that “CO” be changed to “CO2” on line three of paragraph two on page two; “NOx emission in-use” to “in-use NOx emissions” in line one of paragraph two on page three; and “as is” to “as are” on line three of paragraph three on page two. Mr. Hanna requested that he be listed as “Present” instead of “Absent” on page one under “Call to Order/Roll Call.” Mr. Lopera requested changing “in of” to “of” on line two of paragraph four on page two. Mr. Dawid requested changing “easily” to “most easily” and “forms” to “sources” in line one of paragraph one on page two. Mr. Dawid moved approval of the minutes as amended; seconded by Dr. Holtzclaw, carried unanimously.
- 3. Discussion of Vehicles and Fuels**

Dr. Bedsworth stated the Joint Committee indicated it would review the presentations given at the last meeting, entitled “The Role of Advanced Technology Vehicles in Improving Air Quality and Reducing Greenhouse Gases” by *John Boesel, President and Chief Executive Officer for WestStart-CALSTART*, and “Alternative Fuels Now... and in the future” by *Mike Jackson, Director, TIAX LLC*.

She distributed her memorandum entitled “Issues for Committee consideration with respect to vehicles and alternative fuels,” dated December 15, 2004, which summarized the key points raised by the presenters at the October meeting, as follows:

1. The feasibility of the district collecting and distributing funds for alternative fuel research and development projects, as is done in the South Coast;
2. The feasibility and implications of including greenhouse gas emissions (GHG) as an additional criteria in the evaluation of Carl Moyer projects;
3. Explore and recommend GHG emission reduction measures from mobile sources, beyond the light-duty vehicle sector;
4. Should we evaluate alternative fuels for use only by mobile sources or by mobile and stationary sources?

5. Potential incentives and programs to encourage the use of clean technology options that are available today, e.g. PZEVs, AT-PZEVs, CNG, etc.;
6. Relationship of district activities on alternative fuels and the evolution of and information gathered in the CARE program;
7. Role of district outreach and education programs in encouraging the use of alternative fuels;
8. The role of an integrated, multi-pollutant approach to evaluating incentive project funding (both for alternative fuels as well as new technologies).

She observed that one of the speakers recommended the Council advise the District to collect and distribute funds from vehicle registration fees for sponsoring alternative fuel research and development projects, and also to recommend the inclusion of greenhouse gases as a evaluation criterion for Carl Moyer projects. Another suggestion concerned developing ways to reduce greenhouse gases from stationary and other non-mobile sources.

In discussion of how vehicle surcharge fees might support alternative fuel research projects, Michael Murphy, Advanced Projects Advisor, observed that the District funds from the \$4.00 fee currently imposed by the District can be used to support projects that advance innovative technology, within the context of the adopted cost-effectiveness criteria, on a case-by-case basis. On December 21, the District's Board will vote on whether to increase this surcharge fee by \$2.00. Recently adopted state legislation gave local air districts authority to pursue additional vehicle projects, and funding may be allocated to diesel re-powering, alternative fuels, and devices that concern engine idling. There is some coordination between the Bay Area and South Coast air districts on vehicle projects, which helps to avoid duplication in research and development projects. There is also some overlap among vendors for certain projects, and the Bay Area often pursues projects in this region that may not be ideally pursued in the South Coast. The Bay Area is presently limited to funding public agencies for specific projects, and while planning and research is excluded, the District's Board can authorize demonstration projects. However, the District would need additional legislative authorization to sponsor the kind of technology advancement projects that the South Coast AQMD supports from a separate fund of vehicle registration fees.

When the District has funded projects that contain aspects of research and development, these emphasize engine technology, in concert with the Executive Order issued by the California Air Resources Board (CARB) that allows a demonstration project for an uncertified engine that holds promise to meet engine emission requirements. Typically, the manufacturers will come to a fleet user and a granting agency and petition for endorsement of a project that will include field-testing.

Mr. Lapera opined that the Joint Committee should first ascertain if enough being done in the field of research and development. Mr. Shanahan noted that considerable alternative fuels research is being conducted by CARB, the South Coast AQMD and elsewhere, driven by the Clean Air Act attainment goals. The expertise developed to date is well suited to address future opportunities in research and development. Market and commercial considerations, as well as the advent of increasingly stringent vehicle emission standards, provide opportunities for researching, developing and deploying new, and in some cases, alternative, technologies. Mr. Lapera noted that the successful commercialization of hybrid vehicles to the point at which there is a waiting list among consumers for them is indicative of the need to improve the connection between research and development, on the one hand, and market availability, on the other.

Mr. Shanahan replied that, given the vast difference between the Moyer program a few years ago and today, the question is whether or not the available funds are being spent most effectively in light of technological, public health and transit mode categories, and given the additional fact that the Moyer program now addresses particulate matter (PM) emissions. The issue may be more of “fine tuning” the funding allocations by the District. Ms. Drennen observed that it is difficult to do so without knowing the budget.

In discussion of distributing the topics identified in Dr. Bedworth’s memorandum between the two Committees, the Joint Committee reached consensus that the AQPC should focus primarily on the funding aspects and the Technical Committee on research and development, and inventory issues:

No. 1 – Funding issues are appropriate to the AQPC and the research aspects on alternative fuels from the perspective of the Bay Area is appropriate to the Technical Committee.

Nos. 2 & 8 – These are interrelated. The inclusion of greenhouse gases as an evaluation criterion for the Carl Moyer program is topical in light of discussion at the recent Board of Directors Retreat regarding this district taking on the issue of global warming. One issue concerns how the inclusion of this criterion might affect current Moyer projects and the impact on cost-effectiveness analysis, and another concerns the extent to which alternative fuels involve various trade-offs in emissions. The Technical Committee could examine the pros and cons and then present the results to the AQPC for policy analysis. This item needs to be early on the Committees’ agendas next year.

No. 3 – Since the district does not have control over mobile sources, this is largely philosophical.

No. 4 – Air districts, such as the San Joaquin Valley APCD, that have had some experience with alternative fuels should be consulted. The extent to which alternative fuels can be utilized by stationary sources is also very relevant and fits very precisely with the District’s statutory mission. European experience should be brought into the picture as well, particularly as regards bio-diesel, its negative impacts on NO_x emissions and the role of fuel additives in mitigating them. The Technical Committee should take the lead in evaluating biodiesel.

The Joint Committee agreed that the utility of alternative fuels should be assessed both for mobile and stationary sources. The first task is to review the emission inventory for stationary sources, current fuel sources and the viability of bringing alternative fuels to that market. Renewable sources of energy must also be included in the assessment. Biodiesel ranks highly as a renewable energy source but has negative impacts as regards NO_x emissions. Mr. Murphy clarified that for stationary sources, alternative fuels are evaluated through “Best Available Control Technology” (BACT) and primarily in terms of meeting engine emission requirements.

The Joint Committee agreed it must also complete its review of the list of all the alternative fuels it earlier identified for review and provide the pros and cons. The Center of Energy Efficiency and Renewable Technology (CEERT) in Sacramento is a good source of information.

Mr. Shanahan noted that the degree to which biodiesel can be merged with engine aftertreatment is deserving of technical analysis and a review of where such efforts are being conducted elsewhere. Whether it is preferable to have ultra low sulfur diesel now or await the development of Fischer Tropes diesel, is important to consider, as are the pros and cons of each approach. Mr. Glueck opined that the efficacy of the fuel must be considered along with the totality of effort it takes to produce it. The extent to which a fuel lessens dependence on foreign oil is also important.

Mr. Shanahan suggested the AQPC look into the matter of emission reduction credits for stationary sources, and to assess whether it makes sense to allow a corporation that owns a stationary source to retrofit vehicles and receive credits that allow the source to continue to pollute at a certain level. Mr. Brazil noted that in the transportation community there are also reciprocal considerations of how to get credits from the non-transportation sector. Mr. Hanna suggested that credit ought to be given to a manufacturer that gets half of its workforce to take public transit to and from work.

Nos. 5 & 7 – The Joint Committee agreed that these were linked and should be taken up by the AQPC. The addition of the District’s Community Relations Manager is important in this respect.

No. 6 – This topic contains technical issues that lead to public health considerations. This may be a longer-term issue in the Joint Committees’ review of alternative fuels.

5. **Committee Member Comments/Other Business.** Mr. Dawid requested that the meetings of the Regional Agency Coordinating Committee be listed on the Monthly Calendar of District Meetings that is issued by the Air District’s Office of the Clerk of the Boards.
6. **Time and Place of Next Meeting.** To be determined at the Advisory Council Regular Meeting and Retreat scheduled for January 12, 2005.
7. **Adjournment.** 11:45 a.m.

James N. Corazza
Deputy Clerk of the Boards

:jc

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Draft Minutes: Advisory Council Regular Meeting and Retreat– January 12, 2005

CALL TO ORDER

Opening Comments: Chairperson Zamora called the meeting to order at 10:00 a.m.

Roll Call: Present: Brian Zamora, Chair, Cassandra Adams, Sam Altshuler, P.E., Diane Bailey, Elinor Blake, Bob Bornstein, Ph.D., Jeffrey Bramlett, Harold M. Brazil, Irvin Dawid, Emily Drennen, Fred Glueck, William Hanna, Stan Hayes, John Holtzclaw, Ph.D., Kraig Kurucz, Ph.D., Norman Lapera, Kevin Shanahan, Jr., Victor Torreano, Linda Weiner.

Absent: Louise Bedsworth, Ph.D.

PUBLIC COMMENT PERIOD: There were no public comments.

CONSENT CALENDAR:

1. **Approval of Minutes of November 10, 2004.** Mr. Glueck requested that “If implemented” be inserted prior to “the program” on paragraph two on page six. Mr. Torreano moved approval of the minutes as corrected; seconded by Mr. Glueck; carried unanimously.

RETREAT FORMAT:

2. **Mission of the Advisory Council**

A. **Role of the Advisory Council.** Chairperson Zamora:

- reviewed California Health & Safety Code Section 40260, the District’s Administrative Code Division I - Operating Policies and Procedures, and “The Advisory Council and Public Agency Working Together” – a paper jointly authored in 1990 by District Deputy APCO Peter Hess and former Advisory Council member John Lagarias. He noted these provide a statutory and administrative base for the Council, along with a fine historical overview of the Council. Last year the Council adopted a process for tracking its recommendations, and this year the process will be made more routine and possibly part of each Regular meeting agenda packet.
- stated the Council Executive Committee will build infrastructure on the role of the Council, update the Council’s By-Laws, develop a fresh mission statement for the Council as well as a Code of Conduct for Advisory Council members which takes into account that the Council speaks as a single body in proffering advice to the staff and/or Board. The Deputy Clerk will research whether other air district have comparable codes for their Advisory Council.
- Chairperson Zamora welcomed new Advisory Council member Cassandra Adams who was recently appointed by the Board of Directors to the Architect category on the Council.

B. Expectations for the Advisory Council. Jack Broadbent, Executive Officer/APCO, stated that the governing Board values the Council’s role in providing input and advice, and the District staff perceives the Council as a body of experts that researches issues and provides input to staff. There are key issues related to ozone attainment, the new standards for particulate matter (PM), toxic air contaminants and the Community Air Risk Evaluation (CARE) program that will assess localized exposures and guide the allocation of Carl Moyer funds. Climate change and indoor air quality issues are also on the near horizon for Council analysis. Staff sees the Council as advising on broad issues and not the District’s day-to-day operations. With regard to the role of the Council, the relationship of individual Council members to staff and the Board, and a possible Code of Conduct for the Council, staff is available to work with the Council members in these areas.

C. Brown Act Refresher. Brian Bunger, District Counsel, stated that the Brown Act requires that the meetings of the Advisory Council, governing Board and Hearing Board be open to the public. In order to conduct business, agendas must be posted so that the public can view them; and decision making must occur in an open forum. Agenda packet materials and copies of presentations must be available at the meetings. Sign-in sheets may be provided to the public, but signing them is not mandatory. While the Council does not have the ability to meet in Closed Session, the governing Board does so that it may discuss litigation, personnel issues national security matters.

The Brown Act also prohibits conducting serial meetings in which members individually reach agreement in turn outside a formal meeting context. While a member of the public that is on the agenda as a guest speaker may participate fully in the discussion of the presentation, members of the public who address a specific agenda item are limited to filling out a speaker card and address the Council for a limited period of time. Thereafter their participation in discussion should be limited either to answering clarifying questions or providing brief comments.

The Brown Act also requires that agendas be posted a minimum of 72 hours prior to a meeting. The District posts agendas on the front door of the building, in the first and seventh floor lobbies, and on the Internet. Issues not on the agenda may not be discussed, except to provide direction to staff, agendize an item for a future meeting, or direct specific research. There are narrow exceptions for “emergency items” —such as a work stoppage, a crippling disaster, or other public health events—but these require a determination that an emergency exists. A majority of the Council must decide an emergency exists and two-thirds of the Council must vote to put it on the agenda. If two-thirds of the Council is not present, then the vote must be unanimous among those present. The emergency issue must also have come to the District’s attention after the agenda was posted.

The Council’s standing committees are subject to the Brown Act. Ad hoc committees formed for special purposes—such as the Applicant Selection Working Group—are exempted from it. Advisory Council members may share information by e-mail or regular mail so long as it is not part of a decision-making process or amounts to an exchange of issues on an agenda item.

3. Round Table Discussion with District’s Management on Key Issues Facing the District and Assignments Proposed by District Staff

Mr. Broadbent presented his January 11, 2005 memorandum entitled “Potential Candidate Assignments from the Executive Officer/APCO” which set forth five areas of study for the Advisory Council as recommended by District staff, as follows:

- A) **Indoor Air Pollution** - While the Air District does not have direct authority, 50% of indoor air pollution originates outdoors, and from an exposure perspective, people are indoors 80-90% of the time. The Executive Officer/APCO is requesting the Advisory Council to explore the possible roles for the District regarding indoor air pollution. – Suggested Committee lead: Public Health.

- B) **Climate Change and Green House Gases** – With the action last year by the California Air Resources Board, the issue of what the Air District can be doing in regard to Global Warming is appropriate for the Advisory Council to review. The Executive Officer/APCO is requesting that the Advisory Council review how the Air District could position itself, under existing authority, to address Greenhouse Gases and Global Warming Issues. - Suggested Committee leads: Technical and/or Air Quality Planning.

- C) **Continued Clean-Up of Existing Diesel Sources** – There is expanded funding for Carl Moyer and other grant programs, this coupled with diminishing emission returns from replacement of conventional technologies with alternative technologies because new conventional technologies (vehicles, engines, etc.) are becoming much cleaner and are changing the cost effectiveness of existing grant programs. The Executive Officer/APCO is requesting that the Advisory Council review the incentive based clean-up programs and recommend areas where the program could be expanded and/or focused on more cost effective options. – Suggested Committee leads, Technical and/or Air Quality Planning.

- D) **Hydrogen Highway Blueprint** – The State has unveiled the Hydrogen Highway Blueprint as a road map to the future. The Executive Officer/APCO requests that the Advisory Council explore the Hydrogen Highway Blue Print and advise how the District can partner with the State in the endeavor. – Suggested Committee lead: Air Quality Planning.

- E) **Community Air Risk Evaluation (CARE) Program** – The District has embarked upon a multi-year Community Air Risk Evaluation program. The Executive Officer/APCO requests that the Advisory Council track the progress of the program and provide input as appropriate. – Suggested Committee leads: Public Health and Technical.

Noting that District programs and future challenges have been reviewed by staff and were discussed at a Board retreat last year and at an All-Hands meeting with staff this year, Mr. Broadbent stated:

- a) The District will continue to closely monitor the state budget situation for future fiscal years.
- b) The continuing transition of the District's computer system from the older Databank program to newer systems is the major expenditure apart from personnel costs, and will focus on integrating the production processes in the Enforcement and Engineering Divisions.
- c) The Cost Recovery Study is underway will address the District's fee structure and Carl Moyer program funding. The Governor signed key legislative initiatives last year that will fund the Moyer program well into the future and transmit \$20 million annually to the District for allocation to various emission reduction programs, most of which will deal with heavy-duty diesel. Curiously, the larger air districts that do not meet attainment receive more funds than those air districts that do, thereby penalizing the latter. The District is working with other air districts and will introduce legislation to correct this disparate treatment in funding allocation.
- d) The District is creating an advisory committee for the CARE program that will have broad representation from diverse groups.

- e) The District has been asked to participate in a state initiative on the use of hydrogen as a fuel for mobile sources. Staff requests the Council's input on the kind and extent of participation in such an effort.
- f) Over 40 public meetings have been held on the 2005 Ozone Strategy, which contains 38 control measures. The document is under public comment and represents a blueprint for future rule-making. An important element concerns pollutant transport to downwind districts. The District is in the process of developing control measures for fine particulate matter.
- g) Last year the Council began its investigation into the field indoor air quality management, and this should be continued this year as part of a continuing policy dialogue at the District. The Council last year recommended the District hire an indoor air quality intern. What is the District's role in this field, and how can District programs be integrated with indoor air quality? What would a District indoor air quality program look like? Mr. Broadbent opined that counties are in a better position than the District to promulgate standards for indoor air quality. Nevertheless, the public does not perceive a distinction between air quality management outside or inside the home. There are growing concerns over Bay Area asthma rates and particularly in the Bayview Hunters Point area. This represents a challenge for the District.
- h) There are some areas of investigation underway at the District into further rule-making concerning refinery operations, including a flare control rule.
- i) There are continuing efforts at the state level to clean up diesel engines, especially in construction equipment and off-road applications. There is an ongoing debate in California to require operators of diesel equipment to buy or purchase the cleanest vehicle available. Fleet rules have been adopted in the South Coast AQMD. Can this be expanded to other air districts? Some concern has also been raised in the meetings of the Board Mobile Source Committee about how to further encourage, or require, school bus operators to clean up school bus fleets.
- j) Given the adoption of the Pavley bill establishing carbon dioxide (CO₂) emission standards, the District needs to play a role in the issue of climate change. Increasing global temperatures are also linked with ozone exceedances. As temperatures rise the potential increases to erode progress in reducing ozone excesses. Staff requests that the Council study and offer advice on how the District should move forward in this area.

In response to Council member questions, Mr. Broadbent stated:

- Urban heat island mitigation strategies can play a part in the effort to reduce temperatures in urban settings, thereby helping to reduce the rate of ozone exceedances as well. Energy conservation will not only reduce global warming but also emissions of nitrogen oxide (NO_x).
- The list of proposed candidate assignments for the Council does not contain the 2005 Ozone Strategy as the Council offered advice on that last year. Staff will nevertheless provide updates as necessary as the document goes through public and environmental review.
- Regarding a schedule for topic review, comments on the CARE program and diesel clean-up are on-going, while climate change issues would be desirable in the first-half of the year.
- The EPA may replace the 1-hour ozone standard with an eight-hour standard. Staff will keep the Council informed as to the disposition of the former.
- The District is not a "first responder" in episodic release events, and does not perform plume modeling in real-time.

4. **Convene to Working Lunch for Meetings and Discussion Sessions of the Public Health Committee, Air Quality Planning Committee and Technical Committee.** The Council convened into Standing Committee format at 11:55 a.m.
5. **Reconvene to Full Council Format for Follow-up on Committee Discussion Sessions.** The full Advisory Council reconvened at 1:04 p.m. The Standing Committees reported out as follows.

Air Quality Planning Committee. Dr. Holtzclaw stated that climate change, diesel clean-up and the hydrogen highway blueprint would constitute the Committee's work plan. The state is expected to issue a draft plan on the hydrogen highway blueprint this month. The Committee could schedule a guest speaker from the state to provide a presentation on it. The AQPC will coordinate with the Technical Committee on the other two candidate assignments. AQPC meetings will convene in the mornings of February 9, April 13, June 8, August 10, October 12 and December 12.

Technical Committee. Mr. Hayes stated that the CARE program will be the first priority, climate change the second, followed by diesel clean-up, the transition to the eight-hour ozone standard and the problem of inter-basin ozone transport. The Committee will also examine if there is a technical nexus between ozone concentrations and greenhouse gas emissions, both in stationary source emissions and fuel choices. The Committee will initially want to receive a staff presentation on the current status of the CARE program. It will also discuss climate change and where it can weigh in on the issue and identify practical and attainable goals by the first part of the year. Subsequently, the Committee will invite a guest speaker to talk about key aspects of greenhouse gas and climate change problems. Speakers may be invited from the California Climate Action Network—which is a voluntary registry for greenhouse gases—as well as Stanford University, which sponsors a major greenhouse gas climate change program. The Committee also believes that diesel clean-up and the CARE program are inter-related in several respects. The Committee's first meeting will be held in early February.

Public Health Committee. Mr. Torreano stated the Committee will meet at 1:30 p.m. every third Monday of the even numbered months, except for February, as follows: February 15, April 18, June 20, August 15, October 17 and December 19. The Committee will address indoor air quality and assess the scope of the issue and different agency jurisdictions at the municipal, county, state and federal level. It may also sponsor a stakeholders' forum for the discussion of indoor air quality issues. The Committee will review the dynamics of community outreach associated with indoor air quality, and will also address the CARE program and review any policies coming out of that program.

COMMENDATION/PROCLMATION:

6. **Recognition of Outgoing Chairperson Elinor Blake.** Chairperson Zamora stated that Ms. Blake set a robust agenda for the Council last year and accomplished everything on it. Toward the end of her term as Chair, she also asked the Council members to evaluate the accomplishments for the year.

OTHER BUSINESS:

7. **Council Member Comments/Other Business.** Mr. Dawid commended staff for including the Joint Policy Committee on the Monthly Calendar of District Meetings. Mr. Broadbent noted that the Governor has expressed interest in seeing former District Board member Sunne Wright McPeak participate on the Joint Policy Committee. Messrs. Shanahan and Zamora thanked the management and Clerk's Office staff for their professionalism and support of the Council over the years.

8. Time and Place of Next Meeting. 10:00 a.m., Wednesday, March 9, 2005, 939 Ellis Street, San Francisco, CA 94109.

9. Adjournment. The meeting was adjourned at 1:30 p.m.

James N. Corazza
Deputy Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

To: Chairperson Townsend and
Members of the Executive Committee

From: Gary Kendall,
Acting Director of Planning & Research

Date: January 27, 2005

Re: Update on the Bay Area Ozone Strategy

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The District is preparing the Bay Area 2005 Ozone Strategy. The Ozone Strategy will address State and national air quality planning requirements. On November 29, 2004 staff provided the Executive Committee a status report on the Ozone Strategy. The report summarized activities related to the development of draft control measures, including public involvement processes, consultations with neighboring air districts, control measure evaluations, and draft control measure descriptions.

DISCUSSION

Staff will present an update on the 2005 Ozone Strategy, including:

- Public involvement processes, including comments on draft control measures and staff responses
- All feasible measures requirements under the California Clean Air Act and transport mitigation regulations
- Environmental review under the California Environmental Quality Act
- EPA's finding of attainment for the national 1-hour ozone standard
- Revocation of the national 1-hour ozone standard
- Next steps

Respectfully submitted,

Gary Kendall
Acting Director of Planning & Research

FORWARDED BY: _____

Prepared by: Henry Hilken
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

AGENDA NO. 7

To: Chairperson Townsend and Members of the Executive Committee
From: Jack P. Broadbent, Executive Officer/APCO
Date: January 26, 2005
Re: Report of the Northern California Air Quality Coordinating Group Meeting

RECOMMENDED ACTION:

Receive and file.

DISCUSSION:

The Northern California Air Quality Coordinating Group will meet on Friday, January 28, 2005. An oral report will be presented to the Committee.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

AGENDA NO. 8

To: Chairperson Townsend and Members of the Executive Committee
From: Jean Roggenkamp, Deputy Air Pollution Control Officer
Date: January 26, 2005
Re: Joint Policy Committee Overview

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

Senate Bill No. 849 established the Joint Policy Committee consisting of representatives of the Bay Area Air Quality Management District, the Metropolitan Transportation Commission, and the Association of Bay Area Governments to coordinate regional planning in the San Francisco Bay Area.

DISCUSSION

Ted Droettboom, Regional Planning Program Director, who is staff to the Joint Policy Committee, will provide an overview of the Joint Policy Committee at the February 4, 2005 Executive Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jean Roggenkamp
Deputy Air Pollution Control Officer

FORWARDED: _____



Association of Bay Area Governments
Bay Area Air Quality Management District
Metropolitan Transportation Commission

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Joint Policy Committee / Regional Planning Program

Date: January 26, 2004 AGENDA NO. 8

To: BAAQMD Board of Directors

From: Ted Droettboom, Regional Planning Program Director

Subject: The ABAG/BAAQMD/MTC Joint Policy Committee and Regional Planning Program

I have been asked to brief you on the work of the Joint Policy Committee (JPC). This memo provides brief background on the JPC, its mandate and its work program.

The JPC grows out of the work of an ABAG-MTC Task Force which was formed in June of 2003 to review ways to improve comprehensive regional planning, including possible organizational and structural changes to ABAG and MTC. The Task Force decided to reject a formal merger of ABAG and MTC functions and to experiment with a process for the two agencies to work more closely together in the pursuit of coordinated regional planning. To oversee this process, the JPC was formed. At its initiation, the Committee had fourteen members: seven ABAG Executive Board Members and seven MTC Commissioners. The JPC hired a Regional Planning Program Director to assist it in developing a work program and to coordinate staff efforts from the two agencies in pursuit of that program.

Senate Bill 849 (Torlakson), recently signed into law by the Governor, required that the JPC expand its membership to include representation from the Bay Area Air Quality Management District. Representatives from BAAQMD joined the Committee at its December meeting. The State's Secretary of Business, Transportation and Housing has also been invited to appoint an *ex officio* member to the Committee.

Bill 849 also requires that the JPC

...shall coordinate the development and drafting of major planning documents prepared by ABAG, MTC, and the Bay Area Air Quality Management District, including reviewing and commenting on major interim work products and the final draft comments prior to action by ABAG, MTC, and the Bay Area Air Quality Management District. These documents include, but are not limited to, the following:

(1) Beginning with the next plan update scheduled to be adopted in 2008, the regional transportation plan prepared by MTC and described in Section 66508 of the Government Code.

(2) The ABAG Housing Element planning process for regional housing needs pursuant to Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

(3) The Bay Area Air Quality Management District's Ozone Attainment Plan and Clean Air Plan.

Consistent with the recommendations of the ABAG-MTC Task Force, the JPC has decided to build its initial work program on the foundation provided by the *Smart Growth Strategy/Regional Livability Footprint Project*. That project was completed in October 2002 under the auspices of a multi-sector partnership and involved the participation of thousands of citizens from throughout the Bay Area. The JPC refers to this as the “regional vision.”

The initial JPC work program has eight objectives:

1. Initiate a process for the local confirmation of the regional vision and local implementation of a voluntary regional interest statement to be used in reviewing local projects;
2. Prepare ABAG-MTC regional planning bill proposals and a legislative strategy for the 2005-2006 session of the State Legislature;
3. Provide JPC review and comment on pre-existing MTC and ABAG work program items related to implementation of the regional vision;
4. Develop a mechanism and process for regional planning comment on regionally significant projects;
5. Develop a communication strategy to build wider understanding and support for the regional planning vision;
6. Assemble an implementation tool kit;
7. Identify areas of focus for regional implementation resources;
8. Initiate monitoring and evaluation.

In the longer term, the JPC intends to begin addressing some policy gaps in the current vision, including the explicit identification of significant environmental assets and an approach to employment distribution to complement the present regional concentration on allocating housing development.

The JPC has met six times:

1. In June, it hired its staff and agreed on some basic meeting protocols.
2. In August, it reviewed the present status of regional planning in the Bay Area, the contributions of ABAG and MTC to the regional planning cause, some issues requiring resolution, and work program principles.
3. In September, it approved a six-month work program and a joint legislative program for the 2005-2006 session of the State legislature. It also reviewed and commented on ABAG’s Projections 2005 process and the monitoring of smart-growth initiatives relative

to the projections, and it received and commented on a presentation of the principles underlying transit-oriented development.

4. In October, it continued its consideration of transit-oriented development with a presentation of research findings from around the country, it explored how smart-growth projections affect travel demand and behavior through a review of MTC modeling results, and it approved a draft Smart Growth Checklist (attached) for potential use by local governments in assessing the regional implications of development projects. The Committee also reviewed the implications of SB 849.
5. In November, it reviewed the regional planning implications of new state housing laws and draft policies for conditioning new transit extensions on supportive development.
6. In December, it received a presentation on Transportation 2030, the Regional Transportation Plan, and it discussed a proposal for the intergovernmental review of regionally significant projects.

Over the course of the next few meetings, the JPC is expected to address:

- Preliminary ideas on combining some ABAG and MTC functions, following from the requirement in SB 849 that the JPC report to the legislature by January, 2006 on the feasibility of functional consolidation;
- First-cut assessments of how the region is doing in achieving some aspects of smart growth;
- Potential incentives to encourage smart growth plans and projects;
- Refinements to transit-oriented development policy and to the intergovernmental review proposal.

It is important to remember that the JPC is a multi-agency coordinating body. It has only one temporary staff member of its own and must pursue its work program with the concurrence and through the resources and statutory mandates of its three member agencies. As the JPC's program becomes more aggressive—as it inevitably must if it is to be effective—there will be significant implications for the amount, allocation and focus of regional planning resources within each of the three agencies.

Material relating to the JPC—including minutes, staff presentations and reports from previous meetings—is available on the Committee's website, www.abag.ca.gov/jointpolicy.

A SMART-GROWTH CHECKLIST

FOR TESTING DEVELOPMENT PROJECTS AGAINST BAY AREA LIVABILITY OBJECTIVES

The San Francisco Bay Area contains nine counties and over one hundred cities. These local governments are responsible for formulating local land-use plans and for regulating land development consistent with those plans.

There are also a number of region-wide agencies in Bay Area. Two of these, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) have joined together in a Joint Policy Committee (JPC) to work toward the achievement of a collective vision for the entire Bay Area. That vision was developed through the Smart Growth Strategy/Regional Livability Footprint Project. The Project was done under the auspices of a multi-sector partnership—including representatives of government, private business and the voluntary sector—and involved the participation of thousands of citizens from throughout the region. The JPC intends to pursue the vision through influencing the strategic investment of regional funds, principally in transportation improvements, and through the voluntary cooperation of a number of partners, particularly local governments.

The core principle of the regional vision is smart growth. Smart growth is regional development that revitalizes central cities and older suburbs, supports and enhances public transit, promotes walking and bicycling, and preserves open spaces and agricultural lands. Smart growth seeks to revitalize the already-built environment and to ensure that new development occurs in the most efficient manner possible. It aims to create more livable communities with sufficient housing for the region's workforce. Smart growth attempts to minimize the impact of development on the environment and on natural resources, it tries to reduce the need for new and redundant public expenditures, and it works to ensure that all the region's residents—including those who are disadvantaged—benefit from the changes associated with growth.

This checklist is to assist local governments in their contribution to achieving the Bay Area vision, promoting smart growth and building a more livable region. Without imposing prescriptive, inflexible and precise standards and without requiring an expensive and time-consuming analysis process, it provides a set of general qualities against which to test individual development proposals.

By going through the list, local governments may make a rudimentary assessment of how an individual project facilitates or frustrates the future which the entire Bay Area is pursuing. To the extent that there is discretion, this assessment may influence the development approvals process and help identify desirable project improvements. In the longer term, it may prompt amendments to general plans and zoning codes to encourage more regionally friendly projects. At minimum, it should provoke a productive discussion of the project and of the community's future in the context of the entire Bay Area.

Regional Policy

The checklist is based on explicit regional policy. Both the ABAG and MTC Boards have formally adopted the Preamble and Policies quoted in the box below. These have also been adopted by the Bay Conservation and Development Commission (BCDC) and by the Bay Area Air Quality Management District (BAAQMD).

Preamble

Current land-use patterns in the San Francisco Bay Area are putting intense pressure on the economic, environmental and social wellbeing of the Bay Area and of surrounding regions. The projected addition of over one million new residents and one million new jobs in the coming decades will further challenge our ability to sustain the high quality of life we enjoy today.

To help meet this challenge, the five regional agencies of the Bay Region—the Association of Bay Area Governments, Bay Area Air Quality Management District, Bay Conservation and Development Commission, Metropolitan Transportation Commission and the Regional Water Quality Control Board—along with the economy, environment and social equity caucuses of the Bay Area Alliance for Sustainable Communities, developed a set of Smart Growth policies.

The policies reflect the values articulated by workshop participants of the Smart Growth Strategy/Regional Livability Footprint Project and address Bay Area conditions. The policies are consistent with widely accepted notions of smart growth. They are meant to encourage meaningful participation from local governments, stakeholders and residents.

The policies provide a framework for decision-making on development patterns, housing, transportation, environment, infrastructure, governmental fiscal health and social equity that can lead us toward development of vibrant neighborhoods, preservation of open space, clean air and water, and enhanced mobility choices, while enhancing the Bay Area's relationship with surrounding regions.

Policies

Jobs/Housing Balance and Match

Improve the jobs/housing linkages through the development of housing in proximity to jobs, and both in proximity to public transportation. Increase the supply of affordable housing and support efforts to match job income and housing affordability levels.

Housing and Displacement

Improve existing housing and develop sufficient new housing to provide for the housing needs of the Bay Area community. Support efforts to improve housing affordability and limit the displacement of existing residents and businesses.

Preamble and Policies, continued...

Social Justice and Equity

Improve conditions in disadvantaged neighborhoods, ensure environmental justice, and increase access to jobs, housing, and public services for all residents in the region.

Environmental, Natural Resource, Open Space and Agricultural Preservation

Protect and enhance open space, agricultural lands, other valued lands, watersheds and ecosystems throughout the region. Promote development patterns that protect and improve air quality. Protect and enhance the San Francisco Bay and Estuary.

Mobility, Livability and Transit Support

Enhance community livability by promoting in-fill, transit oriented and walkable communities, and compact development as appropriate. Develop multi-family housing, mixed-use development, and alternative transportation to improve opportunities for all members of the community.

Local and Regional Transportation Efficiencies

Promote opportunities for transit use and alternative modes of transportation including improved rail, bus, high occupancy (HOV) systems, and ferry services as well as enhanced walking and biking. Increase connectivity between and strengthen alternative modes of transportation, including improved rail, bus, ride share and ferry services as well as walking and biking. Promote investments that adequately maintain the existing transportation system and improve the efficiency of transportation infrastructure.

Infrastructure Investments

Improve and maintain existing infrastructure and support future investments that promote smart growth, including water and land recycling, brownfield clean-up and re-use, multi-use and school facilities, smart building codes, retention of historic character and resources, and educational improvements.

Local Government Fiscal Health

Improve the fiscal health of local government by promoting stable and secure revenue sources, reduced service provision costs through smart growth targeted infrastructure improvement, and state and regional sponsored fiscal incentives. Support cooperative efforts among local jurisdictions to address housing and commercial development, infrastructure costs, and provision of services.

Cooperation on Smart Growth Policies

Encourage local governments, stakeholders and other constituents in the Bay Area to cooperate in supporting actions consistent with the adopted Smart Growth policies. Forge cooperative relationships with governments and stakeholders in surrounding regions to support actions that will lead to inter-regional Smart Growth benefits.

The Role of Development Projects

Smart growth is a simple concept but difficult to achieve. The attainment and maintenance of the qualities we all want for the Bay Area will require the concerted and coordinated effort of all levels of government and the cooperation of myriad participants in the private and voluntary sectors. Smart growth will not occur by just changing the characteristics of individual development projects. It will require hard choices about where we put our transportation and infrastructure dollars, how we designate and protect open space and other environmental assets, and what collective steps we take to ensure that all segments of the region's population, particularly our most vulnerable, benefit from growth.

Nevertheless, the character of the new development has a central role to play in maintaining the livability of the Bay Area. The location, composition, density and design of new development projects can have an immense cumulative impact on the Bay Area's ability to sustain a healthy economy and reasonable cost of living, to provide effective and inexpensive public services, to secure adequate choice and opportunity for present and future generations of residents, to protect our environment, and to ensure that we all continue to enjoy a high quality of life.

New development is supportive of the smart growth policies and helps pursue the region's livability objectives to the extent that it:

1. Reduces the need to travel long distances;
2. Facilitates transit and other non-automotive travel;
3. Increases the availability of affordable housing;
4. Uses land efficiently;
5. Helps protect natural assets;
6. Promotes social equity;
7. Employs existing infrastructure capacity;
8. Maintains and reinforces existing communities.

The Checklist

The following checklist, organized around the above eight criteria, provides a ready, non-technical way of assessing a development project's contribution to smart growth and Bay Area livability objectives. In total, the checklist describes an *ideal*. It is highly unlikely that any one project will earn a check mark in every box—or even in most. Many of the items are not applicable to every project. However, going through the list will facilitate an informal evaluation of a project's performance relative to the shared vision for the region and help identify areas where improvement is desirable and possible. The checklist is not a substitute for the detailed technical analysis that may be required to measure a project's environmental impact or to assess

conformity with community land-use objectives; but the list may supplement that technical analysis and help focus it on issues that are also of concern to the overall health of the entire Bay Area region.

1. Reduces the need to travel long distances

- If a residential or mixed-use project, it creates housing units appropriate to and affordable for people working in the local community (i.e., it could decrease the requirement to import workers from outside the community).
- If a commercial, industrial or mixed-use project, it provides jobs which could be filled by people living in the local community (i.e., the jobs generally match the skill levels of the local labor force).
- If a residential or mixed-use project, it is within walking distance of or contains the stores and services that people typically require on an everyday basis (e.g., food or convenience store, dry cleaner, neighborhood school, childcare facility, recreation center).
- If a commercial, industrial or mixed-use project providing significant employment, it is within walking distance of or contains services and activities that fulfill everyday needs and provide respite from the work environment (e.g., restaurants, parks, recreation facilities, convenience retail).
- It provides housing opportunities within walking distance of an employment center or employment opportunities within walking distance of a substantial residential population.
- It mixes uses (any combination of housing, retail, office and services) or it adds to the diversity of uses within an existing area.

2. Facilitates transit and other non-automotive travel

- It locates housing units or employment locations within walking distance of a rail transit station, bus stop, ferry terminal or other transit boarding point.
- It encourages easy, direct and safe pedestrian travel (i.e., it contains or connects directly to developed sidewalks or pedestrian paths, and it provides for the safe and convenient pedestrian crossing of thoroughfares, automobile entrances, and driveways).
- It makes provision for bicycle commuting (e.g., bike paths or lanes, bike racks and lockers, showers and changing rooms in commercial and industrial facilities).
- It is developed at densities appropriate to the existing or anticipated transit technology serving the project (These will vary by corridor and other specific situations, but generally accepted rules of thumb are: conventional bus at 7 to 15 residential units per acre, commuter rail or light rail at 10 to 25 units per acre—higher at stations, rapid transit

such as BART at 25 to 75 residential units per acre or with commercial floor area ratios up to 10 in suburban centers and higher in downtowns).

- It provides pedestrian amenities that encourage walking (e.g., weather protection, sidewalk trees, lighting, trash receptacles and street furniture) and assist transit use (e.g., bus benches and shelters, informative signing).

3. Increases the availability of affordable housing

- It enlarges the variety of housing types (single family, townhomes, and apartments), sizes (studio, 1BR, 2BR, 3BR, etc), tenures (fee simple, condominium and rental) and prices available, contributing to a more complete, inclusive and multi-generational community.
- It provides housing units affordable to households earning between 80 and 120 percent of the regional median household income or less.
- It contributes to meeting the community's statutory allocation of regional housing need, particularly for the very low, low and moderate income categories.

4. Uses land efficiently

- It is developed at a density higher than but compatible with that prevailing in the surrounding community (i.e., it increases the housing or employment yield per unit of land but does not overwhelm infrastructure capacity or neighborhood character).
- It results in the infill and completion of an existing community rather than an expansion of the developed area or the creation of new separated and isolated areas of development.
- It creates integrated public open space which is not only decorative but also accessible and usable, providing a shared community amenity and an alternative to private space.

5. Helps protect natural assets

- It is developed within a developed area without encroachment into greenbelt, particularly into environmental assets (e.g., watersheds, shorelines and wetlands, unbroken forest and grassland areas, wildlife habitat) or into agricultural land.
- It results in the clean up of a contaminated site (i.e., brownfield).
- It is designed to be energy efficient (e.g., it is well-insulated, it uses low-energy lighting and appliances and natural lighting and ventilation when feasible; it employs environmentally friendly energy sources such as solar, geo-thermal or co-generation).
- It uses recycled or low-impact building materials.

- It is sited so as to protect existing mature trees.
- It helps conserve water (e.g., it uses less water-demanding landscape materials or it uses recycled “gray” water for irrigation).
- It demonstrates good contemporary practices for storm-water management, pollution prevention, and minimization of storm-water runoff.
- It is located on land that is physically suitable for development (e.g., not on steep slopes greater than 15 percent, directly above seismic fault lines and areas subject to extreme liquefaction, or areas subject to frequent flooding).

6. Promotes social equity

- It minimizes displacement of existing lower-income residents or existing small, independent businesses and it provides affordable and suitable replacement units for those displaced.
- It provides employment opportunities suitable for and accessible to an existing population of unemployed or underemployed workers.
- It provides affordable space for needed community services (e.g., child care and child development, public recreation and education, health care).
- It preserves and improves or it adds low-income housing which blends seamlessly into the surrounding community and does not concentrate, isolate or stigmatize residents.

7. Employs existing infrastructure capacity

- It is located adjacent to existing infrastructure: roads, public transit, water, sewer and schools.
- It attempts to use existing facilities in preference to new or additional facilities (e.g., fire, police, schools).
- It uses and helps maintain public facilities that would otherwise face downsizing or closure (e.g., schools left behind by demographic change).

8. Maintains and reinforces existing communities

- It helps complete an existing neighborhood by filling in a vacant or underutilized site or by adding missing neighborhood uses.
- It reuses or rehabilitates existing and historic structures.

- It employs an architectural style compatible with the dominant and desired character of the area.
 - It relates to the surrounding community and does not create an isolated enclave.
-

BAY AREA AIR QUALITY MANGEMENT DISTRICT
Inter Office Memorandum

To: Chairperson Townsend and Members
of the Executive Committee

From: Brian Bateman,
Director of Engineering Division

Date: January 26, 2005

Re: Report on District's Community Air Risk Evaluation (CARE) Program

RECOMMENDED ACTION:

Informational report. Receive and file.

BACKGROUND:

The District has initiated a Community Air Risk Evaluation (CARE) program to evaluate and reduce health risks associated with toxic air pollutants in the Bay Area. Staff will provide the committee with an update on developments in this program.

DISCUSSION:

The CARE program will address a variety of toxic air pollutants with an emphasis on diesel particulate matter (PM), which is thought to be the major source of airborne cancer risk in California. The District has made the following progress on CARE program objectives:

- (1) CARE Advisory Committee – Invitations to participate on the Advisory Committee have been sent. Together, the prospective Committee members represent a diverse and highly qualified group. Included on the proposed list are community representatives with experience working on air quality and/or health issues, representatives of various sectors of the regulated community, representatives of academic institutions in fields relevant to the CARE program, as well as public health experts. The list of invitees will be presented to the Stationary Source Committee at the meeting on January 24, 2005.
- (2) Emission Density Maps - Staff is in the process of developing emission inventories that will be mapped on a 2 km x 2 km grid of the Bay Area using geographic information system (GIS) software. The area source inventory has been completed. Work is set to start soon on the on-road motor vehicle emission inventory. These two emission inventories, plus the District's point source inventory, will all be entered as data into the GIS software. The software was purchased and installed for two staff members this month. These staff also attended GIS training.
- (3) Monitoring Support for Emission Inventory – District laboratory staff have been using the new Thermal Optical Carbon Analyzer since September to determine the ratio of organic carbon to elemental carbon on the particulate matter filters from the District's monitors.

Filters collected from 1999 through most of 2004 were previously analyzed, and the results provided to the District by the Desert Research Institute.

- (4) Analysis and Modeling Support for Emission Inventory – The District statistician is performing an initial analysis of the carbon data and emissions data. The preliminary Report is expected by the end of January. There is an ongoing process to hire a modeler who will also work on the CARE program.
- (5) Risk Evaluation for a Pilot Project Area – The pilot area will be selected after staff create and evaluate the gridded emission maps and underlying data. In order to eventually conduct the risk assessment, staff will audit the accuracy of District records in the pilot project neighborhood, and obtain additional data using global positioning system (GPS) technology. The GPS verified data will include street location, physical parameters of key buildings (including any building with the potential to impact downwash), facility boundary lines, source release parameters (e.g. stack heights) as well as the location of significant receptors including schools, child and elder care facilities, and high density residential blocks. The GPS equipment was purchased this month. Two temporary staff will be hired to take the measurements and input the data. The hiring process is underway.

The remaining program objectives, Evaluate Risk Reduction Opportunities and Implement a Risk Reduction Plan, await the completion of the technical study and evaluation.

Respectfully submitted,

Brian Bateman
Director of Engineering

Forwarded: _____

Prepared by: Janet Stromberg
Reviewed by: Peter Hess

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

AGENDA NO. 10

To: Chairperson Townsend and Members of the Executive Committee
From: Jeff McKay, Director of Information Services
Date: January 26, 2005
Re: Replacement of DataBank and IRIS

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

Unique software applications, DataBank and IRIS, are used to carry out District business processes. Examples of these processes include Planning, Permitting, Inspection and Emission Inventory.

The Air District first implemented the DataBank application in 1977. This application pre-dates database technology, and stores information in flat files. In 2001 the District implemented the IRIS application, partially relieving Databank of some function. The migration to modern technology must continue for the District to fulfill its mission.

DISCUSSION

The early design process includes review of common business tools such as Document Management Systems. The migration will make maximum use of such common existing business applications. These applications will be integrated with any custom elements required to enable the District's unique business needs. Build and Development will begin only after substantial verification of Design. Identification of Design will enable final targets for resource requirements. Although these targets are still to be determined, the migration should be substantially complete in calendar year 2007.

This presentation will focus on ongoing survey work that provides information on current best practices and on Implementation resources. The Executive Committee will receive regular updates on this process.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Initial funds for this work are included in the approved 04/05 budget.

Respectfully submitted,

Jeff McKay, Director
Information Services Division

FORWARDED: _____