

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
WATERFRONT PLAZA HOTEL – 10 WASHINGTON STREET, OAKLAND, CA

Approved Minutes: Board of Directors’ Regular Meeting and Retreat – January 16, 2008

Call To Order

Opening Comments: Chairperson Jerry Hill called the meeting to order at 9:56 a.m.

Roll Call: Present: Jerry Hill, Chair, Tom Bates, Dan Dunnigan, Erin Garner (10:33 a.m.),
Scott Haggerty, Yoriko Kishimoto, Liz Kniss (10:15 a.m.), Janet
Lockhart, Jake McGoldrick (10:07 a.m.), Nate Miley (10:05 a.m.),
Mark Ross, Michael Shimansky, Tim Smith (9:59 a.m.), Pam Torliatt
(10:09 a.m.), Gayle B. Uilkema, Brad Wagenknecht.

Absent: Harold Brown, Chris Daly, John Gioia, John Silva.

Pledge of Allegiance: The Board of Directors recited the Pledge of Allegiance.

Director Smith arrived at 9:59 a.m.

Director Miley arrived at 10:05 a.m.

Director McGoldrick arrived at 10:07 a.m.

Public Comment Period: – There were three speakers during the public comment period.

Rob Simpson
27126 Grandview Ave.
Hayward, CA

Audrey A. LePell
CAP = Citizens Against Pollution (President)
299 Ocie Way
Hayward, CA 94541

Andrew Wilson
31438 Greenbrier Lane
Hayward, CA 94544

All speakers voiced their views regarding the Russell City Energy Center, located in Hayward, CA.

Director Torliatt arrived at 10:09 a.m.

Commendation/Proclamation – *The Board of Directors acknowledged the incoming Chairperson Jerry Hill, with the passing of the gavel.*

The Board of Directors recognized outgoing Chairperson, Mark Ross for his leadership in 2007. In addition, Mr. Jack P. Broadbent, Executive Officer also presented the outgoing Chairperson with gifts on behalf of the Air District.

The Board of Directors presented a plaque to outgoing Advisory Council Chairperson, Fred Glueck for his outstanding service on the Council this past year.

Director Kniss arrived at 10:15 a.m.

Consent Calendar (Items 1 – 5)

1. Minutes of January 16, 2008 Meeting
2. Communications. Correspondence addressed to the Board of Directors. For Information only.
3. District Personnel on Out-of-State Business Travel

In accordance with Section 5.4 (b) of the District’s Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memoranda lists District personnel who traveled on out-of-state business.

4. Approve California Employer’s Retiree Benefit Trust Program Agreement and Election of Bay Area Air Quality Management District to Pre-Fund Other Post Employment Benefits through CalPERS; and Approve Initial Contribution

The Board of Directors considered approving the California Employer’s Retiree Benefit Trust Program Agreement and Election of Bay Area Air Quality Management District to Pre-fund Other Post Employment Benefits Through CalPERS and approve an initial contribution toward pre-funding in the amount of \$2.8 Million.

5. Consider Establishing a New Classification of Senior Policy Advisor

The Board of Directors considered approval of the establishment of a new classification of senior policy advisor with a salary range set at pay grade 151m (\$109,610 - \$133,232 annually).

Board Action: Director Wagenknecht moved approval of the Consent Calendar; seconded by Director Torliatt; carried unanimously without opposition.

Director Smith arrived at 10:33 a.m.

10:40 A.M. – Board of Directors’ Retreat

Opening Comments

Chairperson Hill noted that the Board of Directors should be proud of the work the Air District has done and looks forward to the ongoing work. Also, going forward the Air District will deal with the issues from last year and today the discussion will be based on the work that the Air District will go forward with.

State of the Air District

The Executive Officer/APCO addressed the Board of Directors regarding the State of the Air District.

Jack Broadbent, Executive Officer/APCO stated that the retreat will cover five policy issues and included an administrative and fiscal review. Policy issues addressed included: 1) Transition of the Spare the Air Campaign; 2) Wood Smoke Strategy; 3) the status of the District’s CARE Program efforts relative to toxic air contaminants; 4) a climate protection discussion; and 5) the Green Ports Initiative. Mr. Broadbent then provided his presentation which included the following:

- Administrative overview
- Air Quality Overview that included Ozone and PM
- Policy Direction
- Recommendation - Focus on Results/Deliverables for 2008 to include:
 - Transitioning of the Spare the Air Campaign
 - Wood Smoke Rule
 - Targeted Carl Moyer and Grant Program Funding and
 - Fee Rule to Support Climate Protection Program
 - Green Ports Initiative

Chair Hill commented on the Port of Oakland Health Risk Assessment (HRA) is coming back from CARB and should be here by the end of February or March.

Mr. Broadbent noted that the Air District plans on bringing the proposal this summer, there is currently a draft rule out, the comments were due on January 18, 2008 and changes are expected to be made to the proposal. To date, the Port plans lack sufficient specificity about what needs to be done.

Mr. Broadbent noted that this is probably the last year for the transit portion of the Spare The Air program. He stated that MTC has CMAQ funding through 2008 available for this program. Mr. Broadbent suggested perhaps a limited spare the air free transit program for this summer and then begin to speak to how do we get it back to the individual.

There were no comments or questions regarding this item.

Chair Hill noted that the Public Outreach Committee will work diligently on this matter with regard to transitioning the program.

Presentation - Comprehensive Wood Smoke Strategy

The Board of Directors received a presentation on efforts being undertaken to address pollution from wood smoke.

Kelly Wee, Director of Enforcement introduced the presentation.

The overview of the presentation included:

- Background on PM Cleaner burning incentives program
- Outreach program
- Major issues with Reg. 6-3: Woodburning devices
- Next steps

Mr. Wee noted that in December 2006, that EPA lowered the ambient 24-hour national standard for PM_{2.5}, (PM_{2.5} is the particulate that can go deep in the lungs) as it was lowered from 65 micrograms to 35 micrograms. This lowering reflects the increased concern over the public health impacts of fine PM. Mr. Wee also indicated that woodsmoke is about 1/3 of the PM_{2.5} that is seen in the winter time and there were 27 days on which the Bay Area was over that standard.

Some of the effects of this include an increase in the following:

- Lung function decrements, inflammation and permeability, susceptibility to infection, cardiac affects;
- Respiratory symptoms, medication use, asthma attacks;
- Doctor visits, school absences;
- ER visits, hospital admissions and;
- Death

San Jose and Vallejo tend to see some of the higher levels and the most number of days that exceed the standard. Redwood City recorded the highest value last year at 75 micrograms per cubic meter on a single day and that is nearly twice the national standard.

The Incentives Program included \$500,000 with \$100,000 moved into the Air District's budget and the first phase of the incentives program. This is in partnership with the Hearth Patio and Barbecue Association and this program will run for the next two months. This program will target conventional fireplaces and non-EPA certified wood stoves and replaces them completely with newer, lower emitting equipment.

The dollar amounts were set by looking at PM emission reduction ratings for these products, greenhouse gas neutrality and heat efficiency ratings to try and decide which ones will be incentivized with a few more dollars. The incentives range from \$300.00 to \$600.00. Press events will be held to coincide with a national program doing this same thing.

Director Kniss asked about the dollar amount the Air District is contributing as well as if there was a waiting list. Mr. Wee responded noting that the press events will not be out until the end of January 2008, and the last of the logistics were not in place. The Board of Directors agreed to set aside \$100,000 in this year's budget and there is another \$400,000 still in the reserves to continue to fund this program in the future. At present, there was no waiting list and the discount will be given by the retailer.

There were numerous questions and responses with regard to how this program works.

Director Haggerty commented that the Air District is moving in the right direction, but perhaps consideration should be given towards incentives for installation of the fireplaces and stoves.

The draft rule went to public workshop and Director Ross attended many of the hearings as well as some of the other board members. These meetings were well attended and in various locations within the nine counties. Live webcasts were also done in conjunction with the meetings, to allow individuals to participate no matter where they live. There were approximately 150 people who attended; 40 registered via webcasts; and 255 emails sent. This did not include direct correspondence that may have gone to the elected representatives. 48 television and radio print interviews; 100 printed articles and 75 phone calls took place. Overall, approximately 370 comments were received breaking down to about 2/3 in favor of the regulation and 1/3 objecting to the regulation.

The major issues included:

- EPA-certified devices and pellet stoves should be allowed to burn during curtailments.
- CEQA issue on GHG from Natural Gas Heating.

The next steps will include:

- Expand wood smoke outreach;
- Kick-off incentives program;
- Respond to comments received and revise draft regulation;
- Conduct second round of workshops (Spring '08) and complete a socio-economic study and CEQA review; and
- Hold public hearing (mid 2008)

Mr. Wee concluded his presentation.

Director Torliatt expressed her concern regarding long term, PM message and how the Air District will obtain the PM standards at the federal level.

Director Torliatt expressed concern regarding the long term vision and that the members should know what the long term goal is and wondered if the Air District would have to re-educate everyone all over again.

Action: Director Haggerty requested that the board instruct staff to come back with a program that helps with the installation of the fireplaces. Chair Hill has requested that staff look into Director Haggerty's comment. Both Director Haggerty and Chair Hill requested this item be brought to Stationary Source; Mr. Broadbent agreed.

Presentation – Community Air Risk Evaluation Program

The Board of Directors received a presentation on efforts being undertaken with regard to the CARE program.

Henry Hilken, Director of Planning, Rules, & Research presented the report an overview of the presentation.

Mr. Hilken noted that the Air District will continue on the technical tool of updating the emission inventory. The Air District has also conducted modeling at a regional level and at the local level, particularly in the risk assessment that Chair Hill referred to in West Oakland. The monitoring system is being expanded in West Oakland. The 880 Corridor in Alameda County and the 101 Corridor in San Mateo; the inventory side looks pretty similar but when it is modeled, the estimated concentrations are a bit higher because the winds blow from the west and disperse those emissions more readily and perhaps in Alameda county are obstructed by the hills.

Phase II Mitigation Measures include:

- Green Ports initiative;
- Advise cities and counties on land use, planning and development
 - Technical guidance
 - Workshops and outreach to local officials
- Continue targeted outreach efforts
- Focus grants and incentive funding in areas with high emissions and/or sensitive population
 - Carl Moyer Grants
 - Other Grants?
 - Truck emission reductions and report reduction totals back to communities

Focus Grant Funding in Most Impacted Areas:

- Target 5-6 top clusters; and
- Consider both high emissions and sensitive populations

Mr. Hilken noted that this item will be presented at a future Mobile Source meeting.

Action: Chair Hill has requested that in the future, when Air District staff make presentations in the jurisdiction of board members to please provide notice to the respective board members so that they are aware of what is going on.

Action: Chair Hill requested that there be a revised map showing the impacted areas along the corridor to reflect the I-580 and bring it back at a future committee meeting, pinpointing the emission problems in the other corridors.

Mr. Broadbent noted that that the best approach coming out of the CARE program is to target grant dollars into the impacted communities and upon initial discussions, perhaps taking 25% use of for the purpose of a mitigation strategy.

Chair Hill thanked Mr. Hilken for the presentation.

Overview of Climate Protection Efforts

The Board of Directors received an overview regarding Climate Protection efforts being undertaken by the Air District.

Mr. Broadbent presented the report and provided an overview and information on the 2007 accomplishments which included:

- \$3 million in grants award
- 53 grants awarded;
- Established a 4th and 5th grade curriculum
- Regional collaboration with city and counties and other agencies
- GHG mitigation study Phase I
- CEQA White Paper
- Climate Neutral
- Certified Green Business

2008 activities will include:

- Regional GHG Inventory Update
- Local Government Technical Assistance
- Update District CEQA Guidelines to Address GHG
- Incentives
- Regional Gas Fee
- GHG Mitigation Study Phase II
- District Regulations
- Stationary Source GHG Fee Schedule
- AB 32 Tracking
- Internal GHG Reduction

Director Torliatt thanked Mr. Broadbent for this presentation and noted her excitement about the program and that a lot will be accomplished this year. Director Torliatt also asked how will the Air District wrap the public health message in to all of this and how will the Air District connect with the county health departments. Mr. Broadbent responded by indicating that the agency falls short in being able to connect the dots in terms of the average person out there and that is where the Air District needs to talk about how to build a structure to better educate the public about the air quality they breathe in their home, in their office and when outdoors and the choices they can make. It has been discussed in general with possibly

having a health officer be considered as part of the budget, and if this is the appropriate approach.

Mr. Broadbent noted that this should be discussed at an Executive committee meeting to get the health message out there and how to begin to educate or at least connect the dots of the average person out on the streets and that would require more time.

6. Board Members' Comments – there were no comments.
7. **Time and Place of Next Meeting** – 9:45 a.m., Wednesday, March 5, 2008 – 939 Ellis Street, San Francisco, CA 94109
8. **Adjournment** – The meeting adjourned at 12:12 p.m.

/s/Vanessa Johnson
Vanessa Johnson
Acting Clerk of the Boards